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# **Central Valley Drinking Water Policy**

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## Basin Plan Implementation Chapter: Options Report

Prepared for the Central Valley Drinking Water Policy Workgroup

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No policy or regulation is either expressed or intended.*

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## II. Introduction

### ***A. Background***

As water flows out of the Sierra foothills and into the valley, pollutants from a variety of urban, industrial, agricultural, and natural sources affect the water quality, which leads to drinking water treatment challenges and potential public health concerns. Current policies and plans lack water quality objectives for several known drinking water constituents of concern, such as disinfection by-product precursors and pathogens, and do not include implementation strategies to provide effective protection for drinking water sources. The Central Valley Regional Water Quality Control Board (Regional Board) is engaged in a multi-year effort to develop a policy for protecting source water for the beneficial use of drinking water. The Central Valley Drinking Water Policy Workgroup (Workgroup) consists of interested stakeholders that meet regularly to assist and advise the Regional Board on the drinking water policy development. The types of regulatory requirements that will be included in the drinking water policy have not been determined but the goal is to develop a policy that provides clear guidance to ensure adequate and consistent source water protection.

This report satisfies the deliverable requirement in the Regional Board's reimbursable agreement with the California Urban Water Agencies (contract number 03-905-150-01).

### ***B. Purpose of Report***

New water quality objectives may be developed as part of the drinking water policy. However, the process for developing and promulgating new objectives is lengthy and onerous, not to mention controversial. The purpose of this report is to describe the breadth of the Regional Board's authority to implement existing plans and policies. The Regional Board has employed each of these strategies in one form or another.

The Porter-Cologne Water Quality Control Act (California Water Code, Division 7; CWC) states "activities and factors which may affect the quality of the waters of the State shall be regulated to attain the highest water quality which is reasonable, considering all demands being made and to be made on those waters, and the total values involved, beneficial and detrimental, economic and social, tangible and intangible" (CWC §13000). The CWC also lists several factors to be considered when establishing water quality objectives, including economic considerations (CWC §13241). Furthermore, Regional Boards must develop a program of implementation for achieving water quality objectives (CWC §13242). Considering these requirements, the Regional Board will have to consider economics when developing an implementation program for protecting drinking water sources.

The sole intent of this report is for discussion among participants in the Central Valley Drinking Water Policy Workgroup. It is not intended to constrain the Regional Board to any specific actions regarding the drinking water policy nor does it imply that the Regional Board is considering any of the options at this time. This report summarizes a list of actions that would require significantly more detailed discussion and analysis before they could be implemented. In addition, Regional Board legal staff has not reviewed the information contained in this report.

### III. Policy for Application of Water Quality Objectives

CWC §13050 defines water quality objectives as “the limits or levels of water quality constituents or characteristics which are established for the reasonable protection of beneficial uses of water or the prevention of nuisance within a specific area”. Water quality objectives can be either numeric or narrative and apply to all waters within a surface water or ground water resource for which beneficial uses have been designated, rather than at an intake, wellhead or other point of consumption. Water quality objectives must be translated into discharge limits. There are specific steps necessary to determine whether a discharge permit needs a limit for a constituent and if so, what the limit should be considering discharge flow and the receiving water’s available dilution and assimilative capacity.

To determine a permit limit the Regional Board determines whether a discharge has reasonable potential to cause or contribute to an exceedence of a receiving water objective for a particular constituent or parameter, identifies the water quality objectives for the protection of the beneficial uses that have been designated for the receiving water body, and selects criteria (numerical water quality objectives or water quality goals that implement a narrative objective). The permit limit derivation procedures accounts for the following variables:

- acute and chronic aquatic life toxicity effects;
- human health effects;
- dilution;
- ambient background concentrations;
- antidegradation (see next section for more detailed information).

For drinking water constituents, if a discharge has the reasonable potential to cause an excursion above an existing objective or maximum contaminant level, then the discharge permit will include a limit and requirements for monitoring that constituent. However, this process will not apply to constituents for which objectives do not already exist.

