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September 4, 2014

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Subject: Regional San Comments on the Tentative Order Allowing Participation in the Delta Regional Monitoring Program

Dear Ms. Holmes:

Board of Directors

Representing:

- County of Sacramento
- County of Yolo
- City of Citrus Heights
- City of Elk Grove
- City of Folsom
- City of Rancho Cordova
- City of Sacramento
- City of West Sacramento

The Sacramento Regional County Sanitation District (Regional San) appreciates the opportunity to comment on the tentative order amending the waste discharge requirements to allow for participation in the Delta Regional Monitoring Program (RMP). Regional San has been involved in regional monitoring programs (Coordinated Monitoring Program, Sacramento River Watershed Program) for many years, and we believe there has been tremendous progress made on the development of the RMP by the stakeholder group.

Prabhakar Somayavapu
District Engineer

Regional San strongly supports the Central Valley Regional Water Quality Control Board's (RWB) efforts to work with dischargers in developing the RMP and the tentative order. Currently, a steering committee and a technical advisory committee have been established to continue the development of the program. However, a funding structure has not been identified. To sustain a long term monitoring program, all stakeholders need to participate actively and create a fair share funding structure. We encourage the RWB staff to continue to work with stakeholders in developing a baseline funding mechanism that would support the RMP activities as soon as possible.

Ruben Robles
Director of Operations

Based on our review of the tentative order, we propose some language modifications to allow more flexibility for us to participate in the program while ensuring information needs for permit development and compliance are met. Specific revisions are presented in the attached tracked changes version of the tentative order.

Christoph Dobson
Director of Policy & Planning

Karen Stoyanowski
Director of Internal Services

Joseph Maestretti
Chief Financial Officer

Claudia Goss
Public Affairs Manager

www.srscsd.com

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Thank you again for the opportunity to comment on the tentative order for the RMP participation. If you have any questions, please contact Vyomini Upadhyay of my staff at (916) 876-6677 or at upadhyayv@sacsewer.com.

Sincerely,



Christoph Dobson,
Director of Policy and Planning

Attachment: Redline Strikeout Version of the Tentative Order to Allow For Participation in Delta
Regional Monitoring Program

cc: Robert Seyfried, Regional San
Linda Dorn, Regional San
Vyomini Upadhyay, Regional San
Debbie Webster, Central Valley Clean Water Association

CALIFORNIA REGIONAL WATER QUALITY CONTROL BOARD
CENTRAL VALLEY REGION

ORDER R5-2014-XXXX

AMENDING WASTE DISCHARGE REQUIREMENTS TO ALLOW FOR PARTICIPATION IN
THE DELTA REGIONAL MONITORING PROGRAM

SACRAMENTO COUNTY

SACRAMENTO REGIONAL COUNTY SANITATION DISTRICT WASTEWATER TREATMENT PLANT
SAN JOAQUIN COUNTY

CALIFORNIA DEPARTMENT OF CORRECTIONS AND REHABILITATION DEUEL VOCATIONAL
INSTITUTION, CITY OF STOCKTON REGIONAL WASTEWATER CONTROL FACILITY, CITY OF
MANTECA WASTEWATER QUALITY CONTROL FACILITY, CITY OF TRACY WASTEWATER
TREATMENT PLANT, MOUNTAIN HOUSE COMMUNITY SERVICES DISTRICT WASTEWATER
TREATMENT PLANT, CITY OF LODI WHITE SLOUGH WATER POLLUTION CONTROL FACILITY,
LINCOLN CENTER ENVIRONMENTAL REMEDIATION TRUST GROUNDWATER TREATMENT SYSTEM

CONTRA COSTA COUNTY

IRONHOUSE SANITARY DISTRICT WATER RECYCLING FACILITY, CITY OF BRENTWOOD
WASTEWATER TREATMENT PLANT, TOWN OF DISCOVERY BAY COMMUNITY SERVICES DISTRICT
WASTEWATER TREATMENT PLANT

SOLANO COUNTY

CITY OF RIO VISTA BEACH WASTEWATER TREATMENT FACILITY, CITY OF RIO VISTA NORTHWEST
WASTEWATER TREATMENT FACILITY, CITY OF VACAVILLE EASTERLY WASTEWATER TREATMENT
PLANT

YOLO COUNTY

CITY OF DAVIS WASTEWATER TREATMENT PLANT

The California Regional Water Quality Control Board, Central Valley Region, (hereafter Central Valley Water Board) finds that:

