



GAIL FARBER, Director

COUNTY OF LOS ANGELES

DEPARTMENT OF PUBLIC WORKS

"To Enrich Lives Through Effective and Caring Service"

900 SOUTH FREMONT AVENUE
ALHAMBRA, CALIFORNIA 91803-1331
Telephone: (626) 458-5100
<http://dpw.lacounty.gov>

ADDRESS ALL CORRESPONDENCE TO:
P.O. BOX 1460
ALHAMBRA, CALIFORNIA 91802-1460

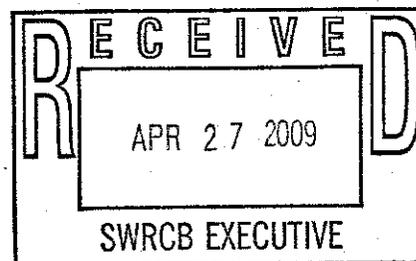
April 27, 2009

IN REPLY PLEASE
REFER TO FILE: WW-1

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

Dear Ms. Townsend:

COMMENT LETTER LANDSCAPE IRRIGATION GENERAL PERMIT



The County of Los Angeles supports the State Water Resources Control Board in developing a landscape irrigation general permit for recycled water. The County recognizes that recycled water is a valuable resource and understands the increasingly important role recycled water will play in meeting the future demand for water within California. On February 20, 2007, the County Board of Supervisors approved forming the Office of Water Recycling and charged the Office with doubling the amount of recycled water used within the County by 2030. On November 13, 2007, the County Board of Supervisors approved an agreement for the purchase and sale of recycled water between the Los Angeles County Waterworks District No. 40, Antelope Valley, and the County Sanitation District Nos. 14 and 20, Lancaster and Palmdale, of the Los Angeles County.

The Office of Water Recycling and the Los Angeles County Waterworks Districts have prepared this letter in response to the March 2009 draft *General Waste Discharge Requirements for Landscape Irrigation Uses of Municipal Recycled Water* (General Permit) that was circulated for review. Comments on the General Permit are enclosed.

We support the promotion of recycled water as a safe alternative to potable water for approved uses in compliance with the State's Recycled Water Policy, Title 22, and all applicable State and Federal water quality laws. We support the State's decision to streamline the permitting process for Producers and Distributors of recycled water for landscape irrigation uses. We believe that a number of the findings in the General

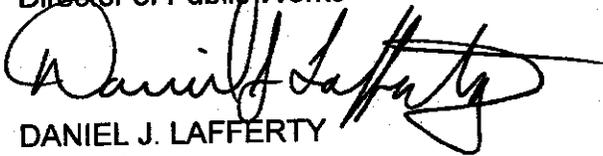
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Permit generally create the impression that recycled water is a water quality threat. We believe that this is inconsistent with the Policy and the California Water Code and recommend adopting a General Permit that is consistent with the objectives of the Policy.

Thank you for the opportunity to participate in the State Water Board's planning process for this General Permit. If you have any questions or require additional information, please contact Mr. Jonathan King at (626) 300-3389.

Very truly yours,

GAIL FARBER
Director of Public Works



DANIEL J. LAFFERTY
General Manager
Office of Water Recycling

JK:lr
LTS010

Enc.

