







United States Environmental Protection Agency

## Tribal-State Cooperation & Coordination on Water Quality Standards



Rebecca Fitzgerald California State Water Resources Control Board March 23, 2021











### Tribal-State Cooperation

Discuss how tribes can coordinate with state counterparts on state water quality standards

- Water Boards Overview
- California Standards
- Opportunities for Cooperation
- Current Standards Projects
- Monitoring Coordination
- Questions & Discussion













## About the California Water Boards

Our Mission:

To preserve, enhance, and restore the quality of California's water resources and drinking water for the protection of the environment, public health, and all beneficial uses, and to ensure proper water resource allocation and efficient use, for the benefit of present and future generations.



### REGIONAL WATER BOARDS

- 1 | North Coast
- 2 | San Francisco Bay
- 3 | Central Coast
- 4 | Los Angeles
- 5 | Central Valley

- | Lahontan
- | Colorado River Basin
- 8) | Santa Ana
- 🕽 | San Diego













## Water Quality Standards in California

Authority is derived from both the federal Clean Water Act and the state Porter-Cologne Water Quality Control Act (California Water Code)

Authority pertains to:

- Waters of the United States
  - Navigable surface waters and their tributaries
- Waters of the State
  - Surface waters, navigable and non-navigable
  - Groundwater









## Federal & State Standards Terminology

### Federal Terminology

- Designated Uses
- Water Quality Criteria
- Antidegradation Policies

### California Terminology

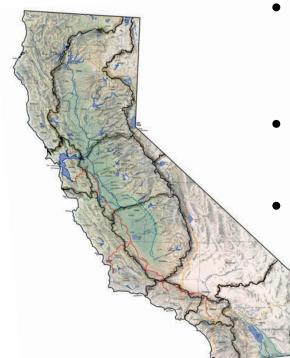
- Beneficial Uses
- Water Quality Objectives
- Programs of Implementation
  Antidegradation Policy







## Where can you find California's Standards



- Regional Water Quality Control Plans (also known as Basin Plans)
  - www.waterboards.ca.gov/plans policies
- Statewide Water Quality Control Plans
  - www.waterboards.ca.gov/plans policies
- California Toxics Rule
  - 40 C.F.R. § 131.38
  - <u>https://www.epa.gov/wqs-tech/waterquality-standards-establishment-numericcriteria-priority-toxic-pollutants-state</u>







## **Opportunities for Coordination**

- How to Stay Informed
  - Email Subscription/Listservs: <u>https://www.waterboards.ca.gov/resources/email\_subscriptions/</u>
- Citizen's Guide to Working with the California Water Boards
  - <u>https://cawaterlibrary.net/document/citizens-guide-to-working-with-the-california-water-boards/</u>
- Tribal Affairs webpage:
  - <u>https://www.waterboards.ca.gov/about\_us/public\_participation/tribal\_affairs/</u>













## **Opportunities for Coordination**

Tribal liaisons and coordinators are present at the State Water Board and each Regional Water Board.

https://www.waterboards.ca.gov /about\_us/public\_participation/t ribal\_affairs/tribal\_contacts.html



e About Us Public Participation Tribal Affairs Tribal Contacts

#### Water Boards' Tribal Affairs Contacts

The California Water Boards have a designated Tribal Liaison that oversees the coordination of the Tribal Affairs program. To help strengthen the Tribal Affairs program and assist the Liaison, each of our Regions and Divisions designated Regional/Divisional Tribal Coordinators. These individuals are the key programmatic and regional points of contact.









