

CALIFORNIA REGIONAL WATER QUALITY CONTROL BOARD
CENTRAL VALLEY REGION

RESOLUTION R5-2013-0130

PARTICIPATION IN DELTA REGIONAL MONITORING PROGRAM IN LIEU OF
INDIVIDUAL MONITORING EFFORTS

WHEREAS, the California Regional Water Quality Control Board, Central Valley Region (hereinafter Central Valley Water Board), finds that:

1. The Sacramento/San Joaquin Delta (Delta) is an important water supply for municipal, industrial and agricultural use for much of the State, and is a critical ecosystem for fish and wildlife, including many rare and endangered species.
2. Understanding the current conditions within the Delta (water quality and beneficial uses) and the potential impacts to those conditions, is important in order to preserve and enhance the Delta, and provide for corresponding regulatory and management decisions, which should be based upon sound science.
3. Currently, many agencies and organizations are conducting monitoring and data evaluation in the Delta, but there is an overall lack of coordinated monitoring and data evaluation for a variety of reasons. This lack of coordination results in the inability to conduct a regional assessment of the water quality and beneficial use conditions within the Delta, and may result in misdirected expenditure of funds for monitoring and water quality improvements.
4. The Central Valley Water Board requires individual dischargers and discharger groups to conduct monitoring of Delta waters and Delta tributary waters in the vicinity of their discharge, known as ambient (or receiving) water quality monitoring. This monitoring provides information on the impacts of waste discharges on Delta waters, and on the extant condition of the Delta waters. However, the equivalent funds spent on current monitoring efforts could be used more efficiently and productively, and provide a better understanding of geographic and temporal distributions of contaminants and physical conditions in the Delta, and of other Delta water quality issues, if those funds were used for a coordinated ambient monitoring effort, rather than continue to be used in individual, uncoordinated ambient water quality monitoring programs. The Delta Regional Monitoring Program (RMP) will provide data to better inform management and policy decisions regarding the Delta.

5. A Delta RMP is an identified priority in the State Water Resource Control Board's and Central Valley Water Board's Delta Strategic Plan, and a Delta RMP is recommended in the Delta Plan recently adopted by the Delta Stewardship Council.
6. The Delta RMP is a stakeholder effort to provide improved Delta monitoring and data evaluation. The Delta RMP is still being developed, but to date has:
 - a. Established a governance structure that includes a Steering Committee consisting of three representatives from Publicly Owned Treatment Works, two representatives from Municipal Stormwater Permittees, one representative of Irrigated Agriculture, one representative from Coordinated Monitoring Groups, one representative from Water Supply, one representative from State Regulators, one representative from Federal Regulators, and one representative from the Resource Agencies.
 - b. The Aquatic Science Center and Central Valley Water Board staff provide technical and logistical support for the Delta RMP.
 - c. The Steering Committee has established its mission, and agreed to goals, objectives and guiding principles.
 - d. Technical Advisory Committee (TAC) Co-Chairs have been elected, and candidates recommended for the TAC.
 - e. Significant progress has been made in developing and prioritizing constituents for the Delta RMP.
7. The Delta RMP needs secure sources of funding to be viable. The exchange of current and future individual monitoring efforts to the Delta RMP and redirection of funding from those individual efforts is one of the potential funding sources for the Delta RMP.
8. It is the intent of the Central Valley Water Board that the initial costs of Delta RMP participation by permitted dischargers should be relatively "cost neutral," in that financial or in-kind participation in the Delta RMP should be reasonably equivalent to the exchange of costs of discontinued individual monitoring and study efforts. However, it is recognized that new and evolving water quality issues will continue to develop in the Delta, and the costs of Delta RMP participation may increase in the future. It is a continuing goal to be cost neutral for permitted dischargers, even as requirements and costs of continued individual monitoring programs change.
9. It is the intent of the Central Valley Water Board that all waste dischargers with the potential to impact Delta water quality will be encouraged to, and have the flexibility to, participate in the Delta RMP.

10. Other sources of funding beyond permitted dischargers will be required to adequately fund the Delta RMP. Agencies and groups who are not waste dischargers, but use or have an interest in Delta waters, are encouraged to participate in the Delta RMP, including providing funding and/or in lieu services, participating in the Steering or technical advisory committees, and coordinating their separate activities with the Delta RMP.

Therefore be it RESOLVED that:

1. In order to improve the overall coordination of monitoring efforts in the Delta, the Central Valley Water Board intends to modify existing individual and group monitoring programs to allow dischargers to participate in the Delta RMP in lieu of conducting their current individual monitoring efforts.
2. The Central Valley Water Board will consider transferring special studies or other permit requirements from individual permittees to the Delta RMP on a case-by-case basis, and conversely consider accepting studies conducted by the RMP in lieu of requiring studies by individual dischargers.
3. Future Waste Discharge Requirements and NPDES Permits will incorporate flexibility to allow discharger participation as an alternative to individual monitoring programs or studies, as appropriate.
4. Any changes to NPDES Permit monitoring or special study conditions which move monitoring and study responsibility from individual permittees to the Delta RMP must undergo public review and comment, and a public hearing through amendments to NPDES Permits.
5. Participation in the Delta RMP by a Permittee shall consist of providing funds and/or in-kind services to the Delta RMP at least equivalent to discontinued individual monitoring and study efforts. Active participation by discharger representatives on the Delta RMP Steering Committee or technical or other advisory committees that may be formed is encouraged.
6. If a discharger or discharger group fails to maintain adequate participation in the Delta RMP, as determined through criteria to be developed by the Delta RMP Steering Committee, the Steering Committee will recommend to the Central Valley Water Board that an individual monitoring program be reinstated for that discharger or discharger group.

I, PAMELA C. CREEDON, Executive Officer, do hereby certify the foregoing is a true, full, and correct copy of a Resolution adopted by the California Regional Water Quality Control Board, Central Valley Region, on 4 October 2013.

Original Signed By
PAMELA C. CREEDON, Executive Officer