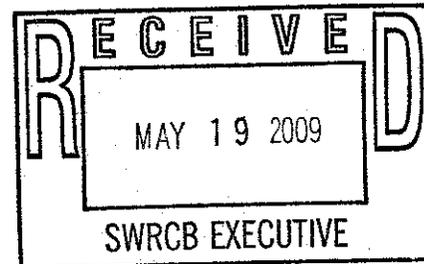




South Orange County Wastewater Authority

May 18, 2009

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



Re: Comments to May 7, 2009 Revision of General Waste Discharge Requirements for Landscape Irrigation Uses of Municipal Recycled Water (General Permit)

Dear Ms. Townsend:

For over forty years the South Orange County Wastewater Authority (SOCWA) and its member agencies have successfully produced and provided recycled water for landscape irrigation in the southern portion of Orange County. The SOCWA service area has very little underlying potable quality groundwater and the groundwater is naturally salty due to soil geology and proximity to the ocean.

Fully ninety-five percent of our region's potable water is imported water from either the State Water Project or the Colorado River. Collectively our member agencies produced over 17,000 acre feet of recycled water in 2008 for irrigation at nearly 3000 separate use sites across 220 square miles of service area (representing a population of 500,000). SOCWA's member agencies operate collectively under two master Waste Discharge Requirement Orders issued by two separate Regional Water Quality Control Boards.

SOCWA supports the development of a State General Permit. However, SOCWA is expecting the General Permit to enhance the ability to expand recycled water use in accordance with State law and the Recycled Water Policy adopted earlier this year. Unfortunately, the new draft policy (May 7, 2009) will, in substantial part, deter agencies from pursuing growth in recycled water use due to costs driven by dramatic changes to inspection, and reporting requirements now contained in the General Permit's Monitoring and Reporting Program (MRP). The highly prescriptive documentation required for individual use sites as drafted will deter our agency from seeking coverage under the General Permit. We are deeply troubled that the nutrient loading provisions contained in the current version of the General Permit could be used as a template by individual regional boards in drafting future recycled water Waste Discharge Requirements.

SOCWA estimates \$3,750,000 in added annual costs to its member agency recycled water programs based primarily on the manpower costs to perform the additional inspection, meter reading, user training, data management, and the reporting tasks necessary to produce monthly documentation of nitrogen application rates at all of our use sites.

SOCWA May 7th General Permit Comments

In most cases, the recycled water use site customers rely on landscape contractors to act as use site supervisors, and it will be difficult for Producers/Distributors to track and consistently report the information needed to provide accurate nutrient loading reports. Operating cost increases will be incurred by recycled water Producers/Distributors, recycled water customers and the businesses providing landscape services to recycled water use sites.

The overly prescriptive use site monitoring and reporting requirements contained in the General Permit are in large part a third wheel of regulation designed to address the salt/nutrient issues already mandated by the Recycled Water Policy. We believe that, unlike the version of the General Permit, the Recycled Water Policy correctly recognizes that all basins or sub-basins in the State will not require the same level of protection for salts and nutrients.

For the above reasons, SOCWA and its member agencies strongly oppose the nutrient reporting provisions contained in the May 7, 2009 draft of the General Permit. Many of the prohibitions contained in the General Permit appear to be based on the premise that Best Management Practices are either not currently in place or are not effective or that recycled water is a significant contributor to the surface and groundwater quality problems faced by our State. The State Board has offered no rational basis for creating these onerous use site requirements.

Please understand that while we stand ready to support a General Permit that promotes the use of recycled water and is effective in protecting the beneficial uses of the local water basins and the waters of the State, we do not support the General Permit as it is currently drafted. Thank you for the opportunity to provide these comments. If you require additional information please contact Brennon Flahive at (949) 234-5419.

Sincerely,

SOUTH ORANGE COUNTY WASTEWATER AUTHORITY



Tom Rosales
General Manager

c: File