Blue Ribbon Task Force
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Letter PC-39

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June 12, 2008

Phil Isenberg, Chair
Delta Vision Blue Ribbon Task Force
650 Capitol Mall
Sacramento, CA 95814

Re: Comments on Delta Vision Blue Ribbon Task Force Workgroup Materials

Dear Chairman Isenberg:

The Sacramento Regional County Sanitation District (District) appreciates the opportunity to offer comments to the Delta Vision Blue Ribbon Task Force as it moves forward to develop a Strategic Plan.

The District provides wastewater collection and treatment services to 1.3 million residents of the greater Sacramento area. Our mission is to protect human health and keep the Sacramento River clean and safe. We take our mission very seriously and work on a daily basis to meet our obligations to protect water quality and beneficial uses in the Delta. Our excellent compliance record with our NPDES permit speaks to this commitment and performance.

As stakeholders and environmental stewards, the District is very concerned with the pelagic organism decline (POD) in the Delta and supports the goal of the Delta Vision to ensure the long-term sustainability of the Delta and its ecosystem. The District understands the co-equal goals of the Blue Ribbon Task Force between Delta ecosystem and reliable water supply.

Our key comment and concern, is the need for greater involvement of in-delta and central valley stakeholders in the Delta Vision Strategic Planning Process – including wastewater and storm water municipalities, as well the Central Valley Clean Water Association (CVCWA) and the Central Valley Regional Water Quality Control Board. The Delta Vision documents produced and finalized for consideration by the Blue Ribbon Task Force to date, have been the work of small work groups that have not represented the cross-section of stakeholders impacted by the Delta Vision proposals. Therefore, the Task Force must carefully consider the comments received on these documents.

Unfortunately, we just became aware of the recent work products that

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were developed by the Delta Ecosystem workgroup, the Water Supply and Reliability workgroup and the CALFED Science Program that provide a suite of strategies to be considered by the Blue Ribbon Task Force and that have a direct impact upon the District's operations and rate payers. The District has several concerns with some of the statements and methods or performance targets that are included in these strategies. It appears that potential water quality standards and technology based standards are being recommended without regard to adequate science and existing regulatory mechanisms that are under the authority of the State or Regional Water Boards.

Our detailed comments on three of these work products and proposed strategies are outlined below. Those items in *italics* are excerpts from the documents, followed by the District's comments.

Delta Vision Ecosystem Workgroup Recommendations (May 13, 2008 Draft)

It is our understanding that the Ecosystem workgroup's recommendations are still under development. As a result, our comments are somewhat limited until we obtain the next version of the document. An overarching comment we have is that many of the drivers and indicators that are highlighted in the document are under investigation. As a result, statements should be modified to reflect this fact until further scientific evidence is obtained or refined. The current document implies that this research has already been conducted and the various hypotheses have been confirmed. More specific comments are detailed below.

Page 3 – Problem Indicators, Item 2
This section implies that research has already determined that primary production has been reduced and that there has been a shift in phytoplankton assemblages away from diatoms. The District believes this statement is misleading and should be modified to reflect that research is currently underway to determine if this hypothesis can be confirmed.

Page 3 – Problem Indicators, Item 6
This Section states that *"Exposure to contaminants in the water column and sediments generate lethal and sublethal toxicity effects in fish….."*. The District believes this statement is inaccurate and should be modified to state "exposure **may** generate effects, and as a result, further research must be conducted to identify contaminants of concern, identify source loadings, evaluate fate and transport mechanisms and determine if cause and effect relationships exists". The control of contaminants is regulated under the purview of the State and Regional Water Boards and USEPA in accordance with the Clean Water Act, Water Code and Central Valley Basin Plans. Water quality standards/objectives are then developed to protect beneficial uses. This rigorous process has already taken place for many constituents.

Page 10 - Table 2 Titled "Performance Targets for Desired Ecosystem Characteristics and Their Indicators"

5. *Stressors Reduced to below levels of adverse effects on native resident and migratory species and their habitats.*

   A) *Reduced Contaminant Impacts*

      1) *Concentrations in Delta waters or sentinel organisms: Less than 5% estuarine and anadromous fish show evidence of exposure and there are zero incidents of fish kills.*

      2) *Nitrogen: Phosphorus ratio: Restore nutrient loadings to N:P ratios supportive of diatoms.*

Comments

1. Regarding statement 5(A)(1): It is unclear how the performance target would be measured or evaluated. This target should not be included until the following questions are resolved: How would "evidence of exposure" be measured or assessed? How would 5% of the fish population be determined? How would fish kills be linked to contaminants versus other stressors, (e.g. predation, entrainment, etc.)?

2. Regarding statement 5(A)(2): This target should not be included until the following questions are resolved: What is the range of N:P ratios supportive of diatoms in the Delta? What changes in nutrient loadings will be required to create conditions within this range? Do other factors (residence time, temperature, turbidity, predation, etc.) also influence the abundance of diatoms in the Delta? Can all of the contributing factors be effectively managed to ensure desired abundances of diatoms at various locations in the Delta? Who pays for the management of nutrient loadings in the Delta?

