

**Citizens for Responsible Growth
P.O. Box 1082
Fillmore, CA 93016**

June 6, 2007

Ms. Debbie Smith
Executive Director

Ms. Francine Diamond
Ms. Mary Ann Lutz
Ms. Maribel Marin
Mr. Bradley Mindlin
Mr. David Nahai
Mr. Dick Richardson
Mr. Leo Vander Lans
Board Members

California Water Quality Control Board
Los Angeles Region
320 W. 4th Street, Suite 200,
Los Angeles, California 90013

Dear Ms. Smith and Board Members,

We are representing several citizen groups in Fillmore, California. We are a city of 15,000 in Ventura County.

As you know, we are under a Time Schedule Order (TSO) issued by your office. The Time Schedule Order will expire on September 10, 2009.

Our City has entered into a DBO contract that we believe will cost close to \$250 million over the 20 year life of the contract. Unfortunately, the sewer rates will remove more than \$44 million out of our town just in the next 7 years. This is more than the General Fund revenue we will receive in those 7 years. Our sewer and water rates will likely be above EPA affordability guidelines.

Our community cannot afford this burden. We are a low income community and you can imagine the harsh impact that this cost will impose on our citizens; including seniors, farm workers, small restaurants and businesses.

Our intention has always been to comply with regulations and build a new sewer plant and we have been fighting to come up with lower cost solutions in order to prevent such extreme hardship on our community.

One of those solutions is using the State Revolving Loan Fund rather than municipal bonds. We estimate that using these loans would save us at least \$50 million in interest costs.

However, we were informed by City staff that we cannot use the SRLF because the application process takes too long and we would not be able to meet our Time Schedule Order exposing the rate payers to \$9.3 million dollars in mandatory fines from your Board.

Another reason that has been given by staff is that the future requirements of the LARWQCB will make current tertiary, Title 22 plants obsolete.

Considering the scope and complexities involved in these issues and the length of time to procure funding, bids and construction, perhaps the time lines are inadequate.

We respectfully request a written response to the following questions.

1. We would like to know what is required to get the time schedule order extended.
2. What financial impact an extension would have on penalties and fines?
3. What solutions do you suggest for communities like ours that will see all discretionary income that supported our businesses disappear?
4. Will future requirements make plants built to meet today's Waste Discharge Requirements (WDR) be obsolete before their 20 year lifecycle is complete?
5. How much money is available and how long does it take to get funding?

Sincere Regards,

Gayle Washburn
Citizens for Responsible Growth

Clay Westling
Concerned Citizens of Fillmore

Bob Stroh
Citizens United for Fillmore's Future

Richard Schuck
El Dorado Residents for Affordable Sewage

The Air Resources Board (2000) reported that due to the aerial deposition of nitrogen, only phosphorus and not a combination of nitrogen and phosphorus limit phytoplankton growth in Lake Tahoe. In addition, *nitrogen saturation*, a condition where excessive nitrogen inputs saturate the retention capacity of a forest ecosystem has been documented in the San Bernardino Mountains of southern California (California ARB, 2000). The potential effects of nitrogen saturation include increased nitrate leaching to ground and surface waters, soil chemistry alteration, and possible forest decline (Aber, 2000).

The relative importance of the wet and dry components of aerial deposition varies substantially with geographic location, prevailing weather patterns, and location relative to pollutant sources. Several studies in California have indicated that on an annual basis, dry deposition of certain pollutants far exceeds wet deposition. For example, the California Air Resources Board (1996) reported that dry deposition rates for oxidized nitrogen species at seven urban sites ranged from approximately 10 to about 35 times wet deposition rates for nitrate. In highly populated and industrialized regions like Southern California, aerial inputs to terrestrial ecosystems may represent a substantial fraction of the total pollutant loading to watersheds. For example, Stolzenbach et. al, 2001, concluded that for some trace metals, atmospheric deposition is the major contributor to the metal loading in runoff in Southern California.

http://www.projectcleanwater.org/pdf/aerial_deposition_sum.pdf