Below is an accessible version of a comment letter from the Sacramento Regional County Sanitation District (Regional San) on the Delta Independent Science Board's Monitoring Enterprise Review. For a copy of the original submission on letterhead, please e-mail archives@deltacouncil.ca.gov.

November 12, 2021

Delta Independent Science Board 715 P Street, 15-300
Sacramento, CA 95814

Sent via e-mail: disb@deltacouncil.ca.gov

Subject: Feedback on the draft report: Review of the Monitoring Enterprise in the Sacramento-San Joaquin Delta

Dear Delta Independent Science Board Members:

Regional San is pleased to submit comments on the Delta Independent Science Board's (Delta ISB) draft report: Review of the Monitoring Enterprise in the Sacramento-San Joaquin Delta (MER). Regional San provides wastewater collection, conveyance and treatment to 1.6 million people in the Sacramento region. On average, in 2020, we safely treated and discharged 109 million gallons per day (mgd) of wastewater in accordance with our National Pollutant Discharge Elimination System permit (which allows an average discharge of up to 181 mgd). In addition to our own compliance monitoring, we are an active member of the ongoing Delta Regional Monitoring Program (Delta RMP) and in the past have led efforts on the Sacramento and American Rivers to perform a Coordinated Monitoring Program (CMP, 1991-2007) in the major surface waters in the vicinity of Sacramento. We also led the development and implementation of a major ambient water quality monitoring program in the Sacramento River watershed which began in 1996 and linked to the CMP. Regional San supports the use of sound science and joint fact finding in making important management and policy decisions to protect the Delta ecosystem.

We appreciate the Delta ISB's extensive review of Monitoring occurring in the Delta system and hope the MER report will lead to enhanced coordination among multiple monitoring entities to directly inform management efforts and address important scientific data gaps. We agree that it could be beneficial to have one organization provide increased leadership in guiding coordination among programs and assisting in the unification of monitoring objectives for the Delta, but acknowledge the complexity of such an effort given the diversity of mission, vision and objectives of the various programs performing monitoring in the Delta and tributary watersheds. To the extent such an effort goes forward, we recommend that a clear statement of purpose and scope be formulated and that the task be taken on by an existing organization to avoid a further increase in organizational complexity.

The level of flexibility that can be achieved through the coordination of existing compliance monitoring systems is one of the larger remaining questions identified within this review. We recommend that the Delta ISB consider using the Delta Regional Monitoring Program (Delta RMP) as a case example of how compliance monitoring can be restructured to fund collaborative monitoring studies. Monitoring efforts undertaken by the Delta RMP are collaboratively developed to address identified management needs and important data gaps that can then inform regulatory decision-making. Much of the funding for the Delta RMP has been made possible by the Central Valley Regional Water Quality Control Board's decision to allow regulated entities the ability to reduce discharge-specific compliance monitoring and instead, redirect funds toward a pooled approach focused on ambient studies to monitor high priority water quality topics across broader regions of the Delta. Prioritization has been linked to scientific and management needs identified by both the regulatory and regulated representatives participating in the Program. Since its inception, the Delta RMP has been led by diverse and engaged stakeholders and holds open meetings allowing for transparency and public participation.

An additional area of comment has to do with the extensive use of survey responses in the MER document. The difference between stakeholder opinions regarding potential beneficial changes to the Delta Monitoring Enterprise and monitoring changes recommended by the Delta ISB itself through its scientific review is not apparent. We believe the findings of the Delta ISB, after consideration of all the diverse input received, should be stated clearly in the MER report. While surveys can provide valuable insight on the current challenges faced by agencies conducting monitoring in the Delta, it is important to specify if the selected quotations are included in the report because the Delta ISB agrees with the statements, or because the quotations provide interesting examples of how particular stakeholders with specific points-of-view happen to view a given subject. We believe it is important to provide information that portrays both sides of some of these complex issues, given the diversity of knowledge and experience that exists in the population of people surveyed.

As an example, on Page 35, there is a quote regarding the presence of unknown toxic compounds in Delta waters and how they are not identified by compliance monitoring of discharges. In response to this quote, as representatives of the regulated community involved in such compliance monitoring, we would offer that it is important to understand that treated effluent (discharge) monitoring is not designed to "tell us what's happening in the ecosystem", it is designed to ensure that toxic chemicals are not being released into the environment from regulated discharges. The National Pollutant Discharge Elimination System (NPDES) permit program was created in 1972 by the Clean Water Act and the US Environmental Protection Agency (US EPA) was charged with issuing NPDES permits. In the Delta region, the US EPA has delegated this authority to the State Water Resources Control Board (State Water Board) and the Central Valley Regional Water Quality Control Board. For discharges permitted under the NPDES program, a broad spectrum of chemicals are monitored to provide protection to a host

of designated beneficial uses in the receiving waters, including aquatic life, water supply, recreation and many others. For those chemicals where a reasonable potential to cause or contribute to violations of water quality objectives in receiving waters exists, effluent limitations and associated effluent monitoring are included in NPDES permits to ensure protection of beneficial uses. Most NPDES permits also require Whole Effluent Toxicity (WET) testing, which directly monitors effluent for acute and sub-lethal toxic responses from all chemicals present in effluent across a broad set of test species (algae, invertebrate, and fish).

WET testing is utilized to augment chemical-specific monitoring to prevent toxicity due to the influence of unmeasured chemicals or the interactions between chemicals in the discharge. While the potential for unknown toxins in the Delta exists, the actions already being taken by permitted dischargers to the Delta to limit such toxicity should not be ignored.

To provide a more balanced perspective on this issue, we recommend that the quotation included in the MER report on page 35 be followed in the main report by a second quotation and associated text that was included in Appendix C, on page 132 of the MER report.

> "Overall, participants indicated the need to improve and expand monitoring for contaminants. However, one participant indicated "Numerous other contaminants are monitored by agricultural, wastewater, and stormwater agencies, with management programs established to help reduce the impacts of chemicals exceeding established TMDL concentrations. Selenium, pesticides, nutrients, and heavy metals all receive a fair amount of monitoring in regulated water discharges." This indicates that there could be missing monitoring activities in the inventory related to the monitoring of regulated discharges. In addition, another participant who disagreed felt there was quite a bit of pesticide and herbicide monitoring, but less so for contaminants of emerging concern.

We (and most participants in the Delta RMP) agree that unidentified contaminants are likely to be present in the Delta and their occurrence and potential effects require additional research. The Delta Regional Monitoring Program is performing monitoring studies to include a priority list of contaminants of emerging concern (CECs), consistent with the recommendations made in the Delta ISB's water quality review.

As a final comment, on page 25, please provide a definition for "effluent recapture" in the list of wastewater management actions. We are unfamiliar with this terminology. Does this term refer to resource recovery from wastewater effluent, such as energy, nutrients, or and beneficial products? Or, does it refer to use of effluent for potable reuse, as is being practiced in Orange County, San Diego, Los Angeles and Monterey?

We look forward to working with the Delta ISB in helping to strengthen the Delta Monitoring Enterprise and further focus monitoring programs on the scientific information needed to make informed management and policy decisions. Regional San appreciates the opportunity to

comment on the Review of the Monitoring Enterprise in the Sacramento-San Joaquin Delta. If you have any questions, please contact me at (916) 876-6092 or mitchellt@sacsewer.com.

Sincerely,

Terrie Mitchell
Manager, Legislative and Regulatory Affairs

cc:

Lisa Thompson, Chief Scientist
Tim Mussen, Scientist