### IV. Antidegradation Policy

The State Water Resources Control Board (State Board) Resolution No. 68-16 (commonly referenced as the Antidegradation Policy) states “Whenever the existing quality of water is better than the quality established in policies as of the date on which such policies become effective, such existing high quality will be maintained” unless a reduction in water quality is “consistent with maximum benefit to the people of the State, will not unreasonably affect present and anticipated beneficial use of such water and will not result in water quality less than that prescribed in the policies.” The policy goes on to require best practicable treatment or control of waste discharges to high quality waters “necessary to assure that (a) a pollution or nuisance will not occur and (b) the highest water quality consistent with maximum benefit to the people of the State will be maintained.” The Water Quality Control Plan for the Sacramento and San Joaquin River Basins (Basin Plan) Antidegradation Implementation Policy (pg IV-15.01) states that the Regional Board will apply antidegradation “directives when issuing a permit, or in an equivalent process, regarding any discharge of waste which may affect the quality of surface or ground waters in the region” and that this is a high priority for the Board.

In effect, these policies establish an appropriate range of water quality within which the Regional Board works to maintain water quality – between background levels and water quality objectives. In

practice, a quantifiable limit above which a constituent concentration or water quality parameter has been demonstrated to affect beneficial uses – either a numeric water quality objective or a narrative objective combined with a limit from the peer-reviewed literature – is needed to set the upper limit of this range.

The antidegradation policy could be applied to constituents for which there are no numeric or narrative objectives (i.e., organic carbon and pathogens). However, if there is insufficient evidence to show at what concentrations beneficial uses would be impaired, the Board is not able to establish the upper limit of the appropriate range of water quality. In determining what is “consistent with maximum benefit to the people of the State”, the Regional Board could not readily assess the factors that would counter the benefits of allowing further degradation. For these reasons, the Antidegradation Policy generally is tied to established numeric or narrative water quality objectives and demonstrated levels of waste treatment. However, in waterbodies where natural background<sup>1</sup> concentration of a constituent exceeds the water quality objective the Regional Board has the authority to establish more stringent permit limits to maintain the existing high quality of water.

## V. Prohibitions of Discharge

CWC §13243 gives the Regional Board authority to prohibit certain types of discharges:

*“The Regional Board, in a water quality control plan or in waste discharge requirements, may specify certain conditions or areas where the discharge of waste, or certain types of waste, will not be permitted.”*

Prohibitions of discharge can be written to prohibit all discharge of waste to certain water bodies or to prohibit discharge unless specific conditions are met. Prohibitions can include a time schedule of when the prohibition will be enforced if the conditions are not met. The Regional Board has the authority to enforce discharge prohibitions by issuing a cease and desist order pursuant to CWC §13301.

### A. Existing Discharge Prohibitions

#### 1. Waterbodies

The Basin Plan prohibits discharge of municipal and industrial wastes to certain water bodies (i.e., Clear Lake, Shasta Lake, Folsom Lake, and others). It also states “*direct discharge of wastes is inappropriate as a permanent disposal method in sloughs and streams with intermittent flow or limited dilution capacity.*” Although the Basin plan identifies such discharges as inappropriate, there are approximately 50 permitted discharges to low flow streams in the Central Valley.

#### 2. Leaching Systems

The Basin Plan prohibits discharge of wastes from new and existing leaching and percolation systems in specified areas.

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<sup>1</sup> The Basin Plan defines background as “water quality found upstream or upgradient of the discharge, unaffected by other discharges.”

### **3. Petroleum**

The Basin Plan prohibits discharge of oil or any residuary petroleum product unless the discharge is operated under waste discharge requirements.

### **4. Vessel Wastes**

The Basin Plan prohibits the discharge of toilet wastes from the vessels of all houseboat rental businesses on Shasta Lake, Clear Lake, and the Delta. This could be expanded to include all vessels in the Delta.