Delta Vision Water Supply and Reliability Work Group Document Titled "Conceptual Strategies and Draft Performance Measures", May 29, 2008

Strategy A.3.1- Increase Use of Recycled Water

Methods: *Enact more stringent treatment standards on wastewater treatment dischargers*

Basis in Vision: *Tertiary treatment of wastewater is required before treated municipal wastewater can be used. Requiring more municipal treatment plants to treat wastewater to tertiary standards would increase the quantity of treated wastewater available for landscape irrigation and other non-potable uses*

Comments:

1. Tertiary treated wastewater is one level of treatment for recycled water allowed by the Department of Public Health, Title 22 – California Water Recycling Criteria, but there are others. Depending on the end use, Title 22 allows for Disinfected Secondary (2.2 and 23 MPN), as well as Undisinfected Secondary levels of treatment. It is important to highlight that treating all wastewater to tertiary standards for recycling purpose is neither required, nor necessary for certain end uses.

2. Enacting more stringent wastewater treatment standards as an across-the-board measure to force more water recycling would be **ineffective and inequitable and would not produce the desired result**. Recycled water demands in Northern California are significantly less than in Southern California. A major consideration in water recycling is the magnitude and location of the demand for recycled water supplies in relation to the municipal treatment system. Conveyance costs typically control the cost-effectiveness of recycled water projects and therefore, requiring tertiary levels of treatment would not significantly increase the quantity of recycled water used. The need for tertiary treatment systems should be the result of application of existing regulatory requirements under the Clean Water Act and California Water Code.

Strategy A.4.5 - Manage all Delta watersheds for a reliable and high quality supply of water for in-basin and downstream users, especially those watershed areas experiencing accelerated population growth or other high impact activities

Comment:

This issue is being considered in detail in the Central Valley Drinking Water Policy development effort headed by the Central Valley Regional Water Quality Control Board. This sentence should reference that effort. The connection between population growth, water quality and water supply needs is being addressed in that effort. The presumption that water quality is significantly impacted by population growth or is impacting water supply reliability is currently unfounded and should be deleted.

Strategy F.1 Control Contaminants at the Source

Given current trends in population growth and climate change, Delta water quality will be degraded and the Delta will no longer consistently provide a reliable supply unless steps are taken to further protect water quality.

...water quality objectives have not been established for several key drinking water contaminants (organic carbon, nutrients, mercury and pathogens). Existing source control methods will not be adequate to protect water quality as the population increases. Preventing contaminants from entering waterways will be the most efficient and sustainable strategy to protect Delta water quality for drinking water uses.

Methods

Direct the Regional Water Board to develop water quality objectives for organic carbon, nutrients, mercury and pathogens

Wastewater treatment – Implement advanced treatment at all wastewater treatment plants discharging to Delta source waters and implement source control programs for their service areas

Basis in the Vision

Once water is contaminated, some constituents cannot be removed with current technology or without great expense, rendering the water unusable. Therefore, improving source water protection would enhance the available water supply by increasing the total amount of water available for beneficial reuse.

...Once water is contaminated, significant energy is required to treat water, increasing the cost of providing clean drinking water to the public.

Comments:

1. The above text linking population growth to water quality degradation and asserting that the future reliability of Delta water supplies will be impacted by water quality concerns is **unsupported by facts and must be modified**.

2. The concept of adopting water quality objectives is currently being evaluated by the Central Valley Regional Water Quality Control Board in an ongoing stakeholder process. The need to adopt objectives for organic carbon, nutrients and pathogens has not been established to date through that effort. Mercury is not a drinking water contaminant of concern.

3. The statement that existing source control methods will not be adequate is **unsupported by facts and should be deleted**.

4. The need for and cost of contaminant control at the source is being examined in the Central Valley Regional Water Quality Control Board led stakeholder process. A potential outcome from that process is a partnership to determine the funding source for such control efforts. Payment for such efforts by the water supply beneficiaries of Delta water supplies will be considered in that partnership discussion.

5. The responsibility for control of contaminants should be determined in accordance with the Clean Water Act, California Water Code and Central Valley Basin Plan, as implemented by the Central Valley Regional Water Quality Control Board, SWRCB and USEPA. **Controls to benefit downstream diverters should be funded by those beneficiaries**.

6. As noted previously, the Central Valley Regional Water Quality Control Board is conducting a stakeholder process to examine the need to develop water quality objectives for organic carbon, nutrients, salt, and pathogens. Completion of this process will determine the need for objectives for any or all of these constituents. The Delta Vision process should not mandate objectives development.

7. The need for advanced wastewater treatment at individual treatment facilities is based on the specific discharge conditions, dilution characteristics, and water quality-based requirements as determined under the Clean Water Act and California Water Code regulatory programs. Delta Vision should not be overriding these programs and mandating treatment levels at any treatment plants in California without substantial justification and site-specific analysis.