1. The Sacramento-San Joaquin Delta (Delta) is an important water supply for municipal, industrial and agricultural use for much of the State, and is a critical ecosystem for fish and wildlife, including many rare and endangered species.
2. Understanding the current conditions within the Delta (water quality and beneficial uses) and the potential impacts to those conditions, is important in order to preserve and enhance the Delta, and provide for corresponding regulatory and management decisions, which should be based upon sound science.
3. Currently, many agencies and organizations are conducting monitoring and data evaluation in the Delta, but there is an overall lack of coordinated monitoring and data evaluation for a variety of reasons. This lack of coordination results in the inability to conduct a regional assessment of the water quality and beneficial use conditions within the Delta, and may result in misdirected expenditure of funds for monitoring and water quality improvements.
4. The Central Valley Water Board requires individual dischargers and discharger groups to conduct monitoring of Delta waters and Delta tributary waters in the vicinity of their discharge, known as ambient (or receiving) water quality monitoring. This monitoring provides information on the impacts of waste discharges on Delta waters, and on the extant condition of the Delta waters. However, the equivalent funds spent on current monitoring efforts could be used more efficiently and productively, and provide a better understanding of geographic and temporal distributions of contaminants and physical conditions in the Delta, and of other Delta water quality issues, if those

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PARTICIPATION IN THE DELTA REGIONAL MONITORING PROGRAM

funds were used for a coordinated ambient monitoring effort, rather than continue to be used in individual, uncoordinated ambient water quality monitoring programs. The Delta Regional Monitoring Program (Delta RMP) will provide data to better inform management and policy decisions regarding the Delta.

5. A Delta RMP is an identified priority in the State Water Resource Control Board's and Central Valley Water Board's Delta Strategic Plan, and a Delta RMP is recommended in the Delta Plan ~~recently~~ adopted by the Delta Stewardship Council.
6. The Delta RMP is a stakeholder effort to provide improved Delta monitoring and data evaluation. The Delta RMP is still being developed, but to date has:
 - A. Established a governance structure that includes a Steering Committee consisting of three representatives from Publicly Owned Treatment Works, two representatives from Municipal Stormwater Permittees, one representative of Irrigated Agriculture, one representative from Coordinated Monitoring Groups, one representative from Water Supply, one representative from State Regulators, one representative from Federal Regulators, and one representative from the Resource Agencies.
 - B. Established a Technical Advisory Committee (TAC) with elected Co-Chairs and representatives from each of the Steering Committee seats.
 - C. Identified the Aquatic Science Center and Central Valley Water Board staff as providers of technical and logistical support for the Delta RMP.
 - D. Established the mission, goals, objectives and guiding principles of the overarching program.
7. The Delta RMP needs secure sources of funding to be viable. The exchange of current and future individual monitoring efforts to the Delta RMP and redirection of funding from those individual efforts is one of the potential funding sources for the Delta RMP.
8. It is the intent of the Central Valley Water Board that the initial costs of Delta RMP participation by permitted dischargers should be relatively "cost neutral," in that financial or in-kind participation in the Delta RMP should be reasonably equivalent to the exchange of costs of discontinued individual monitoring and study efforts. However, it is recognized that new and evolving water quality issues will continue to develop in the Delta, and the costs of Delta RMP participation may increase in the future. It is a continuing goal to be cost neutral for permitted dischargers, even as requirements and costs of continued individual monitoring programs change.
9. It is the intent of the Central Valley Water Board that all waste dischargers with the potential to impact Delta water quality will be encouraged to, and have the flexibility to, participate in the Delta RMP.
10. Other sources of funding beyond permitted dischargers will be required to adequately fund the Delta RMP. Agencies and groups who are not waste dischargers, but use or have an interest in Delta waters, are encouraged to participate in the Delta RMP, including providing funding and/or services, participating in the Steering or technical advisory committees, and coordinating their separate activities with the Delta RMP.
11. Waste discharge requirements are amended to allow dischargers to participate in the Delta RMP in lieu of conducting their current individual monitoring efforts, when feasible or appropriate.
12. The Central Valley Water Board will consider transferring special studies or other permit requirements from individual permits to the Delta RMP on a case-by-case basis, and conversely

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consider accepting studies conducted by the RMP in lieu of requiring studies by individual dischargers.

