



Central Valley Regional Water Quality Control Board

25 June 2021

Robert McCaffrey, President
Tesoro Viejo Master Mutual Water Company
7020 N. Van Ness Boulevard
Fresno, CA 93711

CERTIFIED MAIL
7019 2970 0001 5201 5922

NOTICE OF APPLICABILITY

STATE WATER RESOURCES CONTROL BOARD WQ 2016-0068-DDW; WATER RECLAMATION REQUIREMENTS FOR RECYCLED WATER USE; TESORO VIEJO MASTER MUTUAL WATER COMPANY (TVMMWC); TESORO VIEJO RECYCLED WATER PROGRAM – PHASE A; MADERA COUNTY

*Please Read Carefully – This Notice of Applicability (Beginning on Page 5) Includes Legal Requirements for the **Salt Control Program***

Central Valley Regional Water Quality Control Board (Central Valley Water Board) staff reviewed the Notice of Intent (NOI) submitted by the Tesoro Viejo Master Mutual Water Company (Tesoro Viejo or TVMMWC) for regulatory coverage under Water Quality Order WQ 2016-0068-DDW, *Water Reclamation Requirements for Recycled Water Use* (General Order). The NOI included a Title 22 Engineering Report for the Tesoro Viejo Recycled Water System, dated 2 September 2020 (Title 22 Engineering Report). The State Water Resources Control Board, Division of Drinking Water (DDW) provided a letter dated 16 March 2021, conditionally approving the Title 22 Engineering Report. On 4 May 2021, DDW sent second letter modifying the 16 March 2021 conditional acceptance letter with respect to the spot-check bioassay requirement.

WWTP, LLC owns and TVMMWC (Administrator) operates the Tesoro Viejo Wastewater Treatment Facility, which serves the Tesoro Viejo Master Planned Community (Community) in southeastern Madera County (see Attachment A). The Facility is currently regulated by Waste Discharge Requirements (WDRs) Order R5-2016-0057 for the discharge of tertiary-treated disinfected effluent to lined storage ponds and reclamation areas within the Community.

KARL E. LONGLEY ScD, P.E., CHAIR | PATRICK PULUPA, ESQ., EXECUTIVE OFFICER

1685 E Street, Fresno, CA 93706 | www.waterboards.ca.gov/centralvalley

On 7 June 2016, the State Water Resources Control Board adopted the General Order to regulate the use of recycled water for all Title 22 uses except groundwater recharge. The General Order delegates responsibility for administering water recycling programs to a designated Administrator. Based on the information provided in the NOI and accompanying Title 22 Engineering Report, the proposed Tesoro Viejo Recycled Water Program satisfies the general and specific conditions of the General Order. Therefore, this serves as formal notice that the General Order WQ 2016-0068-DDW is applicable to the discharge described below. TVMMWC will act as the Administrator of the recycled water system for this discharge. You are hereby assigned enrollee number **WQ-2016-0068-DDW-R5019**. Please include this number on all future correspondence related to this discharge.

Prior to conveying disinfected tertiary-treated recycled water from the Facility to any Use Area, TVMMWC shall submit:

- 1) Confirmation from DDW approving the ultraviolet light (UV) disinfection system. The approval of the UV disinfection system shall address the spot-check bioassay (or accepted alternative), critical alarm testing, and an approved Operations Plan.

You should familiarize yourself with the entire General Order and its attachments enclosed with this letter, which describe mandatory discharge and monitoring requirements. Sampling, monitoring and reporting requirements applicable to your recycled water program must be completed in accordance with the attached Monitoring and Reporting Program (MRP) No. **2016-0068-DDW-R5019**. This MRP was developed after review of your NOI and accompanying Title 22 Engineering Report as described in the attached Technical Memorandum.

PROJECT DESCRIPTION

TVMMWC recently completed construction on Phase A of the Tesoro Viejo Wastewater Treatment Facility (Facility). Phase A has an average daily design flow of up to 0.25 mgd. The Facility provides tertiary treatment using a membrane bioreactor (MBR) package plant with UV disinfection. The treated effluent is dosed with sodium hypochlorite to prevent regrowth in the distribution system and placed in a lined effluent storage pond. From the effluent storage pond, the treated effluent will be sent to the various recycled Use Areas for reclamation within the Community. Potential recycled Use Areas for Phase A are shown in Attachment B.

WDRs Order R5-2016-0057, Provision H.19 requires TVMMWC to obtain coverage under the General Order prior to start-up of the Facility and initiating discharge to the recycled Use Areas. Issuance of this Notice of Applicability (NOA) satisfies this provision.

For Phase A the disinfected tertiary recycled water will be used to irrigate, via sprinklers and drip irrigation, up to 56 acres of landscape (e.g., grass, trees, and bushes) that are accessible to the public and approximately 128 acres of agricultural land. During the summer months, the Use Areas' irrigation demand may exceed wastewater flows from the Facility. Therefore, TVMMWC will add raw surface water from the adjacent Water Treatment Plant to the lined effluent storage pond, as needed, to satisfy the irrigation demand. Separation between the Water Treatment Plant and the disinfected tertiary recycled water will be maintained by an 18-inch air gap where the raw water feeds into the effluent storage pond.

RECYCLED WATER APPLICATION

TVMMWC proposes to administer the recycled water system for use of disinfected tertiary recycled water for irrigation of agricultural land and large common areas such as playfields, parks, and parkways within the Community. As the sole "Administrator", TVMMWC will be responsible for the administration of the Recycled Water Program authorized pursuant to this General Order, including the requirements of Title 22. According to the NOI, TVMMWC has contracted with California Water Services to manage and operate the recycled water system including oversight, training, maintenance, and inspections.

