

June 18, 2007

State Water Resources Control Board
Attn: Song Her, Clerk of the Board, State Water Resources Control Board
1001 I Street, 24th Floor
Sacramento, CA 95814

Re: Comments on SWRCB Water Quality Enforcement Policy

Board Members:

Thank you for the opportunity to comment on the above referenced policy. The Enforcement Policy focuses on punitive actions that can be taken against dischargers to force compliance to meet water quality standards. While effective, without providing adequate technical and financial assistance to small rural communities, the State Board is placing an unreasonable economic burden on thousands of small rural communities desirous of meeting the water quality objectives but without the financial capacity to do so.

Amador Water Agency is requesting that the State Board also address providing adequate grant funding to small rural communities to help these communities achieve the water quality objectives the State Board and all Californians desire. The Small Community Wastewater Grant program currently is limited and can only provide up to two million dollars of matching grant funding to small communities as assistance to improve the treatment and disposal of wastewater. Many, many small communities are facing capital improvement costs greatly exceeding the two million dollar cap. Amador Water Agency has one system that is currently under a Cease and Desist order and we are diligently attempting to make improvements to the wastewater system. However, the capital improvement costs to obtain compliance are estimated at between ten and twelve million dollars. The Agency has applied for and is in the process of receiving up to a two million dollar Small Community Wastewater Grant. However, even with this grant, the wastewater rates may need to be raised to over \$150.00 per month to pay the remaining debt service for this project.

Amador Water Agency is recommending that the State Small Community Wastewater Grant / Loan program be reviewed so that an affordability index is considered when allocating grant monies. A monthly wastewater rate threshold of 1 ½ % of Median Household Income for wastewater rates may be appropriate and if this monthly amount

is exceeded, then additional grant monies could be provided to help small rural communities to fund improvements while keeping wastewater rates affordable. Amador Water Agency strongly encourages the State to look for constructive ways to assist the small communities to achieve the water quality objectives, not just the punitive enforcement actions proposed in this enforcement policy.

Amador Water Agency also has specific comments on the proposed Enforcement Policy:

Page 14, Amador Water Agency recommends that "failure to maintain required freeboard in ponds" not be assigned a priority violation. The RWQCB unilaterally revised the freeboard requirements for 1 ft to 2 ft several years ago without providing adequate time or financial assistance to construct additional storage facilities. Pond levels that enter the freeboard zone do not impact water quality. Only spills from those ponds should be considered a priority violation. Again with the RWQCB's revised standards, financial assistance and adequate time for compliance should also be provided.

Page 30, the whole County of Amador is above the 80% of the California Median Household Income level. However, in 2005 the Agency conducted an independent income survey for the Lake Camanche and Gayla Manor areas. Both of these areas qualified as "financial hardship" small communities with median annual income less than 80% of the California Median Annual income. The Agency supports the ability to provide additional information to the State for small communities to qualify as "financial hardship" areas.

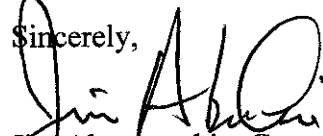
Page 42- Supplemental Environmental Projects:

The Amador Water Agency supports the SEP Program and urges it's continuance.

Page 42- Amador Water Agency support the Compliance Projects whereby a POTW, in lieu of pay penalties can spend equivalent amounts towards the completion of compliance projects.

The Agency appreciates the opportunity to comment on the Enforcement Policy, but reaffirms its position that adequate technical and financial support based on an "affordability index" be provided to small communities so that water quality objectives can be met and enforcement actions thereby eliminated or substantially reduced.

Sincerely,



Jim Abercrombie, General Manager
Amador Water Agency

cc: Senator Dave Cox
Pamela Creeden, RWQCB Enforcement Officer

Kathy Mannion, RCRC Director of Water and Power
Mike Israel, Amador County Environmental Health
AWA Board of Directors

JA/ct