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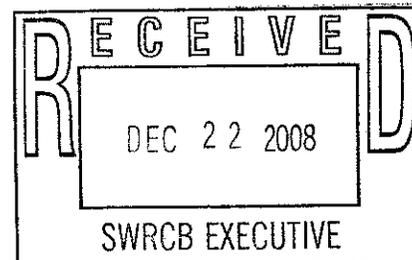
Dedicated to Preserving the Napa River for Generations to Come

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December 22, 2008

Tam M. Doduc, Chair and Members  
State Water Resources Control Board  
P.O. Box 100  
Sacramento, CA 95812



**Subject: Proposed Recycled Water Policy**

Dear Chair Doduc and Members of the Board:

The Napa Sanitation District (District) appreciates the opportunity to comment on the State Water Resources Control Board's Draft Water Recycling Policy (Policy). The District currently delivers approximately 2,100 acre feet of recycled water for unrestricted use to local vineyards, industrial parks, a cemetery, a community college, and multiple golf courses. In addition, the District has been actively planning to expand water recycling to meet considerable additional irrigation demand in the region.

The District understands the desire to have a statewide approach to recycled water policy. However, the District is concerned that in several instances, language included in the Policy is prohibitive, and *discourages*, rather than supports, the use of recycled water throughout the State. The current draft policy would certainly be problematic for the District's existing and anticipated recycling programs. Specific comments are indicated in the following paragraphs.

**1. The requirements for incidental runoff are overly prescriptive.**

Incidental runoff, by definition, consists of small amounts of unintentional runoff from irrigation projects. This is no different from runoff that occurs in any irrigation project, regardless of the source of water used. We agree that the Policy should state that incidental runoff does not pose a threat to water quality. However, we believe the new language regarding incidental runoff is overly detailed and prescriptive for a Policy.

To address this concern, the District proposes 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 recycling producers shall comply with the site control requirements of Title 22. In addition, the Board should make clear that incidental amounts of runoff of highly treated recycled water do not pose a threat to water quality. Language should be revised as follows:

7. Landscape Irrigation Projects

- a. *Control of incidental runoff.* Incidental runoff is defined as unintended small amounts (volume) of runoff from recycled water use areas, such as unintended, minimal over-spray from sprinklers that escapes the recycled water use area. Water leaving a recycled water use area is not considered incidental if it is part of the facility design, if it is due to excessive application, if it is due to intentional overflow or application, or if it is due to negligence. Incidental runoff of highly treated recycled water that meets Title 22 requirements does not present a significant threat to water quality. Incidental runoff may be regulated by waste discharge requirements or, where necessary, waste discharge requirements that serve as a National Pollutant Discharge Elimination System (NPDES) permit, including municipal separate storm water system permits, but regardless of the regulatory instrument, ~~the project shall include, but is not limited to, the following practices: water recyclers shall develop and implement an operations and management plan that provides for compliance with the site control requirements of Title 22. Such plans shall include provisions to address leak detection, proper design and aim of sprinkler heads, proper practices during precipitation events, and management of storage ponds.~~

- ~~(1) Implementation of operations and management plan that provides for detection of leaks, (for example, from broken sprinkler heads), and correction either within 72 hours of learning of the runoff, or prior to the release of 1,000 gallons,~~
- ~~(2) Proper design and aim of sprinkler heads,~~
- ~~(3) Refraining from application during precipitation events~~
- ~~(4) Management of any ponds such that no discharge occurs unless the discharge is a result of a 25 year, 24 hour storm event or greater, and there is prior approval for the discharge by the appropriate Executive Officer.~~

**2. The State Water Board should rethink its approach to salt and nutrient planning requirements for various reasons.**

We're concerned about the inclusion of requirements for salt and nutrient management plans in a recycled water policy for the following reasons:

- a. **Salt and nutrient management planning encompasses a much larger array of issues than just recycled water.**

Requirements for salt management plans and nutrient management plans should be contained in their own policy due to the scope of the issues. The requirements

for salt and nutrient management plans should not be a byproduct of a recycled water policy when they apply to other sources as well.

**b. Salt and nutrient management planning should only be conducted where it is needed.**

The District is concerned that salt and nutrient plans are being required for all basins even though the Policy indicates that only some groundwater basins in the State contain salts and nutrients that exceed or threaten to exceed water quality objectives established in the applicable Basin Plans. Salt and nutrient planning requirements must be limited to those basins where beneficial uses are impaired or threatened, or where high quality waters are in need of protection. Since the development and implementation of the plans is important in some areas, but not in others, the Policy must clearly indicate that plans should only be developed where needed, so that limited public resources can be devoted to areas of real concern. The District also does not believe that groundwater monitoring for salts and nutrients, which is required to be conducted as part of the plans in the proposed Policy, is necessary, or even feasible, in every basin and sub-basin in this large and diverse state. The monitoring efforts would be very costly and not provide meaningful information in some areas.

**c. Local agencies should not be required to fund salt management plans.**

This type of water quality planning is a Water Board function. The Napa Sanitation District has been consulted concerning, nor given its agreement to, a funding plan for a salt management plan. Furthermore, these issues are not anticipated to be a problem in the foreseeable future in the District's service area. In addition, while the District is interested in making sure that water resources are protected, only our Board of Directors can determine how the District's funds are expended, and in these uncertain economic times, there are many demands on the District's scarce financial resources. The draft Policy should not make these sorts of commitments when there is uncertainty regarding whether it is necessary or feasible to implement the respective action.

Thank you for the opportunity to provide comments on this important topic. If you have any questions or would like additional information, please feel free to contact me at (707) 258-6000 ext. 511, or [mabramson@napasan.com](mailto:mabramson@napasan.com).

Sincerely,



Michael Abramson  
General Manager

cc: Monica Oakley, Oakley Water Strategies