

**RESPONSE TO COMMENTS  
ON THE  
2014 TRIENNIAL REVIEW OF THE BASIN PLANS**

This document summarizes comments pertaining to the 2014 Triennial Review (TR) of the Water Quality Control Plan for the Sacramento River and San Joaquin River Basins and Tulare Lake Basin (Basin Plans) received by the California Regional Water Quality Control Board, Central Valley Region (Central Valley Water Board), and provides staff response to those comments.

In this document, comments are distinguished by written and verbal, are in chronological order, and are referred to by number as indicated in the following tables.

**Table 1:** Written comments received prior to the 24 October 2012 and 6 December 2012 TR workshops.

<b>Comment #</b>	<b>Comment Date</b>	<b>Submitted by</b>	<b>Representative</b>
1	1 October 2012	GEI Consultants, Inc.	Robert W. Gensemer, Ph.D., Senior Ecotoxicologist
2-5	10 October 2012	Central Valley Clean Water Association (CVCWA)	Debbie Webster, Executive Officer
6-8	10 October 2012	Sacramento Regional County Sanitation District (SRCSD)	Linda Dorn, Environmental Program Manager
9-10	10 October 2012	Westlands Water District & State Water Contractors	Craig Manson, General Counsel & Terry L. Erlewine, General Manager
11-12	22 October 2012	Amador County Environmental Health Department	Michael W. Israel, REHS, Environmental Health Director
13-15	28 November 2012	North Eastern California Water Association (NECWA)	Pam Giacomini, Executive Director
16	5 December 2012	Placer County Water Agency	Benjamin Ransom, Environmental Scientist

**Table 2:** Verbal comments received during the 24 October 2012 and 6 December 2012 TR workshops.

<b>Comment #</b>	<b>Comment Date</b>	<b>Submitted by</b>	<b>Representative</b>
17-19	24 October 2012	Southern San Joaquin Valley Water Quality Coalition & Tule River Sub-Watershed – Tule River Water Association	Richard “Dick” Schafer, P.E., Committee Member
20	24 October 2012	California Rural Legal Assistance Foundation	Walter Ramirez
21	24 October 2012	Stoel Rives LLP	Loren Harlow
22-24	6 December 2012	Central Valley Clean Water Association (CVCWA)	Debbie Webster, Executive Officer
25-29	6 December 2012	San Joaquin River Group & San Joaquin Tributaries Authority	Dennis Westcot, Project Administrator
30-31	6 December 2012	Metropolitan Water District in Southern California	Lynda Smith
32	6 December 2012	San Joaquin River Exchange Contractor’s Authority	David Cory

**Table 3:** Written comments received after the 24 October 2012 and 6 December 2012 TR workshops.

33	29 January 2013	Belridge Water Storage District	Greg A. Hammett, General Manager
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Robert W. Gensemer, Ph.D., Senior Ecotoxicologist, GEI Consultants, Inc.

1. *GEI Consultants, Inc. submitted comments on behalf of their client, the International Copper Association and Copper Development Association (ICA/CDA).*

*The ICA/CDA encourages the Central Valley Water Board to consider updating its aquatic life criteria for copper to use the Biotic Ligand Model (BLM), as recommended and adopted by the United States Environmental Protection Agency (EPA).*

*Language supporting the allowance of the BLM as a method for calculating water quality standards could be added to the section Water Quality Objectives for Inland Surface Waters in the Basin Plans.*

The Central Valley Water Board agrees that the most current scientific information should be used to establish water quality objectives. Update of the water quality objectives for copper has been added to Issue No. 8 of the Triennial Review Work Plans.

Debbie Webster, Executive Officer, Central Valley Clean Water Association (CVCWA)

2. *CVCWA continues to support efforts by the Central Valley Water Board to undertake comprehensive review of the Basin Plans as part of the Central Valley Salinity Alternatives for Long-Term Sustainability (CV-SALTS) process.*

The Central Valley Water Board acknowledges the comment and support.