13. Participation in the Delta RMP by a Discharger shall consist of providing funds and/or in-kind services to the Delta RMP at least equivalent to discontinued individual monitoring and study efforts. Active participation by discharger representatives on the Delta RMP Steering Committee or technical or other advisory committees that may be formed is encouraged.
14. If a discharger or discharger group fails to maintain adequate participation in the Delta RMP, as determined through criteria to be developed by the Delta RMP Steering Committee, the Steering Committee will recommend to the Central Valley Water Board that an individual monitoring program be reinstated for that discharger or discharger group.
15. The following Sacramento-San Joaquin Delta Dischargers' NPDES Permits may be reopened and modified in accordance with the Code of Federal Regulations (CFR) at 40 CFR 122.62(a)(2):
 - A. Order R5-2010-0114-023
 - Sacramento Regional County Sanitation District, Sacramento Regional Wastewater Treatment Plant (NPDES No. CA0077682)
 - B. Order R5-2014-0014
 - California Department of Corrections and Rehabilitation, Deuel Vocational Institution (NPDES No. CA0078093)
 - C. Order R5-2014-0070
 - City of Stockton, Regional Wastewater Control Facility (NPDES No. CA0079138)
 - D. Order R5-2009-0095
 - City of Manteca and Dutra Farms, Inc., City of Manteca Wastewater Quality Control Facility (NPDES No. CA0081558)
 - E. Order R5-2012-0115
 - City of Tracy, Tracy Wastewater Treatment Plant (NPDES No. CA0079154)
 - F. Order R5-2013-0004
 - Mountain House Community Services District, Mountain House Wastewater Treatment Plant (NPDES No. CA0084271)
 - G. Order R5-2013-0125
 - City of Lodi, White Slough Water Pollution Control Facility (NPDES No. CA0079243)
 - H. Order R5-2011-0055
 - Lincoln Center Environmental Remediation Trust, Groundwater Treatment System (NPDES No. CA0084255)
 - I. Order R5-2013-0157
 - Ironhouse Sanitary District, Water Recycling Facility (NPDES No. CA0085260)
 - J. Order R5-2013-0106
 - City of Brentwood, Wastewater Treatment Plant (NPDES No. CA0082660)
 - K. Order R5-2014-0073
 - Town of Discovery Bay Community Services District, Discovery Bay Wastewater Treatment Plant (NPDES No. CA0078590)
 - L. Order R5-2014-0012
 - City of Rio Vista, Beach Wastewater Treatment Facility (NPDES No. CA0079588)
 - M. Order R5-2010-0081-01
 - City of Rio Vista, Northwest Wastewater Treatment Facility (NPDES No. CA0083771)
 - N. Order R5-2014-0072
 - City of Vacaville, Easterly Wastewater Treatment Plant (NPDES No. CA0077691)
 - O. Order R5-2013-0127
 - City of Davis Wastewater Treatment Plant (NPDES No. CA0079049)

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PARTICIPATION IN THE DELTA REGIONAL MONITORING PROGRAM

16. Issuance of modifications to the NPDES Permit are exempt from the California Environmental Quality Control Act (Public Resources Code section 21000, et seq.) in accordance with California Water Code section 13389.
17. The Central Valley Water Board has notified the Dischargers and interested agencies and persons of its intent to amend Waste Discharge Requirements to allow for the participation in the Delta Regional Monitoring Program and has provided them with an opportunity to submit their written views and recommendations.

IT IS HEREBY ORDERED THAT:

Waste Discharge Requirements listed in Attachments A through O are amended as shown in underline/strikeout format in those Attachments.

Any person aggrieved by this action of the Central Valley Water Board may petition the State Water Resource Control Board (State Water Board) to review the action in accordance with CWC section 13320 and California Code of Regulations, title 23, sections 2050 and following. The State Water Board must receive the petition by 5:00 p.m., 30 days after the date of this Order, except that if the thirtieth day following the date of this Order falls on a Saturday, Sunday, or state holiday (including mandatory furlough days), the petition must be received by the State Water Board by 5:00 p.m. on the next business day. Copies of the law and regulations applicable to filing petitions may be found on the Internet at: http://www.waterboards.ca.gov/public_notices/petitions/water_quality or will be provided upon request.

I, PAMELA C. CREEDON, Executive Officer, do hereby certify the foregoing is a full, true, and correct copy of an Order adopted by the California Regional Water Quality Control Board, Central Valley Region, 9/10 October 2014.

PAMELA C. CREEDON, Executive Officer

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IT IS HEREBY ORDERED THAT:

Waste Discharge Requirements Order R5-2010-0114-023 (NPDES No. CA0077682) is amended solely to address the Regional Monitoring Program in accordance with the Limitations and Discharge Requirements, section VI.C.1.j. **Effective immediately upon adoption**, Order R5-2010-0114-023 is amended as shown in Items 1-3 below.

