

Meeting Notes

Evaluation of the MUN beneficial use in Agriculturally Dominated Water Bodies

January 14, 2015

9:00 AM

Location: Central Valley Regional Water Quality Control Board Office, 11020 Sun Center Drive, Suite 200
Rancho Cordova, CA 95670: Training Room

Attendees:

California Rice Commission – Roberta Firoved

California Urban Water Agencies – Jenny Gain

Central Valley Clean Water Association – Debbie Webster

Central Valley Water Board – Adam Laputz, Anne Littlejohn, Cindy Au Yeung, Jeanne Chilcott, Patrick Pulupa

City of Biggs – Brian Martin

City of Colusa – Jesse Cain (*by phone*)

City of Live Oak – Bill Lewis

Larry Walker and Associates – Tom Grovhoug

Metropolitan Water District – Lynda Smith

San Joaquin Tributary Authority – John Clancy

State Water Resources Control Board – Diane Barclay

Robertson-Bryan Inc. – Michael Bryan, Michelle Brown (*by phone*)

Tulare Lake Basin Water Storage District – Mike Nordstrom (*by phone*), Dennis Tristao (*by phone*)

United States Environmental Protection Agency – Matt Mitchell (*by phone*)

Meeting Summary

Review of the Basin Plan Amendment to Remove the Municipal and Domestic Supply (MUN) Beneficial Use in Twelve Constructed and/or Modified Water Bodies in the Sacramento River Basin that Receive Treated Municipal Wastewater from the Cities of Biggs, Colusa, Live Oak or Willows

- Central Valley Water Board Staff provided a review of the proposed Basin Plan Amendment including the following:
 - Overview/Background of the project
 - Proposed Basin Plan Amendment Language
 - Draft language was developed for the staff recommended alternative #2 - utilizing Exception 2b from the Sources of Drinking Water Policy to remove the MUN beneficial use in the twelve Sacramento water bodies.
 - Elements in the Draft Staff Report
- Stakeholder comments and staff response (*in italics*) were as follows:
 - Do we need to clarify the full water body or a specific segment in the larger MUN evaluation process amendment
 - *Staff legal counsel recommends providing enough detail so that a permitting staff can determine whether the beneficial use applies (e.g. coordinates are very useful, but a clear description may be more practical such as “downstream of the confluence with. . .”).*
 - Concern over the reliance on existing monitoring and surveillance to fulfill the monitoring requirements of Exception 2b of Resolution 88-63, especially for programs that are voluntary or may not continue indefinitely.
 - *Staff responded that ILRP (utilizing water quality “triggers” to ensure that beneficial uses are protected) and NPDES monitoring (including full Title 22 constituent monitoring once each permit cycle and reasonable potential analyses when discharge quality/quantity change) will continue to be required and that many of the programs listed outside the agency are long-term monitoring efforts that will likely continue in some capacity. The draft Staff Report will be updated to better characterize which monitoring programs have no anticipated deadline and which programs have a less certain timeline.*

- Request to better characterize the intent of the Drinking Water Policy’s constituents of concern as “unregulated” constituents of concern. Water purveyors continue to have concern with protecting all primary and secondary MCLs in the Sacramento River Watershed.
 - *Staff requested that the water purveyors provide potential language to help with clarification (e.g. nitrate is regulated with an MCL and was identified as one of four elements of concern within the basin in their main report).*
- Correction to the Staff Report that the Municipal Water Quality Investigations are no longer producing annual reports.
 - *Staff noted this correction*
- Concern that responsibility of the water quality review is shifted to other agency reports, which may not be adequate to assess exceedances in water quality objectives.
 - *To assess whether or not there were any water quality data gaps to justify additional monitoring in the lower Sacramento River Basin, staff identified in the Staff Report the various monitoring efforts conducted by different groups and agencies. The recognition of the many agencies collecting and reporting on water quality data highlighted the deficiency in a consolidated approach to collecting and assessing the data, especially for inclusion into CEDEN and the California Integrated Report. Using data and reports from other agencies would serve to augment the information the Central Valley Water Board collects and does not shift the responsibility of ensuring compliance with water quality objectives to other entities.*
 - *It was noted during the meeting that information collected by water purveyors is made publicly available and that the purveyors don’t wait for someone else to tell them to address any identified issues.*
- Concern over the reliance of the 303d/TMDL process to solve a problem – takes too long and water quality concerns need to be addressed more quickly.
 - *Ensuring that there are enough “safety valves” in place upstream to protect downstream water quality is an important part of the Monitoring and Surveillance element of the amendment. The 303d/TMDL process is not the only regulatory tool available to address water quality issues. Staff reviewed existing*

regulatory tools that serve this purpose (Reasonable Potential, Antidegradation, and Priority Pollutant analyses for NPDES dischargers as well as the water quality “triggers” and Management Plan process for the Irrigated Lands Regulatory Program).

- Discussion regarding the potential use of a decision tree process like the one established in the Drinking Water Policy whereby water purveyors could notify the Central Valley Water Board for assistance in source control measures if water quality changes were observed.
 - *An additional decision tree process may be better suited for consideration under the larger region-wide MUN evaluation process Basin Plan Amendment. Staff requests additional stakeholder input on this concept.*
- Concern over the use of “long-term goal” in the Basin Plan Amendment language versus “Every effort should be made...” in the discussion section of the Implementation section of the Staff Report regarding the need to consolidate water quality information. POTWs do not want to be responsible for reporting their information to multiple entities.
 - *Staff clarified that reporting to multiple entities was not the effort that was being recommended, and in fact enabling different systems to “talk” with each other to avoid duplicative monitoring or reporting was the goal. Staff is reviewing proposed language but continues to consider the need for multiple agencies to be able to seamlessly consolidate ambient water quality information a critical issue.*
- Concern that the description of the CIWQS database did not adequately describe the accessibility of the data to the public as it currently exists.
 - *Staff will clarify in the Staff Report the accessibility of data for the monitoring programs that are not currently in CEDEN.*

Project Schedule and Future Meetings

- Sacramento POTW Basin Plan Amendment
 - Regional Board Meeting for a hearing – **Feb 6, 2015 (in Rancho Cordova)**
 - Regional Board Meeting for adoption – **April 16/17 2015 (in Fresno)**

- Public Comment Period ends – **February 20, 2015**

- Region-wide MUN Process Basin Plan Amendment
 - Stakeholder meeting– **late February/early March 2015**
 - Regional Board Workshop– **April 16/17 2015 (in Fresno)**

Action Items:

- *Stakeholders to provide proposed clarifying language for their sections of concern.*
- *Stakeholders will let Anne Littlejohn know by 23 January, if they want to speak as a group at the hearing.*
- *Central Valley Water Board staff will provide updates to the project timeline as needed via Lyris emails and website updates.*
- *Anne Littlejohn will send out a save-the date email for a February/early March 2015 stakeholder meeting*
- *Meeting notes will be posted to the website*