



EDMUND G. BROWN JR.
GOVERNOR



MATTHEW RODRIGUEZ
SECRETARY FOR
ENVIRONMENTAL PROTECTION

State Water Resources Control Board

AUG 09 2011

CERTIFIED MAIL

Paul S. Simmons, Esq.
Theresa A. Dunham, Esq.
Cassie N. Aw-Yang, Esq.
Somach Simmons & Dunn
500 Capitol Mall, Suite 1000
Sacramento, CA 95814
psimmons@somachlaw.com
tdunham@somachlaw.com
cawyang@somachlaw.com

Mr. Bill Jennings, Executive Director
California Sportfishing Protection Alliance
3536 Rainier Avenue
Stockton, CA 95204
deltakeep@aol.com

Dear Messrs. Simmons and Jennings and Meses. Dunham and Aw-Yang:

PETITIONS OF SACRAMENTO REGIONAL COUNTY SANITATION DISTRICT AND CALIFORNIA SPORTFISHING PROTECTION ALLIANCE (WASTE DISCHARGE REQUIREMENTS ORDER NO. R5-2010-0114 [NPDES NO. CA0077682] FOR THE SACRAMENTO REGIONAL COUNTY SANITATION DISTRICT, SACRAMENTO REGIONAL WASTEWATER TREATMENT PLANT, SACRAMENTO COUNTY), CENTRAL VALLEY WATER BOARD: BOARD MEETING NOTIFICATION
SWRCB/OCC FILES A-2144(a) and A-2144(b)

Enclosed is a copy of the proposed order in the above-entitled matter. The State Water Resources Control Board (State Water Board) will consider this order at its meeting that will be held on *Tuesday, September 20* commencing at *9:00 a.m.* in the Coastal Hearing Room, Second Floor of the Cal/EPA Building, 1001 I Street, Sacramento, California. You will separately receive an agenda for this meeting.

At the meeting, interested persons will be allowed to comment orally on the draft order, subject to the following time limits. The petitioners, Sacramento Regional County Sanitation District and California Sportfishing Protection Alliance, and the Central Valley Regional Water Quality Control Board will each be allowed five minutes for oral comment, with additional time for questions by the State Water Board members. Other interested persons will be allotted a lesser amount of time to address the State Water Board. At the meeting, the State Water Board may adopt the draft order as written or with revisions, it may decide not to adopt the order, or it may continue consideration until a later meeting.

All comments shall be based solely upon evidence contained in the record or upon legal argument. Supplemental evidence will not be permitted except under the limited circumstances described in California Code of Regulations, title 23, section 2050.6. Written comments on the

CHARLES R. HOPPIN, CHAIRMAN | THOMAS HOWARD, EXECUTIVE DIRECTOR

1001 I Street, Sacramento, CA 95814 | Mailing Address: P.O. Box 100, Sacramento, CA 95812-0100 | www.waterboards.ca.gov

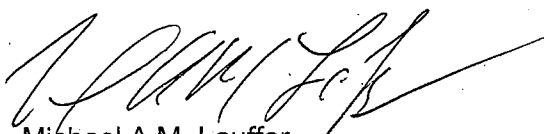
AUG 09 2011

draft order must be received by **September 9, 2011 at noon**. Please indicate in the subject line, *comments to SWRCB/OCC File A-2144(a) and A-2144(b) — September 20, 2011 Board Meeting*. Those comments must be addressed to:

Ms. Jeanine Townsend
Clerk to the Board
State Water Resources Control Board
1001 I Street, 24th Floor [95814]
P.O. Box 100
Sacramento, CA 95812-0100
(tel) 916-341-5600
(fax) 916-341-5620
(email) commentletters@waterboards.ca.gov

If there are any questions or comments, please contact James Herink, Staff Counsel, in the Office of Chief Counsel, at (916) 341-5150 or email jherink@waterboards.ca.gov.

Sincerely,



Michael A.M. Lauffer
Chief Counsel

Enclosure

cc: See next page

cc: **[via U.S. Mail and email]**
Robert A. Ryan, Jr., Esq., County Counsel
Lisa A Travis, Esq., Supervising Deputy
County Counsel
County of Sacramento
700 H Street, Suite 2650
Sacramento, CA 95814
ryanr@saccounty.net
travisl@saccounty.net

[via U.S. Mail and email]
Mr. Stanley R. Dean, District Engineer
Sacramento Regional County
Sanitation District
10060 Goethe Road
Sacramento, CA 95827
deans@sacsewer.com

Mr. Clay Rodgers **[via email only]**
Assistant Executive Officer
Central Valley Regional Water Quality
Control Board, Fresno Office
1685 E Street
Fresno, CA 93706-2020
crodgers@waterboards.ca.gov

Mr. Robert Crandall **[via email only]**
Assistant Executive Officer
Central Valley Regional Water Quality
Control Board, Redding Office
415 Knollcrest Drive
Redding, CA 96002
rcrandall@waterboards.ca.gov

Mr. Rick Moss **[via email only]**
Assistant Executive Officer
Central Valley Regional Water Quality
Control Board
11020 Sun Center Drive, Suite 200
Rancho Cordova, CA 95670-6114
rmoss@waterboards.ca.gov