TVMMWC will act as the sole producer and distributor of recycled water within the Community as well as a user of recycled water. Recycled water users on land not owned or controlled by TVMMWC will be issued a "Recycled Water Use Permit".

DIVISION OF DRINKING WATER (DDW) CONSIDERATIONS AND REQUIREMENTS

TVMMWC submitted a Title 22 Engineering Report for the Tesoro Viejo Recycled Water System, dated 28 May 2020, and a revised Title 22 Engineering Report dated 2 September 2020 to DDW for review. On 16 March 2021, DDW issued an acceptance letter conditionally approving the Title 22 Engineering Report. On 4 May 2021, DDW sent a second letter modifying the 16 March 2021 conditional acceptance letter with respect to the spot-check bioassay. DDW's approval is limited to Phase A of the Facility expansion and is contingent on adoption of enforceable "Rules and Regulations for Recycled Water Use" and DDW approval of operational parameters for the UV disinfection system. The conditional approval also requires TVMMWC to submit a supplement to the Title 22 Engineering Report for approval prior to adding any new recycled use areas, making any changes or modifications to the information in the existing report, and expanding the wastewater treatment facility beyond Phase A.

TVMMWC submitted a draft "Rules and Regulations for Recycled Water Use" to DDW on 8 June 2021. The "Rules and Regulations for Recycled Water Use" were approved by DDW and adopted by the TVMMWC Board of Directors on 23 June 2021.

WATER RECYCLING USE REQUIREMENTS

1. The production, distribution, and use of recycled water shall be managed in accordance with the Title 22 Engineering Report approved by DDW and this NOA.
2. Application of recycled water shall be limited to the uses allowed for under Phase A as described in the Title 22 Engineering Report approved by DDW and this NOA. This NOA may authorize the use of recycled water for future phases upon approval from DDW and the Central Valley Water Board Executive Officer.
3. The use of recycled water shall not cause pollution or nuisance, as defined by Water Code section 13050.
4. The recycled water shall be disinfected tertiary recycled water as defined by Title 22, section 60301.230.
5. The Administrator shall promptly notify the Central Valley Water Board of any recycled water spills or unauthorized uses.
6. All use areas, where recycled water is used, that are accessible to the public shall be posted with signs that are visible to the public, in a size no less than 4 inches by 8 inches wide, that include the following wording, "RECYCLED WATER – DO NOT DRINK."
7. Permanent above-ground piping must be clearly identified as recycled water with either purple pipe material or purple paint. Temporary above-ground piping for recycled water must also have proper coloring or labeling for easy identification.

GENERAL INFORMATION AND REQUIREMENTS

TVMMWC shall comply with the Specifications, Water Recycling Administration Requirements, and General Provisions of the General Order.

Please review this NOA carefully to ensure that it completely and accurately reflects the proposed Recycled Water Program. If the discharge violates the terms or conditions of the General Order, the Central Valley Water Board may take enforcement action, including the assessment of an administrative civil liability. Failure to abide by the conditions of the General Order, including MRP WQ-2016-0068-DDW-R5019, and this letter authorizing applicability could result in enforcement actions, as authorized by provision of the California Water Code.

The required annual fee specified in the annual billing from the State Water Resources Control Board shall be paid until this NOA is officially terminated. The Administrator must submit in writing a Notice of Termination once the Recycled Water Program has ended.

SALT AND NITRATE CONTROL PROGRAMS

THE FOLLOWING ARE LEGAL REQUIREMENTS PURSUANT TO WATER CODE SECTION 13260 THAT MUST BE FOLLOWED

In May 2018, the Central Valley Water Board approved new Salt and Nitrate Control Programs. The Salt Control Program was developed to address salt accumulation issues in surface water and groundwater throughout the Central Valley. This Notice to Comply (NTC) (**CV-SALTS ID: 3590**) requires you to choose between new salinity permitting options established under the new Salt Control Program. Please note that NTCs such as this one are being issued to all permittees that discharge salt to surface water and/or groundwater in the Sacramento-San Joaquin River Basins and in the Tulare Lake Basin.

The Salt Control Program covers the entire Central Valley region and is broken into three phases, each of which will last from 10-15 years. The Board is currently beginning implementation of Phase I. During Phase I, all permittees whose discharges exceed certain salinity thresholds set in the Salt Control Program will be required to participate in and help fund a comprehensive study to assess salinity problems and potential salinity solutions in the valley. This study has been named the Prioritization and Optimization Study, or P&O Study.

Notices to Comply for the Salt Control Program for existing dischargers were initially mailed out on 5 January 2021. Since you did not submit a NOI for the Recycled Water Program until 2 April 2021, **you are receiving a Notice to Comply as part of this NOA.** Pursuant to this Notice to Comply, you are required to select a pathway to comply with the new Salt Control Program either under the “conservative” permitting approach (Option 1) or the “alternative” permitting approach (Option 2) and submit a Notice of Intent by **27 December 2021**. The Notice of Intent is required under Water Code section 13260. If you do not respond to this request by the 27 December 2021 deadline, you may be subject to enforcement actions, including actions under Water Code section 13261, which authorizes the Board to impose liability of up to \$1,000 per day for failure to submit a report. **After 27 December 2021, discharges of salts at concentrations that exceed the conservative salinity limits identified in the Conservative Approach are prohibited unless the permittee is implementing the Phase 1 requirements of the Salt Control Program through either the Conservative Approach or the Alternative Approach.**

Details on the two compliance pathways for the Salt Control Program (Option 1 and Option 2) and information to be used when selecting a pathway are discussed in greater detail below:

Option 1: The Conservative Salinity Permitting Approach (Conservative Approach) utilizes the existing regulatory structure and focuses on source control, use of conservative permit limits and limited use of assimilative capacity and/or compliance time schedules.

