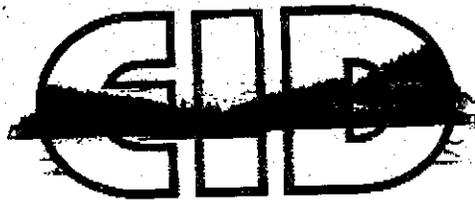


Bill George - President
Division 3
George W. Osborne
Vice President
Division 1



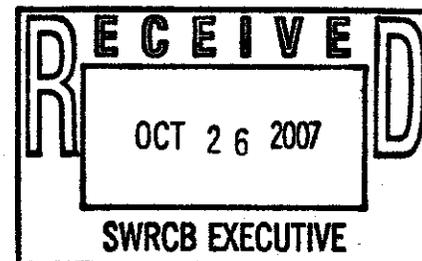
El Dorado Irrigation District

Ane D. Deister
General Manager
Thomas D. Cumpston
General Counsel

12/4/07 Bd. Mtg.
Water Recycling Policy
Deadline: 10/26/07 by Noon

October 24, 2007

Chair Tam Doduc and Members of the Board
State Water Resources Control Board
P.O. Box 100
Sacramento, California 95812-0100



Subject: Comment Letter - proposed Water Recycling Policy

Dear Chair Doduc and Members of the Board:

On behalf of El Dorado Irrigation District (EID) and Parker Development Company (the Developer of Serrano), we are pleased to offer the following comments regarding the Water Recycling Policy (Policy). We applaud the State Water Board for its leadership in undertaking this policy and offer our comments with the intention of assisting the Board in achieving its goals to facilitate recycled water use and improve consistency in the permitting process. We hope the Board will revise the Policy in accordance with our comments and recommendations.

As background, EID has a long history in recycled water, dating back more than three decades. The District's elected Board of Directors recognized the beneficial use of recycled water as a means to conserve resources and stretch the overall water supply through the production of properly treated recycled water for use in landscape irrigation. Our current program provides recycled water to irrigate both front and backyard landscapes to over 3500 residences and on several hundred commercial landscapes. Its impetus was a partnership in the 1990's with the developers of the Serrano villages in western El Dorado County.

To support water recycling as a sensible policy, EID's Board requires that where economically and physically feasible, we will continue to provide new developments with recycled water for landscape irrigation purposes. We anticipate that our program will continue to grow with an additional 3,600 residential recycled water connections over the next decade. In order to meet this future recycled water demand, we are assessing potential sites for seasonal storage impoundment of recycled water to more fully maximize our capacity to generate and use this product year round. We hope to have our seasonal storage facility constructed and operational by 2012.

To: Chair Doduc and Members of the Board

Date: October 26, 2007
Page 2 of 5

Recycled Water is a Valuable Resource

California has the potential to recycle up to 1.5 million acre feet of water annually by the year 2030. This would free up potable water supplies to meet the water demand associated with projected population growth. The Legislature has established a goal of recycling one million acre feet by 2010. In addition, it has declared that the people of the State have a "primary interest" in the development of recycled water facilities, and that the State should "take all possible steps" to encourage the development of such facilities in order to meet the State's water needs.

Unnecessary regulatory requirements will discourage existing recycled water producers to continue with and expand their programs, and this will result in increased discharges of wastewater effluent to the waters of the state. Water recycling provides both water quality benefits by reducing discharge to surface waters and water supply benefits by reducing demand for limited fresh water resources. Also, when appropriately managed, recycled water is safe. (Water Code section 13529(f).) In order to achieve the State's water recycling goals and realize these benefits, it is imperative that the State Water Board consistently view water recycling as a valuable resource rather than a waste discharge.

Incidental Runoff for Irrigation Projects

The staff report states that the State Water Board does not intend to address incidental runoff in this Policy. At a minimum, therefore, the existing language in Operating Paragraph 7(e) should be deleted. Regardless, EID strongly encourages that any update of the State's Recycled Water Policy must address reasonable regulation of incidental runoff of recycled water, to the maximum extent possible within existing regulatory schemes.

At its most fundamental level, water recycling results in the reduction of discharges to waters of the State, which is the overarching goal of the Clean Water Act. A reasonable regulatory scheme for irrigation runoff is absolutely necessary if the State Water Board wishes to encourage reduction of discharges to surface waters. Impractical requirements for control of "all molecules" of recycled water make it simply impossible to contain every drop of recycled water for pond storage and irrigation projects. This impediment to recycled water use has frustrated agencies and users that a specific Recycled Water Task Force Recommendation was formed to address to the issue.

Task Force Recommendation 4.2: Investigate within the current legal framework, alternative approaches to achieve more consistent and less burdensome regulatory mechanisms affecting incidental runoff of recycled water from use sites.

To: Chair Doduc and Members of the Board

Date: October 26, 2007
Page 3 of 5

We are concerned that if the Policy does not address incidental runoff in some manner, we will continue to lack clear guidance on the appropriate regulatory scheme for irrigation runoff that happens to be recycled water.