### **5. Pesticides**

The Basin Plan prohibits discharge of irrigation return flow from rice fields containing the pesticides thiobencarb, molinate, carbofuran, malathion, and methyl parathion unless the discharger is operating under approved management practices. Regional Board approval of management practices is contingent upon whether the proposed practices are expected to meet performance goals for the five pesticides listed. Currently, the California Rice Commission is responsible for implementing the program and is required to submit annual reports to the Regional Board summarizing the previous season's monitoring, rice acreage, and pesticide use and contains a description of the monitoring program and proposed list of management practices for the coming rice season. This is an example of a conditional prohibition of discharge.

### **6. San Joaquin River Subsurface Agricultural Drainage**

The Basin Plan prohibits the discharge of agricultural subsurface drainage from the Grassland watershed to the San Joaquin River or its tributaries unless the discharge began before 10 January 1997 or unless the discharge is governed by waste discharge requirements.

## ***B. Potential Discharge Prohibitions***

Below is a summary of potential discharge prohibitions that could be part of a drinking water policy. One overarching issue is that there is no guidance for developing prohibitions of discharge, so the level of evidence needed to justify imposing a prohibition is unknown.

### **1. Effluent Dominated Water bodies**

Natural stream flow may be very low or intermittent due to infrequent storm events and the lack of recharge from groundwater. Frequently, public agencies discharge treated sewage effluent into these normally dry streams. As a result, stream flow during all or part of the year can be dominated by treated effluent. These streams, called effluent-dependent or effluent-dominated water bodies (EDWs), can support substantial riparian ecosystems. Accordingly, this can lead to very stringent effluent limitations.

The Regional Board could reiterate its policy of not allowing discharges to water bodies that have little available dilution, especially if the water bodies represent existing or potential sources of drinking water or are tributary to sources of drinking water. The policy could go on to prohibit new discharges and prioritize existing discharges for removal within a specified time period. The Regional Board could prioritize existing discharges for prohibition by implementing current regulation provided in the Basin Plan or for grant funding under the

State Revolving Fund. In addition, reclamation could be evaluated as an alternative to discharge.

Factors that would need to be evaluated include the effect of future population growth in the Central Valley and the effect of removing discharges on existing aquatic life beneficial uses.

## **2. Conditional Prohibition of NPDES Permitted Discharges**

Alternatively, the Regional Board could adopt a prohibition of all point source discharges that could be written such that only tertiary treated discharge would be allowed. Tertiary treatment is the advanced cleaning of wastewater that goes beyond the secondary or biological stage, removing nutrients such as phosphorus, nitrogen, most biological oxygen demand and suspended solids.<sup>2</sup> Requiring tertiary treatment could improve surface water quality basin-wide and many Central Valley dischargers already are required to treat to tertiary levels. However, costs to dischargers who would be required to install tertiary treatment processes would be high, while the potential for water quality improvement for drinking water constituents is unknown.

## **3. Prohibition of Discharge Near Drinking Water Intakes**

The Regional Board could prohibit certain types of discharges in the vicinity of drinking water intakes. The area where the prohibition applies could correspond to the time-of-travel zones defined by drinking water suppliers in the source water assessments and sanitary surveys required by DHS. The prohibition could be implemented by coordinating DHS's permitting of new intakes with the Regional Board's permitting of discharges. This prohibition would improve source water quality near intakes for some drinking water constituents. How this prohibition would apply to non-point source discharges would need to be investigated.

## **4. Prohibition of Discharge Exceeding Concentration Limits**

Similar to the rice pesticide program, the Basin Plan could prohibit discharges that exceed a specific concentration limit for certain constituents. The rice pesticide program set performance goals to bring chemical concentrations found in surface waters designated as freshwater habitat, down to levels that comply with the narrative toxicity objective. The performance goals were set based on the lowest aquatic life no effect levels. Applying performance goals to a discharge prohibition avoids the lengthy process of developing water quality objectives; however, water quality objectives can be more stringently enforced than performance goals. This prohibition would not address constituents such as dissolved solids where there would still be an incremental load.