3. *The Central Valley Water Board should evaluate the blanket MUN designations under the current implementation of the Basin Plans and generally ensure the proper identification of beneficial uses.*

The Central Valley Water Board agrees some concerns have been expressed with the implementation of the State Water Board Resolution 88-63 (Sources of Drinking Water Policy) that assigned the MUN designation to water bodies which have not been included in Table II-1 of the Basin Plans with specific beneficial use designations. The Central Valley Water Board is conducting pilot projects to evaluate the MUN beneficial use designation through CV-SALTS. This issue is discussed further in the Triennial Review Work Plans as Issue Nos. 1 and 2.

4. *The Central Valley Water Board should consider the Tulare Lake Basin Plan effluent limitations that require discharges not to exceed the quality of source water plus 500 micromhos per centimeter ( $\mu\text{mhos/cm}$ ).*

*CVCWA urges the Central Valley Water Board to re-evaluate the Tulare Lake Basin Plan and whether these effluent limitations are appropriate.*

The Central Valley Water Board in a joint effort with State Water Resources Control Board (State Water Board) and stakeholders called CV-SALTS is addressing salinity and nitrate problems in California's Central Valley. CV-SALTS is charged with developing a salt and nitrate management plan for the Central Valley. The management plan will include the development of implementation options for reducing salts that may include re-evaluating the current effluent limitations. Issue No. 9 of the Triennial Review Work Plan for the Tulare Lake Basin addresses this.

5. *CVCWA strongly supports the development and adoption of a salinity variance policy and believes the Central Valley Water Board should address the need for a salinity variance for both Basin Plans.*

The Central Valley Water Board acknowledges the support and comment. The Central Valley Water Board adopted amendments to the Basin Plans to provide procedures to issue a variance from meeting water quality based effluent limits to NPDES dischargers in accordance with Title 40, Code of Federal Regulations, Section 131.13. Since a variance only applies for dischargers subject to NPDES permits, an exception has been adopted into the Basin Plans for dischargers subject to waste discharge requirements (WDRs) and conditional waivers. The amendments must be approved by the State Water Board, the Office of Administrative Law and the US Environmental Protection Agency (USEPA) before going into effect. Issue No. 1 of the Triennial Review Work Plans addresses this.

Linda Dorn, Environmental Program Manager, Sacramento Regional County Sanitation District (SRCSD)

6. *In general, SRCSD agrees with the prioritization of the triennial review.*

The Central Valley Water Board acknowledges the comment.

7. *The Delta Stewardship Council September 25, 2012, Draft Delta Plan recommends the preparation and implementation of a study plan for development of nutrient objectives in this triennial review period, not the development and implementation of nutrient criteria for the Delta. Without a good understanding of what level of nutrients the ecosystem needs to be sustainable, the consequences of developing and quickly implementing nutrient criteria could be substantial. The Draft Delta Plan additionally recommends that studies needed for the development of criteria be completed by 2016, within this triennial review time period. Therefore, we would like for the status to reflect the development of a study plan for criteria development, as the Draft Delta Plan recommends.*

The Central Valley Water Board agrees that the Delta Plan recommends preparation of a study plan, followed by studies before development of nutrient objectives. In February 2014, staff presented an updated Strategic Work Plan for the Delta and recommended

development and implementation of a nutrient study work plan. Issue No. 9 of the Triennial Review Work Plan for the Sacramento and San Joaquin River Basins has been revised to describe the updated Strategic Work Plan.

8. *SRCS D supports the comments submitted by the CVCWA for the Sacramento River and San Joaquin River Basins.*

See comments and response to comment nos. 2 through 5.

Craig Manson, General Counsel, Westlands Water District and Mr. Terry L. Erlewine, General Manager, State Water Contractors (collectively, Public Water Agencies)

9. *The Public Water Agencies urge the Central Valley Water Board to designate nutrients as a high priority Triennial Review issue and devote necessary staff and scientific resources to continue to address the nutrient-related water quality impacts on aquatic life in the Bay-Delta.*

Issue no. 9 of the Triennial Review Work Plan for the Sacramento and San Joaquin River Basins describes concerns in the Delta.

10. *The Public Water Agencies urges the Central Valley Water Board to develop numeric water quality objectives for nutrients, including ammonium and nitrate, to protect aquatic life and municipal water supply beneficial uses.*

Issue no. 9 of the Triennial Review Work Plan for the Sacramento and San Joaquin River Basins describes concerns in the Delta.

