



SANTA CLARA VALLEY WATER DISTRICT

NON-AGENDA

March 06, 2020

Board Policy EL-7 Communication and Support to the Board
The BAOs shall inform and support the Board in its work.

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	<u>INCOMING BOARD CORRESPONDENCE</u>
N/A	Board Correspondence Weekly Report: 03/05/20
30	Letter from Mayor Larry Klein, City of Sunnyvale, to the Honorable Robert Rivas, California State Assembly, CC to Chair Hsueh and Director Santos, dated 3/2/20, regarding Support for AB 3005 Expedited Dam Safety for Silicon Valley Act (C-20-0030).
32	Memo from Mayor Sam Liccardo, City of San Jose, to the Board of Directors, dated 3/3/20, regarding Pond A-18 Transaction (C-20-0029).
39	Email from Barbara Barrigan-Parrilla, Executive Director, Restore the Delta, the Board of Directors, dated 3/5/20, regarding Delta Conveyance Project and State Water Contractor Participation (C-20-0031).
	<u>OUTGOING BOARD CORRESPONDENCE</u>
53	Email from Chair Hsueh, to Jim Maurer, dated 3/2/20, regarding AB1668/SB606 (C-20-0025).
55	Email from Chair Hsueh, to Assessor Stone, dated 3/3/20, regarding his Request to Brief the Board on the Split Roll Initiative (C-20-0026).

Board correspondence has been removed from the online posting of the Non-Agenda to protect personal contact information. Lengthy reports/attachments may also be removed due to file size limitations. Copies of board correspondence and/or reports/attachments are available by submitting a public records request to publicrecords@valleywater.org.

CEO BULLETIN/ NEWSLETTERS

CEO BULLETIN



To: Board of Directors
From: Norma J. Camacho, CEO

Week of February 28 – March 5, 2020

Board Executive Limitation Policy EL-7:

The Board Appointed Officers shall inform and support the Board in its work. Further, a BAO shall 1) inform the Board of relevant trends, anticipated adverse media coverage, or material external and internal changes, particularly changes in the assumptions upon which any Board policy has previously been established and 2) report in a timely manner an actual or anticipated noncompliance with any policy of the Board.

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1. FY2020 Computer Refresh is Underway!

The Information Technology (IT) Division is currently planning the upgrade of more than 400 computers during Fiscal Year 2020. This includes upgrading over 200+ Valley Water computers to Windows 10. Focusing on mobility, performance and convenience, IT is currently surveying Valley Water staff to identify which computer type would best suit their working styles and workload. For the first time, staff can choose from a desktop, a laptop with docking station, a 2-in-1 tablet or a new space saver desktop computer.

Valley Water staff may visit our new computer demonstration stations at:

- 1) Pondside Cafe in the Headquarters building starting 2/18/2020 until 3/10/2020
- 2) Rinconada Water Treatment Plant on the intermediate floor on 3/11/2020
- 3) Penitencia Water Treatment Plant in the break room starting 3/12/2020
- 4) Santa Teresa Building in the break room on 3/13/2020

The Information Technology Division has already contacted all employees who are due for an upgrade and is looking forward to completing the project this Spring!

For further information, please contact Mike Cook at (408) 630-2347.

2. McKelvey Park Ribbon Cutting

Valley Water's Permanente Creek Flood Projection Project reached a major milestone with the completion of the McKelvey Park flood detention basin in Mountain View. In collaboration with the City of Mountain View, Mountain View California Little League and the neighboring community, a ribbon cutting event was held on Saturday, February 29, 2020.

Approximately 500 community members attended the event, including local officials and project stakeholders. Among the event highlights were the unveiling of the mockup project legacy sign, a ceremonial first pitch thrown by both Valley Water Director Gary Kremen and Mountain View Mayor Margaret Abe-Koga and the debut of the newly wrapped Valley Water water truck. Valley Water also had an information table providing attendees with details about the Safe, Clean Water and Natural Flood Protection program, along with ice-cream coupons and baseball hats.

McKelvey Park was built as a dual-purpose facility, providing flood protection to downstream neighborhoods and recreational space for residents. Among the key project benefits are two baseball fields, a community room, an enhanced park and playground areas. Other community highlights of the McKelvey Park portion of the Permanente Creek Flood Protection project include terraced bleachers for families and fans to watch games, a concession and scorekeeper's booth, storage and restrooms.

The flood basin at Rancho San Antonio is the final remaining project element and is projected to be completed by December 2020. When completed, the Permanente Creek Flood Protection Project will provide flood protection to approximately 2,200 properties in Mountain View and Los Altos.

For further information, please contact Rick Callender at (408) 630-2017.

3. Valley Water and County Parks Cooperation - Chainsaw Operations Safety Training

Valley Water is organizing Chainsaw Operations Safety training to be conducted in mid-April 2020. The training will be provided by Forest Applications Training, Inc. which is highly regarded in the Logging and Forest Management industries. Forest Applications Training, Inc. provides training to businesses and government agencies throughout the United States.

The chainsaw training consists of one-day classroom instruction with an additional three days of hands-on training. During the hands-on portion, Valley Water will receive in-depth instruction in proper tree felling, limbing and bucking techniques. Field operations are expected to utilize these skills when clearing downed trees and woody debris blockages in creeks, and when felling invasive and/or hazardous trees. The training will be held at Mount Madonna County Park, which is located on Highway 152 (Hecker Pass Highway), 10 miles west of Gilroy. Santa Clara County Parks granted Valley Water permission to utilize the park for the training, and in cooperation, five Santa Clara County Parks maintenance staff will jointly participate in the training.

Aside from the knowledge and skills that Valley Water and County Parks will gain from this training, the training also provides a great benefit in maintaining the health of the park's varied woodland terrain. During the training, staff will fell invasive eucalyptus trees only. The eucalyptus competes with native redwood trees, and felling the invasive eucalyptus allows the second-growth redwood forest to continue to thrive.

For further information, please contact Tina Yoke at (408) 630-2385.

4. Valley Water launched pilot Water Infrastructure Bus Tour

On February 29, 2020, Valley Water launched the pilot Water Infrastructure Bus Tour with over thirty members of the public in attendance. Valley Water Chief of External Affairs, Rick Callender, welcomed tour attendees to kick off the pilot tour, which departed from Valley Water headquarters. Tour attendees visited various Valley Water facilities and learned about ongoing and future Valley Water efforts. This included the Anderson Dam Seismic Retrofit Project, the Pacheco Reservoir Expansion Project, the Penitencia Water Treatment Plant, the Silicon Valley Advanced Water Purification Center, the Downtown Guadalupe River Flood Protection Project and the Safe, Clean Water and Natural Flood Protection Program and a grant-funded program site.

The tour received positive reviews from participants and provided valuable feedback for the bus tour program's continued growth. The next Water Infrastructure Bus Tour will occur on Friday, March 27, 2020.

For further information, please contact Rick Callender at (408) 630-2017.

5. Valley Water hosts the first session of the Water 101 Ambassador Academy

Valley Water kicked off the first session of the second annual Water 101 Academy, enhancing ongoing community engagement and public support.