Option 2: The Alternative Salinity Permitting Approach (Alternative Approach) provides a compliance option to permittees who participate in and provide a minimum level of financial support for the Prioritization and Optimization Study (P&O Study), led by the Central Valley Salinity Coalition, during Phase I of the Salt Control Program. Permittees in the Alternative Approach are not required to meet the more stringent limitations of the Conservative Approach, however, they must continue to implement efforts to control salt discharges through salinity management practices and/or performance-based measures as determined by the Central Valley Water Board.

In order to make an informed decision and meet critical program deadlines, it is important that you take action now.

A- Step 1 – Before You Decide on a Pathway

Before you decide on a permitting pathway, the Board recommends that you visit the website [cvsalts.info](https://www.waterboards.ca.gov/centralvalley/water_issues/salinity) (https://www.waterboards.ca.gov/centralvalley/water_issues/salinity) for more information on the Salt Control Program, including:

1. Salt Control Program requirements and timelines for both permitting pathways
2. Characterizing your salinity impacts to surface waters and/or groundwater
3. Participation requirements and fees for the P&O Study
4. Answers to frequently asked questions

The [cvsalts.info](https://www.waterboards.ca.gov/centralvalley/water_issues/salinity) website will be updated regularly, so be sure to check back frequently for the latest information. You can also check the website for upcoming webinars that will provide guidance information. Questions and information requests can also be made by sending an email to: cvsalts@waterboards.ca.gov.

A [full copy of the Salt and Nitrate Control Program Basin Plan language \(Attachment 1 of Resolution R5-2018-0034\)](https://www.waterboards.ca.gov/centralvalley/board_decisions/adopted_orders/resolutions/r5-2018-0034_res.pdf), can be found at:

https://www.waterboards.ca.gov/centralvalley/board_decisions/adopted_orders/resolutions/r5-2018-0034_res.pdf.

A.- Step 2 – Make a Pathway Choice and Begin Meeting Program Requirements

If you choose Option 1

General Requirements for Option 1 (Conservative Approach) are as follows:

1. Conduct a comprehensive assessment of your salinity impacts to surface and/or groundwater.

2. Prepare a Salinity Characterization Report that demonstrates how your discharge will comply with the Conservative Approach.
3. Submit your Salinity Characterization Report along with your Notice of Intent (NOI) indicating your choice of the Conservative Approach Pathway to the Central Valley Water Board.
4. Obtain Central Valley Water Board staff approval.

An [electronic fillable PDF version of the NOI](#) is available at the link below. A hardcopy can be sent to you by sending a request to cvsalts@waterboards.ca.gov.

http://www.waterboards.ca.gov/centralvalley/water_issues/salinity/forms_templates_guide/#notice_of_intent.

If you choose Option 2

General Requirements for Option 2 (Alternative Approach) are as follows:

1. Contact the lead entity for the P&O Study to determine your required level of financial support. Submit your NOI indicating your choice of the Alternative Approach Pathway to the Central Valley Water Board along with documentation from the lead entity confirming your compliance with the required level of support.
2. Maintain the minimum required level of participation and financial support for the P&O Study and implement salinity source control measures and meet performance-based salinity effluent limits or targets to ensure effluent salinity levels are maintained.

An [electronic fillable PDF version of the NOI](#) is available at:
http://www.waterboards.ca.gov/centralvalley/water_issues/salinity/forms_templates_guide/#notice_of_intent. A hardcopy can be sent to you by sending a request to cvsalts@waterboards.ca.gov.

NOI submissions shall be sent via email to cvsalts@waterboards.ca.gov or mailed to the address below by **27 December 2021**. Documents too large to be sent in one email may be sent in multiple emails.

Central Valley Water Board
CV-SALTS Program
11020 Sun Center Drive, Suite 200
Rancho Cordova, CA 95670

DOCUMENT SUBMITTALS

All regulatory documents, submissions, materials, data, monitoring reports, and correspondence should be converted to a searchable Portable Document Format (PDF) and submitted electronically. Documents that are less than 50MB should be emailed to: centralvalleyfresno@waterboards.ca.gov. Documents that are 50MB or larger should be transferred to a disk and mailed to the Central Valley Water Board office at 1685 E Street, Fresno, CA 93706. To ensure that your submittals are routed to the appropriate staff, the following information block should be included in any email used to transmit documents to this office:

Program: Non-15,
Place ID: 873471,
CV-SALTS ID: 3590
Facility Name: Tesoro Viejo Recycled Water Program,
Order: WQ-2016-0068-DDW-R5019

In order to conserve paper and reduce mailing costs, a paper copy of General Order WQO 2016-0068-DWQ has been sent only to the Administrator. Others are advised that the [General Order](#) is available on the State Water Board's website (http://www.waterboards.ca.gov/board_decisions/adopted_orders/water_quality/2016/wqo2016_0068_ddw.pdf).

All documents, including responses to inspections and written notifications, submitted to comply with this NOA shall be directed, via the paperless office system, to the Compliance and Enforcement Unit, attention to Russell Walls. Mr. Walls can be reached at (559) 488-4392 or Russell.Walls@waterboards.ca.gov. Questions regarding the permitting aspects of the NOA, and notification for termination of coverage under the General Order, shall be directed, via the paperless office system, to the WDR Permitting Unit, attention Katie Carpenter. Katie Carpenter can be reached at (559) 445-5551 or by email at Katie.Carpenter@waterboards.ca.gov.

Any person aggrieved by this action of the Central Valley Water Board may petition the State Water Resources Control Board to review the action in accordance with California Water Code section 13320 and California Code of Regulations, title 23, sections 2050 and following. The State Water Resources Control Board must receive the petition by 5:00 p.m., 30 days after the date of this NOA, except that if the thirtieth day following the date of this Order falls on a Saturday, Sunday, or state holiday, the petition must be received by the State Water Resources Control Board by 5:00 p.m. on the next business day. Copies of the law and regulations applicable to filing petitions may be found on the internet at [Copies of the laws and regulations applicable to filing petitions](#) (https://www.waterboards.ca.gov/public_notices/petitions/water_quality) or will be provided upon request.

