



# COUNTY SANITATION DISTRICTS OF LOS ANGELES COUNTY

1955 Workman Mill Road, Whittier, CA 90601-1400  
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GRACE ROBINSON HYDE  
Chief Engineer and General Manager

April 1, 2016



***Via Electronic Mail***

Felicia Marcus, Chair, and Members  
State Water Resources Control Board  
Post Office Box 100  
Sacramento, CA 95812-0100  
Attn: Jeanine Townsend, Clerk to the Board

Dear Chair Marcus and Members of the Board:

**Proposition 1 Groundwater Grant Program Draft Guidelines**

On behalf of the Santa Clarita Valley Sanitation District (District), thank you for the opportunity to submit comments regarding the State Water Resources Control Board's (SWRCB's) Proposition 1 Groundwater Quality Funding Programs Draft Guidelines (Guidelines). The District provides wastewater treatment services to a population of approximately 250,000 in the City of Santa Clarita and unincorporated areas of Los Angeles County in the Santa Clarita Valley. The District owns and operates the Valencia and Saugus Water Reclamation Plants, which provide tertiary treatment to produce high-quality recycled water that is reused or discharged to the Upper Santa Clara River. As enumerated in our prior comment letters regarding the development of this program (attached), the District is in the process of developing a set of projects that include installation of ultraviolet disinfection and microfiltration/reverse osmosis treatment facilities. In addition to ensuring compliance with surface water quality standards for chloride in the Santa Clara River and the requirements of a Total Maximum Daily Load set for the Upper Santa Clara River, these treatment improvements are also expected to protect groundwater quality in basins in the vicinity of the water reclamation plants by reducing levels of n-nitrosodimethylamine, trihalomethanes and haloacetic acids (i.e. disinfection byproducts).

Although we have previously requested that the groundwater funding program allow pollution prevention projects to participate in this program, it does not appear that the Guidelines reflect this important category of projects. Chapter 10 of Proposition 1 begins by stating that “[p]revention and cleanup of groundwater contamination are critical components of successful groundwater management.” (California Water Code Section 79770) (emphasis added) Chapter 10 further states that funds appropriated pursuant to this section shall be available “for projects necessary to protect public health by preventing or reducing the contamination of groundwater that serves or has served as a major source of drinking water for a community.” (California Water Code Section 79771) (emphasis added) In reviewing the Guidelines, the word “prevention” appears numerous times, leading the reader to at first conclude that projects that prevent contamination of groundwater are eligible to apply for funding. However, it is unclear what is meant by the term “prevention” in the context of the Guidelines. The term

is sprinkled throughout the document, but the Guidelines never explain or enumerate as eligible projects any project types that actually prevent contamination. The list of implementation projects that can “prevent or clean up the contamination of groundwater” in Section 4.4 appear to be groundwater treatment projects (e.g. wellhead treatment, extraction wells combined with treatment systems, centralized treatment systems), or projects that either dilute contaminants or contain the areal extent of contamination (e.g. groundwater recharge, seawater intrusion barriers). However, none of these project types actually prevent pollution at the source and protect groundwater from being contaminated in the first place. It is well known that source control is the preferred means of protecting water quality, as it is usually far more cost-effective than cleaning up pollution later, particularly in the context of groundwater. Most importantly, sustainable management of our State’s groundwater resources depends on protecting both the quality and the quantity of this precious resource.

One extremely troubling element in the Guidelines is the inclusion of a confusing phrase in the list of ineligible projects in Section 4.8. The Guidelines state that “Proposition 1 Groundwater Grant Program funds cannot be used for . . . (h) [i]neligible implementation activities, including, but not limited to, projects or tasks that . . . (2) avoid, but do not prevent or cleanup, the groundwater contamination . . . .” The word “avoid” means “to prevent the occurrence of (something bad, unpleasant, etc.).” (*see* Merriam-Webster Online Dictionary) Merriam-Webster defines “prevent” as “to stop (something) from happening or existing.” These terms, avoid and prevent, are closely related and in this context seem to mean the same thing. However, in Section 4.8, it is clear that the SWRCB intends there to be different and distinct meanings of avoid and prevent, and we can only conclude that pollution prevention and source control projects would be ineligible under these Guidelines. Our concern is only heightened by the criteria proposed for scoring projects, which are so heavily skewed towards groundwater cleanup projects that projects that would prevent contamination of groundwater will not even be able to fill in answers for many of the questions. We therefore can only interpret the Guidelines to mean that the SWRCB does not consider projects that will prevent pollution of groundwater to be eligible for funding under the Groundwater Grant Program. This is extremely troubling and we believe that it is inconsistent with the intent of the Legislature. We believe that the SWRCB should use this opportunity to incentivize creativity for eligible applicants to develop projects that will focus on protecting the quality of groundwater resources in their communities. Many of these projects are likely to provide multiple benefits and may help achieve other Water Board objectives at the same time (e.g. providing surface and groundwater protection benefits, preventing pollution of stormwater that is then captured and infiltrated into groundwater aquifers, etc.).

