

**Regional Water Quality Control Board  
Central Valley Region  
Board Meeting – 17-18 February 2022**

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**AGENDA ITEM #9  
RESPONSE TO COMMENTS ON THE  
2021 JOINT TRIENNIAL REVIEW WORKPLAN FOR THE WATER  
QUALITY CONTROL PLANS FOR THE SACRAMENTO AND SAN  
JOAQUIN RIVER BASINS AND TULARE LAKE BASIN**

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This document summarizes comments pertaining to the 2021 Triennial Review Workplan for the Water Quality Control Plans for the Sacramento River and San Joaquin River Basins and Tulare Lake Basin (Basin Plans) received by the California Regional Water Quality Control Board, Central Valley Region (Central Valley Water Board), and provides staff responses to those comments.

Comments are listed in the order received, and are referred to by number as indicated in the following table:

<b>Comment #</b>	<b>Comment Date</b>	<b>Commenter</b>	<b>Representing</b>
1	21 December 2021	Bonny Starr	Starr Consulting
2	5 January 2022	Sherril Huun	Sacramento River Source Water Protection Program (SRSWPP)
3	6 January 2022	Gary Bobker, Lucinda Shih, Ryan Hernandez	The Bay Institute, Contra Costa Water District, Contra Costa Water Agency
4	6 January 2022	Kevin Thomas, Julie A. Vance	California Department of Fish and Wildlife (CDFW)

<b>Comment #</b>	<b>Comment Date</b>	<b>Commenter</b>	<b>Representing</b>
5	6 January 2022	Jonas Minton, Mike Conroy, Bill Jennings, Barbara Vlamis, Brandon Dawson, Tom Stokely, Stephen Green, Lloyd G. Carter, Caleen Sisk, Pietro Parravano, Barbara Barrigan-Parilla, Conner Everts, John Buse, Carolee Krieger, Frank Egger, Ron Stork, Larry Collins, Dr. C. Mark Rockwell, DC	Planning and Conservation League; Pacific Coast Federation of Fishermen's Association; California Sportfishing Alliance; AquAlliance; Sierra Club California; Save California Salmon; Save the American River Association; California Save Our Streams Council; Winnemum Wintu Tribe; Institute for Fisheries Resources; Restore the Delta; Southern California Watershed Alliance; Center for Biological Diversity; California Water Impact Network; North Coast Rivers Alliance; Friends of the River; Crab Boat Owners Association; Northern California Council Fly Fishers International
6	6 January 2022	Debbie Webster	Central Valley Clean Water Association (CVCWA)
7	6 January 2022	Tami Humphry	North Eastern California Water Association (NECWA)
8	6 January 2022	Matthew Mitchell	United States Environmental Protection Agency (USEPA)
9	6 January 2022	Barbara Barrigan-Parilla; Tim Stroshane	Restore the Delta
10	6 January 2022	Ben Eichenberg	Baykeeper
11	6 January 2022	Gregory Wolfen	Pit River Tribe

<b>Comment #</b>	<b>Comment Date</b>	<b>Commenter</b>	<b>Representing</b>
12	6 January 2022	Misty Kaltreider	Solano County Department of Resource Management
13	6 January 2022	Michelle Berditshevsky; Agnes Gonzalez; Eric Nelson; Marcus Griswold; Ryan Henson; Jennifer Clary; Frank Toriello, Angelina Cook	Mount Shasta Bioregional Ecology Center; Pit River Tribe; Medicine Lake Citizens for Quality Environment; Calm Waters Group, LLC; CalWild; Clean Water Action; We Advocate Through Environmental Review (W.A.T.E.R.); McCloud Watershed Council

1. Bonny Starr, Starr Consulting

Comment 1A. Bonny Starr with Starr Consulting noted a number of typographical errors in the 2021 Triennial Review Draft Workplan. They are summarized here:

- Page 6 – Section IV – Project 4 Title – does not match Project Fact Sheet (missing “and AGR”) – also in Tables 4/5
- Page 6 – Section IV – Project 5 Title – does not match Project Fact Sheet (missing “Grower Proposed... Submitted under...”) – also in Tables 4/5
- Page 7 – Section IV – Project 9 Title – does not match Project Fact Sheet (missing “Aquatic Life...”) – also in Tables 4/5
- Page 8 – Section IV – Table 3 – Project 31 Title – does not match Project Fact Sheet (added “monitoring”) – also in Tables 4/5
- Page 7 – Section IV - Paragraph after project list indicates “Six new projects...”, however only five are listed in Table 3.
- Page 9 – Section VII – First paragraph, last sentence indicates “Three projects were unranked...”, however there are four projects listed below for removal.
- Page 9 – Section VII – Last paragraph, first sentence indicates “...three projects”, however there are four projects listed for removal.

Response to Comment 1A: The comments from Ms. Starr are noted and appreciated. Staff are incorporating changes into the 2021 Triennial Review Workplan as an Addendum to the 2021 Triennial Review Workplan.

2. Sherril Huun, SRSWPP

Comment 2A. Commenter made comments relative to *Project 18 – Comprehensive Pesticides Control Program*. Specifically, SRSWPP stated that a comprehensive

pesticide control program developed for the Central Valley should specifically and equally include potential impacts to and protection of the MUN beneficial use (not just aquatic life as considered protectionary). SRSWPP previously commented during the initial solicitation period and again shared with the Central Valley Water Board an assessment of the comparison of protection thresholds for human health and aquatic life demonstrating that there are many pesticides that have lower protection limits for human health. SRSWPP stated that it cannot be assumed that protection of aquatic life ensures protection of human health regarding pesticide management.

Response to Comment 2A: Thank you for the comments and for sharing the 1 October 2018 document *Is Protecting Aquatic Life from Pesticides Sufficient to Ensure Human Health Protection in Sources of Drinking Water?* The comments and enclosure will be included in the Administrative Record for the 2021 Triennial Review.

Central Valley Water Board staff will consider all applicable beneficial uses, including MUN, in the implementation of the Comprehensive Pesticides Control Program Project for Central Valley Waters.

Comment 2B. Commenter stated that a comprehensive pesticide control program developed for the Central Valley must include application of the narrative pesticides water quality objective (Section 3.1.12 of the Basin Plan) to ensure that beneficial uses are protected from all pesticides used by dischargers, regardless of the availability of numeric water quality objectives.

Response to Comment 2B: Staff agree with the comment. However, no changes are needed to the workplan since the Basin Plan already includes narrative objectives for pesticides. Any pesticide control program implemented by the board would need to implement all Basin Plan water quality objectives, including existing narrative objectives.

