



# CVCWA

CENTRAL VALLEY CLEAN WATER ASSOCIATION

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April 30, 2026

Via Email Only

California Regional Water Quality Control Board  
Central Valley Region  
[RB5S-NPDES-Comments@waterboards.ca.gov](mailto:RB5S-NPDES-Comments@waterboards.ca.gov)

Re: CVCWA Comment Letter – Tentative Waste Discharge Requirements  
Order for City of Manteca Wastewater Quality Control Facility

To the Central Valley Regional Water Quality Control Board:

The Central Valley Clean Water Association (CVCWA) appreciates the opportunity to provide comments on the Tentative Waste Discharge Requirements Order R5-20XX-XXXX for City of Manteca Wastewater Quality Control Facility (Tentative Order). CVCWA is a nonprofit association of public agencies located within the Central Valley region that provide wastewater collection, treatment, and water recycling services to millions of Central Valley residents and businesses. We approach these matters from the perspective of balancing environmental and economic interests consistent with state and federal law.

## **A. Toxicity**

The Tentative Order includes a reopener provision regarding toxicity. (Tentative Order, pp. 18-19.) The reopener for suspension or revision of toxicity standards pending judicial review should be revised as follows:

This Order may be reopened for modification to revise the aquatic toxicity provisions if the **California** Supreme Court determines that the test of significant toxicity cannot be used in NPDES permits and the State Water Board suspends or revises the aquatic toxicity water quality standards.

(Tentative Order, p. 19.)

The Tentative Order also contains a reopener for numeric toxicity objectives. Tentative Order already contains numerical whole effluent toxicity limitations. (Tentative Order, p. 18-19.) The reopener provision is not necessary.

Additionally, the discussion of pending litigation in the Fact Sheet (Tentative Order, F-12 – F-13) concludes that the Regional Board “must fully implement all of the Toxicity Provisions.” The Regional Board must proactively take measures to ensure its implementation of the Toxicity Provisions is in compliance with California law, including applicable judicial decisions. There are acceptable methodologies for determining toxicity, as used in NPDES permitting, that do not conflict with the Court of Appeal’s decision. The Tentative Order should be revised to remove statements that the Regional Board must fully implement the Toxicity Provisions without acknowledgement of those methodologies that remain consistent with California law.

## **B. CV-SALTS**

### **1. Salt Control Program**

#### **a. Triggers**

The Tentative Order includes both an EC and TDS triggers, which are duplicative. (Tentative Order, pp. 9 and 20.) The EC trigger is appropriate and should be adjusted, if necessary, to accommodate both land and surface water discharges. The language in the Special Provisions, Best Management Practices and Pollution Prevention sections on page 20 concerning review of the EC trigger should remain in the Tentative Order. The TDS trigger language on page 9 slightly modifies but also duplicates other provisions in the Tentative Order. Paragraph 4 on page 9 should be removed in its entirety.

#### **b. Reasonable Potential in the Context of Path 2 of the Salinity Control Program (SCP)**

It is not clear why the Fact Sheet contains a full reasonable potential analysis for salinity. (Tentative Order, p. F-30 – F-31.) The applicable objectives under the SCP do not require reasonable potential analysis for Path 2 participants, where, as here, the discharger is a participant in the P&O study and is thus in compliance. The language on page F-31 discussing reasonable potential of salinity should be revised accordingly or should be removed. In contrast, the description of salinity on Page F-73 – specifically, the language beginning with “Based on these requirements...” through the end of the paragraph – is appropriate and applicable and should remain in the Tentative Order.

#### **c. Compliance with the SCP**

The language on page F-51 of the Tentative Order incorrectly refers to salinity “effluent limitations” for enforcement as applicable to the City, whereas Path 2

participants are in deemed in compliance. Exceeding a trigger is not automatically a “effluent violation” as there are other factors that need to be considered (source water, conservation, etc). The Tentative Order should be revised as follows:

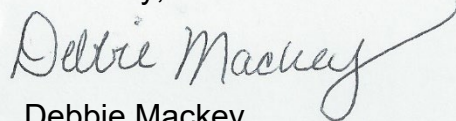
**EC. ~~This Order includes alternative effluent limitations for salinity by enforcing best management practices which includes ongoing participation in CV-SALTS.~~** The Discharger is participating in the CVSALTS’s Salinity Control Program Alternative Pathway. This Order removes the effluent limitation for EC and establishes a performance-based effluent trigger for EC in accordance with the Alternative Pathway and the Bay-Delta Plan.

## 2. Nitrate Control Program (NCP)

The City is participating in a Priority 2 Management Zone. The Tentative Order gives very little detail on the NCP and how they may impact permit provisions. The Tentative Order should include a reopener provision for nitrate to address the potential for changes necessary as a result of the CV-SALTS Nitrate Control Program.

We appreciate your consideration of these comments. If you have any questions or if CVCWA can be of any further assistance, please contact me at (530) 268-1338 or [eofficer@cvcwa.org](mailto:eofficer@cvcwa.org).

Sincerely,



Debbie Mackey  
Executive Officer