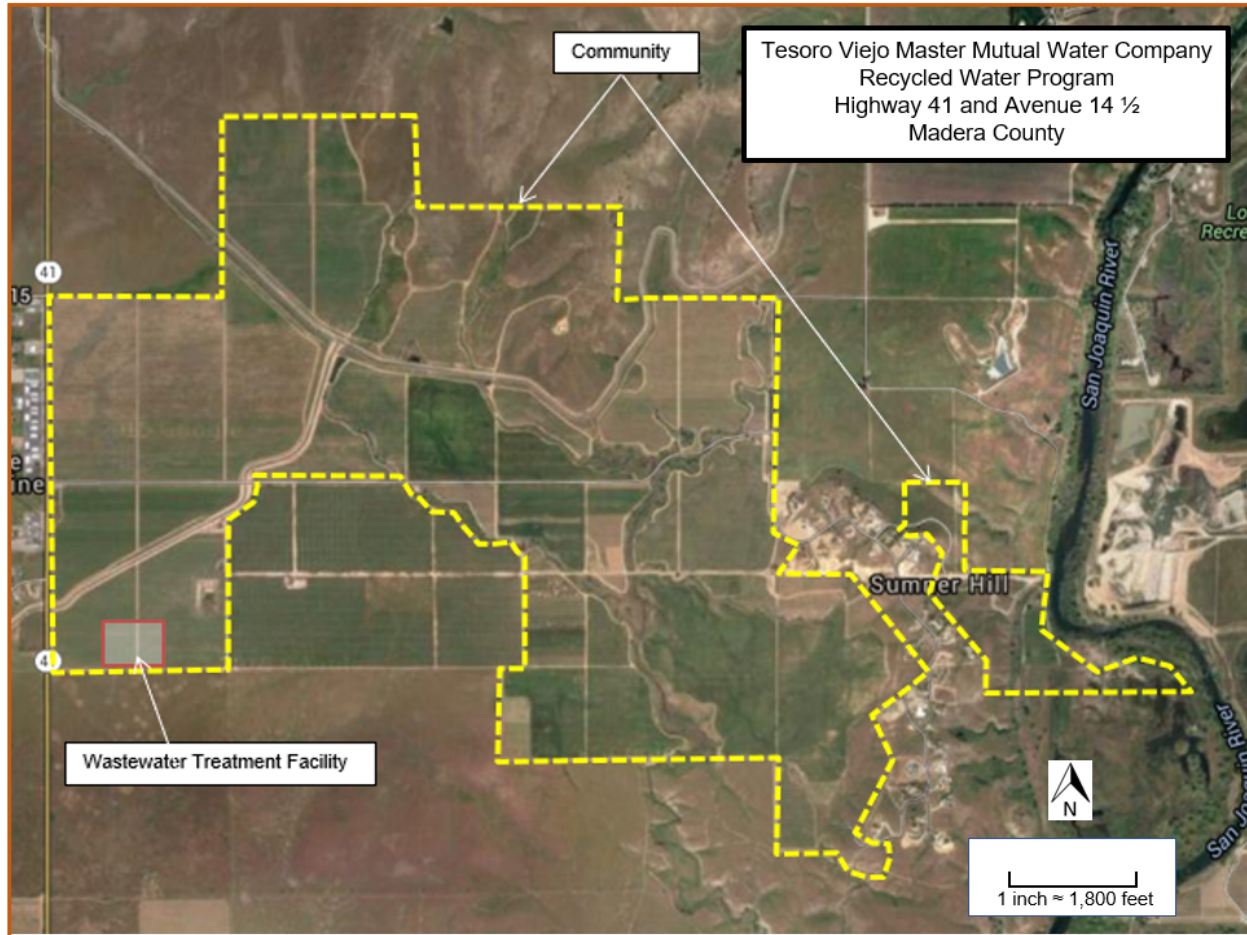
If you have any questions regarding this matter, please contact Katie Carpenter by phone at (559) 445-5551 or by email at Katie.Carpenter@waterboards.ca.gov.

