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September 12, 2017

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

Dear Ms. Townsend:

Subject: Comments – Proposed Surface Water Augmentation Regulations

The Los Angeles Department of Water and Power (LADWP) would like to thank the State Water Resources Control Board (SWRCB) for the opportunity to comment on the Proposed Surface Water Augmentation (SWA) Regulations.

LADWP is the largest municipally owned utility in the nation, which serves a 465 square mile area in Los Angeles with approximately four million residents and a portion of the Eastern Sierras in Owens Valley. Its mission is to provide essential public services (water and power) for grid reliability and public health and safety in an efficient, cost-effective, and environmentally responsible manner. LADWP owns and operates its 233-mile gravity fed Los Angeles Aqueduct which brings water to the City of Los Angeles (City). LADWP's Water System supplies approximately 177 billion gallons of water annually and an average of 446 million gallons per day to its residential and business customers. The water supply consists of local groundwater, imported water, recycled water, storm water, and the Los Angeles Aqueduct.

LADWP is currently making significant infrastructure investments to address environmental impacts, such as long drought periods due to climate change. Utilizing recycled water can offset potable water demands, which is a key component in reducing overall potable water usage, especially during water shortage periods. LADWP plans to increase recycled water use in its service territory to 59,000 acre-feet per year (AFY) by 2025, and has set a long term goal to reach 75,000 AFY by 2040. As part of reaching this goal, LADWP is always looking for opportunities to expand recycled water use. LADWP owns several surface water reservoirs within its system that would have the potential to be augmented with recycled water, and hopes to do so in order to meet its goal of significantly increasing water efficiency on a system-wide basis over the next ten years. LADWP commends the SWRCB on its work in developing of this policy and provides the following comments:



1. The SWA Regulations should clarify the roles of the Water Recycling Agency (WRA) and the Public Water System (PWS).

The roles of the two responsible entities for Surface Water Source Augmentation Projects (SWSAP), the WRA and the PWS, are not clearly defined in Sections 60301.852 and 60301.853. Due to the various situations throughout the State as to the roles of a WRA and/or PWS and the complexities associated with these roles, clarification of these roles is needed. LADWP suggests two options:

- 1) Where the WRA and PWS could be thought of as one and the same entity in addition to being the distributor of the recycled water, LADWP suggests modifying the language by combining the roles of the WRA and the PWS to be the same entity; in this case, the PWS should be the one responsible for obtaining and administering the permits from the Regional Board since it is the entity that operates and owns the reservoir(s) as well as the surface water treatment plant. In addition, since the PWS is also the distributor of the recycled water, it could be thought of as the "recycled water agency".
- 2) Allow for a binding Memorandum of Understanding (MOU) between the different entities where the roles could be clearly defined between the agencies, the producer of the recycled water, the public drinking water system, and recycled water distributor.

Finally, with either case mentioned above, LADWP suggests adding language that would add another agency that would be responsible for wastewater collection, source control, and treatment including secondary biological treatment for safe discharge into the environment or subsequent reuse supply. This agency would be defined as a Wastewater Management Agency.

2. Credit for surface water treatment that goes beyond traditional water treatment plants (Section 603320.308(a)(2) and Section 64668.30(c)(2)).

SWSAPs that implement more advanced treatment (such as microfiltration) than that of traditional water treatment plants should be given additional pathogen removal credits.

Therefore, LADWP recommends adding the following text to the Pathogenic Microorganism Control for a SWSAP PWS (Section 60320.308(a)(2)):

As an alternative to these requirements, a SWSAP PWS implementing the requirements of Section 64668.30(c)(2) of Chapter 17 may apply the requirements of Paragraph (1) if the surface water treatment plant utilized by the SWSAP PWS to treat water from the augmented reservoir has been credited with no less than 1.0-log additional reduction for each pathogen type beyond the minimum 4-log enteric virus, 3-log *Giardia*, and 2-log *Cryptosporidium*.

This language would allow additional credits to be given to SWSAPs that have met the requirements of Section 64668.30(c)(2).

Similarly, LADWP recommends adding the following phrase to the sentence in Section 64668.30(c)(2):

Ten percent, by volume, of recycled municipal wastewater that was delivered to the surface water reservoir during any 24-hour period, with the recycled municipal wastewater delivered by the SWSAP WRA *or the water drawn from the reservoir by the SWSAP PWS* having been subjected to additional treatment...

3. Option for the licensed engineer requirement for the SWSAP WRA's report and/or challenge test.

In many instances, especially for public entities, it may be difficult to find and hire a licensed engineer who can meet the requirements in the SWA Regulations and has experience in both wastewater treatment and public water supply.

LADWP recommends providing the option for the report and/or challenge test to be co-prepared by two licensed engineers: one with expertise in wastewater treatment and the other in public water supply.

4. The monitoring requirements should allow use of existing data (Section 60320.312).

LADWP believes that the additional monitoring requirements in the proposed SWA Regulations (specifically in Section 60320.312) outweigh the benefits and related costs per the Water Code Section 13267(b)(1). LADWP suggests that the monitoring requirements be streamlined and revised to allow the use of monitoring data already collected by the recycled water producer.

5. Clarification in operator training requirements (Section 60320.322(b)).

SWSAPs could include raw water that eventually would be used for drinking water. These reservoirs are overseen by water treatment operators and are required to have a certain amount of training to work on the reservoir and drinking water system.

LADWP suggests that Section 60320.322(b) defining operator training should clarify whether the training required refers to existing training programs and certifications (Wastewater Treatment Plant Operator Certification or Drinking Water Operator Certification), or whether this is a new certification program. Clarification is also needed on where in the wastewater treatment process these operator training requirements would apply. For example, would the training be required for operators at a wastewater treatment plant upstream from the SWSAP, etc.

6. The SWSAP Augmented Reservoir Requirements excludes offline or out of service reservoirs (Section 64668.30).

Section 64668.30 excludes offline or out of service reservoirs. LADWP owns several reservoirs that are currently not in service or are offline, but would be excellent candidates for surface water augmentation.

LADWP suggests revising the language to include reservoirs that are an approved surface water source and operated for five years, but not necessarily in the five years prior to the start of a SWSAP. Open water reservoirs that previously functioned as operational reservoirs but are currently off line or out of service but are used for emergencies or are under maintenance may be ideal for a SWSAP but may not meet the five year operation time restriction.

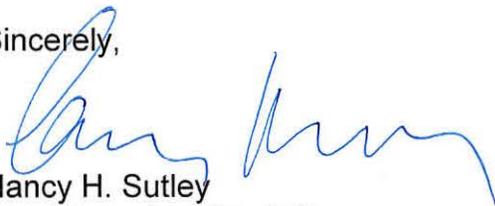
7. The Regulations should streamline the beneficial use designation

Reservoirs that become SWSAPs will need to be designated as recycled water beneficial use or re-designated for recycled water. A new designated beneficial use would be needed in addition to any existing surface water or drinking water beneficial uses they are currently assigned.

LADWP recommends that the SWRCB streamline the process for assigning new beneficial uses or the re-designation process for SWSAPs to avoid potential delays or complications.

In closing, LADWP appreciates the opportunity to provide comments on the SWA Regulations and looks forward to working with SWRCB staff in this process. Should you have any questions regarding this letter, please contact Ms. Katherine Rubin, Manager of the Wastewater Quality and Compliance Group, at (213) 367-0436.

Sincerely,



Nancy H. Sutley
Chief Sustainability Officer

CG:vf

c: Ms. Felicia Marcus, Chair, SWRCB
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