November 6, 2017

Jeanine Townsend, Clerk to the Board
State Water Resources Control Board
P.O. Box 100, Sacramento, CA 95812-2000
commentletters@waterboards.ca.gov

Subject: Comment Letter – Region-wide MUN Evaluation Process Basin Plan Amendment

Dear Ms. Townsend:

Alameda County Flood Control & Water Conservation District, Zone 7 (Zone 7) and Contra Costa Water District (CCWD) appreciate the opportunity to comment on the Basin Plan Amendment to Establish a Region-Wide Municipal and Domestic Supply (MUN) Beneficial Use Evaluation Process in Agriculturally Dominated Surface Water Bodies and to Remove the MUN Beneficial Use from 231 Constructed or Modified Ag Drains in the San Luis Canal Company District. Zone 7 and CCWD have relied on California Urban Water Agencies (CUWA) to participate Central Valley – Salinity Alternatives for Long-Term Sustainability (CV-SALTS). Through the stakeholder process, CUWA has provided a comment letter to Central Valley Regional Board for the proposed Basin Plan Amendment on March 23, 2017 (attached). Although some of our previous comments were considered, our substantive comments on source water protection remain unaddressed.

The fact that dischargers have traditionally operated as if Exception 2b in the Sources of Drinking Water Policy was self-implementing should not be a reason for the proposed MUN evaluation process to be implemented without cumulative impacts analysis and adequate monitoring. Delaying antidegradation analysis to the implementation process (when waste discharge requirements and NPDES permits are issued) has the potential to create regulatory loopholes and to cause water quality degradation.

Please refer to the attached comment letter from CUWA for more details. If you have any questions, please do not hesitate to call me at (925) 688-8083.

Sincerely,

Jarnail Chahal
Engineering Manager
Alameda County Flood Control
& Water Conservation District, Zone 7

Leah Orloff
Water Resources Manager
Contra Costa Water District

LO/YL:wec

Attachment

CALIFORNIA URBAN WATER AGENCIES

March 23, 2017 Submitted via email to: pcreedon@waterboards.ca.gov

Pamela Creedon
Central Valley Regional Water Quality Control Board
11020 Sun Center Drive, #200
Rancho Cordova, CA 95670-6114

Subject: Comments on the Region-wide MUN De-designation process

Dear Ms. Creedon:

California Urban Water Agencies (CUWA) appreciates the opportunity to review the draft staff report on the Region-wide MUN De-designation process. CUWA's primary interest in this process is in protecting the MUN beneficial use and preventing degradation of water quality in downstream water bodies, so we actively participated in the stakeholder process. CUWA has concerns with the following aspects of the proposed Basin Plan Amendment.

1. Inconsistency with the Sources of Drinking Water Policy
2. Cumulative Impacts
3. Existing Water Quality Conditions
4. Periodic Assessment of Water Quality Conditions
5. Clarification on the Pathogen Narrative Objective

1. **Inconsistency with the Sources of Drinking Water Policy.** The proposed amendment plans to use exception 2b of the Sources of Drinking Water Policy to de-designate the MUN beneficial use in waterbodies that are characterized as Constructed Ag Drainage/Combo (C1) and Modified Ag Drainage/Combo (M1). Combo, in this case, means a water body that carries both agricultural drainage and agricultural supply water. CUWA maintains that this is inconsistent with the Sources of Drinking Water Policy exception 2b. Exception 2b only applies to agricultural drains and does not mention water bodies that carry both drainage and supply water. 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."* The staff report does not provide any justification for why Combo water bodies should be considered under Exception 2b. **CUWA requests that a better definition of the Combo water bodies be included to ensure that they are indeed designed or modified for the primary purpose of conveying or holding agricultural drainage waters.**

Exception 2b requires that *"the discharge from such systems is monitored…".* The staff report describes a three-step process to evaluate whether existing monitoring is adequate or whether additional monitoring is needed. The staff report does not clearly state that the evaluation will be on the discharge; it seems to imply that general monitoring under the Irrigated Lands Regulatory Program will be sufficient. **CUWA requests that language be added to state that the evaluation will consist of reviewing information on the specific waterbodies that are under consideration for de-designation to determine if existing monitoring conducted on the discharge from those waterbodies is adequate.**

2. **Cumulative Impacts.** Adopting a Basin Plan Amendment that would implement a region-wide strategy to de-designate potentially over 6,000 constructed and/or modified water bodies could have cumulatively significant impacts. The staff report acknowledges that there could be degradation in downstream water quality as a result of this process but judges it to be insignificant because downstream water quality objectives will be met. CUWA is mostly concerned about the cumulative impacts on salinity in the Sacramento and San Joaquin rivers. We provided results of a Department of Water Resources modeling study in our comments on the CV-SALTS Salt and Nitrate Management Plan to the Central Valley Water Board (submitted on February 21, 2017) and are resubmitting as Attachment 1. This study showed that if the San Joaquin River at Vernalis salinity objectives were just met, there would be considerable impacts on water quality at Delta drinking water intakes. We are concerned that on a case-by-case basis the Central Valley Water Board could determine that the downstream impacts are insignificant yet on a cumulative basis they could be quite significant. **CUWA requests that existing water quality conditions be documented in water bodies that are proposed to be de-designated to establish baseline conditions and that monitoring of the discharge from those waterbodies be required. CUWA requests that the Central Valley Water Board conduct a cumulative impact analysis with each request to de-designate water bodies.**

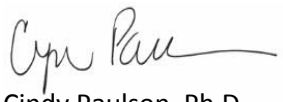
3. **Existing Water Quality Conditions.** CUWA appreciates the effort staff put into compiling information on existing monitoring programs but that compilation does not include an assessment of existing water quality conditions. We are not aware of any report that adequately assesses the existing water quality conditions of the Sacramento and San Joaquin rivers to establish a baseline prior to implementation of this proposed Basin Plan Amendment, the proposed Basin Plan Amendment to adopt water quality objectives for the Lower San Joaquin River and the future Basin Plan Amendment associated with implementation of the CV-SALTS Salt and Nitrate Management Plan. **CUWA requests that the Central Valley Water Board conduct a review of existing water quality data for MUN-designated water bodies and for the San Joaquin River at Vernalis and prepare an existing conditions report that would establish the basis for judging whether water quality is degraded as a result of implementing these Basin Plan Amendments. This assessment should be completed before the Basin Plan Amendment for MUN De-designation is adopted.**

4. **Periodic Assessment of Water Quality Conditions.** There is no requirement that the water quality data be periodically assessed to determine trends in water quality conditions. Rather, the staff report states that Title 22 constituents will be evaluated as resources permit. **CUWA requests that the Basin Plan Amendment require periodic assessment of data collected and preparation of a report analyzing trends in water quality.**

5. **Clarification on the Pathogen Narrative Objective.** The Drinking Water Policy for Surface Waters of the Delta and its Upstream Tributaries is described in Section 12.4.7. *Cryptosporidium* and *Giardia* are different from chemicals in surface water in that they are organisms that die and settle out of the water column. Impacts at drinking water intakes are generally related to localized conditions rather than the cumulative load from the watershed. **CUWA requests that the Drinking Water Policy be modified to clarify that the implementation actions triggered by monitoring at a public water system are specific to *Cryptosporidium* and *Giardia* and do not apply to any of the other constituents evaluated in the Drinking Water Policy development process.**

We appreciate this opportunity to provide comments on the proposed Basin Plan Amendment. Please contact Elaine Archibald at 916-736-3713 or Katie Porter at 213-271-2239 if you have any questions or would like to further discuss our comments.

Sincerely,



Cindy Paulson, Ph.D.
Executive Director

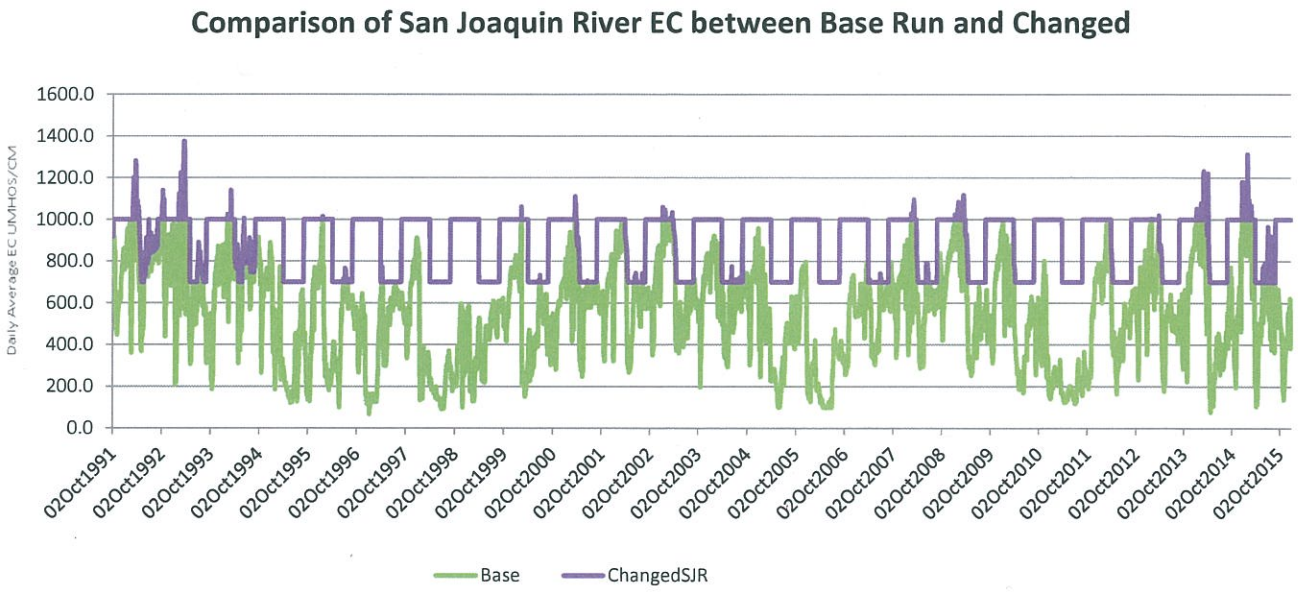
Cc: Anne Littlejohn, Central Valley Regional Water Quality Control Board