Original Signed by Clay L. Rodgers for:
Patrick Pulupa
Executive Officer

Attachments: • Attachment A – Site Map
 • Attachment B – Recycled Use Areas

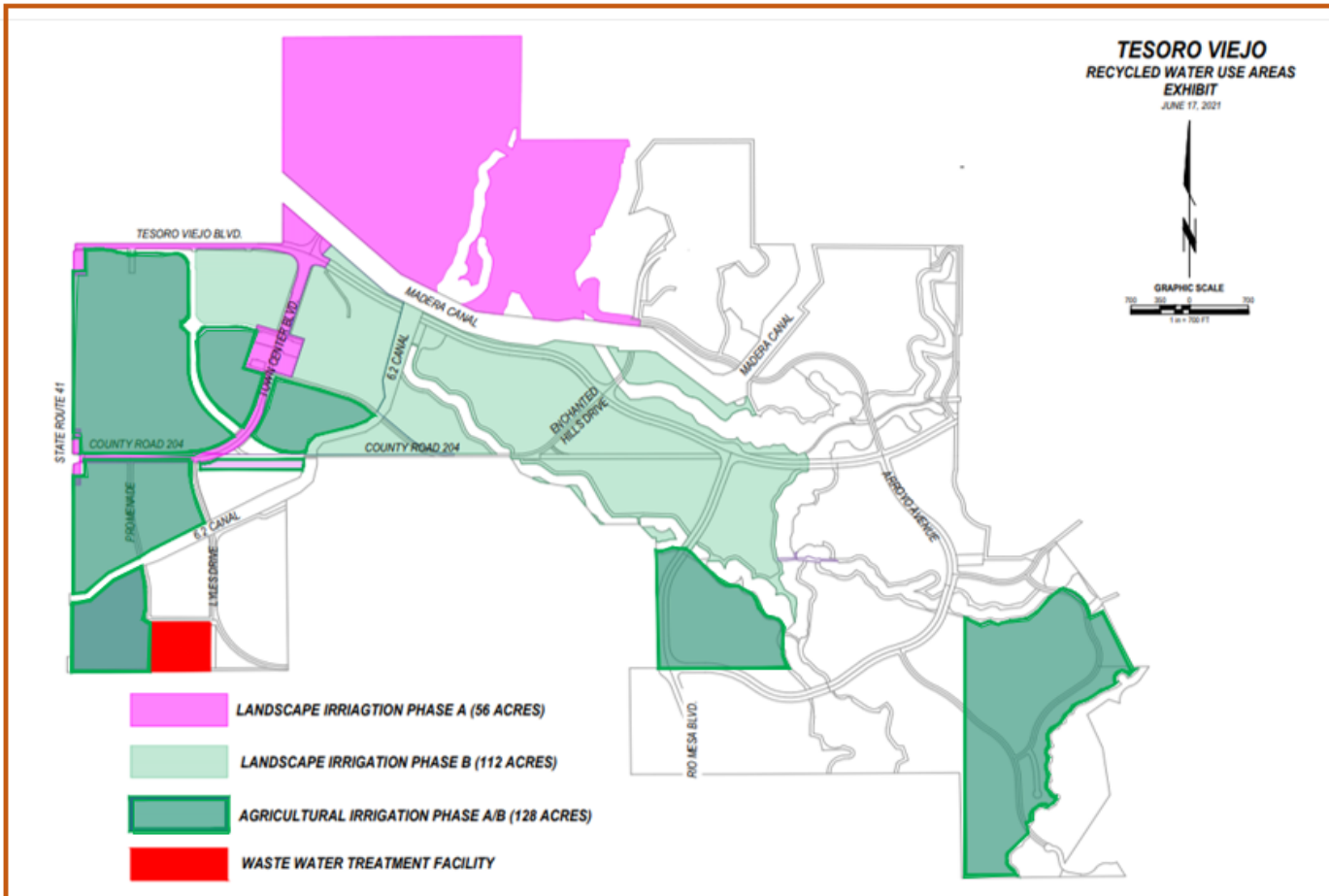
Enclosures: ○ Monitoring and Reporting Program WQ-2016-0068-DDW-R5019
 ○ Staff Review Memorandum for Tesoro Viejo Recycled Water Program
 ○ DDW Conditional Approval Letters (16 March 2021 and 4 May 2021)
 ○ State Water Resources Control Board Order WQ WQ-2016-0068-DDW (Discharger only)

cc's: • David Lancaster, State Water Resources Control Board, OCC, (via email)
 • Laurel Warddrip, State Water Resources Control Board, DWQ, (via email)
 • Russell Walls, Central Valley Water Board, (via email)
 • Tricia Wathen, State Water Resources Control Board, DDW, (via email)
 • Adam Forbes, State Water Resources Control Board, DDW, (via email)
 • Randy Barnard, State Water Resources Control Board, Recycled Water Unit, (via email)
 • Madera County Environmental Health Department, Madera
 • Madera County Public Works and Planning, Madera
 • Gary Valladao, California Water Service (via email)
 • Goldie Lewis, Tesoro Viejo Master Mutual Water Company, (via email)
 • Allison Brumbaugh, Water Works Engineers, Gardena (via email)
 • Debbie Webster, Central Valley Clean Water Association (via email)



Drawing reference: Google Earth Maps 2021

ATTACHMENT A – SITE MAP
NOTICE OF APPLICABILITY 2016-0068-DDW-R5019
FOR
TESORO VIEJO MASTER MUTUAL WATER COMPANY (TVMWMC)
TESORO VIEJO RECYCLED WATER PROGRAM
MADERA COUNTY



Drawing Reference: April 2021 Notice of Intent (California Water Service and Water Works Engineers, LLC)

ATTACHMENT B – RECYCLED USE AREAS
 NOTICE OF APPLICABILITY 2016-0068-DDW-R5019
 FOR
 TESORO VIEJO MASTER MUTUAL WATER COMPANY (TVMWVC)
 TESORO VIEJO RECYCLED WATER PROGRAM
 MADERA COUNTY

**CALIFORNIA REGIONAL WATER QUALITY CONTROL BOARD
CENTRAL VALLEY REGION**

**MONITORING AND REPORTING PROGRAM NO. WQ-2016-0068-DDW-R5019
FOR
TESORO VIEJO MASTER MUTUAL WATER COMPANY
TESORO VIEJO RECYCLED WATER PROGRAM
MADERA COUNTY**

This Monitoring and Reporting Program (MRP) describes requirements for monitoring the recycled water program for the Tesoro Viejo Master Mutual Water Company (Tesoro Viejo or TVMMWC). This MRP is issued pursuant to Water Code section 13267. TVMMWC (or Administrator) shall not implement any changes to this MRP unless and until a revised MRP is issued by the California Regional Water Quality Control Board, Central Valley Region (Central Valley Water Board) or Executive Officer.

The Administrator has applied for and received coverage for the recycled water program that is subject to the Notice of Applicability (NOA) of WQ 2016-0068-DDW-R5019 enrolling the recycled water program under State Water Resources Control Board (State Water Board) Water Quality Order 2016-0068-DDW, *Water Reclamation Requirements for Recycled Water Use* (General Order). The reports are necessary to ensure that the Administrator complies with the NOA and General Order. Pursuant to California Water Code section 13267, the Administrator shall implement this MRP and shall submit the monitoring reports described herein.

