Responsiveness Summary – Comments on CEQA Scoping Meeting for the Santa Clara River Chloride TMDL

1	Ron Bottorff – Friends of the Santa Clara River (Friends)
2	Santa Clarita Organization for Planning and the Environment (SCOPE)
3	Burt Rapp – City of Fillmore (Fillmore)

No.	Author	Date	Comment	Response
1.1	Friends	08/20/08	Clarification is required regarding selection of the preferred alternative on page 40 regarding sulfate surface water SSOs for Reach 6. If the "preferred alternative" 1975/1978 value of 450 mg/l is used instead of the existing 300 mg/l, it is not clear that protection of beneficial uses is maintained - most specifically the impact on endangered species such as the unarmored threespine stickleback.	In response to this comment, staff required Santa Clarita Valley Sanitation District of Los Angeles County (SCVSD) to conduct a study to evaluate whether sulfate levels of 450 mg/L would be harmful to Upper Santa Clara River (USCR) threatened and endangered fish and amphibians, and their prey organisms. The report prepared for the SCVSD used a weight of evidence approach to demonstrate that the interim wasteload allocations (WLAs) for sulfate are protective of USCR aquatic life uses, including threatened and endangered fish and amphibians, and their prey organisms (Environ, 2008). Staff is not recommending site specific objectives for sulfate, but rather interim WLAs that will allow

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				SCVSD time to study long term effects of sulfate levels of 450 mg/L.
2.1	SCOPE	08/22/08	We would like to begin by thanking the Regional Water Quality Board, the consultants and other parties involved in this process for the courtesy and diligence they have shown us in making sure that we receive documents. We especially appreciate the extension of time granted for this comment period and receiving a hard copy of the draft Anti-Degradation Analysis. We would like to preface our comments with the statement that we support in concept the Alternative Plan as described in this document. However, we hope that all parties will work together through the environmental process to provide details, establish obtainable goals, and require mitigation that ensures that this Alternative Plan will really work.	Comment acknowledged. A memorandum of understanding (MOU) has been developed by farming groups, water agencies and purveyors, and dischargers. The MOU is expected to be signed by all parties in the September-October time frame. The MOU specifies the agreed-upon responsibilities of the alternative water resources management (AWRM) stakeholders for the implementation of ultra-violet light disinfection and advanced treatment facilities (i.e., microfiltration-reverse osmosis and brine disposal), salt management facilities (i.e., extraction wells and water supply conveyance pipelines), supplemental water (i.e., water

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				transfers and related facilities), and alternative water supplies for the protection of beneficial uses. The AWRM MOU also specifies the various uses of desalinated recycled water, which include: (1) compliance with water quality objectives for Reaches 4A, 4B and 5; (2) protection of salt-sensitive agricultural beneficial uses; (3) removal of excess chloride load above 117 mg/L from the East Piru Basin; and (4) enhancement of water supplies in Ventura and Los Angeles Counties. In addition, the AWRM MOU will implement an extension of the Groundwater Surface Water Interaction (GSWI) model to assess the groundwater and surface water interactions and impacts to surface water and groundwater quality from the AWRM program to the Fillmore and Santa Paula basins.
2.2	SCOPE	08/22/08	I attended the scoping session held for this project in Fillmore on July 29th representing our organization. I brought up several of the issues that are incorporated in this comment letter. However, the public scoping session was not recorded. It appeared that no one was taking notes until	All the written and oral comments will be considered and incorporated into the Substitute Environmental Document (SED). Staff notes that two Regional Board staff members

