Central Valley Regional Water Quality Control Board

Notice of Online Public Workshop and
California Environmental Quality Act Public (CEQA) Scoping Meeting

DELTA MERCURY CONTROL PROGRAM AND TOTAL MAXIMUM DAILY LOAD REVIEW

24 February 2021
9:00AM to 12:00 PM

As a result of the COVID-19 emergency and the Governor's Executive Orders to protect public health by limiting public gatherings and requiring social distancing, this meeting will occur solely via remote presence.

ONLINE PUBLIC WORKSHOP AND CEQA SCOPING MEETING TIME AND LOCATIONS:

Delta Mercury Control Program and Total Maximum Daily Load Review
Public Workshop and CEQA Scoping Meeting
24 February 2021, 9:00 AM to 12:00 PM
No Physical Meeting Location
Video and Teleconference Meeting Only via Zoom

Link to Meeting
Meeting ID: 947 7321 4801
Passcode: 942664
Dial by your location: +1-669-900-9128 US (San Jose)

TO COMMUNICATE AND PARTICIPATE IN THE MEETING (VIA ZOOM):

If you would like to participate and communicate with the meeting facilitator or need an enhanced video/audio connection during the meeting please email RB5S-MercuryComments@waterboards.ca.gov prior to the meeting.

Individuals requiring special accommodations or language translation services are requested to contact Jordan Hensley at (916) 464-4812 **at least 5 business days prior to the meeting**. TTY users may contact the California Relay Service at 1-800-735-2929 or voice line at 1-800-735-2922.

General instructions on how to join the meeting via computer or phone:

- Instructions on Joining a Zoom Meeting via Computer
- Instructions on Joining a Zoom Meeting via Phone

Questions and comments will be taken at the end of the presentation. If you would like to provide oral comments, please “Raise your hand” during the Zoom meeting. If you called into the meeting from a telephone, use “Star (*) 9” to raise/ lower your hand.

Once your hand is raised and it is your turn to speak, unmute yourself (Star (*) 6 if calling in), announce your name, and you will be able to make your public comment.

NOTICE IS HEREBY GIVEN that staff from the Central Valley Regional Water Quality Control Board (Central Valley Water Board) will hold an online public workshop and California Environmental Quality Act (CEQA) scoping meeting pursuant to California Code of Regulations, title 23, section 3775.5 to discuss and solicit comments and suggestions from the public regarding a proposal to:

- Amend the Water Quality Control Plan for the Sacramento and San Joaquin River Basins (Basin Plan) as appropriate to include Phase 2 requirements within the Delta Mercury Control Program and associated Total Maximum Daily Load (TMDL), collectively referred to as the DMCP;
- Consider adoption of a mercury offsets program; and
- Consider whether or how to maintain the Mercury Exposure Reduction Program (mercury education and outreach to community groups).

BACKGROUND:

On 22 April 2010, the Central Valley Water Board amended the Basin Plan to include the DMCP. The United States Environmental Protection Agency approved the TMDL with an effective date of 20 October 2011. The TMDL is being implemented through a phased approach; Phase 1 began 20 October 2011. At the end of Phase 1, the Basin Plan requires the Central Valley Water Board to conduct review of the Phase 1 requirements and to consider revising the DMCP and future requirements before starting Phase 2.

A phased TMDL approach was selected because additional information about methylmercury source control methods was needed to determine how and if dischargers can attain the current interim load and waste load allocations listed in the TMDL. Information was also needed about the methylmercury control methods' potential benefits and adverse impacts to humans, wildlife, and the environment. Therefore, Phase 1 emphasized studies and pilot projects to develop and evaluate management practices to control methylmercury.

Phase 1 studies are now complete. If the Central Valley Water Board does not review and/or revise the DMCP by October 2022, the current load and waste load allocations would become immediately effective with a compliance date of 2030. As currently written, during Phase 2, dischargers would implement methylmercury control programs

to meet allocations, continue inorganic mercury reduction programs, conduct compliance monitoring, and implement upstream control programs.