All samples shall be representative of the volume and nature of the discharge or matrix of material sampled. The name of the sampler, sample type (grab or composite), time, date, location, bottle type, and any preservative used for each sample shall be recorded on the sample chain of custody form. The chain of custody form must also contain all custody information including date, time, and to whom samples were relinquished. If composite samples are collected, the basis for sampling (time or flow weighted) shall be approved by Central Valley Water Board staff.

A glossary of terms used in this MRP is included on the last page.

Field test instruments (such as those used to test pH, dissolved oxygen, and electrical conductivity) may be used provided that they are used by a State Water Resources Control Board, Environmental Laboratory Accreditation Program (ELAP) certified laboratory, or:

1. The user is trained in proper use and maintenance of the instruments;
2. The instruments are field calibrated prior to monitoring events at the frequency recommended by the manufacturer;
3. Instruments are serviced and/or calibrated by the manufacturer at the recommended frequency; and
4. Field calibration reports are maintained and available for at least three years.

Monitoring requirements listed below may duplicate existing requirements under other orders including WDRs or waivers of WDRs that regulate agricultural discharges from irrigated lands. Duplication of sampling and monitoring activities are not required if the monitoring activity satisfies the requirements of this General Order. Collecting composite samples is acceptable in most cases. The facility may continue using existing sampling collection equipment that is consistent with the applicable facility order. However, due to short sample holding times, bacteriological samples collected to verify disinfection effectiveness must be grab samples. In addition to submitting the results under another order, the results shall be submitted in the reports required by this General Order.

USE AREA MONITORING

The Administrator shall monitor the use area(s) at a frequency appropriate to determine compliance with this General Order and the Administrator’s recycled water use program requirements. An Administrator may assign monitoring responsibilities to a User as part the Water Recycling Use Permit program. The Administrator retains responsibility to ensure the data is collected, as well as prepared and submit the Annual Report.

The following shall be recorded for each User with additional reporting for use areas as appropriate. The frequency of use area inspections shall be based on the complexity and risk of each use area. Use areas may be aggregated to combine acreage for calculations or observation purposes. Use area monitoring shall include the following:

Table 1 – Use Area Monitoring Requirements

Parameter	Units	Sample Type	Sampling Frequency	Reporting Frequency
Recycled Water User	---	---	---	Annually
Recycled Water Flow	gpd	Meter (see 1 below)	Monthly	Annually
Acreage Applied (see 2 below)	acres	Calculated	---	Annually
Application Rate	inches/acre/year	Calculated	---	Annually
Soil Saturation/Ponding	---	Observation	Quarterly	Annually
Soil Erosion		Observation	Quarterly	Annually
Nuisance Odor/Vector	---	Observation	Quarterly	Annually
Discharge Off-Site	---	Observation	Quarterly	Annually
Notification Signs (see 3 below)	---	Observation	Quarterly	Annually

1. Meter requires meter reading, a pump run-time meter, or other approved method. The User must measure both the water removed from the effluent storage pond for irrigation and potable water added to the system.
2. Acreage applied denotes the acreage to which the recycled water is applied.

3. Notification signs shall be consistent with the requirements of California Code of Regulations, title 22 section 60310 (g).

REPORTING

In reporting monitoring data, the Administrator shall arrange the data in tabular form so that the date, sample type (e.g., effluent, solids, etc.), and reported analytical or visual inspection results are readily discernable. The data shall be summarized to clearly illustrate compliance with the General Order and NOA as applicable. The results of any monitoring done more frequently than required at the locations specified in the MRP shall be reported in the next regularly scheduled monitoring report and shall be included in calculations as appropriate.

All regulatory documents, submissions, materials, data, monitoring reports, and correspondence should be converted to a searchable Portable Document Format (PDF) and submitted electronically. Documents that are less than 50MB should be emailed to: centralvalleyfresno@waterboards.ca.gov. Documents that are 50MB or larger should be transferred to a disk and mailed to the appropriate Regional Water Board office, in this case 1685 E Street, Fresno, CA 93706. To ensure that your submittals are routed to the appropriate staff, the following information block should be included in any email used to transmit documents to this office:

Program: Non-15,
Place ID: 873471
Facility Name: Tesoro Viejo Recycled Water Program
Order: 2016-0068-DDW-R5019.

B. Annual Report

Annual Reports shall be submitted to the Regional Water Board **by April 1st following the monitoring year**. The Annual Report shall include the following:

1. A summary table of all recycled water Users and Use Areas. Maps may be included to identify Use Areas. Newly permitted recycled water Users and Use Areas shall be identified. Recycled Water Use Permits issued over the past year shall be included with the annual report. When applicable, supplements to the Title 22 Engineering Report and the State Water Board approval letter supporting those additions shall be included.
2. A summary table of all inspections and enforcement activities initiated by the Administrator. Include a discussion of compliance and the corrective action taken, as well as any planned or proposed actions needed to bring the discharge into compliance with the NOA and/or General Order. Copies of documentation of any enforcement actions taken by the Administrator shall be provided.

3. An evaluation of the performance of the recycled water treatment facility, including discussion of capacity issues, system problems, and a forecast of the flows anticipated in the next year.
4. Tabular and graphical summaries of all monitoring data collected during the year, including priority pollutant monitoring, if required.
5. The name and contact information for the recycled water operator responsible for operation, maintenance, and system monitoring.

A letter transmitting the annual monitoring reports shall accompany each report. The letter shall report number and severity of violations found during the reporting period, and actions taken or planned to correct the violations and prevent future violations. The transmittal letter shall contain the following penalty of perjury statement and shall be signed by the Administrator or the Administrator's authorized agent:

"I certify under penalty of law that I have personally examined and am familiar with the information submitted in this document and all attachments and that, based on my inquiry of those individuals immediately responsible for obtaining the information, I believe that the information is true, accurate, and complete. I am aware that there are significant penalties for submitting false information, including the possibility of fine and imprisonment."

