

TUOLUMNE UTILITIES DISTRICT

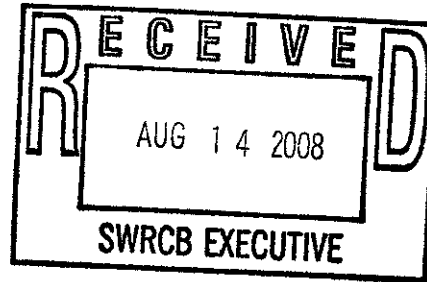
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Public Comment
CWSRF POLICY
Deadline: 8/21/08 by 12 p.m.

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Ms. Jeanine Townsend, Clerk to the Board
State Water Resources Control Board
1001 I Street, 24th Floor
Sacramento, Ca. 95814



Subject: Amendment to the Policy for implementing the CWSRF

Dear Ms. Townsend:

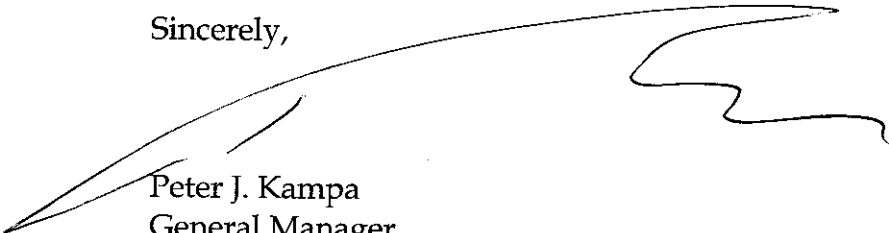
On behalf of the Tuolumne Utilities District we are pleased to offer the following comments regarding the State Water Resources Control Board (SWRCB) proposed Policy for implementing the CWSRF.

The Tuolumne Utilities District (TUD) supplies water to approximately 13,000 customers, all within the County of Tuolumne. The district supplies both municipal (treated) water and irrigation (untreated) water. The boundaries of the District are all within Tuolumne County and total approximately 1,200 square miles.

The TUD operates and maintains major sewage collection systems throughout its service area and owns and operates a regional interceptor and treatment facility. TUD recycles approximately 2,000 acre feet of wastewater per year and delivers it for agricultural use to over 600 acres in western Tuolumne County. The service area of the TUD is also a geographic area of numerous disadvantaged communities (DAC's).

For these reasons TUD has a compelling interest in the proposed Policy of the SWRCB relative to the CWSRF. Additionally, we note that the proposed Policy is intended to cover, "...CWSRF assistance for the construction of wastewater treatment and recycling facilities." This is a program TUD has utilized in the past and hopes to use in the future for the mutual benefit of the TUD and the State of California.

Sincerely,



Peter J. Kampa
General Manager
Tuolumne Utilities District

TUOLUMNE UTILITIES DISTRICT

COMMENTS:

Page 1, Section II, Purpose and Objective

We note that the SWRCB is "~~...interested in reducing the effects of climate change...~~". We laud the Board's interest in this topic and also support reducing the effects of climate change where economically feasible and practical. However, we do wish to underscore that the CWSRF program can produce immediate water use efficiencies and water quality improvements which may not be directly related to the effects of climate change. The CWSRF should focus primarily on its primary purpose - to implement the Clean Water Act and to promote the health, safety and welfare of the people of the State.

Page 3, Section III (f), (definition) Disadvantaged Community

We wish to offer the suggestion that in wastewater treatment management it is sometimes much more efficient, cost effective and beneficial to develop regional wastewater collection and treatment systems. As such, these systems may serve multiple Disadvantaged Communities (DAC) which individually would qualify as DAC's. However, it is not clear that a regional treatment facility, collectively serving more than 20,000 people, would qualify due to the 20,000 population cap placed within the definition. The definition of a DAC in this Policy should provide for multiple DAC's being served by a single collection/treatment facility. It should also be noted that such regional facilities are what can make the difference in the development of successful recycling plants to more efficiently utilize the State's water resources. We strongly urge you to accommodate such regional facilities and improvements which serve multiple DAC areas.

Page 7, Section IV (A), (1) Regional Water Board Recommendations

Please note that the State's Integrated Regional Water Management (IRWM) Program requires the development of comprehensive IRWM Plans prior to the issuance of funding for IRWM projects. Further, every IRWM Plan must consider all of the Resource Management Strategies contained in the State of California's Water Plan (Bulletin 160 series). Water recycling is one of the identified Resource Management Strategies in the Bulletin 160-05.

Significant local agency, state agency and federal agency efforts as well as other stakeholders are committed to those IRWM efforts. The number of IRWM Plans within the State is growing each day and the local prioritization processes for projects is a key element of those processes. The Board should take advantage of that effort and commitment of State resources and coordinate its activities with the IRWM Program.

We suggest that the Regional Water Board's Executive Officer consider those IRWM Plans and programs within the Regional Board's geographic area and incorporate appropriate IRWM Projects into the Board's Priority List.

Page 10, Section IV (F), Funding of Projects

The proposal would provide funding for projects but *"If insufficient funds are available for all projects seeking funding then the project that most effectively addresses global climate change shall be funded first."* Addressing the challenges of global climate change is an admirable goal for the Board to take on. However, there are more immediate and pressing priorities, which are more consistent with the objectives of the Clean Water Act and to promote the health, safety and welfare of the people of the State.

It would indeed be unfortunate, if in times of insufficient funds, that the Board were to prioritize global climate change actions, which would at best hold minimal impacts global climate change, while denying funding to projects which could provide critical public health and safety benefits to the people of California.

A more reasonable standard would be to encourage funding for projects which attempted to address global climate change issues, while not doing so in an exclusionary fashion towards other projects.

Page 14, Section IX (A)(3), Cost effectiveness

This section calls for a cost effectiveness evaluation of projects over the *"...life of the project."* The evaluation is to include climate change as one of the metrics of cost effectiveness.

In many cases identifying and ferreting out the subtle influences of global climate change are quite difficult even at a regional or continental level. To expect that such influences can be isolated and quantified for cost effectiveness on a local project by project basis is not a productive or particularly insightful use of limited resources. Such a situation would very likely result in more funding being allocated to that process than to actually accomplishing the benefits of the project under the original purposes of the Clean Water Act.

We urge the Board to take a more reasonable, economically defensible and scientifically practical method to deal with its interest in reducing changes in the global climate.

Page 17, Section IV (A)(10)(d), Summary of cost impacts on wastewater system users

The criteria utilized in this section should provide for the inclusion of income which may be derived from some projects. Such income - perhaps resulting from the marketing of recycled water - could provide for overall reductions in total project and system user costs.

Page 28, Section IX (F) Other Submittals

It seems overly redundant to have local public water and sanitary agencies submit legal opinions to restate their existing authority as defined in State statute. A simple reference to the subject statute would seem sufficient to identify the relevant authority for public agencies which are political subdivisions of the State.

END