Attachment 1
DWR Modeling Results

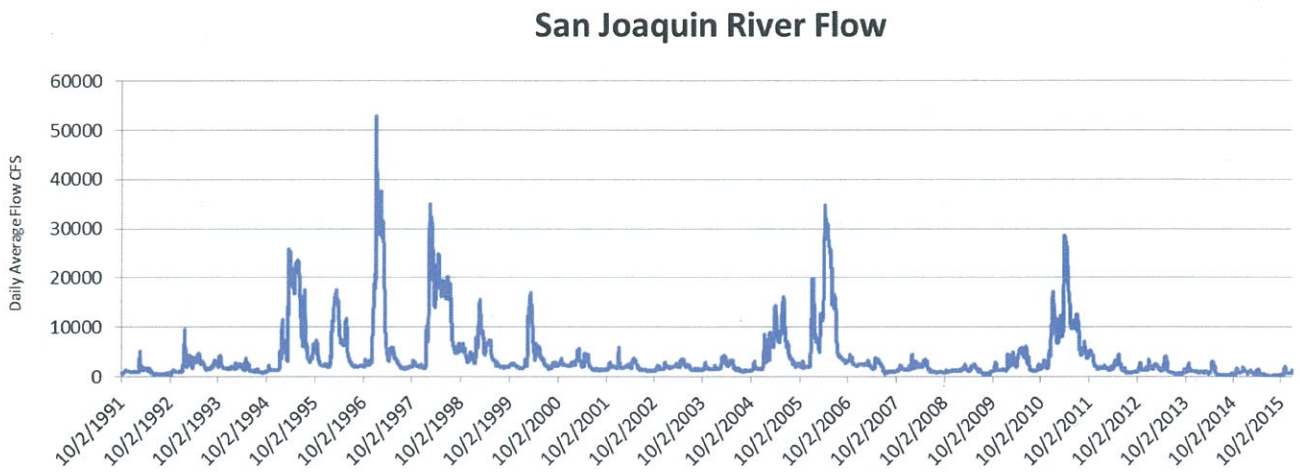
Background

The study for comparison is looking at the impacts of changing the water quality at the SJR boundary. The study consists of changing the San Joaquin boundary at Vernalis to a daily EC of 700 for summer months (Apr - Aug) and with an EC of 1000 during the remaining months (Sep -Mar) with the exception that if the historical value at the SJR boundary is higher than the 1000 or 700 umhos/cm then that value will be used. Simulation period is from 1991 to 2015. The Base case is a historical simulation.

SJR Boundary



SJR Flow


San Joaquin River Flow
Daily Average Flow CFS
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50000
40000
30000
20000
10000
0
10/2/1991
10/2/1992
10/2/1993
10/2/1994
10/2/1995
10/2/1996
10/2/1997
10/2/1998
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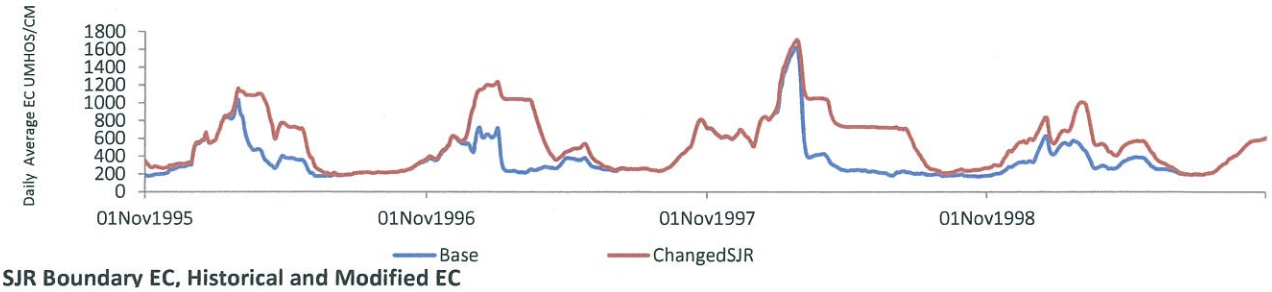
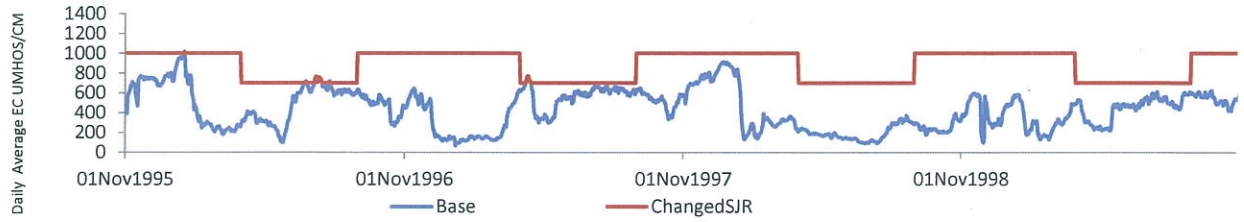
Rock Slough(1995-1999)

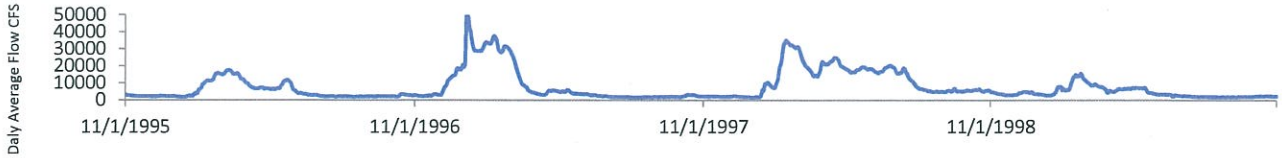
EC at Rock Slough, Historical and Modified SJR EC



SJR Boundary EC, Historical and Modified EC



SJR Historical Flow



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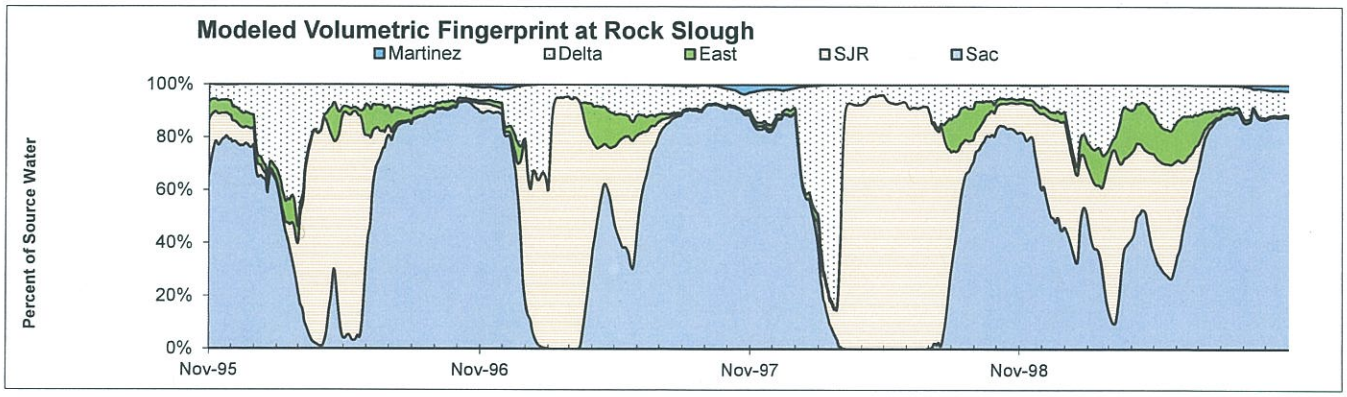

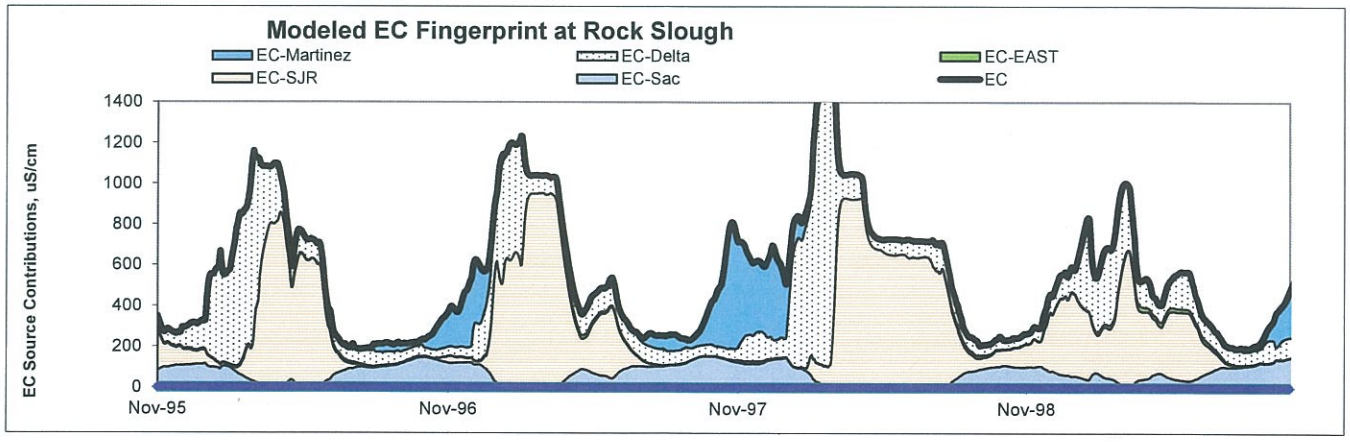

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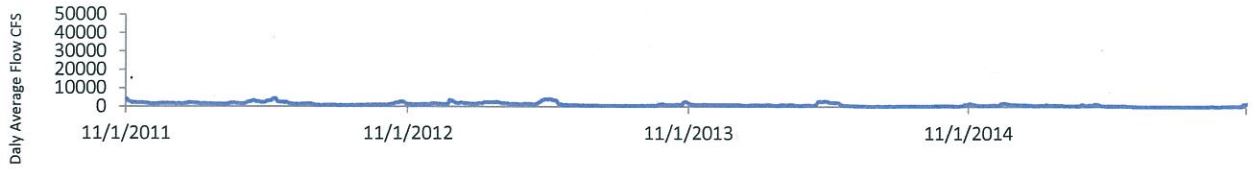

