



San Diego County Water Authority

4677 Overland Avenue • San Diego, California 92123-1233
(858) 522-6600 FAX (858) 522-6568 www.sdcwa.org



February 22, 2016

MEMBER AGENCIES

Carlsbad
Municipal Water District
City of Del Mar
City of Escondido
City of National City
City of Oceanside
City of Poway
City of San Diego
Fallbrook
Public Utility District
Helix Water District
Lakeside Water District
Olivenhain
Municipal Water District
Otay Water District
Padre Dam
Municipal Water District
Camp Pendleton
Marine Corps Base
Rainbow
Municipal Water District
Ramona
Municipal Water District
Rincon del Diabolo
Municipal Water District
San Dieguito Water District
Santa Fe Irrigation District
South Bay Irrigation District
Vallecitos Water District
Valley Center
Municipal Water District
Vista Irrigation District
Yuima
Municipal Water District
**OTHER
REPRESENTATIVE**
County of San Diego

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

**Subject: Comment Letter – Proposed General Order for Recycled
Water Use**

Dear Chair Marcus and Members of the Board:

The San Diego County Water Authority, the water wholesaler for the San Diego region, along with its member agencies, appreciate the opportunity to comment on the January 2016 draft General Order for recycled water use (hereinafter "Proposed Order"). We understand that this Proposed Order will replace the existing General *Waste Discharge Requirements for Recycled Water Use* (order WQ 2014-0090-DWQ) adopted by State Water Resources Control Board (State Water Board) on June 3, 2014 (hereinafter "2014 Order").

In the San Diego region, several of the recycled water agencies were able to successfully use the 2014 Order to expand recycled water use in response to the drought. It was successful because the San Diego Regional Board staff was able to reasonably interpret and apply provisions that were workable and appropriate for the permitted uses. Our review of the Proposed Order identified several findings and provisions we believe should be modified to ensure clarity, increase the beneficial use of recycled water, and provide regulatory certainty to those agencies that commit limited resources for the production and distribution of recycled water to reduce imported water demands. Along with our most serious concerns detailed below, Table A-1 is also attached outlining other items of concern for your consideration. We respectfully request the following changes:

1. Finding 34, Purpose and Applicability, Page 15:

The Proposed Order specifies that entities may continue to operate under existing orders until requested by the Regional Water Board to either: (i) continue or expand coverage under existing orders or; (ii) apply for

coverage under this General Order. Many agencies in the San Diego region have expressed strong opinions on retaining coverage under their existing permits with the option to “opt in” to the proposed statewide general permit should they elect to do so. We ask that you restore the language included in the adopted 2014 Order allowing a recycler to make an election regarding coverage for new and existing projects.

A mandate to enroll in the State’s final, General Permit will not be necessary if the Proposed Order and its application helps to streamline approved recycled water uses.

2. NOI Jurisdictions, item 36, Page 16:

The Proposed Order requires that the NOI of an applicant covering multiple jurisdictions include the signature of all jurisdictions producing or distributing recycled water. However, the acknowledgements of participation in an Administrator’s program is also done by agreements and described in Title 22 Engineering Reports. It is burdensome and unnecessary to also require this in the NOI. We suggest revising this requirement so ONLY the applicant needs to sign the NOI.

3. MRP, General Provision 8, Page 24:

As drafted, the Proposed Order appears to encourage regional boards to develop their own monitoring plans “when necessary” at their own discretion, outside of the model included in Attachment A. This uncertainty regarding monitoring obligations has been, and could continue to be, a disincentive for agencies to enroll in the General Permit. We recommend the following change:

A model MRP is provided as Attachment C. ~~However, the Regional Water Board’s Executive Officer or State Water Board’s Executive Director (or designee) may modify or replace the MRP when deemed necessary.~~

4. O & M Plans Specification B.3, page 20:

The 2014 Order regarding O&M specifications contained the qualifier that all measures must be “reasonably practicable”, as stated below:

Operation and management plan specifying agronomic rate(s) and nutrient application for the use area(s) and a set of reasonably practicable measures to ensure compliance with this General Order. This may include a water and nutrient budget for use area(s), site supervisor training, periodic inspections, or other appropriate measures. This requirement does not apply to the extent Users are subject to WDRs, waivers of WDRs,

Felicia Marcus, Chair
and Members of the Board
State Water Resources Control Board
February 22, 2016
Page 3 of 4

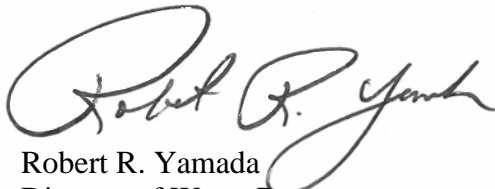
or conditional prohibitions regulating agricultural discharges from irrigated lands.

As all measures should be reasonably practicable, we ask that this phrase be reinstated into the language. Recently, the San Diego Regional Board included language in the latest San Diego Basin Plan update that outlined “reasonably practicable practices” that ensured recycled water and fertilizer were applied at agronomic rates.

The requirement to submit an Operation and management plan should NOT be applicable for infrequent or non-routine applications, such as fire-fighting, dust control, etc. where agronomic rates are not relevant.

Thank you for your consideration of these recommended revisions to the Proposed Order. Acceptance of these revisions to the Proposed Order will likely increase interest in enrollment and encourage further expansion of recycled water use in the San Diego region. However, it is critical that agencies continue to be allowed to remain covered under their existing permits or opt-in to the General Order if they so choose.

