

# JACKSON VALLEY IRRIGATION DISTRICT

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BOARD OF DIRECTORS  
George Lambert, President  
Henry Willy, Vice President  
Larry Costick  
Tim Curran  
Todd Ohm

10/18/2013

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SACRAMENTO  
CVRWQCB  
13 OCT 22 AM 9:58

California Regional Water Quality Control Board  
Central Valley Region  
Attn: Gayleen Perria (Senior Water Resource Control Engineer)  
11020 Sun Center Drive, Suite 200  
Rancho Cordova, CA 95670

Re: Request to obtain status as a Designated Party re: Proposed Waste Discharge Requirements for City of Jackson NPDS Permit No. CA0079391

Re: Comments re Proposed Waste Discharge Requirements for City of Jackson NPDS Permit No. CA0079391

Central Valley Region Board Members:

**Request for status as a Designated Party:**

The Jackson Valley Irrigation (JVID) Board of Directors authorized me, Steven Fredrick, JVID General Manager to request that the Jackson Valley Irrigation District (the District) be granted status as a Designated Party for purposes of the scheduled hearing on the City of Jackson's (the City's) amended Report of Waste Discharge and related matters on December 5/6, 2013.

JVID owns and operates the Jackson Creek Dam and Lake Amador reservoir on Jackson Creek downstream of the City of Jackson's point of discharge for treated wastewater effluent. The proposed changes in the City's Waste Discharge Requirements (WDR's) will have a significant and potentially adverse impact on Lake Amador and members of the District that utilize its waters for industrial, domestic and agricultural uses.

The proposed changes in the dilution rate for Jackson's wastewater discharge and the method of calculating compliance with the Proposed Order will affect the District in the following ways:

1. Property owners currently utilizing Lake Amador for home domestic use are currently on a mandatory bottled water program for drinking water implemented by the California Department of Public Health (CDPH) under Compliance Agreement No. 03-10-01CA-001 effective March of 2001 (attachment A). However, these residents of the District continue to utilize this water source for bathing, washing dishes, and other indoor domestic uses. The proposed elimination of the 20:1 dilution rate after the two major users (Lake Amador Resort and Oaks Mobile Home Park) are taken off the lake water source still leaves approximately 81 homes still connected to this water source. The impact on these homeowners will be magnified by the elimination of the dilution requirement and will certainly be exposed to a greater concentration of wastewater in their water supply above the 5% existing threshold.

2. The Lake Amador Resort and the Sterling Caviar Company both operate fish hatcheries and fish raising operations utilizing Lake Amador water. The elimination of the 20:1 dilution rate for the City's wastewater will subject these facilities to future impacts related to the increased concentration of components of wastewater that studies have determined to be harmful to aquatic life. See comments from Jesse Shaw, (attachment B).

3. The elimination of the 20:1 dilution requirement may have detrimental impacts on farming operations within the District in the future related to the growing of crops intended for direct human consumption when irrigated with increasing concentrations of treated wastewater.

4. The change in the 20:1 dilution rate from monthly to annual averaging will directly and immediately mask the exposure to wastewater effluent and its concentration in the water utilized for the above-mentioned users. The report from District's engineer, Jesse Shaw clearly demonstrates the probability of waters entering Lake Amador exceeding 5% wastewater during dry weather months when the receiving stream (Jackson Creek) for the City's wastewater is mostly dry and the overall volume of water in Lake Amador is low. Mr. Shaw's analysis shows the potential for waters entering Lake Amador in late summer and early fall months to be as much as 30% to 50% wastewater.

The District and its water customers are directly impacted by this decision and the District clearly meets the definition for being a Designated Party in the proposed amendments to the City's permit.

#### **Jackson Valley Irrigation District Comments:**

1. The JVID Board believes that the proposed amendments to the City's permit is based on grossly misrepresented information on the status of the District's project to replace Lake Amador as a source of drinking water for properties within the District. This misrepresentation began with an email from a CDPH Chief of the Division of Drinking Water and Environmental Management to an Assistant Executive Officer at the Central Valley Regional Water Quality Control Board (CVRWQCB) on April 29<sup>th</sup> 2013.

In this email (attachement C), the CVRWQB staff member requested an urgent reply from CDPH regarding the potential of amending the City's WDR's to eliminate 20:1 dilution in light of the District's progress in eliminating Lake Amador as a source water for domestic use and the fact that the City of Jackson was about to commit to an expensive effort to construct storage and land application alternatives to its wastewater facilities which could be avoided if Lake Amador is no longer a domestic water source. The CDPH staff replied in the affirmative that elimination of Lake Amador as a source water would negate the 20:1 dilution requirement in the City's WDR's once the first two larger users of Lake Amador water were hooked up to the new potable water pipeline utilizing Lake Pardee water. However, nothing in the emails presented a factual analysis of the District's progress in meeting that goal and, more importantly, the correlation of the District's progress and ability to meet its obligations under the CDPH Compliance Agreement. The Compliance Agreement requires the District to eliminate Lake Amador as a domestic water source for 100% of its customers not just the two larger ones. These two emails were relied on by CVRWQCB staff to make the determinations in the City's permit and the underlying facts were never developed to justify the proposed changes and the decision to eliminate the 20:1 dilution directly contradicts the purpose of the CDPH Compliance Agreement.

In order to comply with the Compliance Agreement, the District applied for and received one of three potential funding commitments to construct a pipeline from Lake Pardee to a treatment plant at Lake Amador Resort. This first phase is complete and Lake Amador Resort, the first of the two major users of Lake Amador water for domestic use, will be connected soon. The second and third phases will be completed only when the District receives a funding commitment from the State Revolving Fund for grants which could be limited to a maximum of \$3 million. For the second phase, the District is completing engineering and environmental work under a \$500,000 SRF Planning Grant and hopes to receive a funding commitment from the State Revolving Fund to construct this phase upon completion of the planning work. This phase will enlarge the just completed water treatment plant and extend a pipeline to the Oaks Mobile Home Park, the second of the two largest users of Lake Amador water for domestic use. The third phase will be completed in the future and will include the extension of pipelines to the remaining 80 or so households now under the mandatory bottled water program. There is no timeline for this phase which is solely dependent on obtaining additional grant funding.

The elimination of the 20:1 dilution requirement in the City's WDR's does not coincide with the actual timelines for the District's water supply project. In no way should the CVRWQCB approve this change until after the District has removed all homes from using raw Lake Amador water for domestic use.

2. The Jackson Valley Irrigation District is opposed to the elimination of the 20:1 dilution requirement at any time. We believe that eliminating this requirement will harm the long term environmental health of Lake Amador and diminish its viability for recreational and aquaculture uses. Lake Amador is a destination fishing and camping resort that has operated its own fish hatchery to grow trophy trout for visitors and fishermen. The

viability of Lake Amador Resort has been intrinsically tied to the operation of the fish hatchery. Over 93,000 pound of trout are grown and released every fishing season into Lake Amador which has resulted in its immense popularity with sport fishermen. This is not a catch and release reservoir. People catch and eat the fish. That's what draws them there. In addition, Sterling Caviar Company uses Lake Amador to grow sturgeon for harvesting of caviar. Lake Amador was selected for this operation because of its cool water temperatures and generally healthy aquatic environment. Elimination of the 20:1 dilution requirement will surely increase the concentration of wastewater in Lake Amador and inflict great harm to these two unique aquaculture uses.

