



MWD
METROPOLITAN WATER DISTRICT OF SOUTHERN CALIFORNIA

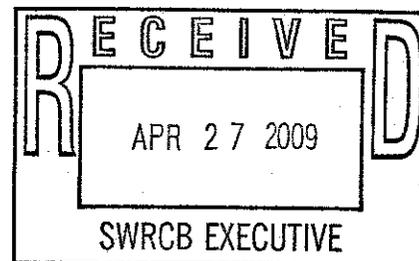
Executive Office

April 27, 2009

VIA EMAIL

commentletters@waterboards.ca.gov

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



Dear Ms. Townsend and Members of the Board:

Comment Letter – Landscape Irrigation General Permit

The Metropolitan Water District of Southern California (Metropolitan) appreciates the opportunity to provide comments on the draft Landscape Irrigation General Permit (Irrigation Permit) proposed for consideration by the State Water Resources Control Board (SWRCB). Metropolitan is supportive of a permit that would streamline low risk irrigation applications to maximize use of recycled water statewide and offset potable water demand while protecting human health and water supplies.

Metropolitan is very supportive of the SWRCB's leadership in establishing the State Recycled Water Policy (Policy) and believes that the Irrigation Permit needs to be changed to be consistent with the Policy. With some modifications, the Irrigation Permit will help achieve the State's goal of recycling 1,000,000 acre-feet of water by 2010. The Irrigation Permit requirements should be commensurate with the risks identified in the Initial Study and not overly burdensome to the users for the permit to meet the goals identified in AB 1481 (De La Torre, D – South Gate).

Metropolitan has the following recommendations.

- **Conform to CalEPA's "Bill of Rights" for Environmental Permits**

Under the CalEPA's Bill of Rights, permitting agencies shall provide complete and clearly written guidance; publish lists of required information for a complete permit application and criteria to determine whether information is adequate; establish a single lead agency; and identify the time required to complete the full permit review process. The Irrigation Permit needs clarification to identify specific application requirements and timelines for achieving coverage under the Irrigation Permit. Currently, an irrigator would have to get Department of Public Health (DPH) approval on a Title 22 engineering report, submit an O&M plan, an irrigation management plan, get signatures from the Producer and Distributor for each use area before the SWRCB would evaluate the application. The permitting process should be clearly mapped to better utilize limited staff and resources and avoid expenses and delays in repetitive public hearing processes.

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- **Initial Study/Mitigated Negative Declaration**

The Initial Study/Mitigated Negative Declaration Analysis does not appear to support a Mitigated Negative Declaration finding. Neither the environmental analysis checklist nor the mandatory findings of significance identify impacts that would require mitigation. No list of mitigation is provided in the document. Therefore, a Negative Declaration appears most appropriate.

- **Monitoring Requirements**

Individual irrigation sites (i.e., Recycled Water Use Areas) do not warrant daily monitoring and should be eligible to use the representative production monitoring data for most reporting. Daily site visits and duplicative monitoring is unnecessary, costly, and a disincentive to recycled water use. Individual irrigation sites should require less than monthly monitoring unless a specific public health issue or violation is identified and temporary compliance monitoring is warranted.

- **Prohibitions**

Several prohibitions identified in the Irrigation Permit are inconsistent with the Policy and the characterization of low risk identified in the Initial Study. The Irrigation Permit should allow disinfected secondary effluent for irrigation of cemeteries, golf courses, and freeway landscaping as authorized under Title 22 regulations unless specific public health issues are identified. There is no known public health reason to require additional and costly treatment beyond what is required by Title 22 regulations for these low risk sites. Irrigation projects should not be prohibited based on DPHs "concern" of the presence of Constituents of Emerging Concern (CEC). All CEC monitoring should be consistent with the Policy. In addition, the prohibition on irrigation within 50 feet of surface water is unreasonable considering that this water has been treated to standards acceptable for direct discharge to surface waters and an operation & maintenance plan is in place to control incidental runoff. A 10 foot buffer would be reasonable.

Again, we wish to thank the SWRCB and their staff for developing the Irrigation Permit and we look forward to advancing the use of recycled water in the State. If you have any questions, please contact Mr. Raymond Jay of my staff at (213) 217-5777 or via e-mail at rjay@mwdh2o.com.

Very truly yours,



Stephen N. Arakawa
Manager, Water Resource Management

RJ:jc