



IRVINE RANCH WATER DISTRICT

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October 25, 2016



The Honorable Felicia Marcus
c/o Jeanine Townsend, Clerk to the Board
State Water Resources Control Board
P.O. Box 100
Sacramento, CA 95812-0100

RE: Comments on the Draft Report to the Legislature on the Feasibility of Developing Uniform Water Recycling Criteria for Direct Potable Reuse

Dear Chair Marcus:

Thank you for releasing the “Draft Report to the Legislature on the Feasibility of Developing Uniform Water Recycling Criteria for Direct Potable Reuse” (Draft Report). The issuance of the Draft Report is a significant step forward in moving the state towards greater water reuse and the widespread development of new drought-proof potable water supplies.

As a national leader in water reuse, Irvine Ranch Water District (IRWD) has advocated and supported efforts to increase water recycling in California. The District believes that reuse is a key component of the state’s water supply portfolio. Because of this, IRWD is exceptionally pleased that the Draft Report found that it is possible to develop uniform water recycling criteria for direct potable reuse (DPR) protective of public health, and that the report recognizes that the uniform criteria can be developed concurrently with ongoing research on issues related to DPR.

Given the important role that DPR can play in making California’s water supplies more reliable and sustainable, we encourage the State Water Resources Control Board (State Board) to move forward with the development of uniform water recycling criteria for DPR and offer the following comments on the Draft Report for the State Board’s consideration:

- 1) **Add Target Dates for the Completion of Each Recommendation and Key Milestone.** The Draft Report appropriately identifies recommendations and key milestones for each recommendation. However, the Draft Report does not identify target dates for starting or completing research or regulations related to DPR or the development of uniform water recycling criteria. Adding target dates to each recommendation and key milestone would communicate to the Legislature that there is a clear path forward in implementing DPR regulations and DPR projects in California.
- 2) **Identify Estimated Costs and Possible Funding Sources for Each Recommendation and Key Milestone.** An important component of taking action on each recommendation and key milestone is having the internal and external resources to work towards implementing each recommendation and achieving the key milestones. The Legislature will need to understand the level of resources the State Board requires to complete each recommendation and to move forward with approving regulations related to DPR. To aid the Legislature in its understanding of the resources needed to develop DPR regulations, we ask that the Draft Report be amended to include cost estimates, where possible, and to include estimates on how many staff resources will be required to implement each recommendation and to achieve each key milestone.

- 3) **Clearly State in the Draft Report that the Development of DPR Regulations Will Be Done Through a Phased Approach, and that Case-by-Case Permitting Will Be Allowed.** The Draft Report states that “A common framework across the various types of DPR will help avoid discontinuities in the risk assessment/risk management approach as progressively more difficult conditions are addressed.” While we agree that the development of uniform water recycling criteria for DPR should be done under a common framework to ensure public health protection and continued consumer confidence in the public water supply, it is important that California move forward with establishing regulations for the various types of DPR projects. This means that the State Board should move forward with the science-based development of a common framework and should develop regulations for each type of DPR progressively. We understand that the Division of Drinking Water (DDW) intends to pursue such an approach. Given DDW’s intent, the Draft Report should be modified to state that DPR regulations will be developed over time using a phased approach beginning with the less direct forms of DPR and moving progressively towards more direct DPR (i.e. flange-to-flange projects).

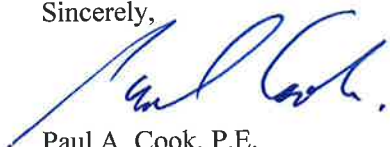
Additionally, the Draft Report should clearly state which actions must happen concurrently with the development of the regulations for each type of DPR and which actions can happen outside of the development of regulations. The Draft Report should also clearly state that case-by-case approval of proposed DPR projects will be permitted.

- 4) **Add Specificity to the Recommendations and Modify Certain Recommendations.** We support the comments submitted by WateReuse California, the California Association of Sanitation Agencies, and the California Urban Water Agencies as it relates to adding more specificity and to making modifications to certain recommendations. We hope that the Board will acknowledge the concerns voiced by these groups, which represent the majority of California’s active recycled water producers, and amend the Draft Report. In an effort to avoid duplication, IRWD has not resubmitted those comments, although we agree with them.
- 5) **Include a Definition of DPR in the Draft Report.** As released, the Draft Report does not specifically define direct potable reuse as compared to indirect potable reuse (IPR), but merely distinguishes the two categories of potable reuse by the existence or nonexistence of a sufficient environmental buffer. We understand that the Expert Panel is recommending that DPR projects be defined as potable reuse projects with a retention time in an environmental buffer of less than two months and IPR projects as potable reuse projects with a retention time in an environmental buffer of two months or greater. This definition should be adopted and included in the Draft Report to provide clarity as to which type of projects are being addressed by the Draft Report and which types of projects will be addressed by the forthcoming surface water augmentation regulations.

Many California agencies are waiting for the indirect potable reuse and direct potable reuse regulations to be developed before implementing reuse projects. Without the timely development IPR and DPR regulations, potable reuse cannot be widely implemented. This is why IRWD appreciates the State Board moving forward with finalizing the Draft Report, defining DPR projects, finalizing the surface water augmentation regulations, and moving forward with the phased development of DPR regulations.

Thank you again for considering IRWD’s comments on the Draft Report. Please do not hesitate to contact me at (949) 453-5590 if we can be of assistance to you or your staff.

Sincerely,



Paul A. Cook, P.E.
General Manager