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

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December 19, 2008

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

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SUBJECT: **PROPOSED RECYCLED WATER POLICY**

Dear Chair Doduc and Members of the Board:

Orange County Water District (OCWD) appreciates the opportunity to provide comments on the proposed Recycled Water Policy. Increased use of recycled water is critical to California's water supply future, and the policy should facilitate the beneficial use of recycled water for irrigation and groundwater recharge, among other uses, while also protecting water quality.

The OCWD is generally supportive of comments provided by the Association of California Water Agencies, the California Association of Sanitation Agencies and the WateReuse Association on the proposed Policy and the language changes they have recommended. Moreover, OCWD respectfully requests that the Board consider additional revisions to the proposed Policy in order to provide greater clarity, increase the practicality of implementation, and conserve the limited resources of water recyclers, their customers, and the Water Boards.

Specification of Monitoring Frequencies

A concern raised during the debate over the previous draft of the Policy was that the proposed provisions were 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

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the project or the recommendations of the expert scientific 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 expert panel recommendations.

Incidental Runoff

OCWD is concerned about the incidental runoff language in the current draft of the Policy. As written, the incidental runoff language is excessively detailed, overly prescriptive, and inappropriate in a policy document. The draft Policy includes specific, permit-like language related to leak detection, aim and design of sprinkler heads, rain events, and pond discharges. Conditions regarding practices that are appropriate for a particular site should be left to the permitting process.

Moreover, we are concerned that the current proposed language may create the potential for overlapping responsibilities for enforcement. The responsibility to reduce or eliminate runoff, whether from a potable or non-potable source, currently resides with counties and cities through municipal separate storm sewer system (MS4) permits issued by regional boards to the counties and/or cities (permittees). To support permittees and their permit compliance efforts, recycled water providers should develop plans that address practices consistent with the requirements of Title 22 related to confining recycled water to the use area. Such plans should include provisions to address leak detection, proper design and aim of sprinkler head, proper practices during precipitation events and management of storage ponds and can be used by the MS4 permittees to support compliance.

To further this purpose, we believe that the organization and structure of this section should be revised to provide a more useful outline of how to proceed with these plans. We have attached (Attachment 1) recommended language changes for Section 7.a. to address these concerns.

Conclusion

We would like to thank the State Board and its staff for engaging in a policy discussion regarding water recycling. Increased water recycling plays an important role in meeting California's water needs. Water recycling will allow our region to bank millions of gallons of high quality water in our groundwater basin, helping to protect the region against future natural disasters that could disrupt the

water delivery system to arid Southern California from the fragile Delta and Colorado systems.

Sincerely,

Michael R. Markus, P.E.
General Manager