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VIA ELECTRONIC MAIL AND FEDEX

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

Re: Comments on Tentative Permit, Order No. R2-2011-XXXX (NPDES No. CA0037699), for the Vallejo Sanitation and Flood Control District Wastewater Treatment Plant

Dear Mr. Madigan:

The San Luis & Delta-Mendota Water Authority, the Metropolitan Water District of Southern California, Westlands Water District, Santa Clara Valley Water District, Tulare Lake Basin Water Storage District, Alameda County Flood Control and Water Conservation District, Zone 7, Coachella Valley Water District, and Alameda County Water District (collectively, "Public Water Agencies")¹ thank the San Francisco Regional Water Quality Control Board ("Regional Board") for the opportunity to present the attached comments on the National Pollutant Discharge Elimination System Tentative Permit ("Tentative Permit") for the Vallejo Sanitation and Flood Control District's ("VSFCD") Wastewater Treatment Plant.

As explained in detail in the Public Water Agencies' comments, the Tentative Permit does not adequately address the significant uncontrolled discharge of ammonia-nitrogen from the VSFCD Treatment Plant. Of particular concern is that the discharge occurs in areas inhabited by endangered and threatened species, including the Delta smelt and longfin smelt. Overwhelming scientific literature shows that the VSFCD is adversely affecting beneficial uses of waters of this State and the United States, by:

1. Discharging wastewater that contributes to ammonium levels in the San Francisco Bay/Sacramento-San Joaquin River Delta ("Bay-Delta") that are toxic to copepods;
2. Discharging wastewater that results in ammonium levels that inhibit nitrogen uptake by diatoms and reduces diatom primary production in the Bay-Delta; and

¹ See Attachment 1 for descriptions of the Public Water Agencies.

3. Discharging wastewater that results in nutrient levels that contribute to a shift in algal communities by changing the nutrient ratios to favor harmful, invasive species.

The adverse affects caused by VSFCDD are further evidenced by considering other impacted ecosystems, which were impaired until nutrient removal was implemented. In those systems, the natural ecosystem and aquatic life improved once nutrient removal occurred.

The Public Water Agencies respectfully request that the Regional Board take affirmative steps to address the ammonium in the VSFCDD discharge. The Regional Board should require VSFCDD to install nitrification treatment. Alternatively, the Regional Board should defer issuing the Tentative Permit until studies on the effects of nutrients in VSFCDD's discharge are completed. Or, if the Regional Board is intent on finalizing a permit, the final permit should at a minimum be revised to address ammonium more effectively.

Also, the Public Water Agencies respectfully request designated party status at the hearing regarding the Tentative Permit. The Public Water Agencies have a direct interest in the Tentative Permit. As described in more detail in the attached comments, the VSFCDD discharge impacts the ecology, aquatic life and habitat in the Bay-Delta estuary. These impacts have contributed to severe water restrictions that have resulted in human hardship, irretrievable resource losses, and economic and environmental harms to the Public Water Agencies, their members and the communities that they serve. Accordingly, the Public Water Agencies and their members meet the statutory requirements for designated party status and ask the Regional Board to grant their request.

Finally, the Public Water Agencies request that further notices and correspondence concerning this proceeding be directed to the individuals identified on Attachment 2, the Public Water Agencies contact list.

Sincerely,



Jon D. Rubin

For the San Luis & Delta-Mendota Water Authority and on behalf of the Metropolitan Water District of Southern California, Westlands Water District, Santa Clara Valley Water District, Tulare Lake Basin Water Storage District, Alameda County Flood Control and Water Conservation District, Zone 7, Coachella Valley Water District, and Alameda County Water District

ATTACHMENT 1

Attachment 1

Descriptions of the Public Water Agencies

San Luis & Delta-Mendota Water Authority: The Authority is a joint powers authority, established under California's Joint Exercise of Powers Act. Gov. Code, § 6500 et seq. The Authority is comprised of 29 member agencies, 27 of which hold contractual rights to water from the federal Central Valley Project ("CVP"). The Authority member agencies have historically received up to 3,100,000 acre-feet annually of CVP water for the irrigation of highly productive farm land primarily along the San Joaquin Valley's Westside, for municipal and industrial uses, including within California's Silicon Valley, and for publicly and privately managed wetlands situated in the Pacific Flyway. The areas served by the Authority's member agencies span portions of seven counties encompassing about 3,300 square miles, an area roughly the size of Rhode Island and Delaware combined.

The Authority's members are: Banta-Carbona Irrigation District; Broadview Water District; Byron Bethany Irrigation District; Central California Irrigation District; City of Tracy; Columbia Canal Company (a Friend); Del Puerto Water District; Eagle Field Water District; Firebaugh Canal Water District; Fresno Slough Water District; Grassland Water District; Henry Miller Reclamation District #2131; James Irrigation District; Laguna Water District; Mercy Springs Water District; Oro Loma Water District; Pacheco Water District; Pajaro Valley Water Management Agency; Panoche Water District; Patterson Irrigation District; Pleasant Valley Water District; Reclamation District 1606; San Benito County Water District; San Luis Water District; Santa Clara Valley Water District; Tranquillity Irrigation District; Turner Island Water District; West Side Irrigation District; West Stanislaus Irrigation District; Westlands Water District.

