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State Water Resources Control Board
1001 I Street, 24th Floor
Sacramento, CA 95814

Sent via e-mail: commentletters@waterboards.com

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

Dear Chair Marcus and Members of the Board:

The Sacramento Regional County Sanitation District (Regional San) appreciates the opportunity to provide comments on the Proposed General Order for Recycled Water Use (General Order or Order). Regional San provides wastewater treatment for over 1.4 million residents and businesses in and around the Sacramento region, treating on average 150 million gallons per day (MGD) of wastewater. Regional San currently produces up to 3.5 MGD of recycled water which is distributed in the local community for landscape irrigation. However, we are in the process of constructing a \$2 billion dollar wastewater treatment plant upgrade, known as “EchoWater”. When completed in 2023, all of Regional San’s estimated 167,000 acre feet per year of treated water would meet water recycling standards and this high quality recycled water could be available for multiple beneficial uses.

In general, we are supportive of the State Board’s General Order that encourages the development and expansion of recycled water projects by streamlining the permitting process. Regional San is also appreciative that the proposed General Order is now being referenced as Water Reclamation Requirements, instead of Waste Discharge Requirements. This change in nomenclature by removing the term “waste” further advances the goal of having recycled water be viewed as a resource, and not a waste. However, we do have concerns with some of the Order’s provisions and have provided comments and recommended changes below.

In-lieu Groundwater Replenishment should be covered by this Order. In-lieu replenishment of groundwater can occur when recycled water is used for irrigation in lieu of pumping groundwater. Finding 40, page 16, “Purpose and Applicability” calls for “additional authorization for new uses”, but does not state any specific use. We are requesting that in-lieu groundwater replenishment be applicable under this Order.

At the Regional Board level, the determination on whether a recycler is eligible for coverage under the General Order should reside with the Executive Officer only. The current language under Finding 33, page 14, implies that designees of the State Board's Executive Director or the Regional Board's Executive Officer may determine the eligibility under this Order. This delegation of authority should only reside with the State Board's Executive Director. At the Regional Water Board level, this is a significant decision and this authority should be made at the Executive Officer level only.

Coverage for existing permit holders should not be discontinued under this Order. The current 2014 Order allows agencies to make an election as whether to continue under their existing permit or apply for the new coverage under the General Order. The proposed Order, however, removes this option from the agency, and instead allows a Regional Board the discretion to request the agency to apply for coverage under the General Order (Finding 34, page 15). We request that similar language that was adopted in the 2014 Order that allows agencies to make the choice about which permit works best for their project be included in the proposed General Order.

The language on "hiring" a third party for Administrator tasks is too limiting. The proposed Order requires an Administrator to perform certain tasks, unless it "hires" a third party agent (Water Recycling Administrator Requirement 6, page 21). This language is too constraining, as the tasks listed could be performed by a partner or other entity that may not be paid directly. We recommend replacing the word "hire" with "use".

The Regional Board should have limited ability to modify aspects of the Monitoring and Reporting Program (MRP). As currently written, the Proposed Order allows the Regional Boards to change the MRP at their discretion, which can not only be costly to agencies, but also a disincentive for agencies to enroll in the General Order (General Provision 8, page 24). A consistent model MRP provides certainty to agencies regarding their monitoring obligations. Therefore, we suggest that the Regional Boards should have limited ability to modify the MRP, and that the change to the MRP should be made at the Executive Officer level only.

Regional San appreciates the opportunity to comment on the proposed General Order. If you have any questions, please contact Terrie Mitchell, 916-876-6092, or mitchellt@sacsewer.com.

Sincerely,



Terrie Mitchell
Manager Legislative and Regulatory Affairs

cc: Christoph Dobson, Director of Policy and Planning
Linda Dorn, Environmental Program Manager
Dave Ocnosak., Principal Engineer
Jose Ramirez, Senior Engineer