Comment 2C. Commenter stated that the development of a comprehensive pesticides control program should be open to stakeholder input and include a variety of specific considerations, such as:

- Identification of available thresholds to apply and assess the pesticides narrative water quality objective (including USEPA Health Advisories, USEPA Human Health Benchmarks for Pesticides, UGSG Health Based Screening Levels, and DDW Notification and Archived Advisory Levels).
- Evaluation of existing monitoring programs to determine adequacy in assessing current use pesticides and new pesticides.

Response to Comment 2C: Central Valley Water Board staff are committed to the stakeholder process and conduct the Triennial Review process for the very purpose of soliciting stakeholder input for guiding the subsequent three years of Central Valley Water Board Planning Program activities. Additionally, any Basin Plan Amendment would go through a thorough public process including soliciting

stakeholder input and public hearings. Finally, in addition to Project 18, Central Valley Water Board staff are also coordinating the Delta Regional Monitoring Program that is a Water Boards and stakeholder monitoring program that includes current use pesticides.

3. Gary Bobker (The Bay Institute) Lucinda Shih (Contra Costa Water District), and Ryan Hernandez (Contra Costa Water Agency)

Comment 3A. Commenter recommended that the Central Valley Water Board adopt the staff proposal to add *Project 28 – Evaluation of Selenium Criteria’s Protectiveness of Beneficial Uses* as a new project to the Triennial Review Workplan.

Response to Comment 3A: Thank you for the comment.

Comment 3B. Commenter stated that the Central Valley Water Board staff should be commended for sponsoring further studies to determine the effects of selenium loading on juvenile Sacramento splittail and for requiring Grassland dischargers to implement additional monitoring and evaluation activities. However, the scope of potential risk extends to fish and wildlife organisms throughout the food chain in both the San Joaquin River and the south Delta. Furthermore, the Central Valley Water Board (in conjunction with the San Francisco Bay Regional Water Quality Control Board) should consider whether and how selenium loading may impact fish and wildlife beneficial uses downstream of the Delta.

Response to Comment 3B: Thank you for your comments. The suggestions would be considered in the potential scoping of Project 28 should it be allocated resources through the Triennial Review process. (See also Responses to Comments 3C, 5C, and 5D.)

Comment 3C. Commenter re-emphasized their 10 May 2021 comments on the Triennial Review referencing existing national and site-specific data on which to base the setting of more protective objectives for both lentic and lotic freshwater habitats and for brackish water habitat in the Delta. Commenter stated that the data has been summarized and integrated in a comprehensive and up to date manner by the USEPA in its 2016 national selenium guidance for freshwater and in its 2016 proposed Bay-Delta estuarine criteria and 2018 proposed California freshwater criteria documents (USEPA 2016a, 2016b, 2018). Commenter stated that they expect USEPA to finalize one or both of the site-specific documents within the timeframe of this triennial review of the Central Valley Basin Plans. Commenter recommended that the Central Valley Water Board coordinate with USEPA Region IX to facilitate timely adoption of new selenium objectives for both the San Joaquin River basin and the Delta consistent with the anticipated USEPA guidance.

Response to Comment 3C: Central Valley Water Board staff agree that coordination with USEPA is important. Staff will continue to coordinate with USEPA as they work toward promulgation of selenium criteria for the State of California. (See also Responses to Comments 3B, 5C, and 5D.)

#### 4. Kevin Thomas and Julie A. Vance, CDFW

Comment 4A. Commenter provided comments in support of *Project 11 – Temperature Criteria and Objectives*. Commenter noted that the 2021 Draft Triennial Review has Project 11 ranked as Rank 3 and recommended elevating the ranking to Rank 2. Commenter stated that they are concerned with continued failure to obtain suitable temperatures for aquatic resources in the Central Valley, which has contributed to the decline of Central Valley salmonids through temperature related mortality and recommends that the Board prioritize Project 11 for implementation.

Response to Comment 4A: Comments noted. Currently the only Rank 2 – Special Status project is the CV-SALTS project. At this time staff do not recommend elevating Project 11 to Rank 2 – Special Status but the determination is at the discretion of the Board who will be made aware of the recommendation by CDFW.

Comment 4B. Commenter noted that according to Table 4 within the Workplan, Project 11 fulfills four of the identified project prioritization criteria; in addition to addressing 303(d) water quality impairment or threat to impairment, Project 11 complements prior Regional Board work, supports climate change efforts, and is of special stakeholder interest. The Department proposes that Project 11 also meet a fifth prioritization criteria, “Efficient Use of Board or Public Resources,” defined as Projects with resource commitments from other agencies and/or stakeholders or that build upon existing studies or research and represent an efficient use of Board or Public resources.

Response to Comment 4B: Thank you for the comment. Staff do not agree with the recommendation by CDFW that the criterion Efficient Use of Board or Public Resources should apply for Project 11. Based on the comments from CDFW, Central Valley Water Board staff believe that the support that CDFW is providing is recognized by the criterion of Special Stakeholder Interest. Therefore, staff do not agree that this metric should essentially be counted twice in this circumstance.

However, Project 11 is already sufficiently ranked (Rank 3) as to be potentially allocated resources by the Central Valley Water Board. Moreover, staff recognize that through the implementation of this project specific resources may be supported by CDFW (or others) as to assist in the execution and administration of the project. As such, this criterion may apply in future iterations of the Triennial Review.

Comment 4C. Currently, Project 11 applies to addressing 303(d) listings for temperature for the following water bodies: Lower Stanislaus River, Lower Tuolumne River (Don Pedro Reservoir to San Joaquin River), Lower Merced River (McSwain Reservoir to San Joaquin River), San Joaquin River (Tuolumne River to Stanislaus River), San Joaquin River (Merced River to Tuolumne River), San Joaquin River (Stanislaus River to Delta Boundary), and Delta Waterways (Stockton Ship Channel). Project 11 may apply to additional waterbodies dependent on pending 303(d) listings.

Response to Comment 4C: Comment noted. Central Valley Water Board staff will consider pending 303(d) listings as part of the scope of work for Project 11.

Comment 4D. The Workplan description of Project 11 acknowledges that some named waterbodies within the Basin Plans are very long, with different sub-reaches having varying characteristics. In many cases, some of these water bodies are designated both WARM and COLD, resulting in the protection of aquatic life being based on the COLD criteria, which is generally more stringent. CDFW appreciates the Central Valley Water Board's acknowledgement of the unique habitat and species requirements that may be present in different sub-reaches of the same water bodies. CDFW supports the Central Valley Water Board's consideration of the location and timing of species and habitat needs and directing resources to the areas where designating appropriate beneficial uses for sub-reaches will be most beneficial.

