Board Hearing to Consider Adoption

Proposed Basin Plan Amendment to Establish a Region-wide Process for Evaluating the Municipal and Domestic Supply (MUN) Beneficial Use in Agriculturally Dominated Surface Water Bodies

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Past Board Meetings

April 2015 Board Meeting
- Adoption of Sacramento MUN BPA
- Overview of Region-wide MUN Evaluation BPA

July 2015 Board Workshop
- Limited MUN (LMUN) Beneficial Use

August 2016 Board Workshop
- Implementation and Key Issues

February 2017 Board Hearing
- 1st Hearing of Proposed Amendments
Presentation Overview

I. Overview of Proposed Amendments

II. Public Comments and Responses
   • Proposed Revisions

III. Staff Recommendation
Why Are We Here?

Goal

Consistent - Transparent – Streamlined

Process for appropriate application and level of protection of MUN in Ag dominated surface water bodies
Why Are We Here?

- Incorporation of the “Sources of Drinking Water Policy” into Basin Plans
  - Overly-conservative restrictions – Primary and Secondary MCLs
  - Limits water reuse and conservation
Why Are We Here?

• **Sources of Drinking Water Policy Exception 2b**
  - Convey or hold Ag Drainage
  - Monitoring to assure compliance
• Exceptions require a Basin Plan Amendment
• Typical Basin Plan Amendment Process = 3-5 years
• 6,000+ Ag water bodies
• Need standardized process
Stakeholder Participation

Project Participants
- CV Water Board
- CV-SALTS
- Four POTWs
- California DFW
- CDFA
- Delta Stewardship Council

Stakeholder Meetings
- Sept. 2014
- US EPA
- State Board Basin Planning
- Division of Drinking Water
- Agriculture
- Water Supply
- Urban Water Users
Overview of Proposed Amendments

• Establish a Standardized Region-wide Evaluation Process
  • Water Body Categorization
  • Appropriate MUN and associated WQOs
    • Development of Limited MUN (LMUN)
  • Implementation
  • Monitoring/Surveillance
Implementation Program

1. Process Initiation and Review
   - Document Submittals
   - Review and Verification
     - WB Category
     - Monitoring and Surveillance

2. Establishment of Interim Designations
   - Public Review and EO Approval
   - Reference Document
   - Interim Permit Limits

3. Adoption into the Basin Plan
Monitoring and Surveillance

- Requirements
  - Sources of Drinking Water Policy
  - State Antidegradation Policy
- Assessment
  - Comprehensive Monitoring Reference Guides
Monitoring and Surveillance

- Case-By-Case Monitoring Program Options
  - Interim monitoring recommendations
  - No unreasonable impacts downstream
- Monitoring Duration
- Discharger Responsibility
  - New or changing discharges
- Water Board Commitment
  - Coordination to augment data
SLCC Case Study

Applied evaluation process to San Luis Canal Company

• De-designate MUN in 231 constructed or modified Ag dominated water bodies
Public Comments
February 23, 2017 Board Hearing

- Public Oral Comments
  - Sacramento River Source Water Protection Program and City of Sacramento Department of Utilities
  - San Joaquin River Group Authority
  - Central Valley Clean Water Association
  - California Association of Sanitation Agencies
  - Turlock Irrigation District
  - Valley Water Management Company
  - San Joaquin Valley Drainage Authority/ Western San Joaquin River Watershed Coalition/ San Luis Canal Company
  - California Independent Petroleum Association
  - California Rice Commission

- Board Member Comment to Staff
  - Input from DDW
Based on our review of the basin plan amendment, the monitoring and surveillance program identified in combination with the regulatory programs in place appropriately provide the needed level of protection.
Public Written Comments

- **Comment Period:** 23 January – 24 March 2017
  - San Joaquin Tributaries Authority
  - California Rice Commission
  - California Safflower Growers Association
  - Sac. River Source Water Protection Program
  - SF Baykeeper, CSPA, PAN-North America, EJMW
  - Valley Water Management Company
  - California Urban Water Agencies
  - Turlock Irrigation District
  - Central Valley Clean Water Association
  - US Environmental Protection Agency
  - Group of 15 coalitions/growers in the Central Valley
Response to Comments Document

