



**California Regional Water Quality Control Board
Central Valley Region**

Karl E. Longley, ScD, P.E., Chair

Linda S. Adams
*Secretary for
Environmental
Protection*

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**Arnold
Schwarzenegger**
Governor

22 October 2008

Mr. Tom Birmingham
General Manager/General Counsel
Westlands Water District
Post Office Box 6056
Fresno, California 93703

Dear Mr. Birmingham:

The Central Valley Water Board has been engaged in discussions regarding proposed legislation addressing the disposition of responsibilities of the San Luis Drain between the Federal Government and your District. These discussions have raised concerns regarding the potential impact irrigation in the Westlands Water District may have on groundwaters of the State and its threat of exposure to wildlife. Irrigation water when applied to leach salts from the root zone possesses a threat to ground water quality both in the immediate area of application and adjacent areas where groundwater migrates. Improper treatment and or disposal of this waste water could result in a pollution or nuisance conditions.

We understand that the Bureau of Reclamation has the statutory duty to provide drainage service to the San Luis Unit and that your District and Reclamation have been working on a resolution of this problem. However, due to the magnitude of the problem and no foreseeable agreement, we must turn to your District to address this problem.

Therefore, under authority of California Water Code Section 13260, I am requesting that you file a report of waste discharge. That report must include a plan and time schedule by sub areas within your District to address both waste collection and disposal issues. Your report must be filed within 90 days.

My staff and I are available to discuss this with you and your consultants to ensure that an adequate response is made. Please contact me at (916) 464-4638 or you may contact Loren Harlow, Assistant Executive Officer of our Fresno Office at (559) 445-5577, if you have any questions or wish to discuss further.

Sincerely,

Pamela C. Creedon
Executive Officer

California Environmental Protection Agency

cc: Senator Diane Feinstein
Tam Doduc, Chair State Water Resources Control Board
Art Baggett, Member State Water Resources Control Board
Karl Longley, Chair Central Valley Water Board
Donald R. Glaser, US Bureau of Reclamation
Mike Finnegan, US Bureau of Reclamation
Ken McDermond, USFWS
Karen Schwinn, USEPA
Hal Candee, Altshuler Berzon LLP