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California Regional Water Quality Control Board Central Valley Region

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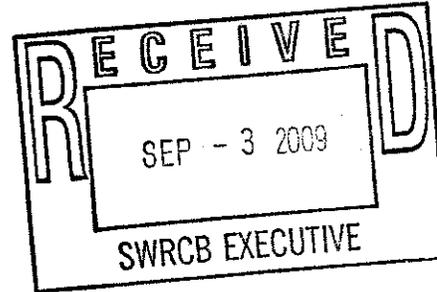
9/15/09 Bd Mtg/Wrkshp Item 14
A-1971, A-1971(a) & A-1971(b)
Deadline: 9/3/09 by 12 noon



Arnold
Schwarzenegger
Governor

3 September 2009

Ms. Jeanine Townsend, Clerk to the Board
State Water Resources Control Board
1001 I Street, 24th Floor 95814
Sacramento, CA 95812-0100



COMMENTS FOR PETITION OF WASTE DISCHARGE REQUIREMENTS ORDER NO. R5-2008-0154 FOR THE CITY OF STOCKTON REGIONAL WASTEWATER CONTROL FACILITY; SWRCB/OCC FILES NO. A-1971, A-1971(a), AND A-1971(b)-15 SEPTEMBER 2009 STATE WATER RESOURCES CONTROL BOARD MEETING

Thank you for the opportunity to comment on the 4 August 2009 draft State Water Resources Control Board (State Water Board) Water Quality Order (Draft Order) referenced above.

The Central Valley Regional Water Quality Control Board (Central Valley Water Board) is in general agreement with the Draft Order. However, we request further consideration of the basis for determining which salinity objective in the Bay-Delta Plan would apply at a given point in the Delta. The Draft Order on page 5 states that, "While the Stockton discharge occurs between the compliance locations described as interior Delta and southern Delta, it is physically much closer to the latter locations and we find that the Central Valley Water Board has properly applied the objectives for the southern Delta." The Draft Order implies that when a discharge lies between two locations with differing Bay-Delta Plan objectives, the applicable objectives would be those for the location physically closest to the discharge point. We believe the selection of the appropriate objective should consider Delta hydrologic conditions and local uses of water, and is more complex than a simple distance measurement.

As explained in the Fact Sheet (pp. F-41 through F-45) for Waste Discharge Requirements Order No. R5-2008-0154 (adopted permit), the Central Valley Water Board compared two Bay Delta Plan salinity objectives based on the geographical location in the San Joaquin River to the discharge point. Brandt Road Bridge, upstream of the discharge point, is a compliance point for southern Delta salinity objectives to protect agricultural uses. While Prisoner's Point, downstream towards San Francisco Bay from the discharge point, is a compliance point for interior Delta salinity objectives and is intended to protect Striped Bass spawning. The adopted permit Fact Sheet describes the river morphology, river flows (including major diversions and tributaries), and in-stream and diverted uses of the water at the two locations. Based on this information, the Central Valley Water Board determined that "the water quality objectives prescribed for Brandt Road Bridge are judged to be applicable at the site of the Stockton discharge, as being in the 'general area' of the compliance point and as having similar River and beneficial use conditions that would make the southern Delta objectives appropriate for beneficial use protection at the discharge point."

The Central Valley Water Board is concerned that any implied direction in the Order to apply the water quality objectives in the Bay-Delta Plan based solely on the geographical distance from the discharge to the compliance points may either not fully protect the beneficial uses or may impose an unnecessarily stringent salinity objective. We request further consideration of the basis for the determination of the application of the objectives, although we do agree with the conclusion of the draft Order.

In summary, the Central Valley Water Board is in general agreement with the Draft Order and respectfully requests the following change to the Draft Order to clarify the selection of the appropriate Bay-Delta Plan salinity objective. In the third paragraph on page 5, modify the sixth sentence as follows:

"While the Stockton discharge occurs between the compliance locations described as interior Delta and southern Delta, it is physically much closer to the latter location. The river morphology, river flows (including major diversions and tributaries), and in-stream and diverted uses of the water at the southern Delta (Brandt Bridge) compliance location are similar to the river conditions that exist at the Facility discharge. We find that the Central Valley Water Board has properly applied the objectives for the southern Delta."

Thank you again for this opportunity to respond to the Draft Order. If you have any questions, please contact Mr. Kenneth Landau at (916) 464-4726 or klandau@waterboards.ca.gov.


for Pamela C. Creedon
Executive Officer

cc: Mr. Doug Eberhardt, Chief, Permits Office, U.S. EPA, Region 9, San Francisco
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