3. JVID opposes the change in the 20:1 dilution requirement related to the location of the 20:1 measurement and the frequency of the measurement. It is our position that the measurement should be at the point of discharge to Jackson Creek at the City's wastewater treatment plant. Lake Amador should not be operated as a blending pool. In addition, the 20:1 dilution should be measured daily and discharge to the creek should be allowed only at times the dilution is achievable. We recognize that this would potentially force the City to construct storage and dry weather alternative disposal facilities. In fact, this has been the plan under review by the City until just a few weeks ago when the emails between CVWQCB staff and DHS staff incorrectly opined that the District had essentially solved its reliance on Lake Amador water for domestic use.

4. The District respectfully requests a delay in approving the City of Jackson's permit and, instead, request the CVRWQCB require the City of Jackson conduct an additional Beneficial Use Attainment Study of Lake Amador to determine the impact of the City's present and planned discharges of wastewater into Jackson Creek. The previous study was limited in its scope to the stretch of Jackson Creek from the City's point of discharge to the entry of Lake Amador. The new study should examine the effect of the discharge on Lake Amador and its outfall to the JVID irrigation system. We believe that water entering Lake Amador is not completely mixing within the reservoir and may be exiting the lake at concentrations greater than 5% wastewater at the deep water outfall to the District's irrigation mainline due to cooler temperatures of the discharge relative to the surface temperature. We think that the cooler water sinks and leaves the lake via the JVID pipelines and receives minimal circulation within the lake resulting in greater concentrations of wastewater in the irrigation distribution lines than in the body of the lake. It is these irrigation distribution lines that downstream homeowners are currently utilizing for their home domestic use. This study should be a requirement on the City prior to any modification of the 20:1 dilution requirement and that the District should be given input regarding the consultants hired by the City and that the District should have a direct role in overseeing the work of the consultants, including the right to review and approve the document prior to completion.

5. The District will likely never totally eliminate its reliance on Lake Amador as a source water for domestic water use, including drinking water. The new source to be utilized for the new water treatment plant is Lake Pardee, utilizing the District's restricted water right on the Mokelumne River. In extremely dry years, the District may not receive any water at all from Lake Pardee. When that occurs, the District will utilize Lake Amador

as a backup water source for its new treatment plant. Ironically, this often occurs when Lake Amador is also critically low and the concentrations of wastewater in the reservoir may be highest. It makes sense to maintain the 20:1 dilution requirement to keep the concentration at the lowest ratio possible, hopefully no higher than 5%. This low ratio would not be possible in dry years with no requirement on the City of Jackson to limit discharges to actual 20:1 ratios.

In summary, the District believes that the attempt to modify and eventually eliminate the 20:1 dilution requirement from the City's new WDR's is premature and was not coordinated with the actual facts regarding the District's program to eliminate Lake Amador as a source of drinking water. In closing it is JVID's opinions that more work needs to be completed to thoroughly evaluate the impact of this action on the long term health of this important resource of Lake Amador for agriculture, recreation and aquaculture.

Thank you for your consideration,



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Steven Fredrick  
JVID General Manager



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George Lambert  
JVID Board President

Electronic Submittal:

Cc. City of Jackson (Mike Daly)  
California Department of Health (Carl Carlucci & David Remick)  
The Oaks Community Association (Terri Bailey)  
Lake Amador Recreation Area (Lockhart Family)  
Sterling Caviar Inc. (Peter Struffenegger)  
Jackson Valley Irrigation District Board Members  
CVRWQB (Gayleen Perreira)  
CVRWQB (Joshua Palmer)

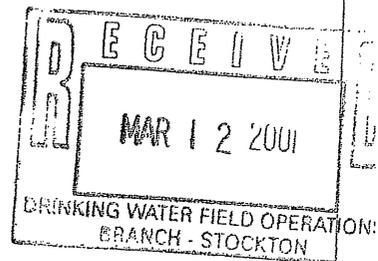
Enclosures:

Attachment A: JVID's CDPH Compliance Agreement No. 03-10-01-CA-001  
Attachment B: JVID's District Engineers Response Letter  
Attachment C: Copy of email dialogue between CDPH and CVRWQB  
Attachment D: Summary of JVID Member's Questions and Comments  
Attachment E: Lake Amador Recreation Area Response Letter

**Attachment A**

**JVID's CDPH Compliance Agreement No. 03-10-01-CA-001**

Compliance Agreement No. 03-10-01CA-001



STATE OF CALIFORNIA  
DEPARTMENT OF HEALTH SERVICES

IN RE: JACKSON VALLEY IRRIGATION DISTRICT

TO: Henry Willy, Manager  
Jackson Valley Irrigation District  
6755 Lake Amador Road  
Ione, CA 95640

COMPLIANCE AGREEMENT

THIS COMPLIANCE AGREEMENT between the CALIFORNIA DEPARTMENT OF HEALTH SERVICES ("DHS") and the JACKSON VALLEY IRRIGATION DISTRICT ("JVLD") is entered into pursuant to Health and Safety Code Sections 116275(s), 116286, 116287, and 116655.

FINDINGS OF FACT

1. The Department of Health Services (DHS) regulates public water systems in the State of California pursuant to state statute. In addition, the DHS has been delegated primacy by the United States Environmental Protection Agency ("EPA") for implementing the provisions of the Federal Safe Drinking Water Act as they apply to

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public water systems within the State of California.

2. The term "public water system" means a system for the provision to the public of water for human consumption through pipes or other constructed conveyances, if such system has at least 15 "service connections" or regularly serves at least 25 individuals.
  
3. The California Health and Safety Code defines "service connection" as the point of connection between the customer's piping or constructed conveyance, and the water system's meter, service pipe, or constructed conveyance.
  
4. The California Health and Safety Code defines "human consumption" to mean drinking, cooking, bathing, showering, dishwashing, and maintaining oral hygiene.
  
5. The staff of the Amador Local Primacy Agency has documented that a cluster of greater than 15 houses on rural residential parcels in close proximity to Buena Vista and numerous additional houses on commercial agricultural parcels in the Jackson Valley are connected to Jackson Valley Irrigation District's piped water system through service connections that provide water for "human consumption". DHS believes the portion of the piped raw water system that serves the cluster of customers in and around Buena Vista may meet the definition of a Public Water System and may not qualify for an incidental use exclusion because the parcels are not utilized as commercial agricultural operations. As additional information is received from the JVID, DHS will determine if any of the service area meets the definition of a Public

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Water System. For those service connections that meet the definition of a Public Water System, the use of alternative water will be an acceptable interim solution to mitigate the public health threat posed by the raw water supply.

6. A "community water system" means a public water system that serves at least 15 service connections used by yearlong residents or regularly serves 25 yearlong residents of the area.

7. "Other approved bottled water" means water bottled by a supplier licensed by the DHS Food and Drug Division in conformance with the requirements of *Section 111007, California Health and Safety Code*.

