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4/18/07 BdMtg Item 7
 Upper Santa Clara River
 Deadline: 4/4/07 noon



Celebrating 20 Years of Success

City of
SANTA CLARITA

April 3, 2007

Ms. Tam Doduc, Chair
 State Water Resources Control Board
 1001 I Street
 Sacramento, CA 95814



Marsha McLean
 Mayor

Subject: Comment Letter - Upper Santa Clara River Chloride TMDL

Dear Ms. Doduc:

Bob Kellar
 Mayor Pro Tem

The City of Santa Clarita (City) would like to thank the members of the State Water Resources Control Board (State Board) for the opportunity to comment on the revised Implementation Plan for the Upper Santa Clara River Chloride Total Maximum Daily Load (Chloride TMDL). The City requests that the State remand the proposed changes to the Basin Plan amendment back to the Regional Board and restore the original implementation schedule.

**Timothy Ben
 Boydston**
 Councilmember

The Santa Clara River runs through the middle of our community. We work hard to protect this important natural resource. Downstream protection of this watershed is also important and the City supports efforts to protect agricultural and other uses. That is why the City supports a complete analysis, in the proper sequence, to scientifically determine the most environmentally sensitive and economical solution to the chloride issue. Salt is of concern throughout the Santa Clara River watershed, and therefore, it is important to look at this on a watershed wide basis.

Frank Ferry
 Councilmember

The Chloride TMDL was adopted by the Regional Board in May 2004, and became effective in May 2005. Since its adoption by the Regional Board, a collaborative process for its implementation involving all interested stakeholders has been underway. This stakeholder process is guiding the special studies required by the Chloride TMDL, some of which are designed to determine the chloride threshold for salt sensitive crops and the effects on local groundwater.

Laurene Weste
 Councilmember

The Agricultural Literature Review Evaluation (LRE) was conducted to see if there was sufficient information in the existing scientific literature to establish a chloride threshold for irrigating salt sensitive crops. If so, that information, along with results from the other ongoing scientific studies, would be considered by the Regional Board in potentially changing the chloride objective. The LRE and other scientific studies were not conducted to specifically raise the chloride objective or to delay the process, as has been asserted. Instead, all of these studies are necessary to not only improve the state of knowledge and science on some very complex and historically undefined areas of interest, but to ultimately ensure that public policy decisions are based on sound science.



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The LRE repeatedly noted there was not enough scientific evidence to propose absolute thresholds for avocados, strawberries, and nursery crops. At best, the LRE established a "range" of 100 mg/L to 117 mg/L in irrigation water where leaf injury occurs in avocados. This range does not conclude there will be any effect to avocado crop yields or lead to any crop reduction, and no limit was found for strawberries or nursery crops. The LRE simply has not resulted in finding the answers needed to know where the absolute threshold for chloride should be set; it might even be less than 100 mg/L.

It should not be ignored that there is still no clear evidence that discharges from the Saugus and Valencia water reclamation plants have adversely impacted crop production. In fact, it is the City's understanding that cultivation of and production yields of avocado crops in Ventura County have steadily increased since 1980. Though the theories contained in the LRE suggest a relationship between leaf tip burn and crop yield, the evidence of actual Ventura County numbers suggests that crop yield has not been adversely impacted, nor has there been an economic impact directly attributed to chloride levels. It remains questionable as to whether or not the flows from the two wastewater treatment plants in the Santa Clarita Valley reach many of the farms located in the Oxnard plain forty (40) miles downstream.

One of the other technical studies which is ongoing is the Groundwater Surface Water Interaction (GSWI) Study. It is the City's understanding that there is a gap in the surface water flow just a few miles downstream of the Los Angeles and Ventura County Line, for a majority of the year that acts as a barrier between the Upper Santa Clara River and the Lower Santa Clara River flows. The dynamics of the watershed are very complex and there is a significant surface water and groundwater interaction, especially a few miles downstream of the Los Angeles/Ventura County Line, where surface flow goes subterranean and mixes with the groundwater in the east Piru Basin. The City believes the GSWI study, once completed, will provide critical information regarding the assimilative capacity of the Upper Santa Clara River and will help answer questions regarding appropriate site specific objectives for chloride in the upper portion of the river. However, that study is not yet complete and, at this point, only theories and conjecture are driving the actions of this TMDL.