Board staff will review and, if necessary, consider proposing modification of the following: aqueous methylmercury and inorganic mercury goals; site-specific water quality objectives, currently established to protect Commercial and Sport Fishing (COMM) and Wildlife Habitat (WILD) beneficial uses; linkage analysis; allocations; the final compliance date; and requirements and schedules for implementation of methylmercury management practices. Board staff will also evaluate other potential public and environmental benefits and negative impacts (e.g., habitat restoration, flood protection, water supply, fish consumption) of implementing methylmercury management practices. Modifications to the DMCP will be based on the findings of the Phase 1 control studies and other recent information.

Additional information regarding this study and proposed amendment is available at the Central Valley Water Board's Sacramento-San Joaquin Delta Methylmercury TMDL website.

PUBLIC SCOPING/WORKSHOP MEETING PURPOSE:

The purpose of this meeting is for the Central Valley Water Board to seek input from public agencies and members of the public on the range of project actions and alternatives, reasonably foreseeable methods of compliance, significant and cumulative impacts, and mitigation measures that will reduce impacts to a less than significant level. Scoping may also help eliminate from detailed study issues found not to be important and resolve stakeholder concerns. (Cal. Code Regs., tit. 23, § 3775.5)

Although a quorum of Central Valley Water Board staff and members may be present, no action will be made at this meeting.

This meeting will provide participants with the following:

1. Background on the DMCP;

2. Background and methods to establish an aqueous and fish methylmercury linkage analysis with consideration of additional data;

3. An overview of implementation options for Phase 2 of the DMCP; and

4. The opportunity to comment on the range of potential project actions and alternatives, reasonably foreseeable methods of compliance, significant and cumulative impacts, and mitigation measures to be included in a draft substitute environmental document prepared pursuant to California Code of Regulations, title 23, section 3777 et seq. under the Central Valley Water Board's certified regulatory program for basin planning.

SUBMISSION OF COMMENTS

The Central Valley Water Bard will accept both written and oral comments. Central Valley Water Board staff will solicit oral comments at the end of the meeting's virtual presentation. Additionally, interested persons may submit written comments to RB5S-MercuryComments@waterboards.ca.gov or to Jordan Hensley using the below email or mailing address. **Written comments must be submitted no later than 5:00 PM on 26 February 2021.** Electronic submission by email is preferred. Please indicate in the subject line "Comment Letter – Delta Mercury Control Program Review Meeting."

Comments received may help guide the Central Valley Water Board's environmental analysis. Comments provided at the workshop will be reviewed and considered as Board Staff develop the Basin Plan Amendment and draft the staff report for the Central Valley Water Board's consideration.

CONTACT INFORMATION:

Questions regarding this notice should be directed to Jordan Hensley at (916) 464-4812 or Jordan.Hensley@waterboards.ca.gov. Persons wishing to subscribe to the "Delta Mercury TMDL" electronic mailing list can do so by following the instructions on the Central Valley Water Board's Email List Subscriptions webpage.

Please bring the above information to the attention of those who may be interested.

Original Signed By Adam Laputz on 2 February 2021

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Adam Laputz, Assistant Executive Officer

Attachments:
Figure 1 – Sacramento - San Joaquin River Delta Estuary and Yolo Bypass
Figure 2 – Delta Waterways (North Panel)
Figure 3 – Delta Waterways (South Panel)
Figure 4 – North Yolo Bypass and Cache Creek Settling Basin
List - Number and Name of Delta and Yolo Bypass Waterways in Figures 2 through 4

