Department of Water and Power the City of Los Angeles

ANTONIO R. VILLARAIGOSA
*Mayor*

Commission
LEE KANON ALPERT, *President*
EDITH RAMIREZ, *Vice President*
WALLY KNOX
FORESCEE HOGAN-ROWLES
JONATHAN PARFREY
BARBARA E. MOSCHOS, *Secretary*

H. DAVID NAHAI,
*Chief Executive Officer and General Manager*

May 13, 2009

RECEIVED
MAY 13 2009
SWRCB EXECUTIVE

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

Dear Ms. Townsend

Subject: Comment Letter- Landscape Irrigation Uses of Municipal Recycled Water (General Permit) and a Mitigated Negative Declaration for the General Permit

The City of Los Angeles (City) appreciates the opportunity to provide comments on the proposed draft General Permit (Permit) for the Waste Discharge Requirements for Landscape Irrigation Uses of Municipal Recycled Water. The Los Angeles Department of Water and Power (LADWP) applauds the State Water Resources Control Board (SWRCB) for developing a general Statewide permit that will streamline the permitting process for the use of recycled water for irrigation projects. Recycled water is a valuable resource in the State of California and the City is a strong advocate in efforts to develop a Statewide Permit for the use of recycled water. A streamlined permitting process for the use of recycled water for irrigation projects will enable the City to meet its goal of using at least 50,000 acre-feet of recycled water by 2019.

The City supports the need for a Statewide General Permit and has the following comments to be addressed in order to develop a Permit that reflects the goals and terms of the Recycled Water Policy adopted on February 3, 2009.

**LADWP has the following comments:**

**FINDINGS AND ORDER:**

**1. FINDINGS Item No. 28** – Master Reclamation Permits; Page 8 of 21

Item No. 28 indicates that Administrators currently operating under a master reclamation permit would not need to reapply for coverage under this new general permit. The master

reclamation permits would remain in force and applicable for the use of recycled water for irrigation purposes.

LADWP recommends that additional language clarifying this section to indicate that Municipal Water Treatment Plants currently operating under Waste Discharge Requirements (WDRs) and/or Water Recycling Requirements (WRRs) be allowed to either: 1) maintain those existing permits to provide recycled water for irrigation purposes as currently outlined in their existing permits and not be required to apply for coverage under this new general permit; or 2) allow for existing permits to be terminated at the permit owner's option if coverage is obtained under this new statewide general permit.

**2. SPECIFICATIONS Item 4**, Page 13 of 21

Item 4 indicates the application of "waste constituents" to the Use Area. For landscape irrigation purposes, recycled water is comparable to potable water; it is not a waste and should not be thought of as having "waste constituents". In keeping with the nature of the permit language indicating the importance of the beneficial use of this resource, LADWP proposes that the term "waste constituents" be replaced with "recycled water".

LADWP suggests that this item read as follows: "Application of ~~waste constituents~~ recycled water to the Use Area shall be at reasonable agronomic rates....."

**3. SPECIFICATIONS Item 16**, Page 19 of 21

The notification procedures list the appropriate Regional Board and the California Emergency Management Agency (CalEMA) to be notified in case of an incident of non-compliance. Recycled water is not a hazardous material and as this notification would be regarding the use of recycled water, notifying CalEMA would be inappropriate to the incident.

LADWP requests that the notification procedures be changed, omitting the requirement to contact CalEMA and require that the California Department of Public Health (CDPH) and the appropriate Regional Board are to be notified.

**4. PROVISIONS, Item 13**, Storm Water Discharges, Page 19 of 21

This item refers to storm water discharges, as this is an irrigation permit, references to storm water discharges are not applicable and should be removed.

LADWP recommends deleting this item from the permit.

**MONITORING AND REPORTING PROGRAM:**

**5. MONITORING and REPORTING PROGRAM (MRP):** Recycled Water Production and Use Section, Page 1

LADWP would like clarification for the purpose of reporting the "Total water provided by Distributor".

LADWP suggests rewording the requirement to state "Total Volume of Recycled Water provided by Distributor".

**6. MRP;** Administrator Reporting Section, Page 1 of 5

The monitoring and reporting program as written is vague as to whether or not monthly monitoring is required to be reported to the Regional Board on a monthly basis.

LADWP suggests that the permit be written to indicate monthly monitoring be reported annually as suggested on page 3 of 5 of this section, to both the Regional and State Water Boards.

**ATTACHMENTS:**

**7. (5/7/2009) ATTACHMENT B** – Notice of Intent (NOI), Section IV, Page NOI-2 of NOI-3

The Salt Nutrient Management Plan (SNMP) portion of the NOI could be in development when the NOI is filed. The NOI does not request that information. LADWP requests that Section IV be written to reflect that possibility. See suggested language below:

"For projects where Salt and Nutrient Management Plan is in effect:
Salt and Nutrient Management Plan, approved by a Regional Water Board?
___YES ____ NO "____ *Plan is currently in development*"

**8. (5/7/09) ATTACHMENT F-** USE AREA "DAILY" & ANNUAL REPORTING FORMAT, Section IV, Annual Recycled Water Use Area Report

LADWP requests that the heading of this form be revised to read:
"USE AREA ANNUAL REPORTING FORMAT"

In addition, Section IV of the Annual Recycled Water Use Area Reporting form has two columns with the following headings:

1. Total Water Provided by Distributor (Ac-ft.) AND
2. Ratio of recycled water delivered by Distributor

It appears that the information requested may not be applicable to the recycled water usage at the project site. Therefore, LADWP requests clarification regarding the information to be gathered or delete the two columns from the Report as a requirement.

LADWP looks forward to working with the State Board in the development and approval of this general permit for the use of recycled water for irrigation projects. Please contact Mr. Mark Bassett or Mr. Michael Hanson of my staff at (213) 367-3059 or (213) 367-0634, respectively, if you have additional questions or comments regarding this letter.

Sincerely,

Katherine Rubin
Manager of Wastewater Quality and Compliance

MB:rp
c: Mr. Gordon Innes, SWRCB
Mr. Michael Hanson, LADWP
Mr. Mark Bassett, LADWP