



43885 SOUTH GRIMMER BOULEVARD • P.O. BOX 5110, FREMONT, CALIFORNIA 94537-5110
(510) 668-4200 • FAX (510) 770-1793 • www.acwd.org

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March 23, 2006

Mr. Farhad Azimzadeh
California Regional Water Quality Control Board
San Francisco Bay Region
1515 Clay Street, Suite 1400
Oakland, CA 94612

Dear Mr. Farhad Azimzadeh

Subject: Comments on the RWQCB Tentative Order No. R2-2006-XXX,
NPDES Permit No. CA0038679 for LAVWMA Intermittent Wet Weather Discharge

In response to your telephone message to me on March 22, 2006, we have reviewed the draft tentative order annotated with the collective comments from LAVWMA, EBDA, DSRSD, and Livermore as included in the letter dated March 16, 2006 from Ms. Vivian Housen, LAVWMA General Manager to Ms. Lila Tang, Division Chief, NPDES Permit Division SFBRWQCB. The following are our comments and recommendations:

1) Page 1 of LAVWMA General Comments, fifth comment - ACWD disagrees with the statement "there is no opportunity for groundwater recharge." Some incidental groundwater recharge occurs downstream in Alameda Creek itself, even when ACWD's groundwater diversion and recharge facilities are secured (i.e., bypassing creek flows).

The following comments refer to Waste Discharge Requirements Order:

2) Section II (Findings), B (Facility Description) -- For clarity, change the third sentence to read: "During extreme storm events, LAVWMA maintains its maximum export pumping capacity and, together with its member agencies, use their combined storage facilities"

3) Section II (Findings), H (Water Quality Control Plan) - Keep the original text at the end of the paragraph (last three sentences, starting with "The water flowing in San Lorenzo Creek...") to clarify that some incidental groundwater recharge may occur.

Mr. Farhad Azimzadeh
Page 2
March 23, 2006

4) Section III (Discharge Prohibition), C - For clarity, change the section to read: "Discharge to Alamo Canal is prohibited unless the maximum export pumping capacity is in use, storage capacity of the flow-equalization basins and DSRSD and City of Livermore storage ponds has been fully utilized, and both the Regional Water Quality Control Board and the Alameda County Water District have been given prior notification that a discharge to Alamo Canal is needed."

5) Section VI (Provisions), C (Special Provisions) - Include mention of 1998 LAVWMA-ACWD MOU. The previous permit order (99-023) included Section D (Provisions) #8 that discussed annual updates of the Operations & Maintenance Manual to include a Wet Weather Facilities Management Plan, but this is not mentioned in the new draft order. Updated language incorporating the essence of this item from the 1999 permit should be included in the new permit.

The following comments refer to Attachment F:

6) Section II (Facility Description), B (Description of Extreme Storm Events Flow Management) - Add a description of LAVWMA pumping operations and how they tie in with use of storage throughout the wet weather situation. Replace item f with an accurate description of the events that take place to recover from a discharge event.

7) Section IV (Rationale), A (Discharge Prohibitions), Prohibition III.B - Rewrite last sentence to read: "The reason that ACWD shall be notified is because ACWD holds a water right permit to divert water from Alameda Creek for recharging the Niles Cone Groundwater Basin that is used as a source of drinking water for its service area."

Sincerely,



Douglas G. Chun, P.E.
Water Quality Manager