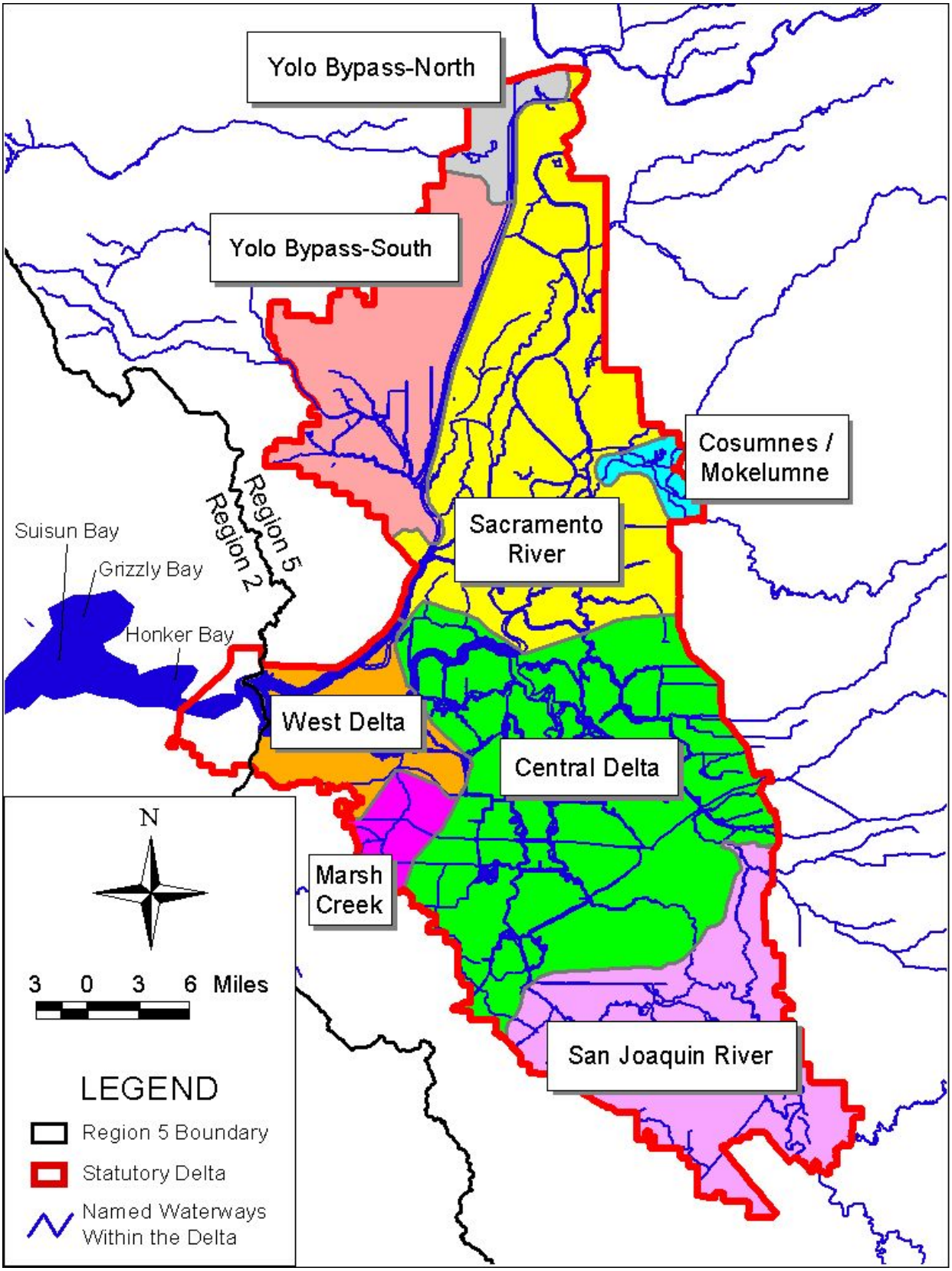

Figure 1 – Sacramento - San Joaquin River Delta Estuary