

September 30, 2004

Tracie Billington
California Department of Water Resources
P.O. Box 942836
Sacramento, CA 94236-001

Subject: Comments on the Proposition 50 – Integrated Regional Water Management Grant Program Draft Guidelines

Dear Ms. Billington:

I am writing on behalf of the California Bay-Delta Public Advisory Committee's Drinking Water Subcommittee (DWS) to submit the following comments on the Department of Water Resources (DWR) and State Water Resources Control Board (SWRCB) Draft Guidelines for the Proposition 50 Integrated Regional Water Management Grant Program (IRWMP Grant Guidelines). DWR and the SWRCB are both original signatories to the Memorandum of Understanding for implementation of the CALFED Bay-Delta Program's Drinking Water Quality Program (DWQP).

The target of the CALFED Drinking Water Quality Program, described in the August 28, 2000 Record of Decision, is to achieve either: (a) average concentrations at Clifton Court Forebay and other southern and central Delta drinking water intakes of 50 µg/L bromide and 3.0 mg/L total organic carbon, or (b) an equivalent level of public health protection. Over the past two and a half years, the DWS has worked to outline what is meant by an equivalent level of public health protection (ELPH) and how to achieve it. At the core of this strategy is the development of Regional ELPH Plans, in which local agencies work at a regional level to determine the suite of local, regional, and state and federal actions needed to achieve an equivalent level of public health protection. The ELPH also recognizes that water quality objectives in source waters and water quality regulations protecting consumers are dynamic and best met with flexible plans that look at all points in a drinking water system, from source to tap.

The CALFED Drinking Water Quality Program was not specifically identified as a funding recipient in Chapter 7 of Proposition 50, in spite of the intent of the proposition to support the CALFED Bay-Delta Program. Chapter 8 of Proposition 50 is intended to support a number of drinking water quality goals, as outlined in the draft criteria (although not specifically recognizing the CALFED drinking water quality goals). Regional ELPH Plans should be part of IRWMPs that address drinking water quality issues within their region, and include descriptions of how these issues link to the Delta, its tributaries, or its water delivery infrastructure, directly or indirectly. DWR and the SWRCB, as implementing agencies of the DWQP, should both give guidance to

applicants on developing and including Regional ELPH Plans where appropriate, and should consider how projects and regional plans fit together to implement the DWQP when awarding funding. Consideration should be given to project proposals that have considered how the project could integrate into a strategy to provide the equivalent level of public health protection in the CALFED goal, or are in alignment with the priorities of the CALFED DWQP, such as activities which improve water quality in the Delta and its tributaries. Enclosed is a suggested attachment to the Chapter 8 criteria to clarify the purpose and structure of Regional ELPH Plans.

The DWS is also concerned with the limited funding (1) being made available for planning efforts - \$10 million, or 3% of the total funds, and (2) the low amount allowed per plan - \$500,000. This may be an indication of how DWR and SWRCB view the IRWMPs, but in the spirit of the CALFED program, the DWS would encourage criteria that encourage larger, more inclusive IRWMPs that could potentially cover an entire CALFED region. The DWS would prefer to see at least \$50 million (13%) potentially allocated for planning efforts, with maximum amounts of \$5 million per plan, in order to encourage truly regional plans, while maintaining the 50% cost match requirement. Proposition 50 legislation does not appear to set limitations in this area.

The DWS strongly encourages DWR and the SWRCB to work with the DWQP staff and the DWQP implementing agencies to develop more specific guidance on incorporating the Regional ELPH Planning concepts into this IRWMP guidance. It is critical to the success of the CALFED Drinking Water Quality Program.

Sincerely,

Greg Gartrell
Chair, Drinking Water Subcommittee
Bay Delta Public Advisory Committee

Attachments

1. Incorporating Regional ELPH Plans into Integrated Regional Water Management Plans (proposed Attachment to the Criteria)
2. Specific edits to the criteria to incorporate CALFED drinking water quality goals

cc: Lisa Holm, Bay-Delta Authority
Drinking Water Subcommittee

Attachment: Incorporating Regional ELPH Plans into Integrated Regional Water Management Plans

Integrated Regional Water Management Plans (IRWMPs) are integrated regional water management plans that include water quality as one of many components. The CALFED Drinking Water Quality Program and Drinking Water Subcommittee have developed a framework to define the CALFED Record of Decision's target of an "equivalent level of public health protection" (ELPH) as an alternative to achieving numeric bromide and total organic carbon in the Delta.

The ELPH strategy addresses water quality problems through a multiple barrier approach, utilizing every available tool – from the source water to the customer's tap. At the core of the ELPH strategy is the regional ELPH plan, the highest priority for the CALFED Drinking Water Quality Program and the Drinking Water Subcommittee. The regional ELPH plan – the water quality component of an IRWMP – describes a region's water quality issues (both existing and anticipated) and identifies, examines, and prioritizes actions that are needed to resolve those issues. It further categorizes these actions by the broadness of their benefits – state, regional, or local actions. The regional ELPH plans will coordinate with the CALFED Drinking Water Quality Program to help define the overall program to achieve the CALFED drinking water targets.

IRWMPs, if addressing drinking water quality issues within a region, should include a regional ELPH plan. The plan should address, at a minimum, the water quality needs to achieve existing and proposed THM regulatory levels, and a 5 µg/L bromate level. The plan should explore actions in a multiple barrier context – identifying potential improvement activities within local source waters, conveyance and storage facilities, and treatment and distribution systems, as well as identifying the water quality improvement needs of shared supplies (both regional and state supplies). The regional ELPH plans should also prioritize the activities needed to protect and improve the region's water quality; this priority would then be used for the Implementation Grant phase and other grant funding opportunities. The regional ELPH plans should also identify and discuss other critical water quality concerns.

Further information on the ELPH strategy is available on CALFED's Drinking Water Quality Program website – including the ELPH diagram and the conceptual framework – and through Drinking Water Quality Program staff. CALFED does not anticipate that framing the water quality element of an IRWMP as a Regional ELPH Plan would involve significant effort, and would result in a significantly more uniform picture of water quality in California. Regional ELPH plans may also become a prerequisite for CALFED Drinking Water Quality funding.

For further information, please visit the website at
<http://calwater.ca.gov/Programs/DrinkingWater/DrinkingWater.shtml>
Or contact Lisa Holm at 916-445-0782.

Tracie Billington, DWR
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Specific edits to the criteria to incorporate CALFED drinking water quality goals

Page 8, under C. Eligible Proposals/Project Types, Planning Grants, add the bullet:

- Incorporation of Regional ELPH Plans (see Attachment) into existing IRWMPs

Page 8, under C. Eligible Proposals/Project Types, Implementation Grants, add the bullet:

- Projects that increase the flexibility of existing water supply infrastructure to implement real-time management that results in observable water supply, water quality, and/or ecosystem benefits.

Appendix A, Table A-1, include a Water Management Strategy that captures the concept of increasing flexibility to maximize multiple benefits.

Appendix A, work with DWQP staff to add a standard which frames the water quality element of an IRWMP in the ELPH structure (identifies and addresses water quality issues from source to tap and prioritizes projects at state, regional, and local levels of effort).