## **5. Prohibit Boating & Gas Stations for Boats Near Drinking Water Intakes**

The Basin Plan already prohibits discharge of oil and residuary petroleum products to water of the State unless the discharge is operated under a set of waste discharge requirements. The Regional Board could argue that boating and gas stations for boats represent discharges of residuary petroleum products to the Delta so that under current policy, those discharge

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<sup>2</sup> USEPA definition obtained from: <http://www.epa.gov/OCEPAterms/tterms.html>

activities are prohibited. Implementing this action may improve water quality near intakes but the degree of potential improvement is unknown.

## **VI. Actions by Other Entities**

California Water Code §13242(a) gives the Regional Board authority to identify water quality control actions recommended for implementation by agencies other than the Regional Board.

### **A. Recommendations to Other Agencies**

Below are recommendations related to drinking water quality that already appear in the Basin Plan. This is a simple listing of very complex actions that would require extensive study and peer and public review before any could be implemented.

The Basin Plan states:

- *State Board should coordinate studies to assess the costs and benefits of moving planned diversions from the eastern side of the Central Valley to points further west (i.e., the Delta) to allow east side water to flow downstream to support other in stream uses. This would ensure that future diversions would not cause further degradation of water quality for existing diversions.*
- *The State Board should use its authority over water rights to preclude the supplying of water to specific lands if water quality objectives are not met by some specified date. This would not improve water quality for constituents for which there are no water quality objectives (i.e., organic carbon and pathogens).*
- *Facilities should be constructed to convey salt out of the valley.*
- *Store surplus wet weather flows in off-stream reservoirs. This could help dilute pollutants during low flow times of the year.*

These could be reiterated in a coordinated fashion to be more effective for drinking water source water improvement. The Regional Board also could add a recommendation to the Basin Plan that State Board considers water quality in conjunction with water rights decisions. The disadvantage to relying recommendations for implementing policy is that the Regional Board does not have the authority to ensure that other agencies carry out the recommendations.

### **B. MOU/MAA/MOA**

The Basin Plan includes memoranda of understanding (MOU), memoranda of agreement (MOA), and management agency agreements (MAA) between the Regional Board and other agencies and between State Board and other agencies. These describe responsibilities of each entity entering into the agreement and how those responsibilities will be coordinated or carried out for specific issues. For example, in 1996 the State Board entered into an MOA with DHS that outlines the responsibilities of each agency regarding reclaimed water. The MOA describes the activities of each agency in regulating the use of reclaimed water for water quality and public health and how those activities should be coordinated.

The Regional Board or State Board could enter into another agreement with DHS to coordinate source water assessment and protection activities under DHS's Source Water Assessment and Protection (SWAP) program. DHS requires drinking water suppliers to conduct source water assessments and watershed sanitary surveys and to update those on a regular basis. These documents could be used to recommend and prioritize Regional and State Board water quality monitoring under the Surface Water Ambient Monitoring Program (SWAMP) or other Regional Board monitoring programs (i.e., irrigated agriculture waiver, NPDES, stormwater, etc.). In addition, the Regional Board could require that the recommendations be incorporated into watershed management plans called for under Total Maximum Daily Load (TMDL) implementation and waiver programs. The agreement also could outline the process for incorporating source water protection recommendations into the Regional Boards' Watershed Management Initiative Chapters, which identify priorities for resource allocation and grant funding. Finally, the agreement could describe how Regional Board and DHS permitting should be coordinated.

An MOU between DHS and the Regional Board could increase coordination among these drinking water program implementing agencies. On the other hand, MOUs carry no regulatory weight, rely on all parties' willingness to enter into and abide by the agreement, and often are under-funded.

## VII. MUN Beneficial Use Designation

Dischargers to wastewater (i.e., agriculture, stormwater, POTWs, and industrial) dominated water bodies face challenges in meeting effluent limits in permits because of the limited dilution capacity. In addition, because many of these waterbodies are not specifically identified in the Basin Plan, they are assigned the same beneficial uses as the water body to which they are tributary (via the tributary rule<sup>3</sup>). As such, though many point source discharges to low flow waterbodies can meet effluent limits based on primary maximum contaminant levels for drinking water constituents, they are not able to meet certain California Toxics Rule human health criteria at the end of pipe.

