

Copy - Mailed 12/17/08

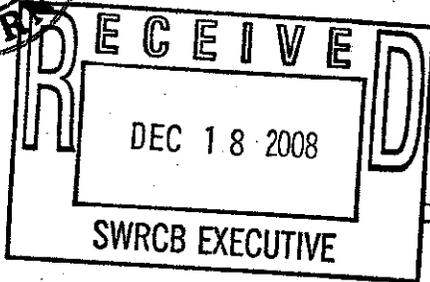


## NORTH SAN MATEO COUNTY SANITATION DISTRICT

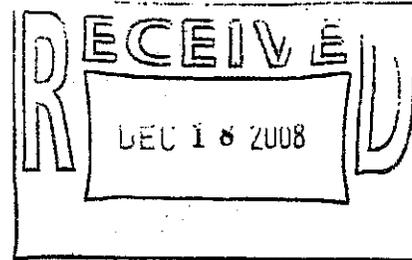
a subsidiary of the City of Daly City

333 - 90TH STREET, DALY CITY, CALIFORNIA 94015-1895

(650) 991-8127



December 15, 2008



Ms. Jeanine Townsend  
Clerk to the Board, Executive Office  
State Water Resources Control Board  
P.O. Box 100  
Sacramento, CA 95812-0100

RE: Comment Letter – Proposed Recycled Water Policy

Dear Ms. Townsend:

The North San Mateo County Sanitation District (District), a subsidiary of the City of Daly City (City), appreciates the opportunity to comment on the Proposed Water Recycling Policy (Policy). The District is a local government agency, serving approximately 120,000 municipal wastewater treatment customers. The District is governed by elected officials and managed by professionals who are dedicated to protecting our water environment and the public health.

The District owns and operates a recycled water facility that is permitted to distribute 2.77 mgd of disinfected tertiary treated recycled water. Currently, the District's recycled water is used for landscape irrigation at City athletic fields and median strips and three premier golf courses: Olympic Club, San Francisco Golf Club and Lake Merced Golf Club.

The District supports the idea of a statewide policy that would apply consistent and realistic criteria and therefore agrees with, and supports, most of the language endorsed by the WaterReuse Association, the California Association of Sanitation Agencies (CASA) and the California Water Agencies (ACWA). In addition, the District offers the following comments as well:

### **Section 4 – Mandate for the Use of Recycled Water**

Section 4.a.2 – The District does not believe it is appropriate to insert specific terms and conditions on agreements to use recycled water, rather language should remain open between interested parties. Suggest language clarification as follows:

(a.2) Agencies producing recycled water that is available for reuse and not being put to beneficial use shall make that recycled water available to interested water purveyors for reuse on reasonable terms and conditions as negotiated by both parties. ~~Such terms and conditions may include payment by the water purveyor of a fair and reasonable share of the cost of the recycled water supply and facilities.~~

### **Section 6 – Salt/Nutrient Management Plans**

Section 6.a.2 – The District contends that public agencies can only manage controllable sources to the extent practicable. Suggest language clarifications as follows:

(6.a.2) It is the intent of this Policy that salts and nutrients from all controllable sources be managed on a basin-wide or watershed-wide basis in a manner that to the extent practicable 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.

Section 6.b.1 – There is reference to a letter. The District is uncomfortable having language inserted into a policy document referencing an attachment that has yet to be released for public review. The District suggests that the letter be made available for review prior to the adoption of a policy.

Section 6.b.1.b – While the District understands the desire to include "other constituents" it is not appropriate to include these constituents as part of the proposed Salt and Nutrient Plan. Other constituents are addressed as part of Section 10. Suggested language to read:

(6.b.1.b.) Salt and nutrient plans shall be tailored to address the said constituents water quality concerns in each basin / sub-basin and may include constituents other than salt and nutrients that impact water quality in the basin / sub-basin. Such plans shall address and implement provisions, as appropriate, for all sources of salt and/or nutrients to groundwater basins, including recycled water irrigation projects and groundwater recharge reuse projects.

Section 6.b.3.b – As previously stated, the District contends it is not appropriate to include other constituents within a proposed Salt and Nutrient Plan as other constituents are addressed in Section 10. Accordingly, the District requests deletion of this section.

~~(6.b.3.b) A provision for annual monitoring of Emerging Constituents/Constituents of Emerging Concern (e.g., endocrine disruptors, personal care products or pharmaceuticals) (CECs) consistent with recommendations by CDPH and considering the recommendations of the expert panel.~~

Section 6.b.3.c – The District also contends that it is inappropriate to include stormwater in a statewide Recycled Water Policy and therefore recommends the following language changes:

(6.b.3. c) Water recycling and stormwater recharge/use goals and objectives.