Response to Comment 4D: Comment noted.

Comment 4E. The Workplan also states that Central Valley Water Board staff are coordinating with the State Water Board's Division of Water Rights on identifying studies and securing the funding needed to develop a long-term approach to address uncertainties regarding unresolved temperature criteria. The Department is appreciative and supportive of these efforts by the Regional and State Water Board.

Response to Comment 4E: Thank you for the comment. Central Valley Water Board staff appreciate the support of CDFW.

Comment 4F. Commenter noted that *Project 32 – Designate RARE Beneficial Use for Waterbodies in the Sacramento River Basin and San Joaquin River Basin* was added to the 2021 Triennial Review Workplan and is intended to designate RARE beneficial uses for waterbodies in the Sac-SJR Basin. The Department appreciates the addition of Project 32 to the Workplan and recommends that the Regional Board work with the Department to identify waterbodies and associated habitat falling within the beneficial use category of RARE and designating that beneficial use to those waterbodies.

Response to Comment 4F: Thank you for the comment. Central Valley Water Board staff appreciate the support of CDFW.

Comment 4G. Commenter recommended that the Central Valley Water Board partner with CDFW to identify waterbodies and habitat within the Sac-SJR Basins meeting the criteria for the beneficial use categories of GWR and FRSH, components of Workplan Project 32, and designating those beneficial uses to those waterbodies as applicable.

Response to Comment 4G: Thank you for the comment. Central Valley Water Board staff appreciate the support of CDFW and look for to collaborating in the future including on Project 32.

Comment 4H. CDFW noted that given the importance for groundwater and surface water beneficial uses for the Tulare Basin, the Department recommends adding the

Tulare Lake Basin to the scope of Project 32 to identify waterbodies and habitat within the Tulare Basins meeting the criteria for the RARE beneficial use category.

The Department recommends the Regional Water Board consider adding the RARE beneficial surface water use to the following streams:

- Kings River from Pine Flat Dam to the Stinson Weir on North Fork and to Empire Weir No. 2 on the South Fork;
- Kaweah River from Lake Kaweah and Below Lake Kaweah;
- Tule River from Lake Success to below Lake Success;
- Kern River from Lake Isabella and downstream;
- Mill Creek source to Kings River; and Other East Side Streams.

Response to Comment 4H: Thank you for the comment. Central Valley Water Board staff are not opposed to extending Project 32 to include the Tulare Lake Basin for the waterbodies indicated by CDFW in addition to the waters listed in the 2021 Triennial Review Workplan in the Sacramento River – San Joaquin River Basin. Currently Project 32 is not sufficiently ranked as to be allocated resources in the current Triennial Review cycle. Central Valley Water Board staff are willing expand Project 32 in the subsequent 2024 Triennial Review cycle to include assessing waters in the Tulare Lake Basin for the RARE beneficial use.

Comment 4I. Additionally, the Tulare Basin Plan identifies the Preservation of Biological Habitats of Special Significance (BIOL) as uses of water that support designated areas or habitats, such as established refuges, parks, sanctuaries, ecological reserves, or Areas of Special Biological Significance (ASBS), where the preservation or enhancement of natural resources requires special protection. However, the beneficial use of BIOL is not assigned to any waterbodies in the Tulare Basin Plan. CDFW recommends the Regional Water Board expand Project 32 to include identifying waterbodies and habitat within the Tulare Basins meeting the criteria for the BIOL beneficial use.

Response to Comment 4I: Thank you for the comment. Central Valley Water Board staff are not opposed to expanding Project 32 to include additional beneficial uses including BIOL and ASBS. Currently Project 32 is not sufficiently ranked as to be allocated resources in the current Triennial Review cycle. Central Valley Water Board staff will consider expanding Project 32 in the 2024 Triennial Review cycle or developing a new proposed project to meet the stakeholder's request. (See also Response to Comment 4H.)

Comment 4J. Project 32 lists a total of thirteen waterbodies that Stakeholders have specifically identified as warranting the RARE beneficial use. Given there may be multiple streams with the same name (such as Deer and Mill Creeks), the Department recommends that the Workplan include a map for the locations for these waterbodies.

Response to Comment 4J: Thank you for the comment. Currently Project 32 is not sufficiently ranked high enough to be considered for allocating resources over



the next three years. However, as resources become available, Central Valley Water Board staff are amenable to including a map of stream locations for this project. (See also Responses to Comments 4H and 4I.)

Comment 4K. Commenter noted that in Table 5 of the Workplan lists Project 32 as Rank 5, meaning the project meets the single criterion of Special Stakeholder Interest and is therefore assigned a lower priority. CDFW believes Project 32 protects public trust resources by designating RARE beneficial uses to surface waters and would therefore meet a second criteria of “Efficient Use of Board or Public Resources” as listed in Table 4 of the Workplan, as application of this beneficial use designation builds upon existing Department information on the status and location of rare, threatened, or endangered species.

Response to Comment 4K: Thank you for the comment. Central Valley Water Board staff agree with the recommendation of adding the additional criterion Projects that Represent an Efficient Use of Board or Public Resources based on the existing work by CDFW. Central Valley Water Board staff are including recommended changes to the 2021 Triennial Review Workplan as an Addendum.

Comment 4L. In addition to the specific concerns raised for both the Sacramento-San Joaquin Rivers Basin and Tulare Lake Basin, CDFW is aware of challenges in meeting beneficial use water quality objectives for several constituents of concern, including but not limited to salinity, selenium, nitrates, metals, pesticides, and endocrine disruptors. The Department advises that constituents of concern be considered before designating beneficial uses as it relates to rare, threatened, or endangered species in surface waters and ground waters that support habitats these species rely on for their continued survival.

Response to Comment 4L: Thank you for the comment. Central Valley Water Board staff will consider the listed constituents of concern upon such time as staff resources are allocated to Project 32.

5. Jonas Minton, et. al., Planning and Conservation League, et. al.

Comment 5A. Commenter noted that in Section IV, page 7 of the Workplan states that six new proposed projects are in Table 3; but Table 3 includes only five new proposed projects.

Response to Comment 5A: Thank you for the comment. Central Valley Water Board staff will include this change in an Addendum to the 2021 Triennial Review Workplan. (See also Response to Comment 1A.)

