



June 22, 2015

Pamela Creedon, Executive Officer
Central Valley Regional Water Quality Control Board
11020 Sun Center Drive #200
Rancho Cordova, CA. 95670-6114
Email to: margaret.wong@waterboards.ca.gov

Subject: Comments on the May 2015 Tentative Waste Discharge Requirements
General Order for Growers in the Grassland Drainage Area

Dear Pamela:

Following are comments on behalf of the Grassland Basin Drainers on the Tentative Waste Discharge Requirements General Order for Growers in the Grassland Drainage Area.

We appreciate the opportunity to comment on these documents. They reflect the significant effort made by Regional Board staff to develop regulations to cover agricultural discharges to groundwater within the Grassland Drainage Area.

842 SIXTH STREET

Comments follow on the specific documents (page numbers refer to the non-strikeout version):

SUITE 7

WDR, Page 1, Finding 3: Insert “into” after flows in third to last sentence.

1-1

WDR, Page 3, Finding 9: Insert “and stormwater” after subsurface drainage in the first sentence.

1-2

P.O. BOX 2157

WDR, Page 17, paragraph IV.B.4.: Insert “(or Member representative)” after Member in the first sentence. In many cases the actual Member would not be the appropriate person to attend these meetings, and this would allow the right person to attend. It is our understanding this issue has been clarified to allow representatives to attend the outreach events in the other Irrigated Lands orders.

1-3

LOS BANOS, CA

WDR, Page 19, paragraph IV.C.7.: The GDA order is unique in that the third party has already been established so the 30 days from receiving an NOA is not correct because an NOA will not be issued. Table 1, page 33, states that this requirement is due 30 days after Order approval. We request 90 days for this requirement. Unlike other Irrigated Lands coalitions who already had a membership list when the new general orders were adopted, this is not the case for the Grassland Drainage Area. We

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1-4

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do not have membership lists and will have to create those. This will take additional time.

WDR, Page 19, paragraph IV.C.8.: Same comments as on page 17 above, Insert “(or Member representative)” after Member in the first sentence. | 1-5

WDR, Page 27, paragraph VIII.E.4.: references in the first and second sentences should be to VIII.E.1, . rather than to VIII .H.1. | 1-6

WDR, Page 27, paragraph VIII.H.: The reference to the Basin Plan Amendment Workplan should be to Section IV.B. of the MRP, rather than IV.D. | 1-7

Our comments, below, on Attachment A to this Order, are identical to our comment letter on the Tentative Order for the Grassland Bypass Project.

Att A, Page 4, paragraph below Table 2: The sentence should be changed as follows: “Approximately ~~10,400~~ 9,500 acres in the GDA are not irrigated.” This will then be consistent with the “**” below Table 2. | 1-8

Att A, Page 9, paragraph III.A.1.: sentence in paragraph just before Figure 5, the sentence should read: “The graph shows a decrease in the annual selenium loads for each water year type until 2019 when the current Use Agreement expires, and by when selenium loading must comply with the water quality objectives ~~and TMDL requirements in Mud Slough.~~” The TMDL requirements were to be met by 2005 and 2010 (see comment above on WDR Table 2). (Italics added). | 1-9

Att A, Page 13, paragraph IV: sentence below Figure 6, “San Joaquin River monitoring has occurred downstream of the Mud Slough discharge (Stations H and N) to determine the GBP’s *and wetland* contribution to the river before and after the confluence with the Merced River.” (Italics added). This change is consistent with the description for Station D. | 1-10

Att A, Page 15, paragraph IV.A.1: add to last sentence of paragraph, “With dry or critical years, selenium may be introduced to wetland channels from groundwater used to supplement irrigation supply *from areas outside the GDA.*” (Italics added). | 1-11

Att A, Page 19, paragraph V.: the following sentence should be edited to read “To accomplish this goal, the GDA *Member Districts* and GDA growers have implemented management practices and actions to lower the selenium load discharged to the San Joaquin River.” (Italics added). | 1-12

Att A, Page 20, paragraph V.C.: the following sentence should be edited to read “These lands are no longer irrigated, which ~~reduces~~ *eliminates* deep percolation *from irrigation* from these areas. *Every year additional lands may be temporarily fallowed.*” (Italics added). | 1-13

Att A, Page 21, paragraph V.D.: third bullet, sentences should be changed to: “The SJRIP project also involves *aan extensive biological* contaminant monitoring program, *one component of which is* for bird eggs.”... “In line with this project, the *Member Districts and* GDA growers have tried to discourage birds from inhabiting or nesting in the SJRIP.” (Italics added).