8. "Equivalent water" means water from a source approved by the DHS Food and Drug Division and delivered to customers either in bottles or in bulk by haulers licensed by the DHS Food and Drug Division or "other approved bottled water".

9. As of August 6, 1998, in areas where the water service rendered by a person is primarily agricultural and domestic service is only incidental to the operation of a commercial agricultural entity, the Department may accept the delivery of water to domestic customers for residential use on an interim basis provided that "equivalent water" to achieve a level of public health protection equivalent to that provided by the applicable drinking water regulations is provided by the water system for residential or similar uses for drinking and cooking.

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10. The provisions of the California Safe Drinking Water Act apply without exclusion to public water systems that provide water for human consumption through pipes to 15 or more service connections or at least 25 individuals daily for at least 60 days out of the year. Therefore, those residential customers served by JVID that are not eligible for the exemption applicable to customers with residential use that is incidental to a commercial agricultural service connection are required to receive water for human consumption that complies with applicable provisions of the California Safe Drinking Water Act. However, until such safe drinking water can be supplied through a piped distribution system, this agreement establishes a program to provide for the delivery of "equivalent water" to achieve a level of public health protection equivalent to that provided by the applicable drinking water regulations to domestic customers for residential or similar uses for drinking and cooking.

11. JVID maintains a raw irrigation water conveyance pipeline that may constitute a water distribution system subject to regulation as a public water system.

12. A purpose of this Agreement is to identify the steps required for determining the status of the JVID water system in relation to the definition of a public water system, respecting domestic service connections receiving untreated water for human consumption from the JVID piped raw water system. Nothing in this Agreement, however, is intended to preclude JVID from excluding such service connections associated with the JVID piped raw water system from the inventory of residential

1 customers not exempted by the exclusion for incidental residential use related to  
2 commercial agricultural operations, or by uses that are exclusively agricultural with no  
3 associated residential use. Similarly, nothing in this Agreement is intended to preclude  
4 JVID from excluding such raw irrigation water service connections that exclusively  
5 use water from a domestic water supply well approved for domestic use by the Amador  
6 County Department of Environmental Health.  
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9 **CONCLUSIONS OF LAW**

10 Based on the above Findings of Fact, the DHS concludes that the Jackson Valley Irrigation  
11 District may meet the definition of a community Public Water System and thereby may be in  
12 violation of *Sections 116525 Permits and 116555 Operational Requirements of the Health and*  
13 *Safety Code and Chapter 17 Surface Water Treatment Title 22, California Code of*  
14 *Regulations.*  
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17 **ORDER**

18 Pursuant to *Section 116655 of the California Health and Safety Code*, the DHS hereby orders  
19 the Respondent, Jackson Valley Irrigation District to take the following actions to ensure that  
20 the water supplied to the public is at all times pure, wholesome, and potable.  
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23 **I. LIST OF RESIDENTIAL USE CUSTOMERS.**

24 Jackson Valley Irrigation District shall develop and maintain a list of residential use  
25 customers that acquire water from JVID. In this document "residential use" means the  
26 use of water for drinking, cooking, bathing, showering, dish washing, and maintaining  
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oral hygiene, wherever such uses may occur, whether it be in a home, school, business, or any other location. This list of residential use customers shall be developed through a customer survey process and shall be provided to the DHS. The format of the survey shall be reviewed and approved by DHS prior to its issuance.

The list shall indicate which water users are commercial agricultural customers making incidental use of Jackson Valley Irrigation District raw water for residential use and which water customers are either strictly residential customers or primarily residential customers with an incidental use of the water for non-commercial, agricultural interests.

II. INITIAL SURVEY AND COMPLETION MILESTONES.

- A. The Amador Local Primacy Agency (LPA) indicates that on approximately October 12, 1999 Jackson Valley Irrigation District initiated a preliminary survey process directed toward those persons and/or entities that have residential connections and acquire District water.
- B. On August 1, 2000, Jackson Valley Irrigation District developed a new survey to identify a complete list of all current residential users. A draft of the survey form was provided to DHS for review and approval before it was used to conduct a new survey. The primary objective of the survey was to determine which customers receiving raw water use the JVID water for domestic purposes. Because JVID does not have the technical capacity to operate, maintain, and monitor Point of Entry (POE) treatment systems, JVID

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determined that it could not accept POE treatment as a process that would reliably provide water with a level of health protection equivalent to the level provided by approved bottled water. Therefore, the survey notified customers that the use of a POE treatment system does not negate the need to receive bottled water. Additionally, the survey inquired if ground water from a private well was used for domestic purposes by the residence.

C. On August 7, 2000 Jackson Valley Irrigation District mailed out survey forms, approved by the DHS, to all property owners and residents that receive water from the Jackson Valley Irrigation District.

D. The Jackson Valley Irrigation District implemented the following procedure with respect to those 10 customers (out of 163) who failed to complete the survey and return it to JVID by September 15, 2000:

1. Margaret Blood, a Registered Environmental Health Specialist with the Amador County Department of Environmental Health conducted site visits, on behalf of the Jackson Valley Irrigation District, to those customers that failed to complete the survey. By October 13, 2000, Ms. Blood had completed her survey, obtaining the information required by the survey for all of the residents that did not respond to the August 7, 2000 mailing by JVID. Since the site visits provided all of the needed information, JVID had no need to distribute additional survey forms or conduct additional site visits. However, if initial contacts in future surveys do not produce acceptable responses, JVID will leave a letter requesting the completion of the survey, a copy of the

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survey, and a return envelope. The letter will explain that failure to complete the survey constitutes grounds for termination of service at the customer's connection.

2. In future surveys, if the survey information is not obtained within 15 days of the first site visit, Jackson Valley Irrigation District representatives will conduct a second site visit. Again, copies of the letter, survey, and return envelope will be left, if the survey information cannot be ascertained. The letter will explain that failure to complete the survey constitutes grounds for termination of service at the customer's connection.

3. In future surveys, if JVID has not obtained the information requested by the survey (either directly or indirectly) within 15 days after the second site visit, then JVID shall, within an additional 15 day period, provide thirty (30) days written notice to each such survey recipient, with a copy to the County, of JVID's intent to terminate such user's service at the connection, unless the completed survey is submitted prior to the deadline.

4. If the foregoing steps do not result in the required survey information being obtained in future surveys, Jackson Valley Irrigation District shall commence action to remove the customer's water service at the connection. Where the termination of water service to any customer is necessary, such service termination shall occur at the expiration of the 30 day grace period.

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E. On or before March 31 of each following year, commencing in 2002, JVID shall complete a survey of residential customers of the JVID raw water system if so requested by DHS. DHS reserves the right to request modifications of the annual survey from year to year as necessary to meet the requirements of federal and state law.

**III INTERIM MEASURES TO PROTECT PUBLIC HEALTH**

A. Each residential user shall be provided hauled or bottled water (equivalent water) while the Jackson Valley Irrigation District implements the necessary improvements or arranges with another water agency to import, treat and distribute potable drinking water for "human consumption" through a piped treated water distribution system. Alternative water shall be provided by JVID to all users that request this service. The Jackson Valley Irrigation District may charge the users for the cost of alternative water supplied by JVID. JVID may contract with a third party to deliver the water to the user, but JVID remains responsible for ensuring that the alternative water is provided to the users.

