

- **Board of Directors**
Water Planning, Quality and Resources Committee

February 13, 2001 Board Meeting

9-13

Subject

Adopt policy governing the quality of new sources of water introduced into conveyance facilities and authorize General Manager to implement policy

Description

At the January 8, 2001 Water Planning and Resources Committee, a presentation was made regarding a proposed approach toward governing “pump-in” water quality to conveyance facilities. This letter presents a proposed policy (see attachment A) that would guide development of specific criteria for pump-ins to the State Water Project (SWP), Colorado River Aqueduct and Metropolitan’s conveyance facilities.

New Supplies

To meet growing water demands, water agencies throughout the state are pursuing the development of water management programs that depend upon the use of existing conveyance facilities to transport new sources of water. Along with protecting water quality, one of the goals of establishing this policy is to optimize water management programs.

California Water Code

Sections 1810 through 1814 of the California Water Code (Code) require owners of water conveyance facilities to make available, under certain conditions, unused capacity for wheeling purposes. The Code also enables the owner of a conveyance facility to protect against the diminution of its water quality or beneficial use of water. Adoption of the proposed policy would allow Metropolitan staff to implement administrative actions to protect water quality and beneficial use through an effective and timely decision-making process. For the SWP, adoption of the policy would facilitate Metropolitan’s recommendation, as a stakeholder, to the Department of Water Resources (DWR), which is currently developing criteria governing water quality provisions for introduction of non-project water into the California Aqueduct. In addition to Metropolitan, other potentially affected SWP contractors are also likely to provide recommendations to DWR.

Ambient Water Quality

The proposed policy is founded on an underlying principle that the ambient water quality levels of Metropolitan’s water supplies are assets to be properly managed to protect the quality of water delivered to Metropolitan’s service area. Metropolitan would be the stakeholder for its service area when considering SWP and Colorado River Aqueduct facilities. For Metropolitan’s treated water and delivered-raw water conveyance facilities, potentially impacted downstream Metropolitan member agencies that would receive the water also be considered stakeholders.

The proposed policy would allow introduction of a new source of water into a conveyance facility, if the quality of the new water is equal to or better than the ambient quality of water in the conveyance facility. Ambient quality for any constituent would be the representative concentration at the beginning of the conveyance facility.

Stakeholder Approval

Proposed new water in-flows that exceed the ambient water quality of the conveyance facility would be considered on a case-by-case basis, subject to the approval of the potentially impacted downstream stakeholders. In the event that the approval of the potentially impacted downstream stakeholders is required, the owner of the subject facility would bring together the stakeholders for the decision-making process. In conjunction with the process, the potentially impacted downstream stakeholders would consider the potential impacts, benefits and

mitigation measures in reaching a decision. Factors to be considered include local water supply impacts, costs, Department of Health Services permit requirements, public disclosure and response, and water quality changes occurring in the stakeholders' basic source waters. Where Metropolitan is a stakeholder, it would only consider consent to the diminution of its water quality asset where offsetting benefits can be clearly demonstrated. Otherwise, it would require mitigation as a condition of the approval. New water pump-in programs shall meet all primary or secondary maximum contaminant levels (MCL) in effect at the time, with an adequate margin of safety to be determined by the facility owner. New water pump-in programs would also have to be modified, if necessary, to meet subsequent more stringent MCL requirements.

Monitoring

Any proposal to use facilities to convey new sources must be accompanied by an adequate monitoring program. Prior to approval, the new water pump-in proponents must appropriately characterize the water quality so that an adequate assessment can be made. Regular monitoring of the water prior to introduction to the conveyance facility, at the proponent's expense, will be required. If additional monitoring within the conveyance facility is necessary as a result of the program, the proponent will be required to pay for such monitoring.

Policy

By Minute Item 42162, the Board established as a principle for providing wheeling service that wheeling must not result in unmitigated adverse impacts.

By Minute Item 43635, the Board provided principles for participation in development of a procedure for the introduction of non-project water into the California Aqueduct.

Board Options/Fiscal Impacts

Option #1

Determine that establishing a water quality policy is not defined as a project under the California Environmental Quality Act (CEQA) (State CEQA Guidelines, Section 15378(b)(5)), adopt water quality policy governing the introduction of new water sources into treated and untreated conveyance facilities, and authorize General Manager to implement the policy.

Fiscal Impact: Undefined costs may be incurred in the future for Metropolitan and third parties to treat new sources of water to comply with the policy.

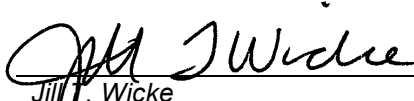
Option #2

Do not adopt the policy.

Fiscal Impact: Unknown costs to deal with the water management uncertainty and potential changes to conjunctive-use and storage projects.

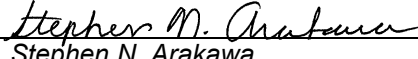
Staff Recommendation

Option #1.