Michael W. Israel, REHS, Environmental Health Director, Amador County Environmental Health Department

11. *The current basin plan, page IV-24.00, prohibits discharges of wastes from new and existing leaching and percolation system in two sites within Amador County – Amador City and the broadly defined Martell area. Both stem from Regional Board order 73-129. The Amador City prohibition affects all parcels within the city limits and is now somewhat superfluous. The Martell area prohibition is more problematic.*

*Though portions of the six square mile area affected by the Martell area prohibition (sections 17, 18, 19, 20, 29 and 30, T6N, R11E, MDM) are within the city limits of Jackson or Sutter Creek or are within the Amador Water Agency's sewer Improvement District #12, portions of the area are not served and it is not feasible to serve the parcels at present. Factors such as terrain, parcel size and Wastewater Treatment Plant (WWTP) capacity limit the ability to provide service. Unless significant projects, such as major subdivisions, are proposed on the unserved parcels it is also not likely they will be served in the foreseeable future. The existing general plan land use designation of A-G limits land divisions to 40*

*acre density but with the prohibition in place there is no feasible way for such projects to proceed or to enable construction of a home on an existing parcel. This severely limits the rights of owners of these properties.*

*Though I was not with Amador County when 73-129 was adopted I have been told by those who were involved that the prohibitions were implemented to facilitate funding for sewer projects long since built and now serving these two prohibition areas. The Martell area prohibition appears to have been arbitrarily broad. The boundaries do not coincide with city spheres of influence, planned development, impaired waters or any other driving factor.*

*In the early 1970's there were fewer options for on-site wastewater management. Today this department processes permits and oversees the successful installation and operation of on-site systems in areas with conditions more challenging than the Martell area affected by the prohibition. We have extensive experience with supplemental treatment systems, evaporative systems, site modification, and other means to help assure success of on-site systems in challenging areas while protecting public health and waters of the state. We believe that the Amador City and Martell area prohibitions have long since served their purpose and that at present the hardship they place on property owners far outweighs the potential benefit. We recommend the prohibitions be lifted.*

The State Water Board adopted the Water Quality Control Policy for Siting, Design, Operation, and Maintenance of Onsite Wastewater Treatment Systems, Resolution No. 2012-0032 (Policy), on 19 June 2012. The Policy took effect on 13 May 2013 and requires the Regional Water Quality Control Boards (Regional Boards) to incorporate onsite wastewater treatment systems (OWTS) standards established in the Policy into their Basin Plans within 12 months of the effective date. Implementation of the Policy will be over seen by the State Water Board and Regional Water Boards, and local agencies (e.g., county and city departments and independent districts) have the opportunity to implement local agency management programs if approved by the applicable Regional Water Board. The Policy recognizes that responsible local agencies can provide the most effective means to manage OWTS on a routine basis and relies extensively on local county and city programs to regulate OWTS. The Central Valley Water Board has amended its Basin Plans to incorporate the OWTS Policy. In the Staff Report supporting the amendments, the Board recognized that the Policy does not include provisions for prohibition areas, but a Local Agency Management Plan (LAMP) will need to recognize prohibition areas in order to be acceptable. Therefore, consistent with the adopted prohibitions, a local agency that includes special provisions in its LAMP to apply in prohibition areas may be allowed to grant exemptions from the prohibitions in accordance with the LAMP, upon approval by the Board. At this time, the Central Valley Water Board does not have adequate data to evaluate the prohibitions. If appropriate, it is expected that LAMPs that address prohibition areas will also include provisions to collect information that is suitable for reviewing the prohibitions.

12. *On another front, private water supply wells near regional board regulated discharges have been impacted in the past by nitrate in excess of safe drinking water standards. This office recently received a report from a local citizen of nitrate contamination of groundwater connected to another local discharger. This office was able to obtain some monitoring information from regional board staff but this can be burdensome. It appears that although individual monitoring events exceeded drinking water standards the system was not yet in violation though it may only be a matter of time until it is. I don't believe any communication with this office would have been forthcoming unless/until enforcement action is initiated.*

*Accessing monitoring information can be difficult; in one instance a formal PRA request was required and staff had to travel to Sacramento to review files. I believe that requiring dischargers to provide copies of monitoring reports to local Environmental Health Departments will make things easier for your agency and ours and may help forestall impacts to public health. We request that the Board consider requiring that dischargers copy all monitoring reports to the local Environmental Health jurisdiction.*

The Central Valley Water Board recognizes programmatic and public needs to develop and utilize a database that is easily accessible to all to obtain monitoring data. The Regional Water Boards are moving towards electronic record keeping with a goal of developing a web-based system to make Regional Water Boards' records readily available to the public.