Metropolitan Water District of Southern California: Metropolitan was incorporated in 1928 pursuant to the Metropolitan Water District Act. Metropolitan is a consortium of 26 cities and water districts that provides drinking water to nearly 19 million people in parts of Los Angeles, Orange, San Diego, Riverside, San Bernardino and Ventura counties. Metropolitan imports water to its southern California service area from two sources; Colorado River water delivered through its Colorado River Aqueduct and water from the Delta, transported to Metropolitan's service area through the State Water Project ("SWP"). Metropolitan's 26 member public agencies in turn deliver this imported water directly to homes and businesses, or to other water agencies who serve retail customers within Metropolitan's service area. Metropolitan provides 45 to 60 percent of all water used in Metropolitan's 5,200 square-mile service area.

Westlands Water District: Westlands is a member of the San Luis & Delta-Mendota Water Authority and encompasses more than 600,000 acres of farmland in western Fresno and Kings counties. Westlands supplies water to farmers who produce high quality commercial food and fiber crops sold for the fresh, dry, canned and frozen food markets, both domestic and export, that generate more than \$3 billion annually in agricultural-related economic activity. Westlands also supplies water to families, businesses, municipalities, and industrial users across the Central Valley. Westlands receives water through the CVP, the federal water project that stores water in large reservoirs in Northern California for use throughout the State. After water is released from

CVP reservoirs, the water flows to the Delta. From there, water is pumped through the Delta-Mendota Canal for direct use or to the San Luis Reservoir for later use by our farmers. Many communities depend on the agricultural economy that relies on the water provided by Westlands, including Mendota, Huron, Tranquility, Firebaugh, Three Rocks, Cantua Creek, Helm, San Joaquin, Kerman, Lemoore and Coalinga. More than 50,000 people live and work in these communities and depend on the water provided by Westlands for their livelihoods.

Santa Clara Valley Water District: Santa Clara Valley Water District: SCVWD is a special district created by Act of the State Legislature with jurisdiction encompassing all of Santa Clara County's 1,300 square miles. Located in the southern San Francisco Bay Area, Santa Clara County includes over 1.8 million residents and the vital high-tech economy known as "Silicon Valley." SCVWD is the County's primary water resources management agency, providing groundwater management, wholesale water supply, natural flood protection and environmental stewardship. Currently, the County relies on water diverted from the Sacramento-San Joaquin River Delta ("Delta") watershed to meet, on average, 55 percent of its annual water needs. The largest component of this supply (40 percent) is conveyed through the sensitive ecosystem of the Delta to pumping plants of the SWP and CVP. The remaining 15 percent is diverted upstream of the Delta and conveyed to six cities in the northern part of Santa Clara County by San Francisco Public Utilities Commission's Hetch-Hetchy Project. Remaining supplies to meet Santa Clara County's annual water needs, which currently total approximately 380,000 acre-feet after implementation of ongoing water conservation programs, are from local sources including surface water, groundwater and recycled water.

Tulare Lake Basin Water Storage District: The TLBWSD was formed in 1926 and is a California Water Storage District duly organized and existing under the California Water Storage District Law (Division 14 of the California Water Code). TLBWSD is located in the trough of the San Joaquin Valley, with 98 percent of its acreage in south-eastern Kings County and 2 percent in southwestern Tulare County. The land area of the District encompasses about 189,000 acres and is primarily agricultural. TLBWSD administers and delivers irrigation water supplies which are provided from a combination of different sources including but not limited to local river runoff and SWP.

Alameda County Flood Control and Water Conservation District, Zone 7: Zone 7 is the wholesale urban water supplier to businesses and approximately 200,000 residents in Livermore, Pleasanton, Dublin, and parts of San Ramon. Zone 7 also provides flood protection to the people of Eastern Alameda County, a 425-square-mile area, and distributes untreated water directly to agricultural customers. Approximately 80 percent of Zone 7's supply comes from the SWP and 90 percent is ultimately conveyed through the Delta. Other regional demands for water are met by a combination of local runoff captured in Lake Del Valle, conjunctive use of the local groundwater basin (natural recharge is enhanced by artificial recharge with imported water, making the latter available for use during drought periods), conservation, and regional use of recycled water.

Coachella Valley Water District: CVWD was formed in 1918 and provides irrigation and domestic water to an approximately 1,000 square-mile service area within the Coachella Valley in Riverside County, California. The boundaries also extend into small portions of Imperial and

San Diego counties. CVWD delivers domestic water to more than 106,000 customers and irrigation water to nearly 60,000 acres of farmland. CVWD delivers SWP water and also provides water from local groundwater and Colorado River supplies.

Alameda County Water District: ACWD is a retail water agency with a service area located approximately 20 miles southeast of San Francisco on the southeastern shores of the San Francisco Bay. ACWD's approximately 100 square mile service area encompasses the cities of Fremont, Newark and Union City and is home to a population of over 337,000, and over 5000 businesses. ACWD provides water primarily to urban customers: approximately 70 percent of supplies are used by residential customers, with the balance (approximately 30 percent) utilized by commercial, industrial, institutional and large landscape customers. ACWD is a SWP contractor and obtains Delta water supplies delivered via the SWP South Bay Aqueduct. ACWD sources of supply also include the San Francisco Regional Water System and local surface water and groundwater supplies.

ATTACHMENT 2

Attachment 2

Public Water Agencies Contacts List

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**Tulare Lake Basin Water Storage
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Alameda County Water District:

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**Alameda County Flood Control and
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