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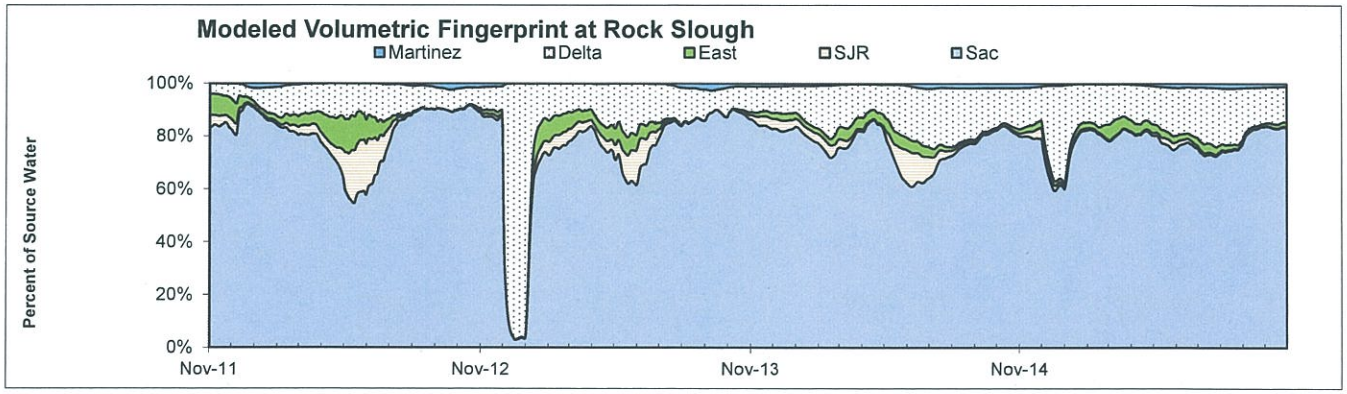
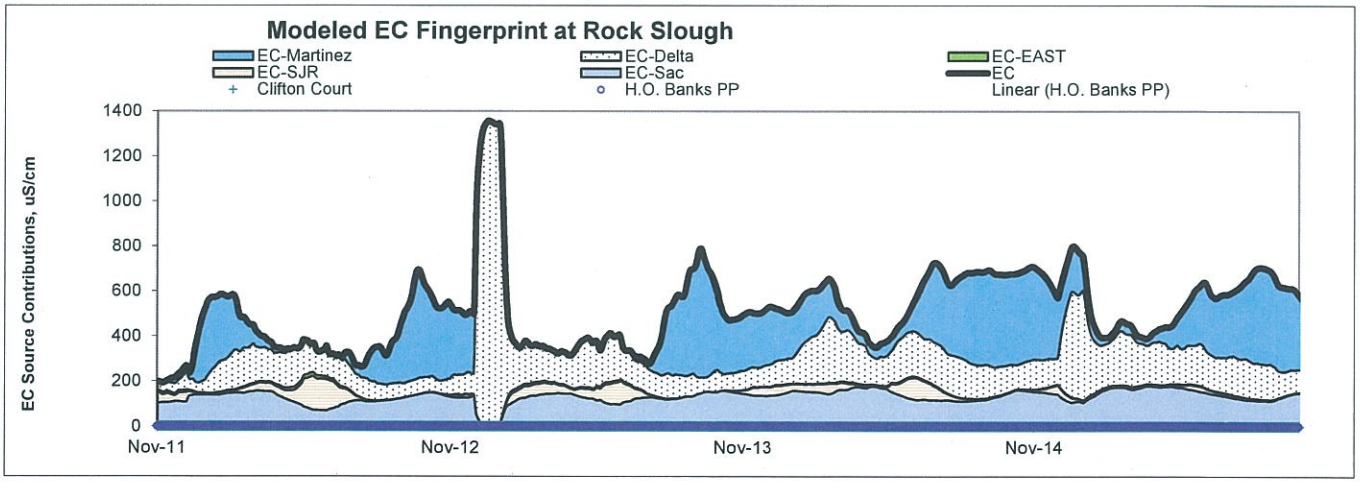
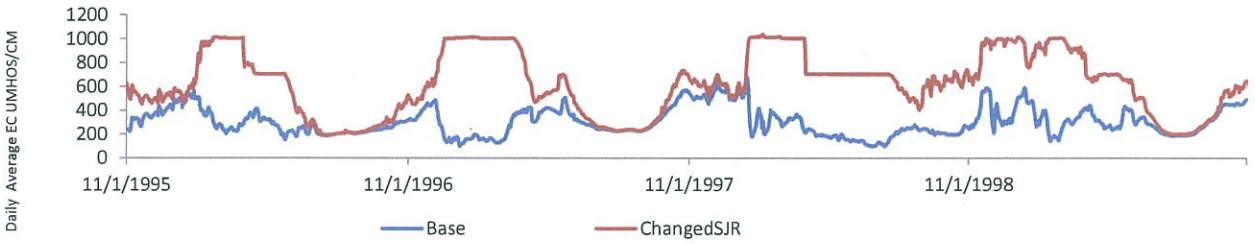


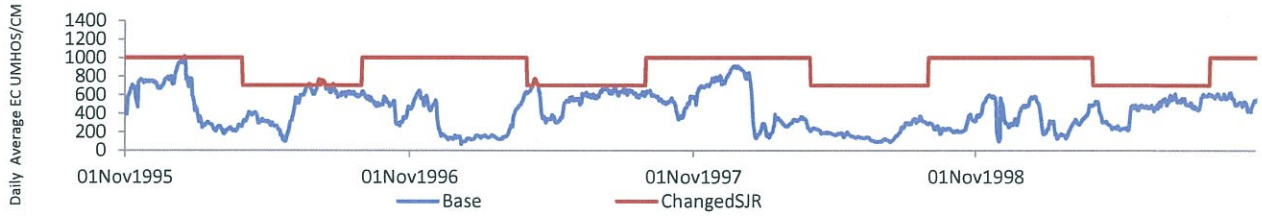


Banks (1995-1999)

EC at Banks, Historical and Modified SJR EC



SJR Boundary EC. Historical and Modified EC



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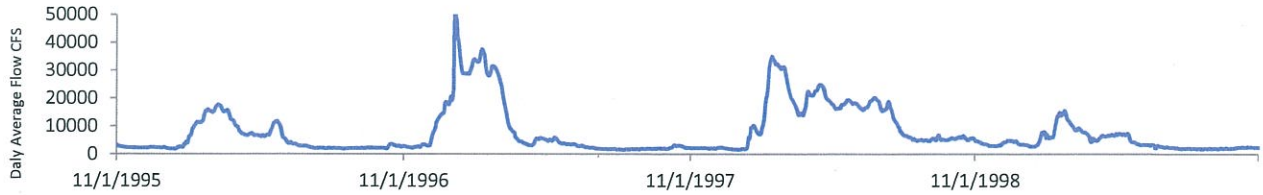

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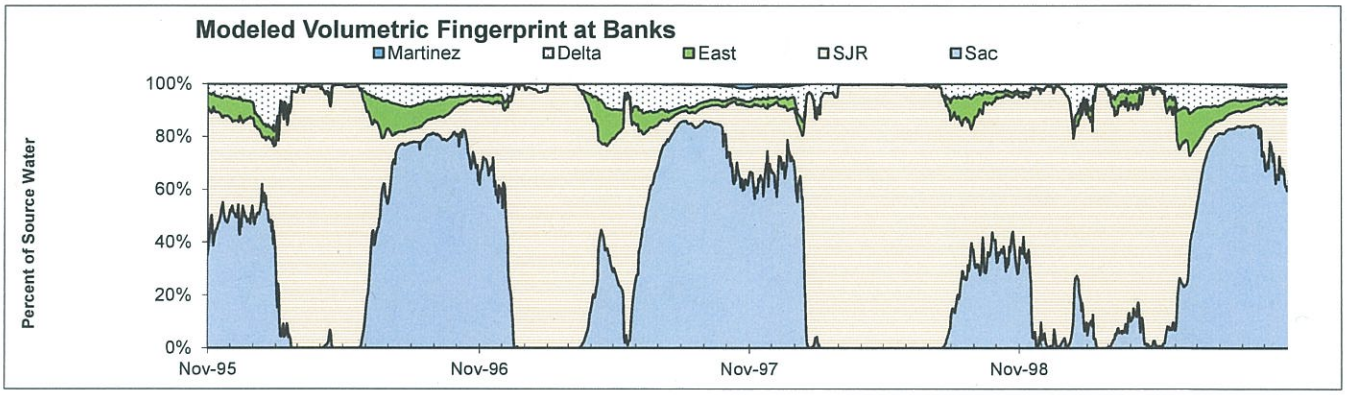

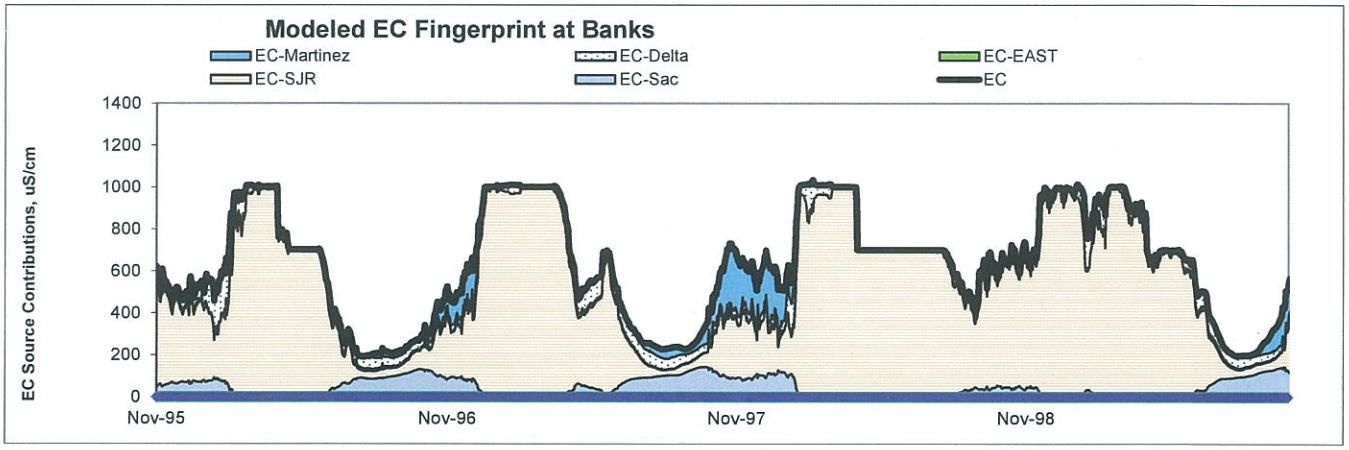

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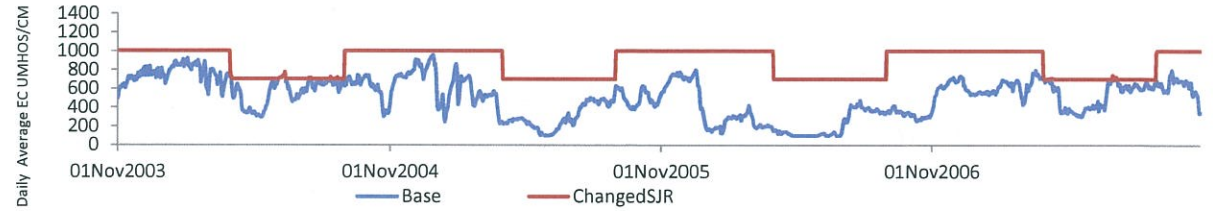