On February 26, 2020, Valley Water welcomed this year's twenty-one (21) Water Ambassador cohort to the Water 101 Academy. Water Ambassadors are members of the community appointed by Board Members to participate in the program, who want to gain a deeper understanding of local water issues, the existing opportunities and challenges in the water industry and current and future water projects underway in their communities.

The Water Ambassadors were welcomed by Valley Water Chief Executive Officer, Norma Camacho, who introduced Valley Water Board Chair, Nai Hsueh. Director Richard Santos was also in attendance and provided brief comments. Department of Water Resource's State Water Project Marketing and Community Outreach Program Lead, Rafael Chavez, gave a presentation on the six things everyone should know about the state water project. Water Ambassadors received an overview of Valley Water, and Chief Financial Officer, Darin Taylor, presented the budget and rate setting process to this year's cohort, with Chief of External Affairs, Rick Callender, providing closing remarks.

The event received enthusiastic reviews from participants and by the end of Session One, 80% of Water 101 Ambassadors agree they gained knowledge of water management and infrastructure, and better understand the state water system. The next Water 101 Academy will occur on Wednesday, March 18, 2020.

For further information, please contact Rick Callender at (408) 630-2017.

6. Water Quality Lab Achieves a Perfect Score on Performance Evaluation

The Water Quality Lab recently completed its annual performance evaluation and scored a remarkable 100 percent passing score in a wide variety of chemical and microbiological analyses. This evaluation is a single-blind study in which a third-party vendor provides samples of unknown

concentrations in a variety of matrices. The reported results are evaluated by the vendor and submitted directly to the Lab's accreditation body, the California Environmental Laboratory Accreditation Program (ELAP). Any results not within acceptance criteria require rigorous and documented corrective action, and a subsequent passing score. This is an annual requirement to maintain accreditation for the main Lab, and a small laboratory located at Advanced Water Purification Center. In addition to the performance testing, the Lab's quality management system is also audited by the ELAP assessors at least once every two years.

This year's performance evaluation involved a total of 321 different parameters tested by each of the Lab's primary analysts, which also included some Chemicals of Emerging Concern (CECs), such as per-and polyfluoroalkyl substances (PFAS), 1,4-dioxane, and perchlorate at parts per trillion levels, for which the Lab is not currently accredited. Valley Water has been working diligently to optimize sophisticated instrumentation to successfully test for these CECs. This effort now qualifies the Lab to apply for accreditation from California ELAP to test for these chemicals, and is a timely accomplishment which will bring in-house capacity to monitor these CECs in a variety of Valley Water projects, such as groundwater, surface water, treated water, and recycled water monitoring programs.

Accreditation request was submitted to CA ELAP in February 2020.

For further information, please contact Bhavani Yerrapotu at (408) 630-2735.

7. Varela

**What is the District doing to protect employees, the public and our water supply from the potential impacts and concerns associated with the Coronavirus?
I-20-0005**

Pandemic and Infectious Disease Plan, including COVID-19 (also known as Coronavirus)

Valley Water's recently developed Pandemic and Infectious Disease Plan, as part of the Business Continuity Program, has been developed to address planning for and response to a pandemic or infectious disease outbreak and guides our response to the threat posed by COVID-19.

The objectives of the Valley Water Pandemic and Infectious Disease Plan during a potential outbreak are to:

- Reduce transmission of the pandemic virus strain among personnel, customers and vendors
- Minimize impact to Valley Water during an outbreak
- Maintain critical functions and services during an outbreak
- Provide personnel with timely and useful information during an outbreak

Additionally, the plan establishes a Pandemic and Infectious Disease (PID) Response Team. The PID Response Team members will work together to anticipate the impacts of the outbreak on Valley Water and assist with developing strategies to manage the effects of an outbreak. The Valley Water Emergency Services and Security Manager has been designated as the Agency PID Coordinator, who will work with a team of advisors and oversee the PID Response Team.

By California statute and local ordinance, the Santa Clara County Public Health Officer is the lead for monitoring, responding and reporting public health concerns, conditions, and proclamations of emergency. As soon as COVID-19 was announced publicly, Valley Water Emergency Services began monitoring the situation in cooperation with Santa Clara County Public Health Department and continues to communicate and receive frequent COVID-19 Situation Reports from the

California Department of Public Health (CDPH). As for the safety of our drinking water, Valley Water's treatment plants' disinfection processes are effective in inactivating these kinds of viruses and bacteria to meet all the federal and state drinking water standards, making the treated water safe for drinking.

Initial actions taken for the protection of Valley Water employees was to widely communicate protective measures staff can take to prevent the spread of disease during this outbreak. Additionally, for communication purposes, the Wellness Program has created a short training video now posted on the internal staff website Aqua.gov describing how viruses spread and how to help prevent their spread. Valley Water has also issued personal bottles of hand sanitizer to all employees and has placed sanitizing wipes in common areas such as in the conference rooms, break rooms, cafeteria, and the various water treatment plant operational control rooms. In addition, there are hand sanitizing dispensing stations throughout Valley Water. Valley Water has also stocked up on N95 respirators for voluntary use, if employees want to use them at some point, and if the situation warrants. Also, Valley Water contracted with the janitorial service to increase cleaning and disinfecting of common area surfaces, such as conference room tables, telephones, and common use door handles and will continue this practice until notified.

Another consideration is management's review of Valley Water's sick leave and telecommute policies for possible adjustment of some of the requirements if the situation worsens and until the issue resolves. For example, a Valley Water employee, whose spouse recently travelled from China, could temporarily telecommute from home for the 14-day incubation period. The Information Technology Department (IT) has assessed its remote equipment, VPN network, and shared file capabilities to support telework practices. IT has also been working in close coordination to discuss continuity on business operations in case Valley Water needs to enact social distancing and/or other preventative measures.

Another measure that may be taken, if the situation worsens, is to postpone non-essential meetings and gatherings during the outbreak. Other informational methods can be deployed rather than meeting face-to-face. If real-time face-to-face meetings are essential, the meeting can take place without gathering groups of people such as by using teleconferencing and applications like Microsoft Teams, WebEx or Zoom. If an in-person, face-to-face meeting needs to occur then there are sanitizing wipes available in the conference rooms for wiping the table surface, the arms of chairs, and the telephone if used, before the meeting. One other practice being encouraged is to suspend the tradition of shaking hands during this time.

Valley Water continues to take a proactive approach to plan ahead and implement measures that protect the health and safety of staff and community members we regularly interact with. Regular updates will be provided to the Board of Directors and Valley Water staff as the situation is closely monitored.

For additional information, please contact Tina Yoke at 408-630-2385.

