February 20, 2015

Anne Littlejohn
Central Valley Regional Water Quality Control Board
11020 Sun Center Drive, Ste. 200
Rancho Cordova, CA 95670

Subject: Comments on MUN De-Designation Draft Staff Report

Dear Ms. Littlejohn:

California Urban Water Agencies (CUWA) appreciates the opportunity to comment on the Draft Staff Report and Basin Plan Amendment to remove the Municipal and Domestic Supply (MUN) designation from 12 water bodies in the Sacramento Basin. CUWA's primary interest in this process is in protecting the MUN beneficial use and preventing degradation of water quality in downstream water bodies.

Existing water quality conditions should be evaluated and there should be a periodic evaluation of water quality at the mouth of the Colusa Basin Drain and Sutter Bypass to determine if MUN water quality objectives are met.

The Central Valley Regional Water Quality Control Board (Central Valley Water Board) is recommending using the Sources of Drinking Water Policy exception 2b to de-designate the MUN beneficial use in the 12 Sacramento Case Study water bodies. Exception 2b states, "*The water is in systems designed or modified for the primary purpose of conveying or holding agricultural drainage waters, provided that the discharge from such systems is monitored to assure compliance with all relevant water quality objectives as required by the Regional Boards*." Monitoring of the discharge to assure compliance with water quality objectives is a key component of this exception.

Existing water quality conditions should be evaluated before a Basin Plan Amendment is adopted - The Central Valley Water Board staff compiled extensive information on existing monitoring programs to justify their recommendation that additional monitoring is not needed to comply with Exception 2b of the Sources of Drinking Water Policy. However, there was not an adequate evaluation of the data collected by these monitoring programs to (1) determine if the Colusa Basin Drain and Sutter Bypass currently meet the MUN water quality objectives prior to discharge to the Sacramento River, (2) determine if the Sacramento River, immediately downstream of the discharges, meets the MUN water quality objectives and (3) determine if the existing monitoring programs provide sufficient data to determine compliance with water quality objectives.

The Central Valley Water Board staff conducted monitoring on one day in June 2014 in the Colusa Basin Drain and Sutter Bypass and found that water quality objectives for several constituents (aluminum, iron, manganese, and sodium) were exceeded. CUWA conducted an analysis of aluminum and manganese concentrations near the mouth of the Colusa Basin Drain reported by the Department of Water Resources Municipal Water Quality Investigations (MWQI) Program. These data are shown in Figures 1 and 2 of Attachment 1. Aluminum concentrations exceeded the secondary maximum contaminant level (MCL) of 0.2 mg/L in most of the samples collected over a ten year

period and frequently exceeded the primary MCL of 1 mg/L. Manganese concentrations consistently exceeded the secondary MCL of 0.05 mg/L. These data indicate that the discharges from the Colusa Basin Drain and Sutter Bypass routinely do not meet the water quality objectives for aluminum and manganese.

The Central Valley Water Board staff should conduct this type of analysis for other drinking water constituents to establish the current conditions at the mouth of the Colusa Basin Drain and Sutter Bypass and in the Sacramento River immediately downstream of these two discharges. This analysis should be completed before the Central Valley Water Board considers the Basin Plan Amendment.

The Basin Plan Amendment should require periodic review of the data – The Draft Basin Plan Amendment does not require a periodic assessment of whether water quality objectives are being met in the future at the mouth of the Colusa Basin Drain, the mouth of Sutter Bypass, and in the Sacramento River immediately downstream of these two discharges. The Basin Plan Amendment should require periodic review of the data to determine if water quality objectives are being met and to determine if the monitoring programs continue to be adequate to conduct this evaluation.

Furthermore, CUWA is also concerned about the inability to quickly correct a problem if the monitoring shows that a discharge to a MUN designated water body is not meeting the MUN water quality objectives. The Central Valley Water Board staff explained at the September 26, 2014 meeting that the only course of action is to develop a total maximum daily load (TMDL). The process of listing a water body, developing a TMDL, and implementing the TMDL takes many years and water quality objectives are not met during those years.

Reliance on existing monitoring programs may not provide adequate data.