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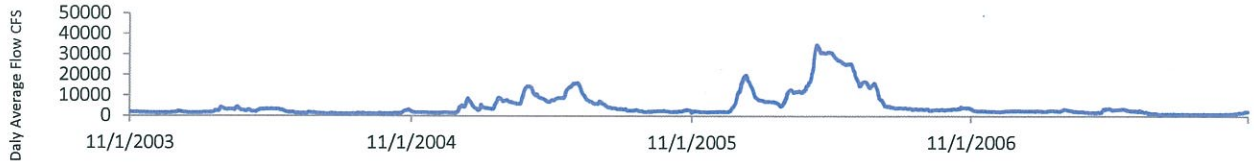

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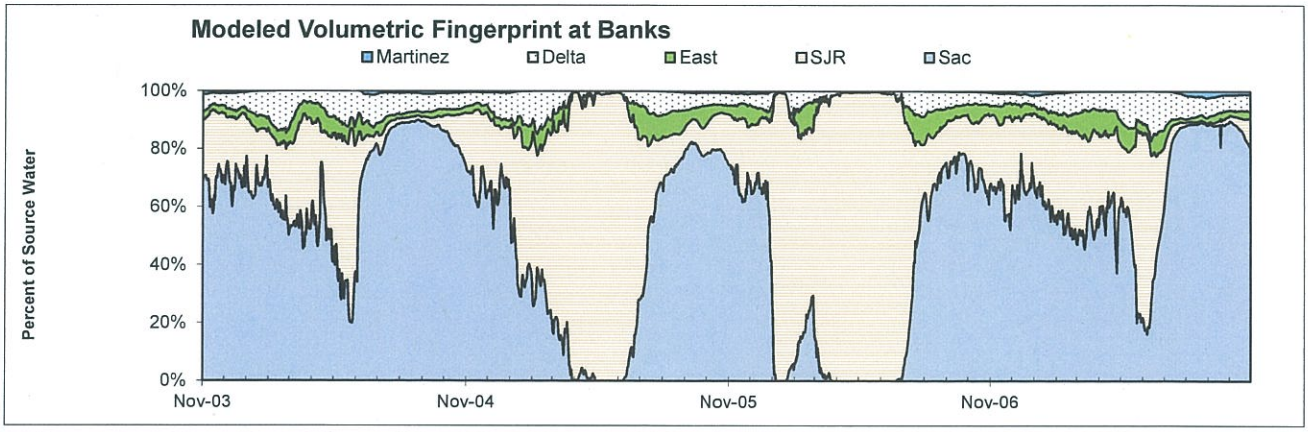

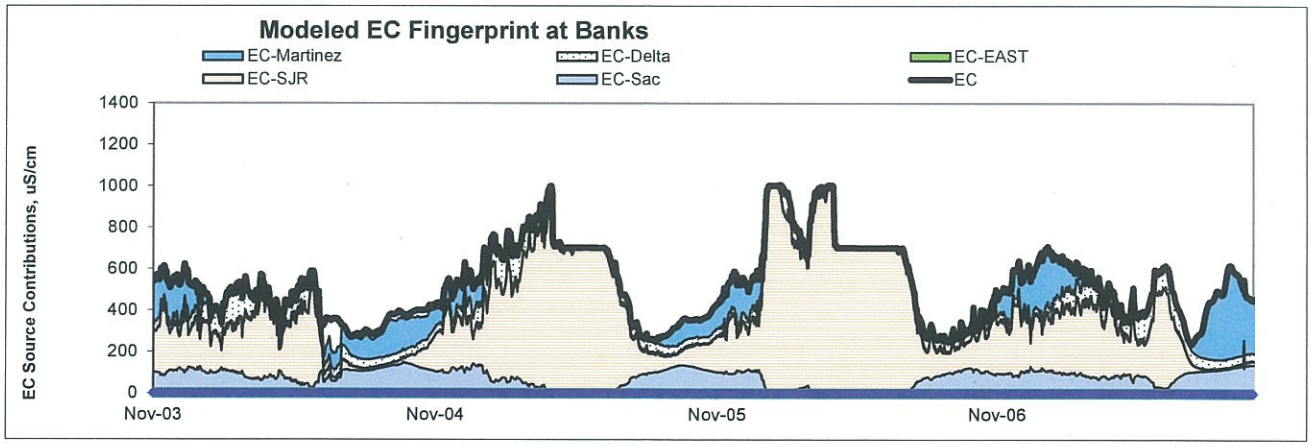

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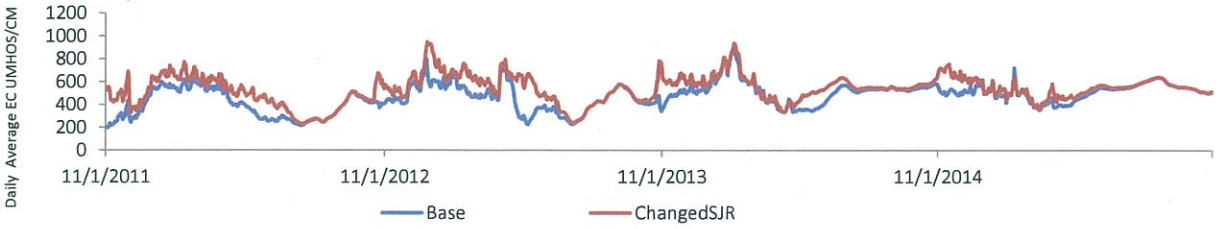

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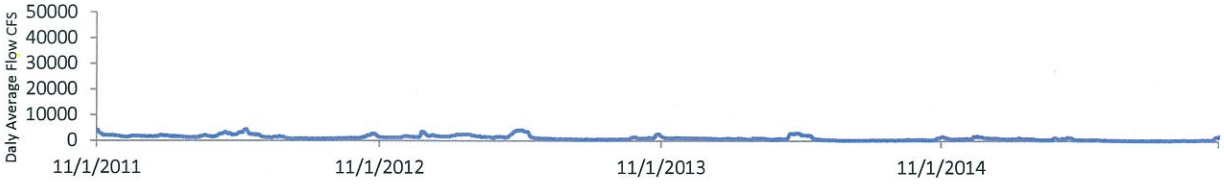

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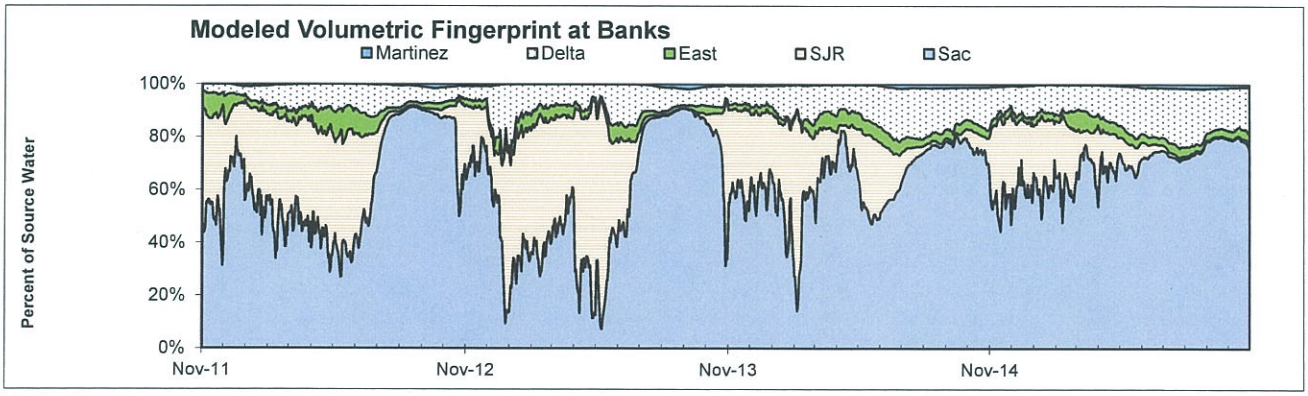