Pam Giacomini, Executive Director, North Eastern California Water Association (NECWA)

13. *Ms. Giacomini submitted comments on the behalf of Rod McArthur, President of NECWA.*

*NECWA requests that the Basin Plan be modified to change the beneficial uses of the Pit River from Likely on the South Fork, the entire North Fork of the Pit to the confluence of Fall River or segments thereof from COLD WATER HABITAT and COLD WATER SPAWNING to WARM WATER HABITAT and WARM WATER SPAWNING.*

*NECWA requests working with staff to share knowledge and monitoring data gathered of the Pit River.*

The Central Valley Water Board is interested in assuring that beneficial uses are appropriately designated. Certainly, any amendments to modify the aquatic life or habitat beneficial uses will only occur after appropriate opportunity for public participation. This issue will be included in Issue Nos. 2 and 13 of the Triennial Review Work Plan for the Sacramento and San Joaquin River Basins.

14. *NECWA requests that site-specific objectives for pH be developed for the Tributaries and the mainstem Pit (similar to those that exist for Goose Lake) to reflect natural ambient background conditions of higher pH in native waters for the entire Upper Pit River system.*

The Central Valley Water Board is interested in establishing water quality objectives that ensure reasonable protection of the beneficial uses. The Central Valley Water Board understands that water quality depends on the environmental characteristics of the hydrographic unit under consideration. Evaluation of the pH objectives for the Pit River will be included in Issue No. 13 of the Triennial Review Work Plan for the Sacramento and San Joaquin River Basins.

15. *NECWA requests that designations for CONTACT RECREATION be deleted for waters to which they do not apply and to those within designated wildlife habitat areas and refuge areas (due to the presence of large concentrations of water fowl throughout the year).*

The Central Valley Water Board considers beneficial use designations as a high priority. It is unclear which water bodies are being referred to with this comment. The Basin Plan has not designated any water bodies as wildlife habitat area or refuge areas. The Wetlands Water Supply Channels (98) in the Grassland Watershed do not have recreational beneficial uses (REC-1 or REC-2) designated. This issue will be included in Issue No. 2 of the Triennial Review Work Plan for the Sacramento and San Joaquin River Basins.

Benjamin Ransom, Environmental Scientist, Placer County Water Agency

16. *Placer County Water Agency requested revisions to the Sacramento and San Joaquin River Basin Plan, Table II-1, Surface Water Bodies and Beneficial Uses, for the Yuba River and the American River to include WARM freshwater as an existing beneficial use for the mid to low elevations of the South, Middle, and North Yuba Rivers and the North Fork and Middle Fork American Rivers.*

*Placer County Water Agency provided in their letter a revised Table II-1 (see table below, changes are shown underlined and in red text) to demonstrate changes and additional information was provided in support of their contention.*

SURFACE WATER BODIES		HYDRO UNIT NUMBER	FRESHWATER HABITAT <sup>1</sup>	
			WARM	COLD
41	YUBA RIVER			
	SOURCES TO ENGLEBRIGHT RESERVOIR	<del>517</del>		
	<u>NORTH YUBA RIVER</u>	<u>517.5</u>	<u>E</u>	<u>E</u>
	<u>MIDDLE YUBA RIVER</u>	<u>517.41</u>	<u>E</u>	<u>E</u>
42	<u>SOUTH YUBA RIVER</u>	<u>517.42</u>	<u>E</u>	<u>E</u>
	<u>ABOVE</u> ENGLEBRIGHT DAM TO FEATHER RIVER	517.3	E	E
AMERICAN RIVER				

