

April 11, 2017

VIA EMAIL - JAMES.BROWNELL@WATERBOARDS.CA.GOV

Central Valley Regional Water Quality Control Board
11020 Sun Center Drive, #200
Rancho Cordova, California 95670-6114
Attn: James Brownell

Re: Comments by the City of Tracy on Proposed Electrical Conductivity (EC) Objectives
and Implementation Plan for San Joaquin River
Client-Matter No. 07547.00004

Dear Mr. Brownell:

We provided testimony at the recent Central Valley Regional Water Board meeting in Clovis on April 6, 2017. These written comments support and expand upon the verbal testimony.

- Although the City of Tracy may not be directly affected by the proposed water quality objectives and implementation plan for the lower San Joaquin River, the City provided comments on the proposed objectives to support the adoption and use of site specific objectives whenever possible and the tailoring of water quality objectives in response to Water Code section 13241 considerations and local conditions.
- In addition, the City supports scientifically derived water quality objectives protective of beneficial uses, but implemented in a manner that does not adversely impact dischargers. To this end, while the City is generally supportive of the late changes provided to address NPDES permittees that discharge into the affected reaches, the City suggested that this language be coordinated with the language being proposed for the South Delta salinity objectives being proposed by the State Water Resources Control Board and coordinated with Central Valley Board staff, namely Jim Marshall, and the Central Valley Clean Water Association (CVCWA).
- The City supports the use of loading or concentration-based limits, but not both, as proposed. Loading-based limits may be more appropriate to reward municipalities for recycling water much of the year, and to not punish them with overly stringent and likely unattainable concentration limits for the remainder of the year.
- The City supports the use of dilution in calculating both reasonable potential and water quality based effluent limitations (WQBELs).

- Notwithstanding the above, the City does *not* support the use of 700/1000 $\mu\text{s}/\text{cm}$ Vernalis objectives for determining reasonable potential and calculating WQBELs for upstream municipal wastewater treatment plants as was suggested in the presentation made by Central Valley Board staff at the April 6th workshop. Municipalities' NPDES permits should get the benefit of the proposed site specific objectives, and publicly owned treatment works (POTWs) could be further controlled as needed with the use of the performance goals, and with adaptive management to ensure the maintenance of the 700/1000 EC objective at Vernalis.

Thank you in advance for your consideration and implementation of these comments.

Respectfully submitted,

DOWNEY BRAND LLP



Melissa A. Thorme

cc: Kuldeep Sharma, Erich Delmas, and Steve Bayley, City of Tracy
Jim Marshall, Central Valley Water Board
Debbie Webster, CVCWA

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