Comment 5B. Commenter further notes that in Table 4 – Project Prioritization Summary Table of the Workplan Projects 31 (Reviewing and Clarifying the Beneficial Uses and Monitoring in the California Aqueduct) and 32 (Designate RARE Beneficial Uses for Waterbodies in the Sacramento River Basin and San Joaquin River Basin) met 1 priority

criterion. Yet Projects 31 and 32 are not included in Table 5 – Project Ranking Summary Table.

Response to Comment 5B: Thank you for the comment. Projects 31 and 32 are listed in Table 5 on Page 19 under the column Rank 5: Meets 1 Criterion. Note that Projects 31 and 32 are being granted an additional criterion as a result of comments from stakeholders. These changes will be reflected in an Addendum to the 2021 Triennial Review Workplan. (Refer to Response to Comments 4K and 5F.)

Comment 5C. Commenter commended Central Valley Water Board staff for including *Project 28 – Evaluation of Selenium Criteria Protectiveness of Beneficial Uses* as a priority new proposed project. Commenter referred to their 10 May 2021 comments recommending that the Central Valley Water Board revise the chronic selenium water quality objective to be consistent with the USEPA's 13 July 2016 Final Updated Clean Water Act (CWA) section 304(a) national chronic aquatic life criterion for the pollutant selenium in fresh water.

Response to Comment 5C: Comment noted. (Refer also to Responses to Comments 3B, 3C and 5D.)

Comment 5D. Commenter urged the Central Valley Water Board to revise the Basin Plan to require that water quality provided to China Island and Newman Lake meet the USEPA's revised chronic selenium criterion for lentic waters of 1.5 ppb (monthly mean) or at a minimum the 2 ppb monthly mean selenium objective for the Grassland wetland supply channels.

Response to Comment 5D: Comment noted. (Refer also to Responses to Comments 3B, 3C and 5C.)

Comment 5E. Commenter referred to their 10 May 2021 comments on the Triennial Review stating that the Central Valley Water Board should revise the Sac/San Joaquin Basin Plan to include a WARM beneficial use for the California Aqueduct in the San Joaquin Basin and revise the Tulare Basin Plan to include beneficial uses of RARE, WARM and WILD in the California Aqueduct to protect fisheries, wildlife habitat, and state and federally threatened and endangered species that use water from the Aqueduct. Commenter further recommended that the Central Valley Water Board require daily water quality monitoring for selenium in the Aqueduct in the Tulare Basin at Check 21 and Teerink Pumping Plant (formerly monitored at Check 29) when groundwater pump-ins into the Aqueduct are occurring.

Response to Comment 5E: Central Valley Water Board staff have added “monitoring” to project title for Project 31 to read: *Reviewing and Clarifying the Beneficial Uses and Monitoring Requirements in the California Aqueduct*. This change is reflected in an Addendum to the 2021 Triennial Review Workplan. (Refer also to Response to Comment 1A.)

Comment 5F. As noted earlier in this letter, the Workplan gave Project 31 a ranking of 1 in Table 4 and was omitted from Table 5. The Project 31 information sheet lists this as a new project with no past Regional Board commitment. Yet, the designation of beneficial uses for waters of the State by the Regional Board is an ongoing requirement, mandated under California Water Code section 13240. The Clean Water Act, section 303 requires that the State adopt designated beneficial uses for surface waters. in accordance with regulations contained in 40 CFR 131. The State is required to specify appropriate water uses to be achieved and protected. The beneficial use designation of surface waters of the state must take into consideration the use and value of water for public water supplies, protection and propagation of fish, shellfish and wildlife, recreation in and on the water, agricultural, industrial, and other purposes including navigation. So, we would argue that designation or additions to beneficial uses fits under prioritization criteria “Projects that Complement Prior Work.”

Response to Comment 5F: Thank you for the comment. As stated in the 2021 Triennial Review Workplan, although the Tulare Lake Basin Plan does make reference to the California Aqueduct, it is unclear what beneficial uses apply. Thus, Central Valley Water Board staff agree that it is appropriate to add the additional criterion of *Projects that Complement Prior Work* to Project 31. This change is reflected in an Addendum to the 2021 Triennial Review Workplan. (Refer also to Response to Comment 5B.)

Comment 5G. Commenter noted that the prioritization and ranking of Projects in the Workplan did not specify anticipated time commitment per project. This could be a useful additional metric to help the Regional Board prioritize Projects. For Project 31 for example, we believe that designation of beneficial uses would likely be relatively straightforward and use less staff resources (time) than other significant projects. If that is the case, then Project 31 would also meet this additional prioritization criteria “Projects that Represent an Efficient Use of Board or Public Resources.”

We therefore recommend that the ranking of Project 31 be reviewed. We believe there is sufficient evidence to support giving Project 31 a Rank 3: Meets > 3 Criteria. Also, Project 31 should be added to Table 5, Project Ranking Summary Table.

Response to Comment 5G: The Triennial Review workplan will be used to direct basin planning efforts over the next three years. Implementation depends upon the Central Valley Water Board’s program priorities, resources, and other mandates and commitments. As projects are completed, staff will begin work on other ranked projects as resources allow.

Additionally, Basin Plan amendments require a large effort of Central Valley Water Board staff time due to the regulatory requirements and basin planning amendment process and usually take multiple years to achieve. Central Valley Water Board staff do not agree that the additional criterion of *Projects that Represent an Efficient Use of Board or Public Resources* should be applied to this project. (Please also refer to Responses to Comments 5B, 5F and 12B.)

Comment 5H. As noted earlier in this letter, the Workplan gave Project 32 a ranking of 1 in Table 4 and was omitted from Table 5. The Project 32 information sheet lists this as a new project with no past Regional Board commitment. The Project 32 information sheet notes that surface water of the Sac/San Joaquin River Basins falling within RARE beneficial uses category will be identified in the future as part of the “continuous planning process to be conducted by the State Water Board...” and would “involved Central Valley Water Board staff assessing waters in the Sacramento River Basin – San Joaquin River Basin for the RARE Beneficial Use.” This language implies that designation of a RARE beneficial use is an ongoing commitment, and we would argue that designation of a RARE beneficial uses fits under prioritization criteria “Projects that Complement Prior Work.”

Response to Comment 5H: This project is being proposed as a new project for the 2021 Triennial Review cycle. The prioritization criteria Projects that Complement Prior Work is for certain projects that may complement the regulatory intent or directives in separate Board-issued Orders or Basin Plan Amendments. Project 32 does not complement the regulatory intent of Board-issued Orders or Basin Plan Amendments. (Refer to Responses to Comments 1A, 4K, and 5B.)