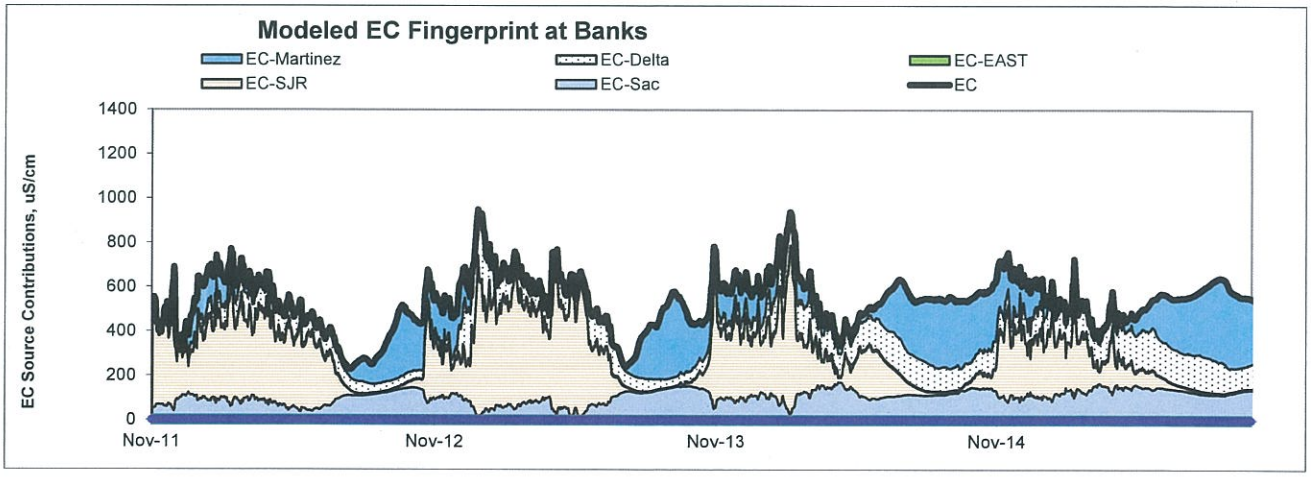

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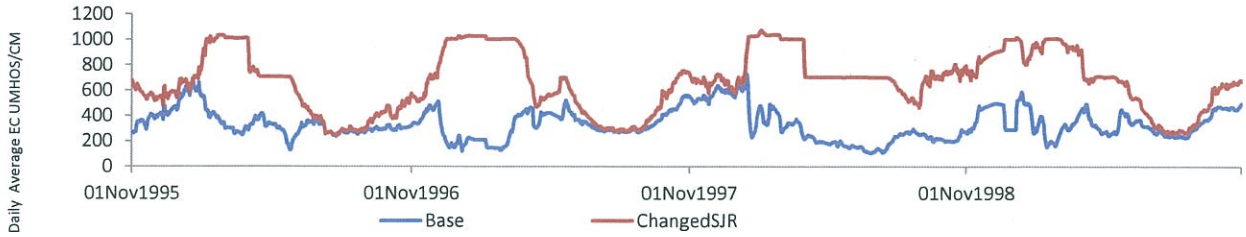

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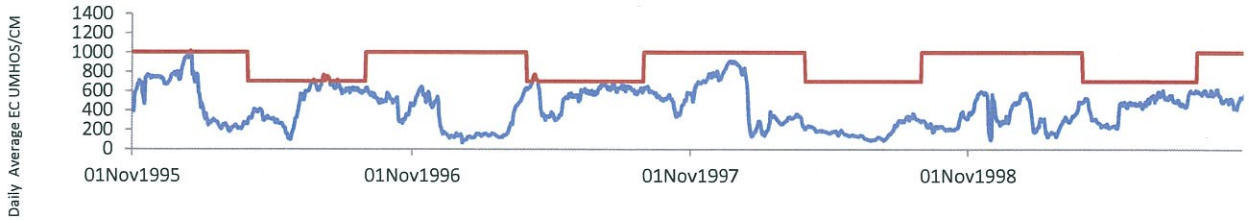

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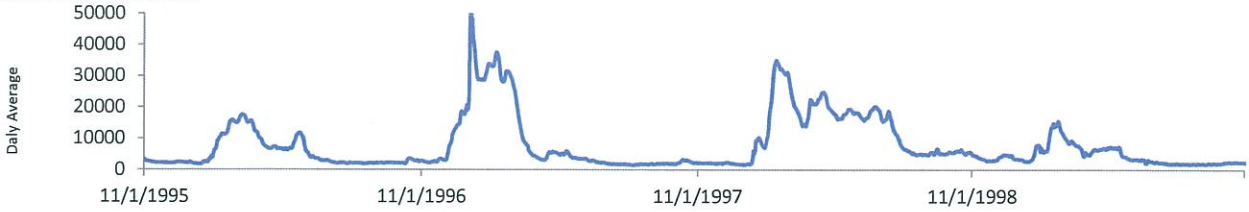

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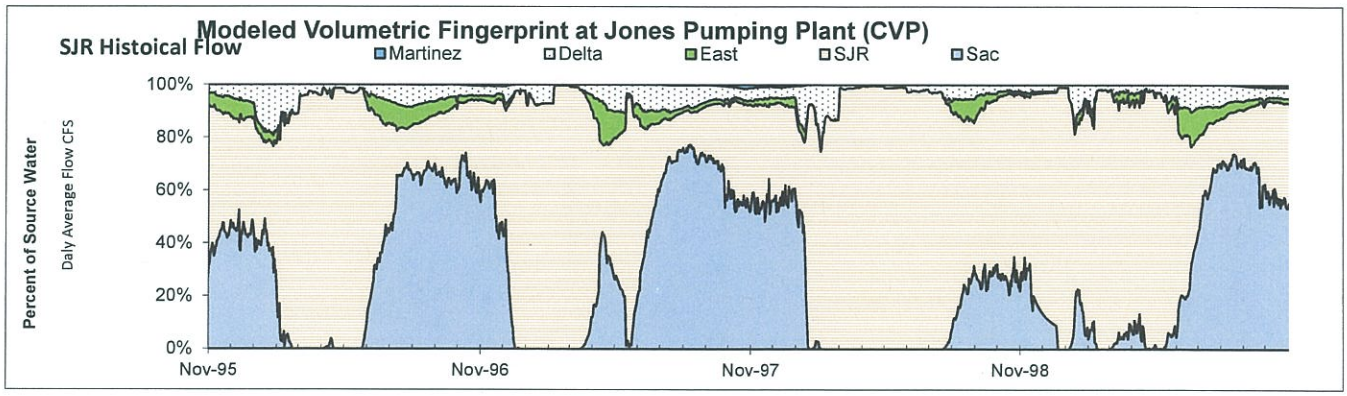

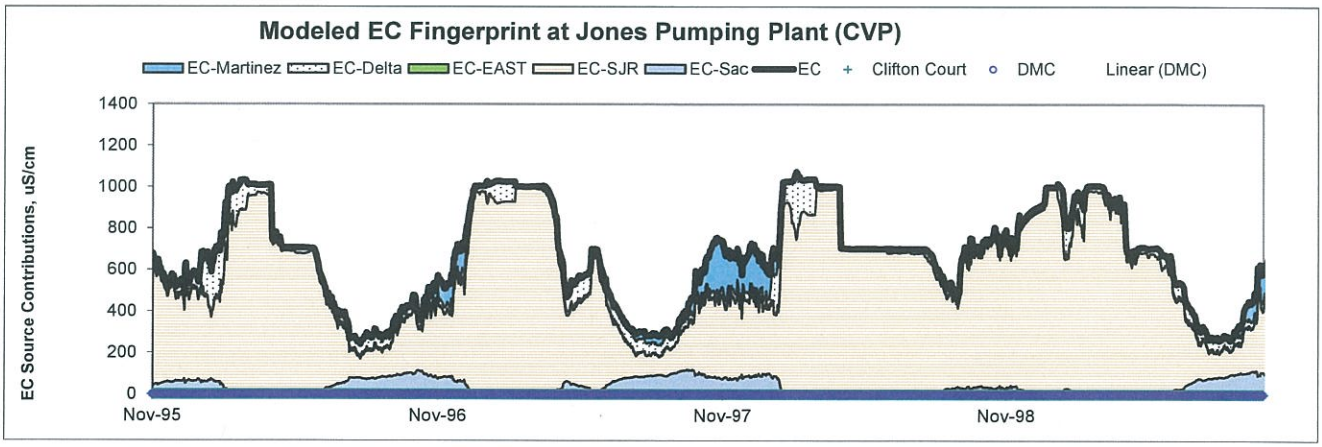

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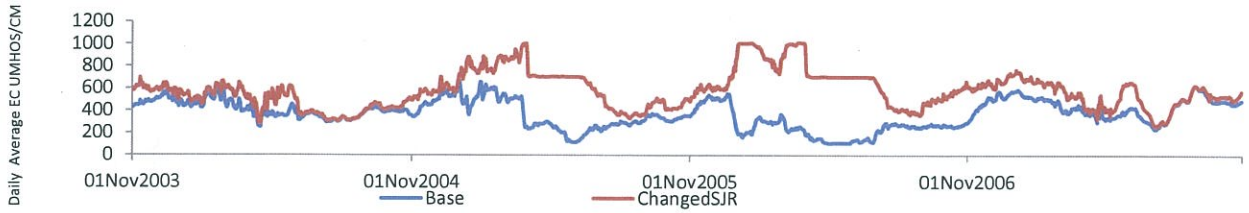

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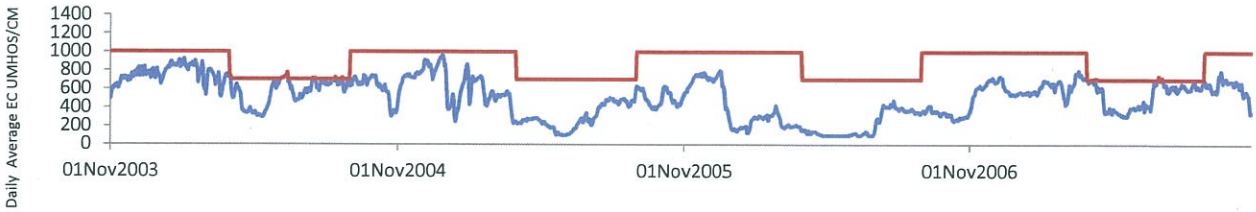

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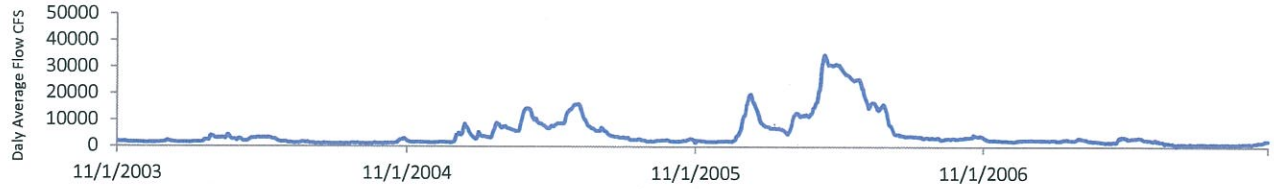

