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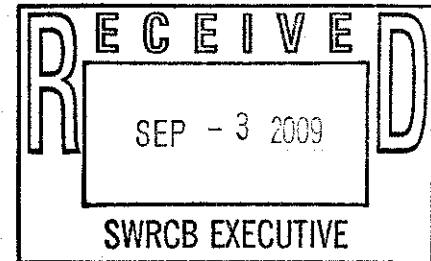
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August 13, 2009

Via E-Mail: commentletters@waterboards.ca.gov

Ms. Jeanine Townsend
Clerk to the Board
State Water Resources Control Board
1001 I Street, 24th Floor
Sacramento, CA 95812-0100



**Re: Comments to A-1971, A-1971(a) and A-1971(b) – September 15, 2009,
Board Workshop**

Dear Ms. Townsend and Board Members:

The San Luis & Delta-Mendota Water Authority ("Authority") and Westlands Water District ("Westlands") provide written comments on the proposed order relating to the above-referenced petitions.¹

The Authority and Westlands appreciate the attention the State Water Board has given to their Petition for Review. Having reviewed the proposed order responding to that Petition, the Authority and Westlands raise a single concern. The Authority and Westlands respectfully disagree with the State Water Board's decision not to require the City to increase its monitoring and reporting of contaminants. Proposed Order at p. 9, Sec. II.D.

The State Water Board acknowledges the "issue of pharmaceuticals and other emerging contaminants is of concern." However, the State Water Board defends the decision not to require more rigorous monitoring and reporting requirements because

¹ On October 23, 2008, the Central Valley Regional Water Quality Control Board ("Central Valley Regional Water Board") adopted waste discharge requirements for the City of Stockton's ("City") Regional Wastewater Treatment Control Facility ("RWCF") (National Pollutant Discharge Elimination System ("NPDES") permit No. CA0079138). Thereafter, Petitions for Review were filed by the Authority and Westlands, the City, and California Sportfishing Protection Alliance.

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Jeanine Townsend, Clerk to the Board
State Water Resources Control Board
September 3, 2009
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"the science is too uncertain to require each POTW to monitor for a host of materials that have the potential to be found in its discharge." The State Water Board's statements lead to circular reasoning. Data collection will address scientific uncertainty. It is for that reason, the Authority and Westlands ask the State Water Board to take advantage of the opportunity presented by this permitting process. The State Water Board should direct the Central Valley Regional Water Board to require the City to gather and report data to allow scientists to better understand the potential effects of the City's discharges.

Thank you very much for your consideration of these comments.

Very truly yours,

DIEPENBROCK HARRISON
A Professional Corporation

By


Jonathan Marz

Attorneys for San Luis & Delta-Mendota Water
Authority and Westlands Water District

cc: Daniel Nelson, SLDMWA
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Attached List

{00190117; 2}

PETITIONS OF CITY OF STOCKTON, CALIFORNIA SPORTFISHING PROTECTION ALLIANCE, SAN LUIS & DELTA-MENDOTA WATER AUTHORITY AND WESTLANDS WATER DISTRICT (WASTE DISCHARGE REQUIREMENTS ORDER NO. R5-2008-0154[NPDES NO. CA0079138] FOR THE CITY OF STOCKTON REGIONAL WASTEWATER CONTROL FACILITY, SAN JOAQUIN COUNTY) CENTRAL VALLEY REGION: BOARD MEETING WORKSHOP NOTIFICATION
SWRCB/OCC FILES A-1971, A-1971(A), and A-1971(b)

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