



CVCWA

Central Valley Clean Water Association

Representing Over Fifty Wastewater Agencies

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December 30, 2015

Via Electronic Mail

Mr. Adam Laputz
Assistant Executive Officer
California Regional Water Quality Control Board
Central Valley Region
11020 Sun Center Drive, Suite 200
Rancho Cordova, CA 95624
Adam.Laputz@waterboards.ca.gov

Subject: Proposed Amendments to the Basin Plan for the Control of Pyrethroid Pesticides Discharges – Requested Input as Follow-Up to November 30, 2015 Stakeholder Meeting

Dear Mr. Laputz:

The Central Valley Clean Water Association (CVCWA) represents over 50 publicly-owned treatment works (POTWs) that provide wastewater collection, treatment, and disposal for over 7 million people in the Central Valley. CVCWA's mission is to represent the interests of wastewater agencies in the Central Valley in regulatory matters that balances the need for environmental protection based on sound scientific information with a fair and reasonable economic basis.

CVCWA representatives participated in the November 30, 2015 stakeholder meeting at the Central Valley Regional Water Quality Control Board (Central Valley Water Board) offices regarding the Proposed Amendments to the Water Quality Control Plan for the Sacramento River and San Joaquin River Basins (Basin Plan) for the Control of Pyrethroid Pesticides Discharges. As requested at that meeting, CVCWA is providing input regarding the direction of the effort and a

suggested approach to move the process forward. CVCWA has also reviewed the meeting notes for the November 30 meeting that were provided by Central Valley Water Board staff on December 11, 2015.

As a prelude to presenting the requested input, a few observations from the discussions at the November 30 meeting are offered:

- There is a lack of understanding or certainty regarding the means by which the proposed pyrethroid water quality objectives would be attained.
- There are likely significant unintended consequences to publicly-owned treatment works, POTWs, (e.g., major treatment upgrades required) that will result from the adoption of proposed water quality objectives and application of those objectives in the National Pollutant Discharge Elimination System (NPDES) permitting process to set effluent limitations.
- There is a lack of agreement and/or understanding on the science and methodology supporting proposed water quality objectives.
- There is a recognized need to move forward in some fashion to address concerns with respect to toxicity caused by pyrethroids in Central Valley waterbodies.
- There is a recognized need for pest management in the Central Valley.
- Proposed water quality objectives would be periodically reviewed and re-evaluated by the Central Valley Water Board as new information and data become available.

Given the magnitude of the potential impact of the proposed water quality objectives on the regulated community, uncertainties regarding the ability to reasonably attain proposed objectives, and the resulting actions that would be required of the regulated community, a prudent course of action is to provide a framework that encourages reasonable control measures and joint fact finding. This will resolve knowledge gaps that presently exist, while avoiding unintended consequences. Such a framework would promote collaborative problem solving to achieve the common interest of reasonable protection of aquatic life uses in the waters of the Central Valley.

To move the process forward, CVCWA suggests the development of an Action Plan that addresses the following:

- Resolve the science questions surrounding derivation of the water quality criteria and subsequent water quality objectives;
- Resolve the science questions regarding impacts on *Hyallela azteca* in the natural environment;
- Identify existing restrictions, regulations, management practices, and/or control measures being implemented by various stakeholders and identify new reasonable measures that should be considered for implementation by the various stakeholders;

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- Develop an implementation approach that establishes triggers and appropriate trigger responses;
- Develop information necessary to establish approved analytical methods and the range of acceptable analytical detection levels for the pyrethroids in question; and
- Develop information and data to address and evaluate the attainability of proposed water quality objectives or triggers.

CVCWA understands the increasingly complex challenges that we all face in protecting public and environmental health while providing reasonable protection of beneficial uses. CVCWA is committed to collaboratively working with its members, regulatory agencies, and other stakeholders in achieving these goals with technically- and scientifically-sound standards and policies. As new chemicals emerge, the science behind the effects of these chemicals on the environment is sometimes not fully understood. That said, the need exists to use consistent and reliable methods and adequate scientific information in the process of establishing enforceable water quality standards in accordance with the requirements of the California Water Code.

CVCWA appreciates this opportunity to provide comments on the proposed Pyrethroid Pesticides Basin Plan Amendment and we look forward to working with you as this process moves forward. If you have any questions or wish to discuss our perspective further, please contact me at (530) 268-1338. Thank you for consideration of our comments.

Sincerely,



Debbie Webster,
Executive Officer

cc: Via Electronic Mail
Jeanne Chilcott
Daniel McClure