[via U.S. Mail and email]
Mike Jackson, Esq.
Law Office of Mike Jackson
P.O. Box 207
429 W. Main Street
Quincy, CA 95971
mjatty@sbcglobal.net

[via U.S. Mail and email]
Andrew L. Packard, Esq.
The Law Offices of Andrew L. Packard
100 Petaluma Boulevard North, Suite 301
Petaluma, CA 94952
andrew@packardlawoffices.com

Ms. Pamela C. Creedon **[via email only]**
Executive Officer
Central Valley Regional Water Quality
Control Board
11020 Sun Center Drive, Suite 200
Rancho Cordova, CA 95670-6114
pcreedon@waterboards.ca.gov

Mr. David P. Coupe **[via email only]**
San Francisco Bay Regional Water
Quality Control Board
1515 Clay Street, Suite 1400
Oakland, CA 94612
dcoupe@waterboards.ca.gov

Alex P. Mayer, Esq. **[via email only]**
Office of Chief Counsel
State Water Resources Control Board
1001 I Street, 22nd Floor [95814]
P.O. Box 100
Sacramento, CA 95812-0100
amayer@waterboards.ca.gov

(Continued next page)

AUG 09 2011

cc: (Continued)

Mr. Kenneth D. Landau **[via email only]**
Assistant Executive Officer
Central Valley Regional Water Quality
Control Board
11020 Sun Center Drive, Suite 200
Rancho Cordova, CA 95670-6114
klandau@waterboards.ca.gov

Patrick E. Pulupa, Esq. **[via email only]**
Office of Chief Counsel
State Water Resources Control Board
1001 I Street, 22nd Floor [95814]
P.O. Box 100
Sacramento, CA 95812-0100
ppulupa@waterboards.ca.gov

Ms. Kathleen Harder **[via email only]**
Water Resource Control Engineer
Central Valley Regional Water Quality
Control Board
11020 Sun Center Drive, Suite 200
Rancho Cordova, CA 95670-6114
kharder@waterboards.ca.gov

Mr. David W. Smith, Chief **[via email only]**
Permits Office
U.S. EPA, Region 9
75 Hawthorne Street
San Francisco, CA 94105
smith.davidw@epa.gov

Philip G. Wyels, Esq. **[via email only]**
Office of Chief Counsel
State Water Resources Control Board
1001 I Street, 22nd Floor [95814]
P.O. Box 100
Sacramento, CA 95812-0100
pwyels@waterboards.ca.gov

Interested Persons List

Lyris List

DRAFT

STATE OF CALIFORNIA
STATE WATER RESOURCES CONTROL BOARD

ORDER WQ 2011-

In the Matter of the Petitions of

**SACRAMENTO REGIONAL COUNTY SANITATION DISTRICT
AND
CALIFORNIA SPORTFISHING PROTECTION ALLIANCE**

For Review of Waste Discharge Requirements Order No. R5-2010-0114
[NPDES No. CA0077682]

Issued by the
California Regional Water Quality Control Board,
Central Valley Region

SWRCB/OCC FILES A-2144(a) and A-2144(b)

BY THE BOARD:

On December 9, 2010, the Central Valley Regional Water Quality Control Board (Central Valley Water Board) issued Waste Discharge Requirements Order No. R5-2010-0114 [NPDES No. CA0077682] (Permit) to the Sacramento Regional County Sanitation District (District) for its discharges from the Sacramento Regional Wastewater Treatment Plant. Both the District and the California Sportfishing Protection Alliance (CSPA) filed timely petitions seeking review of the Permit with the State Water Resources Control Board (State Water Board). These petitions were deemed complete and consolidated for review on March 28, 2011.¹

State Water Board regulations generally require final disposition on petitions within 270 days of the date a petition is deemed complete.² If the State Water Board has not made a formal disposition within this time frame, the regulations deem the petition denied. The denial of a petition for review would ordinarily require a petitioner to file any judicial challenge within 30 days of the denial.³ When the State Water Board anticipates addressing a petition on

¹ Cal. Code Regs., tit. 23, § 2054.

² Cal. Code Regs., tit. 23, § 2050.5, subd. (a).

³ Wat. Code, § 13330, subd. (b).

DRAFT

the merits after the review period passes, it may indicate that it will review the matter on its own motion to avoid unnecessary or premature litigation.

The State Water Board anticipates issuing an order addressing some of the issues raised in the petitions, but not by December 23, 2011. Therefore, the State Water Board has decided to review the Permit on its own motion.⁴

ORDER

IT IS HEREBY ORDERED that the State Water Board will review Waste Discharge Requirements Order No. R5-2010-0114 [NPDES No. CA0077682] on its own motion.

CERTIFICATION

The undersigned, Clerk to the Board, does hereby certify that the foregoing is a full, true, and correct copy of an order duly and regularly adopted at a meeting of the State Water Resources Control Board held on September 20, 2011.

AYE:

NO:

ABSENT:

ABSTAIN:

DRAFT

Jeanine Townsend
Clerk to the Board

⁴ See Wat. Code, § 13320, subd. (a); Cal. Code Regs., tit. 23, § 2050.5, subd. (c).