ATTACHMENT

DISCHARGE PROHIBITIONS

- We understand Prohibition Nos. 4, 5 and 6 to address the scope of the General Permit's applicability. Prohibition No. 4 restates Title 22's requirement that recycled water is not intended for direct human consumption nor is it suitable for food or drink processing. Prohibition Nos. 5 and 6 state that the General Permit does not apply to groundwater recharge reuse projects or cooling towers or other industrial uses, respectively. These provisions relate to circumstances outside of the landscape irrigation context, which is the subject of the General Permit. We recommend deleting Prohibition Nos. 4, 5 and 6 and addressing them in a separate, abbreviated and newly created finding addressing the scope of permit applicability.
- Prohibition No. 7 relates to eligibility criteria, more appropriately addressed in the Notice of Intent (NOI) or Engineering Report for a project. Also, we request clarification regarding the definition of "an unusually complex plumbing schema."
- We believe that Prohibition No. 8 would prohibit recycled water use where the California Department of Public Health determines there is a mere "concern" with constituents of emerging concern (CECs). However, what would constitute a concern is unclear. Moreover, Prohibition No. 8 is contrary to the Policy, which deems the science regarding CECs to be insufficient to support regulation and calls for the establishment of a Blue Ribbon Panel. Consistent with the Policy, the General Permit should defer any CEC-related requirements until after the science-based process establishes that such requirements are appropriate. Currently, the Policy addresses only the potential for CEC monitoring if deemed necessary, not an outright prohibition. Furthermore, Provision No. 17 on page 19 of the General Permit makes Prohibition No. 8 unnecessary (as well as Findings Nos. 23 through 27 related to CECs, which could be consolidated into a single finding that reflects Provision No. 17 on page 19).
- The General Permit is intended only to govern landscape irrigation, yet Prohibition No. 16 would import Proposition 65 *drinking water* requirements into the permit. The list of Prop 65 chemicals is extensive, and this provision would severely limit irrigation projects. It is unclear what purpose this prohibition serves and why it is included, so we recommend eliminating Prohibition No. 16.

ATTACHMENT

MONITORING AND REPORTING PROGRAM

- We find many of the monitoring and reporting requirements in the General Permit to be overly prescriptive. For example, Provision No. 5 requires multiple levels of documentation to be developed for each user site and submitted to the State Water Board before a project may commence, including an Operations Plan, General Irrigation Management Plan, Individualized Irrigation Plan, and Title 22 Engineering report.
- We find Provision No. 5(b), regarding "individualized management plans", to be contrary to the Policy, which calls for each site to be "subject to" an Operations and Maintenance (O&M) Plan that can apply to *multiple sites*.
- The General Permit's requirements to conduct daily monitoring at each use area would be excessive and unnecessary for many landscape irrigation projects. We recommend conducting monthly monitoring and performing the necessary calculations to estimate average daily values for each use area instead.

ATTACHMENT C-BEST MANAGEMENT PRACTICES (BMPs)

- We support the use of the four BMPs identified in the Policy.
- The introductory paragraph of Attachment C states that Specification B.15 of the Draft General Permit requires recycled water users to implement the required BMPs listed in Attachment C. Attachment C contains four required BMPs and 44 additional recommended BMPs. This paragraph should clearly state that the four "Required BMPs" are the only required BMPs under the General Permit, in accordance with the Policy.
- On page C-1, under the heading "Required BMPs," We support implementation of an O&M Plan that provides for detection of leaks and correction, either within 72 hours of learning of a leak or prior to the release of 50,000 gallons. This revises the Policy to increase the threshold for detection of leaks and correction from 1,000 gallons to 50,000 gallons. We support raising this limit for landscape irrigation applications.
- On page C-2, under the heading "Efficient Irrigation" and the sub-heading "Maintenance," We recommend making the following correction: "M. Routinely adjust sprinkler heads so they achieve 80% head to head coverage ~~though~~ throughout their intended arc."

ATTACHMENT

ATTACHMENT F-USE AREA DAILY & ANNUAL REPORTING FORMAT

- The General Permit's proposed format for daily monitoring at each use area is excessive and not in keeping with the intent of the Policy for basin-wide monitoring. The format should be revised to require monthly monitoring at each use area instead, in order to obtain *average* daily values.

CLARIFICATIONS

- Generally remove references to agriculture throughout as the General Permit is intended for landscape irrigation and not agriculture.
- The General Permit should be clearer as to how it relates to existing individual and master reclamation permits. For example, the General Permit should state whether existing waste discharge requirements and water reclamation requirements that regulate landscape irrigation projects are to be rescinded by the Regional Water Boards once the project is covered under the General Permit.
- Consistent with the Policy, the General Permit should make clear the ability to enroll under the General Permit or proceed with a project before a Salt and Nutrient Management Plan for the basin or sub-basin is complete.

CONCLUSION

- The General Permit should use a "bottom-up" approach that delegates the responsibility to administer irrigation projects to the Producers and Distributors to the fullest extent possible. This is consistent with current practice and master reclamation permits. Given the authority, the Producers and Distributors would regulate the Users and ensure that projects comply with applicable law. In addition, this would allow broader use of the General Permit, as intended by AB 1481, and streamlined permitting, as intended by the Policy.