BOARD MEMBER REQUESTS & INFORMATIONAL ITEMS

Report Name: Board Member Requests

Request	Request Date	Director	BAO/Chief	Staff	Description	20 Days Due Date	Expected Completion Date	Disposition
I-20-0004	02/24/20	Kremen	Richardson	Nguyen	Provide a copy of any appraisals the District has made or the City of San Jose or the City of Santa Clara have made, for the Pond A18, and what the city of San Jose or the city of Santa Clara paid for the ponds.	03/15/20		
I-20-0005	02/28/20	Varela	Yoke	Lopez	What is the District doing to protect employees, the public and our water supply from the potential impacts and concerns associated with the Coronavirus?	03/19/20		
I-20-0006	03/02/20	Kremen	Yoke	Fuller	Provide Director Kremen with copies of contracts with our fuel suppliers and chemical suppliers.	03/22/20		
R-19-0014	11/12/19	Varela	Camacho	Chinte	Director Varela requesting the CEO provide a report to the Directors via one-on-one meetings or confidential memo on the cancellation of the October 28, 2019 Joint SCVWD/Morgan Hill/Gilroy Board/Council meeting.	12/04/19		
R-20-0003	01/28/20	Santos Varela	Hawk	Hall	Agendize the South County Recycled Water Master Plan for Board discussion	02/18/20		

TO: Board of Directors**FROM:** Nina Hawk**SUBJECT:** FEMA Response to DWR's Appeal on
Oroville Spillway Cost Reimbursement**DATE:** 2/24/2020

On July 23, 2019, a Non-Agenda Memo was provided to the Board regarding the Department of Water Resources' (DWR) appeal of the Federal Emergency Management Agency (FEMA) determination that some Oroville spillway reconstruction work is not eligible for reimbursement.

On February 21, 2020, the Sacramento Bee reported that FEMA responded to DWR's appeal and agreed to reimburse DWR for repairs to the Oroville Dam main spillway that were originally denied (Attachment 1). FEMA is now expected to reimburse DWR for up to 75 percent of all eligible costs for reconstruction of the main spillway. The majority of costs for repairing the adjacent emergency spillway remain ineligible for FEMA reimbursement.

Valley Water will continue to work with DWR and the State Water Contractors to determine the financial impact to our agency.

Additional info on DWR Oroville Spillways Recovery is available at water.ca.gov/Oroville-Spillways.



Nina Hawk
Chief Operating Officer
Water Utility Enterprise

Attachment 1: Feb. 21, 2020 Sacramento Bee article.

THE SACRAMENTO BEE

FEMA reverses itself on Oroville Dam funds, but still denies millions to California

BY DALE KASLER

FEBRUARY 21, 2020 09:12 AM

The federal government, in an unusual reversal, has agreed to reimburse California officials for millions of dollars in additional costs from the 2017 Oroville Dam crisis — but is continuing to deny millions more.

The Federal Emergency Management Agency last spring rejected about \$306 million sought by the California Department of Water Resources to fix the dam's battered flood-control spillways after the 2017 near-disaster, which prompted the evacuations of thousands.

On Friday, FEMA said it was now approving \$113 million that was originally denied. The money was spent repairing the dam's main spillway.

But the federal agency said it was still withholding about \$193 million the state wanted for fixing the adjacent emergency spillway. FEMA spokeswoman Brandi Richard Thompson said the agency would reimburse California for only \$276,000 for those repairs.

Thompson said FEMA has approved a total of \$477 million for the state's response to the Oroville crisis, including debris removal and other expenses. "The final amount may differ," she said in an email.

All costs not covered by FEMA are borne by the member agencies of the State Water Project, which runs Oroville Dam and delivers water to millions of Californians.

The crisis at Oroville began Feb. 7, 2017, when a giant crater appeared in the middle of the flood-control spillway during a massive rainstorm. DWR engineers curtailed water releases to limit the damage on the 3,000-foot-long concrete chute, but the lake level rose so high that water began pouring over the adjacent emergency spillway — a concrete lip sitting atop a natural hillside — for the first time since the dam opened in 1968. Within a day, the hillside eroded so badly officials feared much of it would crumble, sparking the evacuation of 188,000 downstream residents.

A team of forensic investigators later blamed "long-term systemic failure" by state and federal officials, citing defects in design, construction and maintenance going back to the 1960s.

The state spent months repairing both spillways. In particular, it partially lined the natural hillside with tons of concrete. FEMA decided the work at the emergency spillway "did not restore the damaged public facility," Thompson said.

<https://www.sacbee.com/news/article240512431.html>



MEMORANDUM

FC 14 (01-02-07)

TO: Board of Directors

FROM: Nina Hawk

SUBJECT: Non-Agenda
Annual Drinking Water Regulatory Update

DATE: February 26, 2020

As per the Quality and Environmental Management System document WQ-W_007, it is the responsibility of the Water Quality Unit to track and participate in the development of federal and state drinking water-related regulations. Additionally, the Water Quality Unit is to provide a semi-annual update to the Water Utility Enterprise of current regulatory developments impacting the utility.

For the Board's information, attached is the summary of drinking water regulatory development for January through December 2019.

A handwritten signature in blue ink that reads "Nina Hawk".

Nina Hawk
Chief Operating Officer
Water Utility Enterprise

Attachment: 2019 Drinking Water Regulatory Update



TO: Water Utility Enterprise

FROM: Water Quality Unit

SUBJECT: Drinking Water Regulatory Update

DATE: February 15, 2020

The purpose of this document is to provide a summary of regulatory activity pertaining to drinking water quality, treatment and distribution for calendar year 2019. The update is divided into two sections: federal and state.

At the federal level, the U.S. Environmental Protection Agency (EPA) is responsible for developing and promulgating drinking water regulations. EPA establishes enforceable regulatory standards for constituents which are present in some public water systems and are known to be of health concern. Each regulatory standard, often in the form of a maximum contaminant level (MCL), reflects a balance between the contaminant level that protects human health and that public water systems can achieve using the best available technologies. Additionally, EPA establishes schedules for compliance, identifies analytical methods, and prescribes acceptable treatment techniques for reduction of regulated contaminants.

At the state level, the Safe Drinking Water Act (SDWA) allows states to seek primacy (responsibility for promulgating and enforcing their own drinking water standards) by meeting specific requirements. Among the requirements for primacy is the establishment of regulatory standards that are at least as stringent as EPA's standards. For California, the Division of Drinking Water (DDW) at the State Water Resources Control Board (SWRCB) is the primacy agency.

Information about EPA's regulatory process is available at:

<http://water.epa.gov/lawsregs/rulesregs/regulatingcontaminants/basicinformation.cfm>

FEDERAL REGULATIONS

Cyanotoxins

On June 6, EPA released final Recommended Human Health Recreational Ambient Water Quality Criteria or Swimming Advisories for Microcystins and Cylindrospermopsin. It sets the recommended concentrations of microcystins at 8 micrograms per liter ($\mu\text{g/L}$) and cylindrospermopsin at 15 $\mu\text{g/L}$ in recreational waters as protective of human health while swimming or participating in water-contact activities where immersion and incidental ingestion of water are likely. This may impact Valley Water's local reservoirs where limited body contact recreational activities such as water skiing is permitted.

Recommended water quality criteria are intended as guidance in establishing new or revised water quality standards and do not impose legally binding requirements. EPA also recommends that any exceedance of the recommended magnitude result in a swimming advisory being issued until the toxin concentration falls below the recommended magnitude.

On December 17, EPA released the Draft Technical Support Document: Implementing the 2019 Recommended Recreational Ambient Water Quality Criteria or Swimming Advisories for Microcystins and Cylindrospermopsin, for public comment. The comment period is open until February 14, 2020.