We propose that the SWRCB correct the currently proposed interpretation of the statute by setting aside a small portion of the funding –3-5% of the \$800 million available for Chapter 10 implementation -- as a subcategory of groundwater protection funding for which project applicants can compete. Although many components of the current version of the Guidelines could apply to this Groundwater Protection subcategory, many sections do need to be modified, particularly those requirements that apply solely to cleanup or remediation projects. These include removal or modification of requirements contained in Section 2.2.2, the description of the types of implementation projects in Section 4.4, the description of ineligible project types in Section 4.8(h), and the Responsible Party requirement in Section 9, to name a few. Additionally, this subcategory should have separate Evaluation Scoring Criteria from the criteria currently proposed in Appendix F, since many of the criteria proposed do not apply to pollution

prevention projects. Prior to final adoption by the Board, a draft of the revisions specifically tailored to this new pollution prevention subcategory of the funding program should be shared with stakeholders so that there is an adequate opportunity for stakeholders to ensure that the revised Guidelines are appropriate for pollution prevention projects rather than cleanup projects.

Thank you very much for your consideration of our comments. Please contact me at [ghyde@lacsdsd.org](mailto:ghyde@lacsdsd.org) or extension 1501, or Sharon Green of my staff at [sgreen@lacsdsd.org](mailto:sgreen@lacsdsd.org) or extension 2503, if you have any questions about our comments.

Very truly yours,



Grace R. Hyde

GRH:SG:lmb

Enclosures

cc: The Honorable Scott Wilk  
The Honorable Fran Pavley  
The Honorable Tom Lackey  
The Honorable Sharon Runner  
Board of Directors, Santa Clarita Valley  
Sanitation District  
Tom Howard, Executive Director, SWRCB  
Leslie Laudon, Assistant Director, Division of  
Financial Assistance, SWRCB  
Sam Unger, Executive Officer, Regional Water  
Quality Control Board, Los Angeles Region



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GRACE ROBINSON HYDE  
Chief Engineer and General Manager

December 4, 2015

## *Via Electronic Mail*

State Water Resources Control Board  
Division of Financial Assistance  
Proposition 1 Groundwater Sustainability Funding Programs

To Whom It May Concern:

### **Proposition 1 Groundwater Sustainability Funding Programs -- Scoping Comments**

On behalf of the Santa Clarita Valley Sanitation District (District), thank you for the opportunity to submit comments regarding the State Water Resources Control Board's Proposition 1 Groundwater Sustainability Funding Programs. The District provides wastewater treatment services to the City of Santa Clarita and unincorporated areas of Los Angeles County in the Santa Clarita Valley. The District owns and operates the Valencia and Saugus Water Reclamation Plants, which provide tertiary treatment to produce high-quality recycled water that is reused or discharged to the Upper Santa Clara River. To comply with the Upper Santa Clara River Chloride Total Maximum Daily Load, the District must implement a set of projects that include installation of ultraviolet disinfection and microfiltration/reverse osmosis treatment facilities. In addition to ensuring compliance with surface water quality standards for chloride in the Santa Clara River, these treatment improvements are also intended to protect local as well as downgradient groundwater basins, which together provide at least half of the drinking water supply for a population of approximately 250,000. The project will have supplemental surface and groundwater water quality benefits associated with reductions of other pollutants, such as trihalomethanes and N-nitrosodimethylamine (NDMA).

The purpose of this letter is to recommend that the Proposition 1 Groundwater Sustainability Funding Programs include as a high priority projects that will prevent contamination of groundwater. As stated in the Staff Discussion Document, Chapter 10, Groundwater Sustainability (Sections 79770-79744 of the California Water Code) makes \$800 million available for grants and loans for projects *to prevent* or clean up the contamination of groundwater that serves or has served as a source of drinking water. However, in the section of the Staff Discussion Document that describes the types of projects that have been identified, all of these project types appear to fall broadly into the category of projects that will clean up contamination, and do not really include any categories aimed at preventing contamination in the first place. While we understand the importance of providing funding for cleanup projects, we

believe that Proposition 1 requires that projects to prevent groundwater contamination from occurring also be eligible for funding. This appears to be a major omission from the Water Board's current thinking regarding the content of the guidelines for Chapter 10 Groundwater Sustainability funding.

