



Central Contra Costa Sanitary District

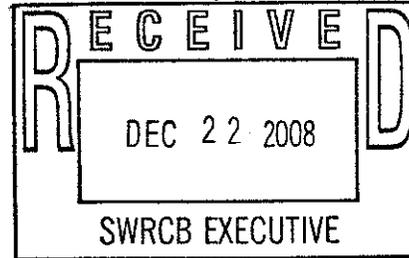
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December 22, 2008

Tam M. Doduc, Chair
State Water Resources Control Board
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ELAINE R. BOEHME
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(Sent via Email)

Subject: Comments on Proposed Recycled Water Policy

Dear Chair Doduc and Members of the Board:

The Central Contra Costa Sanitary District (CCCSD) commends the State Water Resources Control Board (State Board) for recognizing the importance of recycled water in conserving the State's water resources and for its leadership in developing the proposed Recycled Water Policy. We appreciate the State Board's willingness to allow the stakeholder group, representing water, wastewater and non-governmental 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 WaterReuse Association (the Associations) have submitted comments on the proposed Policy, and we endorse the language changes the Associations have recommended, with the 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 Regional Water Quality Control Boards. In addition, we encourage the State Board, through this Policy, to promote the use of recycled water wherever possible and to support the intent of the California Water Code, which states that "the conservation of all available water resources requires the maximum reuse of reclaimed water in the satisfaction of requirements for beneficial uses of water."

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

locally-driven plans, developed by broad groups of stakeholders, including water, wastewater, and stormwater agencies, the Regional Water Boards, and salt/nutrient-contributing stakeholders.

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 clearly include criteria that defines where plans should be developed, so that limited public resources can be devoted to areas of real concern and so that water recycling agencies are not burdened with additional unnecessary costs that could inhibit water recycling projects and/or programs from moving forward to implementation – a concept that is contrary to the stated purpose of this policy.

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 discussions 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. 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 constituents of emerging concern (CECs), we believe that imposing monitoring requirements is premature and that imposing monitoring requirements on recycled water agencies unfairly assigns responsibility of the issue of CECs to recycled water providers, when it is actually a bigger issue that should be shared by others including pharmaceutical manufacturers, wastewater, water and stormwater agencies. The cost of monitoring for CECs is expensive and may make the use of recycled water less viable. Further, any monitoring of CECs would be a permit issue, and should not be handled in this policy.

Incidental Runoff

Incidental runoff, by definition, consists of small amounts of unintentional runoff from irrigated sites. From a practical viewpoint, this type of runoff will occur at any irrigated site, regardless of the source of water used. We agree with the Associations that the Policy should state that incidental runoff does not pose a threat to water quality. In addition, we share the 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.

The Blue Ribbon Advisory Panel

While we support additional research on CECs, as stated above we believe that imposing monitoring requirements would be premature and that assigning this issue to recycled water will create additional fears about the safety of using recycled water – again, a concept that is contrary to the stated purpose of this recycled water policy. The requirement for the inclusion of a human health toxicologist on the Blue Ribbon Advisory Panel is puzzling. If the Blue Ribbon Panel requirement is to remain in this policy, we strongly recommend that the experts be allowed to make appropriate recommendations without being led with the questions in Section 10.b.(4) that seem to assume that CECs are a problem in recycled water.

Industrial Use of Recycled Water

The California Energy Commission has taken a position of requiring the use of recycled water on all new power plant construction. If this Policy is to succeed in promoting greater recycled water use to meet the water needs of the state, we encourage the State Board to take a similarly aggressive position in supporting recycled water use. Industrial uses, such as cooling tower water and boiler feed water provide a steady, year-round demand for recycled water – an important factor in maintaining the financial viability of recycled water programs, in addition to saving the state's drinking water supplies for a higher and better use.

CCCSD appreciates the opportunity to provide comments on the proposed Policy. If you have any questions about our comments, please contact Melody LaBella, CCCSD Recycled Water Program Engineer, at (925) 229-7370.

Sincerely,
James M. Kelly
General Manager