and Yolo Bypass

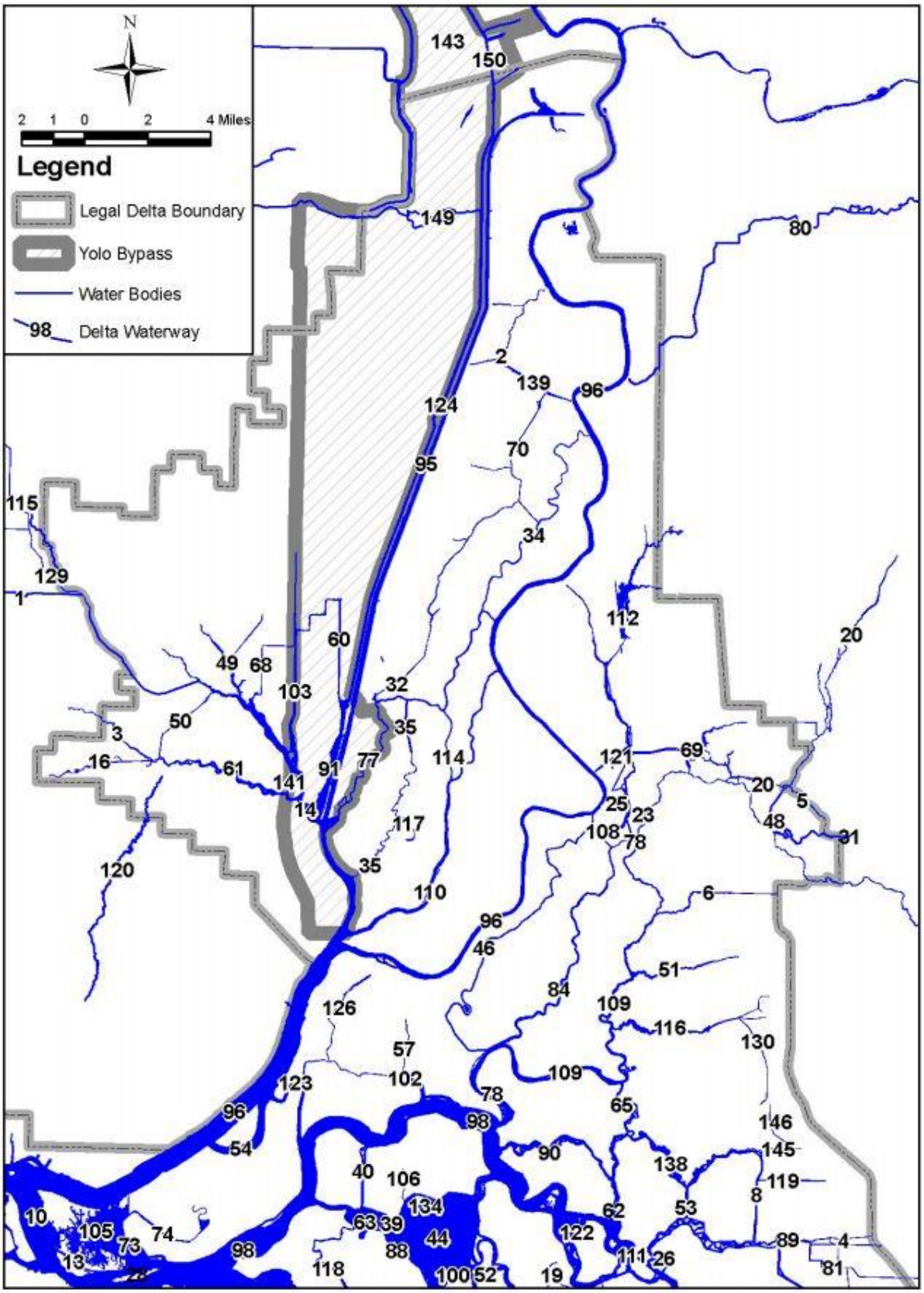

Figure 2 – Delta Waterways (North Panel)

