



## California Bay-Delta Public Advisory Committee, 6/5/03

### Drinking Water Subcommittee Recommendation

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**Description:** Drinking Water Policy Framework for Bay-Delta Program projects and actions.

**Recommended Action:** Committee Discussion and Comments

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**Subcommittee Recommendation:** The Drinking Water Subcommittee requests the Committee to review and comment on a policy based on the framework discussed below, for assuring continuous improvement in drinking water quality as Bay-Delta projects and actions are developed. The framework, if adopted by the California Bay-Delta Authority, could affect all Program elements and as such, the Subcommittee is requesting feedback before forwarding a final recommendation to the Committee at a later meeting.

#### **Background**

The Drinking Water Subcommittee has developed a draft recommendation for a Policy Framework on drinking water quality as it relates to Bay-Delta Program Projects and Actions. This was introduced to the BDPAC Steering Committee in November 2002; subsequently it has been discussed in a joint meeting with the Ecosystem Restoration Subcommittee. It is being brought to the BDPAC for review and comment.

As projects and actions move forward under the Bay-Delta Program, it will be necessary as part of the environmental documentation and planning processes to identify project or action impacts or benefits to water quality. A Bay-Delta Program commitment is for a continuous improvement in Delta water quality. While some projects or actions may degrade drinking water quality, others have the potential to improve conditions in this regard. The overall Bay-Delta Program should result in an improvement.

This draft policy framework is intended to guide Bay-Delta Program planning and implementation to ensure the Program target of continuously improving Delta water quality for all uses are achieved. The draft policy framework is not intended to change or replace the existing legal requirements under CEQA and NEPA for review and identification of project impacts and mitigation for significant impacts. The draft policy framework is consistent with the CALFED EIR/EIS, which discusses at length potential impacts to water quality from projects in other program elements (Chapter 5.3). An eventual policy based on this framework should be used to help develop linkages and priorities in the water quality strategic plan.

The purpose of this policy framework is to guide the implementation strategy of the Bay-Delta Program as projects and actions are implemented. In some instances, it will be found that projects and actions under the Program will adversely affect water quality while providing benefits in other important areas. In some cases, the project or action itself may be able to provide mitigation measures to avoid or offset these impacts. In other cases, the project or action may have to rely in whole or in part on other parts of the Bay-Delta Program to ensure water quality improvement goals are met. In addition to alternatives (that would avoid impacts or result in water quality improvements) and mitigation measures (that would reduce impacts) for projects and actions, the Bay-Delta Program should consider bundling projects for implementation to ensure water quality improvement goals are met.

This policy framework was considered and discussed at the June 28, July 26, and August 23, Drinking Water Subcommittee meetings and the BDPAC Steering Committee meeting on November 13, 2002. Comments from the discussion have been incorporated into the recommendation.

## **RECOMMENDED POLICY FRAMEWORK**

1. All projects or actions under the Bay-Delta Program should identify, as part of the planning process and as part of the CEQA/NEPA compliance process, water quality impacts and benefits of the project or action. This should be a technical evaluation based on the best information available. This evaluation should include impacts of either a continuous or intermittent nature, the magnitude of the impacts, and the ultimate effect on Delta water quality and drinking water quality. For this policy, the primary constituents of concern are pathogens, organic carbon, bromide, salinity, nutrients, taste and odor, and turbidity. In some cases it may not be possible to evaluate water quality impacts due to a lack of information. In those cases, project implementation should include monitoring and adaptive management steps.
2. Where feasible, Bay-Delta Program projects or actions should attempt to develop reasonable alternatives that still meet the project goals but that avoid drinking water quality degradation or improve water quality. For example, if, by altering the timing of water entering and leaving a wetlands project, seawater intrusion can be reduced rather than increased without affecting the project goals, that alternative should be considered.

3. The information on water quality impacts/benefits, mitigation measures incorporated into projects and potential alternatives for Program projects should be considered as part of the Program decision-making and implementation process for both the project and the program as a whole. The Bay-Delta should endeavor to bundle projects for implementation to ensure that the Program target of continuously improving Delta water quality for all uses is achieved.
4. The water quality assessments of projects and actions should include the following:
  - a. The spatial and temporal parameters of linked projects or actions should be explicitly considered, described, and delineated.
  - b. A project's or action's mitigation monitoring plan (under CEQA) may provide a vehicle for monitoring of impacts and implementation of this policy.
  - c. Water supply forecasts from Program agencies should provide an accompanying forecast of water quality. Such forecasts include annual or more frequent water supply allocations, as well as long-term or ad hoc planning efforts, such as DWR's Bulletin 160 series (*The California Water Plan Update*) or the Governor's *Critical Water Shortage Contingency Plan*.
  - d. Operational decisions made in Program forums or processes, such as the CALFED Operations Groups ("CALFED Ops"), the Water Operations Management Team, and the Environmental Water Account, should be balanced and should consider water quality impacts on equal footing with water supply and fishery impacts. Operations decision processes should explicitly consider and report impacts to water quality. When such decisions are not protective of drinking water quality, mitigation should be provided for unavoidable significant adverse impacts.
  - e. Operational criteria for existing and future surface storage reservoirs should include water quality. For example, water quality should be a legitimate criterion among other traditional reservoir operating criteria, such as power generation, fish and wildlife enhancement, and recreation.
  - f. A precise definition of water quality degradation will need to be developed in order to implement this Policy Framework. Factors such as modeling uncertainty, limits of detection and parameters for determining the degree to which tradeoffs, offsets or mitigation measures compensate for increases of constituents of concern will need to be considered. The Bay-Delta Science Program should be consulted for its recommendations during the development of this definition.

Attachments:

Attachment 1 – Examples of Impacts and Mitigation Strategies from the CALFED PEIS/PEIR

Attachment 2 – Draft Framework for a Policy on Drinking Water Quality and CALFED Projects and Actions