More information is available at the EPA site:

<https://www.epa.gov/wqc/recreational-water-quality-criteria-and-methods#rec3>

Contaminant Candidate List

The Fourth Contaminant Candidate List (CCL4) was finalized on November 17, 2016. EPA must now determine whether to regulate at least five of the contaminants in a separate process called regulatory determination. The regulatory determination process, which was initiated in 2017 and will be ongoing, is based on the following criteria:

- The contaminant may have an adverse effect on human health;
- The contaminant is known to occur or there is substantial likelihood the contaminant will occur in public water systems with a frequency and at levels of public health concern;
- Regulation of the contaminant presents a meaningful opportunity for health risk reductions for persons served by public water systems.

Manganese is one of the contaminants listed in CCL4 that is a candidate for getting a primary MCL. Manganese was found to be a neurotoxin, much like lead. EPA has begun a risk assessment. EPA's current secondary MCL for manganese is 50 µg/L.

On October 4, 2018, EPA initiated the development of the fifth CCL (CCL5) by requesting nominations of chemicals, microbes, or other contaminants for consideration on the CCL5. The nomination period closed on December 4, 2018. In 2019, EPA focused on evaluating the nominations and other contaminant data and plans to publish a draft CCL 5 for public review and comment by 2021.

Background

The SDWA requires the EPA to publish a CCL every five years. The CCL is a list of unregulated contaminants that are known or expected to occur in public water systems at a frequency and at levels of public health concern and where there is a meaningful opportunity for health risk reduction. The purpose of the CCL is to identify priority contaminants for regulatory decision-making and information and research needs.

More information is available at the EPA site: <http://www.epa.gov/ccl>

Lead and Copper Rule

On October 10, the EPA released proposed updates to the Lead and Copper Rule to reduce lead exposure in drinking water where it is needed the most. The proposed rule will identify the most at-risk communities and ensure public water systems have plans in place to rapidly respond by taking actions to reduce elevated levels of lead in drinking water. The main areas of focus of the proposed revisions are: identifying areas most impacted by lead; strengthening treatment requirements; replacing lead service lines; increasing sampling reliability; improving risk communication; and protecting children in schools and child care facilities.

Proposed changes worth highlighting are: 1) the “find-and-fix” approach that requires water systems to find sources of lead and take actions when a sample result taken from a home exceeds 15 µg/L; 2) establishment of a new trigger level of 10 µg/L, which when exceeded during customer tap sampling, requires a water system to re-optimize corrosion control treatment. In addition, the proposed changes would require a water system to review corrosion control treatment and optimal water quality parameters data during sanitary surveys.

The changes related to the corrosion control treatment requirements could potentially affect Valley Water's treatment plants. Comments on the proposed regulations are due on February 12, 2020.

More information is available at the EPA site: <https://www.epa.gov/ground-water-and-drinking-water/proposed-revisions-lead-and-copper-rule>

National Defense Authorization Act: PFAS Provisions

On December 20, the President signed into law the 2020 National Defense Authorization Act, which included several provisions relating to per- and polyfluoroalkyl substances (PFAS). While the final bill excluded several more controversial provisions, such as designating PFAS as hazardous substances under the Comprehensive Environmental Response, Compensation, and Liability Act (CERCLA, or the Superfund law) and establishing a separate regulatory process for PFAS under the SDWA, the NDAA signed into law includes the following PFAS provisions:

- Requires the EPA to include in the next round of contaminant monitoring under the Unregulated Contaminant Monitoring Rule (UCMR5) all unregulated PFAS that have a validated drinking water measurement method, in addition to the maximum of 30 unregulated contaminants that may also be subject to water system screening;
- Authorizes an additional \$500 million over five years in Drinking Water State Revolving Fund grants to help communities address emerging contaminants, with a focus on PFAS; prohibits using funds to pay any project costs financed through tax-exempt bonds;
- Establishes a National Emerging Contaminant Research Initiative and a new federal interagency working group to improve the response, identification, analysis and treatment methods for emerging contaminants like PFAS;
- Adds several PFAS to EPA's Toxics Release Inventory and establishes a nationwide sampling program to detect PFAS in water bodies, including sources of drinking water; and
- Sets requirements for the disposal of PFAS-containing firefighting foam and directs the Department of Defense to phase out the use of this foam by October 2023.

Background

PFAS are a family of more than 4,500 chemicals used in products to resist heat, oils, stains, and water. They are found in a wide range of household and commercial products, from non-stick cookware to stain-resistant furniture to firefighting foam. The two most widely studied PFAS are perfluorooctanoic acid (PFOA) and perfluorooctanesulfonic acid (PFOS), which have been voluntarily phased out by industry but are still present in the environment. Less is known about the thousands of other PFAS chemicals. PFAS have been linked to increased cholesterol levels, low infant birth weights, adverse effects on the immune system and thyroid hormones, and cancer.

Dozens of PFAS-related bills were introduced in Congress in 2019, most of which will not move. Earlier versions of the NDAA included more controversial PFAS provisions, such as regulating PFAS under CERCLA (Superfund law), creating a new regulatory process for PFAS under the SDWA, requiring the EPA to set national drinking water standards for PFOA and PFOS within two years, and requiring EPA to issue a drinking water health advisory for PFAS within one year of finalizing the toxicity value and effective testing procedures. The growing national interest in and concern about PFAS all but assures that PFAS will remain a topic of Congressional interest in the future.

A link to the bill is located here: [2019 Enacted Legislation/2020 NDAA.pdf](#)

Perchlorate

The EPA published a notice of proposed rulemaking in the Federal Register on June 26, 2019 seeking public input on a range of options regarding the regulation of perchlorate in public drinking water systems. The agency requested comment by August 26, 2019 on a proposed National Primary Drinking Water Regulation (NPDWR) for perchlorate to establish a MCL and a health-based Maximum Contaminant Level Goal (MCLG) at 56 µg/L.

In addition, the agency requested comment on three alternative regulatory options:

- An MCL and MCLG for perchlorate set at 18 µg/L.
- An MCL and MCLG for perchlorate set at 90 µg/L.
- Withdrawal of the agency's 2011 determination to regulate perchlorate in drinking water.

The agency also requested comment on all relevant aspects of the proposed rule including, but not limited to perchlorate monitoring and reporting requirements for public water systems, a list of treatment technologies that would enable water systems to comply with the MCL, and affordable compliance technologies for water systems serving 10,000 persons or less. EPA also requested comment on its methodology for deriving the MCLG, the underlying assumptions and analysis of its cost and benefit estimates, and other specific items listed in the proposed rule. Pursuant to a consent decree EPA is required finalize a NPDWR and MCLG for perchlorate in drinking water no later than December 19, 2019, but may get an extension until 2020. Unless the final federal MCL is more stringent than California's existing MCL (6 µg/L), there would be little or no impact to California public water systems.

