



April 15, 2024

Peter Satin  
Chair  
Colorado River Basin Regional Water Quality Control Board

Subject: Tentative Waste Discharge Requirements Order R7-2024-XXXX (Tentative Order) Oppose

Dear Honorable Regional Quality Control Board Members:

The Coachella Valley Regional Water Management Group (CVRWMG) includes Coachella Water Authority (CWA), Coachella Valley Water District (CVWD), Desert Water Agency (DWA), Indio Water Authority (IWA), Mission Springs Water District (MSWD), and Valley Sanitary District (VSD). The group represents a collaborative effort to implement the Coachella Valley Integrated Regional Water Management (CVIRWM) Plan to address the water resources planning needs of the Coachella Valley. The CVRWMG's Region is located in In the Colorado River Basin Region (7).

The CVRWMG would like to express our appreciation for the opportunity to comment on this Tentative Order and for the Colorado River Basin Regional Water Quality Control Board's (RWQCB's) continued efforts to protect our water sources in the Coachella Valley region. This Tentative Order mandates additional treatment at CVWD's Water Reclamation Plant Number 10 facility (WRP 10) to meet a total nitrogen effluent limit of 10 mg/L within 10 years of adoption of the Order. While we understand the importance of protecting water quality, we have concerns regarding the potential ramifications of this mandate to the region. Specific comments are provided below.

### **Regional Resilience and Sustainability**

The importance of recycled water as a critical water supply for California is widely recognized. Recycled water is a key resource for diversifying local supplies and improving the state's long-term water resilience, especially during periods of drought and amidst the challenges posed by climate change. Governor Newsom's August 2022 Water Supply Strategy sets goals of recycling at least 800,000 acre feet of water per year by 2030 and 1.8 million acre-feet by 2040. The State Water Board regulates the production and use of recycled water in a manner that protects public health and the environment.

The Coachella Valley has been able to achieve groundwater sustainability by implementing water management plans that consider available supplies and projected increases in demand from development to meet housing needs and population growth. Recycled water is a key part of this strategy that helps the region by augmenting available water supplies, increasing resiliency, and controlling nitrogen. We have recognized the importance of recycled water projects and have incorporated them in the CVIRWM Plan and

the Sustainable Groundwater Management Act (SGMA) Alternative Plan Updates for the Indio Subbasin and Mission Creek Subbasin.

The Tentative Order would require CVWD to add unnecessary additional treatment for nitrogen, which is estimated to cost \$155.2 million dollars in capital improvements and an increase in operation and maintenance (O&M) of \$2.8 million dollars per year. We believe that this Tentative Order will have the unintended consequence of shifting resources away from the continued development of recycled water and disincentivize the development of new recycled water projects, hindering progress in sustainable water resource management while providing no tangible water quality benefits for the Region.

### **Disadvantaged Communities**

Coachella Valley has a wide range of disadvantaged communities (DACs) from different demographics, including migrant and seasonal farm workers, low-income families, and others. These DACs experience several water resources issues including, but not limited to, water supply reliability and water quality, sanitation needs, flooding concerns, and maintaining the affordability of water. As mentioned, this additional treatment would cost \$155.2 million dollars and increase O&M of \$2.8 million dollars per year. This would contribute to significant sanitation rate increases. These sanitation rate increases would affect all CVWD customers; however, rate increases would disproportionately burden DACs, exacerbating financial strain and making it more difficult to afford essential services.

### **Regional Implications**

This Tentative Order establishes a precedent with profound implications for the region, specifically impacting the feasibility of developing recycled water projects for all wastewater agencies. Based on the current draft language of the Tentative Order, additional treatment will be required even when recycling 100% of the water. This additional treatment will be costly, placing it beyond the financial means of wastewater agencies in the region. As mentioned, Coachella Valley has been utilizing recycled water to sustainably maintain the groundwater basin, reducing demand on the aquifer. These high costs will deter wastewater agencies from pursuing recycled water projects, and thus, jeopardizing the region's sustainability goals. We encourage the Colorado River Regional Water Board to look at the models provided by other Regions to encourage the development of recycled water while protecting beneficial uses of groundwater. For example, the Santa Ana River Water Board incorporated results from a regional study on nitrogen removal, including in discharges to percolations ponds, into its Basin Plan. Based on results from the regional study, a minimum nitrogen reduction factor of 25% is applied to wastewater discharges when developing nitrogen limits (see [Santa Ana River Basin Plan, Section 3 Nitrogen Coefficients](#)). Additionally, the Santa Ana River Water Board has approved studies by dischargers to define site-specific nitrogen loss coefficients for nitrogen instead of the default value of 25%. Santa Ana River Water Board Order No. R8-2008-0008 incorporates such a study that demonstrated consistent nitrogen removal rates in Eastern Municipal Water District discharge and allowed a higher nitrogen loss coefficient of 60%. We believe a similar approach would be more beneficial to Coachella Valley compared to the approach in the Tentative Order, as it would give wastewater and recycled water agencies more flexibility to develop cost-effective recycled water programs without the significant costs of unnecessary treatment to remove nitrogen.

Thank you again for providing an opportunity to comment on the Tentative Order for WRP 10. We look forward to continuing to work with you on this topic to support the continued development of recycled water and sustainability in the Coachella Valley.

Sincerely,



Castulo Estrada  
On behalf of the Coachella Valley Regional Water Management Group  
Utilities Manager  
Coachella Water Authority

CVRWMG agency representatives:

Steve Johnson, Desert Water Agency  
Ron Buchwald, Valley Sanitary District  
Zoe Rodriguez del Rey, Coachella Valley Water District  
Reymundo Trejo, Indio Water Authority  
Marion Champion, Mission Springs Water District