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8 BEFORE THE CALIFORNIA STATE WATER RESOURCES CONTROL BOARD
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10 HEARING IN THE MATTER OF
11 CALIFORNIA DEPARTMENT OF WATER
RESOURCES AND UNITED STATES
12 BUREAU OF RECLAMATION REQUEST
FOR A CHANGE IN POINT OF
13 DIVERSION FOR CALIFORNIA WATER
FIX
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**CALIFORNIA DEPARTMENT OF
WATER RESOURCES' OBJECTIONS
TO SACRAMENTO REGIONAL
COUNTY SANITATION DISTRICT
WRITTEN TESTIMONY AND
EXHIBITS SUBMITTED BY
PROTESTANTS IN SUPPORT OF
PART 1B CASE IN CHIEF AND any
RELATED JOINDERS**

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16 California Department of Water Resources ("DWR") submits the following
17 objections, motion to strike testimony and/or exclude testimony of Sacramento Regional
18 County Sanitation District's (Regional San) filings which include written testimony of
19 Prabhakar Somavarapu and Christopher Dobson; thirteen exhibits which include waste
20 discharge permits for the Sacramento Regional Wastewater Treatment Plant, progress
21 reports on compliance with permits, Regional San recycling update reports, notice of
22 availability of a draft environmental impact report for recycled water program, and a
23 petition for change for point of discharge and conveyance of recycled water.

24
25 Because the testimony presented by the witnesses is irrelevant DWR objects to
26 the testimony and it should be excluded or portions therein stricken. DWR concurrently
27 with this Response submits Master Objections related to issues raised by multiple
28 parties which will be referenced in this document. Those issues include testimony that is

1 outside the scope of this hearing, and is irrelevant for failure to provide any evidence,
2 expert opinion, or information supporting claims of impact, harm, or injury from the
3 California WaterFix (CWF) Petitioned Project.

4 DWR has no objections to the qualifications as experts of Regional San witnesses
5 Mr. Prabhakar Somavarapu and Mr. Christopher Dobson who are engineers employed
6 by San Regional. However, nothing in their written testimony and referenced exhibits
7 provide specific details about the likely damages, injury, or harm to Regional San that
8 would result from the CWF Petitioned Project. The testimony by Mr. Dobson describes
9 Regional San's water recycling goals, and its past, ongoing, and planned water recycling
10 activities and projects. (See SRCSD-2.) For example, the recycling efforts include the
11 proposed South Sacramento County Agriculture and Habitat Lands Recycled Water
12 Program (South County Ag Program) that would provide drought-proof irrigation water to
13 agriculture and habitat lands in south Sacramento County. In July 2016, Regional San
14 published a draft environmental impact report for public comment, and in August 2016,
15 Regional San filed a wastewater change petition with the State Water Resources Control
16 Board for the South County Ag Program. (See SRCSD-2, SRCSD-11.) There are no
17 references to the CWF Petitioned Project in this testimony or exhibits.

18 The testimony by Mr. Somavarapu describes the history of regionalization of
19 municipal wastewater treatment and disposal in the Sacramento County region, which
20 led to the formation of Regional San and construction of the Sacramento Regional
21 Wastewater Treatment Plant (SRWTP). (See SRCSD-1.) In April 2016, the California
22 Regional Water Quality Control Board, Central Valley Region, issued waste discharge
23 requirements, including for NPDES permitting, for regulating the SRWTP discharge. The
24 testimony explains that Regional San is in the process of constructing facilities, known
25 as the EchoWater Project, that will dramatically reduce ammonia and nitrogen in the
26 SRWTP effluent and provide tertiary filtration and disinfection as required by its waste
27 discharge permit. (Id.) When the EchoWater Project is complete, SRWTP effluent during
28

1 May-October will be suitable for expanded re-use, and nearly all effluent will be suitable
2 for expanded re-use on a year-round basis. Of note is that the EchoWater Project is on
3 schedule to meet deadlines in the NPDES permits, which require nutrient reduction by
4 May 2021 and tertiary filtration and disinfection by May 2023. (See SRCSD-1, SRCSD-3,
5 SRCSD-4.) While this information may be supportive of showing future water quality
6 improvements to the Sacramento River, it does not link this program to the CWF
7 Petitioned Project operations or any effects CWF could have on Regional San.

8 Further, the testimony explains that the South County Ag Program is anticipated to
9 provide up to 50,000 acre-feet per year of disinfected, tertiary-treated recycled water
10 available from its EchoWater Project, for irrigation, in-lieu recharge, and habitat
11 enhancement. (SRCSD-2, page 6.) The Regional San Petition for Change for recycling
12 of wastewater submitted to the State Water Resources Control Board indicated that the
13 project may cause a reduction in Sacramento River flows during multiyear drought
14 conditions, but the impact on downstream users and ecology is expected to be negligible
15 because of higher groundwater levels and the small amount of total river flow being lost
16 of less than 1 percent of total river flow on average. (See SRCSD-13, page 3.)

17 The written testimony and exhibits provide information about Regional San
18 operations and programs but does not include any mention of the CWF Petitioned
19 Project nor provide any modeling results, expert opinion, or information providing details
20 that support claims of damages, harm, impact or injury to Regional San. However,
21 Regional San suggests in its opening statement, which is not testimony or evidence, that
22 approval of the CWF Petition could impair its rights to the recycled water that it
23 discharges. This concern is based on an unfounded and unsupportable assumption that
24 DWR would rely on Regional San waste water discharges to meet CWF obligations. The
25 concern appears counter to Regional San's own exhibit, cited above, that indicates
26 changes in future river flow will have negligible downstream impact to water users.

27 Thus, because the Regional San written testimony and exhibits have not included
28 any discussion that the CWF Petitioned Project caused injury to legal users of water or

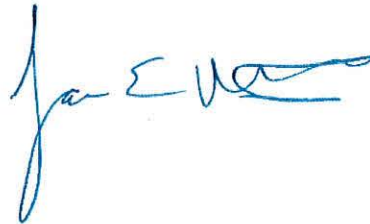
1 other human uses, or any other issue set forth by the hearing notices and rulings, the
2 testimony and exhibits are outside the scope of this hearing, are irrelevant, and should
3 be excluded. Please also refer to DWR's Master Objections regarding lack of
4 foundation, irrelevant, and outside scope of hearing.

5
6 **CONCLUSION**

7 For the reasons stated above and in DWR's Objections Master Response filed
8 concurrently, the Protestant Regional San case-in-chief should be excluded from this
9 hearing.

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11 Dated: September 21, 2016

12 CALIFORNIA DEPARTMENT OF WATER
13 RESOURCES

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