



CVCWA Central Valley Clean Water Association

Representing Over Sixty Wastewater Agencies

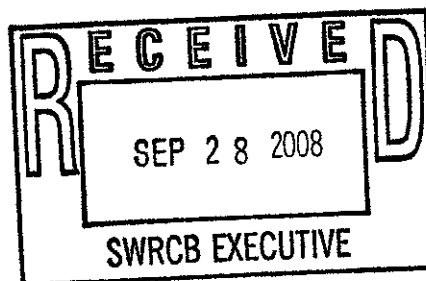
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September 28, 2008

Via electronic mail and U.S. Postal Mail

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Subject: Bay-Delta Fact Finding Issues

The Central Valley Clean Water Association (CVCWA) appreciates the opportunity to provide written comments on the forthcoming evidentiary hearings on critical issues surrounding the Bay-Delta. CVCWA represents the interests of more than 60 wastewater agencies in the Central Valley in regulatory matters related to water quality and the environment. Included in that membership are a number of wastewater agencies that will be directly or indirectly impacted by future regulatory and policy actions in the Delta.

The State Water Resources Control Board (State Water Board) has identified six issues to be addressed including sources of salt, variable salinity, fish screens, ammonia, toxic substances, and Delta outflow objectives. While CVCWA believes that understanding the facts and science behind each of these issues is important, it appears that three very significant issues are missing from the list. The first of these missing issues is invasive species. Through much work conducted under the Interagency Ecological Program and as discussed in their 2008 Synthesis Report and 2008 Work Plan, it is clear that the Delta ecology has been severely impacted by invasive species. CVCWA is concerned that difficulty in addressing invasive species is contributing to an attitude of "this is too difficult to fix, so let's move on to something else." Given that invasive species may be one of the most significant contributors to changes in delta ecology, it is imperative that this issue be fully understood and considered in this process.

The second major missing issue is fish entrainment by Central Valley Project and State Water Project diversions. CVCWA believes that there is important data on this issue, and that the data needs to be put into proper perspective relative to the overall impact on the Delta.

The third major issue that CVCWA believes should be added to the list of topics to be considered is nutrients. Various parties have suggested the need for severe nutrient source reductions in the Delta. CVCWA believes that the State Water Board should gather facts in the nutrient management area to evaluate the potential advantages and disadvantages of nutrient source control in the Delta. The arguments for nutrient source control that have been offered are that it will help alleviate water supply taste and odor episodes, invasive plant species, and eutrophication effects. CVCWA believes that facts do not support these arguments. CVCWA also believes that nutrient reduction may potentially be harmful to the Delta ecosystem and food web. Published articles in the scientific literature support this hypothesis. With major adverse impacts on resource utilization and the Delta ecosystem a potential outcome from a decision to require nutrient source reduction, the State Water Board needs to have a sound understanding of the facts and uncertainties related to nutrient management in the Delta.

With regard to the specific issues identified, CVCWA has been actively involved in salinity issues in the Central Valley and recognizes that this is major issue of statewide significance. It is our understanding that various attempts have been made to quantify the sources and sinks of salt in the Delta watershed, but an accurate accounting is still not available. It is recommended that existing studies be collected and reviewed to get a good understanding of the limitations in current information, and identify additional studies that may be necessary to accurately portray the sources of salt to the Bay-Delta.

Further, when evaluating the potential impact of wastewater discharges as a potential source of salinity into the Delta, the State Water Board should consider the Delta Simulation Model II (DSM2) modeling scenarios that were developed for the City of Tracy and the Mountain House Community Services District (MHCS) discharges in September of 2006. (See Waste Discharge Requirements for City of Tracy Wastewater Treatment Plant, Order No. R5-2007-0036 at pp. F-46 – F-47, Attachment H; See also Waste Discharge Requirements for Mountain House Community Services District, Order No. R5-2007-0039 at pp. F-49.) The DSM2 modeling demonstrated that even under reasonable worst-case conditions, discharges from Tracy and Mountain House, collectively and individually, had limited impacts on the salinity problem in the southern Delta. Salt loadings from Tracy and Mountain House are fairly typical of salt loads from other wastewater discharges into the Delta. Thus, the information developed for these two entities is relevant and should be considered by the State Water Board in its evidentiary process.

Finally, CVCWA recognizes that there is currently a tremendous statewide focus on Delta issues, and the science and understanding of Delta ecology is quickly evolving. Consequently, we believe that the evidentiary hearing process may become cumbersome if not carefully planned. Thus, CVCWA recommends that the State Water Board carefully plan and communicate the process for conducting the evidentiary hearings. This will be necessary to make sure that relevant information is effectively considered and the burden on the State Water Board and interested parties is not overbearing.

CVCWA appreciates this opportunity to provide input and will continue to be involved in Delta issues.

Sincerely,



Debbie Webster
Executive Officer, CVCWA