

## Meyerhoff, Richard

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**From:** Tess Dunham <tdunham@somachlaw.com>  
**Sent:** Tuesday, August 02, 2016 4:14 PM  
**To:** Meyerhoff, Richard; Debbie Webster; Daphne Orzalli (dorzalli@cvsalinity.org)  
**Subject:** RE: Draft\_Salinity Management Strategy\_072616\_dyw

Richard,

In addition to the comments that Debbie already provided, I have some additional comments here.

- 1) Where it states public water supplies, I would change to community water systems. The language of Title 22 for the secondary MCLs applies specifically to community water systems, which is defined as follows: “a public water system that serves at least 15 service connections used by yearlong residents or regularly serves at least 25 yearlong residents.”
- 2) In the list of site-specific factors for consideration, I would likewise use the term community water system when it refers to drinking water facility or drinking water well.
- 3) With respect to the last three bullets, I would recommend deletion. As we have discussed in the recent past, I don't think that dischargers are going to agree to mitigate for salinity, and provide for alternative drinking water for exceedances of secondary MCLs. Especially since, communities do have the ability to obtain waivers under 64449.2, for nine years; or are allowed to provide water that exceeds the secondary MCLs under 64449.4.
- 4) Further, it seems appropriate that to the list of site specific factors, the Regional Board should consider if a down-gradient community water system has obtained a waiver under 64449.2, or if they are meeting the provisions of 64449.4.
- 5) To section 1.2, page 5, I would also make reference in the first paragraph to 64449(d), which specifically states: “For the constituents shown on Table 64449-B, no fixed consumer acceptance contaminant level has been established.”

Thanks,  
Tess

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**From:** Meyerhoff, Richard [mailto:MeyerhoffRD@cdmsmith.com]  
**Sent:** Tuesday, August 2, 2016 1:55 PM  
**To:** Debbie Webster <eofficer@cvcwa.org>; Daphne Orzalli (dorzalli@cvsalinity.org) <dorzalli@cvsalinity.org>  
**Cc:** Tess Dunham <tdunham@somachlaw.com>  
**Subject:** RE: Draft\_Salinity Management Strategy\_072616\_dyw

Thanks for the update

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**From:** Debbie Webster [mailto:eofficer@cvcwa.org]  
**Sent:** Tuesday, August 02, 2016 2:53 PM  
**To:** Meyerhoff, Richard <MeyerhoffRD@cdmsmith.com>; Daphne Orzalli (dorzalli@cvsalinity.org) <dorzalli@cvsalinity.org>  
**Cc:** 'Tess Dunham (tdunham@somachlaw.com)' <tdunham@somachlaw.com>  
**Subject:** RE: Draft\_Salinity Management Strategy\_072616\_dyw

Hi Richard, I talked with Tess yesterday and she was going to help me with language to implement those comments. I know she is overloaded, so am unsure of her timing. I should be able to get back to you this afternoon.

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**From:** Meyerhoff, Richard [<mailto:MeyerhoffRD@cdmsmith.com>]  
**Sent:** Tuesday, August 2, 2016 1:49 PM  
**To:** Debbie Webster <[eefficer@cvcwa.org](mailto:eefficer@cvcwa.org)>; Daphne Orzalli ([dorzalli@cvsalinity.org](mailto:dorzalli@cvsalinity.org)) <[dorzalli@cvsalinity.org](mailto:dorzalli@cvsalinity.org)>  
**Cc:** 'Tess Dunham ([tdunham@somachlaw.com](mailto:tdunham@somachlaw.com))' <[tdunham@somachlaw.com](mailto:tdunham@somachlaw.com)>  
**Subject:** RE: Draft\_Salinity Management Strategy\_072616\_dyw

Thank you Debbie. I believe I am still expecting your remaining comments on the SMCL policy. I have a document with partially completed comments.

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**From:** Debbie Webster [<mailto:eefficer@cvcwa.org>]  
**Sent:** Tuesday, August 02, 2016 2:48 PM  
**To:** Meyerhoff, Richard <[MeyerhoffRD@cdmsmith.com](mailto:MeyerhoffRD@cdmsmith.com)>; Daphne Orzalli ([dorzalli@cvsalinity.org](mailto:dorzalli@cvsalinity.org)) <[dorzalli@cvsalinity.org](mailto:dorzalli@cvsalinity.org)>  
**Cc:** 'Tess Dunham ([tdunham@somachlaw.com](mailto:tdunham@somachlaw.com))' <[tdunham@somachlaw.com](mailto:tdunham@somachlaw.com)>  
**Subject:** Draft\_Salinity Management Strategy\_072616\_dyw

Hi Richard, attached is comments on the Draft Salinity Management Strategy. I didn't cc the whole group, but if you need to distribute that is fine.

I will be sending directly to Tess the Water Project's obligation for salinity management that I referenced in this comments. I first plan on finishing any outstanding documents that I didn't send comments on and will let you know soon what they are.

Thanks,  
Debbie