Background

Perchlorate is a naturally occurring and manufactured chemical anion that consists of one chlorine atom bonded to four oxygen atoms. Perchlorate is commonly used as an oxidizer in rocket propellants, ammunition, fireworks, airbag initiators for vehicles, matches, and signal flares. It is naturally occurring in some fertilizers. Perchlorate can disrupt the normal function of the thyroid gland in both children and adults by interfering the body's ability to absorb iodine into the thyroid gland. In fetuses and infants, thyroid hormones are critical for normal growth and development of the central nervous system. In 2011, the EPA decided to move forward with development of a drinking water standard for perchlorate. Since that time, EPA has been reviewing the best available scientific data on a range of issues related to perchlorate in drinking water including its health effects, occurrence, treatment technologies, analytical methods and the costs and benefits of potential standards. The main health concern associated with perchlorate is damage to the thyroid and brain development in fetuses and infants.

For information about perchlorate in drinking water:

<http://water.epa.gov/drink/contaminants/unregulated/perchlorate.cfm>

Six-Year Review

In 2018, the EPA announced the proposed information collection request for contaminant occurrence data in support of the fourth Six-Year Review. On October 31, 2019, the EPA submitted the

'information collection request to the Office of Management and Budget for review and approval, as well as for public comment through December 2, 2019. Completion of the fourth Six-Year Review is anticipated for early 2023.

Background

Under the SDWA, as amended in 1996, EPA must review existing NPDWRs every six years and determine which, if any, need revision.

More information about Six-Year Review is available at: <https://www.epa.gov/dwsixyearreview>

Unregulated Contaminant Monitoring Rule

The fourth Unregulated Contaminant Monitoring Rule (UCMR4) was published in the Federal Register on December 2016. Monitoring for the 30 chemical contaminants in the UCMR4 is required between 2018 and 2020. The UCMR4 contaminants include ten cyanotoxins, germanium and manganese, three disinfection byproduct groups, and several organic compounds. The ten cyanotoxins include Total Microcystins and Cylindrospermopsin for which EPA established 10-day health advisories in May 2015.

As a wholesaler, Valley Water was not required to carry out monitoring for the UCMR4.

Planning for UCMR5 is already underway and EPA anticipates to have a draft regulation out for comment by the summer of 2020, and a final regulation by December 2021. The required monitoring would take place between 2023 and 2025 and it is anticipated to include monitoring for several Perfluoroalkyl Substances. In addition, UCMR5 is trying to cast a wider net when it comes to information collection, by requiring smaller systems to conduct monitoring.

As a wholesaler, Valley Water will not be required to carry out monitoring for the UCMR5, but has the option to participate voluntarily.

Background

The UCMR is a means for the EPA to collect data about contaminants that are suspected to be present in drinking water and do not have health-based standards set under the SDWA. The data acquired from the monitoring of unregulated contaminants is the primary source of occurrence and exposure information that the EPA uses to determine whether to regulate those contaminants.

More information about monitoring for unregulated contaminants is available at: <https://www.epa.gov/dwucmr>

STATE REGULATIONS

Assembly Bill 762

On October 7, Assembly Bill 762 (Quirk, 2019) "Public health: fish and shellfish: health advisories" was approved by the Governor. AB 762 requires local health officers to conspicuously post health warnings upon the issuance of a site-specific fish or shellfish health advisory. It requires the local health officer to coordinate with the State Department of Public Health, the Department of Fish and Wildlife, and the appropriate regional water quality control board to identify posting locations and

signage. It requires the SWRCB to award grants to local agencies for the purposes of posting required warnings.

AB 762 may require the posting of fish or shellfish consumption health advisories at Valley Water's surface water bodies and may provide funding opportunities.

A link to the bill is located here: [2019 Enacted Legislation\2019 AB762_94.pdf](#)

Assembly Bill 834

On September 27, Assembly Bill 834 (Quirk, 2019) "Freshwater and Estuarine Harmful Algal Bloom Program" was approved by the Governor. The new law requires the SWRCB to establish a program to protect water quality and public health from harmful algal blooms. It requires the SWRCB to coordinate immediate and long-term algal bloom event incident response, and conduct and support algal bloom field assessment and ambient monitoring at the state, regional, watershed, and site-specific waterbody scales. The bill requires the SWRCB on or before July 1, 2021, to post on its internet website information including the incidence of, and response to, freshwater and estuarine harmful algal blooms in the state during the previous 3 years and actions taken by the SWRCB related to harmful algal blooms. Although no immediate action is required by Valley Water, SWRCB in consultation with Santa Clara County Parks and Recreation Department and/or Valley Water may establish an algal bloom monitoring and response plan for Valley Water's surface water bodies in the future.

A link to the bill is located here: [2019 Enacted Legislation\2019 AB834_94.pdf](#)

Assembly Bill 1180

On October 2, Assembly Bill 1180 (Friedman, 2019) was approved by the Governor. Current law requires, on or before January 1, 2020, the SWRCB to adopt standards for backflow protection and cross-connection control through the adoption of a policy handbook. This bill requires that the handbook include provisions for the use of a swivel or changeover device to supply potable water to a dual-plumbed system during an interruption in recycled water service. The inclusion of changeover devices will allow for greater flexibility in non-potable recycled water project planning and implementation.

Additionally, AB 1180 requires the SWRCB to update the uniform statewide criteria for non-potable recycled water uses established in Chapter 3 of Division 4 of Title 22 of the California Code of Regulations. This update is required to occur on or before January 1, 2023, subject to sufficiently appropriated funds.

A link to the bill is located here: [2019 Enacted Legislation\2019 AB1180_95.pdf](#)

Assembly Bill 1588

On October 11, Assembly Bill 1588 (Gloria, 2019) "Drinking water and wastewater operator certification programs" was approved by the Governor. The new law requires the SWRCB to evaluate opportunities to award experience and education credits or to issue a water treatment operator certificate or water distribution operator certificate by reciprocity, to persons who performed duties

comparable to those duties while serving in the United States military. This new law may help increase the pool of eligible applicants for Water Treatment Operator positions.

A link to the bill is located here: [2019 Enacted Legislation\2019 AB1588 93.pdf](#)

Cross Connection Control Regulations update

Existing Cross-Connection Control Regulations under Title 17 were adopted in 1987. Assembly Bill 1671 (Caballero), which passed in 2017, requires the SWRCB to update these regulations by January 1, 2020, establish requirements for specialist and tester certification, and grants new authority to the SWRCB for adoption by policy handbook, rather than by following the rulemaking process. Pursuant to AB 1671, two Public Hearings are required on the Draft Policy Handbook prior to consideration for adoption by the SWRCB. In addition to the formal Public Hearings, the SWRCB will hold a stakeholder's workshop on February 20, 2020, in advance of the publishing of the Draft Policy Handbook. Water Quality staff is planning to attend the workshop.

Direct Potable Reuse

In August 2019, SWRCB staff presented the draft Second Edition of the Proposed Framework for Regulating Direct Potable Reuse in California (Framework). The second edition of the Framework provides an update on DDW's development of uniform water recycling criteria for direct potable reuse (DPR). The revisions to the Framework are the result of an extensive evaluation of diverse potential DPR projects and the various concepts that control the risks. The revisions include (1) a new chapter on regulatory approach; (2) an update on the consideration of drinking water treatment plants; (3) a new subsection on aesthetic issues; and (4) clarification in terminology used. The new chapter on regulatory approach outlines DDW's intent to develop both raw water augmentation and treated water augmentation regulations simultaneously. Through subsequent engagement, DDW has indicated that they anticipate completing both by December 31, 2023.