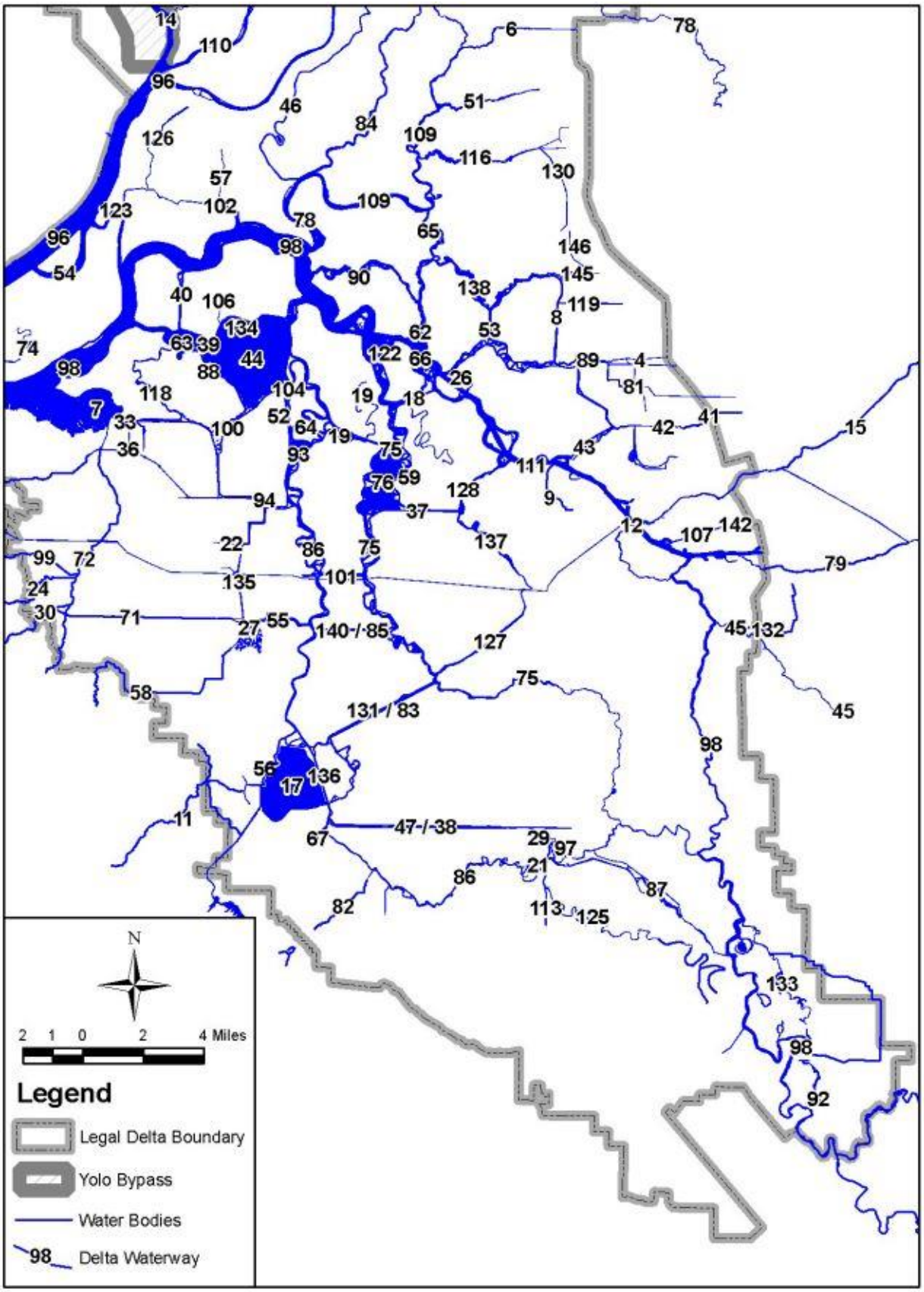

Figure 3 – Delta Waterways (South Panel)