The MUN beneficial use could be split to make a distinction between drinking water and other domestic uses of water (i.e., riparian users that divert raw water and use it to bathe and wash vegetables, etc. but do not actually drink it). Each designation would have its own requirements. Changes to beneficial use designation is not strictly an implementation activity, however, the concept is included here because of the timeliness of the topic.

- MUN – Drinking Water Supply (MUN DW) – Uses of water for community, military, or individual **drinking** water supply systems (assumes uses for which standard treatment will be provided)

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<sup>3</sup> The Basin Plan states: "The beneficial uses of any specifically identified water body generally apply to its tributary streams. In some cases a beneficial use may not be applicable to the entire body of water. In these cases the Regional Water Board's judgment will be applied. It should be noted that it is impractical to list every surface water body in the Region. For unidentified water bodies, the beneficial uses will be evaluated on a case-by-case basis."

- MUN – Domestic Water Supply (MUN DOM) – Uses of water for purposes other than drinking water such as bathing, washing food, etc. (household uses) (assumes uses that do not require drinking water treatment)

Water bodies designated MUN DW would automatically be designated MUN DOM. However, the Regional Board would need to identify a set of criteria or circumstances where a water body would be suitable for non drinking water uses but not for drinking water. Water quality objectives to protect MUN DOM uses would still be necessary but likely would be different from those protecting MUN DW. The criteria for MUN DOM water bodies would need to take into account DHS criteria and regulations. Some potential criteria might be:

- Low natural flow (the Basin Plan would need to include a cut-off number), and
- Not currently being used as a drinking water supply (defined as taking water and doing the expected amount of treatment), and
- Does not have significant impact on downstream water body (i.e., does not make up more than 10% of the combined flow) that is currently designated as MUN or where there is an actual MUN use occurring.

Changes to the MUN beneficial use will need to be consistent with the State Board's Sources of Drinking Water Policy, which currently is being reviewed for potential amendments.

Subdividing the MUN beneficial use would help dischargers to EDWs meet effluent limits for disinfection byproducts, which may encourage them to participate in and support other elements of the drinking water policy. Waterbodies requiring the DOM distinction would need to be identified and a use attainability analysis would be required to subcategorize a designated use and apply less stringent criteria. On the other hand, this action could result in significantly lower protection for many water bodies and jeopardize future beneficial uses.

## VIII. Emerging Pollutants

At the 9 July 2004 Board meeting, the Regional Board was concerned about how the drinking water policy would account for emerging pollutants (i.e., endocrine disruptors, viruses, etc.). CWC §13267 authorizes the Regional Board to request dischargers to monitor for potential problem pollutants.

*“A regional board, in establishing or reviewing any water quality control plan or waste discharge requirements,.....may investigate the quality of any waters of the state within its region. The burden, including costs, of these reports shall bear a reasonable relationship to the need for the report and the benefits to be obtained from the reports. In requiring those reports, the regional board shall provide the person with a written explanation with regard to the need for the reports, and shall identify the evidence that supports requiring that person to provide the reports.”*

The data collected is then used to determine whether water quality objectives for these pollutants should be developed and whether effluent limitations need to be included in NPDES permits and if so, what the effluent limitations should be.

For pesticides, the Basin Plan states that pesticide levels in discharges should not exceed the lowest levels technically and economically achievable. This concept could be expanded to other parameters such as drinking water constituents of concern. The Regional Board could then ask for reports to document this requirement. The request could include reporting guidelines so dischargers would know what kind of information and detail is required. The Regional Board could use this information in the staff report to justify what is included in the drinking water policy recommendation. This expanded database of information would help determine the appropriate balance between wastewater and drinking water treatment costs.

Utilizing CWC §13267 to obtain information on emerging contaminants is an appropriate initial step in a phased approach to evaluating the risks from unregulated constituents. Additional monitoring data could add to the database on drinking water constituents of concern and provide the Regional Board with data to make informed decisions. However, analytical methods for many emerging pollutants are not yet standardized and limits that are technologically and economically achievable have not been determined.