44	NORTH FORK, SOURCE TO FOLSOM LAKE	514.5	<u>P</u> E	E
45	MIDDLE FORK, SOURCE TO FOLSOM LAKE	514.4	<u>P</u> E	E
46	DESOLUTION VALLEY LAKES	514.4		E
48	SOUTH FORK SOURCES TO PLACERVILLE	513.3 513.3	P	E
49	PLACERVILLE TO FOLSOM LAKE	514.32	E	E
50	FOLSOM LAKE	514.23	E	E
51	FOLSOM DAM TO SACRAMENTO RIVER	519.21	E	E

E: Existing beneficial uses; P = Potential beneficial uses

The Central Valley Water Board seeks to ensure that beneficial uses are appropriately designated. This issue will be included in Issue No. 2 of the Triennial Review Work Plan for the Sacramento and San Joaquin River Basins.

Richard “Dick” Schafer, P.E., Committee Member, Southern San Joaquin Valley Water Quality Coalition and Tule River Sub-Watershed – Tule River Water Association

17. *The Coalition does not support the Central Valley Water Board’s statement that, “Elevated salinity and nitrates in surface and groundwaters in California’s Central Valley is an increasing problem affecting much of California. As surface and groundwater supplies become scarcer, and as wastewater streams become more concentrated, salinity and nitrate impairments are occurring with greater frequency and magnitude.” The Coalition would like surface waters to be removed from the statement.*

*The Coalition provided surface water monitoring data of the Tule River and Deer Creek from 2006 through 2012 and groundwater monitoring data of Tipton, Poplar, and the City of Porterville in support of their contention.*

The Central Valley Water Board acknowledges your comment and appreciates the monitoring data supporting your contention. Programs such as the Total Maximum Daily Loads (TMDLs) and Impaired Water Bodies 303(d) List have identified areas of the Kings River to have impairments of salts such as electrical conductivity and molybdenum. Issue No. 1 of the Triennial Review Work Plans describes the salinity issues in the Central Valley and the Central Valley Water Board’s proposed actions.

18. *The Coalition supports the consideration of the de-designation of MUN, IND, PRO, REC1, WARM and COLD for surface waters of reaches of valley floor streams that intermittently flow and are typically dry or above a prescribed level. The Coalition supports the staff’s efforts to re-evaluate the groundwater beneficial uses in the Tulare Lakebed.*

The Central Valley Water Board acknowledges the comment.

19. *Although the Basin Plan describes various groundwater quality problems that exist throughout the basin and includes numerous policies that address prevention and cleanup of groundwater quality programs, the current proposed*

*Irrigated Lands Regulatory Program General Order for groundwater will result in the development of a Groundwater Quality Assessment Report.*

*It appears that Issue 1: Salt and Nitrate Management Plan and Issues 3: Groundwater Assessment and Control Programs, as set forth in the Triennial Review as high priority issues, will be addressed by the Regional Board's proposed Waste Discharge Requirements General Order for the Tulare Lake Basin.*

The issues with ground water include a variety of discharge sources. The Central Valley Water Board completed a ground water protection strategy in 2010 (Resolution R5-2010-0095) that identifies current and future actions to protect ground water quality, abate degradation, and improve and restore water quality in Central Valley ground water. The implementation of the Long-term Irrigated Lands Regulatory Program that includes ground water protection was determined to be a high priority. Basin planning priorities identified in the Roadmap are completion of the CV-SALTS efforts and the adoption of the Onsite Wastewater Treatment Systems Policy. CV-SALTS efforts to develop a salt and nitrate management plan is discussed further in Issue No. 1. of the Triennial Review Work Plans. The Central Valley Water Board recently amended its Basin Plans to incorporate the OWTS Policy. The Ground Water Assessment and Control Issue is discussed in Issue No. 11 of the Triennial Review Work Plan for the Tulare Lake Basin.