B. No customer of JVID shall use water other than the alternative water provided by JVID for human consumption unless the user requests and receives the approval of JVID to use such "equivalent water". If, in lieu of using alternative water provided by the Jackson Valley Irrigation District, any user requests and receives the approval of JVID to purchase "equivalent water" from approved commercially available sources, JVID shall obtain records from such users verifying the purchase of the "equivalent water". JVID shall maintain the

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records as evidence that such users are obtaining water from an approved source for human consumption.

C. An additional interim measure to protect public health shall be the distribution of public notifications as described in Section VII of this document.

IV. RESPONSE ACTIONS WHEN WATER FROM AN APPROVED PROVIDER OR "EQUIVALENT WATER" IS NOT USED FOR DRINKING OR COOKING PURPOSES.

A. In the event JVID determines through the survey or otherwise that any person or entity (receiving untreated, irrigation water for residential use) is not using water from an Approved Provider or "equivalent water" for drinking or cooking purposes, JVID shall take the following immediate steps to ensure that such person or entity receives approved water for drinking and cooking purposes from a provider of hauled or bottled water who has been approved by DHS pursuant to Section V of this Agreement ("Approved Provider") or other approved source:

1. Effective January 30, 2001 or within seven calendar days of JVID obtaining knowledge that a person or entity is not using equivalent water from an approved source for drinking or cooking purposes, whichever is later, JVID representatives will conduct a site visit and/or contact the person or entity by telephone to make arrangements for having an Approved Provider supply alternative water for drinking and cooking purposes to such person or entity.

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2. If actual contact cannot be made with the person or entity not using equivalent water from an approved source for drinking or cooking purposes within the seven-day period, then JVID representatives will leave a letter, along with a list of Approved Providers, directing such person or entity to immediately make arrangements for the purchase of alternative water for drinking and cooking purposes. Such person or entity shall be provided seven days to contact JVID to confirm that alternative water for drinking and cooking purposes has been secured from an Approved Provider.
3. If a positive response has not been received within seven days of making actual contact or leaving the letter, JVID shall provide thirty (30) days written notice to the person or entity not using equivalent water from an approved source for drinking and cooking purposes of JVID's intent to disconnect such person's or entity's piped raw water connection.
4. If the person or entity fails to secure alternative water for drinking and cooking purposes from an Approved Provider within this 30-day period, JVID shall terminate such person's or entity's piped raw water connection at the end of the 30-day notice period.
5. JVID shall confirm that the person or entity has made arrangements for acquiring alternative water for drinking and cooking purposes directly from the Approved Provider.

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V. APPROVED PROVIDERS AND COMPLETION MILESTONES.

A. The DHS-Division of Drinking Water and Environmental Management (DDWEM) will provide Jackson Valley Irrigation District with a list of water haulers serving Amador County, that have been licensed by the DHS-Food and Drug Branch. The DHS-DDWEM will notify JVID whenever any provider serving Amador County is no longer licensed by DHS. Unless and until JVID is notified that a hauler has been removed from the list of licensed water haulers, Jackson Valley Irrigation District shall presume that all haulers that have been licensed by DHS-Food and Drug Branch are acceptable to the DHS-DDWEM as Approved Providers.

1. Jackson Valley Irrigation District did inform providers, who have been licensed by DHS, that in order to become Approved Providers they must enter into a contract with JVID consistent with the provisions of this agreement.
2. Providers will be removed from the Approved Provider list whenever any one of the following occurs:
  - (a) The provider's certification is suspended or revoked by DHS, or
  - (b) The provider fails to meet the requirements outlined in the contractual agreement with Jackson Valley Irrigation District.

B. JVID developed and, on November 1, 2000, executed a contract with the only Approved Provider that bid on JVID's proposal.

C. By November 27, 2000, Jackson Valley Irrigation District notified each of its

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residential customers that a contract for the delivery of bottled water to them had been awarded to an Approved Provider.

D. In the event that any provider loses its status as an Approved Provider, Jackson Valley Irrigation District will remove the unapproved provider from the list of Approved Providers. In addition, JVID will, within 30 days of being notified by the DHS, contact all of its residential use customers who are utilizing the unapproved provider. These customers will have 30 days to enter into arrangements with an additional Approved Provider to supply alternative water for drinking and cooking purposes. Any residential use customer failing to transfer its alternative water service to an alternate Approved Providers within the 30-day grace period will be subject to the termination of water service by JVID.

VI OPERATIONS MANUAL - DEVELOPMENT AND COMPLETION MILESTONES.

- A. JVID shall prepare an Operations Manual ("Operations Manual"). The Operations Manual shall contain, at a minimum:
  1. A description of the processes that JVID is utilizing to track all of the locations at which JVID's untreated water from the piped raw water system may be used for residential purposes.
  2. A description of JVID's process for handling theft of water.
  3. A procedure for assuring that no new customers receive untreated water

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from the JVID untreated irrigation water pipeline for residential purposes.

- 4. A procedure for removing any unauthorized connections to the JVID untreated irrigation water pipeline.
- 5. A procedure for tracking customer changes for a premise.
- 6. A procedure for receiving information from water haulers.
- 7. Procedures for enforcement of the requirements to obtain water from an Approved Provider, consistent with the terms of this Agreement.
- 8. Procedures for maintaining records that, upon audit, will verify that customers who do not obtain water from an Approved Provider continuously obtain an adequate supply of water from a domestic water supply well.
- 9. A description of JVID's process for dealing with customers who fail to pay for alternative water.

B. JVID shall update the plan as required by the DHS to include other items appropriate for inclusion in the Operations Manual.

C. By December 31, 2000, JVID provided DHS with a draft of the Operations Manual for review.

D. Within 30 days of receiving comments from the DHS on the draft Operations Manual, JVID will finalize the Operations Manual.

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E. JVID will request the assistance and the cooperation of the Amador County Building, Planning, and Environmental Health Departments in determining unauthorized connections and in precluding any new residential service connections in the Amador Canal and Ione Pipeline service areas without an approved source of potable water.

**VII PERIODIC NOTIFICATION**

A. Jackson Valley Irrigation District will notify their customers and tenants that District water is suitable for irrigation purposes only and does not meet State or Federal drinking water standards for "human consumption". The notice will state that the City of Jackson's wastewater treatment plant discharges into Jackson Creek, which is the source of water used by the Jackson Valley Irrigation District. The concentration of wastewater in the JVID water source varies with the flow of water from rainfall, springs, and discharges from the Mokelumne River that may be available to dilute the Jackson wastewater discharge. In years when dilution flows into Jackson Creek are limited, the City of Jackson wastewater discharge constitutes the majority of the flow in Jackson Creek, thereby significantly increasing the public health risk associated with the use of water from Jackson Creek.

1. The notice will also inform customers that they must use approved hauled or bottled water for "human consumption" in order to protect their health.
2. The notice will be mailed to all customers at least quarterly.

B. The notice will inform property owners of their responsibilities to warn any tenant, guest or subsequent owner that Jackson Valley Irrigation District water is not fit for human consumption.

