

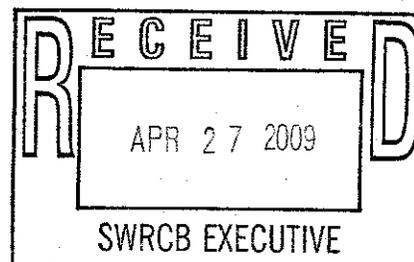
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Santa Margarita Water District

April 27, 2009

Ms. Jeanine Townsend, Clerk to the Board
State Water Resources Control Board
1001 "T" Street, 24th Floor
Sacramento, California 95814



Subject: **Comment Letter – Landscape Irrigation General Permit**

Dear Ms. Townsend:

The Santa Margarita Water District (District) has successfully produced and distributed recycled water since the late 1970's to parks, schools, golf courses and other landscaped areas. We appreciated the opportunity to use our broad background and vast experience with recycled water to review the draft general permit and initial study.

As a recycled water producer and distributor, the District offers the following comments:

- The District supports the basic structure of the General Permit's operative provisions, i.e., compliance with Title 22 of the California Code of Regulations and the Use of Best Management Practices.
- **The draft General Permit should characterize recycled water as a valuable resource, as otherwise compared to a waste product.** The Water Code defines "Recycled Water" as "water which, as a result of treatment of waste, is suitable for direct beneficial uses or a controlled use that would not otherwise occur and is therefore considered a valuable resource." In today's water environment and with the history of safe use of recycled water, the State Water Resources Control Board should be working to encourage the broad application of recycled water and avoid characterizing it as a waste product.
- The monitoring and reporting requirements will render many recycled water projects infeasible. **Provision No. 5.C requires multiple levels of documentation for each user site for submittal to the Board before a project may begin creating a bureaucratic paperwork jam that does not provide any additional benefits.**

These levels include an operations plan, general irrigation management plan, individualized irrigation management plan and an approved Title 22 Engineering Report. The District has over 1,200 approved recycled use sites and prepares master plans for

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regions and not for individual services which provides adequate control and monitoring. The District's recycled system is expanding and the proposed new requirements will be time consuming and burdensome without any additional benefit.

In addition, the General Permit's requirement for daily monitoring, conducting weekly site investigations and preparation of an annual report for each use area are excessive and unnecessary for most landscape irrigation projects. **In all, the provisions would require the District to add staff and may make recycled water cost-prohibitive.**

- Prohibition No. 8 would prohibit recycled water use where the Department of Public Health determines there is a "concern" with constituents of emerging concern (CECs). What would constitute a concern is unclear and with respect to CECs the General Permit should defer to the science-based process initiated through the Recycled Water Policy.
- Prohibition No. 11 would prohibit the use of recycled water within 50 feet of any surface water. It is unclear what is defined as surface water. This prohibition could severely limit irrigation projects. In the District, golf courses and parks that have used recycled water for over 20 years are constructed adjacent to "blue-line" streams. The prohibition would result in a reduction in use of recycled water and an increased use of imported water.
- The proposed General Permit should be clearer as to how it relates to existing reclamation permits. It should be stated whether existing permits supersede the General Permit or whether existing permits are to be rescinded by the Regional Water Boards once the project is covered under the General Permit.

The District utilizes Best Management Practices to operate a safe and reliable recycled Water System. The draft General Permit would apply unnecessary restriction on the current operation and if implemented may result in a decrease in the use of recycled water. Thank you for the opportunity to comment on the project. Should you have any questions or desire additional information, please contact Clay Hutter at (949) 459-6581.

Very truly yours,

SANTA MARGARITA WATER DISTRICT



Daniel R. Ferons
Chief Engineer