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June 1, 2012

Ms. Jeanine Townsend  
Clerk to the Board  
State Water Resources Control Board  
1001 I Street, 24<sup>th</sup> Floor  
P.O. Box 100  
Sacramento, CA 95814

Via email: [commentletters@waterboards.ca.gov](mailto:commentletters@waterboards.ca.gov)

Subject: Comments to A-2144(a)(b)—July 18 Board Workshop

Dear Ms. Townsend:

On behalf of the Mojave Water Agency, I urge the State Water Resources Control Board (State Board) to adopt the staff Draft Order, with some minor modifications, that would result in more stringent permit conditions for the Sacramento Regional County Sanitation District's (SRCSD) wastewater treatment plant. We are pleased to see that the staff draft largely upholds the Permit issued by the Central Valley Regional Water Quality Control Board (Regional Board) that contains critical measures that will require SRCSD to implement a much needed treatment plant upgrade.

As you know, the SRCSD is the largest discharger of wastewater into the Delta. It is also one of the few remaining dischargers in the region that has yet to upgrade to advanced treatment technologies. This is not just a Sacramento issue, this Permit is critical to the health of the entire Delta ecosystem. It is also a vital issue for the High Desert Region. Water supplies moved across the Delta are used by more than 25 million Californians, including many in our region.

Maintaining a high-quality source supply is fundamental for sound water management. Many organizations and state and federal agencies have voiced concerns regarding SRCSD's current practices. In 2010, the California Department of Public Health expressed to the Regional Board its well-reasoned concerns about the untreated pathogens that are presently contained in the discharge from this facility. Removing pathogens from this wastewater stream is a basic requirement for human health protection, both for recreational purposes in the Delta as well as for downstream drinking water uses. Downstream drinking water treatment plants rely on multiple barriers to ensure public health protection. Controlling sources of contamination is the first barrier.

The Draft Order properly finds that the Permit limits on ammonia and pathogens are supported by the administrative record and applicable law. For the last few decades, the state and federal water project operations have been the focus of regulatory agencies in an attempt to revive fish populations. It's now clear that the only way to make long-term improvements is to address all the factors that impact the Delta ecosystem – including limiting the amounts of ammonia and nitrate that are discharged into the Delta and its waterways.

Although we are largely supportive of the staff draft, there are some modifications we suggest. The Final Order should affirm the Permit's 10 mg/L nitrate effluent limit without a mixing zone. If the State Board remands the Permit's nitrate limit to the Regional Board for reassessment, the Final Order should direct the Regional Board to consider adverse effects of nitrate and nitrogen to all beneficial uses, including the aquatic ecosystem and nuisance conditions in municipal and agricultural water delivery systems.


Additionally, a decade-long compliance period is too long to reduce ammonia discharge impacts. SRCSD must be required to carry out interim measures that will reduce ammonia loadings while the treatment plant upgrades needed to fully treat ammonia are planned and carried out. Without those interim measures, the Permit will actually allow ammonia loadings--and impacts--to increase.

Given the growing body of evidence demonstrating that the current discharge is damaging the Delta ecosystem, the required treatment upgrades must occur without delay. Allowing pollutant loading to continue to increase for another 10 years would further compound the impacts on the Delta ecosystem. State and federal Antidegradation Policy, the federal Endangered Species Act and fundamental principles of California water law all require SRCSD to stop harming beneficial uses in the shortest practicable time. We urge the State Board to require implementation of interim treatment measures and a shorter compliance schedule, particularly for nitrogen removal.

Organizations, public agencies and leaders throughout the state have been working diligently towards a comprehensive solution to the overall Delta crisis. Reducing ammonia, nitrate, and pathogens in the Delta is critical to that effort, which is why it is essential that your Board uphold the Permit approved by the Regional Board and require implementation of interim measures and a shortened compliance schedule to reduce nitrogen discharges.

Thank you for your consideration.

Sincerely,

A handwritten signature in black ink, appearing to read 'Kirby Brill', written over a light blue horizontal line.

Kirby Brill, General Manager  
Mojave Water Agency

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