



Public Comment
Bay-Delta Strategic Workplan
Deadline: 7/9/08 by 12 p.m.

COUNTY SANITATION DISTRICTS OF LOS ANGELES COUNTY

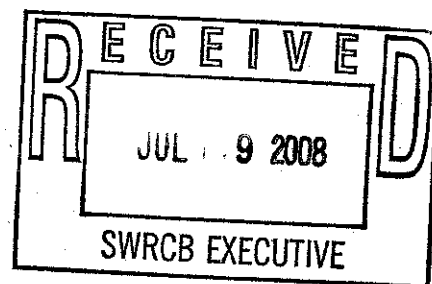
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STEPHEN R. MAGUIN
Chief Engineer and General Manager

July 9, 2008

Via Electronic Mail and U.S. Mail

Ms. Tam Doduc, Chair
and Members of the Board
State Water Resources Control Board
Post Office Box 100
Sacramento, CA 95812-0100
Attn: Jeanine Townsend, Clerk to the Board



Dear Chair Doduc and Members of the Board:

Comments on Draft Strategic Workplan for the San Francisco Bay/Sacramento-San Joaquin Delta Estuary

The County Sanitation Districts of Los Angeles County (Districts) appreciate this opportunity to submit comments to the State Water Resources Control Board (State Board) on the June 2008 Draft Strategic Workplan for the San Francisco Bay/Sacramento-San Joaquin Delta Estuary (Bay-Delta). The Districts are a partnership of 24 independent special districts serving about 5.3 million people in Los Angeles County by providing environmentally sound, cost-effective wastewater and solid waste management and, in the process, convert waste into resources such as recycled water, energy, and recycled materials. In addition, the Districts have adopted the goal of maximizing the beneficial reuse of the highly treated recycled water produced by its water reclamation plants, which, over the past 46 years, has made the Districts one of the largest water recycling agencies in the world, much less California. For fiscal year 2006-07 the Districts' Joint Outfall System, serving the Los Angeles Basin, produced nearly 500,000 acre-feet (AF) of treated effluent, of which almost 150,000 AF was disinfected tertiary recycled water available for reuse, with over 72,000 AF (14.5% of the total effluent and 48.5% of the tertiary-treated recycled water available) being beneficially reused. As such, the Districts strongly support the State Board's position to increase recycled water use in order to prevent waste and unreasonable use of California's scarce water supply resources. The Districts agree with the State Board that the use of recycled water provides numerous environmental benefits and should be considered an important means of advancing the goals of not only the Strategic Workplan for the Bay-Delta, but other State Board plans and policies that are or may be under development.

Notwithstanding its commitment to increasing recycled water use within its service areas, the Districts feel the State Board can provide important guidance and leadership in supporting recycled water use by requiring water recycling plans without imposing a mandate to reuse at least 25% of the recycled water produced by 2020 as proposed in the Strategic Workplan for the Bay-Delta (Pg 87). Imposing such a mandate would create unnecessary and unintended negative impacts on recycled water producers.

Recycled water projects in the State must be developed through local partnerships between water reclamation agencies that produce recycled water, wholesale and retail water purveyors, that construct recycled water distribution systems and deliver the recycled water to their customers, and the end users that need to accept and beneficially use the recycled water on their sites. Also involved in this partnership are funding sources, such as the United States Bureau of Reclamation, the State Department of Water Resources, and the Metropolitan Water District of Southern California, as well as regulatory agencies such as the Regional Water Quality Control Boards (RWQCBs) and the State Department of Public Health. If any one of the partners involved in recycled water deliveries does not fully participate, then water reuse simply does not happen. Such partnerships have worked extremely well in the Districts' service area, where 28 wholesale and retail purveyors have worked cooperatively with the Districts to supply recycled water to over 530 individual sites (as of the end of fiscal year 2006-07). A water reclamation agency cannot unilaterally implement a recycled water project without consultation, and in most cases, concurrence of the local water agency (i.e., the Service Duplication Act). Requiring the development of Water Recycling Plans, through the permit renewal cycle, to reuse 25% of the recycled water produced will not be productive because plans themselves do not result in additional water supply. The removal of unnecessary regulatory barriers, State and Federal funding assistance, the involvement of wholesale and/or retail water purveyors, and public education and outreach programs are all needed to increase water recycling in California.