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			the end of the meeting. I would like to express a concern that, in order for this meeting to have been meaningful and be a legitimate CEQA scoping meeting, the meeting should have been recorded and a transcript and/or notes should be available.	were taking notes throughout the entire meeting. The notes are available upon request.
2.3	SCOPE	08/22/08	We request that the CEQA document address the following issues for the Alternative WRMP: 1. Water Quality issues – increase or change in temperature of effluent from Valencia treatment plant due to plant expansion should be disclosed and studies for its affect on fish and amphibians. Temperatures below the treatment plant are already high and the water steams in the winter.	Comment was incorporated into the SED. See Part 3.e of the environmental checklist. The effluent could degrade the water quality by changing the water temperature and water chemistry in the discharge area. Potential negative impacts that result in change in the water temperature and water chemistry in the USCR should be considered at the project level. Mitigation measures to maintain habitat related beneficial uses should be reviewed and approved by the California Department of Fish and Game (CDFG) and the United States Fish and Wildlife Service (USFWS).
2.4	SCOPE	08/22/08	2. Impacts of any transfers that will be relied upon to supply water for blending must disclose impacts to areas of origin of those transfers, even if the transfers are proposed as only a secondary source.	Comment was incorporated into Part 16.c of the Environmental Checklist in the SED.

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2.5	SCOPE	08/22/08	3. The recycled water study in the SCV found that increased use of recycled water will increase salt loading in the upper watershed – how will this affect the A WRMP and salt reduction.	The impacts of increased use of recycled water on salt loading and salt reduction in the upper watershed have been evaluated by the Groundwater and Surface Water Interaction (GSWI) Model and have been considered for the Alternative Water Resources Management (AWRM) program. Comment was incorporated into the SED. The SED references the results of GSWI study.
2.6	SCOPE	08/22/08	4. New development approvals in the Santa Clarita will all depend on imported state water supplies from the Sacramento Delta. It has been established that imported water is the source of much of the Chloride production in the effluent flow. Please analyze how continued high growth and the resulting increase to salt loading will affect the ability of the AWRMP to meet the new TMDL standards. Also, decreasing chloride levels will provide compliance and allow development in the SCV to continue at its current rapid pace. Please describe the fall back plan if the AWRMP is unable to meet salt reduction needs while an increasing use of imported water continues to add to the salt loading in the river.	Staff notes that the Regional Board cannot specify the manner of the compliance. The water quality objectives and TMDL are set to protect beneficial uses and the dischargers must meet water quality objectives regardless of future water use scenarios; however, this analysis considers future growth and impacts on compliance by the AWRM through the GWSI model. Staff notes that none of the implementation alternatives contemplated would allow additional growth beyond planned future growth.

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2.7	SCOPE	08/22/08	5. The DEIR should explain the way in which exceedence of the ambient salt level of the Santa Clara River will be allowed under the Clean Water Act and other related state and federal laws.	The SED, including the staff report and supporting documents, explains how revising objectives meets all applicable State and federal laws. See Section 4.1.2 in SED and Sections 5 and 6 in staff report.
2.8	SCOPE	08/22/08	6. Allowing an increase to the chloride TMDL will allow additional building in the SCV, so it will be growth inducing. Please disclose growth impacts (include analysis of item 4).	Comment was incorporated into the SED. Growth impacts are discussed in Section 7.2 of the SED. Staff notes that none of the implementation alternatives contemplated would allow additional growth beyond planned future growth.
2.9	SCOPE	08/22/08	7. The DEIR should discuss climate change impacts and how they can be reduced. (Use of solar energy, etc.)	Comment was incorporated into the SED. See Section 6.2 of the draft SED.
2.10	SCOPE	08/22/08	8. A CONDITION REQUIRING THAT ANY DEDICATED USE OF STATE OR LOCAL WATER TO BLEND DOWN THE BRINE LEVEL TO BRING IT INTO COMPLIANCE MUST BE DISCLOSED IN ALL URBAN WATER MANAGEMENT PLANS AND WATER SUPPLY ASSESMENTS AS A SUPPLY THAT IS NOT AVAILABLE FOR OTHER USES MUST BE INCLUDED AS A MITIGATION MEASURE. This disclosure must be a binding mitigation requirement.	Comment was incorporated into the SED. See part 16.c of the environmental checklist.

