Los Angeles County Farm Bureau
41228 12th Street West, Suite A Palmdale, CA 93551
Telephone 661.274.9709 Fax 661.274.0637
www.lacfb.org

April 29, 2012

Mr. Chuck Curtis
California Regional Water Quality Control Board – Lahontan Region
2501 Lake Tahoe Boulevard
South Lake Tahoe, CA 96150

Subject: Comments About Proposed Cleanup and Abatement Order (CAO) for County Sanitation District 20

Dear Mr. Curtis:

The Los Angeles County Farm Bureau appreciates the opportunity to comment on the Proposed Order. However, because of the impact on groundwater quality, the movement of the degraded/contaminated plume under the property of one or more of our Board Members, the waste of groundwater in a basin that some believe is overdrafted, and the damage to farmers and other landowners' groundwater pumping rights, the Los Angeles County Farm Bureau opposes the preferred alternative presented in the subject Order.

History of the Issue

The staff of the Sanitation District is comprised of many intelligent and well-trained people. To allow the discharge of secondary wastewater for many years over sandy soils is unconscionable. Since many folks told the Districts that such a discharge would lead to ground water contamination and degradation, for the Districts to continue this practice is even more alarming. When the Regional Board got involved, the Districts strongly resisted proper cleanup. As a result, the Regional Board orders were largely ineffective. Some in the Antelope Valley refer to the cleanup as "dilution is the solution for pollution."

Current Status

According to the CAO, nitrate concentrations in well MW-28 increased from 6.9 mg/l in 2006 to 8.7 mg/l in 2011. Nitrate in the groundwater in this well increased almost 25% in less than 5 years. Considering ground water moves fairly slowly, this increase in nitrate is very alarming and suggests nitrogen is still in transit and moving downward in the soil with the potential to adversely affect larger portions of local ground waters. Our concerns are heightened

because this well is up-gradient and only about one mile away from the ranch of one of our Board Members.

The plume delineation, containment and remediation methods employed by the District to-date have been only marginally effective. Contamination and degradation of additional usable ground water, compromising more ground water storage space, and adversely affecting one of the better groundwater recharge areas of the Antelope Valley, Littlerock Creek, are consequences. Antelope Valley is presently involved in a ground water adjudication. The Districts appear to be claiming water rights for the water they pump from the contaminated plume to irrigate alfalfa. This practice severely damages the ground water rights of farmers and all other ground water pumpers in the Valley.

Suggestions to Minimize or Eliminate These Problems

In the past, the Regional Board seems to have focused on source control at the expense of cleanup and resource preservation. These other concerns now must be made priorities. Therefore, for these reasons as well as the concerns mentioned here, the "preferred alternative" is unacceptable.

The CAO mentions that no monitoring wells are present down gradient of MW-28. As discussed above, since the plume appears to be moving under one of our Board Member's property, installing additional down gradient wells should be a priority. The Regional Board should consider ordering District 20 to indemnify this family against impact from all Constituents of Concern in the District's effluent such as nitrogen, salts, caffeine, antibiotic compounds, etc.

We have discussed the Districts practices at our January, February, March, and April Board Meetings. Our Board Members are concerned that the Districts and the Regional Board are allowing sprinkler irrigation of undisinfected secondary effluent. Such effluent contains pathogenic organisms such as viruses, bacteria, etc. We understand that the respiratory system is the preferential pathway for these organisms to enter the human body and this practice represents a health risk to the public.

Most farmers feel the Districts should use their reclaimed water for ground water recharge. Creating another large-scale consumptive use such as alfalfa farming in a basin that some feel is overdrafted is not good public policy. In addition, some of our members are concerned that a few of the farmers who have used the Districts' reclaimed water have sold their products locally below the market. This is damaging the local farmers and they feel that a governmental agency, the Districts, should not be subsidizing some farmers to damage and

create a nuisance for others. They feel that any products produced using the Districts' effluent should be marketed outside of Antelope Valley.

The State Water Resources Control Board Resolutions 92-49 and 68-16 should be strictly followed. The cleanup objective of background for all Constituents of Concern should be the target level. Cleanup should be accomplished by pump, treat and re-inject in order to protect the resource and address the concerns expressed above.

Required Fundamental Changes

Regional Board

In contamination/degradation issues of this nature, emphasis should be placed on cleanup and resource preservation as well as on source control. Also, this issue is an example of the Regional Board preparing Orders without a complete and comprehensive understanding of the factors that should be considered.

Districts

The Districts should be encouraged to change their culture. In my experiences, the Lahontan Regional Board, the Los Angeles Regional Board, State Department of Health Services, etc. have great difficulty dealing with the Districts. Although regulatory agencies sometimes become too stringent and do not use balanced judgment, the Districts need to be more concerned with the welfare of the community they are serving and not focused on battling regulatory agencies.

In this regard, I believe it is of the utmost importance to have the Board Members of District 20 present at the Regional Board Hearing on this matter. If need be, the subpoena power of the Regional Board can be utilized.

Thank you for considering these comments. I am disappointed that after about 10 years of the Regional Board and Districts dealing with this issue that I feel compelled to write this letter. I hope these suggestions will be helpful to you and the Districts.

Yours truly,

Eugene B. Nebeker

Eugene B. Nebeker, Ph.D., P.E.
President