NPDES permit requirements: RWQCBs do not have regulatory authority over water purveyors and recycled water users and therefore the entire regulatory burden of meeting a mandatory recycling level would be placed on the water reclamation agency. Mandating the reuse of at least 25% of the available recycled water in NPDES permits would place excessive burden upon water reclamation agencies that do not have control over the development of recycled water distribution systems by purveyors and may have limited opportunity to work with direct users of recycled water due to service duplication restrictions. Water reclamation agencies would then be potentially subject to NPDES permit violations, significant fines, and third party lawsuits, with the end result being that recycled water still does not get beneficially used.

Requirements for Recycled Water Use: The allowable uses of recycled water are directly tied to the level of treatment at the water reclamation plants. Large coastal treatment plants, such as the Districts' Joint Water Pollution Control Plan (JWPCP) in Carson, California, produce disinfected secondary effluent for discharge into the Pacific Ocean. However, disinfected secondary recycled water may only be used for landscape irrigation where access to the public is strictly limited, thus greatly limiting the opportunities and amounts for reuse. In order to meet the minimum reuse requirements, if there is insufficient water demand in the service area for recycled water at the quality currently produced by water reclamation facilities, agencies may be required to significantly increase the level of treatment for recycled water to expand the permitted uses for recycled water and build the necessary infrastructure in order to increase potential recycled water demand at a considerable expense, potentially billions of dollars to the ratepayers of large agencies. For example, given the approximately 310 million gallons per day (MGD) of secondary effluent produced at the Districts' JWPCP, the State Board's proposed requirement of reusing 25% of the recycled water produced would require the reuse of 77.5 MGD, or nearly 87,000 AF per year of the effluent produced, which in the Southern California climate would require 34,800 irrigated acres (over 54 square miles) of turf grass, a demand that simply does not exist in the Districts' service area. Alternative potential reuse projects would require increased treatment and would consist of industrial reuse, of which there is limited additional demand in the area, and indirect potable reuse, which has a huge potential for using large quantities of recycled water. However, if the latter use is to be successful from a public acceptance standpoint, it would require development through an open public process, not through a state regulatory mandate. A number of indirect potable reuse projects throughout the State have failed in recent years due to a failure to gain public involvement and support.

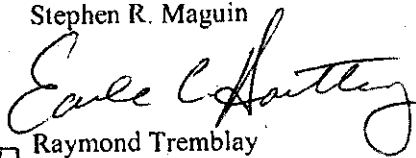
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Recommendation: Rather than imposing a mandate to increase reuse to 25% of the available recycled water, the Districts believe the State Board can effectively promote the development of recycled water use in California by requiring development of recycled water plans. If the State Board determines it is necessary to include a minimum goal for recycled water use in its Strategic Workplan for the Bay-Delta and its other plans and policies, the Districts request that any such requirement be applied regionally, as opposed to inclusion in the individual NPDES permits for each water reclamation plant. In the Los Angeles Basin, the Districts operate an integrated regional system of sewers and treatment plants that diverts high quality domestic and commercial wastewater flows away from ocean disposal to upstream water reclamation plants. These plants have been located near potential recycle water use sites specifically to produce recycled water for reuse while managing the lower quality and more saline wastewater flows (such as industrial wastewater) through ocean disposal from the JWPCP. It is highly unlikely that the Districts would be able to meet the 25% mandated goal for water reuse from the JWPCP if it is considered alone because of the huge quantities involved, as discussed above as well as the need for additional treatment, including reverse osmosis for excess salt removal. However, such a goal would be much more attainable if the Districts' entire Joint Outfall System is considered as a single entity, in the way that the Districts operate it.

Thank you for consideration of our comments.

Very truly yours,

Stephen R. Maguin



for Raymond Tremblay
Section Head
Monitoring Section

RT:FG: lmb