

ITEM: 8

SUBJECT: Establishment of a Central Valley Drinking Water Policy for the Sacramento-San Joaquin Delta and Upstream Tributaries

BOARD ACTION: *Consideration of Adoption of Resolution*

BACKGROUND: In 2000, CALFED issued a Record of Decision that required the California Bay-Delta Authority with the assistance of the Department of Public Health to coordinate a comprehensive drinking water program. One element of the program was establishment of “a comprehensive state drinking water policy for the Delta and upstream tributaries”. The Central Valley Water Board is signatory to a Memorandum Of Understanding for implementation of the CALFED drinking water program. The Memorandum states that our Board, in consultation with the Department of Public Health, State Water Board and USEPA, will have primary responsibility for development of a state drinking water policy for the Delta and tributaries.

In the last seven years, a Workgroup was formed, a work plan created and a grant obtained to support development of the policy. Much work was done by the Workgroup to better understand drinking water issues. The Workgroup identified constituents of concern (salinity, nutrients, organic carbon, *Cryptosporidium* and *Giardia*), gathered available ambient water quality data for the Delta and major tributaries into a database, examined regulatory programs in other regions, states and counties, initiated development of water quality and watershed models for the major tributaries of the Delta, and began work on evaluating drinking water treatment feasibility options as well as some source control options. Conceptual models for organic carbon, nutrients, pathogens and pathogen indicators, and salinity were developed for the Workgroup.

The analytical modeling work, water quality monitoring, technical studies development as well as drinking water treatment and source control analysis, which included cost evaluations, were funded by a grant which was stopped in 2008. This halt in funding for the technical studies damaged the momentum of the Workgroup, and the Workgroup struggled to regain momentum when the grant was restarted in 2009. The grantee, California Urban Water Agencies (CUWA), was offered two opportunities to extend the grant. CUWA extended the grant once but did not act on the second opportunity to extend the grant.

In 2004, the Central Valley Water Board adopted a resolution supporting development of a drinking water policy with the goal of completing policy development by 2009. The current resolution provides an update on the Workgroup’s efforts, provides direction for future actions, and affirms the Board’s continued support for the development of the drinking water policy. The current resolution also recognizes CV-SALTs and State Water Board’s development of the nutrient numeric endpoint process as more appropriate venues for working on salinity and nutrients, thus focusing the drinking water effort on organic carbon, *Cryptosporidium* and *Giardia*.

ISSUES:

Funding significantly affects the possible scope of policy development. Funding is needed for technical studies as well as for Board staff working on the policy. If the Board adopts this resolution, the next steps would be for CUWA to obtain the grant extension to complete some of the technical work discussed earlier and to continue partnering with the Sacramento Regional Wastewater Treatment Plant to fund Board staff work on this policy. Even with the grant extension, additional funding will likely be needed to evaluate source control measures, specifically for agricultural discharges, and to collect information on ambient water quality conditions, especially for *Cryptosporidium* and *Giardia*. Funding would also be needed to evaluate ecosystem needs for organic carbon if water quality objective development is part of the policy.

The goal of the drinking water policy would be to proactively maintain or protect existing high quality drinking water source waters, recognizing that the State anti-degradation policy allows some degradation of waters if it is consistent with maximum benefit to the people of the State. The drinking water community advocates holding the discharger community responsible for potential degradation caused by their discharges. The discharger community is interested in seeing the linkage between their discharge and any drinking water impacts at the drinking water intakes. The discharger community specifically requests that fate and transport analysis be performed for *Cryptosporidium* and *Giardia* prior to Board staff's evaluation of the need to require monitoring for these constituents.

There are also differences of opinion about the proposed time-line for development of the policy. CUWA strongly supports development of a policy within three years of adoption of this resolution; whereas, Sacramento Regional Wastewater Treatment Plant questions the Workgroup's ability to produce an outline, work plan and funding proposal in a year without ensured funding. The resolution supports policy development within three years assuming adequate available resources.

Mgmt. Review _____

Legal Review EGW

29 July 2010
11020 Sun Center Dr. #200
Rancho Cordova, CA 95670