



Friends of the Santa Clara River

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May 6th, 2019

Ms. Renee Purdy, Executive Officer

Veronica Cuevas, Staff

Jeong-Hee Lim, Ph.D., P.E., Chief of the Municipal Permitting (POTW) Los Angeles

Regional Water Quality Control Board

320 West Fourth Street, Suite 200

Los Angeles, CA 90013

Via email to: veronica.cuevas@waterboards.ca.gov, jeong-hee.lim@waterboards.ca.gov

Re: Comments on the Tentative Waste Discharge Requirements (WDRs) and National Pollutant Discharge Elimination System Permit (NPDES) – Newhall Ranch Water Reclamation Plant (NPDES Permit No. CA0064556)

Dear Ms. Purdy, staff and Honorable Board Members,

The Friends of the Santa Clara River is now celebrating its 25th year of work to protect the Santa Clara River. We offer the following comments on the subject permit and ask that we be added to the notification list.

Resource Description:

Newhall Ranch is a 12,000-acre site that abuts one of the most pristine reaches of the Santa Clara River (SCR), in the northwest corner of LA County, California. The SCR is the last major river system in Southern California that remains in relatively natural, free-flowing condition. It is home to over 117 threatened, endangered or sensitive plant and wildlife species or communities. Of these, 18 are federally listed, two are candidates and 14 are state listed. These include steelhead trout, California condor, mountain yellow-legged and California red-legged frogs, arroyo and western spadefoot toads, coast horned lizard, southwestern pond turtle, tidewater goby, arroyo chub, Santa Ana sucker, unarmored three-spine stickleback, California least tern, western snowy plover and least Bell's vireo. The Newhall Ranch Water Treatment Facility will be located in a sensitive part of the Santa Clara River flood plain and will provide effluent treatment for these houses.

The Newhall Ranch facility is intended to serve "villages" that will be built out over the next 20 to 30 years. Only two tract maps have been approved, thus far, with one in the grading stages. Effluent from the first two tracts are scheduled to be processed by the Valencia WRP operated by the SCV Sanitation District, a member of the Sanitation Districts of Los Angeles County under a 2002 agreement that was never disclosed in the original specific plan approval. This undisclosed change required numerous additions of pipe and lift stations to accommodate

the delivery of effluent from those tracts to the Valencia WRP. It was approved through a separate permit by your Board in September of 2012.¹

Comments on the Permit

Two previous WDRs were approved for this facility, one in 2007 and another in 2013. Friends of the Santa Clara River and several other organizations provided extensive comments on all of the above listed permits. We incorporate these letters and the support data submitted with them by reference into this public process.

This Tentative WDR states that it will supersede Order No. R4-2013-0180 except for enforcement purposes. We assume that this means that the new order is updated to include current laws, Water Quality Objectives and other changed circumstances, but not that previous requirements of the 2013 permit have been changed. As noted above, many organizations spent considerable time reviewing and ensuring that various areas of concern were addressed at that time. We ask that LARWQB provide a table indicating changes in requirements from the previous 2013 permit, if any.

The downstream reaches have many identified beneficial uses including public drinking water, habitat for endangered and threatened species and agriculture. It is not possible to predict all future conditions in the river that might dictate more restrictive discharge requirements to protect these uses. Thus we believe, as stated in previous comments, that it would be prudent to permit the project in stages as the development project is built, thus allowing for potentially more stringent requirements in the future. It seems that this concept is addressed by Section C (beginning at page 14) which describes a series of situations under which the permit would be updated or modified for changed circumstances. Since the receiving waters of the Santa Clara River are already impaired for bacteria, chlorides and ammonia, it is imperative that no permits be issued that will worsen the situation. We fully support the Board's effort to ensure that future changes will be addressed.

Temperature

We appreciate the Board's careful attention to the temperature of discharged waste water (along with turbidity and BOD to ensure healthy fish habitat) and support the requirement that it may not alter the existing temperature of receiving waters "unless it can be demonstrated to the satisfaction of the Regional Board that such alteration in temperature does not adversely affect beneficial uses." Since temperature is an important area of concern to many organizations, please provide notification requirements in the permit for any anti-degradation proceeding that might be initiated under this section.

Also, it appears the limit requirements for temperature under RECEIVING WATER LIMITATIONS, part A. (page 9) seem to be inconsistent with that listed in the table on page 5.

Other Water Quality Requirements

¹ Regional Water Board Order No. R4-2012-0139, Clean Water Act Section 401 Water Quality Certification and Waste Discharge Requirements (WDRs) for Newhall Land and Farming Company (File No. 11-168), adopted by the Regional Water Board on September 14, 2012. Order No. R4-2012-0139

The water that will supply this project will come from a mixture of State Water Project Water for Northern California, local ground water pumped from nearby wells and recycled water.

We note that the LARWQB has required testing for trihalomethane, present in the imported water and some of the naturally occurring ground water contaminants, but have not included contaminants that may be present from pesticides, herbicides and fertilizers, or from VOCs that may be present due to wells or run off in the area of the former oil field on which the Mission Village tract will be built. We request that these contaminants be added to the list of required testing.

Recycled Water

As the permit notes, Newhall plans extensive reuse of treated effluent. The water quality of this water should be addressed in this permit to ensure that the operator does not try to avoid water quality requirements through some process of re-directing the recycled water and circumvents surface water quality requirements. This is important because higher chloride levels or other pollutants applied to landscaping will eventually end up in the Santa Clara River through runoff. We appreciate that the LARWQB has listed permit requirements for recycled water, but still urge a statement in the permit that will ensure that the recycled water will meet the same water quality goals in order to protect the watershed. The requirement for a report to be submitted one year after start up of the WTP (Page 16) is not sufficient to protect the public.

We also have the following recommendations:

- **The discharger should conduct influent, effluent and receiving water monitoring for all of the priority pollutants within the first month of discharge.**
- **The Regional Board should require bioassessment monitoring at a frequency to twice per year.** Monitoring at least twice per year -- ideally in the spring and fall -- to capture conditions before the rainy season and after the rainy season, would be appropriate.
- **The Regional Board should clarify the spill monitoring requirements.** Definitions of "feasible" and "accessible" are required as regards spill monitoring, and should not be left up to the discharger.
- **The Regional Board should use the average effluent discharge flow.** This number represents the actual flow volume. By utilizing the design flow, much higher mass emissions are allowed than is merited based on plant operation.

Thank you for your consideration of these comments.

Sincerely,



Barbara Wampole, Vice- Chair