



December 22, 2008

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

sent via email to: commentletters@waterboards.ca.gov

Attn: Jeanine Townsend, Clerk to the Board

SUBJECT: Comment Letter - Proposed Recycled Water Policy

Dear Chair Doduc and Members of the Board:

The City of Santa Rosa (City) appreciates the opportunity to provide comments on the State Board's proposed Recycled Water Policy. The City owns and operates the Santa Rosa Subregional Water Reclamation System, which currently reuses 100 percent of the recycled water produced in a dry year and 95 percent of normal year production. In addition, the City intends to construct the Santa Rosa Urban Reuse Project, providing up to 3,000 acre-feet per year of recycled water to approximately 1,000 existing and future landscape irrigation and commercial/industrial customers in Santa Rosa.

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. 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.

The City supports the overall structure and approach of the November 2008 proposed Policy and believe it is a significant improvement over the previous drafts. The proposed Policy also tracks the September 2, 2008 draft prepared by a group of water industry and nongovernmental organization stakeholders. However, we urge the State Water Board to consider the following 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.

Salt and Nutrient Management Plans

One of our major concerns with the earlier State Water Board draft of the Policy was the requirement that individual water recycling projects be tasked with completion of salt plans. We are pleased that the November 2008 version recognizes that salt and

nutrient issues within groundwater basins cannot be resolved by focusing on recycled water use, and that the proper approach to addressing these issues is through locally controlled and driven plans, developed by broad groups of stakeholders, including the Regional Water Boards.

We are concerned, however, 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 prioritize where plans should be developed, so that limited public resources can be devoted to areas of real concern. 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. 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 have attached recommended language changes to address these concerns, all of which are consistent with the goals and intent of accomplishing salt and nutrient management planning in important groundwater basins.

Specification of Monitoring Frequencies

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 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 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

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 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 City commends the efforts of the State Board developing a statewide Policy that encourages more water recycling. Thank you for the opportunity to provide our comments on the proposed Policy.

Sincerely,



Miles Ferris
Utilities Director

Attachment: Proposed Alternative Language Regarding Salt/Nutrient Management Plans

Cc: Jeff Kolin, City Manager
Greg Scoles, Deputy City Manager
Board of Public Utilities

Attachment 1

Proposed Alternative Language Regarding
Salt/Nutrient Management Plans

Replace the Existing Policy Language,
beginning at page 5, line 157 through Page 8, line 279, with the following :

1. *Salt/Nutrient Management Plans*

a. *Introduction*

- (1) Some groundwater basins in the State contain salts and nutrients that exceed or threaten to exceed water quality objectives established in the applicable Water Quality Control Plans (Basin Plans), and not all Basin Plans include adequate implementation procedures for achieving or ensuring compliance with the water quality objectives for salt or nutrients. These conditions can be caused by natural soils/conditions, discharges of waste, irrigation using surface water, groundwater or recycled water and water supply augmentation ~~groundwater recharge~~-using surface or recycled water. Regulation of recycled water alone will not address these conditions.
- (2) It is the intent of this Policy that salts and nutrients from all sources be managed on a basin-wide or watershed-wide basis in a manner that ensures attainment of water quality objectives and protection of beneficial uses. The State Water Board finds that the appropriate way to address salt and nutrient issues is through the development of regional or subregional salt and nutrient management plans rather than through imposing requirements solely on individual recycled water projects.

b. *Adoption of Salt/ Nutrient Management Plans.*

- (1) The State Water Board recognizes that, pursuant to the letter dated _____ attached to this Policy, water and wastewater entities, together with salt/nutrient contributing stakeholders, will fund locally driven and controlled, collaborative processes open to all stakeholders that will prepare salt and nutrient management plans for each basin/sub-basin in California, including compliance with CEQA and participation by the Regional Water Board staff.
 - (a) It is the intent of this Policy that every groundwater basin/sub-basin, as defined by CDWR in Bulletin 118, will be assessed using a common methodology so that consistent salt/nutrient management plans can be developed throughout the State.