Valley Water serves on the project advisory committees for two research initiatives led by the Water Research Foundation (WRF), and has provided letters of support to several research teams undertaking DPR-related projects under the WRF initiative.

Background

Assembly Bill 574 (Quirk), chaptered in 2017, defines the four different types of potable reuse projects as "groundwater augmentation", "reservoir augmentation," "raw water augmentation," and "treated water augmentation." The bill requires the SWRCB to develop uniform water recycling criteria for potable reuse through raw water augmentation by December 31, 2023.

The first Framework proposed a schedule for addressing knowledge gaps identified in the 2016 SWRCB report to Legislature on the feasibility of developing uniform water recycling criteria for direct potable reuse. Additionally, the WRF, with funding from the SWRCB and utility contributions, initiated several research projects under its Advancing Potable Reuse Initiative aimed to specifically investigate DPR-related topics. These efforts were undertaken to ensure regulations were developed in accordance with the timeline established in AB 574.

Lead Testing in Schools

With the passage of Assembly Bill 746 (Gonzalez Fletcher) on October 13, 2017, the state of California has required community water systems to conduct lead sampling of drinking water in all public K-12 schools by July 2019. Additionally, under the 2017 Public Water Supply Permit Amendment (Permit Amendment), both private and public K-12 schools can request sampling for lead in their drinking water supply by November 1, 2019.

As a drinking water wholesaler, Valley Water is exempt from this permit amendment.

The SWRCB has posted a map presenting the results of lead sampling in drinking water at California schools. The map is updated monthly to reflect the latest data. The link to the online map developed by the SWRCB is included here for information purposes only:

<https://waterboards.maps.arcgis.com/apps/MapJournal/index.html?appid=9d17731cae2c4452957fadc5d8ee2d75>

Lead Service Lines

Senate Bill 1398 (Leyva), signed into law in 2016, and amended by Senate Bill 427 in 2017, requires all public water systems to prepare an inventory of known lead service lines and to identify areas of the distribution system that may have lead service lines by July 1, 2018. After developing the inventory, public water systems must provide a certification that the material of service lines listed as “unknown” has been determined and develop a timeline for DDW’s approval for the removal and replacement of known lead service lines by July 1, 2020. DDW will require that replacements be completed no later than within 10 years and that schools and childcare facilities be prioritized.

As a drinking water wholesaler, Valley Water is not responsible for service lines, and thus is not affected by this requirement.

The SWRCB posted an interactive online map presenting the status of the lead service line inventory for individual water systems. The next update will occur by September 30, 2020 with data submitted in the 2019 Electronic Annual Report. The online map was developed by the SWRCB and the link included here for information purposes only:

<https://gispublic.waterboards.ca.gov/portal/apps/Cascade/index.html?appid=7adcf6473614ada9c0b9c351362a656>

Lead in Day Care Centers

With the passage of Assembly Bill 2370 (Holden) on September 22, 2018, the state of California requires that as a condition of licensure, daycare centers must test drinking water for lead between January 1, 2020, and January 1, 2023, and every five years thereafter. Daycare center must take action if results are elevated. This program is administered and implemented by the Department of Social Services. As a drinking water wholesaler, Valley Water is not affected by this requirement, but may receive inquiries by the public or requests for sampling and analytical services. Water suppliers are not required to conduct sampling and analysis for the day care centers located in their service areas, and inquiries should be referred to the Department of Social Services.

A link to the bill is located here: [2019 Enacted Legislation\2017 AB2370 90.pdf](#)

Perchlorate

On July 5, 2017 DDW presented to the SWRCB its findings and recommendations related the perchlorate MCL review. DDW's recommendations were to first establish a lower Detection Limit for Purposes of Reporting (DLR) to gather additional occurrence data, and then revise the MCL. The SWRCB approved DDW's proposal to investigate, develop, and propose revisions to the perchlorate DLR. DDW staff is currently exploring the feasibility of lowering the perchlorate DLR from 4 µg/L to a value closer to, equal to, or less than the Public Health Goal (PHG) of 1 µg/L. It is anticipated that DDW will propose a DLR of 2 µg/L in early 2020, which will prompt a change in the analytical testing methodology currently used by Valley Water's Laboratory. The laboratory is already gearing up for this anticipated change.

Background

The primary drinking water standard for perchlorate is the MCL of 6 µg/L. The MCL became effective October 2007. In 2015, Office of Environmental Health Hazard Assessment (OEHHA) revised the PHG for perchlorate from 6 µg/L to 1 µg/L. The revised PHG has prompted the SWRCB to review the perchlorate MCL.

For information about perchlorate in drinking water:

https://www.waterboards.ca.gov/drinking_water/certlic/drinkingwater/Perchlorate.shtml

Per- and Polyfluoroalkyl Substances (PFAS)

On August 23, DDW lowered the Notification Levels (NLs) for PFOA from 14 nanograms per liter (ng/L) to 5.1 ng/L and for PFOS from 13 ng/L to 6.5 ng/L, based on updated health recommendations from OEHHA. The SWRCB also requested that OEHHA develop a PHG for both PFOA and PFOS.

On February 6, 2020, the SWRCB set new Response Levels (RLs) of 10 ng/L for PFOA and 40 ng/L for PFOS, based on a running four-quarter average. Previously, the RL was 70 ng/L for the total concentration of PFOA and PFOS combined. Nanograms per liter are equivalent to parts-per-trillion (ppt).

On July 31, the Governor signed into law Assembly Bill 756 (Garcia) "Public water systems: perfluoroalkyl substances and polyfluoroalkyl substances." Effective January 1, 2020, AB 756 requires a community water system or a non-transient noncommunity water system, where a detected level of PFAS substances exceeds the RL, to take the water source out of service or provide a prescribed public notification. Per Section 116455 of the Health and Safety Code, any confirmed detection above the NL will require that Valley Water notifies its Board and the governing bodies of the retailers it serves, who in turn must notify their customers.

A link to the bill is located here: <W:\WaterQuality\WQ\Regulatory\Regulatory Update\Vol 10\2019 Enacted Legislation\2019 AB756 93.pdf>

Valley Water's Response

In August 2018, Valley Water conducted one round of voluntary monitoring for PFOS and PFOA at the three treatment plants raw influent and finished treated water and at Campbell Wells A, B, and C to establish a baseline. Aside from very low levels of PFOS and PFOA detected at wells B and C,

Valley Water was pleased to find that PFOS and PFOA were below the detection limit of 2 ng/L for all raw influent and finished treated water samples.

On March 12, Valley Water received a monitoring order issued by the SWRCB to conduct four quarters of monitoring at Campbell Wells A, B, and C, due to their proximity to the airport. Three rounds of monitoring conducted thus far have detected low levels of PFAS including PFOS and PFOA at Wells B and C, while Well A remains nondetectable. The required sampling is scheduled to be completed by February 2020. These wells provide emergency backup supply and no water from the Campbell Wells Field has been delivered to retailers.