Main Document

• Section 1 – Broad issues
• Section 2 – Oral comments
• Section 3 – Written comments
• Section 4 – DDW Memo evaluating proposed amendments

Appendix A

• Additional responses to inserted comments by the Sacramento River Source Water Protection Program on draft Staff Report
Public Comments

Broad Issues

1. Adequacy of monitoring and surveillance program in protecting downstream beneficial uses
2. Cumulative impacts and long term protection
3. Consistency with *Sources of Drinking Water Policy*
4. Application and protection of the LMUN beneficial use
Broad Issue #1
Adequacy of Proposed Monitoring and Surveillance Program

Comments:
Process is insufficient to ensure adequate monitoring of discharges from de-designated or LMUN water bodies

Response:
- Case-by-case monitoring assessments & recommendations
  - Comprehensive Monitoring Guides
  - Evaluation of constituents of concern & data gaps
- Title 22 source water monitoring every 3-5 years
Broad Issue #2
Cumulative Impacts and Long Term Protection of Downstream MUN Water Bodies

Comments:
Insufficient review of potential cumulative impacts to downstream MUN water bodies and no long term protection

Response:
Clarification added to Staff Report.

- Ag management practice improvements have not been driven by MUN designations in ag drains & supply channels
- No significant change to water quality expected
- Antidegradation analyses will continue to be required
Inconsistent with the *Sources of Drinking Water Policy* (Resolution 88-63)

- Exception 2b is applied to water bodies that hold a combination of Ag supply and drainage
- Water bodies that do not meet the exceptions are designated LMUN

**Response:**

- Exception 2b – primary purpose of conveying/holding Ag drainage
- Board is not removing the MUN use, but recognizes that LMUN is a limited potential MUN source.
Comments:
The LMUN definition is too vague and water quality objective is not protective of the water body and downstream beneficial uses

Response:
- Limited potential as a source of MUN
- Water quality and downstream beneficial uses will be protected consistent with the State Antidegradation Policy
  - requires specific findings before any degradation is allowed
General Comment
No Peer Review

Comments:
Do not agree with the rationale for no peer review. Important to obtain peer review including DDW and OEHHA.

Response:
• Process does not contain new science
• Relies on policy determinations, existing information and language in current policies.
• DDW memo
Specific Comments that Led to a Change in the Staff Report

Comments:
Amend Ag Drainage definition: Water leaving an agricultural field either from irrigation practices or precipitation.

Response:
Staff agrees that consistency is important between related programs
• Definition changed to include “precipitation”
• Clarification added on “primary purpose”
Specific Comments that Led to a Change in the Staff Report

Comments:
Staff Report does not include “use and value” determination (US EPA)

Response:
• Considerations already required by state laws and regulations
• Clarification added to draft Staff Report
  • Laws, Regulations, and Policies Section
  • Beneficial Uses Section
Specific Comments that Led to a Change in the Staff Report

Comments:
Economic evaluation lacks consideration and analysis of drinking water treatment and residual management costs for downstream utilities.

Response:
• Additional Section to discuss potential impacts to Utilities and Service Systems.
• Revisions to the Environmental Checklist to acknowledge water purveyors may incur additional costs, but less than significant impact.
Summary
Revisions since February Hearing

- **Staff Report**
  - Clarifications

- **Basin Plan Language**
  - Addition of agricultural drainage definition
  - Water Body Categorization Flow Chart
  - Clarification MUN Narrative Objectives

- **Late Revisions**
  - Basin Plan Language – additional clarifications
  - Staff Report – consistency and clarifications
  - Resolution – clarification and new finding (Board guidance)
Next Steps & Timeline

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<th>Regional Board Hearing to consider Adoption</th>
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<tr>
<td>State Board Hearing Review/Approval</td>
<td>TBD (December 2017)</td>
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<tr>
<td>OAL &amp; US EPA Review/Approval</td>
<td>TBD (June 2018)</td>
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Staff Recommendation

Adopt Resolution that:

• Approves the Staff Report and its supporting environmental documentation with revisions

• Adopts the Basin Plan Amendment into the Basin Plans
Questions?