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2.11	SCOPE	08/22/08	9. State water is subject to cut backs and may not be an adequate source to dedicate to blending. If this source is contemplated, please describe how supply cutbacks will be addressed.	Comment was incorporated into the SED. See Section 5 of the draft SED. Staff examined reasonable and foreseeable compliances measures in the SED. The Regional Board sets water quality objectives and wasteload allocations and the dischargers must meet water quality objectives. Staff notes that the Regional Board cannot specify the manner of compliance.
2.12	SCOPE	08/22/08	10. Saugus water may need some treatment before it is put back into the river. The document is inconsistent on the subject of the exceedence of sulfate levels, stating on page 34 that the TMDL for this contaminate will be exceed while giving the impression of page 39 that it will not be exceed. This incongruity must be corrected.	It appears the commenter is referring the site specific objective and antidegradation analysis (SSO/ADA) report prepared by Larry Walker Associates for the SCVSD. On p.34 of the SSO/ADA report, it is stated that sulfate levels in Saugus Aquifer groundwater exceed existing objectives; therefore, the SCVSD proposed an objective change for sulfate to facilitate the use of supplemental water for the AWRM program. On p. 39 it is stated that sulfate levels in the surface water were below 450

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				mg/L and rarely above 300 mg/L. Therefore, p. 34 discusses sulfate levels in groundwater and p. 39 discusses sulfate levels in surface water. Staff notes that it is not recommending site specific objectives for sulfate, but rather interim WLAs that will allow SCVSD time to study long term effects of sulfate levels of 450 mg/L.
2.13	SCOPE	08/22/08	11. Exceedence levels for other constituents that can be removed should not be allowed. Any exceedence for other contaminants must be fully disclosed prior to permitting (water samples of the wells proposed for use should be taken.	Comment noted. Discharges will be subject to NPDES permits, which will contain requirements for other constituents. In response to this comment, staff added a discussion of these requirements to the SED.
2.14	SCOPE	08/22/08	11. The contaminants affect on local flora and fauna and endangered species must be assessed. 12. No analysis of the effects of exceedence of sulfate levels on endangered and threatened species was conducted.	The Endangered Species Protection Study evaluated whether the proposed conditional chloride SSOs are protective of the biological resources of the USCR with an emphasis on threatened and endangered species. The study indicates that chloride concentrations for acute and chronic toxicity would be fully protective of

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				Threatened and Endangered species in the USCR. Thus, the existing US EPA chronic chloride criteria of 230 mg/L can be considered to be fully protective of local biota. The study results were reviewed by an independent TAP with the TAP finding the report supports the conclusion that the existing US EPA criteria are protective of threatened and endangered species in the Santa Clara River. The proposed conditional SSOs are lower than US EPA aquatic life criteria and are therefore protective of threatened and endangered species in the Santa Clara River. In respond to this comment, staff required SCVSD to conduct a study to evaluate whether sulfate levels of 450 mg/L would be harmful to USCR threatened and endangered fish and amphibians, and their prey organisms. Comparison of the chloride and sulfate toxicity databases confirmed the representativeness of the organisms in the sulfate database relative to

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				USCR species. Taxa important in the USCR ecosystem, and taxa known sensitive to sulfates, were present in the database. The report prepared for the SCVSD used a weight of evidence approach to demonstrate that the interim WLAs for sulfate are protective of USCR aquatic life uses, including threatened and endangered fish and amphibians, and their prey organisms (Environ, 2008). Staff is not recommending site specific objectives for sulfate, but rather interim wasteload allocations that will allow SCVSD time to study long term effects.
2.15	SCOPE	08/22/08	13. Effects of exceeding contaminant levels for chloride, sulfate and TDS TMDLS on endangered and threatened species should include effects on reproduction cycles including egg development and hormonal changes. It should also include analysis on the impacts/degradation of necessary habitat for all flora and fauna within the critical habitat area for the species. All such effects should at least be briefly and accurately described in the main body of the document and not just in an appendix. Endangered Species consultation will probably be required for this project. It is important that all issues be disclosed	The SED discusses consultation with California Department of Fish and Game (CDFG) and other agencies as a mitigation measure for potential impacts to threatened and endangered species by implementation of the TMDL and conditional SSOs. Staff notes that the Regional Board is not proposing SSOs for sulfate and TDS, but interim wasteload allocations for

