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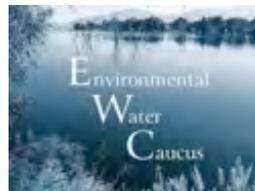
CA Save Our Streams Council

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June 22, 2015

Karl E. Longley, Chairman
Attention Margaret Wong
Central Valley Regional Water Quality Control Board
11020 Sun Center Drive, #200,
Rancho Cordova, California 95670-6114
E-mailed to: Jelena.Hartman@waterboards.ca.gov and
Margaret.Wong@waterboards.ca.gov

Re: Draft Waste Discharge Requirements General Order for Growers in the Grasslands Drainage Area (GDA)

Dear Chairman Longley and Members of the Regional Board;

Thank you for the opportunity to comment on the draft Waste Discharge Requirements General Order for growers in the Grasslands Drainage Area (GDA WDR). Because we find no substantial changes in the proposed GDA WDR, we are resubmitting our comments from December 1, 2014 that are attached.

At the February 6, 2015 workshop Board Member Longley expressed concern that selenium was not included in the groundwater monitoring program, and we expected it to be included. However, we have searched all of the GDA WDR documents and still cannot find the word “selenium” even once! It is incomprehensible that there would not be a requirement to monitor selenium pollution of groundwater in an area known to generate large volumes of seleniferous agricultural discharges to groundwater and surface water.

It is important to note that an increasingly important beneficial use of groundwater in the Grasslands area is for wetlands, refuges and duck clubs. As an example, wells have been drilled to provide “year-round water” to wetlands as GBP Use Agreement required mitigation for the Grasslands Bypass Project habitat losses in Mud Slough. Therefore groundwater quality should meet the existing selenium criteria for wetlands of 2 ppb instead of the human consumption MCL of 50 ppb selenium.

The San Joaquin River Improvement Project (Reuse Area) is a 6,000 acre selenium, salt, boron and nitrate concentration and percolation basin where contaminated drainage water is applied to salt tolerant crops. This is successful in reducing the total volume of drainage, but does not eliminate salt, selenium, boron and other constituents- it concentrates them. It is difficult to fathom how the Regional Board would not identify the Reuse Area in particular as an area of concern for degradation of groundwater quality and require comprehensive monitoring. Several wells should be regularly sampled around the reuse area for a broad array of contaminants.

Additionally, given the severe salinity problems downstream in the San Joaquin River and the Southern Delta, it cannot be stressed enough that the Grasslands Drainage Area salt discharges to surface and groundwater adversely impact the ability to meet downstream salinity objectives. According to the CVRWQCB final draft staff report for the salt and boron TMDL¹:

“The Grassland Subarea contains some of most salt-affected lands in the LSJR watershed. This subarea is also the largest contributor of salt to the LSJR (approximately 37% of the LSJR’s mean annual salt load). Previous studies indicate that shallow groundwater in the LSJR watershed is of the poorest quality (highest salinity) in the Grassland Subarea (SJVDP, 1990).”

¹ Oppenheimer, E.I. and L.F. Groeber. 2004a. Amendments to the Water Quality Control Plan for the Sacramento River and San Joaquin River Basins for the Control of Salt and Boron Discharges into the Lower San Joaquin River. Draft Final Staff Report of the Central Valley Regional Water Quality Control Board, San Joaquin River TMDL Unit, Sacramento, CA, 121 pp. Available at: http://www.waterboards.ca.gov/centralvalley/water_issues/tmdl/central_valley_projects/vernal/salt_boron/index.shtml

Collectively, the proposed WDR's for the GDA and GBP do nothing to actually limit the salt discharges to the aquifers and San Joaquin River, thereby continuing to exacerbate downstream violations of salinity water quality objectives for various beneficial uses. These saline discharges also threaten the Delta water supply for southern California, the East Bay and the Silicon Valley. In some cases, groundwater discharges can lead to surface water quality violations.

Recent San Joaquin River salinity violations include the following:

2013

Vernalis

- 1 April- 15 April, EC average at Vernalis over 0.7 = **15 days of violations.**

Old River Near Tracy

- January 2013, EC 14-d average at Old River Near Tracy over 1.0 12 days = **12 days of violations.**
- February 2013, EC 14-d average at Old River Near Tracy over 1.0 10 days = **10 days of violations.**
- March 2014, EC 14-d average at Old River Near Tracy over 1.0 3 days = **3 days of violations.**
- April 2013, EC 14-d average at Old River Near Tracy Over 0.7 26 days = **26 day of violations.**
- June 2013, EC 14-d average at Old River Near Tracy over 0.7 all days = **30 days of violations.**
- July 2013, EC 14-d average at Old River Near Tracy over 0.7 all days = **31 days of violations.**
- August 2013, EC 14-d average at Old River Near Tracy over 0.7 all days = **31 days of violations.**

2014

Old River Near Tracy

- January 2014, EC 14-d average at Old River Near Tracy over 1.0 all days = **31 days of violations.**
- February 2014, EC 14-d average at Old River Near Tracy over 1.0 all days = **28 days of violations.**
- March 2014, EC 14-d average at Old River Near Tracy over 1.0 all days = **31 days of violations.**
- April 2014, EC 14-d average at Old River Near Tracy Over 0.7 all days = **30 day of violations.**
- May 2014, EC 14-d average at Old River Near Tracy over 0.7 all days = **31 days of violations.**
- June 2014, EC 14-d average at Old River Near Tracy over 0.7 all days = **30 days of violations.**
- July 2014, EC 14-d average at Old River Near Tracy over 0.7 all days = **31 days of violations.**
- August 2014, EC 14-d average at Old River Near Tracy over 0.7 all days = **31 days of violations.**
- September 2014, EC 14-d average at Old River Near Tracy over 1.0 15 days = **15 days**

of violations.