The Administrator shall begin implementing the above monitoring program as of the date of this MRP.

Ordered by:

Original Signed by Clay L. Rodgers for:
PATRICK PALUPA, Executive Officer

6/25/2021
(Date)

GLOSSARY

BOD ₅	Five-day biochemical oxygen demand
DO	Dissolved oxygen
CT	The product of total chlorine residual and modal contact time measured at the same point.
EC	Electrical conductivity at 25° C
FDS	Fixed dissolved solids
TDS	Total dissolved solids
TKN	Total Kjeldahl nitrogen
TSS	Total suspended solids
Continuous	The specified parameter shall be measured by a meter continuously.
24-hr Composite	Samples shall be a flow-proportioned composite consisting of at least eight aliquots over a 24-hour period.
Daily	Every day except weekends or holidays.
Twice Weekly	Twice per week on non-consecutive days.
Weekly	Once per week.
Twice Monthly	Twice per month during non-consecutive weeks.
Monthly	Once per calendar month.
Quarterly	Once per calendar quarter.
Semiannually	Once every six calendar months (i.e., two times per year) during non-consecutive quarters.
Annually	Once per year.
mg/L	Milligrams per liter
mg/kg	Milligrams per kilogram
mgy	Million gallons per year
mL/L	Milliliters [of solids] per liter
µg/L	Micrograms per liter
µmhos/cm	Micromhos per centimeter
gpd	Gallons per day
mgd	Million gallons per day
MPN/100 mL	Most probable number [of organisms] per 100 milliliters
NA	Denotes not applicable
NTU	Nephelometric Turbidity Units
UV	Ultraviolet
mJ/cm ²	Millijoules/cm ²
SU	Standard pH units



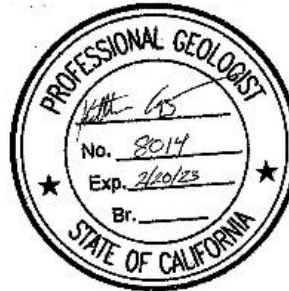
Central Valley Regional Water Quality Control Board

TO: Scott J. Hatton
Supervising Water Resource Control Engineer

FROM: Alexander S. Mushegan
Senior Water Resource Control Engineer
RCE 84208



Kathleen Carpenter
Engineering Geologist
PG 8014



DATE: 25 June 2021

APPLICABILITY OF COVERAGE UNDER STATE WATER RESOURCES CONTROL BOARD ORDER WQ 2016-0068-DDW; WATER RECLAMATION REQUIREMENTS FOR RECYCLED WATER USE; TESORO VIEJO MASTER MUTUAL WATER COMPANY; TESORO VIEJO WATER RECYCLING SYSTEM; MADERA COUNTY

On 2 April 2021, Central Valley Regional Water Quality Control Board (Central Valley Water Board) staff received a Notice of Intent (NOI) prepared by California Water Service and Water Works Engineers on behalf of the Tesoro Viejo Master Mutual Water Company (Tesoro Viejo or TVMMWC) for coverage under State Water Resources Control Board's WQ-2016-0068-DDW, *Water Reclamation Requirements for Recycled Water Use* (General Order). The NOI included a Title 22 Engineering Report for the Tesoro Viejo Recycled Water System, dated 2 September 2020. The Title 22 Engineering Report was prepared and signed by Stephen Diamond and John Wyckoff, both California registered professional civil engineers with Kennedy Jenks Consultants. The Title 22 Engineering Report was conditionally approved by the State Water Resources Control Board, Division of Drinking Water (DDW) in a letter dated 16 March 2021. On 4 May 2021, DDW sent a second letter modifying the 16 March 2021 conditional acceptance letter.

KARL E. LONGLEY ScD, P.E., CHAIR | PATRICK PULUPA, ESQ., EXECUTIVE OFFICER

This memorandum provides a summary of Central Valley Water Board's staff review of the NOI and Title 22 Engineering Report and evaluates if TVMMWC's proposed discharge of disinfected tertiary recycled water for recycled water uses is eligible for enrollment under the General Order.

BACKGROUND INFORMATION

WWTP, LLC owns and TVMMWC operates the Tesoro Viejo wastewater treatment facility (Facility), which serves the Tesoro Viejo Master Planned Community (Community) in southeastern Madera County. The Facility is regulated by Waste Discharge Requirements Order R5-2016-0057 for the discharge of tertiary disinfected effluent to lined storage ponds and reclamation areas within the Community.

The Facility will be constructed in phases and expand as the Community grows. Construction of the initial phase (Phase A) was recently completed. Phase A has an average daily design flow of 0.25 million gallons per day (mgd). The Facility provides tertiary treatment using a packaged membrane bioreactor (MBR) system with ultraviolet light (UV) disinfection. Order R5-2016-0057 includes Provision H.19, which requires TVMMWC to obtain coverage under the General Order prior to start-up of the Facility and initiating discharge to the recycled use areas.

DESCRIPTION OF DISCHARGE

According to the NOI, TVMMWC will assume the roles and responsibility of the "Administrator" under the General Order and has contracted with California Water Services to manage and operate the recycled water system including oversight, training, maintenance, and inspections. TVMMWC will be the sole Producer and Administrator. TVMMWC will also serve as the sole distributor as well as a user of recycled water under the General Order. Recycled water users on land not owned or controlled by TVMMWC will be issued a "Recycled Water Use Permit". Users of recycled water within the Community will include:

- TVMMWC;
- Madera County;
- Tesoro Viejo Maintenance Corporation;
- Chawanakee Unified School District;
- Backbone RM, LLC;
- Hillside RM, LLC; and
- Town Center RM, LLC.

