



CVCWA Central Valley Clean Water Association

Representing Over Fifty Wastewater Agencies

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Information for March 19, 2008 Workshop – Development of Strategic Work Plan for the San Francisco Bay/Sacramento-San Joaquin Delta (Bay-Delta) Estuary

The Central Valley Clean Water Association (CVCWA) appreciates the opportunity to provide information and comments for the SWRCB's March 19, 2008 workshop regarding development of the strategic plan for the Bay-Delta. CVCWA has provided earlier comments and testimony on this topic at the SWRCB's December 4, 2007 hearing and January 22, 2008 workshop and at the Central Valley Regional Water Board's March 5, 2008 public meeting.

CVCWA has previously indicated its concern for the need to take appropriate and timely actions to address the POD and other Bay-Delta issues and has requested to be an active participant in the development and implementation of the SWRCB's strategic planning effort.

CVCWA is an association of public agencies whose members own and operate municipal wastewater treatment systems in the Central Valley. CVCWA members provide the funding and resources necessary to remove pollutants from municipal wastewater on a continuous basis to levels that are protective of water quality and beneficial uses in accordance with the requirements of the Clean Water Act and the California Water Code. We are therefore significant stakeholders in the ongoing strategic planning process.

In the notice for the March 19 workshop, SWRCB has requested information on (1) further actions that should be considered for inclusion in the strategic plan and (2) previously identified actions that should be further evaluated and defined. CVCWA offers the following in response to this call for information.

Overview Comments regarding Strategic Plan development

CVCWA strongly supports the establishment of a well articulated, long-term strategy for the determination of actions the State Water Board or Regional Water Boards will propose to improve fishery resources and address other water quality issues in the Bay-Delta. CVCWA has requested that the process to develop that strategy be open to stakeholder involvement and that CVCWA be involved in advisory or steering committees on plan elements that have significant regulatory implications to municipalities in the Central Valley. CVCWA has also requested that the following be included in the strategic planning effort:

- a. The process and schedule that will be used to develop project level work plans and regulatory policy proposals;
- b. The processes and timelines for public input that will be used to reach decisions regarding short-term or long-term regulatory actions in the Bay-Delta; and
- c. The process to assure that adequate independent peer review will be performed on recent or proposed research to ensure that the science supporting any proposed regulatory actions is sound.

CVCWA remains concerned by the lack of clarity regarding the coordination of State Water Board efforts with other State and federal agency efforts related to the POD and other Bay-Delta issues. It remains unclear how and to what extent other agencies are coordinating with the State and Regional Water Boards, including but not limited to the offices and agencies responsible for the Delta Vision Report, Bay Delta Conservation Plan, CALFED Bay-Delta Program's Delta Risk Management Strategy, Interagency Ecological Program POD Synthesis Report, and the work of the National Center for Ecological Analysis and Synthesis at UC Santa Barbara. An organization chart should be included in the SWRCB's strategic plan which shows what agencies are involved, who is the lead, and how these other efforts will factor into Basin Planning or policy development activities of the State and Regional Water Boards.

Specific Comments regarding Actions enumerated in Attachment A to the workshop notice

Resolve No. 3 – Develop and Implement Central Valley Salinity Alternatives for Long-Term Sustainability (CV-SALTS), enforce the southern Delta salinity objectives and review the Southern Delta salinity objectives in the Bay-Delta WQCP

CVCWA commends the State and Central Valley Regional Water Board for setting up the stakeholder process that is currently in place. We encourage the State and Regional Water Board to proceed with a strong, collaborative stakeholder process to develop CV-SALTS.

Resolve No. 9 – Conduct screening studies of the potential impact of ammonia and implement appropriate regulatory controls

CVCWA has previously communicated its significant concern that the work performed to date on the ammonia impacts issue has demonstrated that an "ammonia issue" exists. The screening level studies that have been proposed are intended to establish whether there is any further need to examine the potential impact of ammonia. The outcome of those studies may in fact be sufficient to curtail additional study in this area. The outcome will not be adequate, if it shows additional study is needed to lead to the implementation of short-term regulatory controls. The

progression of studies to address either site-specific ammonia toxicity or ammonia impacts on the Delta food web and fisheries populations will require significant time and resources to resolve questions regarding these complex technical issues. This progression of studies should be articulated in the strategic plan.

Resolve No. 10 – Implement standardized monitoring program for blue-green algae blooms and develop any appropriate regulatory controls

CVCWA agencies would potentially be impacted by management actions to control nutrient levels in the Delta in the event such actions are contemplated as a result of blue-green algae monitoring and studies. CVCWA requests involvement in the development and evaluation of such studies and resulting regulatory proposals.

Resolve No. 12 - Compile and assess available data on contaminants and toxicity to determine if contaminants are contributing to the POD and develop a short-term and long-term toxicity response program

CVCWA members have been monitoring effluent and, in some cases, receiving water quality for years under NPDES permit requirements or as voluntary efforts. CVCWA should be involved in an advisory and review role in the evaluation of the role of contaminants and toxicity of the aquatic uses of the Delta and requests that the strategic plan acknowledge such involvement.

Resolve No. 21 – Use agreement with the University of California to assure that activities and actions are based upon sound science

CVCWA recommends that the Water Boards consider use of experts outside the University of California system to address some of the complex technical and policy issues that will be addressed and implemented under the strategic plan. CVCWA points to the national expert panel convened to work with State Water Board staff on the development of the Phase 1 Sediment Quality Objectives Policy as an example of the advantages of use of a broader pool of peer reviewers.

Specific Comments regarding Actions enumerated in Attachment B to the workshop notice

Item 1 – Water Boards will take actions to address salt issues in the Bay-Delta and upstream areas.

The focus of the State Water Board appears to be on salt management in the Central Valley. The State Board should also focus in the strategic plan on the need for appropriate salt management in Southern California (i.e. the need to address reductions or control of high-salt supplies from the Colorado River) that tend to influence salt management decisions in the Central Valley.

Item 2 – Water Boards will assess information regarding the POD and will implement water quality or water rights actions as a result of this assessment as part of the strategic planning effort.

Please refer to our comments on Resolve Nos. 9, 10, 12 and 21 above. CVCWA reiterates its request to be included on advisory or steering committees for the technical and policy work identified in the strategic plan on these issues.

CVCWA again offers its time and energy and seeks an advisory role to assist the State Water Board in its strategic planning effort related to the Bay-Delta and in the associated work that will result from the implementation of that plan.

Sincerely,

/s/

Debbie Webster
Executive Officer
CVCWA

Cc: Pamela Creedon, Central Valley Regional Water Quality Control Board
Linda Adams – California Environmental Protection Agency
Mike Chrisman – The California Resources Agency
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