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C. By March 1 of 2001 and each year thereafter, JVID will provide all of its customers that receive raw water for human consumption from JVID's piped raw water system with the following notification relevant to the health risks associated with the use of such water:

The water provided through your service connection by the Jackson Valley Irrigation District is raw water that has received no treatment whatsoever. That means that it is probably not safe for domestic use. The water may contain contaminants, including bacteria, viruses, parasites and other pathogenic organisms, that can cause disease. Disease symptoms may include diarrhea, cramps, nausea, and possibly jaundice, and associated headaches and fatigue. These symptoms, however, are not just associated with disease-causing organisms in drinking water, but also may be caused by a number of factors other than your drinking water.

State and Federal law mandate that customers using raw water for domestic purposes must also be provided with alternate water that meets Safe Drinking Water Act health standards for drinking and cooking.

The law does not mandate that alternate water be provided for domestic purposes other than drinking and cooking, such as oral hygiene, ice preparation, bathing, dish washing, irrigating or cleaning wounds, and food preparation including washing fruits and vegetables and meat products. However, that does not mean that there is no risk of illness or disease from untreated water used for these purposes. Therefore, you need to be aware that these uses can also cause disease if pathogens are present in the water. The adverse effects are typically more severe in infants, the elderly, and those with compromised immune systems and life threatening illnesses. To reduce your risk, you should:

- use the alternate source for oral hygiene, ice preparation, irrigating or cleaning wounds, and when washing any food that will not subsequently be cooked;
- avoid getting any raw water in your mouth when bathing or showering; and
- rinse dishes in the hottest water you can manage and do not use until they have been completely dried, either by the air or a clean towel.

1 Note that many home treatment units lack the technological  
2 features and reliability to assure that the treated water is  
3 consistently safe for domestic use. Therefore, when using a home  
4 treatment unit, make sure you understand how to maintain it so  
5 that it operates well and perform the required maintenance on it  
6 on schedule. If purchasing a unit, query the salesperson  
thoroughly to learn about reliability features and maintenance and  
how you can help ensure that the unit keeps your water safe.

7 **VIII COMPLIANCE WITH SAFE DRINKING WATER ACT**

8 Jackson Valley Irrigation District will cooperate with the Amador County Environmental  
9 Health Department; the Department of Health Services Drinking Water Field Operations  
10 Branch; the Amador County Public Works Department and the Amador Water Agency to  
11 explore alternatives to eliminate all connections where untreated JVID water is piped for  
12 residential use in the Jackson Valley area. State Revolving Fund money is available to help  
13 finance improvements in order to provide a safe wholesome and reliable drinking water source  
14 to the customers now using Jackson Valley Irrigation District water for domestic purposes.  
15

16 The following shall be developed and provided to the DHS:  
17

- 18 A. A master plan which identifies JVID's boundaries, all parcels within the JVID  
19 service area, and all parcels with residential use. The plan shall:
- 20 1. Identify housing clusters and prioritize those areas with the greatest  
21 number of service connections in close proximity to each other.
  - 22 2. Propose a piping plan that starts with the largest housing cluster and  
23 incorporates smaller housing clusters sequentially until all residential  
24 users in the entire JVID service area are provided treated potable water  
25 from a source approved by the DHS in lieu of raw water from the  
26 Jackson Valley Irrigation District.  
27

1 Document the economic feasibility of piping treated potable water to each group or cluster of  
2 residential users, since economic feasibility will be a determinant of the priority of extending  
3 potable water to Jackson Valley Irrigation District residential users as the piping plan is  
4 developed.

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7 For each residence in the JVID service area that receives water from the JVID network of raw  
8 water pipelines, identify which of the residences are located on and used in association with  
9 commercial agricultural operations and which of the residences are primarily residential with  
10 no commercial agricultural use of the parcel.

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13 Update the economic assessment of the feasibility of providing treated potable water through a  
14 piped distribution system to additional residences in the JVID service area every 5 years or  
15 more frequently if new development warrants the extension of treated water service to  
16 additional areas in the JVID service area.

17 B. Analysis of potential water sources in terms of quantity and quality.

- 18  
19 1. Mokelumne River raw water via Pardee Reservoir, via a conveyance  
20 isolated from the City of Jackson wastewater discharge, and with  
21 treatment added in Jackson Valley.  
22  
23 2. Treated water from the Ione Water Treatment Plant  
24  
25 3. Mokelumne River raw water through the Amador Water Agency Canal,  
26 via a conveyance isolated from the City of Jackson wastewater  
27 discharge, and with treatment provided in Jackson Valley.

C. Review the following water treatment options:

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1. Construction of a regional water treatment plant in the Jackson Valley treating Mokelumne River water and operated by the Amador Water Agency and/or the Jackson Valley Irrigation District.
2. Enlarge and improve the water treatment plant at the Oaks Community Association to serve the entire Jackson Valley region utilizing raw water from the Mokelumne River, via a conveyance protected from the City of Jackson waste water discharge, as a source.
3. Other sources that meet the requirements of the Safe Drinking Water Act and that are approved by the DHS.

**IX NEW SERVICES AND TRANSFER OF TITLE**

- A. No new residential service connections will be permitted using Jackson Valley Irrigation District water as the source of water for domestic purposes.
- B. On each and every lot within the boundaries of the Jackson Valley Irrigation District, the County will post to the Building Department records, the Planning zoning maps and the Environmental Health files a statement that JVID's water is not potable or suitable for domestic use and an alternative water source, such as well water or domestic water from a public water system, will be necessary prior to new County residential building permit approvals.

**X. RECORD KEEPING.**

- A By March 30, 2001, Jackson Valley Irrigation District shall implement a recordkeeping procedure to ensure that all residential customers are receiving

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an approved alternative supply.

B. Jackson Valley Irrigation District shall maintain the following records at its central offices located 6755 Lake Amador Drive, Ione, CA 95640

1. The list of residential use customers identified in Section I of this Agreement and their current alternative water provider.
2. All completed surveys generated pursuant to this Agreement.
3. The list of Approved Providers of alternative water for drinking and cooking purposes which is maintained pursuant to this Agreement.
4. Copies of all notices sent to consumers warning them of the potential negative health effects from drinking Jackson Valley Irrigation District water.
5. Records indicating the dates of all phone/site visit contacts made as required by this Agreement.
6. Records of all service connections that have been severed due to noncompliance.

C. These records shall be updated on a quarterly basis and maintained for 5 years and shall be available for inspection by the DHS and the Amador County Department of Environmental Health.

**VII. NON-INTERFERENCE WITH CONTRACTUAL RELATIONSHIPS.**

Nothing in this Agreement shall interfere with rights of Approved Providers to enter into independent water supply contracts with JVID's residential use customers. All costs of

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obtaining alternative water shall be the responsibility of each of the residential use customers.

**VIII. TERMINATION.**

Either JVID or DHS may terminate this Compliance Agreement by providing thirty days' written notice.