EID believes that there are adequate existing regulatory schemes for managing irrigation runoff in compliance with the Clean Water Act, including both existing municipal separate storm sewer system (MS4) and low-threat discharge permits. It is EID's position that the Policy should clearly state that for the purposes of complying with the NPDES regulations, incidental runoff can and should be covered within existing regulatory schemes for irrigation water to the maximum extent practicable. EID believes that the Policy should discourage unique regulatory schemes for irrigation water that happens to be recycled water, just as it discourages requirements for monitoring wells for irrigation projects.

As currently written, one could interpret the draft Policy to mean that irrigation projects using recycled water should be permitted under the NPDES program. EID does not and cannot support the development of a General NPDES permit exclusively for irrigation runoff that happens to be recycled water. This is an unnecessary and duplicative regulatory effort that will place an additional permitting burden on our recycled water program, when such a burden is not placed on other sources of irrigation water.

Lastly, the establishment of a 300 mg/l increment for TDS, is problematic, and if implemented, EID would not be able to comply with this limitation. EID supports the WaterReuse Association recommendations and we encourage you to consider the range of alternatives presented by WaterReuse.

Anti-degradation Policy (Resolution 68-16)

Irrigation with recycled water is a use of water, not a disposal of waste. We do not believe that anti-degradation approaches designed to address waste discharges to surface water or land are appropriate for irrigation projects that comply with Title 22 and result in only incidental amounts of water reaching groundwater no greater than those from irrigation generally.

That said, to the extent that the anti-degradation policy is implicated by irrigation projects, we support the approach taken in the Policy, which is irrigation projects that apply recycled water in accordance with best practices in quantities required for the landscape or crops at the site are consistent with the maximum benefit to the people of the State. To the extent that outdoor irrigation collectively, regardless of the type of water used, has the potential to affect groundwater quality, the Policy calls for addressing this in the only meaningful way, through basin-wide plans. Upon completion, those plans may require changes in practices by various irrigators in order to meet the regional goals. In the interim, however, the requirements set forth in the Policy are more than adequate to guard against significant changes in groundwater quality.

As stated previously, EID supplies recycled water to over 3500 residences for front and backyard irrigation. EID has an Environmental Compliance Department which manages our Recycled Water Coordination and Inspection Program. This program was developed

To: Chair Doduc and Members of the Board

Date: October 26, 2007
Page 4 of 5

to ensure that recycled water connections are installed with accordance of CDPH and EID's standards. Our team of experts conducts training to recycled water customers and all contractors. Prior to installation of a recycled water landscape system, each installer must attend one of the Recycled Water Orientation and Installation classes that are offered by our staff. The purposes of these classes are to:

- Protect public health
- Onsite cross connection prevention
- Ensure EID installation standards are met
- Verify all required identification items
- Monitor recycled water usage
- Prevent over watering and runoff

In addition, EID staff provides annual inspections of dual plumbed lots ensure no cross-connection between the drinking and recycled water systems. EID provides public outreach on our Recycled Water Program and has a Hotline available for questions. Lastly, our website hosts a variety of information on our Recycled Water Program.

Financial Assurances Provision

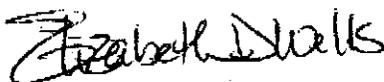
As proposed, the Policy would allow Regional Water Boards to require owners of groundwater recharge reuse projects to provide financial assurances of their ability to bear liability for groundwater contamination. This provision is inappropriate for a variety of reasons and would unnecessarily curtail groundwater recharge reuse projects contrary to the Legislature's and, we believe, the State Water Board's intent. Although EID is not pursuing a groundwater recharge project, we are in the feasibility phase of an impoundment project. We view that this language could be interpreted to require EID to provide financial assurances of our ability to bear liability for groundwater contamination. The impact of this provision could needlessly curtail EID's impoundment project. Accordingly, we respectfully request that the State Water Board delete this provision from the Policy.

To: Chair Doduc and Members of the Board

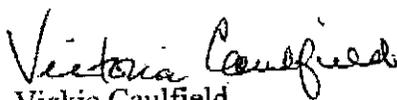
Date: October 26, 2007
Page 5 of 5

Thank you for soliciting comments on the development of this important policy. EID and Parker Development Company wish to emphasize our appreciation for the State Water Board's commitment to the State's water recycling goals, and to express our support for the overall tenor and approach set forth in the Policy. We believe that with our suggested language changes, the adoption of this Policy will be a tremendous step toward increasing predictability and consistency in the permitting process and increasing California's use of this sustainable and safe water supply. We are available to answer questions or provide more information.

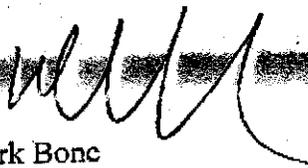
Sincerely,



Elizabeth D. Wells
Co-Division Manager
Wastewater/Recycled Water, Engineering
El Dorado Irrigation District



Vickie Caulfield
Co-Division Manager
Wastewater/Recycled Water, Operations
El Dorado Irrigation District



Kirk Bone
Director of Governmental Relations
Parker Development Company
Member, Board of Trustees, California Section Water Reuse Association
Member, Recycled Water Task Force

cc: Steve Setoodeh, Department Head Facility Management
David Witter, Department Head Environmental Compliance and Water Policy
Brian Cooper, Assistant Department Head Facility Management, Engineering
Tom McKinney, Assistant Department Head Facility Management, Operations