

SOUTH COAST



WATER DISTRICT

October 26, 2007

LATE COMMENT

Jeanine Townsend
Acting Clerk to the Board
State Water Resources Control Board
P.O. Box 100
Sacramento, California 95812-0200

Via: Fax: 916-341-5620
E-mail: commentletters@waterboards.ca.gov

Subject: Comment Letter – Proposed Recycled Water Policy

Dear Ms. Townsend:

The South Coast Water District appreciates the opportunity to comment to the State Water Resources Control Board (State Board) on the proposed Water Recycling Policy.

In 1982, the South Coast Water District (District) obtained State grant funding to construct an Advanced Wastewater Treatment (AWT) System at the Coastal Treatment Plant located in Laguna Beach, California. The purpose of this grant was to create a source of recycled water supply. Operation of the AWT was contracted by South Coast Water District to the South Orange County Wastewater Authority (SOCWA) in 1996.

SOCWA has submitted comments to the State Board regarding the proposed Recycled Water Policy, by letter dated October 15, 2007, and the District agrees with those comments (SOCWA Comment Letter).

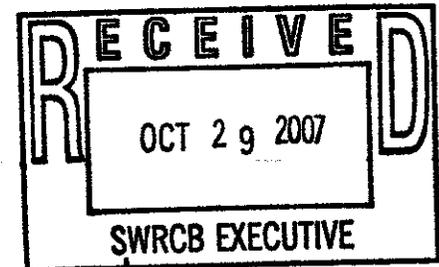
The recycled water produced at the Coastal Treatment Plant AWT is delivered to recycled water customers within the South Coast Water District service area (South Laguna and Dana Point). Existing recycled water customers include the Montage Resort, Lang Park, Monarch Links Golf Course at the St. Regis Resort, Niguel Shores Community Association, the Dana Hills High School, the City of Dana Point parks and Cal-Trans highway median areas. The District serves 1000 acre feet per year of recycled water to customers and avoids the use of potable water supplies.

As proposed, the draft recycled water policy will create a difficult choice for the District as to whether to continue using recycled water supplies. The existing permitted TDS limit for the SOCWA recycled water requirements (Order No. 97-52), is 1200 mg/L monthly average. Potable water supplied within the District has an average TDS of 500 mg/L. The proposed draft order will require the District to implement treatment solutions to lower TDS by 400 mg/L. As noted in the SOCWA comment letter, investment in

Mailing Address: P.O. Box 30205, Laguna Niguel, CA 92607-0205

Street Address: 31592 West Street, Laguna Beach, CA 92651

Fax: (949) 499-4256 Phone: (949) 499-4555



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additional treatment solutions will not benefit the groundwater in the local area as it is not a source of potable drinking water at this time. Additional treatment may mean that the cost of recycled water to District customers will rise above current potable water rates.

The South Coast Water District requests that the State Board consider a standard set for individual recycled water requirements based on existing conditions in the area where recycled water will be created and distributed. The regional boards may make local decisions that are reflective of existing conditions. This approach is consistent with existing legislative policies that favor the development and use of recycled water as a resource. For example, Water Code Section 13523.5 states that a regional board may not deny issuance of water reclamation requirements to a project which violates only a salinity standard in the basin plan. The District believes the State Board should explain how a State limitation more restrictive than basin plan standards is permissible under State law.

The proposed liability standard is also of concern to the South Coast Water District. The people of the State receive retail water supply through hundreds of smaller agencies serving local communities. Each of these agencies can benefit in assuring water availability by partnering to supply recycled water to parks, highway medians, golf courses, and other appropriate users. A State Board requirement regarding future liability for recycled water suppliers for unknown changes in water quality standards will increase risk and chill the willingness of local communities to make further investments in recycled water.

The District believes that it is inconsistent with existing law (Water Code §13511 et seq.) to impose future liability for recycled water providers through permit requirements. California Water code Section 13529 identifies the State's primary interest as the development of facilities to serve recycle water to supplement existing water supplies and to minimize the impacts of growing demand for new water. For water agencies that are serving smaller communities, it will be impractical to accept new permits that impose future liability for changes in water quality standards, where such changes are not foreseeable at the time their permits are issued.

Please consider the above concerns as work on the draft order proceeds.

Very truly yours,

SOUTH COAST WATER DISTRICT

 by beB

Michael P. Dunbar
General Manager

MPD:rb