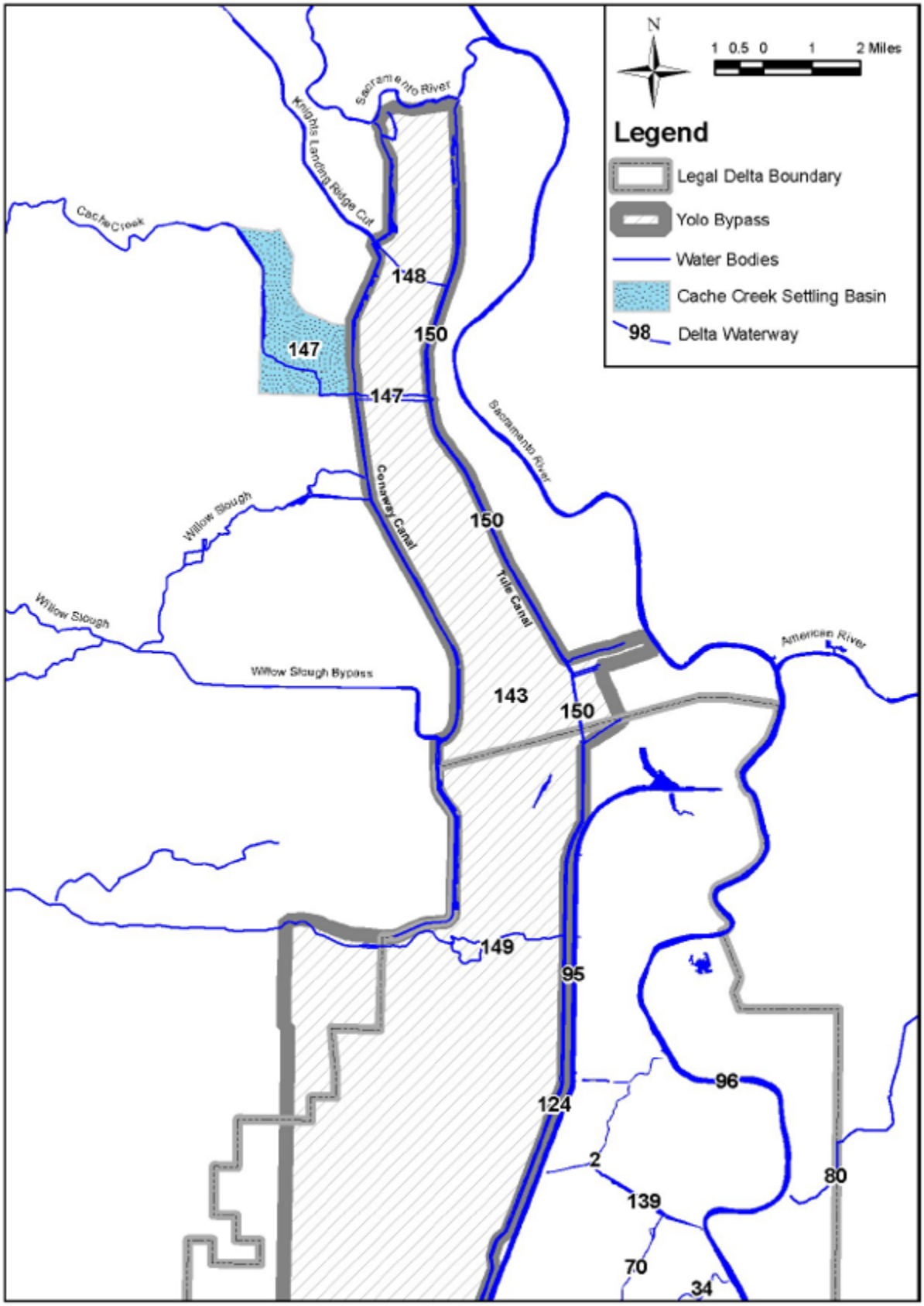

Figure 4 – North Yolo Bypass and Cache Creek Settling Basin

List - Number and Name of Delta and Yolo Bypass Waterways in Figures 2 through 4

1. Alamo Creek
2. Babel Slough
3. Barker Slough
4. Bear Creek
5. Bear Slough
6. Beaver Slough
7. Big Break
8. Bishop Cut
9. Black Slough
10. Broad Slough
11. Brushy Creek
12. Burns Cutoff
13. Cabin Slough
14. Cache Slough
15. Calaveras River
16. Calhoun Cut
17. Clifton Court Forebay
18. Columbia Cut
19. Connection Slough
20. Cosumnes River
21. Crocker Cut
22. Dead Dog Slough
23. Dead Horse Cut
24. Deer Creek (Tributary to Marsh Creek)
25. Delta Cross Channel
26. Disappointment Slough
27. Discovery Bay
28. Donlon Island
29. Doughty Cut
30. Dry Creek (Marsh Creek tributary)
31. Dry Creek (Mokelumne River tributary)
32. Duck Slough
33. Dutch Slough
34. Elk Slough
35. Elkhorn Slough
36. Emerson Slough
37. Empire Cut
38. Fabian and Bell Canal
39. False River
40. Fisherman's Cut
41. Fivemile Creek
42. Fivemile Slough
43. Fourteenmile Slough
44. Franks Tract
45. French Camp Slough
46. Georgiana Slough
47. Grant Line Canal
48. Grizzly Slough
49. Haas Slough
50. Hastings Cut
51. Hog Slough
52. Holland Cut
53. Honker Cut
54. Horseshoe Bend
55. Indian Slough
56. Italian Slough
57. Jackson Slough
58. Kellogg Creek
59. Latham Slough
60. Liberty Cut
61. Lindsey Slough
62. Little Connection Slough
63. Little Franks Tract
64. Little Mandeville Cut
65. Little Potato Slough
66. Little Venice Island
67. Livermore Yacht Club
68. Lookout Slough
69. Lost Slough
70. Main Canal (Duck Slough tributary)
71. Main Canal (Italian Slough tributary)
72. Marsh Creek
