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Mr. Danny McClure  
Central Valley Regional Water Board  
11020 Sun Center Drive, #200  
Rancho Cordova, CA 95670

**Subject: Proposed Revisions to the 303(d) List of Impaired Water Bodies and Consideration of an Integrated Assessment Report for the Central Valley Region**

**Board of Directors  
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Mary K. Snyder  
District Engineer

Stan R. Dean  
Plant Manager

Wendell H. Kido  
District Manager

Marcia Maurer  
Chief Financial Officer

Dear Mr. McClure,

The Sacramento Regional County Sanitation District (SRCSD) appreciates the opportunity to comment on the draft integrated report and the draft proposed revisions to the list of impaired water bodies developed pursuant to Section 303(d) of the Federal Clean Water Act. SRCSD is a regional sanitation district that serves over a million customers in the Sacramento metropolitan area and owns and operates the Sacramento Regional Wastewater Treatment Plant (SRWTP). The SRWTP discharges directly into the Sacramento River downstream of Freeport, which is part of the water quality limited segment titled Delta Waterways (northern portion), but the SRCSD is also concerned about proposed listings upstream of the SRWTP discharge location.

**Background**

The SRCSD submitted data from the Coordinated Monitoring Program (CMP) in a letter to Joe Karkoski on February 28, 2007. The CMP was begun in 1991 and combines resources of the Sacramento Regional County Sanitation District, the City of Sacramento, and Sacramento County for monitoring in their common receiving waters which includes the lower American and Sacramento Rivers. The CMP typically monitors three sites in each river, six times per year. The data submitted included water column data on chlordane, DDT, dieldrin and PCBs, which has been monitored 18 to 65 times (depending on the chemical and river) since 2003 and have never been detected. These constituents are human-generated, bioaccumulative chemicals that have been banned from use for decades.

**Comment on Proposed Listings Relevant to the Sacramento Metropolitan Area**

New proposed listings relevant to the Sacramento Metropolitan Area include:

- American River (Nimbus Dam to Sacramento River confluence): dieldrin, PCBs
- Sacramento River (Knights Landing to Delta): chlordane, DDT, dieldrin, PCBs
- Delta Waterways (northern portion): chlordane, dieldrin

The SRCSD questions the threshold for determining the proposed listings. All of the newly listed chemicals for these reaches are based on levels measured in fish tissue exceeding the Office of Environmental Health Hazard Assessment (OEHHA) fish contaminant goals (FCGs). FCGs are the level at which there is no significant health risk and are a starting point for agencies other than OEHHA to establish fish tissue based criteria. FCGs are based solely on public health considerations without regard to economic considerations, technical feasibility, or the counterbalancing benefits of fish consumption. OEHHA also develops advisory tissue levels (ATLs) as a criterion for fish consumption guidelines and advisories. The ATLs also confer no significant health risk to individuals, but are developed with the understanding that there is unique health benefits associated with fish consumption. The ATLs also understand that the advisory process should go beyond a simple risk assessment to protect the overall health of the fish consumer. The September 2004 State Water Resources

Control Board Water Quality Control Policy for Developing California's Clean Water Act Section 303(d) List (Listing Policy), section 3.4, Health Advisories, states a water segment shall be placed on the section 303(d) list if a health advisory against the consumption of edible resident organisms has been issued by OEHHA, or Department of Health Services, and there is a designated or existing fish consumption beneficial use for the segment. The Board chose to apply Section 3.5 of the Listing Policy, Bioaccumulation of Pollutants in Aquatic Life Tissue, using OEHHA's FCGs, instead of using health advisory levels developed by OEHHA. SRCSD advocates that the ATLs be used as the threshold for determining proposed listings, just as they are used as the threshold for fish consumption advisories. This basis would be consistent with the listing policy.

#### **Additional Comments**

Dieldrin listing in the Lower American River is based on 2 of 5 composite fish samples exceeding OEHHA's FCG. One of the two exceedances was for Chinook salmon captured from the American River at Nimbus Fish Hatchery. Chinook are anadromous salmon, which means the Chinook salmon could not have accumulated their dieldrin from the American River. The SRCSD advocates that listing be removed due to the migratory nature of salmon, and the more appropriate use of OEHHA's ATLs.

All of these new proposed listings have TMDL requirement status' of Category 5A, which sets deadlines for required TMDLs. A TMDL would allocate load reductions among the various sources. However, there are no sources to which reductions could be allocated because:

- Each of the new listings is for a banned, human-source chemical, and
- CMP monitoring has never measured detectable levels of these chemicals in the water column at any of the sampling stations.

One aim of the statewide fish contaminant monitoring program (see [www.waterboards.ca.gov/water\\_issues/programs/swamp/docs/bop/factsheet.pdf](http://www.waterboards.ca.gov/water_issues/programs/swamp/docs/bop/factsheet.pdf)) is to compare contamination levels throughout the State. One message is that "In general, PCB and DDT levels in fish and mussels across California have declined greatly since the 1970s, and many species have bounced back in response to the decline in DDT levels." This message implies that while continued monitoring is warranted, contamination is declining without specific efforts aimed at affecting those declines.

With this understanding, the SRCSD recommends that each of these proposed listings be placed in Category 5C (i.e. being addressed by action other than a TMDL), rather than requiring development of a TMDL.

Section 303(d)(1) of the federal Clean Water Act provides for prioritization as well. If these chemicals remain on the 303(d) list and are not changed to Category 5C, then they should receive the lowest priority for TMDL development so that the evaluation process can continue.

Feel free to contact me at (916) 875-9101 or Terrie Mitchell of my staff at (916) 876-6092 if you have any questions or need clarification.

Sincerely,



Stan Dean

District Manager, Policy and Planning

cc: Mary Snyder  
Terrie Mitchell  
Jason Lofton  
Robert Seyfried  
Tom Grovhoug, LWA  
Stephen McCord, LWA