



# Del Rey

“Where Raisin is King”

April 21, 2017

State Water Resources Control Board  
c/o Ms. Jeanine Townsend  
Clerk of the Board  
P.O. Box 997377, MS 7400  
Sacramento, CA 95899-7377



**Re: SBDDW-17-001; Proposed 1,2,3-Trichloropropane MCL Regulation;**

Dear Members of the State Water Resources Control Board:

On April 18, 2017, the Del Rey Community Services District, along with nine other similarly situated Central Valley water systems struggling with 1,2,3-trichloropropane (1,2,3-TCP) well water contamination, submitted a public comment letter in support of the State Water Resource Control Board’s proposed 1,2,3-TCP maximum contaminant level (MCL) regulation. I also spoke on behalf of my District at the public hearing on the proposed MCL on April 19. I am now writing this brief supplemental comment letter on behalf of my District and its elected Board of Directors in order to address a comment made at the hearing by a representative of the organization California Rural Legal Assistance (CRLA).

In its comments, CRLA was critical of the “grandfathering” provision in the proposed regulation that would allow public water systems to substitute certain voluntary early monitoring results during the initial compliance monitoring period, and urged the Board to eliminate this provision. To our knowledge, CRLA is the only commenter among the many stakeholders who have weighed in regarding the proposed MCL that opposes the grandfathering provision.

Del Rey C.S.D. supports the proposed grandfathering provision. It is narrowly tailored and appropriately protective of both public health and people’s interest in receiving full disclosure about contaminant levels in their water. Indeed, the stated purpose of the provision is to encourage early monitoring, and therefore early efforts to plan for remediation, which is good for public health and communities. Del Rey C.S.D. has been voluntarily monitoring for 1,2,3-TCP in its wells since 2012. With the knowledge generated by that effort, we were able to commission an independent feasibility study of treatment options and costs. As a result, we now have a blueprint for achieving MCL compliance once funding can be secured, before the MCL is even adopted. Whether or not Del Rey C.S.D. ultimately chooses to utilize the grandfathering option, we think our experience shows that having a provision in place to incentivize early monitoring is the right policy.


In criticizing the grandfathering provision, CRLA represented that it "works directly with residents" of Del Rey, and may have created the impression that it speaks for people in Del Rey. All members of the public, of course, have a right to submit comment on a proposed regulation. However, as the water system serving Del Rey, our District feels that it is important to emphasize that CRLA does not speak for Del Rey. To our knowledge, no CRLA attorney lives in Del Rey, and no resident of Del Rey has retained CRLA to represent them. In fact, when CRLA came into town last year and offered to help residents form a community organization related to the 1,2,3-TCP issue, residents declined, saying they would prefer to attend District board meetings and address their questions and concerns regarding water issues directly to the District.

Communities in the Central Valley affected by 1,2,3-TCP, like Del Rey, have a strong interest in seeing the MCL adopted as soon as possible. We sincerely hope that CRLA's isolated and misguided criticism of the grandfathering provision in the proposed regulation will not cause a slowdown in the regulatory process.

Please direct any correspondence related to this comment letter to the undersigned at the following address:

Carlos Arias  
District Manager  
Del Rey Community Services District  
10649 E. Morro Drive  
Del Rey, CA 93616

Respectfully,



Carlos Arias  
District Manager  
Del Rey Community Services District