Another one of the Implementation Plan studies related to the endangered species threshold study is also underway. The project report is expected to be finalized when the Technical Advisory Panel completes its review, and assuming that no additional studies are recommended. Based on the available technical information, it is the City's opinion that no endangered species in this study have been adversely affected by the present chloride levels, given that the Federal EPA aquatic life criteria is 230 mg/L (federal criteria for chronic exposure), is the upper limit of chloride allowed in the Chloride TMDL, and WRP discharges have

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been well below those levels. Thus, the agricultural use appears to be the most sensitive beneficial use affecting the Chloride TMDL limit.

While some questions have been answered, some outstanding issues are still pending resolution at this time. It has now been one year and ten months since the Chloride TMDL became effective. The many unanswered questions remaining are a large part of why technical studies were worked into the requirements of the Chloride TMDL for the Upper Santa Clara River. Science and technical studies do take time to perform them properly, especially when addressing concerns of all interested stakeholders. However, it is imperative that studies such as these are allowed to be completed in the time frame originally envisioned. Not allowing the studies the necessary time to be completed, severely hinders the scientific process, and increases the risk that these important policy decisions will be made on faulty and/or incomplete science. The stakeholders have the ability to use the results of the studies to develop appropriate site specific objectives for chloride and corresponding compliance solutions if given the time originally granted to this endeavor as outlined in the May 2004 version of the Chloride TMDL.

Shortening the timeframe for these studies compromises their integrity and most certainly will limit consideration of other less costly and environmentally friendly options to address the chloride issue. The shortened schedule sets the residents and businesses of the Santa Clarita Valley on a definitive path to invest in advanced treatment of wastewater that may be completely unnecessary to solve the chloride concerns, rather than allowing the science to guide the process and find the best and most balanced solution. Since the community is faced with investing in an estimated \$350 million new treatment facility, which includes a 43-mile brine line and a 3-mile ocean outfall, then it is only reasonable to have the requirement based on sound science rather than a best guess. Task 4 of the Chloride TMDL states the Regional Board "will take action to amend the schedule if there is sufficient technical justification." It is the City's opinion that significant scientific uncertainty remains with this issue and that the information we have to date does not justify an amendment to the implementation schedule at this time. Protection of the Santa Clara River guides the actions of all the involved stakeholders. The farmers, along with the Santa Clarita community, deserve the most definitive answer to the question of what limit will protect the Santa Clara River and its beneficial uses. By restoring the original timeframe, the current and additional studies can provide that information.

Another consequence of shortening the schedule is that it does not allow for the complete implementation of State Senator George Runner's Senate Bill SB475.

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This bill is the cornerstone of a successful source reduction effort, and ultimately gives the Sanitation District the authority to require removal of self-regenerating water softeners by way of a voter-approved measure. Self-regenerating water softener discharges comprise more than 35 percent of all chloride sources coming into the Santa Clarita treatment plants. Removal of these systems would significantly reduce chloride contribution if given the chance to work. This is an example of a cost effective and environmentally sensitive solution that will not be given a chance to help solve the problem if the originally agreed upon time schedule is shortened.

The City of Santa Clarita urges the State to remand the proposed changes to the Basin Plan amendment back to the Regional Board and the original implementation schedule.

We appreciate your consideration at this very important stage in the Chloride TMDL Implementation Plan. We hope we can all move forward working within the stakeholder group to finish the studies as originally planned. Determining a sound scientific basis for any numeric chloride objective is of the utmost importance at this stage of this important and potentially costly issue.

If you would like to discuss this matter further, please contact Ken Pulskamp, City Manager, or Travis Lange, Environmental Services Manager, at (661) 255-4337 or via e-mail at tlange@santa-clarita.com.

Sincerely,



Marsha McLean
Mayor

LW:TL:OC:kms

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cc: Senator Tom McClintock
Senator George Runner
Assembly Member Cameron Smyth
Karen Kukurin, Governor's Los Angeles Office
Jennifer Quan, League of California Cities
City Councilmembers
Ken Pulskamp, City Manager
Robert Newman, Director of Public Works
Travis Lange, Environmental Services Manager