



June 5, 2012

*Board of Directors*

*President and Treasurer*

Joseph J. Kuebler, CPA

*Vice President*

Philip E. Paule

Ronald W. Sullivan

Randy A. Record

David J. Slawson

*General Manager*

Paul D. Jones II, P.E.

*Director of the Metropolitan Water District of So. Calif.*

Randy A. Record

*Board Secretary and Assistant to the General Manager*

Rosemarie V. Howard

*Legal Counsel*

Redwine and Sherrill

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, 2012 Board Workshop**

Dear Ms. Townsend:

Eastern Municipal Water District (EMWD) urges the State Water Resources Control Board (SWRCB) 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. EMWD is pleased to see that the Board in the recent Draft Order largely upholds the Permit issued by the Central Valley Regional Water Quality Control Board (RWB) that contains critical measures that will require SRCSD to implement much needed treatment plant upgrades. This issue has been of great interest to EMWD and the District's representatives in the state Senate, as indicated in a letter to the SWRCB dated February 23, 2012 which requests the Board to require SRCSD to comply with modern water treatment standards.

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 modern 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 Riverside County region. Water supplies moved across the Delta are used by more than 25 million Californians, including a 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 Central Valley Regional Water Quality Control 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 allowed to flow 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 SWRCB remands the Permit's nitrate limit to the RWB for reassessment, the Final Order should direct the RWB 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.

Given the growing body of evidence demonstrating that the current discharge is having detrimental effect on 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. We urge the State Water Resources Control Board to require implementation of interim 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 Central Valley Regional Water Quality Control Board and require implementation of interim measures and a shortened compliance schedule to reduce nitrogen discharges.

If you have any questions regarding this correspondence please contact me at (951) 928-6130 or by e-mail at [jonesp@emwd.org](mailto:jonesp@emwd.org), or EMWD's Sacramento representative, Ron Davis at (916) 492-6082 or [rdavis1228@gmail.com](mailto:rdavis1228@gmail.com).

Sincerely,



Paul D. Jones II, P.E.  
General Manager

cc: Paul S. Simmons, Esq.  
Theresa A. Dunham, Esq.  
Cassie N. Aw-Yang, Esq.  
Somach Simmons & Dunn  
500 Capitol Mall, Suite 1000  
Sacramento, CA 95814  
[psimmons@somachlaw.com](mailto:psimmons@somachlaw.com)  
[tdunham@somachlaw.com](mailto:tdunham@somachlaw.com)  
[cawyang@somachlaw.com](mailto:cawyang@somachlaw.com)

Ms. Katherine Hart, Chair  
Central Valley Regional Water Quality  
Control Board  
Sacramento Office  
11020 Sun Center Drive, Suite 200  
Rancho Cordova, CA 95670-6114  
c/o [kharder@waterboards.ca.gov](mailto:kharder@waterboards.ca.gov)

Bill Jennings, Executive Director  
California Sportfishing Protection  
Alliance  
3536 Rainier Avenue  
Stockton, CA 95204  
[deltakeep@aol.com](mailto:deltakeep@aol.com)

Senator Bill Emmerson  
37<sup>th</sup> Senate District  
State Capitol, Room 4082  
Sacramento, CA 95814