



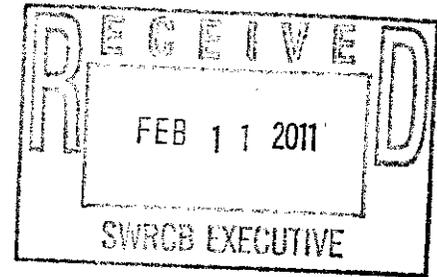
An Everyday Essential

PADRE DAM
Municipal Water District

Public Cmt Wrkshp (1/31 & 2/8)
CEQA-Wetlands Policy & Reg
Deadline: 5/20/11 by 12 noon

CERTIFIED MAIL NO. 7003 0500 0004 8074 8257

February 9, 2011



Jeanine Townsend, Clerk to the Board
State Water Resources Control Board
P.O. Box 100
Sacramento, CA 95812-2000

**RE: COMMENT TO NOP FOR WETLAND AREA PROTECTION POLICY AND
DREDGE AND FILL REGULATIONS**

Padre Dam Municipal Water District (Padre Dam) is a municipal water district formed and organized under the laws of the State of California that provides potable water storage and transmission as well as wastewater collection, treatment, recycling, and disposal services within an 85 square mile service area.

The wastewater treatment facility currently treats 2.2 million gallons per day and provides recycled water for irrigation and landscape in the vicinity of the City of Santee. What is not used in irrigation and landscape is held in ponds and in seven lakes that make up the Santee Lakes Recreation Preserve that also provides the significant benefit of a regional park that is owned and maintained by Padre Dam.

Sustaining the lakes of the regional park is totally dependent on the wastewater treatment plant and the lakes provide a function in the wastewater treatment process prior to any discharge into the Sycamore Creek. Discharge into the creek is controlled under the requirements of an NPDES permit issued and regulated by the Regional Water Quality Control Board. However, the control, operations, and maintenance of the Santee Lakes and ponds are solely under the supervision and ownership of Padre Dam Municipal Water District.

Santee Lakes and the Water Recycling Facility holding ponds, as well as similar facilities throughout the State of California, which are part of a wastewater treatment process, should be specifically excluded from the definition of Waters of California, as well as from the jurisdiction of the regulations for dredge and fill or wetlands permitting. Currently page 17 of 57 of the Initial Study says "Owners or operators of constructed wetlands may be exempted from these regulations if they comply with applicable WDRs or waivers of WDRs." This sentence should be changed to say 'are exempted'.

Other resource agencies have determined that waters such as Santee Lakes and the holding ponds are non-jurisdictional. In particular, the US Army Corps has stated 'the manmade Padre Dam Municipal Water District Water Reclamation Facility ponds and Santee Lakes are part of a waste treatment system designed to meet the requirements of the Clean Water Act and therefore are not waters of the United States (33 CFR 326.2(a)(8))'.

PADRE DAM MUNICIPAL WATER DISTRICT

Al Lau, P.E.
Director of Engineering and Planning

AL:ML:cc

#32945v1

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