## **IX. Appendix. Response to Comments**

### **CENTRAL VALLEY DRINKING WATER POLICY BASIN PLAN IMPLEMENTATION CHAPTER: OPTIONS REPORT RESPONSE TO COMMENTS**

On December 17, 2004, the Central Valley Clean Water Association (CVCWA) submitted written comments to Ms. Karen Larsen of the Central Valley Regional Water Quality Control Board, on the draft Central Valley Drinking Water Policy Basin Plan Implementation Chapter: Options Report.

In December 2005, other members of the Central Valley Drinking Water Policy Workgroup commented on the report as well. These informal comments have been combined and incorporated into a separate response.

**CENTRAL VALLEY DRINKING WATER POLICY  
IMPLEMENTATION OPTIONS REPORT  
CENTRAL VALLEY CLEAN WATER ASSOCIATIO RESPONSE TO COMMENTS**

CVCWA Comment	Regional Board Response	Page Number
Language regarding California Water Code section 13000	Comment noted. Language revised.	1
CVCWA does not believe that prohibiting discharges to effluent dominated waterbodies would yield any drinking water protections because EDWs are impaired as drinking water sources pursuant to DHS criteria and position that such water will never be approved for drinking water.	DHS only has jurisdiction over municipal drinking water while the Regional Board’s MUN Beneficial designation includes municipal and domestic water usage, which is not limited to drinking water supply. Additionally, the Regional Board’s concern with EDWs, with respect to the drinking water policy, is the impact they have at points of diversion.	
Would prohibiting all point source discharges that are not treated to a tertiary level improve surface water quality basin-wide for all beneficial uses? Water Code section 13360(a) precludes the Regional Board from dictating the manner of compliance with waste discharge requirements.	The Regional Board has the authority to set effluent limits to meet certain goals and adopt prohibitions of effluent limits not currently being met.	
The concept of protecting drinking water sources within some defined distance around the intake is a potentially viable alternative. Although there is some concern about expressing this as a no discharge zone (NDZ) and employing U.S. EPA with these determinations, CVCWA believes that the Regional Board and DHS can develop an appropriate implementation option to protect drinking water at some specified distance from an intake.	The Regional Board notes CVCWA’s comment on the potential viability of this alternative. This is U.S. EPA’s jurisdiction under CWA Section 312(f)(4)(B) requiring U.S. EPA, upon application of the State, to establish a NDZ by regulation to prohibit the discharge of sewage from vessels into waters that are drinking water intake zones. However, language was revised.	5
The prohibition of discharge exceeding concentration limits appears to avoid the requirements of the NPDES permitting process. How would this alternative be implemented in the context of the existing NPDES permit program?	The prohibition described in this section applies specifically to rice field drainage with the concentration limits being the numeric translators of the narrative toxicity objective for protecting aquatic life. In the NPDES program, limits to comply with the narrative toxicity objective frequently are established for constituents for which water quality objectives do not exist (i.e., diazinon and chlorpyrifos). In this situation, numeric translations of the narrative objective are obtained from toxicology literature.	5
CVCWA supports the effort to identify actions and authorities of other agencies that have an effect on water quality and to coordinate	The Regional Board notes CVCWA’s support on this alternative. The recommendations listed are those that	6

Regional Board activities with other entities.	already appear in the Basin Plan. Additional comments provided by CVCWA have been accounted for in Sources of Drinking Water Policy and DHS is only responsible for municipal drinking water, not domestic.	
MUN beneficial use designation could be divided into subcategories. One subcategory to consider is to distinguish between water where drinking water supply is an actual use and those where the drinking water use is potential. Comments provided on text.	Comment noted. Language revised.	7
Emerging Pollutants – could refer to thousands of substances ranging from pharmaceuticals to personal care products to caffeine. Additional revisions to text.	The Regional Board has never let analytical science get in the way of criteria development and maintains this philosophy.	