Comment 5I. The Project 32 information sheet also finds that, “Considerations would include the efficacy of existing beneficial uses (e.g., WILD, WARM, COLD, and SPAWN) protecting aquatic and aquatic-dependent species.” We note that water quality criteria and beneficial uses under the CWA are developed at a scale of population or ecosystem harm. The Endangered Species Act demands a much more stringent level of protection (on an individual scale vs the population scale required by CWA). This was considered by USEPA when reviewing Effects to Listed Species and Designated Critical Habitat from the Agency’s Proposed Action on Montana’s Revised Selenium Water Quality Standards for Lake Koocanusa and the Kootenai River (USEPA (a)(b) 2021). In Appendix 1 of the Biological Evaluation that USEPA completed for this review, USEPA used a more protective EC5 value to protect two federally-listed fish species, than what is typically considered protective under CWA. Therefore, we urge the Regional Board to not assume that existing beneficial uses will be protective of State and Federally listed species.

Response to Comment 5I: Comment noted. Central Valley Water Board staff appreciate the references to USEPA guidance provided by the commenter. However, as this is a new project under the 2021 Triennial Review staff resources are not currently allocated to this project.

Comment 5J: As we noted for Project 31, the prioritization and ranking of Projects in the Workplan did not specify anticipated time commitment per project. For Project 32, we believe that designation of a RARE beneficial use would likely be relatively straightforward and use less staff resources (time) than other significant projects. If that is the case, then Project 32 would also meet this additional prioritization criteria “Projects that Represent an Efficient Use of Board or Public Resources.”

Response to Comment 5J: The prioritization criteria Projects that Represent an Efficient Use of Board or Public Resources is for projects with resource commitments from other agencies and/or stakeholders or that build upon existing studies or research and represent an efficient use of Board or Public resources. Factors to be considered include cost effectiveness, environmental benefit, and correction of Basin Plan provisions, especially where addressing unnecessary public cost. This criterion does not take into consideration whether projects are complex or straightforward and the amount of staff time necessary for this project. Therefore, this criterion does not apply to Project 32. (Refer also to Responses to Comments 5G and 12B.)

## 6. Debbie Webster, CVCWA

Comment 6A. Commenter noted that in their 10 May 2021 comments on the Triennial Review, they understand that basin planning needs exceed available resources, and that the best approach is to identify several high-priority projects for the upcoming three-year Workplan. In recognition of this, CVCWA requested that the 2021 Workplan prioritize two key issues: (1) the prospective incorporation by reference of drinking water standards (i.e., maximum contaminant levels) as water quality objectives (Project 15), and (2) establishment of a proposed Limited MUN (LMUN) use for agriculturally dominated surface water bodies (Project 9).

The draft Workplan specifies that only the projects ranked 1 through 3 under the Board's prioritization criteria will be allocated resources over the next three years. Commenters were pleased to see that Project 9, received a ranking of 3 and thus will be identified for action in the Workplan.

Response to Comment 6A: It is correct that projects ranked 1 through 3 through the Triennial Review process are eligible to be allocated resources for the subsequent three years. However, projects ranked in rankings 1 and 2 receive the highest priority while projects ranked 3 must be prioritized by Central Valley Water Board staff to share the remaining program resources. Since the remaining program resources are not sufficient to implement even a small number of Rank 3 projects, progress on a few Rank 3 projects will be made by allocating small increments of resources. Most Rank 3 projects will not be allocated resources during this Triennial Review period.

Comment 6B. We request, however, that the Board reconsider the priority scoring for Project 15, re-evaluation of the prospective incorporation by reference of maximum contaminant levels (MCLs). The draft Workplan assigns a priority ranking of 4 for this project, stating that it meets only two of the criteria for prioritization. In our earlier comments, however, we identified five criteria applicable to this effort:

- *Projects that represent an efficient use of Board or public resources.* Under this criterion, important factors to be considered are the cost effectiveness and correction of Basin Plan provisions, especially when addressing unnecessary public costs. Without the proposed Basin Plan revisions, wastewater treatment

plants may be forced to implement costly treatments to meet drinking water MCLs at the end-of-pipe even where there is no actual drinking water use.

- *Projects to address impediments to water recycling.* As emerging constituents are added to the list of drinking water MCLs, stringent effluent limitations based upon these MCLs may create new hurdles and expenses for non-potable recycled water uses.
- *Projects that complement prior work.* The Regional Board has adopted amendments to address the application of secondary MCLs in the context of CV-SALTS. Correcting the prospective application of MCLs into the Basin Plan with no evaluation of their appropriateness is a logical next step.
- *Projects of special stakeholder interest.* The revision of the Basin Plans to address the prospective incorporation of MCLs as water quality objectives continues to be CVCWA's number one priority for the Triennial Review, and of great importance to communities throughout the Central Valley.
- *Projects that support the Board's efforts on climate change.* The revisions to the MCL-based water quality objectives will allow the Regional Board more flexibility in establishing permit conditions and will potentially avoid unnecessary energy-intensive treatment.

In light of the importance and relative urgency of addressing the prospective incorporation of MCLs as water quality objectives, CVCWA requests that the Board revise the scoring for Project 15 to Rank 3 and include it in the list of projects to be addressed in the Workplan.

Response to Comment 6B: Project 15 already is credited with the criteria Efficient Use of Board or Public Resources and Special Stakeholder Interest. Central Valley Water Board staff do not agree that additional criteria are appropriate for Project 15 at this time. Specifically:

- Staff do not agree that Project 15 would directly address impediments to water recycling as it is unclear what impediments would be addressed by this project.
- Staff do not agree that Project 15 adequately satisfies the criteria of Complementing Prior Work with existing Board-issued Orders or Basin Plan Amendments.
- Staff do not agree that Project 15 supports the Board's efforts on Climate Change. Staff do not feel that the Project 15 satisfactorily meets the definition associated with Projects that Support the Board's Efforts on Climate Change.

Central Valley Water Board staff are amenable to working with dischargers by issuing Time Schedule Orders (TSOs) in circumstances, as needed, when MCL requirements may be inappropriate. Moreover, staff can work with CVCWA in future triennial reviews to better understand and refine the ranking for Project 15, as appropriate.

## 7. Tami Humphry, NECWA

Comment 7A. Commenter referenced the 2021 Triennial Review Draft Workplan: *The function of the CUL, T-SUB and SUB beneficial uses are not to protect or enhance fish populations or aquatic habitats. Fish populations and aquatic habitats are protected and enhanced by other beneficial uses, including but not limited to Fish Spawning, Migration of Aquatic Organisms, Aquaculture, Warm Freshwater Habitat, and Cold Freshwater Habitat, that are designed to support aquatic habitats for the reproduction or development of fish.* [Emphasis added by Commenter.]

