

Diana Messina, Supervising Engineer
Central Valley Regional Water Quality Control Board
NPDES - Sacramento Watershed Unit
11020 Sun Center Drive, Suite 200
Rancho Cordova, CA 95670

Re: Order No. R5-2010-XXXX, WDR NPDES No. CA0084697

Thunder Valley WWTP, Placer County

SARSAS requests we be put on the RWB Agenda the same day that the Board addresses this matter; Stan Nader, SARSAS Board Member and Chairperson for the SARSAS - Lincoln Calling Back the Salmon Celebration, will present the verbal SARSAS opposition to the Thunder Valley issue.

SARSAS has many issues with granting the Thunder Valley the right to triple the polluting discharge into Orchard Creek, a major tributary of the Auburn Ravine, a ravine that has many NGO's, governmental agencies, water districts and individuals working collaborative to create fish upstream and downstream fish passage in order to return a viable anadromous fish population:

- * Thunder Valley Casino wants to build a \$1 billion project to expand casino operations.
- * Casino profits are estimated to be between \$400 million and \$500 million a year.
- * In spite of obvious financial resources, the casino is being allowed discharges that will likely exceed standards for toxicity water quality objectives, under a new permit that is less stringent than the old one.
- * In addition, the casino will be allowed a grace period for compliance with other constituents.
- * The casino has a documented history of failure to comply with the terms of its waste discharge permit.
- * Two reasonable alternatives exist: 1) tie into the Lincoln Wastewater Treatment Plant, which is within eyeshot of the casino; or 2) build a treatment facility that is in compliance.

All of these precepts force SARSAS to oppose the granting of this permit in the most vigorous manner possible:

SARSAS and others, including NID, PG&E, PCWA, South Sutter Water District, NMFS, DFG, DWR, Ca EPA, NCRS, CSPA, Forest Service, Washoe Tribes of Nevada and California, Sierra Salmon Alliance, Dry Creek Conservancy, Sierra Nevada Conservancy, Foothill Water Network, Placer County Environmental Health, Placer County Stormwater Quality Program, Placer County Board of Supervisors, Auburn City Council, Lincoln City Council, Placer Legacy, Balance Hydrologics, Ecorp, Eco-logic, Lincoln

Regional WWTP, Wildlands, Wildlife Heritage Foundation, Auburn Ravine Preservation Committee, Ophir Property Owners Association, Lincoln Open Spaces Committee, are working collaboratively and successfully to restore anadromous fishes to Auburn Ravine.

In October we were privileged to give two members of the RWB a tour of the entire Auburn Ravine and had the opportunity to explain the SARSAS mission of returning anadromous fishes to the entire length of the Auburn Ravine. We all, including the RWB, have invested significant time and money in our mission. SARSAS has achieved the following steps toward that mission:

- All diversion dams downstream of the city of Lincoln are now in compliance with NOAA regulations for upstream fish passage;
- SARSAS is working with South Sutter Water District and Wildlands to search funding and design for fish screens on all diversion canal to prevent entrainment of anadromous fishes returning to the Pacific;
- SARSAS has built a strong coalition of governments agencies, NGO's and individuals all working collaboratively to achieve the SARSAS mission and we meet once a month to plan and coordinate our collaborative activities;
- SARSAS has a Board of Directors which includes a grant writer and a recognized fish passage expert all working to accomplish the mission and has successfully raised significant funding toward our mission;
- SARSAS is working with NID to make the Lincoln Gaging Station and Hemphill Dam passable up and downstream for anadromous fishes and the design and funding are in place;
- SARSAS and Universities of California at Berkeley and Davis held an Achieving a Healthy Auburn Ravine Workshop for landowners along the Auburn Ravine;
- SARSAS has planned a Calling Back the Salmon Celebration including a Calling Back the Salmon Ceremony with local tribes and the City of Lincoln for October 23, 2010;
- A reach of the Auburn Ravine below Gold Hill Road is in the process of being restored;
- SARSAS is a highly organized, successful non-profit that has become the advocate for the Auburn Ravine, the ravine with a DFG verified salmonids population of over 7,000 fish per mile;
- PCWA is upgrading the outlet of the Ophir Tunnel;
- The water companies have historical shut off water during their yearly repair and maintenance of their canals. This water outage historically takes place during the fall spawning runs and always threatened fishes. Working collaboratively, the result this year was the water companies found a way to provide adequate water during the upstream spawning run so fishes were no longer threatened by the repair and maintenance.

Given all the productive and collaborative efforts currently being done to return anadromous fishes to the Auburn Ravine, SARSAS respectfully submit that the casino should be required to comply with the law so that our collective efforts succeed and the fishes can be restored.

SARSAS supports and refers the RWB to the technical data in the CSPA petition before this Board.

Applicable law includes not only waste discharge regulations, but also the Endangered Species Act, enforced by NOAA, since steelhead are a listed species.

We are a nation of laws and we request the RWB follow the laws governing discharges into California waterways.

Thanks you for attention to this matter.

Jack

Jack L. Sanchez, SARSAS President

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