**X. SEVERABILITY.**

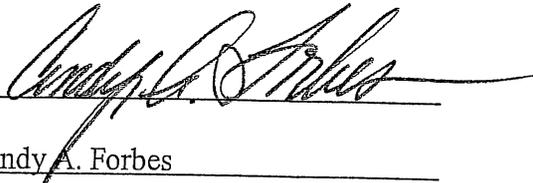
The requirements of this Agreement are severable, and the parties shall comply with each and every provision thereof, notwithstanding the effectiveness of any provision.

**XI. EFFECTIVE DATE.**

The effective date of this Compliance Agreement shall be the date on which this Agreement is fully executed.

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CALIFORNIA DEPARTMENT HEALTH SERVICES

Date: March 19, 2001 By:   
Name: Cindy A. Forbes  
Title: Chief, Southern California Branch  
Drinking Water Field Operations

JACKSON VALLEY IRRIGATION DISTRICT

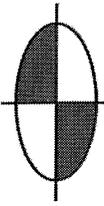
Date: 7 Mar 2001 By:   
Name: Henry Willy  
Title: Manager

CERTIFIED MAIL NO. \_\_\_\_\_

cc: Joe Spano, SCFOB, Stockton

**Attachment B**

**JVID's District Engineers Response Letter**



**TOMA & ASSOCIATES, INC.**  
ENGINEERING- SURVEYING- PLANNING

JVID/COJ Wastewater

- 1) In the July 2012 Draft EIR for the City of Jackson's WWTP, Stantec's report of 12/2011, it very clearly includes effluent storage and land disposal on Busi Ranch as part of the proposed project for the City of Jackson. To quote from Stantec's 12/2011 report page 3: *"The key element of the Proposed Project is that it reduces (to the point of stopping when needed) effluent discharges to Jackson Creek during dry seasons when creek flows can be very low to zero."* Nothing would have lead JVID to think anything had varied from this up until Stantec issued their "white paper" of April 2013 which concluded that year round creek discharge would be ok – primarily due to JVID's Phase 2 water distribution project. Given this unsuspected chain of events-JVID currently has to take a position which protects their long term interests in the health of Lake Amador and the many activities and uses which it supports.
  
- 2) JVID realizes that the 5% guidance was a function of public health and drinking water supply safety. JVID also realizes the proposed WDRs pretty much wipes out the 5% restriction should JVID complete Phase 2 of the Pardee water supply project. Unfortunately – this has been the only "card" JVID has held with respect to the issue of treated effluent into Lake Amador. Without this restriction-or one similar-JVID has no real control or say regarding this discharge, and this discharge has more impact on JVID than anyone else involved. Our concerns are generally twofold. Assuming a Phase 2 (distribution of treated water) water project is completed – our first concern is that the Phase 2 project will not get all of our customers off use of this water. *There will still be people using Lake Amador as a source of drinking water.* Many fewer than before the Phase 2 project, but it will still be a source for some. The other – possibly much larger – issue is concern with respect to the general long term health of the Lake Amador ecology. Stantec's April 2013 report makes note: *"... over the past 20 years linking abnormalities in aquatic life, primarily frogs and fish, to prolonged exposures to effluent in somewhat unique settings, e.g., carp in the Las Vegas arm of Lake Mead receiving Las Vegas effluent, and white suckers living in the plume from an effluent discharge to Boulder Creek in Colorado."* In addition to potential negative impacts to fish habitat in the lake, there are 2 fish hatcheries below Lake Amador that depend greatly on the quality of effluent coming from the lake to produce a quality product. The Lake Amador Recreation Area (LARA) provides a substantial income to JVID, and the health of LARA (and JVID) largely depends on the health of the lake itself. If JVID could be assured of the long term health of the lake, I'm sure that would mitigate many concerns the District currently has. So in conclusion, holding to the 5% rule – regardless of why it was originally implemented - was JVIDs only real way to have any control over the long term sustainability and health of Lake Amador, and all the activities it currently supports. Finally, there is existing anecdotal evidence which does concern people that frequent the lake (for example - significant algae blooms and lake turnover, and increasing odors when it does turn over) that Lake Amador is not as "healthy" as JVID would like it to be.

All that said-many of the comments below relate to the existing 5% rule and why it should not be discarded just yet.

- 3) It appears that the 2009 "Beneficial Use Attainment Study" did not include Lake Amador itself. Maybe there was another study that did include Lake Amador. If not-it would seem more than logical that a similar study be done for strictly Lake Amador, and that the study be done by a consultant hired/approved by JVID-but paid for by the City of Jackson. The study should examine the existing and projected health of Lake Amador, and should problems be identified, attempt to define the source or sources of problems the lake is experiencing. This type of study would be pivotal with respect to JVIDs concerns regarding the COJ WWTP. Without this type of study and information – everyone is purely speculating, and with the speculating there could certainly be erroneous conclusions drawn with respect to the perceived effects of the COJ WWTP upon Lake Amador. This study would be of enormous benefit to both JVID and the COJ. For example, maybe a problem with the lake is identified, but maybe the source isn't the wwtp at all-maybe it is storm water runoff from developed areas upstream, cattle grazing, urban fertilizer use, etc. This helps solve the problem for JVID-and get the monkey off of the COJ's back. Without this information-everyone assumes certain problems exist (which may or may not be true), and they also assume the source of the problems is the COJWWTP (which may or may not be true).

JVID should be a close party to developing this type of study to insure all JVID concerns are addressed. Clearly there are many issues to review, and one in particular that has been of interest lately is generally how the wastewater plume enters and leaves the lake. No doubt the lake is not completely mixed, and downstream users such as the hatcheries are concerned of how direct the plume heads toward the dam outlet. Also-on paper-the inflow from Lake Pardee has a great influence on the net monthly inflow to Lake Amador during drier months, but may have little effect on dilution of the wastewater plume from the COJWWTP.

There would seem to be 3 possible outcomes from a study such as this. The first would be that everything is great with the lake and all is associated uses/users, and there appears to be no reason why this won't continue. Second would be that Lake Amador is in terrible shape and its users are suffering as a result, and there is no projected improvement for the future. And third would be someplace in-between. It would unlikely be either of the first 2, and most likely the third. Assuming there are problems identified with the lake, what are they? Of what magnitude are they? What is the suspected cause/source? Can the problems be remedied? How can they be remedied? How long will remediation take, etc. Finally-assuming the outcome of the study concludes no discernible negative impacts of the WWTP to Lake Amador-JVID would have no real basis for protesting the 5% rule being vacated. If there is some cause and effect with respect to the wwtp-the 5% rule may need to be enforced, (or whatever recommendations surfacing from this report should be enforced by the Regional Board and COJ). To summarize, without the benefit of conclusions drawn from such a study, JVID cannot support the non-inclusion of the 5% guidance, nor can it support the continued discharge of treated effluent to Jackson Creek during low/no flow conditions.

- 4) Order No. R5-2007-0133 stated discharger (in 5 years) is prohibited from discharging to JC when Lake Amador greater than 5% effluent. This prohibition gave JVID the very clear, distinct impression that the COJ would be forced within 5 years to diminish discharges to Jackson Creek. This appears to not be happening, as new WDRs are vague to the point (see comment 5) that the 5% guidance is now being evaluated on an annual basis. The 5% guidance should be on a monthly basis.
- 5) Order No. R5-2007-0133 stated in section VII.I that compliance with 5% on a monthly basis. This has been updated in current proposed WDRs to vaguely state *"the Discharger is prohibited from discharging wastewater into Jackson Creek in amounts that cause the downstream Lake Amador water to exceed greater than five percent volume of wastewater in Lake Amador"*.

