

ITEM: 9

SUBJECT: Amendments to the Water Quality Control Plans for both the Sacramento River and San Joaquin River Basins and for the Tulare Lake Basin (Basin Plans) to establish a region-wide process for evaluating the Municipal and Domestic Supply (MUN) beneficial use in agriculturally (Ag) dominated surface water bodies. *Informational Item*

BOARD ACTION: No formal action. Staff will give a presentation and the Board will receive comments from interested parties.

BACKGROUND: Staff has been developing amendments to the Basin Plans through a stakeholder process to establish a region-wide process for evaluating the Municipal and Domestic Supply (MUN) beneficial use in agriculturally (Ag) dominated surface water bodies. Board staff presented information regarding the development of potential amendments during a Board workshop on 16 April 2015. The Board requested additional information regarding a LIMITED-MUN beneficial use that could replace the MUN use where the Board found that the MUN beneficial use designation was not appropriate. Board staff will be discussing the various LIMITED-MUN beneficial use options during the Board's 30/31 July 2015 meeting.

The Central Valley Water Board's incorporation the Sources of Drinking Water Policy into the Basin Plans designated all surface and ground water bodies in region as supporting the MUN beneficial use. The only water bodies where this designation does not apply are those water bodies specifically identified in the Basin Plans as not supporting the MUN use. The Sources of Drinking Water Policy contains exception criteria for water bodies designed and/or modified to convey agricultural drainage. Utilizing this exception requires a Basin Plan Amendment to dedesignate the MUN use. The Basin Plans contain water quality objectives that specify that water bodies that support the MUN beneficial use must, at a minimum, meet the primary and secondary Maximum Contaminant Levels (MCLs) contained in Title 22 of the California Code of Regulations for chemical constituents, pesticides, and radionuclides. These MCLs were developed for direct consumption of the water (e.g. from the tap), and so it may not be appropriate to regulate to these standards in all Ag dominated surface water bodies.

The Board does not list the vast majority of the thousands of Ag dominated surface water bodies in the Basin Plans, which means that the MUN beneficial use currently applies to these water bodies. These Ag dominated surface water bodies include facilities constructed to convey agricultural supply or drainage water (or a combination) as well as natural channels that are dominated by agricultural flows during a majority of the irrigation season. Many types of Ag dominated water bodies, like constructed agricultural supply channels, do not clearly meet any of the exceptions in the Sources of Drinking Water Policy. Due to inherent limiting physical conditions, such as low or intermittent flows and/or elevated natural background constituent concentrations, applying primary and secondary MCLs (tap water standards) to certain categories of agriculturally dominated water bodies may not be appropriate. As such, a new LIMITED-MUN beneficial use designation has been proposed to protect the beneficial uses that these water bodies actually support.

Board staff will provide information regarding the development of the LIMITED-MUN beneficial use, including the preliminary options currently under consideration for its definition and related water quality objective(s).

ISSUES:

The following issues pertaining to the development of the LIMITED-MUN beneficial use designation have been identified:

- Defining the LIMITED-MUN beneficial use to reflect the appropriate use of the water
- Establishing the appropriate water quality objectives that will provide flexibility to address different limiting physical and natural water quality conditions while preventing future degradation
- Ensuring protection of downstream beneficial uses

RECOMMENDATION No Board action is required.

Mgmt. Review _JEC_
Legal Review __PEP__
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