- December 2014, EC 14-d average at Old River Near Tracy over 0.1 7 days = **7 days of violations.**

2015

Vernalis

- 27 January- 8 February, EC average at Vernalis over 1.0 = **12 days of violations.**

Old River Near Tracy

- January 2015, EC 14-d average at Old River Near Tracy over 1.0 all days = **30 days of violations.**
- February 2015, EC 14-d average at Old River Near Tracy over 1.0 all days = **28 days of violations.**
- March 2015, EC 14-d average at Old River Near Tracy over 1.0 all days = **31 days of violations.**
- April 2015, EC 14-d average at Old River Near Tracy Over 0.7 all days = **30 day of violations.**
- May 2015, EC 14-d average at Old River Near Tracy over 0.7 all days = **31 days of violations.**

June 2015, EC 14-d average at Old River Near Tracy over 0.7 all days = 21 days of violations

Old River Near Middle River,

June 2015, EC 14-d average at Old River Near Tracy over 0.7 19 days = 19 days of violations.

San Joaquin River at Brandt Bridge

- January 2015, EC 14-d average at San Joaquin River at Brandt Bridge over 1.0 all days = **31 days of violations.**
- February 2015, EC 14-d average at San Joaquin River at Brandt Bridge over 1.0 15 days = **15 days of violations.**
- June 2015, EC 14-d average at San Joaquin River at Brandt Bridge over .07 12 days = 12 days of violations.

In summary, we find the proposed WDR's to be grossly inadequate to protect groundwater quality. We recommend that they be withdrawn and rewritten to include monitoring and regulation of selenium, as well as limits on how much salt may be discharged.

Sincerely,



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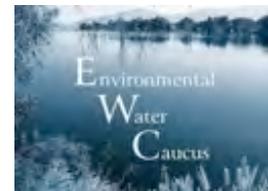


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December 1, 2014

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Re: Draft Waste Discharge Requirements General Order for Growers in the Grasslands Drainage Area

Dear Chairman Longley and Members of the Regional Board;

Thank you for the opportunity to comment on the draft Waste Discharge Requirements General Order for growers in the Grasslands Drainage Area (GDA WDR). As stated in

paragraph 1 of the Draft WDR:

“This Order serves as general waste discharge requirements (WDRs) for waste discharges from irrigated land within the Grassland Drainage Area (GDA) that could affect groundwater of the state. The discharges result from leaching of irrigation water, subsurface drain water, and/or stormwater from agricultural lands that are not captured by subsurface drainage systems in the GDA. Such discharges can reach waters of the state directly or indirectly.”

It is our understanding that this Draft WDR does not cover discharges of waste that are regulated under other Central Valley Water Board issued WDRs or conditional waiver of WDR, including but not limited to discharges from the Grasslands Bypass Project.

We are dismayed that the CVRWQCB’s proposal to regulate the discharge of pollutants to groundwater in the GDA does not include selenium, boron, arsenic, mercury and pesticides. Given the Regional Board’s extensive efforts to reduce the discharge of selenium and boron through the Grasslands Bypass Project, it is unfathomable that there is no requirement whatsoever to regulate the discharge of those constituents into the groundwater of the GDA. It is a free pass to pollute groundwater with selenium, boron, arsenic, mercury and pesticides.

We have also yet to see the final WDR for the Grasslands Bypass Project, but based on the May 2014 draft, there are significant omissions in surface water and groundwater quality regulation for the Grasslands Drainage Area (GDA). For instance, irrigators in the Almond Drain and Poso Drain areas remain unregulated for surface discharges of drainwater and there is also no monitoring of their groundwater for selenium and boron. We therefore question why there is not a single WDR for groundwater and surface water discharges of agricultural waste within the GDA?

It is particularly important to monitor selenium, salt and boron in GDA groundwater because of the concentration and accumulation of polluted agricultural drainage in the reuse area, otherwise known as the San Joaquin River Water Quality Improvement Project (SJRIP). The SJRIP is a sump for concentration of contaminated drainage where salt tolerant crops are grown. How will the CVRWQCB and the public know the real results of years of accumulating these toxins in groundwater if there is no monitoring? If the SJRIP is not covered by this proposed WDR and there is no groundwater monitoring of selenium within the GDA, how can the public determine the fate and concentration of selenium and other wastes from reuse irrigation practices on groundwater quality?

Therefore, we strongly urge the CVRWQCB go back to the drawing board to incorporate this proposed General Order WDR into the proposed WDR for the Grasslands Bypass Project. It makes little sense to bifurcate discharges of agricultural wastes from the same lands into two separate WDR’s- one for groundwater and another for surface discharges. The proposed General Order WDR and the proposed WDR for the Grasslands Bypass Project creates a duplicative, confusing and inadequate regulatory structure to protect surface and groundwater quality within the Grasslands Drainage Area.

Sincerely,



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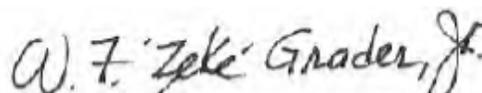


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A handwritten signature in black ink that reads "John McManus". The signature is written in a cursive style with a large initial 'J' and 'M'.

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