Sincerely,



Robert R. Yamada
Director of Water Resources
San Diego County Water Authority



Mark Watton
General Manager
Otay Water District

Felicia Marcus, Chair
and Members of the Board
State Water Resources Control Board
February 22, 2016
Page 4 of 4



Allen Carlisle
General Manager/CEO
Padre Dam Municipal Water District



PADRE DAM
Municipal Water District



Michael J. Bardin
General Manager
Santa Fe Irrigation District



Wally Grabbe, PE
District Engineer/Deputy General Manager
Valley Center Municipal Water District



MM:tp
Enclosure: Table A-1
by email: commentletters@waterboards.ca.gov

Table A-1

Addition Comments on Proposed General Order (San Diego Region)

Topic/Page	Issue	San Diego Region Comments
<p>Salt and Nutrient Management Plans Finding 17, p. 5</p>	<p>Order states that salt and nutrient management plans are needed for every basin and sub/basin in California.</p>	<p>When considering the beneficial uses, size and ambient water quality in each basin, a salt and nutrient management plan may have little value for some basins. Developing unnecessary plans is not a good use of limited resources.</p>
<p>Finding 28, p. 8</p>	<p>Order states that salt and nutrient plans will require an analysis on an ongoing basis to evaluate inputs to the basins, the salt and nutrient mass balance, and the available assimilative capacity.</p>	<p>While this may be true for some basins, it is not true for all basins. This is determined by each Regional Water Board when they update their basin plan. This statement should be deleted.</p>
<p>Finding 31, p. 9</p>	<p>Order implies that when discharge does not meet the basin plan objective, treatment will be required.</p>	<p>This should be clarified to state that compliance with a salt and nutrient management plan would constitute compliance with the basin plan and additional treatment would not be required.</p>
<p>Requirement 13, p. 22</p>	<p>Requires monitoring to be consistent with a salt and nutrient management plan.</p>	<p>This would apply only if the salt and nutrient management plan is adopted into the basin plan. In that case, monitoring consistent with the basin plan is appropriate. This statement should be deleted.</p>
<p>Use of WDRs Finding 25, p. 7</p>	<p>General order does not cover waste treatment requiring two separate permits: one for waste discharge requirements for treatment, and one for recycled uses.</p>	<p>This creates an inefficiency by requiring agencies to have two permits, where locally they could have a single permit, which includes both waste discharge requirements and master reclamation requirements. It also does not consider reclamation “only” plants that do not discharge waste.</p>
<p>Spray restrictions Finding 29 b.ii., p. 9</p>	<p>Order states that recycled application must be controlled to prevent airborne spray.</p>	<p>This is an overreach, is not possible to achieve, and is not necessary. Recommended alternative language: “Application of recycled water should be controlled to minimize airborne spray when people are present in the recycled water use area(s).”</p>

Table A-1

Addition Comments on Proposed General Order (San Diego Region)

Topic/Page	Issue	San Diego Region Comments
<p>Blending with storm water. Finding 31(a), page 11</p>	<p>Order states that blending of recycled water with stormwater will generally reduce loading of salts.</p>	<p>There is no basis for this statement. Stormwater from urban runoff is often much poorer in quality than recycled water and can degrade the recycled water quality. This statement should be removed unless there is substantial data to support this statement.</p>
<p>Revised requirements by EO Finding 33d., p. 14</p>	<p>Order allows Regional Board EO or state Board EO to require a revision in a project on the basis of CEQA regardless of their authority to do so, where an alternative is “feasible” or where mitigation is “feasible.”</p>	<p>Because an alternative is feasible under CEQA, does not mean that it is the best option. In addition, mitigation required by other agencies would be beyond the Water Boards’ authority. This statement should be deleted.</p>
<p>Ag Return Water Finding 38, p. 16</p>	<p>The permit states that to the extent this permit results in ag return water to waters of the US, those flows will not be subject to an NPDES permits, but would be permitted by WDRs.</p>	<p>The Clean Water Act requires discharges to Waters of the US must be permitted by NPDES.</p>
<p>Operation and maintenance of distribution system Requirement 7, p. 21</p>	<p>This requires the Administrator to be responsible for operation and maintenance of major transport facilities and associated appurtenances even if it has no ownership or control over those facilities.</p>	<p>Delete this requirement since the Administrator may not be able to “delegate” responsibility because they do not have ownership or control.</p>

Table A-1

Addition Comments on Proposed General Order (San Diego Region)

Topic/Page	Issue	San Diego Region Comments
<p>Water Recycling Administration Requirement, p. 21-23</p>	<p>This requires an Administrator to perform certain tasks (cross-connection inspections, periodic inspections, equipment labeling) unless it “hires” a third party agent.</p>	<p>This language is too limiting, as the agent conducting these tasks could be a partner or other entity that would be assigned this responsibility but would not be hired and paid in the traditional sense. Recommend replacing the word “hire” with “use.”</p>
<p>Cooling and industrial uses P.B-4</p>	<p>Requires consultation by applicant with SWRCB, DDW</p>	<p>For all applications, applicant will consult with SWRCB, DDW. Recommend stating “treatment, implementation and monitoring may be addressed on a case by case basis depending on the circumstances”.</p>
<p>Distributor p. D-4</p>	<p>This states that a distributor could be an administrator, even if it does not distribute recycled water.</p>	<p>Language is confusing and should be deleted. Recommend deleting language.</p>
<p>Recycled Water Supervisor p. D-4</p>	<p>This is defined as the person who acts in coordination between the supplier and the user.</p>	<p>This could be confused with “Recycled Site Supervisor” and should be deleted. Perhaps a definition of “Recycled Site Supervisor” should be added.</p>