### **Section 7 – Landscape Irrigation Projects**

Section 7a.1, 2, 3&4 – The District endorses the recommendations made by the Water Reuse Association, the California Association of Sanitation Agencies (CASA) and the California Water Agencies (ACWA) submitted as follows:

*(7.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.~~

Section 7.b.4 – The District contends it is important to require EPA approved methods as it is consistent with current Publicly Owned Treatment Works NPDES requirements that mandate data be analyzed through approved EPA methods. In addition, monitoring should only be performed once per year.

(7.b.4) Landscape irrigation projects that qualify for streamlined permitting shall not be required to include a project specific receiving water and groundwater monitoring component unless such project specific monitoring is required under the adopted salt/nutrient management plan. During the interim while the salt management plan is under development, a landscape irrigation project proponent can either perform project specific monitoring, or actively participate in the development and implementation of a salt/nutrient management plan, including basin / sub-basin monitoring. Landscape irrigation projects shall include, in addition to any other appropriate effluent monitoring requirements, effluent monitoring for CECs that have EPA approved methods on an annual basis and priority pollutants on an annual basis.

Section 7.c.2 – The District contends it is inappropriate to specify specific types of water conservation measures and instead revised the language as follows:

(7.c.2) Application in amounts and at rates as needed for the landscape (i.e., at agronomic rates and not when the soil is saturated). Each irrigation project shall be subject to an operations and management plan provided to the Regional Water Board that specifies the agronomic rate(s) and describes a set of reasonably practicable measures to ensure compliance with this requirement, which may include the development of water budgets for use areas, site supervisor training, periodic inspections, tiered rate structures, the use of smart controllers, water conservation practices or other appropriate measures as appropriate.

***Section 10 – Emerging Constituents/Chemicals of Emerging Concern***

Section 10.b.4 – The District fully supports research, but monitoring associated with research should not be structured in a way that would make recycled water producers vulnerable to third party legal actions. To better describe what is intended it is necessary to include approved EPA methods. Suggested language change is:

(10.b.4) The panel report shall answer the following questions: What are the appropriate constituents to be monitored in recycled water, including EPA approved analytical methods and method detection limits? What is the known toxicological information for the above constituents? Would the above lists change based on level of treatment and use? If so, how? What are possible indicators that represent a suite of CECs? What levels of CECs should trigger enhanced monitoring of CECs in recycled water, groundwater and/or surface waters?

NEW Section 10.b.5 – The District believes it is important to include language within the Statewide Policy that if groundwater water quality objectives are not affected as a result of recycled water application, public agencies should be granted some sort of relief. The District suggests the addition of language to read as follows:

(10.b.5) If it is determined that a constituent is adversely affecting the groundwater quality and said adversity is demonstrated not to be associated with recycled water, the recycled water distributor will submit a report to the Local Regional Water Board of that determination. The Regional Water Board shall confirm such finding and relieve the recycled water producer from any further groundwater investigations.

***Section 11 – Incentives for the Use of Recycled Water***

Sections 11.a & b. – The District contends it is not appropriate to include stormwater within a recycled water policy and suggest the following changes:

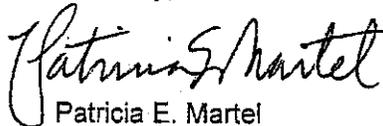
(11.a) The State Water Board will request CDWR to provide funding (\$20M) for the development of salt and nutrient management plans during the next three years (i.e., before FY 2010/2011). The State Water Board will also request CDWR to provide priority funding for projects that have major recycling components; particularly those that decrease demand on potable water supplies. ~~The State Water Board will also request priority funding for stormwater recharge projects that augment local water supplies. The~~

State Water Board shall promote the use of the SRF for water purveyor, ~~stormwater agencies~~ and water recyclers to use for water reuse and ~~stormwater use and recharge~~ projects.

~~(11.b) The State Water Board strongly encourages all water purveyors to provide financial incentives for water recycling and stormwater recharge and reuse projects. The State Water Board also encourages the Regional Water Boards to require less stringent monitoring and regulatory requirements for stormwater treatment and use projects than for projects involving untreated stormwater discharges.~~

Thank you again for your consideration. The District appreciates this opportunity to provide input into this important policy. The suggested revisions are intended to make this a workable policy for all involved. If there are any questions or clarifications needed, please do not hesitate to contact Director of Water and Wastewater Resources, Patrick Sweetland, by e-mail at [psweetland@dalycity.org](mailto:psweetland@dalycity.org) or by telephone at (650) 991-8200.

Sincerely,



Patricia E. Martel  
General Manager