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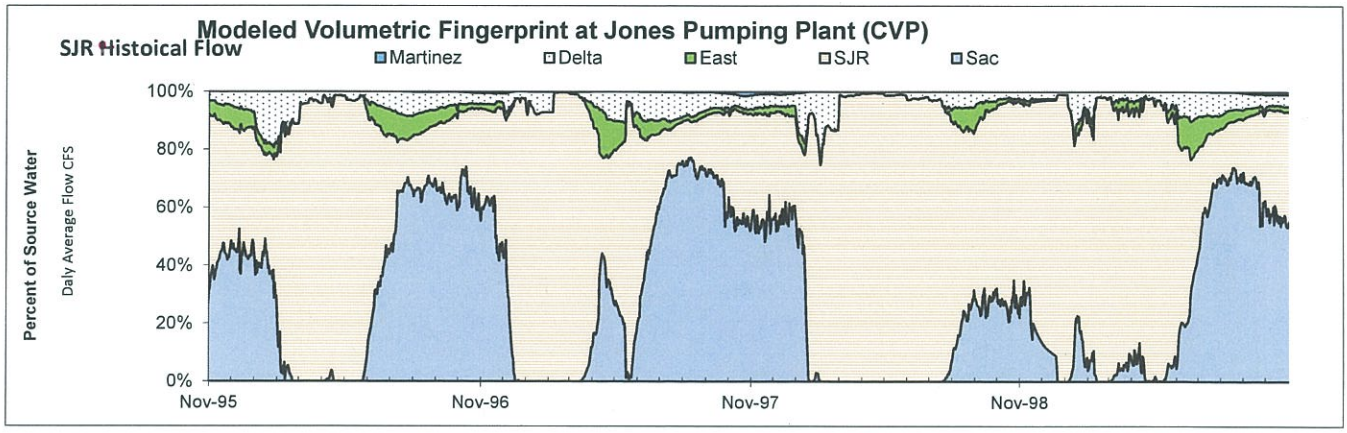

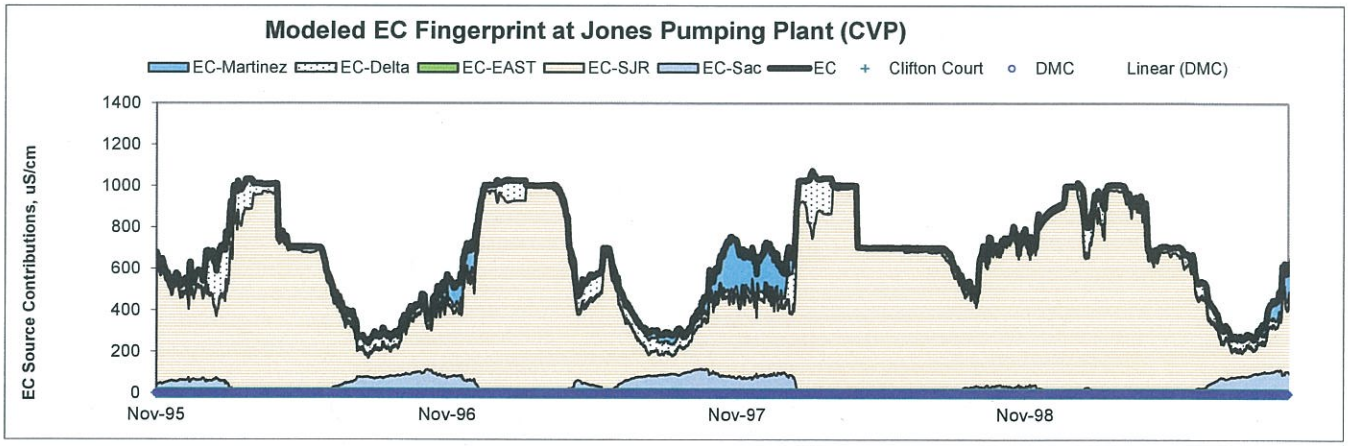

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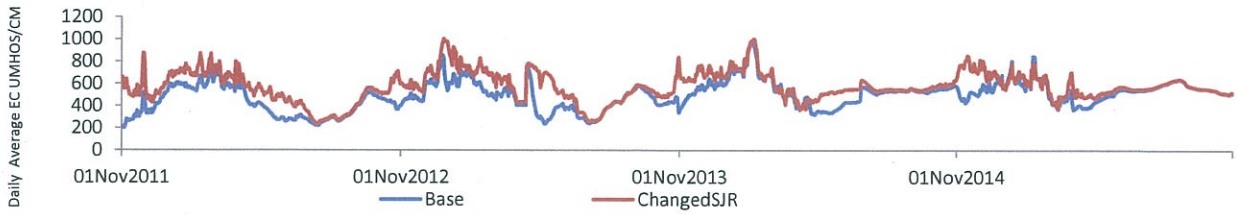

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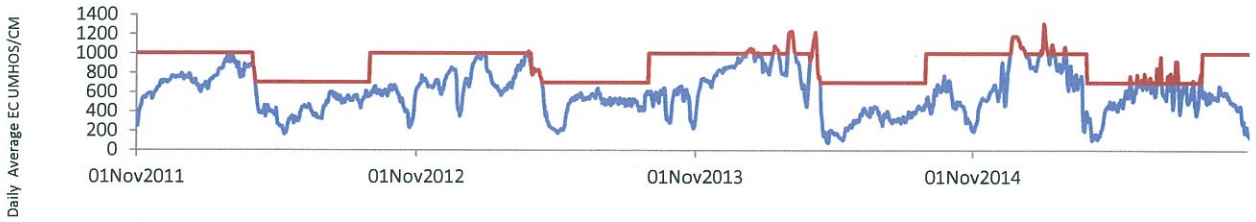
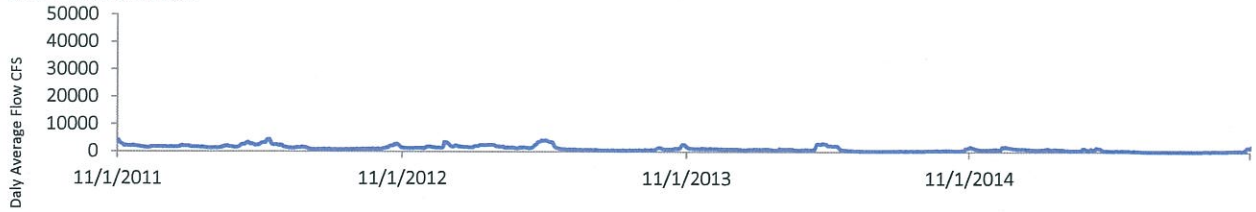


SJR Historical Flow



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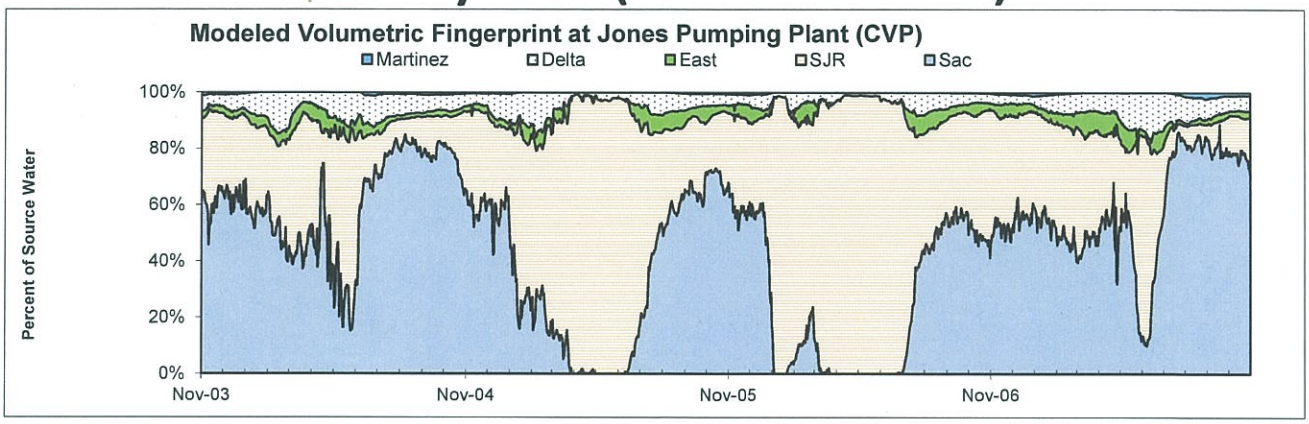

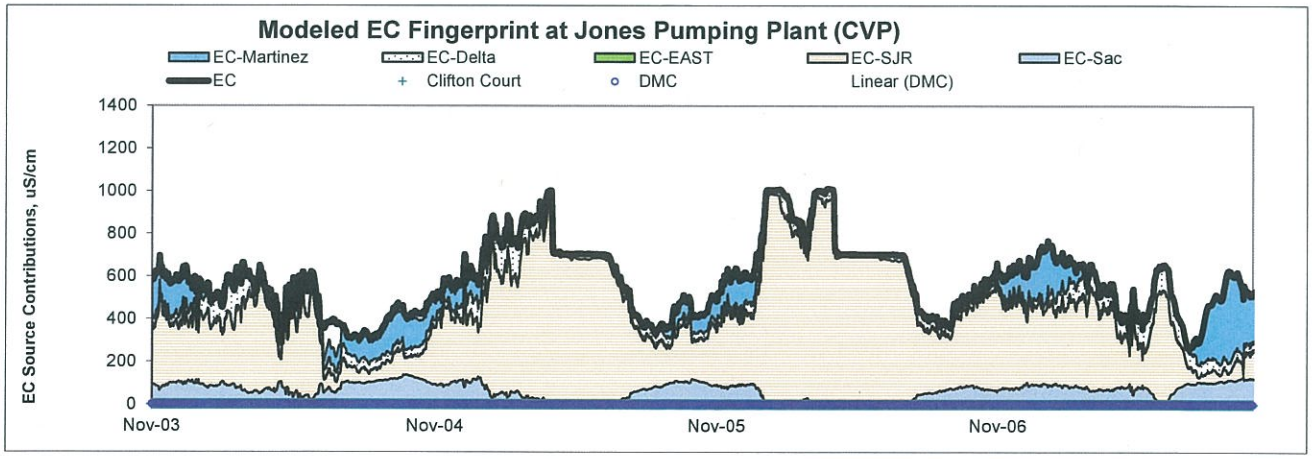

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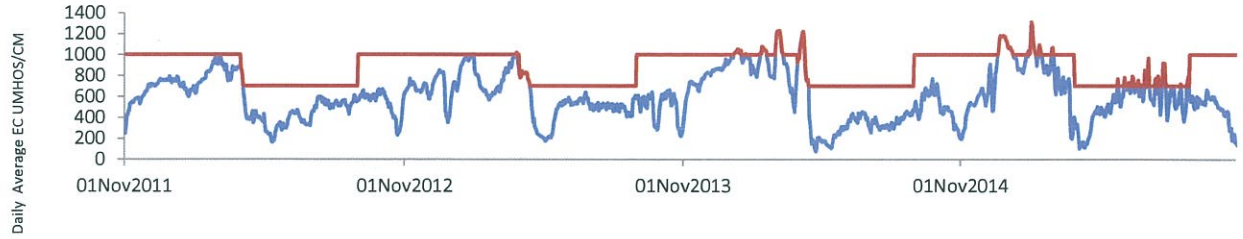