Recycled water will be used for irrigation of crops and for landscape irrigation on large common areas such as playfields, parks, and parkways within the Community. Recycled water will be applied using either drip irrigation or sprinklers. During Phase A, recycled water will be used on approximately 128 acres of agricultural land and 56 acres of turf grass and landscaping as shown in Attachment B of the Notice of

Applicability (NOA). According to the NOI all agricultural use areas will be operated and maintained by TV Trees, Inc., and all landscape use areas will be operated and maintained by Duley's Landscape. A site supervisor will be designated for each recycled use area. In addition, TVMMWC will require cross-connection tests be performed before a recycled water meter is installed at a use site with both potable water and recycled water connections.

The NOI provides a description of TVMMWC's Recycled Water Program, including:

1. Description of Responsibilities;
2. Cross-Connection Testing Procedures;
3. Monitoring and Reporting Program;
4. Use Area Inspection Program;
5. Operations and Maintenance Program;
6. Compliance Program;
7. Employee and User Training; and
8. Emergency Procedures and Notification Requirements.

On 8 June 2021 TVMMWC provided a copy of its "Rules and Regulations for Recycled Water Use." The "Rules and Regulations for Recycled Water Use" were approved by DDW and adopted by the TVMMWC Board of Directors on 23 June 2021.

DIVISION OF DRINKING WATER (DDW) CONSIDERATIONS

TVMMWC submitted a Title 22 Engineering Report for the Tesoro Viejo Recycled Water System dated 28 May 2020, which was reviewed by DDW. DDW commented on the Title 22 Engineering Report and TVMMWC submitted a revised Title 22 Engineering Report dated 2 September 2020. DDW reviewed the revision and found that it adequately addressed the previous comments. On 16 March 2021 DDW issued a letter conditionally approving the 2 September 2020 Title 22 Engineering Report for operation and reclamation activities **limited to Phase A of the Facility expansion**. On 4 May 2021, DDW sent a second letter modifying the 16 March 2021 conditional acceptance letter with respect to the spot-check bioassay requirements. The conditions include, in part, the following:

1. Prior to operation and delivery of recycled water DDW must review and approve the results of the spot-check bioassay for the UV disinfection system. Per the 4 May 2021 letter this requirement, may be waived, provided TVMMWC demonstrates that a minimum UV dose of 160 mJ/cm² will be delivered at all times.
2. Prior to operation and delivery of recycled water DDW must review and approve the Operations Plan specifying operational limits and critical alarm set points for the Facility.

3. Prior to delivery of recycled water to any use area, TVMMWC must develop and adopt enforceable rules and regulations that cover design, construction, operation, maintenance, and control measures for the use areas.
4. Prior to adding any new recycled use areas, TVMMWC must submit a supplemental engineering report including all necessary information and drawings for DDW approval.

TVMMWC is also required to notify DDW and submit an updated Title 22 Engineering Report for review and acceptance if any changes to the information provided in the current report are considered or expansion of the Facility.

Copies of the conditional approval letters from DDW are included at the end of this memorandum.

SALT AND NITRATE CONTROL PROGRAMS

As part of the Central Valley Salinity Alternatives for Long-Term Sustainability (**CV-SALTS**) initiative the Central Valley Water Board adopted Basin Plan amendments (Resolution R5-2018-0034) incorporating new programs for addressing ongoing salt and nitrate accumulation in the Central Valley at its 31 May 2018 Board Meeting. The Basin Plan amendments were conditionally approved by the State Water Resources Control Board on 16 October 2019 (Resolution 2019-0057) and by the Office of Administrative Law on 15 January 2020 (OAL Matter No. 2019-1203-03) and became effective on 17 January 2020.

Pursuant to the Basin Plan Amendments, Notices to Comply for the Salt Control Program were mailed out to dischargers on 5 January 2021 with instructions and obligations for the Salt Control Program. Upon receipt of the Notice to Comply, dischargers are required to inform the Central Valley Water Board of their choice between Option 1 (Conservative Approach to Salt Permitting) or Option 2 (Alternative Approach to Salt Permitting). The level of participation required of dischargers whose discharges do not meet stringent salinity requirements will vary based on factors such as the amount of salinity in the discharge, local conditions, and type of discharge. Since TVMMWC did not submit an application for the General Order until 2 April 2021 they did not receive a Notice to Comply for the Salt Control Program. For the Nitrate Control Program, the discharge falls within Groundwater Sub-Basin 5-22.06 (San Joaquin Valley - Madera) a Priority 2 Basin. Notices to Comply for Priority 2 Basins will be issued within two to four years after the effective date of the Nitrate Control Program.

As these programs are implemented, the Central Valley Water Board may find it necessary to modify the requirements of this NOA to ensure the goals of the Salt and Nitrate Control Programs are met. For more information regarding the Salt and Nitrate

Control Programs, you are encouraged to go to the [CV-SALTS Info Webpage](https://www.cvsalinity.org/public-info) (<https://www.cvsalinity.org/public-info>).

MONITORING REQUIREMENTS

The monitoring requirements from Attachment B of the General Order that are appropriate for this discharge are:

- Recycled Water Monitoring,
- Disinfection System Monitoring (required in MRP R5-2016-0057), and
- Use Area Monitoring

COMMENTS

Based on the information provided in the NOI, the September 2020 Title 22 Engineering Report, and the 16 March and 4 May 2021 DDW conditional approval letters, the application for the Tesoro Viejo Recycled Water Program is consistent with the requirements of the General Order. Therefore, it may be enrolled under the General Order for Phase A, provided DDW approves the UV disinfection system. In addition, the NOA needs to include a Notice to Comply for the Salt Control Program.