As stated previously, the Central Valley Water Board staff has concluded that existing monitoring programs are adequate to determine if water quality objectives are being met. There are a number of problems with relying on existing monitoring programs:

- Existing monitoring is done voluntarily by many agencies (e.g. the MWQI Program, funded by the State Water Project Contractors Authority) and could be discontinued at any time. It appears that the MWQI station on the Colusa Basin Drain is the one that would be used to determine if the discharge from the Colusa Basin Drain is meeting MUN water quality objectives. It is inappropriate to shift the responsibility for determining if water quality objectives are being met from the municipal and agricultural dischargers to the downstream water agencies.
- Existing monitoring is done for other purposes and may not include all of the constituents required to determine compliance with the MUN water quality objectives. As stated previously, there has not been an adequate evaluation of the existing data.
- The Staff Report states that many programs such as MWQI produce Annual Reports, implying that if there are exceedances of water quality objectives, these reports would point it out. MWQI previously produced reports every two years but that was discontinued in 2009.

Achievement of secondary maximum contaminant levels (MCLs) in source waters should not be under-stated.

The Draft Staff Report under-states the importance of secondary MCLs by comparing dissolved metals concentrations to the secondary MCLs, implying that filtration in water treatment plants will remove the particulate forms of the metals. Achieving secondary MCLs in source waters is important for several reasons:

- The compliance point for many water agencies is their raw water source. Water agencies are required to report exceedances of both primary and secondary MCLs to their customers and the Division of Drinking Water. Many customers understandably believe that water is not safe

to drink if it is discolored or it smells or tastes bad. The average customer does not distinguish between the exceedance of a secondary MCL and a primary MCL.

- The US Environmental Protection Agency listed manganese on the proposed Drinking Water Contaminant Candidate List (Federal Register, February 4, 2015). The Contaminant Candidate List contains contaminants that are known to occur in public water systems and may require future regulation. This illustrates that manganese could potentially be more than an aesthetic concern.
- While water suppliers are required to treat raw water to meet all drinking water standards, constituents in the raw water can have significant downstream costs and impacts on treatment processes. These costs should not be borne by the downstream water supply agencies; instead discharges should be controlled to prevent them.

Please contact me at (925) 210-2477 if you have any questions on our comments.

Sincerely,

Cindy Paulson, Ph.D.

Executive Director

Attachment 1

Figure 1. Total Aluminum Concentrations in the Colusa Basin Drain

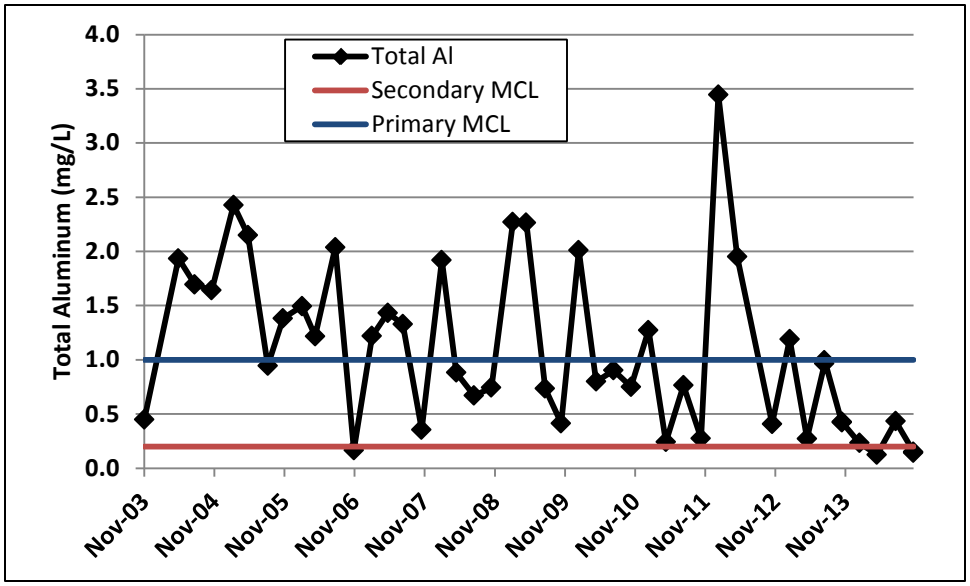

Figure 2. Total Manganese Concentrations in the Colusa Basin Drain