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May 12, 2025

Delta Independent Science Board 715 P Street, 15-300  
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**Subject: SACRAMENTO STORMWATER QUALITY PARTNERSHIP COMMENTS ON DELTA INDEPENDENT SCIENCE BOARD'S DRAFT PROSPECTUS "CONTAMINANT MONITORING IN THE SACRAMENTO SAN JOAQUIN DELTA TO INFORM ENVIRONMENTAL MANAGEMENT"**

To Whom It May Concern:

The Sacramento Stormwater Quality Partnership (Partnership)'s municipal separate storm sewer system (MS4) member agencies jointly implement a monitoring program to satisfy the monitoring requirements of National Pollutant Discharge Elimination System (NPDES) No. CAS0085324 Order No. R5-2016-0040 (Permit). The Partnership appreciates the opportunity to comment on the Delta Independent Science Board (Delta ISB)'s Draft Prospectus on "Contaminant monitoring in the Sacramento San Joaquin Delta to inform environmental management" (Draft Prospectus).

The Partnership appreciates the Delta ISB's proposed evaluation of contaminant monitoring to "inform management and decision-making" in the Sacramento – San Joaquin Delta (Delta). The stated purpose of the Draft Prospectus identifies the importance of designing monitoring programs that inform management and decision making:

*The review will focus on how contaminant monitoring programs can effectively inform management and decision-making regarding contaminant sources and ecological risk to aquatic ecosystems. The review will further evaluate the potential of advanced toxicity testing methods ("effect-based methods") to contribute to a better understanding of the impacts of contaminants on the Delta ecosystem.*

*The Sacramento Stormwater Quality Partnership is a joint program of the County of Sacramento and the Cities of Citrus Heights, Elk Grove, Folsom, Galt, Rancho Cordova, and Sacramento.*

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The Partnership and other local agencies spend millions of dollars per year on permit-required urban runoff and Delta monitoring. The Partnership has used this monitoring to demonstrate the effectiveness of our management programs given the significant constraints of built-out urban areas and lack of consumer product use authority (e.g., pesticides, per- and polyfluoroalkyl substances (PFAS), etc.).

The Partnership requests that the Delta ISB consider recommendations for framing the proposed work effort around more specific management actions and decision frameworks rather than solely identifying information gaps and evaluating integrative toxicity methods. We provide this input below with responses to the specific goals and proposed steps stated in the Draft Prospectus.

### **Specific Goals**

The Draft Prospectus identifies previous evaluations and surveys of Delta contaminant science, including the Delta ISB's own 2022 evaluation, which documents dozens of monitoring enterprises located in the Delta. The stated conclusions in the 2022 evaluation confirm the lack of regulatory and management frameworks in which to use contaminant monitoring. The Draft Prospectus highlights an additional need to evaluate ecosystem effects with "holistic" studies that integrate data types to identify complex interaction effects. The Partnership suggests that a more pragmatic approach would be to first identify the management actions available to address the already known contaminant issues in the Delta (i.e., Clean Water Act impairment listings). The Draft Prospectus "specific goals" could be modified to introduce this framework for a results-based approach.

#### **Specific Goals in the Draft Prospectus**

- 1. Assess current contaminant monitoring programs to determine the degree to which they are able to provide a comprehensive picture of the ecological risks of contaminants in the Delta.*

The Partnership recommends acknowledging other stressors on Delta ecology, such as water management as part of Delta Conveyance and climate change. Focusing on contaminants only when considering "ecological risks" ignores the impact of other anthropogenic drivers and consistency with the "co-equal goals" established by the Delta Reform Act. Additionally, it is not clear if the goal is to specifically evaluate whether other programs effectively evaluate "comprehensively" or to develop a comprehensive approach based on an assessment of other programs.

- 2. Understand how monitoring can better inform decision making, i.e. how monitoring data are used in designing and taking management actions.*

The Partnership recommends evaluating risk prioritization frameworks instead of focusing on contaminant effect studies themselves. The San Francisco Estuary Institute (SFEI) describes the [SFEI contaminants of emerging concern \(CEC\) strategy](#) as “cost-effective CEC identification and monitoring prioritization to support management efforts and minimize impacts to the Bay”. Starting with the available management actions to understand their benefit to mitigate ecological risks leads to a more pragmatic solution-based approach.

