

Los Carneros Water District

September 13, 2016

Via email To: mnapolitano@waterboards.ca.gov

Mr. Mike Napolitano
San Francisco Bay Regional Water Quality Control Board
1515 Clay Street, 14th Floor
Oakland, CA 94612

RE: Comments on the Draft Environmental Impact Report for the Tentative Order for a General Permit for Vineyard Properties in the Napa River and Sonoma Creek Watersheds

Dear Mr. Napolitano:

The Los Carneros Water District is a California Water District, organized pursuant to Section 34000 et seq. of the California Water Code. The Water District's territory is in the southwestern corner of Napa County, generally bounded on the north by SH12, on the south by the salt marsh area, on the east by the Napa River and on the west by the Napa/Sonoma County line. The purpose for our formation was, and our intense focus over the past several years has been, to bring much needed recycled water to our District. Bringing recycled water to the area is consistent both with the Napa County General Plan and with the County's Water Master Plan. Recycled water will be used primarily in vineyards, and will be exclusively applied using drip irrigation.

Our District has been working on the development of a comprehensive recycled water program for many years. Storing recycled water in on-channel impoundments has always been a part of our planning strategy; our engineers found that including those impoundments in our water equation substantially enhances the utilization of recycled water in our area. We have diligently and persistently followed an extensive process of planning, design, and construction, including both navigating grant funding hurdles and overcoming many other official governmental and administrative hurdles. We are very excited that our vision, with the help of the Napa Sanitation District, has become a reality. NSD's Title 22 unrestricted use recycled water is now being purveyed through a \$16 million project that we funded and that has been recently completed. There is an educational/training component prerequisite to the use of unrestricted use recycled water, and users are required to attend an educational workshop, where the uses, limitations, and reporting requirements are laid out. Additionally, all meters on the system have smart meter technology, so all landowners connected to the system are able to access, via the internet, their account, and monitor (among other parameters) real time instantaneous usage, so they can tell if there is a blockage or a leak in their drip systems.

For the purposes of this letter, our comments will be limited to issues connected to the full and complete utilization of unrestricted use recycled water within our jurisdiction.

Attachment A of Appendix A of the DEIR is the Tentative Order that is out for comment.

On Page 8, the following paragraph is included:

Water quality controls for reservoirs that receive recycled wastewater, and which may discharge to surface waters of the State¹⁹ (only as applicable)

The Farm Plan shall describe the BMPs that are in-place and/or that will be implemented to protect water quality in downstream water bodies as related to operation and maintenance of reservoirs that receive recycled water, and which may discharge to surface waters of the State. This element shall detail operation and maintenance activities of these reservoirs, design overflow conditions, and the drainage location(s) during overflow and/or maintenance. The Discharger shall consider the timing, magnitude, and duration of water released from these reservoir(s) to downstream waterbodies including minimizing the discharge of recycled water. The Discharger shall implement erosion and sediment control BMPs to prevent potential erosion impacts to creeks at the point of discharge and downstream of the discharge. The discharger shall take measures to minimize impacts on downstream riparian areas including as applicable eradicating non-native species in downstream riparian areas within the Vineyard Property, augmenting gravel and wood supply to downstream channel reaches, and/or riparian habitat enhancement. The Farm Plan also shall include appended Water Rights permits or licenses that apply to the reservoir and describe management measures and reporting measures to ensure compliance with any bypass requirements and ensure net environment benefit associated with the use and storage of recycled water.

In our area, most reservoirs are built on swales. That being the case, there are usually a number of parcels downgradient from the impoundment. And, those parcels are usually not in the same ownership. The landowner of the parcel upon which the impoundment is located does not have the right to enter the downgradient landowner's property to make improvements. In the above paragraph, modifications must be made to limit enhancement requirements to the property upon which the impoundment is located. (The Regional Board may be able to obtain that right through an eminent domain action, to enable such activities to occur on a downgradient parcel. However, during my career, I found that eminent domain usually does not end well for the public agency.)

The end of the fourth sentence should be modified: "...and downstream of the discharge on the parcel upon which the reservoir is located."

The fifth sentence should be modified: "...augmenting gravel and wood supply to downstream channel reaches on the parcel upon which the reservoir is located, and/or riparian habitat enhancement on the parcel upon which the reservoir is located."

In our area, the soil types usually do not include a gravel component, and there has never been a wood component to our swale areas, at least during the 2/3 of a century that I have been in Carneros.

We support the inclusion of this recycled water paragraph in the Tentative Order, with the revisions that we have noted. Again, we appreciate the opportunity to comment on this Draft Environmental Impact Report, in support of the Tentative Order. Please don't hesitate to contact me if you would like to discuss this matter further. It is best to reach me on my cell phone = 707.738.4600.

Sincerely,



John W. Stewart, PE
President, Board of Directors
2111 Las Amigas Road
Napa, CA 94559