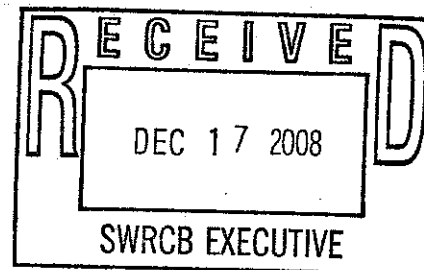




ALAMEDA COUNTY FLOOD CONTROL AND WATER CONSERVATION DISTRICT, ZONE 7
100 NORTH CANYONS PARKWAY, LIVERMORE, CA 94551-9486 • PHONE (925) 454-5000

December 17, 2008

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



Subject: Comment Letter – Anti-degradation Policy (Resolution 68-16)

Dear Ms. Townsend:

Thank you for the opportunity to comment on the “Statement of Policy with Respect to Maintaining High Quality of Waters in California” (Anti-degradation Policy) State Water Resources Control Board Resolution No. 68-16 and associated Administrative Procedures Update 90-004: Anti-degradation Policy Implementation for NPDES Permitting. Zone 7 Water Agency (“Zone 7”) supports keeping Resolution 68-16 in its current form and addressing any need for change by revising the associated implementing guidelines.

Zone 7 has reviewed these documents in the context of Zone 7’s mission to provide drinking water, non-potable water for agriculture/irrigated turf, flood protection, and groundwater management within the Livermore-Amador Valley. About 80% of Zone 7’s raw water source is imported from the State Water Project and conveyed through the Sacramento-San Joaquin Delta (“Delta”). Therefore, Zone 7 and its customers are direct recipients of the benefits of maintaining the Delta’s water quality.


The Implementing Guidelines for the Anti-degradation Policy should be expanded to better address groundwater and conjunctive use of surface and groundwater. It seems appropriate to update it to eliminate the apparent conflicts with water banking, water recycling, and habitat recovery/enhancement projects, especially since the State has identified them as partial solutions for the State’s storage needs and projected future water shortfalls. In addition, any proposed changes to the implementation guidelines should be consistent with the proposed Bay-Delta Conservation Plan effort.

The Anti-degradation Policy applies to both surface water and groundwater. However, the existing implementation guidance language is geared toward applying the anti-degradation policy to surface water. The State Board must recognize the difference between surface water and groundwater quality. For example, there is a higher dilution factor and shorter time frame associated with releases to surface waters. As a result, concentrated plumes can travel long distances in groundwater. Because of the difference in characteristics between surface and

groundwater, the State Board should consider developing implementation guidance for groundwater.

We appreciate the opportunity to comment on this document. If you have any questions or comments, please feel free to contact me at (925) 454-5000 or Mary Lim at (925) 454-5036 at your earliest convenience.

Sincerely,



G.F. Duerig
General Manager

cc: Vince Wong, Gurpal Deol, Matt Katen, Mary Lim