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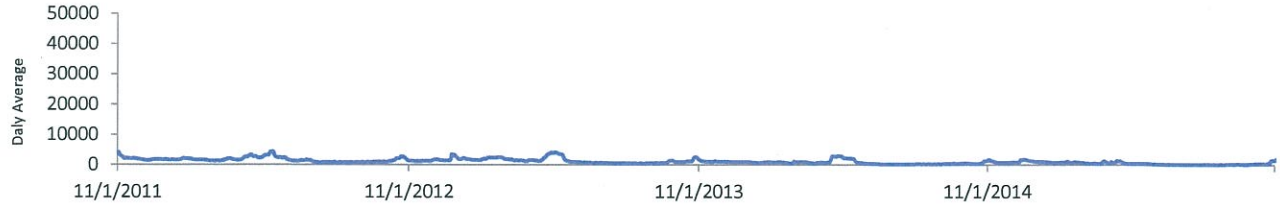

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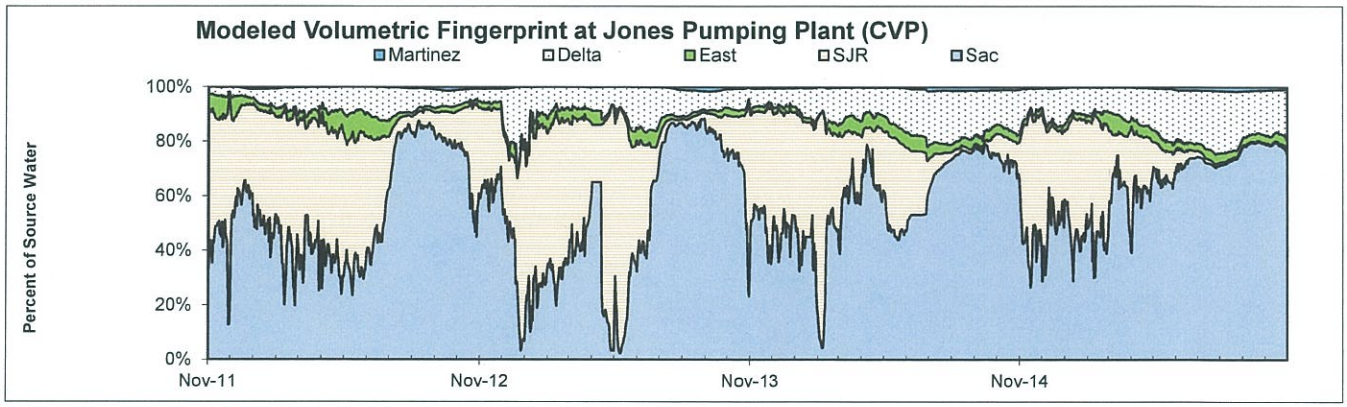
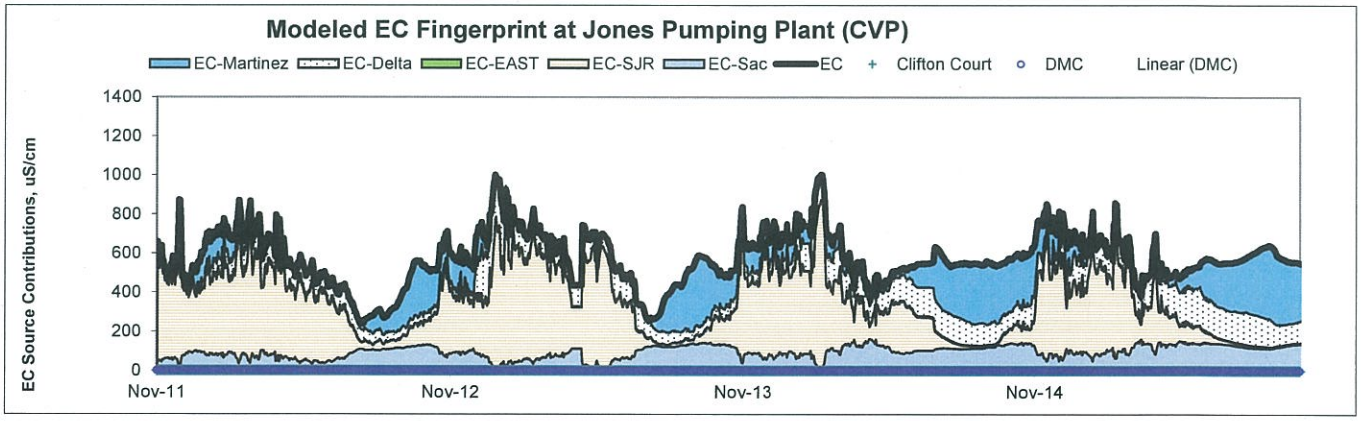
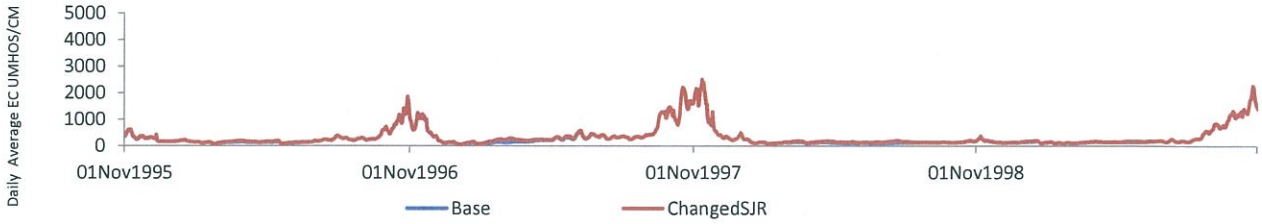
Tracy PP (2011-2015)





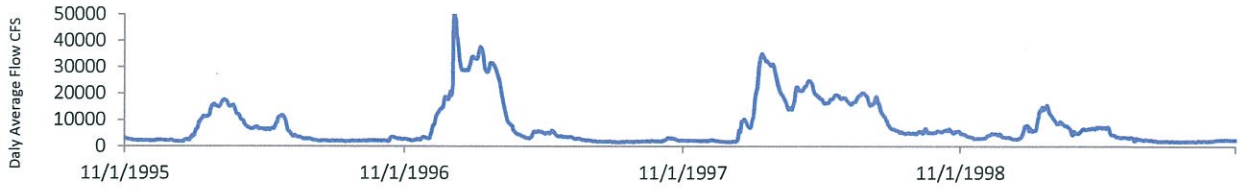
Emmaton (1995-1999)

EC at Emmaton, Historical and Modified SJR EC

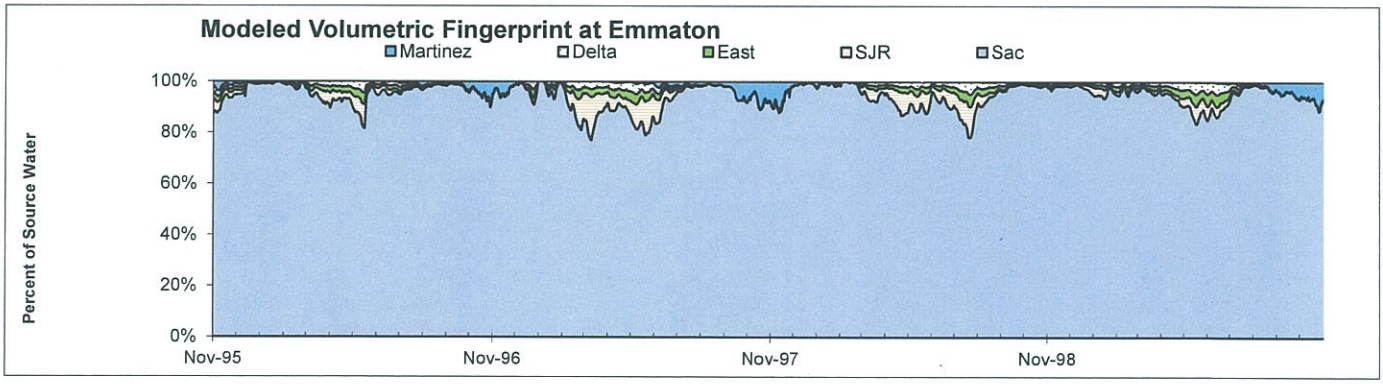


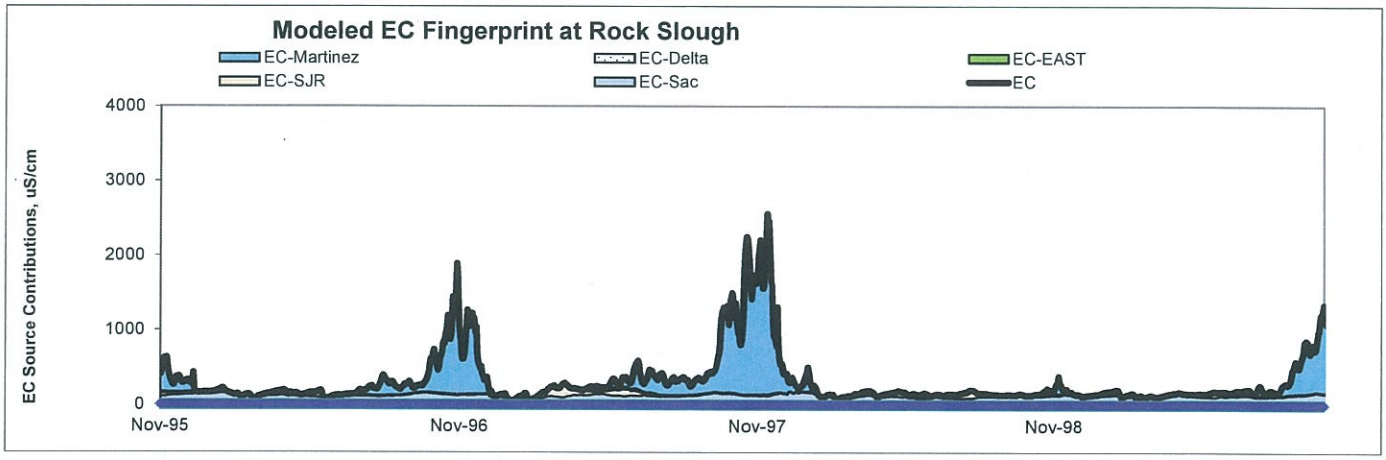
SJR Boundary EC, Historical and Modified EC