**CENTRAL VALLEY DRINKING WATER POLICY  
BASIN PLAN IMPLEMENTATION CHAPTER: OPTIONS REPORT  
CENTRAL VALLEY DRINKING WATER POLICY WORKGROUP  
RESPONSE TO COMMENTS**

<b>Commenter and Comment</b>	<b>Regional Board Response</b>	<b>Page Number</b>
Lynda Smith: It would be helpful to clarify that this paper addresses implementation options assuming the existing set of water quality objectives. Also, it seems like some of the options could apply to constituents for which there are no water quality objectives.	Language was revised to omit “existing water quality objectives”, since some of the polices mentioned in the report can be applied to constituents that the Regional Board has no objectives (§ 13267 orders and the antidegradation policy).	<b>1</b>
Paul Gilbert-Snyder: Language confusing.	Comment noted. Language revised.	<b>3</b>
Lynda Smith: I think it would be useful for the RWQCB to work with DHS to determine appropriate wastewater treatment requirements for discharge to waterbodies with a particular dilution ratio.	Comment noted.	<b>5</b>
Elaine Archibald: Is the 20:1 dilution still valid? Wasn't it replaced with Surface Water Treatment Rule? Doesn't SRCSD only have to comply with 14:1 dilution? Should the work group be weighing in on the proposed changes to Sources of Drinking Water Policy?	Language deleted	
Lynda Smith: This phrase “local users” needs to be more clearly defined.	Language deleted.	
Lynda Smith: This phrase “urban users” needs to be more clearly defined.	Language deleted.	
Elaine Archibald: This would also create major problems with NPDES permittees and we would not be able to gain support for this.	Language deleted.	
Elaine Archibald: Is there a standard definition of tertiary treatment? Does it include filtration and disinfection?	Definition added.	<b>5</b>
Elaine Archibald: But there may be benefits that exceed costs (regarding tertiary treatment).	Language revised.	<b>5</b>
Lynda Smith: Another “pro” is that they provide an	Comment noted.	

additional safety factor for source water quality protection.		
Elaine Archibald: For some constituents.	Language revised.	<b>5</b>
Elaine Archibald: What is the benefit of a federal versus a State designation?	Language deleted.	
Lynda Smith: It would be useful to add a little information about how the rice pesticide performance goals were developed.	Language revised.	<b>5</b>
Elaine Archibald: This does not address constituents such as TDS, where there would still be an incremental load.	Language revised	<b>5</b>
Lynda Smith: Provide context for the recommendations to other agencies. Elaine Archibald: It seems like this is a simple listing of some very complicated actions. Should we word it differently – Work Group will work with SWRCB to ensure that water quality is considered in water rights decisions?	Comment noted. Although this is a simple listing of complicated action, these recommendations are listed in the Basin Plan exactly as they appear in the report (without omission).	<b>6</b>
Elaine Archibald: This goes against principle of providing the highest quality source.	Pursuant to CWC §13242(a), Regional Board has the authority to make water quality control recommendations to other agencies. These recommendations are listed in the Regional Board's Basin Plan Implementation section.	<b>6</b>
Elaine Archibald: Who would this apply to?	See above response.	<b>6</b>
Elaine Archibald: Where would it go?	See above response.	<b>6</b>
Elaine Archibald: Does this actually happen? I thought DHS cracked down on this.	Comment noted.	<b>8</b>
Elaine Archibald: ...and other constituents in the CTR.	Language revised.	<b>8</b>
Lynda Smith: Can 13267 be used to request monitoring for constituents that have no federal or state water quality objectives? Also, is this one-time monitoring, or can a somewhat routine monitoring requirement be established.	CWC §13267 can be used to request monitoring for constituents that have no federal or state water quality objectives, with the stipulation that the benefits outweigh the cost of the analysis. This section cannot be used to establish ongoing monitoring for specific constituents. If additional monitoring is justified by the technical report, then the constituent would be included in a monitoring and reporting program.	

Lynda Smith: Another “pro” is that this is an appropriate initial step in a phase approach.

Language revised.

**9**