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**MEMBER AGENCY OF THE  
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SOUTHERN CALIFORNIA**

Public Workshop  
Landscape Irrigation  
Deadline: 6/26/08 by 12 p.m.

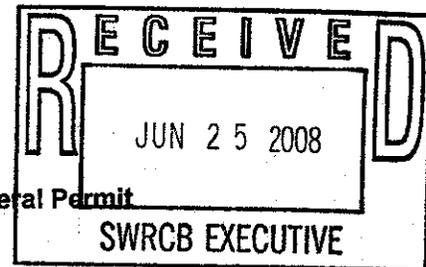
June 25, 2008

Sent via email to [commentletters@waterboards.ca.gov](mailto:commentletters@waterboards.ca.gov)

Jeanine Townsend  
Acting Clerk to the Board  
State Water Resources Control Board  
1001 I Street, 24<sup>th</sup> Floor  
Sacramento, CA 95814

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

Dear Chair Doduc and Members of the Board:



Las Virgenes MWD and Triunfo Sanitation District, a Joint Powers Authority (Authority) appreciates the opportunity to comment on the scope and content of a statewide general permit for landscape irrigation uses of recycled water. The Authority agrees with the intent of Assembly Bill 1481 (De La Torre), which resulted in California Water Code section 13552.5. This intent is best demonstrated by Member De La Torre's opening remarks at the scoping workshop held on June 18, 2008. Member De La Torre said that the intent of the legislation was to simplify the permitting process and facilitate and expedite the expansion and construction of recycled water irrigation projects throughout the State without adding to the patchwork of regulations that currently exist.

For background, the Authority provides wastewater treatment, bio-solids treatment and recycled water in the northwestern portion of Los Angeles County and the southeastern portion of Ventura County. The service area generally consists of the Malibu Creek Watershed and small portions of the Los Angeles River Watershed. Las Virgenes MWD also provides potable water service to its entire service area and Triunfo Sanitation District provides potable water service to the Oak Park portion of their service area. In both cases, 100% of the potable water is imported from the State Water Project purchased from the Metropolitan Water District of Southern California. The Authority has a long history of providing recycled water in their service areas starting in the 1970s. In the case of Las Virgenes MWD, 20% of the annual water demand is met with recycled water. Today the Authority has an extensive investment in facilities that span two counties making beneficial use of a resource that would otherwise go to waste. The planning process and investment in expanding this local resource continues, as an example, the Recycled Water Master Plan completed this year identifies over \$25 million in potential expansions for the recycled water system.

In the interests of potable water conservation, beneficial reuse and compliance with the terms of our NPDES permit, we have a vested interest in continuing to promote and expand the use of recycled water. While we agree with the intent of the legislation and have confidence that this process will result in a general permit that meets that intent, we do have the following comments:

Simplicity:

The focus of the general permit needs to be maintained on the intent of the legislation, and that is, simplifying the permitting process of recycled water landscape projects to expedite and facilitate projects for the benefit of the State. Keeping this in mind, simplicity should be the goal of the permit, recognizing that existing regulations such as Title 22 regulate the treatment and application of recycled water.



Eligibility Criteria:

The definition of what landscape irrigation is needs to be reasonably broad in order to capture the myriad of uses throughout the State. As an example, of the over 600 "users" within the Authority's service area, we provide recycled water to irrigate schools, parks, streetscape, freeway landscape, residential landscape, homeowners' association open spaces and landscape of industrial, commercial and public spaces.

Any entity that produces and or applies Title 22 recycled water for landscape irrigation should be eligible to enroll under the general permit, similarly to MS4 storm water management permits. The application process should assure compliance with existing regulations prior to enrollment. Agencies and others that currently operate under WRRs, WDRs or a Master Permit should be allowed to "opt in" to the general permit, assuming they meet the application criteria, but not be required to enroll.

Recycled Water Benefits:

The list of benefits articulated in the project discussion paper is comprehensive, but also please consider the considerable benefits of reduced greenhouse gas emissions from reduced energy consumption when local recycled water projects offset the need for imported potable water.

All these benefits can be summed up in the ethic of beneficial re-use that the Authority and many other agencies consider an integral part of their mission.

Recycled Water Concerns:

It is important that the development of this general permit focuses on the intent of the legislation, and that is landscape irrigation of recycled water, not the treatment of domestic wastewater to produce recycled water. Title 22 of the California Code of Regulation specifies treatment and use requirements of various recycled water uses including landscape irrigation so there is no need to assume that the recycled water applied under a general permit does not meet these requirements. Rather the opposition should be assumed, and that is that the producer is meeting Title 22 and all other Department of Public Health requirements such as backflow protection. The same logic should apply to the concerns of "emerging contaminants." The Department of Public Health is the State's experts on this issue and will revise treatment regulations as necessary to address these concerns, therefore it is not necessary to regulate treatment in this general permit.

There should not be concerns about anti-degradation and incidental run off in developing this general permit because, again, consider the focus of the legislation and that is landscape irrigation of recycled water recognizing that Title 22, and in the case of Las Virgenes MWD and many other agencies, our potable water system permit from the Department of Public Health regulates the application of recycled water.

Agency Coordination:

Several questions were raised in the discussion paper regarding agency coordination in development of this permit. The existing MOA between the State Water Board and the Department of Public Health should be considered in developing the permit to avoid duplicate regulations and efforts. Coordination of recycled water policy development underway with the State Water Board should also be considered to avoid duplicate effort and conflicting or confusing regulations. The policy should be guidance to recycled water stakeholders while the general permit should be the application of the intent of AB 1481.

In closing we once again want to assure you that the Authority agrees with the intent of the legislation that established the requirement to develop this general permit for landscape irrigation with recycled water. Simplifying the process while continuing to protect public health and safety and creating significant benefit to the State will be the result of this permit if written with it's original intent intact.

State Water Resources Control Board

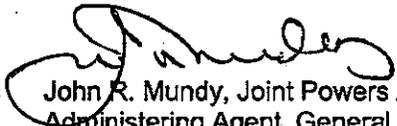
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The Authority takes pride in its role as a leader in the use of recycled water and has developed an extensive system that makes use of this valuable resource not only for the benefit of our ratepayers, but for all the people of the State of California. We strongly urge you to continue this collaborative process to develop the general permit, along with meeting the recycled water goals already enumerated by the State. Above all, we seek to avoid the opposite result of deterring or eliminating the further development and use of recycled water.

If you or your staff have any questions, please call David Lippman, Director of Facilities & Operations, at 818-251-2221.

Very truly yours,



John R. Mundy, Joint Powers Authority  
Administering Agent, General Manager