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El Dorado Irrigation District

Ane D. Deister
General Manager
Thomas D. Cumpston
General Counsel

In reply refer to: M0307-023

March 27, 2007

3/20/07 BdWrshp Item 8
Water Recycling
Deadline: 3/27/07 5 pm



Dorothy Rice, Executive Director
State Water Resources Control Board
P.O. Box 100
Sacramento, California 95812-0100

Dear Ms. Rice:

On behalf of El Dorado Irrigation District (EID), I am pleased to offer the following comments regarding issues related to recycled water production and use in California and the important role that the State Water Resources Control Board plays in making sure that this critical element of California's water supply is allowed to grow and prosper.

As background, EID has a long history in recycled water, dating back more than three decades when the District's elected Board of Directors recognized the beneficial use of recycled water as a means to conserve resources and "stretch" the overall water supply through the production of properly treated recycled water for use in landscape irrigation. Our current program provides recycled water to irrigate both front and backyard landscapes at nearly 3500 residences and on several hundred commercial landscapes. Its impetus was a partnership in the 1990's with the developers of the Serrano villages in western El Dorado County.

To support water reuse as a sensible policy, EID's Board requires that where economically and physically feasible, we will continue to provide new developments with recycled water for landscape irrigation purposes. In addition, we are assessing several potential sites for seasonal storage of recycled water to more fully maximize our capacity to generate and use this product year round.

Considerations before the State Board

SWRCB Resolution 77-1. I understand that one of the questions before you is whether the State Board should develop a recycled water policy. We encourage you to do so—consistent with the principle of removing impediments to production and use of tertiary treated recycled water.

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We also urge the State Board to adopt the following findings of fact in the policy:

First, the Governor of California has made water recycling an important element of California's water supply policy.

Second, the state legislature set a state-wide goal to provide 700,000 acre-feet of recycled water per year by the year 2000, and this goal has not been met.

Third, the state legislature set a state-wide goal to provide 1,000,000 acre-feet of recycled water per year by the year 2010. This means a near doubling of the current amount of recycled water produced across the state.

Fourth, California's extensive experience with water recycling provides reasonable assurance that potential public health risks are minimal.

Fifth, recycled water projects are local in nature, which minimizes the need to pump imported water and thus reduces greenhouse gas emissions that contribute to global warming.

Congressman Doolittle, again thank you for your continued support of the El Dorado Irrigation District and thank you for your consideration of this request. If you have any questions regarding Impoundments. Again, consistent with removing impediments to the production and use of recycled water, we do not believe that "standard" requirements are needed for recycled water impoundments. Instead, we recommend that State Board policy should make it clear that when recycled water stored in an impoundment meets groundwater quality objectives, no additional regulation is necessary.

In addition, the policy should state that it is appropriate to allocate assimilative capacity, if it exists, to recycled water projects including impoundments. And finally, the policy should emphasize that when local soils conditions such as tight clays form a barrier between stored tertiary treated recycled water and groundwater, no additional regulation is necessary.

Incidental runoff of recycled water. We request that State Board policy supports the existing Title 22 California Code of Regulations pertaining to the production and use of recycled water, which provides no limitation for the use of recycled water other than drinking. State Board policy should also address reasonable regulations for incidental runoff of recycled water. As a former member of the Governor's recycled Water Task Force, I well remember the 2004 memorandum issued by the State Board's Celeste Cantu, which provided guidance for incidental runoff. That guidance is in line with the Task Force's recommendation 4.2, and we ask that it be formalized in the policy.

That action will have a direct impact on EID's recycled water system, which includes several ponds that store recycled water. The Central Valley Region Water Quality Control Board (CVRWQCB) views overflows from these ponds as violations to our Master Reclamation

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Permit. When the 2004 memorandum was issued, we revised our pond operations and submitted an operational plan to the CVRWQCB under the guidelines of the memorandum. To this date, we continue to operate the ponds under the submitted plan. If the 2004 memorandum is not formalized in the State Board's policy, EID may be required to supply potable rather than recycled water to the ponds, which will not help the state attain the goal of 1,000,000 acre-feet of recycled water per year by the year 2010 and, more importantly, will provide no further benefit to the environment.

We also support inclusion of the following actions that are related to incidental runoff.

- o Adoption of a clear policy statement that any potential impacts from incidental runoff of recycled water, like all other urban runoff, are adequately mitigated by compliance with the local or general MS4 permits. No additional regulation within individual permits for recycled water projects is necessary.
- o The addition of a new paragraph under (b) in the Master Reclamation Permit Section 13523.1 that states: Water that is a mixture of rainwater and tertiary treated recycled water and that runs off a site as a direct result of rainfall (the recycled water would not have run off site absent the rainfall) shall not be considered "runoff of recycled water."
- o Request the State Board to the Regional Water Quality Control Boards to adopt a specific waiver of waste discharge requirements for unintentional recycled water overflows pursuant to Water Code section 13269.
- o Revision the California Water Code, Chapter 7, Section 13529.2 (c) to provide the following definition of recycled water: For the purposes of this section, "recycled water" means wastewater treated as "disinfected tertiary 2.2 recycled water," as defined or described by the State Department of Health Services, or wastewater receiving advanced treatment beyond disinfected tertiary 2.2 recycled water and is no longer considered wastewater or a waste.

I trust that these comments will prove helpful in your deliberations, and I am available to answer questions or provide more information.

Sincerely,

A handwritten signature in cursive script, appearing to read "Anc D. Deister".
Anc D. Deister
General Manager

ADD:DK/jk