- 6) Other foothill communities (Angels Camp, San Andreas) WDRs evaluate the 20:1 guidance on a *daily basis at the point of discharge*. Obviously in COJ case, this would be impossible without effluent storage and land disposal facilities. These facilities appeared to be included within Stantec's December 2011 Facilities Description, but have since been discarded. The point here is that – generally speaking – most foothill communities have long been required to incorporate effluent storage/land disposal in periods not conducive to surface discharge in order to protect the many downstream uses below the foothill communities.
- 7) Based on Table 1 on page 4 of Stantec's April 2013 "White Paper", there are 3 out of 10 years where their estimated % annual volume of effluent (@.71 mgd) exceeded the average annual lake volume, and it was close in 2 others. It would appear to say that Jackson cannot meet the 20:1 guidance a significant portion of the time. Undoubtedly this would be worse on a monthly basis as originally required in Order No. R5-2007-0133.
- 8) As noted in Joseph Spano's letter to the Regional Board on 7/13/2007 when commenting on Jackson's tentative WDRs, *"...there are many chemicals, such as pharmaceuticals, endocrine disruptors, and personal care products that pass through both wastewater treatment processes and surface water treatment processes without being removed."* Nothing has changed with respect to the above point made by Mr. Spano. By keeping the 5% guidance intact here – it will help minimize these potential impacts due to these chemicals which reach Lake Amador.
- 9) In calendar year 2012, the following flows were recorded at Jackson WWTP, (in MG):

Month	Stream	Effluent
J	178.9	12.5
F	115.1	10.9
M	787.4	19.7
A	810.2	17.3
M	130.3	11.7
J	45.8	10.4
J	19.0	10.1
A	11.95	9.95
S	11.8	9.6
O	32.1	10.6
N	134.5	12.3
D	688.8	19.0
Totals = 2965.9		154.1

Rainfall for that calendar year was 31.8", which is probably a little dry-but close to average. Attached is a spreadsheet constructed in a similar fashion as was Stantec's Table 1 in their April 2013 report – except that the attached is monthly and theirs is annual. As they noted, this may be an overly simplified view, but it would be a good general indicator of % effluent in the lake.

Here's the main point. Under today's flows-for 2012-the lake would have been over 5% for 6 out of 12 months in 2012, and would have been over on 9 of 12 months under ADWFs of .71 mgd. Also of note-the calculations assume that the lake is completely mixed-which it most certainly is not. This fact would lead to the conclusion that there could be many portions of the lake that are well above the %'s shown in the spreadsheet.

Under the existing WDRs-the above would have been serious violations.

Without the 5% guidance being employed, the % effluent in the lake will continue to rise, and JVID has

no recourse should issues/problems arise in the future.

Should it be concluded at some point that the 5% guidance (or something similar) be maintained, clearly it needs to be on a monthly basis.

- 10) There are numerous studies in other locations that have examined the long term effects of treated effluent on fresh water streams and lakes. These studies may or may not have bearing on the Lake Amador situation. Some studies were with respect to what Joe Spano made reference to – chemicals such as the synthetic estrogen in birth control pills. One Canadian study from 2007 states *“Over the past decade, there have been a number of studies in North America and Europe showing skewed sexual development in aquatic life living near outfalls from sewage plants. This study is the first to show that exposure to drugs not only changes sexual characteristics, but it can also destroy fish populations.”* There are too many other studies to mention here. Again-it would be pointless to try and debate this or any other issue with respect to what the COJ WWTP may or may not be contributing to the lake, and the possible effects on the lake, but there would seem to be more than enough documentation to warrant a study as outlined in no. 2 above. The future health of the lake and its associated industries (ag, fish farms, recreation, etc) are key to the future economic sustainability and viability of JVID.

Jesse Shaw, PE  
JVID District Engineer



**Attachment C**

**Copy of email dialogue between CDPH & CVRWQB**

## Palmer, Joshua@Waterboards

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**From:** Perreira, Gayleen@Waterboards  
**Sent:** Wednesday, May 15, 2013 8:19 AM  
**To:** Palmer, Joshua@Waterboards  
**Subject:** FW: Request for DPH recommendation on level of disinfection for Jackson WWTP

---

**From:** Walker, Leah (CDPH-DDWEM) [mailto:Leah.Walker@cdph.ca.gov]  
**Sent:** Monday, April 29, 2013 4:03 PM  
**To:** Landau, Ken@Waterboards  
**Cc:** Perreira, Gayleen@Waterboards; Creedon, Pamela@Waterboards; Forbes, Cindy (CDPH-DDWEM); Carlucci, Carl (CDPH-SCDWFOB); Walker, Leah@DHCS  
**Subject:** RE: Request for DPH recommendation on level of disinfection for Jackson WWTP

Hi Ken –

There are currently two public water systems that use raw water from Lake Amador; Jackson Valley Irrigation District's (JVID) Lake Amador Recreation Area and the Oaks Mobile Home Park. JVID has installed a new raw water intake to receive water from Pardee Reservoir (Mokelumne River) and has constructed a new surface water treatment plant with funds from our Prop 50 program. The new water source and treatment plant should be placed in service around June 2013. The Oaks MHP has a conventional filtration treatment plant that includes pre-ozonation and post-chlorination to provide enhanced disinfection treatment. JVID is also undertaking a SRF project that includes the construction of a treated water pipeline from their new surface water treatment plant to the Oaks MHP, which should be completed around 2016.

It is likely that the Oaks MHP will receive treated Mokelumne River water from the new JVID treatment plant prior to the anticipated completion date for City of Jackson's facilities necessary to eliminate their wastewater discharge into Jackson Creek. Given that the City of Jackson's current wastewater treatment plant provides disinfected tertiary treatment and the City usually provides 20:1 dilution in Lake Amador, our Department believes that adequate public health protection is being provided until both domestic water supply intakes are removed from Lake Amador.

In regard to recreation and irrigation uses of Lake Amador, provided that the City's wastewater treatment plant's disinfected tertiary effluent meets the requirements specified in our Recycled Water Regulations for body contact and food crop irrigation, we have no objection to the continued discharge into Jackson Creek.

If you have any questions or would like further information, please contact Carl Carlucci at (559) 447-3132 or me at (916) 449-5577.

### LEAH

Leah Godsey Walker, P.E.  
Chief, Division of Drinking Water and Environmental Management  
916-449-5577

California Department of Public Health  
[leah.walker@cdph.ca.gov](mailto:leah.walker@cdph.ca.gov)

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**From:** Landau, Ken@Waterboards [<mailto:Ken.Landau@waterboards.ca.gov>]  
**Sent:** Wednesday, April 24, 2013 11:57 AM  
**To:** Walker, Leah (CDPH-DDWEM)  
**Cc:** Perreira, Gayleen@Waterboards; Creedon, Pamela@Waterboards  
**Subject:** FW: Request for DPH recommendation on level of disinfection for Jackson WWTP

Leah,

I sent you the following email about a month ago requesting further review of the disinfection levels needed for the Jackson Wastewater Treatment Plant discharge to Jackson Creek. I have not heard anything back and was wondering what the status of the Department's review is.

