

ANNA GOMEZ

MEMORANDUM

TO: Vince Christian
FROM: Anna Gomez
SUBJECT: Permit Issue
DATE: March 25, 2014
CC: Johanna Gomez, Esq.

The Sonoma Valley County Sanitation District (hereinafter the "SVCS D") has requested that you, the San Francisco Regional Water Board (hereinafter the "SFRWB") issue it a permit so that it may discharge domestic wastewater to tributaries of the San Pablo Bay; regardless of the fact that the SVCS D has publicly affirmed that it will be in violation of said permit immediately upon its issuance because it's collection system is in such a deteriorated condition it is leaking raw untreated sewage. I have spoken to agents for the SFRWB who have confirmed that the SFRWB is aware of the pending violations yet may well issue a permit regardless: this is nonsense. The permit clearly states that the entire treatment facility must not at anytime discharge any untreated sewage from its collection system.

The SFRWB is the primary agency charged with protecting bay water quality as well as groundwater. Further according to the State of California website, the SFRWB's highest priority is to address violations that pose an immediate and significant threat to water quality, and have detrimental impacts to human health and or the environment. Therefore, the issuance of a permit for which the SFRWB is aware will result in violations which will immediately cause a threat to the health and safety of the citizens of this state and the environment is not only contra to the duties in which the SFRWB is charged but would be an unforgivable act of irresponsibility or negligence.

The solution is clear: the discharge permit issued to SVCS D must only be issued with restrictions so that no amount of untreated effluence from the SVCS D's deteriorating collection system is allowed rather than have SFRWB continue to turn a blind eye to SVCS D's pollution of the groundwater, private wells, creeks and ultimately the San Francisco Bay in its current unchecked manor. Furthermore, the issuance of a permit should be conditional upon the SVCS D's meeting firm requirements to actively repair the collection system as opposed to only requiring them to make a plan to make repairs. Finally, the SVCS D must be absolutely prohibited from allowing any new hookups or developments from connecting into their system until its collection system is repaired.

The City of Sonoma is currently working with many contractors as well as two separate hotel developers that want to develop large scale construction projects which will impact the collection system. Further, the County of Sonoma has also volunteered the entire northern portion of

Sonoma Valley as a PDA for a very large infill project called "The Springs" which they say "has the greatest potential for infill growth" because "the core of these communities is served by public sewer and water". The report states that "...the area has infill potential for up to an additional approximately 250 units..." (Sonoma County Priority Development Area Investment and Growth Strategy Report April 8, 2013). Another development disaster will be the development of the Sonoma Developmental Center which is also served by SVCSD. This is insanity! The SVCSD, the County of Sonoma and the Town of Sonoma all have full knowledge that the collection system is currently in violation of the discharge permit and it is leaking with the existing load that it carries. Further, Sonoma County as well as the Town of Sonoma do not hide the fact that the collection system leaking:

"Most of Sonoma Valley CSD's collection system is several decades old and is need of replacement. A 1994 study of the collection system showed that approximately 10 of the 120 miles of Sonoma Valley CSD's collection system needs to be repaired or replaced due to deterioration or insufficient capacity" (Sonoma Valley Sanitation District 2012-2013 Budget Summery).

"In April 2002, the Sonoma Valley C.S.D. completed a wet weather overflow prevention study....The study identified \$45 million dollars worth of trunk main and collection system projects. The Sonoma Valley C.S.D. has implemented a capital replacement program with the long-term intent of replacing these pipeline sections." (Sonoma County Water Agency Capital Projects Plan 2013 – 2018).

"Additionally, the collection system needs over \$40 million of work in the future." In 1998, the SVCSD Board of Directors approved an urban service boundary that would prohibit annexation of new territory into the District until facility upgrades and other improvements were made... However, parcels annexed by the City of Sonoma are automatically served by SVCSD, which frustrates the District's "no-growth "objective" (Sonoma Local Agency Formation Commission (LAFCO) 2008).

Sonoma Valley Sanitation District, Sonoma County Water Agency, Sonoma Local Agency Formation Commission (LAFCO) all summarize the collection system in approximately the same way. It is old, 10 miles of the 120 miles of pipes leak and it needs to be fixed. The repairs are categorized as "work in the future" or "long term intent" and are copied and pasted on reports from one year to the next.