1-14

Very truly yours,



Joseph C. McGahan
Drainage Coordinator
Grassland Basin Drainers

Wong, Margaret@Waterboards

From: Thomas Leeman <Thomas_Leeman@fws.gov>
Sent: Monday, June 22, 2015 12:22 PM
To: Wong, Margaret@Waterboards
Cc: Daniel Russell; joy_winckel@fws.gov
Subject: USFWS comments on the draft WDRs for the Grassland Bypass Project and the Growers of the Grassland Drainage Area

Dear Ms. Wong,

The USFWS, Sacramento Fish and Wildlife Office, will be submitting detailed comments on 2 draft WDRs: the WDR for the San Luis & Delta-Mendota Water Authority and U.S. Bureau of Reclamation for the surface water discharges from the Grassland Bypass Project (Bypass Project WDR) and the Draft Waste Discharge Requirements for the Growers in the Grassland Drainage Area (Drainage WDR). Below is a short summary of our concerns, with a detailed comment letter to follow.

For the Bypass Project WDR our concerns and recommendations are:

1. Selenium load limits specified in Table 2 of the draft WDR do not consider the binding water quality objective for selenium of 5 ug/L 4-day average for Mud Slough (north) and the San Joaquin River between Sack Dam and the Merced River by December 31, 2019 (Mud Slough Objective) that were part of the 2010 Basin Plan Amendment to the Water Quality Control Plan for the Sacramento River and San Joaquin River Basins (Basin Plan Amendment). The Mud Slough Objective would not be achievable with the load limits specified in Table 2. The Service recommends that the Regional Board revise the Bypass Project WDR to be consistent with the Mud Slough Objective in the 2010 Basin Plan Amendment.
2. The Bypass Project WDR proposes to reduce surface water quality monitoring in the south Grasslands wetland channels (Stations J, K, and L2 and M2) from weekly to only during stormwater events. The Service believes weekly water quality monitoring for selenium at Stations J, K, and L2 is warranted as exceedences of 2 ug/L are still occurring in those channels, those channels are listed on the State's 303(d) list as impaired for selenium, and could be resulting in harm to federally listed species. The Service recommends that the Regional Board require as part of the Bypass Project WDR Monitoring and Reporting Program, weekly water quality monitoring and reporting for stations J, K, and L2 for selenium.
3. Sediment disposal requirements in the WDR fail to include sediment disposal commitments from the 2009 Bypass Project EIS/R. The Service recommends that the Regional Board revise the Bypass Project WDR to include the environmental commitments specified in the Sediment Management Plan of the Bypass Project EIS/R.

For the Drainage WDR our concern and recommendation is:

1. The Drainage WDR applies to waste discharges from irrigated lands within the Grassland Drainage Area that could affect groundwater of the State. However, the Drainage WDR does not include selenium as a constituent to be monitored in the groundwater of the Grassland Drainage Area. Because of the close proximity of the area covered by the Drainage WDR to the public and private wetlands in the Grasslands Ecological Area, the potential is high that some of the discharges to groundwater in the Grassland Drainage Area could affect well water used for wetland water supplies. The Service, therefore recommends that the Regional Board include groundwater monitoring for selenium in the Drainage WDR.

2-1

Thank you for your consideration of our comments. A hardcopy of our detailed comments will follow.

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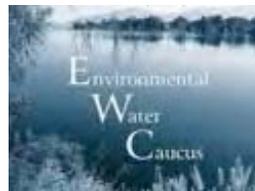
CA Save Our Streams Council

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ALLIANCE



June 22, 2015

Karl E. Longley, Chairman
Attention Margaret Wong
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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.

3-1

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.

3-2

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.

3-3

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:

3-4 (a)

“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.

3-4 (b)

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.**

3-4 (c)

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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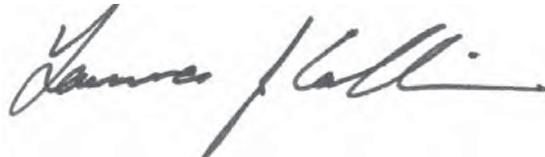
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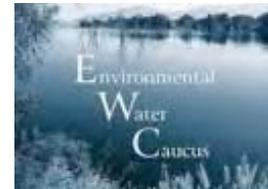


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CA Save Our Streams Council



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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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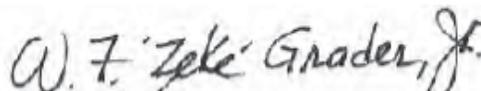


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A handwritten signature in black ink that reads "John McManus". The signature is written in a cursive style with a large initial 'J'.

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