73. Mayberry Cut
74. Mayberry Slough
75. Middle River
76. Mildred Island
77. Miner Slough
78. Mokelumne River
79. Mormon Slough
80. Morrison Creek
81. Mosher Slough
82. Mountain House Creek
83. North Canal
84. North Fork Mokelumne River
85. North Victoria Canal

86. Old River
87. Paradise Cut
88. Piper Slough
89. Pixley Slough
90. Potato Slough
91. Prospect Slough
92. Red Bridge Slough
93. Rhode Island
94. Rock Slough
95. Sacramento Deep Water Channel
96. Sacramento River
97. Salmon Slough
98. San Joaquin River
99. Sand Creek
100. Sand Mound Slough
101. Santa Fe Cut
102. Sevenmile Slough
103. Shag Slough
104. Sheep Slough
105. Sherman Lake
106. Short Slough
107. Smith Canal
108. Snodgrass Slough
109. South Fork Mokelumne River
110. Steamboat Slough
111. Stockton Deep Water Channel
112. Stone Lakes
113. Sugar Cut
114. Sutter Slough
115. Sweany Creek
116. Sycamore Slough
117. Taylor Slough (Elkhorn Slough tributary)
118. Taylor Slough (near Franks Tract)
119. Telephone Cut
120. The Big Ditch
121. The Meadows Slough
122. Three River Reach
123. Threemile Slough
124. Toe Drain
125. Tom Paine Slough
126. Tomato Slough
127. Trapper Slough
128. Turner Cut
129. Ulatis Creek
130. Upland Canal (Sycamore Slough tributary)
131. Victoria Canal
132. Walker Slough
133. Walthall Slough
134. Washington Cut
135. Werner Dredger Cut
136. West Canal
137. Whiskey Slough
138. White Slough
139. Winchester Lake
140. Woodward Canal
141. Wright Cut
142. Yosemite Lake
143. Yolo Bypass
144. Deuel Drain
145. Dredger Cut
146. Highline Canal
147. Cache Creek Settling Basin
148. Knights Landing Ridge Cut
149. Putah Creek
150. Tule Canal