



May 7, 2018

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Central Valley Regional Water Quality Control Board
11020 Sun Center Drive, #200
Rancho Cordova, CA 95670
Submitted electronically to glenn.meeks@waterboards.ca.gov

Subject: Regional San Comments to the Amendment to the Water Quality Control Plans for the Sacramento River and San Joaquin River Basins and the Tulare Lake Basin (Basin Plans) to Incorporate a Central Valley-Wide Salt and Nitrate Control Program (Proposed Amendments) and Draft Staff Report

Dear Ms. Creedon and Mr. Meeks:

Thank you for the opportunity to provide comments to the March 2018 version of the Proposed Amendments related to the Central Valley Salinity Alternatives for Long-Term Sustainability (CV-SALTS). The Sacramento Regional County Sanitation District (Regional San) has been an active member of the CV-SALTS Coalition and a stakeholder since 2006. We recognize the importance of the staff report, proposed basin plan amendments, and policies, and we appreciate the efforts of the Central Valley Regional Water Quality Control Board (Regional Water Board) in the completion of these documents as a major milestone in the CV-SALTS program. We also appreciate and commend the efforts of staff, management, and Regional Water Board members in engaging stakeholders and technical experts that are instrumental in evaluating and recommending actions related to water quality in the Central Valley. We recognize the impacts of salinity and nitrates as important issues that affect water quality in surface waters and groundwater. We also acknowledge that in some areas the impacts are significant, as shown in the various technical reports developed through the efforts of CV-SALTS.

The Regional Water Board has worked diligently with the CV-SALTS Coalition and other stakeholders over the past several months to resolve multiple final but important issues identified in the Draft Staff Report and Proposed Amendments dated March 2018. We understand that recommendations for changes and final language for many of the issues discussed in the CV-SALTS meetings will not be available by the May 7, 2018 comment deadline. We trust that the Regional Water Board will continue to work with the CV-Salts Coalition and stakeholders to resolve recently identified and future issues in a collaborative and fair manner as has been the spirit of the CV-SALTS working groups and meetings.

Comment 1: Holistic Approach is Needed to Manage Salinity and Nitrates

The Proposed Amendments and related policies propose actions for managing salinity and nitrates in the Central Valley specific to dischargers permitted under the Regional Water Board’s jurisdiction. While regulated dischargers may impact water quality, sources, other factors and actions also affect salinity and nitrate. An effective Salinity and Nitrate Control Program (SNMP) must be based on a holistic approach. This concept is recognized in some sections including page 26 of the Executive Summary that states, *“Due to the complexity and far-reaching impacts of salt management in the valley, the Regional Water Board has determined that all users of Central Valley waters, within and outside of the Regional Water Board’s jurisdictional area, are considered stakeholders responsible for the successful implementation of the Salt Control Plan. This will require significant participation and actions by federal, state, local agencies, districts, associations and other entities that use or transport Central Valley’s waters.”*

Regional San recommends that the State and Regional Water Boards place an emphasis and priority on working with other federal and state agencies to identify and account for all sources and activities that impact salinity including; seawater intrusion, water releases and diversions, groundwater pumping, natural sources, etc. A similar effort to identify all sources of nitrate contamination in groundwater should occur in impacted areas. The Water Boards should work diligently with other federal and state agencies to identify additional responsible parties and additional stakeholders. Water quality impacts, including those of salinity and nitrates, can only be addressed effectively and fairly through a holistic assessment and solutions. Other identified responsible parties should participate in funding, data evaluation, studies, and taking other required actions described in the Proposed Amendments, Draft Staff Report, and Policies to ensure program success.

Participation and funding from other responsible parties is a key component in the future success of the program. To emphasize this, we recommend an addition of this critical item to the Executive Summary on page 16 on Table S2 as follows, directly below *“SMCL Considerations when Developing WDRs”*;

Component: Funding and Participation by Other Agencies and Responsible Parties	Description: The SNMP requires that the State and Regional Water Boards coordinate with other federal, state, local agencies, districts, associations and other entities that use, transport, or otherwise impact the Central Valley’s waters. A key recommendation is that responsible parties must be identified and must participate in and provide funding to the SNMP components as appropriate. The Water Boards should work diligently with other federal and state agencies to identify additional responsible parties and additional stakeholders. Water quality impacts, including those of salinity and nitrates, can only be addressed effectively and fairly through a holistic assessment and solutions.
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Additionally, other areas that require actions related to water quality impacts within the Executive Summary, Proposed Amendments, Draft Staff Report, and Policies should be revised to reflect participation of other responsible parties.

Comment 2: Periodic Update to Expenditures, Cost Estimates, and Funding Responsibility

We recommend a commitment, as stated in several sections of the Proposed Amendments and the Draft Staff Report, that the Regional Water Board provide future periodic review and update of the actual expenditures, cost estimates, and funding responsibility as the program progresses. These updates should include fair proportions for newly identified responsible parties. Updates should be provided at milestones such as;

- At each specified report-back period,
- Upon development of funding plans for studies, project design, or project construction,
- Upon approval of actions for management zones,
- At major milestones and at completion of Phases 1, 2, and 3 of the program.

We recommend that stakeholders be given the opportunity to comment publically on revised or proposed funding plans and implementation plans for major projects or actions.

Additionally, there should be an identified relationship between beneficiaries of capital improvement projects and funding responsibility for those projects.

Comment #3, Completion of Draft Staff Report Costs and Economic Analysis

Page 112 of the Draft Staff Report is titled “Estimated Costs to Agriculture”. This section provides estimated ranges of costs for Agriculture related to the Salt Control Program, the Nitrate Control Program, and the Surveillance and Monitoring Program. This section related to costs should be updated to reflect more accurate costs for Agriculture, and it should be completed to include cost estimates for all dischargers/permittees and identified responsible parties. This section should be revisited and revised accordingly as the program proceeds and as specific plans and as studies are developed.

Similarly, Section 8 of the Staff Report titled Economic Analysis (beginning on page 380) has estimated program costs including those for studies, salt and nitrate management, capital improvement projects, etc. This section should also be updated to include economic impacts to all affected parties when this information is known.

The CV-SALTS Coalition, stakeholders, and other interested or responsible parties should be given the opportunity to comment publically on updates and changes to costs and economic analysis.

Comment 4: Identification of Other Major Funding Sources

The Draft Staff Report includes a list of “Potential funding sources” on page 112 that appears to be related only to Agriculture. We recommend that section be moved from the section specific to agriculture and that it be placed into its own section, indicating that the listed funding sources should be investigated for all SNMP program components and responsible parties. Additional funding sources should be added to this list and investigated for funding potential as they are identified in the future. The identification of major funding sources for CV-SALTS should be an early action to ensure that there is adequate funding to address impaired and impacted waters,

Central Valley Regional Water Quality Control Board

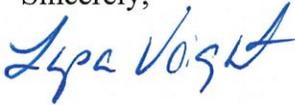
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We support the comments provided by the Central Valley Salinity Coalition (CVSC), and also support comments submitted by the Central Valley Clean Water Association (CVCWA) on the Proposed Amendments, Draft Staff Report, and related policies.

Regional San intends to remain engaged as a Coalition member and stakeholder in the CV-SALTS program. We look forward to working with Regional Water Board staff and CV-SALTS stakeholders on those efforts in the coming years.

Sincerely,

A handwritten signature in blue ink that reads "Lysa Voight". The signature is written in a cursive, flowing style.

Lysa Voight, P.E.

Senior Civil Engineer, Legislative and Regulatory Affairs

cc: Terrie Mitchell