



## IRVINE RANCH WATER DISTRICT

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March 27, 2007

Via E-mail & U.S. Mail

Tam M. Doduc, Chair, and Members  
State Water Resources Control Board  
1001 I Street, 24th Floor  
P.O. Box 100  
Sacramento, CA 95812-0100

Attention: Song Her, Clerk to the Board [commentletters@waterboards.ca.gov](mailto:commentletters@waterboards.ca.gov)



RE: Development of a Statewide Policy for Water Recycling

On behalf of the Irvine Ranch Water District (IRWD), I would like to express our appreciation for the opportunity to comment on the State Water Resource Control Board's (SWRCB) possible development of a state-wide water recycling policy.

Water agencies are stewards of valuable public water resources and have an obligation to plan for the future needs of their customers. Most agencies, including IRWD, identify in their mission statements an objective to provide reliable, high-quality water to their customers. Implicit in the concept of reliability is the responsibility to develop an array of strategies to meet existing and future water needs. One of these strategies is the development of recycled water.

IRWD is widely recognized as a leader in recycled water not only in California but throughout the nation. IRWD was the first water district in the state to receive an unrestricted use permit from the state for its recycled water. The majority of IRWD's recycled water is used for landscape irrigation of parks, golf courses, school grounds, city street medians, homeowner associations and other public areas. Recycled water is also used by IRWD for toilet and urinal flushing in 26 office buildings, for cooling towers, and for industrial uses such as carpet dyeing. IRWD maintains a non-potable water distribution system of over 300 miles that in fiscal year 2005/2006 delivered approximately 22,000 acre feet of recycled water to more than 3,800 customers.

The majority of IRWD's recycled water program, which is located in the Santa Ana River and San Diego Creek watersheds, is regulated by the Santa Ana Regional Water Quality Control Board (RWQCB). The Santa Ana River watershed region, or Region 8, includes significant portions of Orange, San Bernardino and Riverside Counties. The Santa Ana RWQCB and staff have been very effective in regulating water recycling in a manner that effectively protects the

quality of surface and ground water resources and the environment, while facilitating the use and development of recycled water to meet the state's water supply objectives. They have also been extremely effective in the regulation of basin plan objectives, and in proactively working with water and wastewater agencies in salt and nutrient management. As such, the region has developed a wide array of highly successful water recycling projects that have received broad support from the environmental community and the public.

We certainly recognize that there is an apparent disparity among Regional Boards in the interpretation of statutes, regulations, plans, and policies with respect to water recycling projects, and that there is a desire to create a measure of consistency among the Regional Boards when permitting and regulating recycled water projects. However, we have concerns that the creation of state-wide policy on water recycling could undermine current successful efforts in regions like Santa Ana. Although we recognize other areas of the State have faced challenges in implementing recycled water programs, it is vital that we do not undermine successful areas of the state and limit regional flexibility in a well-intentioned effort to overcome those challenges.

IRWD applauds the SWRCB's interest in furthering the state-wide goals of recycling one million acre feet per year of highly treated wastewater. However, given SWRCB's role of overseeing water quality and permitting throughout the state, an appropriate role is for the SWRCB to help the Regional Boards limit regulations that impede the development of recycled water programs. A "one size fits all" policy may eliminate regional flexibility to address the diverse and complex challenges faced in different areas of the state.

IRWD believes the SWRCB should:

- Develop state-wide guidance for the Regional Boards on specific overarching issues common to all regions, including but not limited to regulatory treatment of "incidental runoff," and recommended tiered permit requirements based upon the type of proposed recycled water use (i.e. recycled water irrigation projects receiving less stringent requirements than indirect potable re-use projects).
- Have each Regional Board develop recycled water project regulatory guidelines for the region that are periodically reviewed by the SWRCB in the context of pending recycled water project permits for that region. The SWRCB's periodic review would ensure that:
  - The aforementioned SWRCB state-wide guidance is being consistently applied,
  - Environmental and anti-degradation concerns associated with recycled water projects and permits are being appropriately addressed; and
  - State goals for the implementation of recycled water projects are being supported by reasonable regulation.

This approach would also maintain the SWRCB's role as an arbiter on important regional issues (e.g. the Alamitos Barrier decision), and would preserve the opportunity for agencies to appeal decisions made by the Regional Boards to the SWRCB.

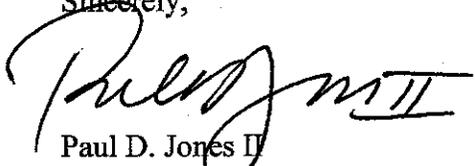
Once again, thank you for the opportunity to provide initial comments on this important issue. If IRWD can be of further assistance, please do not hesitate to contact me.

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Sincerely,

A handwritten signature in black ink, appearing to read "Paul D. Jones II". The signature is written in a cursive style with a large initial "P" and a double underline at the end.

Paul D. Jones II  
General Manager

cc: Gary Wolff, Vice Chair, Board Member, State Water Resources Control Board  
Charlie Hoppin, Board Member, State Water Resources Control Board  
Arthur Baggett, Board Member, State Water Resources Control Board  
Fran Spivey-Weber, State Water Resources Control Board