- (b) It is the intent of this Policy that the initial assessment shall inform the degree of specificity and length of these plans. The State Water Board recognizes that the complexity of these plans will be dependent on a variety of site-specific factors, including but not limited to anthropogenic activities in the basin/sub-basin, groundwater quality in the basin/sub-basin, local hydrogeology, size and complexity of a basin/sub-basin, salt and nutrient inputs to the basin/sub-basin and rainwater/stormwater recharge of the basin/sub-basin. The State Water Board recognizes that the initial assessment may reveal that, for some basins/sub-basins, additional planning or monitoring activities may not be warranted.
- (c) It is also the intent of the State Water Board to encourage the inclusion of a significant rainwater/stormwater recharge component within the salt/nutrient management plans. Because stormwater is typically low in nutrients and salts and can augment local water supplies, inclusion of this component within the salt/nutrient management plans is critical to the long-term sustainable use of water in California. Inclusion of rainwater/stormwater recharge is consistent with State Water Board Resolution 2005-06, which established sustainability as a core value for State Water Board programs, and also assists in implementing Resolution 2008-30, which requires sustainable water resources management and is consistent with Objective 3.2 of the State Water Board Strategic Plan Update dated September 2, 2008.
- (d) Salt and nutrient plans shall be tailored to address the water quality concerns in each basin/sub-basin. Such plans shall address and implement provisions, as appropriate, for all sources of salt and/or nutrients to groundwater basins/sub-basins, including recycled water irrigation projects and groundwater recharge reuse projects.
- (e) Such plans may be developed or funded pursuant to the provisions of Water Code sections 10750 *et seq.* or other appropriate authority. Stakeholders are encouraged to use existing groundwater management plans developed under Water Code section 10750 *et seq.* to the maximum extent possible.
- (f) Salt and nutrient plans shall be completed within five years from the date of this Policy unless a Regional Water Board finds that the stakeholders are making substantial progress towards completion of a plan. In no case shall the period for the preparation of a plan exceed seven years.

- (g) The requirements of this paragraph shall not apply to areas that have already completed a Regional Water Board approved salt and nutrient plan.
- (2) Within one year of the completion of the initial assessment indicating that a salt and nutrient management plan is not required or the completion of a salt and nutrient management plan, the Regional Water Boards shall adopt revised implementation plans, consistent with Water Code section 13242, reflecting the results of these analyses. For those groundwater basins within regions where water quality objectives for salts or nutrients are being, or are threatening to be, exceeded, the Regional Board's implementation plans shall be based on the salt and nutrient plans required by this Policy.
- (3) Each salt and nutrient management plan shall include the following components:
- (a) A description of the basin/sub-basin, land uses in the basin/sub-basin, in-situ water quality in the basin/sub-basin and the basin recharge area including any watershed lands outside the mapped limits of the basin/sub-basin, which recharge the basin/sub-basin.
 - (b) Identification of salt and nutrient sources in the basin/sub-basin and estimates of salt and nutrient loading in the basin/sub-basin, including estimates of changes to loading that may occur because of planned changes to:
 - (i) land use, including low impact development proposals in the watershed;
 - (ii) irrigation water quality and irrigation patterns, and;
 - (iii) intentional recharge including rainwater/stormwater recharge.
 - (c) Water recycling and stormwater recharge/reuse goals and objectives.
 - (d) A fate and transport analysis of salts and nutrients under the existing and planned patterns of land and water use.
 - (e) An analysis of implementation actions for managing salt and nutrient loading in the basin/sub-basin on a sustainable basis, respecting in-situ water quality. For basins/sub-basins with naturally occurring brackish groundwater, this analysis may result

in a conclusion that implementation actions, specifically ongoing monitoring, are not necessary.

- (f) An evaluation of the need for an ongoing monitoring program to assess the efficacy of the salt and nutrient management actions. All salt and nutrient management plans, regardless of in-situ water quality, shall include a provision for monitoring of CECs that meets any standards-recommendations provided recommended by the expert advisory panel convened by the State Water Board pursuant to this Policy.
 - (g) For basins with existing high quality waters, an antidegradation analysis demonstrating that the projects included within the plan will, collectively, satisfy the requirements of Resolution 68-16.
 - (h) Provisions to review the plan for efficacy and modify implementation actions as necessary.
- (4) When the salt and nutrient management plans conclude that monitoring is necessary, ~~t~~The plans shall include a description of the monitoring network and monitoring protocols. This description shall ~~include~~ a basin-wide network of monitoring stations that are adequate to provide a reasonable, cost-effective means of determining whether salt and nutrient concentrations are consistent with applicable water quality objectives.
- (i) The monitoring protocols must be designed to provide for regular re-assessment of the water quality in the basin/sub-basin. The protocols must be developed to focus on basin water quality near water supply wells, areas proximate to large salt and nutrient sources, and areas ~~where~~ groundwater has connectivity with adjacent surface waters.
 - (ii) The monitoring protocols shall specify the frequency of monitoring. Salts and nutrients shall be monitored on an annual basis, unless site specific analysis determines that a different frequency results in effective plan implementation.
 - (iii) The preferred approach for developing monitoring protocols is to use ~~existing~~ wells for data collection, when the existing wells provide the spatial coverage necessary to determine water quality throughout the most critical areas of the basin/sub-basin.

- (iv) The monitoring protocols shall include a requirement that data will be compiled and reported to the Regional Water Board every three years.
- (5) Nothing in this Policy shall prevent stakeholders from developing a plan that addresses additional constituents and/or is more protective of water quality than applicable standards in the Basin Plan. No Regional Water Board, however, shall seek to modify Basin Plan objectives without full compliance with the process for such modification as established by existing law.