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			and circulated so that they can be addressed in the CEQA process. The TMDLs for other contaminants may not be exceeded without an anti-degradation analysis.	these constituents so that a full antidegradation can be conducted. Proposing interim wasteload allocations will allow SCVSD time to study long term effects.
2.16	SCOPE	08/22/08	As the process continues, it may become obvious to all that other issues in addition to the above and those already addressed in tasks 1- 8 and the accompanying studies, need to be included to ensure full disclosure and address all impacts. We hope to work with you to ensure that the DEIR is complete as possible.	Comment acknowledged. Staff has considereed all of your comments during development of the SED. Staff notes that the SED constitutes a Tier I review of potential environmental impacts caused by reasonably forseeable methods of compliance with the proposed TMDL and conditional SSOs. Responsible parties will prepare separate project-level CEQA analysis when projects to comply with the TMDL are contemplated.
2.17	SCOPE	08/22/08	Since some of our members are less computer literate than others, we request that we be provided both a hard copy and a disc of the DEIR when it becomes available. Thank you for your efforts to ensure a high water quality for the Santa Clara River for all those that depend on it, both human and animal.	Staff will send a hard copy and a disc of the substitute environmental document (SED) to SCOPE when it becomes available.
3.1	Fillmore	08/25/08	Based on our understanding, there are two Options to be studied by the Los Angeles Regional Water Quality Control Board in the environmental document: Option 1 is to keep the Water Quality Objectives the same and construct 43 mile	Comment acknowledged.

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			brine and effluent disposal pipelines to the ocean. Option 2 is to increase the Water Quality Objectives and implement Alternative Water Resources Management (AWRM). The City of Fillmore has concerns about both of these options, particularly in how changes in chloride levels in the Santa Clara River may affect the City. In general, the City supports Option 2, as long as some key questions and concerns are addressed in the environmental documents.	
3.2	Fillmore	08/25/08	Option 1 With Option 1 the City's concern is that the removal of large quantities of water from the river aquifer system will lower water levels in the Fillmore basin. During dry years this will likely mean the lowering of groundwater in the City of Fillmore which will increase the chloride and other constituent levels in our source water. This could put the City of Fillmore out of compliance with our chloride, boron and TDS limits in our Waste Discharge Requirements Permit for our treated effluent. It could also put our drinking water supply out of compliance with manganese and iron limits on the drinking water side requiring us to install special filters on our water system.	The AWRM MOU will implement an extension of the GSWI model to assess the groundwater and surface water interactions and impacts to surface water and groundwater quality from the AWRM program to the Fillmore and Santa Paula basins. Option 1 was not considered a reasonably forseeable program-level alternative. See Section 4.1.1 of the draft SED for a discussion of this program-level alternative.
3.3	Fillmore	08/25/08	(Option 1) Lowering the ground water would also increase our pumping costs, possibly require the modification of our domestic water wells and increase our electrical usage. These issues should be studied for the environmental document.	Comment was incorporated into the SED. Option 1 was not considered a reasonably forseeable program-level alternative. See Section 4.1.1 of the draft SED for a discussion of this