Thanks,  
Ken

---

**From:** Landau, Ken@Waterboards  
**Sent:** Wednesday, March 13, 2013 2:13 PM  
**To:** 'leah.walker@cdph.ca.gov'  
**Cc:** Creedon, Pamela@Waterboards; Perreira, Gayleen@Waterboards  
**Subject:** Request for DPH recommendation on level of disinfection for Jackson WWTP

Leah:

We are requesting further consideration by DPH of the level of wastewater treatment for the City of Jackson to Jackson Creek which flows into Lake Amador.

Jackson discharges filtered, disinfected wastewater to Jackson Creek which flows a few miles into Lake Amador. Because Lake Amador is the drinking water supply for a number of community water systems that do not provide a dependable level of drinking water treatment, DPH has previously recommended that the Jackson WWTP provide a tertiary level of treatment plus have 20:1 dilution of the wastewater in Lake Amador. The requirement for tertiary filtration plus 20:1 dilution was adopted into the Jackson NPDES Permit by the Regional Board several years ago. Except on very wet years, there is not sufficient water available in the watershed to provide 20:1 dilution, so the City has been pursuing a project to remove the wastewater discharge from Jackson Creek.

The Board is currently renewing the Jackson WWTP NPDES Permit. During this process we were double checking with DPH staff, Carl Carlucci, on the disinfection requirements. We learned that the drinking water systems currently using Lake Amador as a raw water supply are being modified to eliminate use of Lake Amador water. Therefore the basis of the NPDES Permit requirement for tertiary filtration plus 20:1 dilution will not exist in a few years. Completion of the Jackson project to eliminate the discharge to Jackson Creek will not be done until after the drinking water intakes from Lake Amador are eliminated.

The City of Jackson just adopted an EIR for the project to eliminate the discharge to Jackson Creek. The cost of the project is about \$20 million, which is a substantial amount of money for the City. I do not know just what the contract schedule is for the City, but if ultimately the City does not need to remove its discharge from Jackson Creek, the sooner that decision is made, the less the City will need to expend pursuing land disposal.

With the anticipated elimination of the drinking water intakes from Lake Amador, there will still remain other routes of public exposure to the wastewater, including body contact recreation and irrigation usage. We are requesting that DPH provide an updated recommendation for the City of Jackson discharge to Jackson Creek, given the changed circumstances of the usage of Lake Amador water. I hate to drop another urgent request into the Department's workload, but Jackson is committed to a multi-million dollar project to address this problem, and if they do not need to continue the land disposal project, they need to know that as soon as possible.

I you have any questions, please contact me at (916) 464-4726 or your staff can contact Gayleen Perreira at (916) 464-4824.

Thank you,  
Ken

Ken Landau  
Assistant Executive Officer  
Central Valley Regional Water Board  
11020 Sun Center Drive,# 200  
Rancho Cordova, CA 95670  
916-464-4726

## **Attachment D**

### **Summary of JVID Member Questions and Comments**

## Attachment D

### JVID Member Questions / Comments

The following is a few specific questions that JVID and its members would like to ask regarding to potential impacts to Lake Amador:

- What is the timeframe and perimeters of the timeframe before the City of Jackson is able to discharge above the current 20:1 dilution requirement?
- Who, how and why was the 20:1 dilution requirement lifted?
- When specifically was the 20:1 requirement lifted or will be lifted and why was JVID not notified formally of these new conditions?
- What is the process of treatment for the new plant? Chemical? UV Disinfection? Other?
- Is there a failsafe to the treatment process to assure that all effluent is properly treated?
- What is the proposed increase in volume versus what is currently being discharged?
- How is continued discharge and possible increase of discharge going to affect Lake Amador specific to farming, recreation, environmental, fishing, aqua – farming, industrial or any other activities associated with JVID that depend on the quality of water from Lake Amador?
- JVID currently has listed with the CDPH, Lake Amador as a secondary source for raw water used for treatment for the newly installed water treatment plant in circumstances when JVID is not able to access Lake Pardee water, specifically in a drought scenario. How does the potential increase in discharge affect the status of using Lake Amador as a secondary source for water treatment?
- Why is the City of Jackson being treated differently than other foothill communities that discharge treated effluent into bodies of water that are used for primarily the same purposes (raw domestic / irrigation)? For example; the nearby city of Angels Camp that discharges into New Melones Reservoir is known to have much more severe regulations and dilution requirements for discharge.

**Attachment E**

**Lake Amador Recreation Area Response Letter**

# LAKE AMADOR RESORT

7500 Lake Amador Dr. Ione, California 95640

## CALIFORNIA REGIONAL WATER QUALITY CONTROL BOARD

11020 Sun Center Drive. Suite 200

Rancho Cordova, CA 95670

Dear Sir or Madame,

October 21, 2013

Living and working in Amador County has been a pleasurable and profitable decision. In 1973, my family left the Los Angeles area and took over the concession lease at Lake Amador Resort. Imagine our pride in knowing that Amador County has been voted one of the top ten places to live in the state! After 40 years in business at Amador Resort, I consider myself lucky to call our county home.

It has been brought to my attention that we as a community have the opportunity to prevent a devastating environmental problem. Over the past few years our customers have noticed an abnormal algae bloom in the areas that they swim and fish as well as an intense odor on their person. This type of experience sends their parental radar a danger signal and they stop bringing their families camping and fishing. Our staff has other concerns as well with regard to the rearing of the trout in our hatchery. The Hydrogen sulfide is so high that we are losing expensive fish! Without the ability to raise fish and offer our clientele a family friendly experience, I am afraid we will go out of business!

We are aware that properly treated waste water travels Jackson Creek and ends up in Lake Amador, however, the alarming changes we are seeing in the water quality and in the customer reactions to the lake condition has taken a negative toll on the financial outlook. The ripple effect of a polluted lake reaches far beyond the shorelines and directly impacts our neighboring merchants as well, not to mention tainting the reputation of a county known for its many recreational uses.

Therefore, we humbly request that the Central Valley Regional Quality Control Board launch a full scale investigation into the waste water release procedures in the City of Jackson and investigate the outlying homes and businesses that allow their waste waters to bypass the cities treatment program. Perhaps the cities facilities are too small to handle the influx of new usage.

In closing, I encourage you to not forget the history that teaches us lessons.

In 1849, the gold miners allowed their mining practices to pollute the ground with Mercury, of which we still feel the effects today.

The disregard and contamination of California's Delta and all its' water ways where the fish are no longer safe for consumption.

Let's not make the same mistakes twice. Let us not live in ignorance or worse yet, turn a blind eye to a situation that is clearly visible.

Thank you for your consideration in this matter.

Laurie J. Lockhart

A handwritten signature in cursive script that reads "Laurie J. Lockhart". The signature is written in black ink and is positioned below the printed name.

Lake Amador Resort

7500 Lake Amador Dr

Ione, CA 95640

209-274-4739