1. **Limitations and Discharge Specifications.** Add the following text in section VII, Compliance Determination, as shown in underline format below:

L. **Use of Delta Regional Monitoring Program and other Receiving Water Data to determine compliance with Receiving Water Limitations.** Delta Regional Monitoring Program data and other receiving water monitoring data that is not specifically required to be conducted by the Discharger under this permit, will not be used directly to determine that the discharge is in violation of this Permit. The Discharger may, however, conduct any site-specific receiving water monitoring deemed appropriate by the Discharger that is not conducted by the Delta Regional Monitoring Program and submit that monitoring data. Such data may be used in conjunction with other receiving water data, effluent data, receiving water flow data, and other pertinent information to determine whether or not a discharge is in compliance with this Permit.

2. **Monitoring and Reporting Program.** Add the following text in section VIII, Receiving Water Monitoring Requirements – Surface Water and Groundwater, as shown in underline format below:

VIII. RECEIVING WATER MONITORING REQUIREMENTS – SURFACE WATER AND GROUNDWATER

The Discharger shall implement the Receiving Water Monitoring Requirements in Attachment E, Sections VIII.A.1, VIII.A.2 and VIII.A.3 of this Order. However, in lieu of conducting the individual monitoring specified in Attachment E, Sections VIII.A.1, VIII.A.2 and VIII.A.3 of this Order (including visual observations), the Discharger may elect to participate in the Delta Regional Monitoring Program. The Discharger may choose to conduct all or part of the receiving water monitoring through the Delta Regional Monitoring Program. If the Discharger elects to cease all or part of the individual receiving water monitoring and instead participates in the Delta Regional Monitoring Program, the Discharger shall submit a letter signed by an authorized representative informing the Board that the Discharger will participate in the Delta Regional Monitoring Program, and the date on which individual receiving water monitoring required under Attachment E, Sections VIII.A.1, VIII.A.2 and VIII.A.3 will cease, or be modified, and specific monitoring location(s) and constituent combinations that will no longer be conducted individually. Approval by the Executive Officer is not required prior to participating in the Delta Regional Monitoring Program.

If the Discharger participates in the Delta Regional Monitoring Program in lieu of conducting individual receiving water monitoring, the Discharger shall continue to participate in the Delta Regional Monitoring Program until such time as the Discharger informs the Board that participation in the Delta RMP will cease and individual monitoring is reinstated. Receiving water monitoring under Attachment E, Sections VIII.A.1, VIII.A.2 and VIII.A.3, is not required under this Order so long as the Discharger adequately supports the Delta Regional Monitoring Program. If the Discharger fails to adequately support the Delta Regional Monitoring Program, the Discharger shall reinstate individual receiving water monitoring under Attachment E, Sections VIII.A.1, VIII.A.2 and VIII.A.3, upon written notice from the Executive Officer. During the participation in the Delta Regional Monitoring Program, the Discharger may, however, conduct any or part of the receiving water monitoring deemed appropriate by the Discharger which is not conducted by the Delta Regional Monitoring

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Program and submit that monitoring data as required in the Monitoring and Reporting Program.

Delta RMP data is not intended to be used directly to represent either upstream or downstream water quality for purposes of determining compliance with this Permit. Delta RMP monitoring stations are established generally as "integrator sites" to evaluate the combined impacts on water quality of multiple discharges into the Delta; Delta RMP monitoring stations would not normally be able to identify the source of any specific constituent, but would be used to identify water quality issues needing further evaluation. Delta RMP monitoring data, along with individual discharger data, -may be used to help establish background receiving water quality for Reasonable Potential analyses in an NPDES Permit after evaluation of the applicability of the data for that purpose. Delta RMP data, as with all environmental monitoring data, can provide an assessment of water quality at a specific place and time that can be used in conjunction with other information, such as other receiving water monitoring data, spatial and temporal distribution and trends of receiving water data, effluent data from the Discharger's discharge and other point and non-point source discharges, receiving water flow volume, speed and direction, and other information to determine the likely source or sources of a constituent that resulted in exceedance of a receiving water quality objective.

During the period of participation in the Delta Regional Monitoring Program, the Discharger shall continue to report the any individually conducted receiving water monitoring data in the Electronic Self-Monitoring Reports (eSMR) according to the Monitoring and Reporting Program. In addition, the Discharger's eSMR cover letter shall state that the Discharger is participating in the Delta Regional Monitoring Program in lieu of conducting the individual receiving water monitoring program required by the permit.