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				program-level alternative.
3.4	Fillmore	08/25/08	Option 2 With Option 2, the AWRM program proposes to blend RO treated wastewater with groundwater in the east Piru basin and discharge the blend at a chloride concentration not above 95 mg/L upstream of the Fillmore basin. The City is concerned that the combination of this discharge and the background river water quality, even though this combination may meet chloride objectives in the river, may impact groundwater quality in the Fillmore basin. The surface flows to the Santa Clara River from the new AWRM discharge point into Reach 4A would likely percolate into the Fillmore basin and at a quality of 95 mg/L chloride would be above ambient chloride levels in the groundwater in the Fillmore basin. United Water has measured the surface flows through Fillmore and found that even in the wettest years when the basin is near-full a portion of the surface water percolates into the Fillmore basin. So trapping of higher chloride water could be continuous.	Staff notes that there is a potential to degrade water quality below existing ambient conditions in groundwater below Reach 4A by implementation of the AWRM compliance option. The extent of this potential degradation needs to be further assessed through an evaluation of hydrology and the amount of surface water recharge that occurs in Reach 4A and downstream. The AWRM MOU will implement an extension of the GSWI model to assess the groundwater and surface water interactions and impacts to surface water and groundwater quality from the AWRM program to the Fillmore and Santa Paula basins. If the extended GSWI model results indicate the blended extraction well and RO permeate discharge as currently proposed by the AWRM option would cause an exceedance of water quality objectives, the GSWI model will be used to determine the level of chloride in the blended extraction well and RO permeate discharge necessary to

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				preclude such an exceedance. Chloride trend monitoring will be conducted in these groundwater basins. This TMDL shall be reconsidered if chloride trend monitoring indicates degradation of groundwater or surface water due to implementation of compliance measures.
3.5	Fillmore	08/25/08	(Option 2) First, will our potable water wells draw in Santa Clara River ground water during extended drought years? Will the elevated chloride levels cause Fillmore to exceed our chloride limit of 100 mg/L after normal human use? A study needs to be performed to quantify the chloride changes downstream, short and long term.	Staff notes that the potential increases in chloride concentrations in the Fillmore Basin, which is the water supply for the City of Fillmore, could impact the levels of chloride in Fillmore treatment plant effluent discharged to Reach 3. It is likely that an antidegradation analysis will be required during the permitting stage for the discharge to Reach 4A. The permit will require further evaluation of this discharge and any impacts on downstream uses, groundwater and surface water monitoring, and enforceable effluent limits. An initial antidegradation analysis is presentedin the staff

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				report. Also see response to comment #3.4.
3.6	Fillmore	08/25/08	(Option 2) Second, a possible future project for the City is to construct a domestic water softening plant and new water wells south of Hwy 126 using Santa Clara River ground water instead of existing wells to the north. The Santa Clara River groundwater currently has acceptable historic chloride levels but will they be too high in the future if higher chloride levels are permitted upstream? In order to use a ground water source it must have chloride levels less than 60 mg/L for Fillmore to meet the 100 mg/L chloride objective after normal human use.	Comment noted. See response to comment #3.5.
3.7	Fillmore	08/25/08	The analysis in the environmental document needs to take into account the variations of the flow regimes of the Santa Clara River past Fillmore from surface flow to a dry gap with 100% underground flow in drought years. The long term accumulation of chlorides is of great concern. Once the chloride levels are increased it will be irreversible without great expense.	Comment noted. See response to comment #3.5.
3.8	Fillmore	08/25/08	Currently the average chloride level in our effluent is 137 mg/L, down from 144 mg/L in 2004 because we have been working to eliminate brine discharging water softeners. We expect that when all of the brine discharging water softeners are eliminated our effluent will be at 94 mg/L even in drought years when our source water chlorides are 60 mg/L.	Comment noted. See response to comment #3.5.

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			However if our source water chlorides are increased because of the proposed operation of the AWRM Program, will we be out of compliance?	
3.9	Fillmore	08/25/08	While the City of Fillmore generally supports the concept of Option 2, studying the above issues is critical to the City of Fillmore and water quality in our area before any such project is implemented in the future.	Comment noted. See response to comment #3.5.