The collection system is broken; adding further stress on it can only create more leakage thus further resulting in more pollution which will immediately cause more threat to the health and safety of the citizens of this state and the environment.

The SFRWB has a legal duty to protect both the environment and the health of the public. Therefore, it must not allow violators to go on with business as usual while dumping raw untreated sewage onto the ground via leaking pipes polluting groundwater, creeks and ultimately the San Francisco Bay every second of everyday, let alone to allow sewage to seep into our well water. In the past, the reaction of the SFRWB has been to fine the violators and place the money generated from those fines into its Cleanup and Abatement Account. Those funds are then used

to clean up the pollution of unknown polluters or polluters which are financially disadvantaged. So essentially known, large scale polluters can create a below ground cesspool out of the Sonoma aquifer and not have to cleanup any of it while the fines collected from them are funding the cleanup of unknown polluters. This makes no sense at all.

The City of Sonoma is not a financially disadvantaged city and it does not rely on new construction to remain solvent. The developments that are being considered are of corporate interests and greed. They have nothing to do with the citizens of the town and these developers will be long gone when the collection system is so broken and deteriorated that a massive failure occurs draining the entire system into the creek that winds its way through the valley. Such as occurred in Corte Madera, California on December 2010 when Ross Valley District 1 had a massive failure which resulted in 3.1 million gallons of sewage flowing into the Corte Madera Creek. Apparently the Ross Valley District 1 has been in violation of its discharge permit for 40 years. As a matter of fact Dr. Peter Sullivan of the RVSD Board of Directors stated that "his District has taken a lot of criticism recently while the Board has sought to set a responsible course for tackling what is nothing short of a \$400 million infrastructure challenge, if both public and private sewer pipes are repaired." Further, Dr. Peter Sullivan stated that "if anyone would like to assign blame for the condition of our pipes, he or she is going to need to look back over the last 35 to 40 years, because this problem didn't suddenly emerge nor was it unexpected." And did District 1 repair there crumbling leaking pipes? No, but Corte Madera approved and built a 180 unit apartment complex and is completing plans for 920 new housing units and 177,000 square feet of new commercial development at Larkspur Landing. All connected to that same deteriorating collection system.

Marin County is one of the wealthiest counties in the State of California and if they are not going to fix and repair their collection systems voluntarily what county would? Sonoma Valley County Sanitation District does not have one incentive to fix and repair the collection system and obviously no regard for the environment or clean drinking water. If they had they would have repaired the collection system years ago.

If you look at The California Water Board's Annual Performance Report for the Fiscal Year 2012-13 Region 2 spills millions of gallons of sewage into the San Francisco Bay: however, that does not take into account the daily seepage into the ground that occurs every second of every day from the damaged and deteriorating collection systems in the SF Bay Area. That untreated raw sewage all reaches the San Francisco Bay at some point. It is unimaginable that an agency that is put in place to protect the San Francisco Bay, the ground water, and our drinking water, with knowledge, has a hand in polluting it by turning its head and entering into a known, false permit.

If this matter cannot be solved in a reasonable manner then I will be forced to request my sister Johanna T. Gomez, Esq. to evaluate whether filing a mass or class action law suit will be necessary to protect the health and safety of our community. In preparation for what I believe will be future litigation, between March 25, 2014 and May 14, 2014 I will be gathering the names of people that feel as I do about the state of the collection system in Sonoma as well as the drinking water and water pollution in general. My hope is that I will not need this list when the meeting of May 14 2014 has concluded and that the discharge permit to Sonoma Valley County

Sanitation District to discharge domestic wastewater to tributaries of San Pablo Bay will be issued with the contingency that Sonoma Valley County Sanitation District will be restricted to a moratorium on any new hook ups or added amounts of wastewater entering the collection system until the repairs are completed.

What I want to see is the San Francisco Regional Waterboard issue a discharge permit to Sonoma Valley County Sanitation District that acknowledges the leaking collection system and places a moratorium on any new hook ups or added load to the collection system until the collection system is completely repaired and is in compliance with the discharge permit. At the absolute bare minimum I want any new hook ups to be limited to hardship cases of owner occupied single family dwellings.

Thank you for your time,

Anna Gomez
5th Generation Sonoma Valley Resident