

ITEM: 23

SUBJECT: Proposed Amendment to the Water Quality Control Plan for the Sacramento River and San Joaquin River Basins to Remove the Municipal and Domestic Supply (MUN) Beneficial Use in Twelve Constructed and/or Modified Water Bodies in the Sacramento River Basin– *Public Hearing to Receive Comments*

BOARD ACTION: No formal action. Staff will give a presentation and the Board will receive comments from interested parties. The Board is scheduled to consider adoption of the proposed Basin Plan Amendment in April 2015.

BACKGROUND: Staff has developed a proposed Basin Plan Amendment (Amendment) that would dedesignate the Municipal and Domestic Supply (MUN) beneficial use in twelve surface water bodies in the Sacramento River Basin based on an exception in State Water Board Resolution 88-63 (*Sources of Drinking Water Policy*). The twelve water bodies proposed for MUN dedesignation are: Ag Drain C (Logan Creek), Cherokee Canal, East Interceptor Canal, Lateral 1, Lateral 2, Lateral K, Main Drainage Canal (C Main Drain), New Ditch (2011), Powell Slough, unnamed tributary, Wadsworth Canal, and Western Intercepting Canal. These water bodies were constructed and/or modified to convey agricultural drainage and also receive effluent from the cities of Biggs, Colusa, Live Oak or Willows under National Pollutant Discharge Elimination System (NPDES) permits.

The receiving water bodies for the cities of Colusa and Willows are part of the Colusa Basin Watershed, while the receiving water bodies for the cities of Biggs and Live Oak are part of watersheds that eventually flow into the Sutter Bypass. The Colusa Basin Drain and the Sutter Bypass both discharge into the Sacramento River. MUN is not a designated beneficial use of either the Colusa Basin Drain or the Sutter Bypass.

The *Sources of Drinking Water Policy* has been incorporated into the *Water Quality Control Plan for the Sacramento River and San Joaquin River Basins*, Fourth Edition, revised October 2011 (Basin Plan). This means that the MUN beneficial use applies to all surface and ground water bodies in the Sacramento and San Joaquin watersheds unless a water body is specifically listed in the Basin Plan as a water body that does not support the MUN beneficial use. The Basin Plan's list of water bodies that do not support the MUN beneficial use does not include the twelve water bodies named in the Amendment, which means that the MUN beneficial use currently applies to these water bodies. However, the *Sources of Drinking Water Policy* allows the Board to dedesignate the MUN beneficial use from water bodies that have been designed or modified to convey agricultural drainage through a Basin Plan amendment. This Amendment proposes to rely on this *Sources of Drinking Water Policy* exception to dedesignate the MUN beneficial use from the twelve water bodies.

Information gathered during a three-year stakeholder process and through staff survey and monitoring efforts demonstrates that the MUN use has not occurred in the past, is not occurring presently, and is not expected to occur in the foreseeable future in these twelve water bodies. This Amendment proposes to remove the MUN beneficial use designation from these twelve water bodies, and the accompanying Staff Report provides the rationale behind each part of the Amendment, along with alternatives that the Board staff considered during

the course of developing the Amendment. Furthermore, the Amendment would specify how the Board would monitor the watershed to demonstrate that the dedesignation does not result in noncompliance with relevant water quality objectives.

Numerous stakeholder meetings were held since February 2012 to discuss alternatives and specific language for the Amendment. The proposed Amendment and a supporting Staff Report were released for public review and comment on 5 January 2015. The deadline for written comments is 20 February 2015. The purpose of this hearing is to receive comments on the proposed Amendment. A draft final Amendment is scheduled to be brought before the Board for potential adoption at the April Board Meeting. Agenda materials for the adoption hearing will include a final Staff Report, draft Resolution for adopting the proposed Amendment, and responses to public comments received within the comment period.

ISSUES:

Comments have not been received on this item yet. Issues identified by staff based on previous discussions include:

- Some stakeholders have concerns that dedesignation could cause water quality impacts in the Sacramento River related to drinking water constituents of concern.
- Some stakeholders have concerns with potential future monitoring requirements and costs.

RECOMMENDATION No Board action is required.

Mgmt. Review __JEC__
Legal Review __PEP__

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