The need for salinity management was recognized in 1975 with the adoption of the Tulare Lake Basin Plan. In 2006, the Central Valley Water Board, the State Water Board, and stakeholders began a joint effort to address salinity and nitrate problems in California's Central Valley and adopt long-term solutions that will lead to enhanced water quality and economic sustainability. CV-SALTS is a collaborative basin planning effort aimed at developing and implementing a comprehensive salinity and nitrate management program. The State Water Board also recognizes salinity issues when using recycled water. In its Recycled Water Policy, the State Water Board requires stakeholders to work together to develop salt and nutrient management plans. In the Central Valley, the only acceptable process to develop these salt and nutrient management plans is through CV-SALTS (R5-2010-0024) While irrigated lands may be a significant source in parts of the region, the Central Valley Water Board recognizes that almost all waste discharge categories contribute to salt loads to surface and ground waters. Issue No. 1 of the Triennial Review Work Plans provides information on the concerns and efforts that are underway as well as additional actions that staff will take if adequate funding becomes available.

Walter Ramirez, California Rural Legal Assistance Foundation

20. *Mr. Ramirez briefly gave a description of a 2012 report prepared by the UC Davis Center for Watershed Science addressing contamination of groundwater in the Tulare Lake Basin and Salinas Valley. The California Rural Legal Assistance*

*Foundation wants the Central Valley Water Board to be mindful of the people being impacted by not having access to safe drinking water.*

*The California Rural Legal Assistance Foundation would like to see more done in the 2013 Triennial Review to address cleaning up and restoring areas already impacted by nitrate and other pollutants and to stop the continued pollution.*

The Central Valley Water Board recognizes the critical importance of preserving, enhancing, and restoring the quality of California's water resources. In 2010, the Central Valley Water Board approved a Ground Water Quality Protection Strategy or "Roadmap" with Resolution No. R5-2010-0095. The Roadmap identifies current and future actions to protect ground water quality, abate degradation, and improve and restore water quality in Central Valley ground water. Almost all identified current and future actions can be implemented through the existing programmatic structure of the Central Valley Water Board and through improved partnerships with other agencies or organizations. The ongoing Central Valley Water Board programs along with coordination with other agencies and stakeholders interested in water quality protection are the means to address cleaning and restoring our water quality from nitrates and other pollutants.

Loren Harlow, Stoel Rives LLP

21. *Mr. Harlow thinks the Tulare Lake Basin Plan should be re-evaluated with respect to the implementation of the industrial waste discharge effluent limit for electrical conductivity (EC) of 500  $\mu$ mhos/cm over source water.*

*He recommends that the industrial waste discharge effluent limit for electrical conductivity (EC) of 500  $\mu$ mhos/cm over source water should have a geographic reference contributed to it. As an example he mentions the poor water quality of the west side and how it's moved to the valley for collection of drainage where the Basin Plan recommends the waste discharge to be managed.*

See response to comment no. 4.

CV-SALTS is developing a Salt and Nitrate Management Plan for the Central Valley. It is expected that the CV-SALTS will consider geographic differences in salinity concerns when developing the management plan. These efforts are included in Issue Nos. 1 and 9 of the Triennial Review Work Plan for the Tulare Lake Basin.

Debbie Webster, Executive Officer, Central Valley Clean Water Association (CVCWA)

22. *Urges continued support for CV-SALTS, there is important work being done including the proper identification of beneficial uses.*

See response to comment no. 2.

23. *The EC limit for the Tulare Lake Basin should be re-evaluated.*

See response to comment no. 4.

24. *Urges continued support for the variance policy.*

See response to comment no. 5.

Dennis Westcot, Project Administrator, San Joaquin River Group and San Joaquin Tributaries Authority

25. *The San Joaquin River Group and San Joaquin Tributaries Authority will continue actively supporting CV-SALTS program as a high priority.*

The Central Valley Water Board values the support of the San Joaquin River Group and San Joaquin Tributaries Authority.

26. *The San Joaquin River Group and the San Joaquin Tributaries Authority has worked with the Central Valley Water Board, the Port of Stockton, the San Luis & Delta-Mendota Water Authority, the San Joaquin Valley Drainage Authority, and the State Water Contractors to develop a plan to provide funding for an aerator as a long term solution to the dissolved oxygen (DO) level problems in the San Joaquin River. Other parties are needed to be part of the process to make the long term aerator agreement viable.*

The Central Valley Water Board will continue working with stakeholders that are responsible for the low DO conditions and will implement actions that will require these responsible parties to contribute to reducing the DO problem. More information may be found in issue no. 9 of the Triennial Review Work Plan for the Sacramento and San Joaquin Rivers.

