City of Lancaster

October 26, 2007

Ms. Jeanine Townsend
Acting Clerk, Executive Office
State Water Resources Control Board
P.O. Box 100
Sacramento, CA 95812-0100

Subject: **The City of Lancaster's Comments on State Water Resources Control Board's Proposed Water Recycling Policy and Draft Staff Report**

Dear Ms. Townsend:

The City of Lancaster (City) commends the State Water Resources Control Board (Board) for its leadership in developing the Water Recycling Policy (Policy) to promote the use of recycled water. The City recognizes an urgent need throughout the State of California, particularly in the Antelope Valley to be able to maximize utility and economy of recycled water reuse. Making the best use of local water resources, including recycled water, is critical to the stability and reliability of not only the Antelope Valley's, but the entire region's water supplies. The City appreciates the opportunity to submit the following comments on the Board's proposed Water Recycling Policy and draft staff report.

1. The City supports the development of a Policy that recognizes and treats recycled water as a resource rather than a waste, however the City feels the Policy should state the Board's support for recycled water use even more clearly and emphatically. State Legislature has established a goal of recycling one million acre feet of the water by 2010 (Water Code §13577), identifying development of recycled water facilities as a "primary interest" to citizens of California, and declaring that the State should "take all possible steps" to encourage the development of such facilities in order to meet the State's water needs (Water Code §§13510, 13512). Clearly, by reducing discharge of reclaimed water as well as demand for limited fresh water resources, water recycling provides both water quality benefits and water supply benefits. In order to achieve the State's recycling goals and realize these benefits, it is imperative that the Board consistently view, enable and promote water recycling as a valuable resource rather than a waste discharge. Yet, some of the phrasing and terminology contained in proposed Policy unintentionally perpetuates this view of recycled water as waste. (e.g. Recitals 11, 16, 19 and 20; the use of the term "effluent limitation" to refer to recycled water quality.) The City suggests revision of these to ensure that the language of the Policy reflects the intent to view recycled water as a valuable resource to be beneficially used.

2. The City feels the proposed Policy does not clearly distinguish between irrigation and recharge projects. The City suggests the Board clarify which elements of the Policy apply to

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irrigation projects, which apply to groundwater recharge projects, and which apply to both. It is important to clearly delineate those requirements in the Policy that apply to irrigation and those that apply to recharge, for example, a requirement such as groundwater monitoring, that is appropriate for groundwater recharge which involves purposely adding large amounts of water to an aquifer, would be neither necessary nor practical for irrigation projects.

3. The City supports requirements for salt and nutrient management planning and the Policy's direction that Regional Boards develop basin-wide salt management plans by 2018. The City feels locally driven basin-wide planning for management and sustainable use of groundwater is prudent and an appropriate way to preserve groundwater quality. Additionally, the City recognizes the need for an interim salt management strategy in the Antelope Valley while the local planning efforts take place. However, the Policy's arbitrary determination of 300 mg/L for TDS for irrigation projects is not the solution and will not facilitate recycled water use. Instead, the City recommends increasing the threshold for recycled water use to a TDS concentration of no more than 550 mg/l above the area's source water TDS concentration. Furthermore, projects using recycled water which meet established numerical groundwater objectives for TDS, or if located in an area where there is no numerical objective for TDS but a project is at or below the TDS concentration of the underlying groundwater, such recycled water projects should also be approved without further conditions. Projects that do not satisfy conditions above should be permitted on a case by case basis and contain permit conditions reflective of the particular situation for that project.

4. The City recommends the Policy limit groundwater monitoring requirements specifically to groundwater recharge projects. Requiring groundwater monitoring for irrigation projects would make many such projects economically infeasible. The Policy requires irrigation projects to apply recycled water at controlled rates in amounts needed for specific landscape or crop irrigation, reducing the potential impact of recycled water irrigation to the underlying groundwater. Incidental amounts of recycled water runoff that occur as the result of normal irrigation operations should be managed and permitted using existing regulatory mechanisms to the greatest extent possible in the same manner as other types of municipal or irrigation runoff, including, but not limited to, municipal separate storm sewer system permits and low-threat discharge permits. Irrigation, regardless of the type of water used, has the potential to affect groundwater quality. The City supports the Policy's address of this through basin-wide plans which may require changes in practices by various irrigators in order to meet the regional goals. In the interim, it is the City's view that the requirements set forth in the Policy are more than adequate to guard against significant changes in groundwater quality.

5. The City supports the Board's decision to address directly recycled water anti-degradation issues in the Policy in order to facilitate project permitting. With regard to irrigation, as noted above, irrigation with recycled water is a use of water, not a disposal of waste. The essence of the recycling ethic is that a waste that would otherwise be disposed of is transformed into a useful product, and we do not believe that anti-degradation mechanisms in place to address waste discharges are appropriate for irrigation projects that comply with Title 22. To the extent that the anti-degradation policy is applicable to recycled water irrigation projects, the City supports the Policy's approach that irrigation projects which apply recycled water in accordance with best practices in quantities required for the

landscape or crops are consistent with beneficial intent of recycled water use for the people of the California.

6. The City feels the proposed Policy appropriately synchronizes reliance on the California Department of Public Health (CDPH) with regard to human health protection. The City agrees with the Board that it is appropriate where policy considerations favor a recycling project, to follow CDPH recommendations with regard to human health, particularly, the use of notification levels in permitting. (Order WQ 2006-001, *In the Matter of the Petition of the Water Replenishment District of Southern California*, at p. 7.) The strength of the Policy regarding this subject is that it requires that CDPH and Regional Boards meet and confer, and exercise the process outlined in the memorandum of agreement between the agencies. With regard to recharge projects, the Recycled Water Criteria require recycled water to be of a quality that protects public health, whereby the California Department of Public Health (CDPH) makes recommendations for a project to the Regional Water Board on an individual case-by-case basis. CDPH is also required to hold a public hearing prior to making the final determination regarding the public health aspects of each project also taking into consideration State Board Resolution No. 68-16. Per Water Code section 13540, projects can only proceed if CDPH determines that the proposed recharge will not degrade the quality of the water in the receiving aquifer as a water supply for domestic purposes. In advance of the public hearing, project proponents are required to provide a completed Engineering Report to CDPH and the Regional Water Board that consists of a comprehensive investigation and evaluation of the project, its impacts on existing and potential uses of the groundwater basin, and the proposed means for achieving compliance with CDPH and Regional Water Board requirements. After the public hearing, CDPH issues findings of fact and conditions that constitutes its recommendations to the Regional Water Board in establishing permit requirements. The findings of fact and conditions address source control, recycled water treatment, and operation of these projects, which for the purposes of State Water Board Resolution No. 68-16 are deemed to be consistent with best practicable treatment or control. Given this extensive review and analysis, the City supports the Board's determination that recharge projects that adhere to Policy also comply with the anti-degradation policy.

The City of Lancaster applauds the State Water Resources Control Board's commitment to California's water recycling endeavors, as evident in its proposed Water Recycling Policy, and we appreciate the opportunity to comment on this Policy. If you have any questions, please contact Mr. Peter Zorba at (661)723-6234 or pzorba@cityoflancasterca.org.

Sincerely,

James R. Williams

James R. Williams, PE
Public Works Director

cc: Steven A. Dassler, Assistant Public Works Director/City Engineer