Commenter stated that they understand it is important to recognize cultural uses for tribal interests but they are concerned that these uses also must comply with and recognize the protection and importance of other beneficial uses.

Response to Comment 7A. Central Valley Water Board staff will consider the impacts to all existing beneficial uses while conducting projects that have been allocated resources through the 2021 Triennial Review.

Comment 7B. Commenter quoted the 2021 Triennial Review Draft Workplan: *“Commenters have requested that the Central Valley Water Board re-evaluate existing beneficial uses in these reaches of the Pit River, consider designating reaches of the Pit River as supporting CUL and T-SUB beneficial uses, and divide the Pit River into additional reaches to provide more appropriate protection of the beneficial uses. Commenters have also requested that the Central Valley Water Board reevaluate water quality objectives, including pH and temperature, for the protection of aquatic life in the Pit River and to reflect the environmental conditions in the Pit River.”* [Emphasis added by Commenter.]

Commenter stated that they have provided data for years under both the Irrigated Lands Regulatory Program and by working with the SWAMP program to the Central Valley Water Board. Commenter stated that data shows that reaches of the Pit River are incorrectly designated for COLD resulting in unattainable pH and temperature objectives. Commenter further stated that reaches of the Pit River should be designated for WARM, not COLD, thereby eliminating these issues and providing regulatory relief to participants and users in the 200-mile reach of the Upper Pit River. Commenter stated that the change in designation would reduce regulatory burden on agricultural landowners and provide a safety net for the CUL designation sought by the Tribe.

Response to Comment 7B. Comments noted. *Project 25 - Reassessment of Beneficial Uses and Water Quality Objectives in Specific Reaches of the Pit River* is in the 2021 Draft Triennial Review Workplan and is sufficiently ranked (Rank 3) to be available to be allocated Central Valley Water Board Staff resources. Additionally, one waterbody segment of the Pit River—waterbody segment name: from confluence of N and S forks to Shasta Lake—is being proposed for delisting for temperature. The State Water Resources Control Board has approved this delisting but USEPA will make the final determination when they review the full Integrated Report.

## 8. Matthew Mitchell, USEPA

Comment 8A. USEPA recommends that the Regional Board keep the development of ammonia water quality objectives on its Triennial Review list. USEPA appreciates the effort by the Central Valley Water Board and its stakeholders to rely on site-specific ammonia criteria to implement the Basin Plan's narrative toxicity objective. However, USEPA believes that Central Valley Water Board adoption of numeric ammonia water quality objectives is the appropriate process to ensure public transparency and a more permanent standard for the protection of beneficial uses.

Response to Comment 8A. Comment noted. Central Valley Water Board staff will include changes in an Addendum to the 2021 Triennial Review Workplan to:

- not include Project 13 among the projects recommended for removal; and,
- Include Project 13 among the Rank 3 projects.

Comment 8B. Recognizing that development of water quality standards is often a lengthy process, USEPA recommends that, in the interim, the Central Valley Water Board initiate a procedure for public notice and comment on the 2020 Criteria Recalculation Report and how it is being used by Central Valley Water Board regulatory programs such as the calculation of NPDES permit effluent limits for ammonia.

Response to Comment 8B. Comment noted. Central Valley Water Board staff are committed to the stakeholder process and transparency. The development of the Recalculation Report underwent a vigorous stakeholder development effort with dischargers, resource agencies, academic experts, and discussions with environmental groups. Furthermore, the use of the report in calculation of NPDES permit limits undergoes public review each time a permit is adopted. Board staff welcomes further engagement and will continue public review of ammonia limits as part of the NPDES permitting process.

Comment 8C. Commenter provided comments on *Project 14 – Review of Proposed USEPA Water Quality Criteria and 304(a) Criteria*. Commenter stated that in order to comply with 40 C.F.R. Part 131.20, a state's Triennial Review must include an explanation if the State does not adopt new or revised criteria for parameters for which USEPA has published new or updated Clean Water Act (CWA) section 304(a) criteria recommendations. USEPA notes that while the project description outlines a process for evaluation of the applicability of USEPA 304(a) criteria in assisting with compliance with narrative objectives, the Central Valley Water Board has not provided an explanation as to why it does not plan to adopt new or revised criteria for parameters on the 304(a) criteria list.

Response to Comment 8C. Thank you for the comment. Central Valley Water Board staff do plan on adopting new and/or revised criteria for parameters on the 304(a) criteria list. However, at this time, the project has not achieved sufficient ranking in the priority list to be allocated resources.



Comment 8D. USEPA supports the recommendation that the Central Valley Water Board evaluate its selenium basin plan objectives for protectiveness of beneficial uses. USEPA also supports the recommendation that the Central Valley Water Board's selenium water quality objectives provide protection equivalent to USEPA's 2016 304(a) selenium criteria, particularly in waters that currently have site-specific selenium objectives including the Lower San Joaquin River, Mud Slough, and Salt Slough.

Response to Comment 8D. Comment noted. (See also Response to Comment 3C.)

#### 9. Barbara Barrigan-Parilla and Tim Stroshane, Restore the Delta

Comment 9A. Restore the Delta are incorporating by reference comment letters regarding the Triennial Review of the Basin Plan by California Sportfishing Protection Alliance, PCL et. al., and San Francisco Baykeeper. We share the concerns they raise and rely on their expertise regarding Grasslands Bypass Project waste discharge requirements, and other water quality monitoring programs for which we do not have the capacity to monitor directly.

Response to Comment 9A: Comment noted.

Comment 9B. Commenters expressed gratitude for the time put forth by staff to address local Delta issues plaguing San Joaquin County in particular. Projects 29 and 30 (Addressing Water Quality Issues Associated with Trash and Pathogens in the City of Stockton, the San Joaquin River Basin and the Sacramento – San Joaquin River Basin; and Addressing Harmful Algal Blooms in City of Stockton Waters) are essential projects for improving local water quality conditions for disadvantaged communities, and the well-being of all Stockton residents.

Response to Comment 9B: Comment noted and the support is appreciated.

Comment 9C. Project 10 (Evaluation of Effluent-dominated and Individual Water Bodies Dominated by NPDES Discharges) is scored incorrectly. Tribal Interests/Human Right to Water scoring should include water quality impacts to environmental justice communities for all beneficial uses of water. Members of disadvantaged communities have an equal right to public trust resources and for the use of water beneficial uses. Stockton community members have a difficult time monitoring permits and conditions for the Port of Stockton and City of Stockton's Municipal Discharge Plant. However, we have reason to believe from the limited reporting we can monitor that in addition to lack of flows, water circulation challenges, and warm water temperatures that discharge from these entities is contributing to harmful algal bloom growth in the Stockton area. One cannot tackle the HABs proliferation problem in the Delta without conducting the full complement of monitoring and Clean Water Act enforcement needed for pollution control because HABs are a toxic manifestation of other water quality and quantity problems.