3. **Fact Sheet.** Add text to section VI.D.1, Rationale for Monitoring and Reporting Requirements, as shown in underline format below:

VI. Receiving Water Monitoring

1. Surface Water

Receiving water monitoring is necessary to assess compliance with receiving water limitations and to assess the impacts of the discharge on the receiving stream. New monitoring locations have been added at River Mile 44 and River Mile 43, RSWD-004 and RSWD-005, respectively, to better evaluate impacts in the receiving water.

Delta Regional Monitoring Program

The Central Valley Water Board requires individual dischargers and discharger groups to conduct monitoring of Delta waters and Delta tributary waters in the vicinity of their discharge, known as ambient (or receiving) water quality monitoring. This monitoring provides information on the impacts of waste discharges on Delta waters, and on the extant condition of the Delta waters. However, the equivalent funds spent on current monitoring efforts could be used more efficiently and productively, and provide a better understanding of geographic and temporal distributions of contaminants and physical conditions in the Delta, and of other Delta water quality issues, if those funds were used for a coordinated ambient monitoring effort, rather than continue to be used in individual, uncoordinated ambient water quality monitoring programs. The Delta Regional Monitoring Program (RMP) will provide data to better inform management and policy decisions regarding the Delta.

This Order will allow Dischargers to elect to participate in the Delta RMP in lieu of conducting all or part of the individual receiving water monitoring required in the Monitoring and Reporting Program. If the Discharger elects to cease individual receiving water monitoring and

participate in the Delta Regional Monitoring Program, the Discharger shall submit a letter signed by an authorized representative to the Executive Officer informing the Board that the Discharger will participate in the Delta Regional Monitoring Program and the date on which individual receiving water monitoring under Attachment E, Sections VIII.A.1, VIII.A.2 and VIII.A.3, will cease or be modified. Approval by the Executive Officer is not required.

Delta RMP data is not intended to be used directly to represent either upstream or downstream water quality for purposes of determining compliance with this Permit. Delta RMP monitoring stations are established generally as "integrator sites" to evaluate the combined impacts on water quality of multiple discharges into the Delta; Delta RMP monitoring stations would not normally be able to identify the source of any specific constituent, but would be used to identify water quality issues needing further evaluation. Delta RMP monitoring data may be used to help establish background receiving water quality for Reasonable Potential analyses in an NPDES Permit after evaluation of the applicability of the data for that purpose. In general, monitoring data from samples collected in the immediate vicinity of the discharge will be given greater weight in permitting decisions than receiving water monitoring data collected at greater distances from the discharge point. Delta RMP data, as with all environmental monitoring data, can provide an assessment of water quality at a specific place and time that can be used in conjunction with other information, such as other receiving water monitoring data, spatial and temporal distribution and trends of receiving water data, effluent data from the Discharger's discharge and other point and non-point source discharges, receiving water flow volume, speed and direction, and other information to determine the likely source or sources of a constituent that resulted in exceedance of a receiving water quality objective.

If the Discharger begins to participate in the Delta Regional Monitoring Program in lieu of individual receiving water monitoring, the Discharger shall continue to participate in the Delta Regional Monitoring Program until such time as the Discharger informs the Board that participation in the Delta RMP will cease and individual monitoring is reinstated. Receiving water monitoring under Attachment E, Sections VIII.A.1, VIII.A.2 and VIII.A.3, is not required under this Order so long as the Discharger adequately supports the Delta Regional Monitoring Program. Participation in the Delta RMP by a Discharger shall consist of providing funds and/or in-kind services to the Delta RMP at least equivalent to discontinued individual monitoring and study efforts. If a discharger or discharger group fails to maintain adequate participation in the Delta RMP, as determined through criteria to be developed by the Delta RMP Steering Committee, the Steering Committee will recommend to the Central Valley Water Board that an individual monitoring program be reinstated for that discharger or discharger group.

If the Discharger is participating in the Delta Regional Monitoring Program as described in Attachment E, Section VIII, the Receiving Water portion of the required Characterization Monitoring need not be conducted by the Discharger. Instead, data from the Delta Regional Monitoring Program will be utilized to characterize the receiving water for the next in the permit renewal. The Discharger may, however, conduct any site-specific receiving water monitoring deemed appropriate by the Discharger and submit that monitoring data with this Characterization Monitoring. In general, monitoring data from samples collected in the immediate vicinity of the discharge will be given greater weight in permitting decisions than receiving water monitoring data collected at greater distances from the discharge point. Historic receiving water monitoring data taken by the discharger and from other sources may also be evaluated to determine whether or not that data is representative of current receiving water conditions. If found to be representative of current conditions, then that historic data may be used in characterizing receiving water quality for the purposes of Reasonable Potential analysis.