EAST BAY
MUNICIPAL UTILITY DISTRICT

April 12, 2010

Ms. Jan O'Hara
San Francisco Regional Water Quality Control Board
1515 Clay Street, Suite 1400
Oakland, CA 94612

RE: Proposed Basin Plan Amendment, Addition of Surface Water Bodies and Beneficial Uses to Chapter Two of the Basin Plan

Dear Ms. O'Hara:

The East Bay Municipal Utility District ("District") appreciates the opportunity to submit comments on the subject proposed Basin Plan amendment.

The District is a publicly-owned utility, created by local voters in 1923, that supplies water and provides wastewater treatment for parts of Alameda and Contra Costa counties on the eastern side of San Francisco Bay. The District's water system serves approximately 1.3 million people in a 331-square-mile area. The water system consists of a network of reservoirs, aqueducts, treatment plants, and distribution facilities that extends from its principal water source, the Mokelumne River Basin in the Sierra Nevada range, to the Bay Area.

The proposed amendments affect several water bodies that are owned and operated by the District for water supply purposes. These water bodies include Briones Reservoir, Lake Chabot, San Pablo Creek, San Pablo Reservoir, Lafayette Reservoir, and Upper San Leandro Reservoir. It is important to recognize that the District's reservoirs are already designated for Municipal Water Supply (MUN), with associated water quality objectives that are consistent with achieving the highest water quality consistent with maximum benefit to the people of the state. The proposed amendments would change the existing designated uses of these water bodies as follows:

- Briones and Upper San Leandro Reservoirs: Change the REC1 designated uses from L (Limited Beneficial Use) to E* (Existing beneficial use, but administrative or physical barriers to full body contact are in place)
- Lake Chabot: Add COMM as an existing beneficial use
- Lafayette Reservoir: Add COMM as an existing beneficial use
- San Pablo Creek: Add FRSH, COLD, RARE, and REC1 as existing beneficial uses
- San Pablo Reservoir: Add COMM as an existing beneficial use

The District is concerned about Basin Plan language that creates the perception that its reservoirs may be used for body contact recreation, which may be inferred from current and proposed REC1 classifications. The District does not allow body contact recreation in its reservoirs, and the California Department of Public Health supports this prohibition. Therefore, the District

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requests that the Regional Board apply the E* designation consistently to all of the District's surface water bodies (i.e., include the E* designation for Lake Chabot, San Pablo Reservoir, Lafayette Reservoir, and San Pablo Creek).

The District is also concerned about creating the perception that Lake Chabot, Lafayette Reservoir, and San Pablo Reservoirs may be used as commercial fisheries, when in fact, they are not and will not be used as commercial fisheries in the foreseeable future. Therefore, the District requests that the Regional Board eliminate COMM as a beneficial use for all of the above-listed surface water bodies or include a footnote to provide clarification that there are administrative controls in place to prevent commercial collection of fish, shellfish, or other organisms from these water bodies.

Please call me at (510) 287-0345 if you have any questions concerning these comments.

Very Truly Yours,

John H. Schroeter, P.E.
Manager of Environmental Compliance