Response to Comment 9C: Comment noted. Central Valley Water Board staff do not agree that the criteria of Tribal Interests/Human Right to Water satisfactorily applies to *Project 10 – Evaluation of Effluent-dominated and Individual Water Bodies Dominated by NPDES Discharges*. Project 10 is considering a modified regulatory approach for NPDES discharges that constitute the majority of flows in the receiving waters. This project would consider possible regulatory relief to NPDES dischargers.

Comment 9D. Restore the Delta also stated that Project 11 (Temperature Management Plan) should be ranked higher. Restore the Delta further stated that like effluent discharge, water temperature conditions impact environmental justice communities for all beneficial uses of water. HABs production is known to increase with warmer water temperatures. In addition, warm water temperatures impact fishery production; and with 40,000 subsistence fishers relying on Delta fisheries to supplement their diets, managing the estuary for temperature control should be an environmental justice priority.

Response to Comment 9D: Central Valley Water Board staff recognize that the commenter advocates for a higher ranking for *Project 11 – Temperature Criteria and Objectives*. However, Project 11 does not meet the criteria necessary to be ranked higher than Rank 3 which is sufficiently ranked to be potentially allocated resources by the Central Valley Water Board.

Comment 9E. Commenter recognized that part of this planning process is to rank priorities, and that Region 5 has limited funding to conduct an enormous job. We believe that improved funding for the California Water Boards, especially for monitoring and enforcement, should be a California legislative priority. However, until that objective can be reached, we do not want the Water Boards to lose sight of how program priorities can impact the most vulnerable Californians. Environmental justice considerations should be included in the analysis of decision making for all programming decisions.

Response to Comment 9E: Comment noted. Central Valley Water Board staff are committed to considering impacts to environmental justice communities with each project undertaken through the Triennial Review process.

#### 10. Ben Eichenberg, Baykeeper

Comment 10A. Commenter noted that the 2021 Triennial Review Workplan acknowledges that stakeholders have raised issues regarding the adequacy of existing efforts to protect beneficial uses and cites disagreements about use of USEPA Region 10's guidance instead of utilizing site specific criteria, specifically in reference to *Project 11 – Temperature Criteria and Objectives*.

The status update provided by the Workplan is that “staff are coordinating with the State Water Board’s Division of Water Rights on the next steps to identify studies and secure funding needed to develop a long-term approach to address unresolved temperature criteria questions and uncertainties.” The Central Valley Water Board’s proposed delay

(to allow yet more studies) will allow irreparable harm to Central Valley salmonids from high temperatures.

Commenter cited their previously submitted comments citing that USEPA Region 9 has already produced studies of Central Valley-specific temperature thresholds for salmonids, as have the National Marine Fisheries Service and other researchers. In general, these studies tend to reinforce thresholds identified in the Region 10 report and/or Myrick and Cech 2004; in some cases the recent studies point to lower tolerance for high temperatures among Central Valley salmonids than those of fish from outside this watershed (Zillig et al. 2020). The Workplan should use Region 10's guidance as a basis for temperature standards that are protective of Central Valley salmonids and modify that guidance wherever there is strong scientific evidence that local temperature thresholds differ from those that prevail in Region 10.

Response to Comment 10A: Comments noted. Staff will consider USEPA guidance and the reference material provided by the commenter in efforts to conduct Project 11.

Comment 10B. Commenter notes that the 2021 Triennial Review Workplan acknowledges that issues have been raised with dissolved oxygen standards and that they may need to be reevaluated *Project 12 – Dissolved Oxygen Objectives*. Commenter specifically cites:

*In June of 2020 the Department of Water Resources (DWR) submitted a draft report detailing the effects of the South Delta Temporary Barriers Project's effects on dissolved oxygen in Old and Middle Rivers to meet a requirement of their 401 Water Quality Certification. [Central Valley Water] Board staff reviewed DWR's draft report and have been meeting with DWR to discuss the findings from that study. DWR is currently revising the report based on feedback from Central Valley Water Board staff.*

Commenter states that with the lack of actionable temperature objectives noted above, the lack of action in the Workplan on harmful dissolved oxygen standards must be remedied through development of appropriate water quality standards. Commenter cites their previous comments noting that DO standards in the current Basin Plan are internally inconsistent. The negative effects of currently permitted low DO levels are likely to be exacerbated by high temperatures and other water quality impairments. Many species will be negatively impacted by these interacting deleterious conditions.

Response to Comment 10B: Thank you for the comment. *Project 12 – Dissolved Oxygen Objectives* continued to receive a ranking of Rank 1 – Existing Commitments in the 2021 Triennial Review Workplan. Staff acknowledge the perceived lack of progress associated with this project but are committed to continuing to achieve the project's intended scope.

Comment 10C. Commenter noted that the Workplan acknowledges that nutrients contribute to water quality problems such as harmful algal blooms, excessive plant

growth, low phytoplankton abundance, and low DO. Commenter stated, however, that the Workplan fails to include action to alleviate these known issues through development of appropriate water quality standards for nutrients and harmful algae or their associated toxins in its planning, despite the project's Rank 1 ranking for *Project 16 – Delta Nutrient Research Plan*.

Commenter expressed disappointment with Central Valley Water Board staff identifying “information gaps” rather than developing a plan for implementing standards that will address these problems. Commenter states that the Workplan recommends more “special studies, monitoring, data evaluation, and modeling.” Commenter states there will always be “information gaps”, but the Workplan errs by focusing more on what is not known than on what is known (i.e., that high levels of nutrients and harmful algal blooms threaten public health and beneficial uses in the Central Valley). The commenter concluded that the Workplan must prioritize development, adoption, and implementation of Basin Plan objectives for nutrient enrichment and harmful algal blooms.

Response to Comment 10C: Thank you for the comments. *Project 16 – Delta Nutrient Research Plan* is ranked Rank 1 – Existing Commitments. The purpose of the project is to identify information gaps for assessing needs and developing water quality objectives for nutrients in the Delta. In addition to the studies cited by the commenter, Central Valley Water Board staff helped with Discovery Bay mitigation method experiments and developed a proposal to conduct similar experiments in the Stockton waterfront and an in-situ field study in Discovery Bay. Additionally, the Central Valley Water Board has taken management actions to address nutrient issues in the Delta, including regulatory requirements to upgrade wastewater treatment through National Pollutant Discharge Elimination System (NPDES) permits. The City of Stockton has implemented upgrades to their facilities to meet current NPDES requirements.