8. The broad statement that the presence of "contaminants" in raw water supplies "renders the water unusable" is inappropriate in the discussion of Delta water supplies. This case would only occur where concentrations of contaminants are extremely elevated. The concentration in the Delta of contaminants of concern to water supply agencies does not approach levels that would "render the water unusable". This statement should be deleted.

9. Improving source water protection would have no significant impact on the quantity of water supply available in the Delta. The general statement that source water protection would increase the amount of water available for reuse is inaccurate and misleading and should be deleted.

10. The cost and energy to treat water supplies taken from the Delta must be evaluated in comparison to the costs and benefits to remove contaminants through watershed management and treatment at the source. The simplistic notion that it is always cost effective to remove contaminants at the source is false. This is particularly true in the Delta, where large natural flows significantly reduce the impact of individual sources on water concentrations at drinking water intakes. Water supply agencies benefiting from the use of Delta supplies should fund treatment at the source consistent with a "beneficiary pays" theme.

Strategy F.2 – Use Water Management Tools to Protect and Improve Water Quality

....Water that is too high in organic carbon...or salinity and bromide to produce safe drinking water is not a reliable supply.

Comments:

1. The issue with organic carbon levels in Delta waters is not one of safety. Water treatment plants are able to provide treatment to resolve safety issues for tap water consumers (i.e. to prevent the generation of trihalomethanes in tap water that

exceeds Safe Drinking Water Act action levels). The issue is the cost to provide treatment, which increases with increasing carbon levels in raw water supplies. Current levels of organic carbon in the Delta do not result in exorbitant water treatment costs.

2. Similarly, the salinity in municipal supplies is not one of safety, but one of aesthetics, cost, and accumulation in groundwater supplies. Delta supplies are typically well below the USEPA secondary MCL for total dissolved solids of 500 mg/l, levels that are deemed acceptable for all uses.

3. The reliability of Delta supplies is therefore, currently not impacted by current organic carbon or salt levels.

CALFED Memo from Michael Healey to Delta Vision Regarding Summary of Science Program Workshop on Organic Carbon in the Delta (May 27, 2008)

Page 2, Conclusion No. 5 – ...By careful selection of areas for restoration, any increases in DOC at the export pumps can be kept to a minimum.

Page 2, Conclusion No. 6 - The most important strategy for reducing organic carbon in drinking water is to separate drinking water intakes from restoration areas...

"Page 6, Strategies for Resolving Conflicts - ...We need to do better source control. Currently, there are no surface water quality objectives for organic carbon...This is a constituent that could be regulated in wastewater and agricultural and urban storm water discharges. We could also consider requiring advanced wastewater treatment, and having agricultural dischargers monitor and devise best management practices for OC under the irrigated lands program.

...panelist recognized the need for more comprehensive assessment of the broad range of aquatic contaminants and their sources. Various strategies were discussed including:

5. Reducing ammonia discharges from treatment plants as ammonia inhibits growth of desirable algae and encourages growth of undesirable algae and plants."

Comments:

1. The concept of minimizing or limiting the extent of Delta restoration areas to avoid any increases in organic carbon concentrations is out of balance. The benefit to the delta of restoration areas is potentially great. The impact of increased organic carbon levels on drinking water agencies may be insignificant and at most would result in marginal treatment cost increases. The notion of equivalency in the tradeoff between the benefits of restoration projects and the disadvantages of organic carbon increases is flawed and should be re-examined.

2. The need for source control of organic carbon from municipal and agricultural sources in the Central Valley is a central topic being considered by the Regional Water Board in its

development of a Drinking Water Policy for the Central Valley. That effort is considering the benefits, costs and attainability of alternative water quality objectives in the Delta and other areas of the Central Valley, in accordance with procedures established in the California Water Code. The generalized imposition of organic carbon source controls by Delta Vision or other external processes to the Clean Water Act and California Water Code procedures would be imprudent and inequitable.

3. Studies are planned and will be implemented in the next year to begin to assess the importance of ammonia to algae growth and primary productivity in the Delta. The inference that this is well understood and that ammonia controls are required in the Delta for control of the makeup of the algal communities is inaccurate and misleading.

In closing, the District would like to reiterate that it is committed to working with the Blue Ribbon Task Force, Central Valley Regional Board, the State Water Board and others to find solutions to ensure the sustainability of the Delta. There are many efforts moving forward on parallel tracks that address various issues facing the Delta. It is critical that those efforts be closely coordinated so that duplication or contradictory recommendations do not occur. We also believe that those affected dischargers should have been part of the workgroup process and that the wastewater industry must have a "seat" on future workgroup efforts, as well as become a member of the Delta Vision Stakeholder Coordination Group.

We hope the Task Force will consider the above comments as they develop the Delta Strategic Plan. As always, the District stands ready to participate in the process to investigate and find solutions for the POD. We encourage you to help establish an open process that we and other stakeholders can participate in and add value to the process.

Sincerely,

Mary K. Snyder

Mary K. Snyder
District Engineer

cc: Delta Vision Blue Ribbon Task Force Members
Delta Vision Committee Members
State Water Resources Control Board Members
Central Valley Regional Water Quality Control Board Members
Lester Snow, Department of Water Resources
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