Valley Water also conducts voluntary monitoring to assess potential groundwater impacts from recycled water irrigation. PFOA and PFOS have been found in a limited number of groundwater monitoring wells as part of this monitoring at levels above the NL and RL. These wells are shallow groundwater monitoring wells that are not used for drinking water.

Valley Water will continue to work with the state and with local water retailers to better understand the presence and potential sources of PFAS in local water supplies and recommend action if needed to ensure a safe and reliable drinking water supply. To support this, Valley Water is planning to conduct additional PFAS monitoring of treated water and regional groundwater in 2020 and our water quality laboratory is preparing to obtain state certification to test for PFAS in drinking water.

In response to the increasing public interest and concern regarding PFAS, including the release of the movie *Dark Waters* in November 2019, Valley Water has prepared a Fact Sheet providing helpful information about PFAS to customers. A link to the fact sheet is located here:

<https://www.valleywater.org/sites/default/files/2019-11/PFAS%20FAQ%20Sheet.pdf>

A white paper with a detailed summary of this new regulation and the compliance plan for Valley Water is located here: <W:\WaterQuality\WQ\Regulatory\White Paper regulation summaries\PFAS\White Paper\PFAS Whitepaper Revised 10-21-2019 Final.pdf>

Point-of-Use / Point-of-Entry Regulations

On January 22, the SWRCB adopted point-of-use (POU) and point-of-entry (POE) permanent regulations. The regulations became effective on March 22. Permitted use of POU/POE use applies to public water systems with fewer than 200 service connections that have demonstrated that centralized treatment is not immediately economically feasible. POU/POE devices cannot be used to meet microbial, volatile organics, or radon standards. In addition, the water system must ensure that each residential unit has a device installed in accordance with regulations. Treatment devices must be owned, controlled, and maintained by the water system, must be equipped with mechanical warnings, must be equipped with a flow totalizer, must be third-party certified to applicable American National Standards Institute standards, and must have been pilot tested for at least 2 months prior to use. Permits for use of devices are limited to 3 years, or until funding for centralized treatment is available, whichever comes first. These new requirements may impact new and existing POU/POE rebate programs supported by Valley Water.

Background

Assembly Bill 434 (Garcia), chaptered on October 9, 2015, required that the SWRCB adopt regulations governing the use of POU and POE treatment by public water systems in lieu of centralized treatment where centralized treatment is not immediately economically feasible. The bill was applicable to water systems with less than 200 service connections. Pursuant to AB 434, in March 2016, the SWRCB adopted emergency regulations governing the permitted use of POU and POE treatment devices. AB 434 stipulated that emergency regulations would remain in effect until January 1, 2018 or until the SWRCB adopts permanent regulations.

Senate Bill 200

On July 24, Senate Bill 200 (Monning) "Drinking water" was approved by the Governor, which established the Safe and Affordable Drinking Water Fund and provides \$130 million a year for 10 years to help local water systems provide safe, reliable drinking water to communities across California. Beginning in fiscal year 2020-21 and until June 30, 2030, it annually transfers to the Safe and Affordable Drinking Water Fund five percent of the proceeds of the Greenhouse Gas Reduction Fund up to \$130 million. Since funding sources for this program will not be coming from a water tax on retail water bills, Valley Water ratepayers will not be directly impacted by this new program. On September 17, the SWRCB released the first version of the Administrator Policy Handbook that addresses the processes and procedures for the selection of an administrator by the SWRCB when it is necessary to provide an adequate supply of affordable, safe drinking water to disadvantaged communities and to prevent fraud, waste, and abuse. The Administrator Policy Handbook was adopted for the implementation of AB 2501 (Chu, 2018) and will be an important part of the implementation of the Safe and Affordable Drinking Water Fund.

Background

More than 300 communities and thousands of domestic well-users across California lack safe drinking water because of contamination by arsenic, nitrates and other chemicals. Many other communities served by small drinking water systems are also vulnerable to water quality violations and lack the financial capacity to build, operate and maintain necessary treatment facilities. The primary objective of the Safe and Affordable Drinking Water Fund is to identify high-risk systems, provide funding and assistance, build local capacity, and identify potential solutions including designation of an administrator or system consolidation.

A link to the bill is located here: <W:\WaterQuality\WQ\Regulatory\Regulatory Update\Vol 10\2019 Enacted Legislation\2019 SB200 91.pdf>

Senate Bill 1422

In 2019, the SWRCB has been reviewing existing research to comply with the requirements established by Senate Bill 1422 (Portantino) "California Safe Drinking Water Act: microplastics", which was signed into law on September 28, 2018. SB 1422 requires the SWRCB, on or before July 1, 2020, to adopt a definition of microplastics in drinking water, and on or before July 1, 2021, to adopt a standard methodology to test drinking water for microplastics, to adopt requirements for four years of testing and reporting of microplastics in drinking water, including public disclosure of those results, and to consider issuance of a notification level. Once the SWRCB establishes a standard

methodology and accredits laboratories to test for microplastics, Valley Water will need to test for such and submit the required reports. The SWRCB is considering implementation of these requirements through adoption of a policy handbook, rather than by following the rulemaking process.

A link to the bill is located here: <W:\WaterQuality\WQ\Regulatory\Regulatory Update\Vol 9\2018 Enacted Legislation\sb 1422 92 C bill.pdf>

Background

On June 28-29, 2017, the EPA Trash Free Waters program convened a Microplastics Expert Workshop to identify and prioritize the scientific information needed to understand the risks posed by microplastics to human and ecological health. The expert panelists did not provide recommendations for specific regulatory or non-regulatory actions to be taken. The expert report can be found here: <https://www.epa.gov/trash-free-waters/microplastics-expert-workshop-report>.

Senate Bill 785

On October 2, Senate Bill 785 (Committee on Natural Resources and Water) “Public resources: Dreissenid Mussels Prevention Program & other changes” was approved by the Governor. This bill makes several changes to statute, including extending until January 1, 2030 the California Department of Fish and Wildlife (CDFW) dreissenid (i.e. quagga or zebra) mussels prevention program, which includes inspections of waters and facilities. It also extends the CDFW Director’s authority to restrict access or to order the closure of mussel-affected waters or facilities connected to water conveyances, with the concurrence of the Secretary of the Natural Resources Agency. To the extent that the CDFW program prevents the spread of dreissenid mussels to Valley Water reservoirs or other facilities, Valley Water could benefit from the extension of this program.

A link to the bill is located here: <W:\WaterQuality\WQ\Regulatory\Regulatory Update\Vol 10\2019 Enacted Legislation\2019 SB785 93.pdf>

Total Coliform Rule

Since April 2016, and until California completes the regulatory adoption process for the federal Revised Total Coliform Rule (rTCR), all public water systems in California are required to comply with both the state’s existing TCR and the federal rTCR. DDW has been actively engaged in the regulatory adoption process for the rTCR and anticipates to issue a notice of proposed rulemaking in the second quarter of 2020, with adoption being planned for the third quarter of 2020. The revised regulation is anticipated to become effective in early 2021.