Central Valley Water Board staff share the concerns that stakeholders have with respect to the threat of harmful algal blooms (HABs). In addition to Project 16, the 2021 Triennial Review Workplan also includes new proposed *Project 30 - Addressing Harmful Algal Blooms in City of Stockton Waters* which proposes to assess causes of HABs in Stockton waters and identify short- and long-term measures appropriate to address the causes. Staff are committed to working with stakeholders to identify funding resources for implementing potential measures to address HAB causes.

#### 11. Gregory Wolfin; Pit River Tribe

Comment 11A. While reviewing the Pit River Tribe's (PRT's) 2018 Triennial Review comments, the PRT would like to continue to support the comments for the 2018 Triennial Review in respects to the Tribal Beneficial Uses and Tribal Tradition and Culture Uses designations. The PRT, however, would like to go on record to include the Medicine Lake Highlands in the TBU and CUL for the historical, cultural, spiritual, and as a headwater source to the Fall River Valley; a tributary to the Pit River. The PRT

supports the inclusion of the Medicine Lake Highlands into the workplan and will be available for discussion.

Response to Comment 11A: Thank you for the comments. Based on stakeholder support, but also with only limited opportunity to publicly notice this project before the Central Valley Water Board can consider adoption of the proposed 2021 Triennial Review Workplan, Central Valley Water Board staff are including *Project 33 – Consideration of Outstanding National Resource Waters (ONRW) Status for Medicine Lake Volcanic Basin* as an unranked project for the 2021 Triennial Review. The project will be included for priority ranking consideration in the 2024 Triennial Review. (See also Response to Comments 13A.)

## 12. Misty Kaltreider; Solano County Department of Resource Management

Comment 12A. Commenter stated that they are a member of the Solano Subbasin Groundwater Sustainability Agency (GSA) in collaboration with nine other GSAs Solano County participates in overseeing the monitoring of surface water and groundwater quality over the Solano Subbasin per the Solano Subbasin Groundwater Sustainability Plan (GSP). Commenter stated that groundwater quality degradation is one of the six sustainability indicators to be monitored in the GSP. To enhance the effectiveness and success of GSP water quality monitoring program and its alignment to the Basin Plan, we request the Central Valley Water Board coordinate with the Department of Water Resources, GSAs, and/or other groundwater monitoring entities in the basins to develop guidelines and protocols for water quality monitoring. Most of the GSPs developed in the state rely on the water quality standards established in the Basin Plans to monitor and assess the groundwater quality conditions. However, the Basin Plans only provide water quality objectives without any specified protocols and standards for monitoring, especially regarding spatial and temporal sampling distribution and levels of exceedances.

Response to Comment 12A: Comments noted. Central Valley Water Board staff look forward to continuing to collaborate with external agencies to ensure that the Central Valley Water Board's Basin Plans are adequately updated to protect water quality in the Central Valley.

Comment 12B. We are pleased to see the inclusion of projects such as support for basin planning and implementation activities related to the Salt and Nitrate Control Program (Project 1), Dissolved Oxygen Objectives (Project 12), Delta Nutrient Research Plan (Project 16), Temperature Criteria and Objectives (Project 11), and others on the project priority list for 2022. These are certainly issues Solano County and the Delta communities are concerned about. However, it may be helpful to the public to include a budget developed for each project in order to indicate the size and level of work efforts. It is difficult to see the level of efforts allocated to each project without a specific budget value or work effort indicator.

Response to Comment 12B: Thank you for the comment. Central Valley Water Board staff are committed to transparency with all actions including the Triennial

Review process. In this phase of development, the projects are generally conceptual and the entire scope of effort, stakeholders involved, and complexity of the effort may not be fully known and so budgets cannot be developed for each project. Many of the projects include an initial fact finding and scoping effort that involves substantial resource allocation. An example of this would be beginning the effort with a literature review, ground truthing of the area, and scoping meetings with stakeholders. For these reasons, level of effort is not a criterion for undertaking or ranking projects as indicated in the 2021 Triennial Review Workplan. Please also refer to Responses to Comments 5G and 5J.

Comment 12C. The Central Valley Water Board's draft Workplan included establishing processes to evaluate naturally occurring background conditions. We appreciate that the Regional Water Board continues to consider this project as a priority even though not much progress has been made since 2018. We would continue to encourage the development of streamline approaches and policies to identify and assess background concentrations and the conditions that occur which may affect water quality objectives as recommended in our last 2018 Joint Triennial Review comments dated November 14, 2018. We also recommend the Central Valley Water Board consider allowing variances to exclude di minimis sources of priority pollutants and dischargers from adhering to control programs if no environmental benefit is achieved through the various programs or if discharges are below naturally occurring background conditions.

Response to Comment 12C: Comments noted.

13. Michelle Berditshevsky, et. al.; Mount Shasta Bioregional Ecology Center, et. al.

Comment 13A. Commenters are recommending an evaluation and designation by the Central Valley Water Board of potential Outstanding National Resource Waters (ONRW) status for the waterways and groundwater dependent ecosystems in the Medicine Lake Volcanic Basin in the Upper Sacramento and Pit River watersheds. The Medicine Lake Highlands form the upper elevations of Medicine Lake Volcano, the largest shield volcano on the continent, covering 850 square miles, located in Siskiyou, Modoc and Shasta counties, about 30 miles northeast of Mount Shasta. The bountiful pure aquifer underlying the Highlands emerges via Giant Crater Lava Flow at Ahjumawi Lava Springs and the Fall River Springs, the State's largest spring system, flowing into the Fall and Pit Rivers, and into Shasta Lake Reservoir and the Sacramento River, providing as much as 1.4 million acre-feet per year to California's downstream users.

Response to Comment 13A: Thank you for the comment. Based on stakeholder support, but also with only limited opportunity to publicly notice this project before the Central Valley Water Board can consider adoption of the proposed 2021 Triennial Review Workplan, Central Valley Water Board staff are including *Project 33 – Consideration of Outstanding National Resource Waters (ONRW) Status for Medicine Lake Volcanic Basin* as an unranked project for the 2021 Triennial Review. The project will be included for priority ranking consideration in

the 2024 Triennial Review. This change is being included in an Addendum to the 2021 Triennial Review Workplan. (See also Response to Comment 11A.)