

**STATE WATER RESOURCES CONTROL BOARD
BOARD MEETING SESSION – CENTRAL VALLEY REGIONAL WATER BOARD
DECEMBER 3, 2013**

ITEM 4

SUBJECT

CONSIDERATION OF A PROPOSED RESOLUTION APPROVING AN AMENDMENT TO WATER QUALITY CONTROL PLAN FOR THE SACRAMENTO AND SAN JOAQUIN RIVER BASINS TO ESTABLISH A DRINKING WATER POLICY FOR SURFACE WATERS OF THE DELTA AND ITS UPSTREAM TRIBUTARIES

DISCUSSION

On July 26, 2013, in [Resolution No. R5-2013-0098](#), the Central Valley Water Board adopted an amendment to the Water Quality Control Plan for the Sacramento and San Joaquin River Basins to establish a Drinking Water Policy that protects surface waters of the Sacramento-San Joaquin Delta and its tributaries below the first major dams. The project addresses the following drinking water constituents of concern: *Cryptosporidium*, *Giardia*, organic carbon, nutrients and salinity.

The project will include a narrative water quality objective for *Cryptosporidium* and *Giardia* to protect the public water system component of the MUN beneficial use, implementation provisions for the narrative objective, monitoring and surveillance provisions to support the Drinking Water Policy, clarification of the existing chemical constituents objective to explicitly include drinking water chemical constituents of concern, and a compilation of existing Basin Plan elements associated with the protection of the MUN beneficial use. As described in the Staff Report, there are no current violations of the water quality objective. The goal of the implementation plan is to maintain existing water quality.

The project area includes surface waters of the Delta and its tributaries below the first major dams. The boundaries of the project are Shasta Dam on the Sacramento River, Millerton Dam on the San Joaquin River, and Folsom Dam on the American River. The geographic setting and watershed characteristics are more thoroughly described in Section 4.5.2 of the *Central Valley Water Board Staff Report supporting the Amendment to the Water Quality Control Plan for the Sacramento and San Joaquin River Basins to Establish a Drinking Water Policy for Surface Waters of the Sacramento – San Joaquin Delta and Upstream Tributaries*.

POLICY ISSUE

Should the State Water Board approve the amendment to the Basin Plan to establish a drinking water policy for surface waters of the Sacramento-San Joaquin Delta and upstream tributaries?

FISCAL IMPACT

Central Valley Water Board and State Water Board staff work associated with this action will be addressed with existing and future budgeting resources.

REGIONAL BOARD IMPACT

Approval of this Resolution will amend the Water Quality Control Plan for the Sacramento and San Joaquin River Basins.

STAFF RECOMMENDATION

That the State Water Board:

1. Approves the amendment to the Basin Plan adopted under Central Valley Water Board Resolution No. R5-2013-0098.
2. Authorizes the Executive Director or designee to submit the amendment adopted under Central Valley Water Board Resolution No. R5-2013-0098 as approved, and the administrative record for this action to the Office of Administrative Law and to the U.S. Environmental Protection Agency for approval.

State Water Board action on this item will assist the Water Boards in reaching Goal 7 of the Strategic Plan Update: 2008-2012 to narrative of goal(s). In particular, approval of this item will assist in fulfilling Objective 4.3 to achieve near-term priority Basin Plan amendment needs by collaborating in third-party initiated processes that incorporate Water Board requirements and stakeholder interests.

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STATE WATER RESOURCES CONTROL BOARD RESOLUTION NO. 2013-

APPROVING AN AMENDMENT TO THE WATER QUALITY CONTROL PLAN FOR THE SACRAMENTO AND SAN JOAQUIN RIVER BASINS TO ESTABLISH A DRINKING WATER POLICY FOR SURFACE WATERS OF THE DELTA AND ITS UPSTREAM TRIBUTARIES

WHEREAS:

1. On July 26, 2013, the Regional Water Quality Control Board for the Central Valley Region (Central Valley Water Board) adopted [Resolution No. R5-2013-0098](#) amending the Water Quality Control Plan for the Sacramento and San Joaquin River Basins to establish a Drinking Water Policy for surface waters of the Delta and its upstream tributaries.
2. The Central Valley Water Board found that the analysis contained in the California Environmental Quality Act (CEQA) "Substitute Environmental Documents" for the proposed Basin Plan amendment, including the CEQA Checklist, the final Staff Report, and the responses to comments complies with the State Water Board's regulations for the implementation of CEQA, as set forth in the California Code of Regulations, Title 23, sections 3775 through 3781. The State Water Board has reviewed the Substitute Environmental Documents for the Basin Plan amendment and concurs with the Central Valley Water Board's findings and determinations that the Basin Plan amendment would not have a significant adverse effect on the environment.
3. The Central Valley Water Board also adopted the Basin Plan amendment pursuant to the "Necessity" standard of the Administrative Procedures Act, Government Code section 11353, subdivision (b).
4. The Central Valley Water Board found the Basin Plan amendment was consistent with the Statement of Policy with Respect to Maintaining High Quality of Waters in California (State Water Board [Resolution No. 68-16](#)) and the federal Antidegradation Policy (40 CFR §131.12).
5. The State Water Board finds that the Basin Plan amendment is in conformance with Water Code section 13240, which specifies that regional water quality control boards may revise basin plans, section 13242, which requires a program of implementation for achieving water quality objectives, and section 13141, which requires an estimate of the total cost of the implementation of an agricultural water quality control program, along with an identification of potential sources of funding.
6. A Basin Plan amendment does not become effective until approved by the State Water Board and until the regulatory provisions are approved by the Office of Administrative Law (OAL). The water quality standards must also receive approval from the U.S. Environmental Protection Agency (U.S. EPA).

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THEREFORE BE IT RESOLVED THAT:

The State Water Board:

1. Approves the amendment to the Basin Plan adopted under Central Valley Water Board Resolution No. R5-2013-0098.
2. Authorizes and directs the Executive Director or designee to submit the Basin Plan amendment adopted under Central Valley Water Board Resolution No. R5-2013-0098 to OAL and to the US EPA for approval.

CERTIFICATION

The undersigned Clerk to the Board does hereby certify that the foregoing is a full, true, and correct copy of a resolution duly and regularly adopted at a meeting of the State Water Resources Control Board held on December 3, 2013.

Jeanine Townsend
Clerk to the Board