



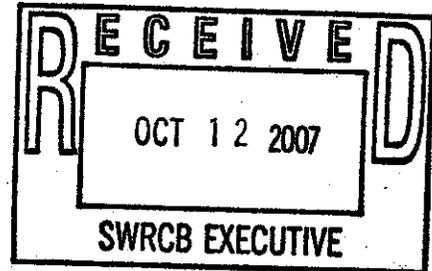
City Council
311 Vernon Street
Roseville, California 95678-2649

12/4/07 Bd. Mtg.
Water Recycling Policy
Deadline: 10/26/07 by Noon

*Forwarded
10/12/07
JH*

October 11, 2007

Tam Doduc, Chair, and Members
State Water Resources Control Board
1001 I Street
Sacramento, CA 95814



SUBJECT: Comments on Proposed Water Recycling Policy

Dear Chair Doduc and Members of the Board:

The City of Roseville appreciates the opportunity to provide comments on the proposed Water Recycling Policy ("Draft Policy"). Roseville is committed to maintaining and expanding its water recycling program in order to meet the water supply needs of our thriving community in a sustainable and environmentally sound manner. Toward that end, Roseville looks forward to revisions to the initial Draft Policy, which are necessary to ensure the final policy facilitates water reuse projects. As currently written, the policy will impede future water reuse projects; if not completely eliminate existing and future water reuse projects, in Roseville.

Roseville's urban water reuse program supplies recycled water to parks, golf courses, streetscapes, and the newly operational 160 MW electrical power plant. For some time, we have been concerned about how unnecessary regulatory burdens are being placed on recycled water use because the tendency of some to view this high quality water source as a waste rather than a resource—despite legislative mandates to maximize the reuse of reclaimed water and recycle one million gallons of water by 2010. To comply with the Legislature's mandates, a policy that promotes water reuse is needed, not one that discourages water recycling.

Irrigation with recycled water, defined in statute as "a valuable resource," is not disposal of waste. Rather, irrigation using this alternative water supply is a "beneficial use" of water like any other. The essence of the recycling ethic is that a waste that would otherwise be disposed of is transformed into a useful product (resource). Methods designed to address waste discharges to surface water or land are not appropriate for irrigation projects that comply with Title 22 and result in only incidental amounts of runoff in amounts no greater than those from irrigation generally.

We believe that the State Water Board and the Department of Water Resources share our vision for maximizing water recycling in California, and the recitals set forth in the Draft Policy generally affirm recycled water's importance as a sustainable water supply.

However, a number of specific provisions of the Draft Policy are extremely problematic to Roseville. If these provisions are not revised to address our concerns, Roseville cannot support adoption of the Draft Policy.

The Proposed Requirements for Irrigation Projects are Unworkable.

We generally support the framework which the policy establishes wherein salts are to be managed and regulated on a regional basis rather than by imposing unrealistic limitations on irrigation projects. However, as explained below, the alternative provisions included in paragraphs 12 and 24 of the Recitals and paragraph 7 of the Resolved section of the Draft Policy are unworkable.

- It is inappropriate to require nutrient management plans for each recycled water project. Water suppliers, and more specifically recycled water suppliers, are not in the business of managing nutrient application for turf or other crops. We cannot support a policy that requires us to manage nutrients on a project-by-project or service area-by-service area basis or even on a regional basis.
- The proposal to limit TDS in recycled water to source water plus 300 mg/l is problematic. The assumptions made about the attainability of this increment in the Recitals section of the Draft Policy are incorrect. For example, State law severely restricts the ability of local agencies to regulate self-regenerating residential water softeners. (Health & Saf. Code, § 116775 et seq.; *Water Quality Assn v. City of Escondido* (1997) 53 Cal.App.4th 755; *Water Quality Assn. v. County of Santa Barbara* (1996) 44 Cal.App.4th 732.) In addition, linking the allowable increment to source water may discourage communities from implementing conjunctive use programs to reduce surface water diversions where higher salinity groundwater could render the recycled water unusable. Once again, this requirement seems to come from viewing the recycled water as a waste rather than a resource. Salinity levels in recycled water are to a large extent self regulated, in that customers will not accept water with TDS levels above 900 or 1,000 due to unsuitability for turf and crops. This requirement should be deleted.

Finally, while we appreciate the State Water Board's attempt to discourage groundwater monitoring for irrigation projects, we are concerned that paragraph 8 of the Resolved section of the Draft Policy will not accomplish this. For example, the Central Valley Regional Water Quality Control Board considers all groundwater to be municipal drinking water, even perched or shallow groundwater. Allowing regional water boards to require monitoring for shallow groundwater areas—without regard to whether that groundwater is in fact beneficially used—will discourage recycled water use by adding the expense and burden of groundwater monitoring. We cannot support a policy that requires groundwater monitoring for irrigation and industrial uses.

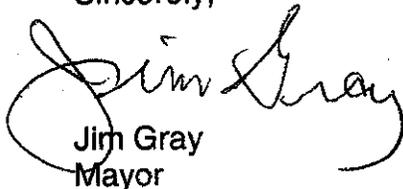
Groundwater Recharge Projects are Best Regulated on a Case-by-Case Basis

While we appreciate the State Water Board's interest in improving consistency among regional water boards, we do not believe the proposed recharge provisions of the Draft Policy are needed to accomplish this. Unlike irrigation projects, groundwater recharge projects intentionally place significant amounts of recycled water into aquifers. As such, these projects are subject to extensive review and oversight by the California Department of Public Health, which is developing regulations to govern these projects. As drafted, the policy does little to facilitate recharge projects and includes some provisions that would actually discourage recharge. Further, the use of the term "effluent limitation" in paragraphs 10, 11, and 12 of the Resolved section of the Draft Policy is inappropriate. Recycled water projects are a use of water, not a discharge of waste. Compliance with Title 22 requirements for the protection of human health should be sufficient to allow the use of recycled water for irrigation. Therefore, we recommend that the policy be limited to irrigation projects.

In summary, we appreciate the State Water Board providing the strong support for the use of recycled water in the Recitals section of the Draft Policy. However, we cannot agree with a blanket policy for groundwater recharge. These projects should be addressed on a case-by-case basis. Also, the specific resolutions regarding salt and nutrient management, the suggestion that recycled water is a waste, and the need for groundwater monitoring for irrigation uses could stop all recycled water use in the City of Roseville.

Thank you for considering our comments. If you have any questions about these issues, please contact Derrick Whitehead, Environmental Utilities Director, at (916) 774-5593.

Sincerely,



Jim Gray
Mayor

cc: Senator Dave Cox
Assembly Member Ted Gaines