



October 8, 2010

Ms. Katherine Hart, Chair
c/o Kathleen Harder
Central Valley Regional Water Quality Control Board
Sacramento Office
11020 Sun Center Drive, Suite 200
Rancho Cordova, CA 95670-6114

Via email: kharder@waterboards.ca.gov

Dear Ms. Hart:

On behalf of the Coalition for a Sustainable Delta (Coalition), I urge the Central Valley Regional Water Quality Control Board (Regional Water Board) to approve the Tentative Order to require the Sacramento Regional County Sanitation District (SRCSD) to implement advanced treatment of its wastewater. The Coalition consists of persons and entities engaged or interested in agricultural activities in the Central Valley, and its members depend on the Sacramento-San Joaquin Delta (Delta) for a large portion of their water supplies. The Coalition is engaged in efforts to protect the Delta and is committed to promoting a strategy to ensure its sustainability.

I further request that the Regional Water Board require SRCSD to begin to implement these system upgrades immediately. The SRCSD has waited far too long to employ treatment technologies that are standard in many other communities in the State that discharge to inland surface waters (and, for that matter, the Pacific Ocean). It is time for the SRCSD to take responsibility for its actions that have contributed to the decline of the ecosystem of the Delta and undertake immediate action to address the problem.

As you know, the SRCSD is the largest discharger of wastewater into the Delta. It is also one of the few remaining dischargers in the region that has yet to upgrade to advanced treatment technologies. This is not just a Sacramento issue. This permit is critical to the health of the Delta ecosystem. Water supplies moved across the Delta provide drinking water to over 25 million Californians and support various industrial and agricultural water

users across the State, including many in our region, and are critical to growing the State's economy.

The Tentative Order correctly describes the growing body of scientific research showing that ammonia and other pollutants have significantly altered the Delta's food web – contributing to the overall decline of the estuary's health. Recent scientific information clearly demonstrates that ammonia discharges have significantly affected native Delta fish populations, including the delta smelt through disruption of the food web. Glibert, Patricia, 2010. *Long-term changes in nutrient loading and stoichiometry and their relationship with change in the food web and dominant pelagic fish species in the San Francisco Estuary, California*. The ammonia load to the Delta has more than doubled since 1985 due to rapid urbanization and SRCSD's failure to employ existing treatment techniques. In fact, the United States Fish and Wildlife Services' biological opinion for Delta water project operations has stated that a reduction of contaminant levels and exposure to toxic algal blooms (which increase with high ammonia levels) are critical to promoting the recovery of delta smelt and other native Delta fish populations. U.S. Fish and Wildlife Service, Biological Opinion for Coordinated Operations of the Central Valley Project (CVP) and State Water Project (SWP) p. 189 (Dec. 15, 2008). In addition, a 2009 study by UC Berkeley toxicologist Donald Weston found that among the water sources tested, the SRCSD's wastewater treatment facility is the single largest source of pyrethroid pollution in the Delta. Weston, Donald P.; Michael J. Lydy, 2010. *Urban and Agricultural Sources of Pyrethroid Insecticides to the Sacramento-San Joaquin Delta of California*.

Regulatory agencies have imposed significant restrictions on operation of the State and federal water projects to address the decline in the Delta ecosystem – slashing water exports from the Delta in an attempt to revive fish populations. These restrictions were imposed, in part, in an effort to address the adverse effects of contaminants, such as ammonia, by diluting them (rather than treating the issue at its source). It's clear though that the only way to make long-term improvements in the health of the estuary is to address all the factors that impact the Delta ecosystem, including water quality. This includes limiting the amounts of ammonia and nitrate that are allowed to flow into the Delta from the SRCSD.

We understand that SRCSD is stridently opposing these new limits, primarily on the basis of cost. As a legal matter, cost is not a sufficient reason to not require technology-based and water quality-based limits in a permit issued under the Clean Water Act. A recent study conducted by the University of the Pacific, determined that the necessary upgrades will cost the average Sacramento household an additional \$10-\$15/month, which would raise the total average monthly wastewater bill in the region to approximately \$35. Dr. Jeffrey Michael and Dr. Thomas Pogue, University of the Pacific, Eberhardt School of Business, Business Forecasting Center, *Advanced Wastewater Treatment for Nutrient Reduction: Impact on Sacramento Income and Employment* (August 23, 2010) (“UOP Study”). A monthly charge for services at the amount anticipated in the UOP study is not out of line with what is paid by residents across the State for comparable services. For example, the average household in southern California pays between \$30-\$40/month and many communities in the Bay Area charge over \$40/month for wastewater services. SRCSD’s argument that upgrading its treatment facilities is too costly is simply false. Currently, the approximately \$20 a month paid by Sacramento-area residents for wastewater services is far below that which residents in other urban areas pay for wastewater treatment. Implementing the necessary upgrades to comply with the effluent limitations that are required by the Clean Water Act will simply result in Sacramento-area residents paying wastewater fees that are comparable with what the majority of Californians pay for such services.

Given the growing body of evidence that current ammonia discharge levels are having a detrimental effect on the Delta ecosystem, we urge the Regional Water Board to reject the interim ammonia limits in the Tentative Order that would allow a significant increase in ammonia loading over the next 10 years. Instead, the Regional Board should approve interim ammonia limits prohibiting any increase in concentration or loading over current levels and require the SRCSD to implement new treatment technologies as quickly as technically feasible.

Organizations, public agencies, and leaders throughout the State have been working diligently towards a comprehensive solution to the overall Delta crisis. Reducing ammonia, nitrate, and pathogens in the Delta is critical to that effort, which is why it is essential that the Regional Water Board adopt the Tentative Order with more stringent interim ammonia limits and an aggressive schedule for completion of required upgrades

Ms. Katherine Hart

-4-

October 8, 2010

to ensure that this issue is addressed before it is too late for the health of the Delta and its native fish species.

Thank you for your consideration.

A handwritten signature in black ink, appearing to read 'W. D. Phillimore', with a stylized flourish at the end.

William D. Phillimore, President

WDP:pt