



ALAMEDA COUNTY FLOOD CONTROL AND WATER CONSERVATION DISTRICT

100 NORTH CANYONS PARKWAY, LIVERMORE, CA 94551

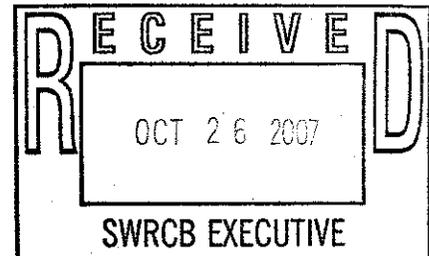
PHONE (925) 454-5000

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

October 26, 2007

Jeanine Townsend, Acting Clerk to the Board
Executive Office – State Water Resources Control Board
Post Office Box 100
Sacramento, CA 95812-0100

Subject: Comment Letter – Proposed Water Recycling Policy



Dear Ms. Townsend:

We thank the State Water Board for its leadership in undertaking development of the Water Recycling Policy ("Policy") which recognizes recycled water as part of the state's overall water supply portfolio. Moreover, the Policy is a commendable effort on the part of the State Water Board to establish a consistent statewide framework for permitting and regulation of water recycling projects. We also applaud the State Board for defining and differentiating a "groundwater recharge reuse project" from "recycled water irrigation projects" and establishing a basic scientific framework to be applied to protecting the state's water resources.

As the Policy evolves through the workshop and comment process, we recommend that it further emphasize the state's need for and support of reasonable recycled water use, given not only State Water Resources Control Board Resolution No. 77-1 but also the California Constitution which states "the water resources of the State be put to beneficial use to the fullest extent of which they are capable, and that the waste or unreasonable use or unreasonable method of use of water be prevented, and that the conservation of such waters is to be exercised with a view to the reasonable and beneficial use thereof in the interest of the people and for the public welfare." Furthermore, Water Code section 461 reads "It is hereby declared that the primary interest of the people of the state in the conservation of all available water resources requires the maximum reuse of reclaimed water in the satisfaction of requirements for beneficial uses of water."

In light of the current and anticipated water supply emergencies in the State, promoting the use of recycled water maximizes the beneficial uses of the water resources of the state. For example, the use of recycled water increases water supply reliability by reducing dependence on the Delta as well as optimizing use of energy statewide. For both groundwater recharge and irrigation projects, compliance with the proposed provisions of the Water Recycling Policy along with Title 22 of the California Code of Regulations constitutes best practicable treatment and control for purposes of the anti-degradation policy. Additional local concerns should be addressed through programmatic monitoring and Groundwater Management Planning efforts.

We support the use of local salt management strategies and sustainable use of groundwater as the correct and appropriate way to preserve groundwater quality. However, the 300 mg/L for TDS for irrigation projects is a one-size-fits-all solution that alone will neither facilitate recycled water use nor adequately protect many of the groundwater basins in the state. The Policy should

clarify that Regional Boards should coordinate with local groundwater basin management entities to require the development and implementation of a Salt Management Plan as part of master water recycling permits issued for regional recycling projects. Local recycled water use and its effects should also be considered when updating respective Basin Plans; such updates should include input from Basin Managers. A public outreach/education component could also be added to the Policy. Although it is not within the jurisdiction of the State Water Board, future updates to the Groundwater Management Planning Act and its associated regulations should also incorporate key aspects of the Recycled Water Policy.

For groundwater recharge projects, we support the Board's intent to rely on good science for requirements for constituents with no established Maximum Contaminant Levels (MCLs) but the details need more work and should take into account local hydrogeological and background conditions. We suggest that part of the scientific analysis should be that proponents of new projects be asked to consider the relative costs of advanced recycled water treatment versus wellhead treatment (e.g., demineralization and denitrification) and, at the least, commit to wellhead treatment, should it be required due to groundwater degradation related to the project. While recognizing the Board's need to protect the quality of waters of the state, the establishment of limits to protect human health should remain exclusively within the purview of the California Department of Public Health. The use of pre-established values protective of public health (such as MCLs and Public Health Goals/PHGs) should be applied in a rational manner to protect beneficial uses where appropriate.

Incidental amounts of recycled water runoff that occur as the result of normal irrigation operations should be managed and permitted using a scientifically defensible measure of logic, similar to other types of irrigation runoff, including, but not limited to, municipal separate storm sewer system permits, general permits, or master reclamation permits. We encourage the Board to expand the Policy to add further clarity to differentiating between groundwater recharge and routine irrigation projects and establishing minimum levels of treatment, monitoring and protection for each.

Again, we support the Board's efforts to adopt the Policy as it seems to articulate a balanced approach to the use of recycled water. It is a Policy that integrates the Board's responsibilities for assuring beneficial uses (the adequacy of the state's water supply) with its responsibilities for protecting the quality of waters of the state. Our suggestions are merely to strengthen this balance and to firm up its foundations in rational science while considering local conditions and needs.

Ms. Jeanine Townsend
State Water Resources Control Board
October 26, 2007

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If you have any questions or comments, please feel free to contact either me at (925) 454-5016 or Matt Katen at (925) 454-5071.

Sincerely,

A handwritten signature in black ink, appearing to read 'G.F. Duerig', is written over the typed name. The signature is stylized and includes a long, sweeping line that extends downwards and to the right.

G.F. Duerig
General Manager

cc: Dave Bolland, ACWA
Elaine Archibald, Archibald Consulting
Bert Michalczyk, DSRSD
Vince Wong, Kurt Arends, Matt Katen