



# CALIFORNIA ASSOCIATION of SANITATION AGENCIES

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May 21, 2014



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Mr. Tom Howard – Executive Director  
State Water Resources Control Board  
1001 I Street  
Sacramento, CA 95814

RE: Comment Letter—Santa Maria Pesticide TMDL

Dear Mr. Howard:

The California Association of Sanitation Agencies (CASA) is pleased to submit comments on the Central Coast Regional Water Quality Control Boards proposed Total Maximum Daily Load (TMDL) for toxicity and pesticides in the Santa Maria Watershed. CASA is a statewide association of cities, counties, special districts and joint powers agencies that provide wastewater collection, treatment, water recycling and biosolids management services to more than 90% of the sewered population of California.

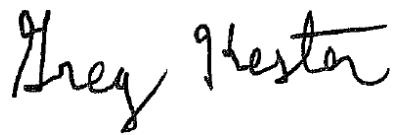
CASA does not routinely comment on matters within individual regions except under circumstances such as this, where the proposed regional action could ultimately have significant statewide implications. In this case CASA is concerned about the potentially precedential nature of the TMDL for the Santa Maria watershed if adopted as proposed. Adoption of this TMDL will likely be mimicked in other watersheds and by other Regional Water Boards, which could have significant treatment and cost impacts on the essential public services provided by the wastewater sector, without a quantified benefit to the environment.

CASA shares the Water Boards' concern and goal of protecting watersheds from adverse impacts caused by pesticides or any other constituent. For many years CASA has been working closely with the Department of Pesticide Regulation (DPR) and the Pyrethroid manufacturers, known as the Pyrethroid Working Group (PWG), as part of the DPR pyrethroids re-evaluation process to determine potential impacts of pyrethroids on wastewater treatment facilities. An overarching theme of this joint effort—and all of DPR's recent proactive engagement with the Water Boards and municipalities in regard to pesticide water pollution—has been that the pesticide regulators, under the Federal Insecticide, Fungicide, and Rodenticide Act (FIFRA) and state statute, maintain the appropriate regulatory authority for pesticides as opposed to being regulated under the Clean Water Act (CWA) or Porter-Cologne.

It is our objective to continue working with DPR and the United States Environmental Protection Agency (US EPA) to determine whether adverse impacts may occur from pyrethroids in wastewater treatment plant discharges, and if confirmed, to then develop mitigating controls at the point of use or production. This represents a far more pragmatic approach than attempting to regulate pesticides like conventional pollutants under the CWA. Wastewater treatment plants and their local governing bodies do not have the authority to regulate pesticide production or use, nor their discharge to the sewerage system—but DPR and US EPA do. CASA, along with other impacted entities, has been working diligently with DPR, US EPA, and the PWG to find effective methods of mitigating potential impacts of pesticides to California’s waters. We would urge the State Board to recommend that the Central Coast RWQCB reflect those efforts as well as DPR and US EPA’s authority in any TMDL development process.

CASA appreciates this opportunity to comment on the proposed TMDL, and we would be glad to provide any clarification or further information that may be sought. We would likewise welcome the opportunity to work with the State Boards to develop alternative strategies on a watershed approach to improve water quality.

Sincerely,



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Director of Renewable Resource Programs  
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cc: Ken Harris – Executive Officer – Central Coast RWQCB  
Pamela Creedon – Executive Officer – Central Valley RWQCB  
Felicia Marcus – Chair – State Water Resources Control Board  
Fran Spivey-Weber – Vice-Chair – State Water Resources Control Board  
Tam Doduc – Member - State Water Resources Control Board  
Dorene D’Adamo – Member - State Water Resources Control Board  
Steven Moore – Member – State Water Resources Control Board  
Chuck Andrews – Pesticide Programs Division – CA Department of Pesticide Regulation  
Jane Diamond – Water Division Director – US EPA Region 9  
Danny McClure – Central Valley RWQCB  
Patti TenBrook – US EPA Region 9  
Tom Mumley – San Francisco Bay RWQCB  
Tessa Fojut – Central Valley RWQCB  
Roberta Larson – Executive Director – CASA