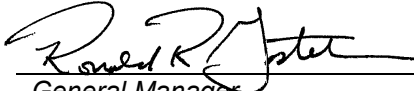
Jill J. Wicke
Manager, Water System Operations

1/25/2001
Date



Stephen N. Arakawa
Manager, Water Resource Management

1/26/2001
Date



Ronald R. Jester
General Manager

1/29/2001
Date

**PROPOSED POLICY FOR ACCEPTANCE OF
NEW WATER INTO CONVEYANCE FACILITIES**

GENERAL PROVISIONS

1. This policy would govern the introduction of new water into Metropolitan's conveyance facilities. This policy would also serve as a recommendation to the Department of Water Resources (DWR) for application to the California Aqueduct.
2. New water is defined as any water, other than that of the owner, that is intended to be conveyed in a facility and relies on the unused capacity made available by the facility owner.
3. The proponent of any new water input proposal shall demonstrate that the water is of consistent, predictable, and acceptable quality.
4. The facility owner (DWR or MWD) shall consider new water input proposals based upon the criteria established in this document.
5. The Department of Health Services (DHS) shall be consulted on drinking water quality issues relating to new water as needed to assure the protection of water quality.
6. Except as expressly authorized in this document, in accordance with Water Code Section 1810a and 1810b, no introduction of new water into the State Water Project (SWP) may be approved that would result in the diminution of water quality without the consent of downstream impacted SWP contractors, or in the case of Metropolitan, and where applicable, the consent of downstream affected member agencies.
7. These criteria shall not constrain a facility owner's ability to operate the conveyance facility for its intended purposes or to protect its integrity during emergencies.
8. For SWP conveyance facilities, Metropolitan and other potentially impacted SWP contractors are deemed to be stakeholders. Metropolitan would be the stakeholder for its service area when considering SWP and Colorado River Aqueduct facilities. For Metropolitan's treated water and delivered-raw water conveyance facilities, potentially impacted downstream Metropolitan member agencies that would receive the water also are considered stakeholders

SPECIFIC CRITERIA

9. All proposals to use Metropolitan or SWP conveyance facilities for conveying new water shall be submitted to either Metropolitan or DWR for review. Information to be submitted shall include, but not be limited to the following:
 - a. Description of the proposed program;
 - b. Characterization of the amount, timing, and quality of the water to be delivered;

- c. Water quality-monitoring program for constituents of concern throughout the duration of the program;
 - d. Demonstrated ability to operate and manage the program to produce the projected water quality;
 - e. Assessment of impacts of the proposed deliveries to ambient water quality;
 - f. Assessment of potential impacts to stakeholders, potential benefits to stakeholders, and identification of mitigation measures.
10. Water quality standards will be based upon ambient levels in the conveyance facility and the California Health and Safety Code primary and secondary drinking water standards. Ambient quality for any constituent would be the representative concentration at the beginning of the conveyance facility. Ambient quality for any constituent is defined as the instantaneous concentration at the headworks of the conveyance facility, at the time of discharge. New water pump-in programs shall meet all primary or secondary maximum contaminant levels (MCL) in effect at the time, with an adequate margin of safety to be determined by the facility owner. New water pump-in programs would have to be modified, if necessary, to meet subsequent more stringent MCL requirements.
 11. Emerging contaminants are those that may pose significant risk to public health, but as yet do not have an MCL. Currently the Office of Environmental Health Hazard Assessment and the Department of Health Services establish Public Health Goals and Action Levels, respectively. These levels, though not regulated, do provide health-based guidance to water utilities and can require public notification if exceeded. These criteria shall recognize emerging contaminants as they are identified by the regulatory agencies and shall be considered by the stakeholders during the consultation prior to commencement of a new water pump-in program.
 12. Any new water proposal that introduces water with constituents that are below the ambient level is deemed as meeting these water quality criteria without consultation of the downstream stakeholders. However, upon approval, the facility owner shall notify downstream users of the impending action.
 13. Blending of multiple water sources prior to inflow into a conveyance facility is acceptable. If deemed acceptable as part of a new water pump-in proposal, water may be introduced into a conveyance facility that by itself might cause the ambient baseline to be exceeded, provided that the sum total of all introduced waters from a defined project do not exceed the ambient baseline for the facility on an instantaneous flow weighted basis. Mixing within a facility must occur simultaneously and must be between, not overlapping, any delivery location or member agency connections. The proponent shall demonstrate or model, using an approach acceptable to the stakeholders, that water is adequately mixed before reaching the next delivery connection. New water pump-in programs shall meet all primary or secondary maximum contaminant levels (MCL) in effect at the time, with an adequate margin of safety to be determined by the facility owner. New water pump-in programs would also have to be modified, if necessary, to meet subsequent more stringent MCL requirements.

14. New water proposals exceeding the ambient baseline may be considered for input into the conveyance facility on a case-by-case basis by the downstream stakeholders. Proposals that would cause the alteration of the ambient water quality received by downstream stakeholders may be approved under the following conditions:
 - a. The change in ambient water quality conditions resulting from the program produces no significant impacts to the downstream stakeholders, or
 - b. any adverse impacts are fully mitigated; or
 - c. each of the downstream stakeholders otherwise agree to the proposed operation.
15. In order to seek approval of potentially impacted downstream stakeholders the facility owner shall convene a timely meeting of the proponent and the downstream stakeholders to seek a recommendation regarding downstream stakeholders' approval of the program.

MONITORING

16. New water proponents are responsible for all costs associated with characterizing and monitoring the quality of the water at the point of introduction into the conveyance facility prior to and for the duration of the program.
17. Proponents will provide regular reporting (at least monthly) during the duration of the program to facility owner and the downstream stakeholders regarding operations, monitoring results, and water quality protection actions. Violations or exceedance of agreed upon constituent levels will result in the proponents ceasing or modifying operations and providing mitigation for impacts.