



## Association of California Water Agencies

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3/20/07 Bd Wkshp Item 8

**Water Recycling**

Deadline: 3/27/07 5 pm

March 27, 2007

Tam Doduc, Chair  
and Members of the  
State Water Resources Control Board  
P. O. Box 100  
Sacramento, CA 95812-0100

Subject: Statewide Water Recycling Policy

Dear Chair Doduc and Members of the Board:

The Association of California Water Agencies (ACWA) appreciates the opportunity to submit written comments on development of a Statewide Water Recycling Policy by the State Water Resources Control Board. As indicated in these comments, and as presented in our oral testimony at the Board workshop on March 20, 2007, ACWA supports the development of a recycling policy.

As you know, ACWA is a trade association of nearly 450 public water agencies that supply over 90% of the water delivered in California for domestic, agricultural and industrial uses. ACWA member agencies operate municipal, industrial and agricultural water supply, treatment and delivery systems, waste water and storm water treatment systems, and water recycling and reuse facilities throughout the state. Our member agencies are integrally involved in the management of surface water and groundwater resources statewide to ensure that public water supply needs are adequately addressed, acceptable water quality is maintained, and that beneficial uses of water resources are optimized in an environmentally balanced manner. As you may also know, many ACWA member agencies are also members of the California Section of the WaterReuse Association. We anticipate working closely together to advance our mutual interests in promoting more widespread use of recycled water in California.

ACWA believes that the development of Statewide Water Recycling Policy is timely and extremely important. ACWA supports the idea of optimizing all feasible water supply methods to broadly diversify the "mix" or "portfolio" of water resources at a regional scale. Water recycling (or water reclamation or reuse) has proven to be a reliable, economically feasible and environmentally sound means by which some communities are able to increase their water supply reliability. Recycling programs treat wastewater so that it can be safely used to irrigate landscape, golf courses, crops and freeway medians,



replenish groundwater basins, and act as a barrier to seawater intrusion. Recycled water is increasingly being used by industry in cooling processes and for other purposes.

Water recycling projects are becoming an increasingly important component of comprehensive regional water management plans. It is clear that the untapped potential for beneficial use of recycled water is enormous and should increasingly contribute to securing California's water future.

Overall, state policy already seems to be quite clear on the importance of water recycling:

- In 1977 the SWRCB has adopted its strongly worded Resolution 77-1, noting in part that "The California Legislature has declared that the State shall undertake all possible steps to encourage the development of water reclamation facilities so that reclaimed water may be made available to help meet the growing water requirements of the State"
- The Legislature has adopted statewide goals for the recycled water supply: 700,000 acre-feet by 2000 and 1,000,000 acre-feet by 2010.
- In 2003, the state's Recycled Water Task Force filed its report to the Legislature that included recommendations that, "the State should create uniform interpretation of State standards in State and local regulatory programs by taking...steps...to oversee uniformity within the SWRCB and the Regional Water Quality Control Boards" and "the State should investigate within the current legal framework alternative approaches to achieve consistent, less burdensome regulatory mechanisms affecting incidental runoff of recycled water from user sites."
- The California Water Plan (Bulletin 160-2005) clearly indicates an increasingly significant role for recycled water as part of a diverse water supply "portfolio". Regions of the state are charged with optimizing the various water supply elements to address California's current and future water needs in an environmentally responsible manner.

Yet, there have been inconsistent and, at times, overly conservative regulation by some regional boards over the years that are seen as hindering the development of otherwise sound recycled water projects. We believe it is important that consistent statewide policy encourages the use of recycled water, while allowing for management that takes into account the needs and protections needed for the specific basin in which the recycling project occurs.

### **Over-arching Principles**

While the considerations raised and the questions listed in the staff's report of March 20, 2007 identify several important issues that need to be addressed, we believe that these and other technical issues need to be approached keeping in mind three over-arching principles.

- 1) Recycled water is a resource, not a "waste discharge." Although the current state and federal water quality regulatory tools are designed to control sources of water pollution and protect water quality, water that is being recycled is fundamentally an extremely valuable natural resource, the beneficial use of which needs to be actively promoted. Water management policy needs to be articulated and water quality regulations administered with this end in sight.
- 2) Environmental risk and public benefit must be properly balanced. Good science and sound public policy objectives need to be advanced together to inform a useful and responsible recycled water policy.
- 3) The need for state government agencies and local governments to work collaboratively with a stakeholder-oriented approach. We support the SWRCB taking the lead to formulate this policy, but it needs to be done in constant consultation and collaboration with the Department of Health Services, the Department of Water Resources, and with the assistance of the Regional Boards, the U.S. Environmental Protection Agency and with local government water agencies, associations, and non-governmental organizations. We encourage the SWRCB manage this process inclusively, and take the time needed to formulate a draft policy that can be well-supported by all of these interests.

### **Issue Considerations**

Although ACWA's Water Recycling Subcommittee has not yet addressed the issues posed in the staff's report, we do have the following preliminary thoughts for consideration.

#### Protecting Groundwater Basins from the Accumulation of Salt

It is important to protect groundwater basins from the accumulation of salt. However, it is important to realize that recycled water is not the only source of salt that impacts groundwater basins. Salt from potable water irrigation (which can be higher than ambient ground water) and from urban run-off and other sources also impact the basin. We support the idea of managing salt comprehensively on a basin-wide scale using a mass-balance approach, accounting for local conditions and water management objectives.

#### Groundwater Monitoring for Recycled Water Projects

Generally, groundwater monitoring should not be imposed on recycled water irrigation projects unless it can be demonstrated that the groundwater basin underlying those projects is of such special quality that specific monitoring is required. The treatment used to produce recycled water under California Department of Health Services Standards, Title 22, has been proven safe after many decades of implementation. If there is any concern that recycled water could affect the groundwater basin, the parameters of concern should be addressed in the waste discharge permit for the recycled water project.

#### Groundwater Recharge Reuse Projects

Groundwater recharge projects for indirect potable reuse are a particularly sensitive topic given public perception of this issue. There are many water quality parameters of concern

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that are only now being identified (emerging contaminants). But water recycling project permits should not be unnecessarily burdened with monitoring and reporting requirements to collect basic scientific information about unregulated contaminants. It is more appropriate to address research and basic science needs through water quality monitoring programs (such as GAMA).

Anti-Degradation Policy

The anti-degradation policy (Resolution 68-16) can be administered to reduce the potential that it would be an impediment to water recycling. Uniform guidance and policy across the State about how to interrupt the anti-degradation policy at local levels would help the implementation of recycled water projects.

Definitions of Maximum Benefit and Best Practical Treatment

Finally, the SWRCB should develop clear, usable and practical definitions of what constitutes "Maximum Benefit to the People of the State" and what is "Best Practical Treatment or Control" for water recycling projects. Having consistent definitions for these phrases will ensure that requirements for recycled water projects are consistently developed and applied throughout the State.

Thank you for soliciting comments on the development of this important policy. ACWA anticipates working cooperatively with the SWRCB, WaterReuse and our mutual member organizations, other water industry segments, and other interested representatives of state agencies and non-governmental organizations to advance our collective interest in managing and protecting our precious water resources.

Sincerely,

original signed by

Chris Kapheim, Chair  
Water Management Committee

original signed by

Bert Michalczyk, Chair  
Recycled Water Subcommittee