



## NORTH BAY WATER REUSE PROGRAM

*Expanding Water Supplies with Regional Reuse*

January 12, 2016

The Honorable Robert Hertzberg  
California State Senate  
State Capitol, Room 4038  
Sacramento, CA 95814

**RE: SB 163**

Dear Senator Hertzberg:

On behalf of the North Bay Water Reuse Authority (NBWRA), I am writing regarding your SB 163 for purposes of generally echoing the comments and concerns outlined in the December 11, 2015 WaterReuse California letter on this measure.

As you may be aware, NBWRA is a coordinated effort of three counties (Marin, Napa and Sonoma) and 10 water and sanitation agencies, working together as one entity, to address water supply shortages from a watershed perspective. NBWRA's member agencies are investing in a number of diverse recycled water projects to offset potable demands and provide water supply reliability throughout the North San Francisco Bay region. This innovative, regional approach has resulted in the delivery of high-quality water for parks and landscaping, premium wine grape production and restoration of tidal wetlands and wildlife habitat.

While we believe the attached WaterReuse letter covers the substantial regulatory, financial and feasibility issues that pose barriers to compliance with a proposed eventual ban on ocean discharge, NBWRA members wish to particularly highlight the concerns most relevant to our region, as reiterated below:

- While some areas are driving toward potable reuse and related large-scale storage, potable reuse is not feasible in our region given the nature of our individual water systems and relatively vast geographic scope of our Program. Hence, the high cost of storage sufficient to capture the volume of water released by California's large storms (and prevent overspill of recycled water storage ponds) is a significant barrier to the level of capture envisioned by the current language of SB 163.
- In many areas of the state, the only alternative to discharge or storage would be irrigation, and irrigating in the winter when the ground is saturated means all the recycled water runs off, which is prohibited by state regulations.

- Non-potable “purple pipe” projects – such as those that serve urban, agricultural and environmental restoration purposes – cannot efficiently and economically be expanded to accommodate the volume of water contemplated in SB 163.

Moreover, it is important to note that some of our agencies intend to use discharge into the ocean (and bays) for critical environmental purposes – such as transitional wetlands that provide other benefits associated with mitigating sea-level rise and sequestration of greenhouse gases – and that the value of such uses should not be lost in the SB 163 discussion.

Overall, please be assured that the NBWRA agencies continue to strive toward maximization of recycled water use in our region. In fact, efforts include an innovative and highly technical pilot program to ease regulatory restrictions on storage of recycled water in agricultural ponds – which has to date been constrained by regulatory agencies’ concerns associated with storm events and runoff. Moreover, future regional plans do envision significant improvements to storage capacity to better capture additional water for reuse, rather than discharging to the ocean – so we are certainly active with respect to the general direction of SB 163.

Finally, please note that we appreciate your attention to the subject of capturing and reusing recycled water, rather than discharging to the ocean in that it will shed light on the various hurdles water and wastewater agencies face overall. While we believe that SB 163 in its current form is not a practical or feasible approach for the reasons outlined by WaterReuse and reiterated above, we would be pleased to engage in conversations about how SB 163 may be modified in light of concerns.

As also suggested by WaterReuse, we urge you and your staff to take the opportunity to visit agencies along the coast to understand their unique circumstances – and we would invite you to take a tour of NBWRA completed and future projects at a time of your convenience.

Please do not hesitate to contact me at (707) 565-2241 or NBWRA state lobbyist, Pilar Onate-Quintana at (916) 498-7736 with any questions regarding our perspective on issues raised by SB 163.

Sincerely,



David Rabbitt, Chair, North Bay Water Reuse Authority  
Director, Sonoma County Water Agency  
Supervisor, Sonoma County 2<sup>nd</sup> District