SJR Historical Flow



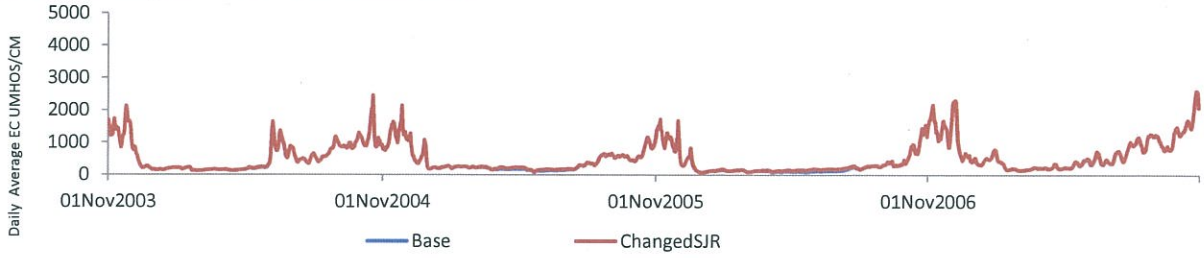
Emmaton (1995-1999)



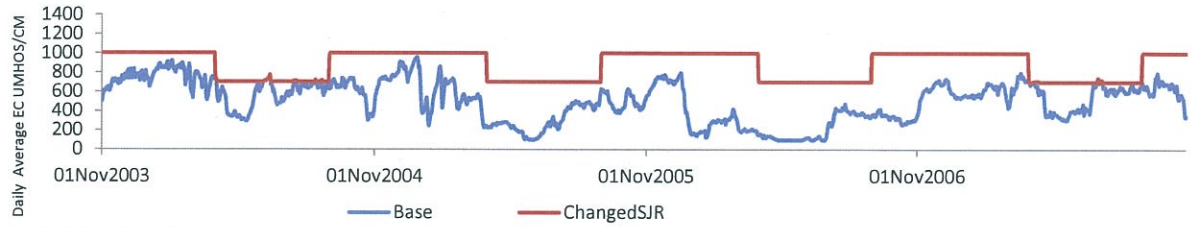


Emmaton (2003-2007)

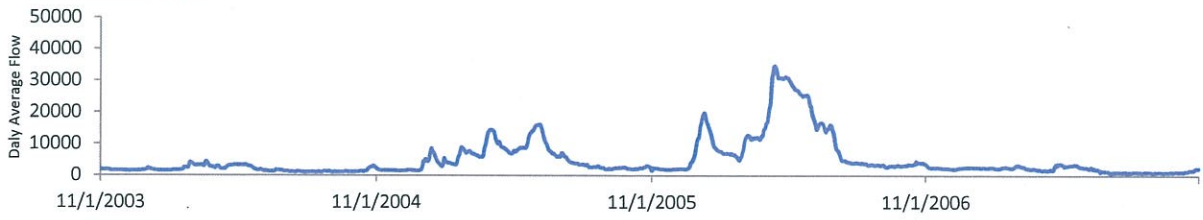
EC at Emmaton, Historical and Modified SJR EC



SJR Boundary EC. Historical and Modified EC

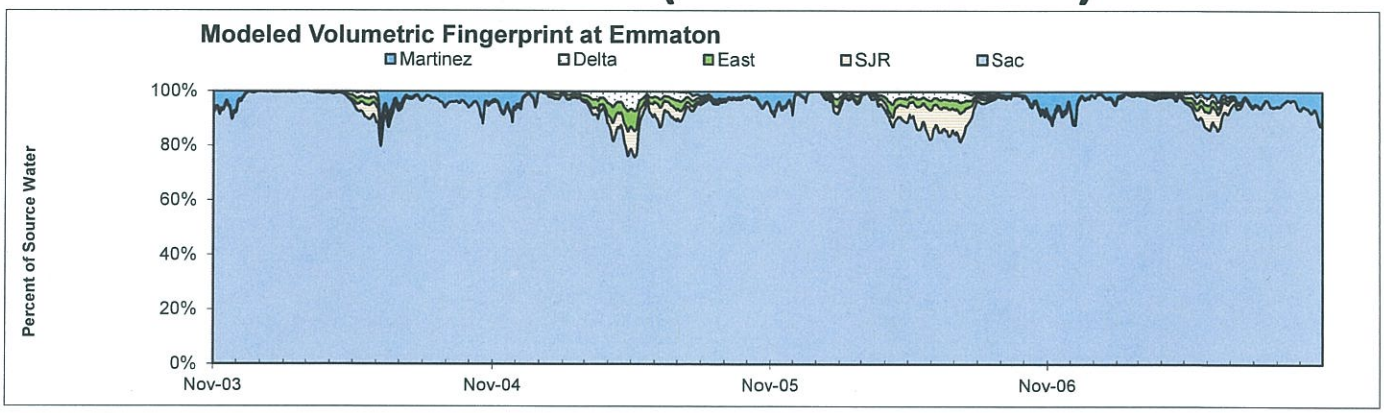


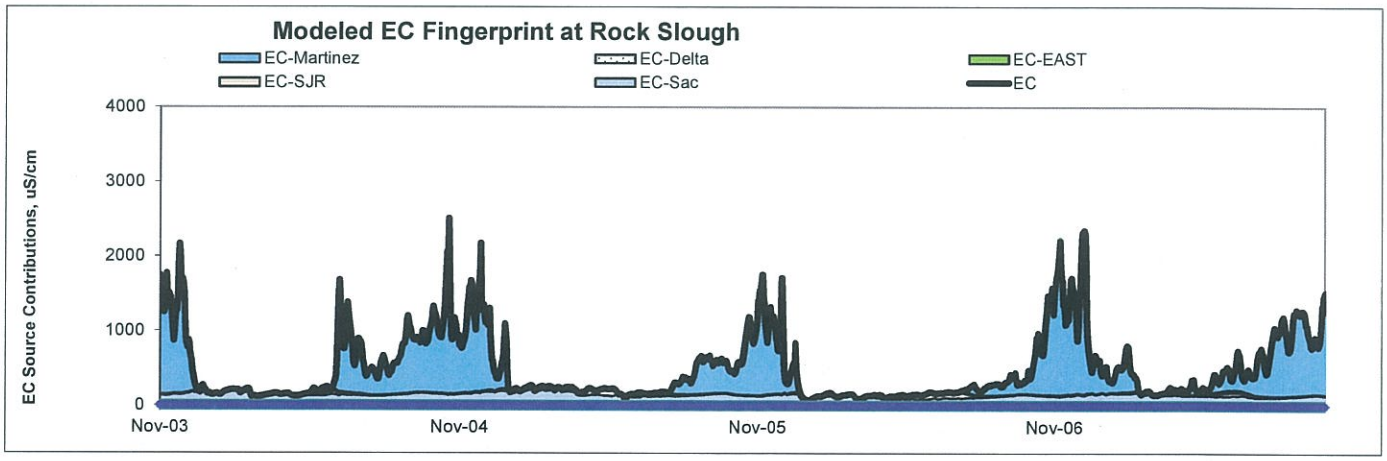
SJR Histoical Flow



Attachment 1

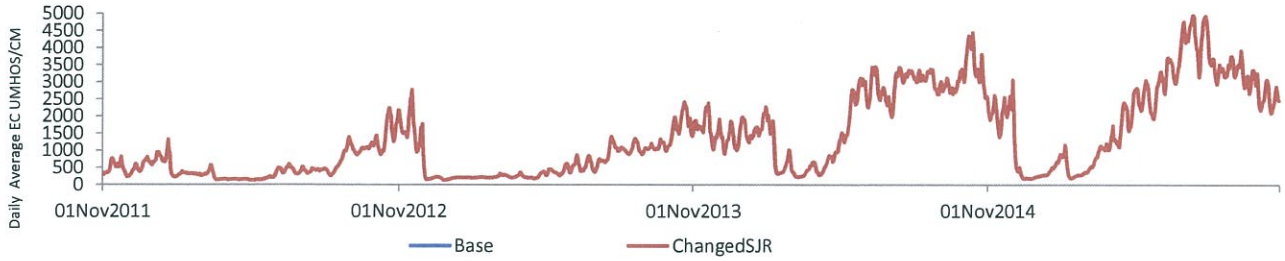
Emmaton (2003-2007)





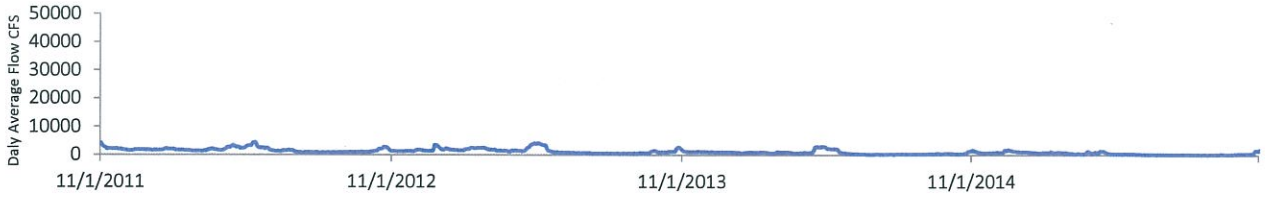
Emmaton (2011-2015)

EC at Emmaton, Historical and Modified SJR EC



SJR Boundary EC. Historical and Modified EC

SJR Historical Flow



Attachment 1

Emmaton (2011-2015)