



March 24, 2017

Via Electronic Mail Only

Ms. Anne Littlejohn
California Regional Water Quality Control Board
Central Valley
11020 Sun Center Drive, Suite 200
Rancho Cordova, CA 95670
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SUBJECT: Amendments to the Water Quality Control Plans for the Sacramento River and San Joaquin River Basins and Tulare Lake Basin to Establish a Region-Wide Municipal and Domestic Supply (MUN) Beneficial Use Evaluation Process in Agriculturally Dominated Surface Water Bodies and Remove the MUN Beneficial Use from 231 Constructed or Modified Ag Drains in the San Luis Canal Company District

Dear Ms. Littlejohn:

The Central Valley Clean Water Association (CVCWA) and California Association of Sanitation Agencies (CASA) appreciate the opportunity to comment on the Amendments to the Water Quality Control Plans for the Sacramento River and San Joaquin River Basins and Tulare Lake Basin to Establish a Region-Wide Municipal and Domestic Supply (MUN) Beneficial Use Evaluation Process in Agriculturally Dominated Surface Water Bodies and Remove the MUN Beneficial Use from 231 Constructed or Modified Ag Drains in the San Luis Canal Company (Draft Amendments). CVCWA is a non-profit association of public agencies located within the Central Valley region that provide wastewater collection, treatment, and water recycling services to millions of Central Valley residents and businesses. We approach these matters with the perspective of balancing environmental and economic interests consistent with state and federal law. For 60 years, CASA has been the leading voice for public wastewater agencies on regulatory, legislative and legal issues. We are an association of local agencies, engaged in advancing the recycling of wastewater into usable water, generation of renewable energy, and other valuable resources. Through these efforts we help create a clean and sustainable environment for Californians.

CVCWA and CASA members have been active participants in the Central Valley Regional Water Quality Control Board's (Central Valley Water Board) ongoing Basin Planning process with respect to the development of these Draft Amendments.

In general, CVCWA and CASA support the Draft Amendments with respect to establishing a region-wide evaluation process for removing MUN from agriculturally-dominated surface water bodies in the Central Valley. We also believe that a similar process should be established for effluent-dominated surface water bodies, which are very similar in nature to agriculturally-dominated surface water bodies.

Like the water bodies at issue here, effluent-dominated surface water bodies are not designed to support MUN uses, and in fact would be prohibited as sources of drinking water. Yet, due to the incorporation and implementation of the Sources of Drinking Water Policy (Resolution 88-63), and in some cases the tributary footnote, effluent-dominated water bodies are treated as supporting MUN uses. This often results in stringent, end-of-pipe water quality-based effluent limitations, which then trigger the need for costly treatment plant upgrades. Rarely are these upgrades necessary to protect an existing or potential MUN use.

The Draft Amendments raise another issue related to MUN beneficial uses. The chemical constituents water quality objective incorporates by reference any prospective future changes to maximum contaminant levels adopted to protect drinking water. This incorporation by reference means that new water quality objectives are essentially adopted as water quality objectives through the MCL process without complying directly with Water Code section 13241 (the Water Code which establishes the requirements for the adoption of water quality objectives). For example, the State Water Resources Control Board is currently considering adopting 1,2,3-Trichloropropane as a proposed maximum contaminant level, applicable to tap water. Review of the supporting documentation for adoption of this MCL fails to include any reference to use of the value as a Basin Plan water quality objective, and fails to consider the factors specified in Water Code section 13241. Because these are two different processes, with different intentions, we believe that the Central Valley Basin Plans should be amended to delete this incorporation by reference. We recognize that such a change may not be possible with this action, but we encourage the Central Valley Water Board to put this issue on its list for consideration in the next triennial review process.

In summary, CVCWA and CASA encourage the Central Valley Water Board to adopt the Draft Amendments, and look towards developing a similar process for effluent-dominated waterways and addressing the incorporation by reference language that is part of the chemical constituents objective.

Please contact Debbie Webster at (530) 268-1338 or eofficer@cvcwa.org if you have any questions.

Sincerely,



Debbie Webster
Executive Officer, CVCWA



Roberta L. Larson
Executive Director, CASA