

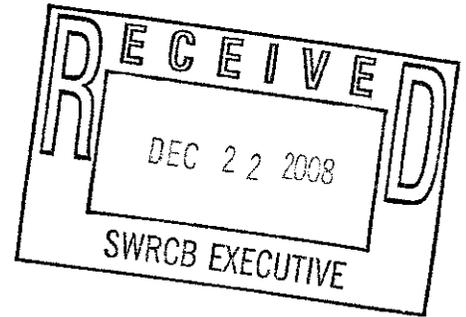


CALIFORNIA URBAN WATER AGENCIES

Public Comment
Recycled Water Policy
Deadline: 12/22/08 by 12 noon

December 22, 2008

Tam M. Doduc, Chair
and Members of the
State Water Resources Control Board
1001 I Street, 24th Floor
Sacramento, CA 95814



Subject: Comments on Proposed Recycled Water Policy

Dear Chair Doduc and Members of the Board:

California Urban Water Agencies (CUWA) commends the State Water Resources Control Board (State Water Board) for recognizing the importance of recycled water and for its leadership in developing the proposed Recycled Water Policy. We appreciate the State Water Board's willingness to allow the stakeholder group, representing water, wastewater, and nongovernmental organizations an opportunity to work with your staff on the proposed Policy. We are aware that the Association of California Water Agencies, the California Association of Sanitation Agencies, and the WateReuse Association (the Associations) have submitted comments on the proposed Policy, and we endorse the language changes the Associations have recommended, with a few exceptions, noted below.

We support the overall structure and approach of the proposed Policy and believe it is a significant improvement over the previous drafts. However, we urge the State Water Board to consider additional revisions to the proposed Policy to provide greater clarity, increase the practicality of implementation, and conserve the limited resources of water recyclers, their customers, and the Water Boards.

Salt and Nutrient Management Plans

We are pleased that the proposed Policy recognizes that salt and nutrient issues within groundwater basins cannot be resolved by focusing on recycled water use alone, and that the proper approach to addressing these issues is through locally controlled and driven plans, developed by broad groups of stakeholders, including water, wastewater, and stormwater agencies, the Regional Water Boards, and salt/nutrient contributing stakeholders. CUWA's member agencies cannot commit their boards of directors to funding these plans but we can commit to working with other local agencies to form stakeholder groups that will develop funding proposals for consideration by our member agencies' boards of directors.

We are concerned that the Policy does not limit the salt and nutrient planning requirement to those basins where beneficial uses are impaired or threatened, or where high quality waters are in need of protection. While the Policy recognizes that the plans may vary in complexity, the plans are still required for all basins. Since the development and implementation of the plans is critical in some areas, but not everywhere, it is important for the Policy to recognize the need to set priorities so that limited public resources can be devoted to areas of real concern.

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| City of Sacramento | San Francisco Public Utilities Commission | Zone 7 Water Agency |
| Alameda County Water District | City of San Diego Water Department | Contra Costa Water District |
| San Diego County Water Authority | Santa Clara Valley Water District | East Bay Municipal Utility District |
| Metropolitan Water District of Southern California | | Los Angeles Department of Water & Power |

We also do not believe that groundwater monitoring for salts and nutrients is necessary, or even feasible, in every basin and sub-basin in this large and diverse state. While we agree that in most basins, stormwater recharge is beneficial, it needs to be evaluated at the basin/sub-basin scale because in some areas it can create unstable geologic conditions. A reference to Sections 9.c. and 9.d. should be added in this section to explain how projects will proceed during the interim period when salt/nutrient management plans are being prepared. Finally, the organization and structure of this section should be improved to provide a more useful outline of how to proceed with these plans. We support the language changes recommended by the Associations.

Monitoring Requirements

Another concern raised during the debate over the previous draft of the Policy was a concern that many of the proposed provisions were far too specific and "permit like" for Board policy. For the most part, the current draft avoids this flaw and strikes the appropriate note of broad goals and guidance. One exception is in the area of monitoring requirements. In several places, the draft Policy would mandate a particular minimum monitoring frequency, without regard to the circumstances of the project or the recommendations of the blue ribbon advisory panel to be established. We do not believe this is appropriate, and recommend that the monitoring frequencies be deleted from the sections dealing with landscape irrigation (Section 7.b.(4)) and groundwater recharge (Section 8.b.(2).) With regard to chemicals of emerging concern (CECs), both sections should state that monitoring for these constituents may be required in accordance with the blue ribbon advisory panel recommendations.

Incidental Runoff

Incidental runoff, by definition, consists of small amounts of unintentional runoff from irrigation projects. This is no different from the runoff that occurs in any irrigation project, regardless of the source of water used. We share the Associations' concern that the new language regarding incidental runoff is overly detailed and prescriptive for a Policy, and that conditions regarding practices that are appropriate for a particular site should be left to the permitting process.

To address this concern, we propose that the language be revised to delete the specific requirements set forth in Section 7.a.(1) through (4) and replaced with a simple statement that water recyclers shall develop and implement an operations and management plan that provides for compliance with the site control requirements of Title 22.

Charge of Blue Ribbon Advisory Panel

We are supportive of having a Blue Ribbon Advisory Panel work with the State Water Board and CDPH to guide decisions on constituents of emerging concern. We request one change in Section 10.b.(4). In addition to charging the panel with determining if the list of CECs to be monitored would change with the level of treatment and designated use, we believe the panel should be charged with identifying treatment technologies that will cost-effectively remove CECs.

Ms. Tam Doduc, Chair
State Water Resources Control Board
December 22, 2008
Page 3

CUWA appreciates the opportunity to provide comments on the proposed Policy and we look forward to working with the State Water Board and other stakeholders to implement this Policy. If you have any questions on our comments please contact me.

Sincerely,

A handwritten signature in cursive script that reads "Elaine M. Archibald".

Elaine Archibald
Executive Director