GLOSSARY

AB	Assembly Bill
CDFW	California Department of Fish and Wildlife
CERCLA	Comprehensive Environmental Response, Compensation, and Liability Act or Superfund Law
CCL	Contaminant Candidate List
DDW	The Division of Drinking Water within the State Water Resources Control Board has been tasked with enforcing the drinking water regulations with which public water systems in California must comply. As the primacy agency for regulatory compliance, it must enact regulations that are at least stringent as federal drinking water regulations. Formerly known as California Department of Public Health or CDPH.
DLR	Detection Limit for Purposes of Reporting - The designated minimum level at or above which any analytical finding of a contaminant in drinking water resulting from monitoring shall be reported to DDW.
DPR	Direct Potable Reuse - The delivery of purified water to a drinking water plant or a drinking water distribution system without an environmental buffer. Additional treatment, monitoring, and/or an engineered buffer(s) would be used in place of an environmental buffer to provide equivalent protection of public health and response time if the purified water does not meet specifications.
EPA	United States Environmental Protection Agency; tasked with implementing the Safe Drinking Water Act by setting standards that, when combined with protecting groundwater and surface water, ensure safe drinking water. California public water systems are required to meet all federal drinking water regulations, regardless of whether DDW has adopted parallel regulations.
Health Advisory	A Health Advisory describes the concentrations of drinking water contaminants at which adverse health effects are not anticipated to occur over specific exposure durations (e.g., one day, ten days, several years, a lifetime) with a margin of safety. It is not a legally enforceable federal standard.
MCL	Maximum Contaminant Level – A value defined under the Safe Drinking Water Act as the maximum permissible level (concentration) of a contaminant in water delivered to any user of a public water system. Maximum contaminant levels are the legally enforced standards in the United States.
MCLG	Maximum Contaminant Level Goal - A federal non-enforceable, health-based goal established by the US Environmental Protection Agency for each contaminant regulated by a national primary drinking water regulation. The maximum contaminant level goal is set at the level at which no known or anticipated adverse effects on human health occur and for which an adequate margin of safety exists.

GLOSSARY

NL	Notification Level – The concentration level of a contaminant in drinking water that, based on available scientific information, does not pose a significant health risk but warrants notification to the public. Notification levels are nonregulatory, health-based advisory levels established by DDW for contaminants in drinking water for which maximum contaminant levels have not been established.
OEHHA	Office of Environmental Health Hazard Assessment
PFAS	Per- and Polyfluoroalkyl Substances
PFOA	Perfluorooctanoic acid
PFOS	Perfluorooctanesulfonic acid
POE	Point-of-entry treatment device - a treatment device applied to the drinking water entering a house or building for reducing contaminant levels in the drinking water distributed throughout the house or building.
POU	Point-of-use treatment device - a treatment device applied to a single tap for reducing contaminant levels in drinking water at that tap.
PHG	Public Health Goal – a non-enforceable goal set by the California EPA's Office of Environmental Health Hazard Assessment. It is the concentration of a contaminant in drinking water that does not pose any significant risk to health over a lifetime of exposure; it is derived from a human health risk assessment. State code requires the DDW to establish a contaminant's MCL at a level as close to its public health goal as is technically and economically feasible. Similar to the federal MCLG.
RL	Response Level - The concentration of a contaminant in drinking water at which DDW recommends that additional steps, beyond notification, be taken to reduce public exposure to the contaminant. Response levels are established in conjunction with notification levels for contaminants in drinking water for which maximum contaminant levels have not been established.
Regulatory Determination	A formal decision on whether EPA should initiate a rulemaking process to develop a national primary drinking water regulation (NPDWR), i.e. an enforceable standard or MCL, for a specific contaminant.
SDWA	Federal Safe Drinking Water Act
SB	Senate Bill
SWRCB	State Water Resources Control Board
TCR/rTCR	Total Coliform Rule / Revised Total Coliform Rule
UCMR	Unregulated Contaminant Monitoring Rule
WRF	Water Research Foundation

Opinion > Commentary

Opinion: Why California should support Delta tunnel proposal

If our state wants to remain competitive, it must re-engineer its water-delivery system



The Sacramento-San Joaquin River Delta near Bouldin Island. (Bay Area News Group File Photo).

By MIKE MIELKE |

PUBLISHED: March 6, 2020 at 6:10 a.m. | UPDATED: March 6, 2020 at 6:16 a.m.

If our state wants to remain economically competitive, it must re-engineer the troubled estuary that serves as the hub of California's elaborate water-delivery system — the Sacramento-San Joaquin River Delta. The best and most viable way to do this is via the single Delta tunnel project proposed by Gov. Gavin Newsom, which the Silicon Valley Leadership Group and our 350 members support.

The water that flows through the Delta serves nearly 27 million people in our state and ensures 3 million acres of farmland stays productive. Yet, the current Delta water delivery system — comprised often of simple earthen levees — is fragile and extremely vulnerable to catastrophic disruption from earthquakes, floods, and rising seas. If this outdated system were to fail, salt water from the nearby San Francisco Bay would knock out the freshwater supply for most of the state, causing untold economic and environmental damage. This cannot be allowed to happen.

The governor's proposal envisions a single, 30-mile underground tunnel capable of transporting up to 6,000 cubic feet of water per second that would draw water from the north end of the Delta. The goal of modernizing Delta water delivery this way is to guarantee a baseline supply of water by more reliably capturing water during and after storm events, to protect existing supplies from the threats posed by climate change, sea level rise and earthquakes and to better protect the delicate Delta ecosystem. At the same time, the state and public water agencies throughout California are seeking to diversify our overall water supply portfolio by pursuing water recycling, desalination, and conservation through an all-of-the-above approach that will help reduce over-reliance on the Delta.

We believe that it is critically important that the state move forward with the Delta tunnel process. It is the only viable alternative to protect our freshwater supply and guarantee that a minimum amount of quality water that citizens, the environment, and business rely on is delivered all across our state. That is why we were encouraged when the Newsom administration announced it had initiated the environmental review process on a single pipeline Delta tunnel project by issuing its Notice of Preparation (NOP). A NOP provides state agencies information about the potential environmental effects, including a description of the project and its location. This is a crucial next step in terms of moving this project forward and we're eager to review and provide comments to help ensure that the project guarantees a baseline supply of water for the state's residents, while providing enough capacity to ensure the project is financially viable.

It is important to note that the governor's Delta plan will increase the use of adaptive, real-time water management to optimize freshwater flow in the Delta – to the benefit of endangered species in the Delta. Furthermore, the new path forward will not necessarily result in a net increase of water exports to the south – contrary to what many are saying. That is because operation of the Delta tunnel will be governed by existing state and federal law, which require adequate water supply for the environment.

As California Natural Resources Secretary Wade Crowfoot recently said, decisions about the future of our state's water supply system "frequently get distilled into unhelpful narratives of fish versus farms, north versus south, or urban versus rural. We must rise above these historic conflicts by finding ways to protect our environment and build water security for communities and agriculture." The members of the Silicon Valley Leadership Group could not agree more, which is why we support the governor's Delta tunnel proposal and process.

Mike Mielke is the Silicon Valley Leadership Group's senior vice president for environment and energy.

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