3. *Review advanced and emerging technologies, methods, and approaches.*

The Partnership agrees that identifying advanced approaches for controlling contaminants is a useful and reasonable specific goal. However, further in the Draft Prospectus, the steps more narrowly only evaluate integrative toxicity methods rather than consider the overall framework for using monitoring data to implement management programs. The Partnership recommends better defining what is intended by “management and decision-making” in the Draft Prospectus’ purpose section.

4. *Identify shortcomings and critical gaps.*

The Partnership recommends providing more detail on the specific goal to identify shortcomings and critical gaps. This could include prioritizing actions, necessary regulatory tools, and other process related frameworks that could benefit individual agencies in addressing contaminant controls.

### **Draft Prospectus Proposed Steps**

The Partnership appreciates the specific steps outlined in the Draft Prospectus to evaluate Delta ecological risk monitoring. The proposed steps do not appear to be adaptive or based on the information gathered in the initial Draft Prospectus’ steps by assuming the outcomes will be toxicity-based tools and technology. If this is an actual objective, the Draft Prospectus should state this in the specific goals and narrow the evaluation. The Partnership recommends providing more detail on the steps and expected outcomes for each step as follows:

*Part 1: Interviews with experts involved in water quality regulation, contaminant monitoring, and risk assessment in the Delta*

The Partnership agrees that water quality regulation expertise is necessary and frequently missing from monitoring programs. The Partnership recommends specifying the types of experts that will be interviewed. Local municipal agencies implementing management and control programs (i.e., dischargers) have a unique perspective on contaminant management. Most all contaminants in urban runoff come from commercial and industrial

uses that are allowed by federal and state law. In the case of pesticides or PFAS, municipalities and local agencies are prohibited from controlling or banning the use of products that are the source of these contaminants. The interviews should consider these well known issues on entry of contaminants to the Delta, as complete removal of small concentrations of contaminants has not been shown as feasible for MS4s. The Partnership recommends interviewing MS4 agencies, publicly owned treatment works (POTWs), agricultural water quality coalitions, Clean Water Act experts, Federal Insecticide, Fungicide, and Rodenticide Act (FIFRA) experts, regulators, and others to better understand the regulatory, legislative, legal, and practical elements of source contamination control.

### *Part 2: Review and evaluate current contaminant monitoring programs in the Delta*

The Partnership agrees that the recent SFEI CEC strategy work is a high value program to consider. The SFEI approach could potentially be modified to inform work in the Delta as a framework for interpreting monitoring data and the range of other considerations (other stressors, level of certainty, method confidence, certainty of effect findings, etc.).

The Draft Prospectus plans to expand evaluations to other regions and abroad:

*We intend to determine if chemicals identified as “bad players” elsewhere (e.g., Canada, European Union) are being monitored in the Delta, and if not, whether this should be considered a “critical gap.”*

The Partnership recommends that these evaluations in other locations also consider the regulatory and decision making frameworks that the monitoring programs work within and the regulatory program requirements of dischargers and other sources.

### *Part 3: Research how advanced effect-based methods could be integrated into monitoring programs to assess the effects of chemical mixtures*

The Partnership recommends that the Delta ISB consider the outcomes of the first two steps in the Draft Prospectus rather than assume effect-based methods are the most appropriate to drive contaminant monitoring and management programs.

### *Part 4: Seminar series to inform on advances in toxicity testing methods and risk assessment*

The Partnership recommends that the Delta ISB consider the outcomes of the first two steps in the Draft Prospectus rather than assume that toxicity testing methods and risk assessment are the most appropriate to drive contaminant monitoring and management programs. Outreach could also be used to build consensus on frameworks that monitoring programs could develop and collaborate within. This approach is consistent with the stated purpose of the Draft Prospectus:

*Emphasis will be placed on how contaminant monitoring programs can effectively inform management and decision-making regarding contaminant sources and ecological risk to aquatic ecosystems.* [Page 1]

Thank you for the opportunity to comment on the Draft Prospectus. Please contact Matt Keene (916-874-3768) or Lisa Moretti (916-808-5390) if you have any questions or want additional input.

Sincerely,

(On behalf of the Sacramento Stormwater Quality Partnership)

Lisa Moretti, P.E., City of Sacramento, Department of Utilities

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