27. *The DO objective for the Deep Water Ship Channel needs to be reviewed. The energy and financial costs to keep the DO above 6 mg/L are high so the Board needs to decide if these costs are really appropriate.*

The DO objective of 6.0 mg/L from September to November was established by the State Water Board in the Bay-Delta Plan. State Water Board adopted water quality control plans that supersede Central Valley Water Board Basin Plans for the same geographic area (Wat. Code, §13170). In order to change this water quality objective, the State Water Board must change it in the Bay-Delta Plan. Central Valley Water Board staff will work with State Water Board staff to review the DO objective during Phase II of the Bay-Delta Plan update.

28. *Currently there are mandatory restrictions in the Basin Plan on discharges of oxygen demanding substances including nutrients to the San Joaquin River and its tributaries. Recent scientific studies have shown that the San Joaquin River*

*(SJR) water is generally nutrient rich in comparison to the Sacramento River and is critical in sustaining the food web in the Delta. The Board needs to review the new studies to assure that the Basin Plan requirements are not counterproductive and contribute to undermining the Delta food web.*

Central Valley Water Board staff participates in nutrient studies that have been completed or are in-progress for the Delta. The studies are not indicating a need for the addition of nutrients from the San Joaquin River. Staff will continue working with the scientists. Issue No. 9 of the Triennial Review Work Plan for the Sacramento River and San Joaquin River Basins describes the Central Valley Water Board's current and additional actions to investigate nutrients in the Delta and to address dissolved oxygen issues in the south Delta.

29. *These issues need to be addressed in order to develop a DO plan that is consistent with present information and limits the costs of operating the aerator, thus allowing money to be spent on other more viable alternatives for maintaining DO in the Stockton Deep Water Ship Channel.*

Issue no. 9 of the Triennial Review Work Plan for the Sacramento River and San Joaquin River Basins has additional discussion of the DO issues in the Stockton Deep Water Ship Channel and the Central Valley Water Board's actions.

Lynda Smith, Metropolitan Water District in Southern California

30. *Appreciates the efforts of staff on the development of a Central Valley Drinking Water Policy and their continued work on this issue to ensure that the stakeholder workgroup and the process is staying on schedule to bring a proposed Basin Plan amendment to the Board for consideration in the middle of next year.*

The Central Valley Water Board acknowledges the comment.

31. *We recommend the development of nutrient objectives be made a priority for basin planning work. Efforts are already underway at both the San Francisco Bay Regional Board and the State Water Resources Control Board and the Delta Stewardship Council in their Delta Plan has highlighted the development of nutrient criteria.*

Issue No. 9 of the Triennial Review Work Plan for the Sacramento River and San Joaquin River Basins describes concerns in the Delta including the need for nutrient criteria.

David Cory, San Joaquin River Exchange Contractor's Authority

32. *Efforts should be conducted to re-evaluate the allocation of responsibility for the dissolved oxygen (DO) problems in the Deep Water Ship Channel. The cause of*

*the problem is the channel and not the dischargers of oxygen demanding substances. The Board committed to revisiting this issue upon the completion of certain studies and most of these studies have been completed.*

The DO issue in the Deep Water Ship Channel is discussed in issue no. 9 of the Triennial Review Work Plan for the Sacramento River and San Joaquin River Basins.

Greg A. Hammett, General Manager, Belridge Water Storage District

33. *Mr. Hammett submitted comments on behalf of Belridge Water Storage District, Berrenda Mesa Water District, Dudley Ridge Water District, and Lost Hills Water District (collectively, Districts).*

*The Districts request the Central Valley Water Board to re-evaluate the beneficial uses of groundwater for the appropriate designations within the Districts. The Districts are aware pursuant to the Sources of Drinking Water Policy that changes to the beneficial use designations of groundwater are required to be approved by the Regional Board, the State Water Board and the Office of Administrative Law for amendment to the Tulare Lake Basin Plan*

*The Districts provided a preliminary water quality report to support the re-evaluation and designation of appropriate beneficial uses of groundwater.*

The Central Valley Water Board appreciates the information that the Districts have provided. Issue No. 2 of the Triennial Review Work Plans describes the activities that the Central Valley Water Board is undertaking to evaluate beneficial uses.