In Southern California as well as elsewhere in California, in soft-bottom streams, there is often a surface water-groundwater connection, which is recognized in Regional Water Quality Control Plans (i.e. "Basin Plans") through designation of the Groundwater Recharge (GWR) beneficial use. Projects that improve surface water quality where the GWR use occurs also protect groundwater basins, and this benefit should be both recognized and incentivized through eligibility under the Proposition 1 Groundwater Sustainability Funding Program. Most groundwater basins in or near urban areas in Southern California are used for drinking water purposes, and, if not contaminated, are usually vulnerable to potential contamination. Thus, we support several of the proposed priorities mentioned in the Staff Discussion Draft, including potential of project to recharge vulnerable, high-use basins, and potential of project to enhance local water supply reliability. In terms of the contaminants that should be prioritized, we strongly recommend that N-nitrosodimethylamine, trihalomethanes, haloacetic acids, salts and nutrients all be considered high priority for funding awarded under the Groundwater Sustainability Funding Programs, some of which are in addition to the contaminants specifically listed in Section 79773 of the Public Resources Code (Proposition 1). (*see* Public Policy Institute of California, "California's Water Quality Challenges," (Oct. 2015))

Thank you for the opportunity to comment on the scope of the Groundwater Sustainability Funding Programs. We look forward to reviewing the draft funding guidelines.

Very truly yours,



Sharon Green  
Legislative and Regulatory Liaison  
Technical Services Department

SNG:djm



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GRACE ROBINSON HYDE  
*Chief Engineer and General Manager*

June 30, 2015

State Water Resources Control Board  
Division of Financial Assistance  
Proposition 1 Groundwater Quality Funding Programs  
Submitted via electronic mail to: [gwquality.funding@waterboards.ca.gov](mailto:gwquality.funding@waterboards.ca.gov)

To Whom It May Concern:

## **Proposition 1 Groundwater Quality Funding Programs -- Scoping Comments**

On behalf of the Santa Clarita Valley Sanitation District (District), thank you for the opportunity to submit comments regarding the State Water Resources Control Board's Proposition 1 Groundwater Quality Funding Programs. The District provides wastewater treatment services to the City of Santa Clarita and unincorporated areas of Los Angeles County in the Santa Clarita Valley. The District owns and operates the Valencia and Saugus Water Reclamation Plants, which provide tertiary treatment to produce high-quality recycled water that is reused or discharged to the Upper Santa Clara River. To comply with the Upper Santa Clara River Chloride Total Maximum Daily Load, the District must implement a set of projects that include installation of ultraviolet disinfection and microfiltration/reverse osmosis treatment facilities. In addition to ensuring compliance with surface water quality standards for chloride in the Santa Clara River, these treatment improvements are also intended ensure protection of local as well as downstream groundwater basins. The project will also have supplemental surface and groundwater water quality benefits associated with reductions of other pollutants.

The purpose of this letter is to ask that the Proposition 1 Groundwater Quality Funding Programs include as a high priority projects that will prevent contamination of groundwater, such as the water quality improvement projects that the District is pursuing. In Southern California, in soft-bottom streams, there is often a surface water-groundwater connection, which is recognized in Regional Water Quality Control Plans (i.e. "Basin Plans") through designation of the Groundwater Recharge (GWR) beneficial use. Projects that improve surface water quality where the GWR use occurs also protect groundwater basins, and this benefit should be both recognized and incentivized through eligibility under the Proposition 1 Groundwater Quality Funding Programs. Most groundwater basins in or near urban areas in Southern California are used for drinking water purposes, and, if not contaminated, are usually vulnerable to potential contamination. Thus, we support several of the proposed priorities mentioned in the Groundwater Quality Funding Fact Sheet, including potential of project to recharge vulnerable, high-use basins, and potential of project to enhance local water supply reliability. In terms of the

contaminants that should be prioritized, we strongly recommend that byproducts of disinfection (e.g. N-nitrosodimethylamine, trihalomethanes, haloacetic acids), salts and nutrients all be considered high priority for funding awarded under the Groundwater Quality Funding Programs. We also support the 2-step application process that Water Board staff have proposed.

Thank you for the opportunity to comment on the scope of the Groundwater Quality Funding Programs. We look forward to reviewing the draft funding guidelines.

Very truly yours,

Grace Robinson Hyde

A handwritten signature in cursive script that reads "Sharon N. Green".

Sharon Green  
Legislative and Regulatory Liaison  
Technical Services Department

SNG:djm