## Government-to-Government Consultation

- The Water Boards are committed to improving our communications and working relationship with California Native American Tribes.
- June 2019 Tribal Consultation Policy
- We encourage Tribes to be part of the State Water Board's AB 52 contact list so we know who to contact to offer consultation with new CEQA projects.
- <u>https://www.waterboards.ca.gov/about\_us/public\_participation</u> /tribal\_affairs/













## Current Standards Projects

- Tribal Beneficial Use Definitions & Designations
  - Individual projects at the Regional Water Boards
- Nutrient and Biological Integrity Project
  - Statewide Water Quality Control Plan amendment effort









## Tribal Use Definitions & Designations

### Statewide beneficial use definitions were adopted May 2017

### Tribal Traditional Culture (CUL):

Uses of water that support the cultural, spiritual, ceremonial, or traditional rights or lifeways of California Native American Tribes, including, but not limited to: navigation, ceremonies, or fishing, gathering, or consumption of natural aquatic resources, including fish, shellfish, vegetation, and materials.

### Tribal Subsistence Fishing (T-SUB):

Uses of water involving the non-commercial catching or gathering of natural aquatic resources, including fish and shellfish, for consumption of individuals, households, or communities of California Native American Tribes to meet needs for sustenance.

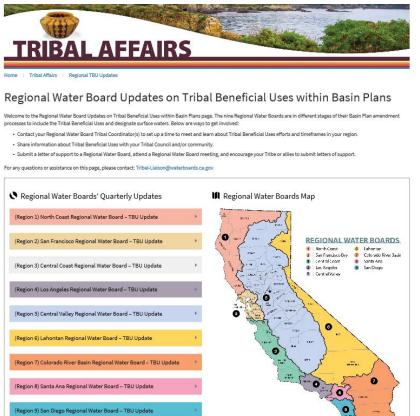






For Regional Water Board updates on Tribal Beneficial Uses within Basin Plans

https://www.waterboards.ca .gov/about\_us/public\_partic ipation/tribal\_affairs/region al\_tbu\_updates.html











Likely Components

- Numeric objectives or thresholds
  - Nutrients (TN, TP)
  - Biostimulatory Substances (Chl-a, DO)
  - Cyanotoxins (microsystin, anatoxin-a)
- Biological condition assessment methods, scoring tools, and thresholds
  - CA Stream Condition Index (CSCI) for insect larvae, macroinvertebrates
  - Algal Stream Condition Index (ASCI)
- Program of implementation





https://www.waterboards.ca.gov/water\_issues/pr ograms/biostimulatory\_substances\_biointegrity







## Monitoring Coordination

- We welcome coordination on monitoring projects
  - Watershed monitoring projects
  - Sharing data across organizations
- The Water Boards can provide support for sampling & monitoring









Surface Water Ambient Monitoring Program (SWAMP)

https://www.waterboards.ca.gov/water\_issues/programs/swamp/

What's New 🧜 🔰 🖾

- 2018 Water Quality Status Report
- Russian River Watershed Monitoring of Constituents of Emerging Concern (CECs)
- Cyanotoxin and Cyanobacteria Monitoring in Lake Elsinore and Canyon Lake



- Mission
- History
- Partners
- Contact Us



- Statewide Monitoring Programs
- Regional Monitoring Programs
- Special Studies
- SWAMP Reports





#### Data Management & QA

- SWAMP QA Resources
- State Water Board QA/QC Website
- SWAMP IQ



- Data Access & Maps
- CA Environmental Data Exchange Network
- CA Onen Data Portal



- Clean Water Team
- Clean Water Team Videos



- SWAMP Newsletter
- AIMA Rrown Rag Saminar Sarias













### My Water Quality Portals

### https://mywaterquality.ca.gov/index.html

#### Welcome to My Water Quality

#### Is Our Water Safe to Drink?



Safe drinking water depends on a variety of chemical and biological factors regulated by a number of local, state,

and federal agencies. Learn more >>

#### Are Our Aquatic Ecosystems Healthy?



The health of fish and other aquatic organisms and communities depends on the chemical, physical, and

biological quality of the waters in which they live. Learn more >>

#### Is it Safe to Swim in Our Waters?



Swimming safety of our waters is linked to the levels of pathogens that have the potential to cause disease.

Learn more >>.

#### Are harmful algal blooms affecting our waters?



Harmful algal blooms can make water unsafe for swimming and other recreational activities. The

toxins they produce can harm pets, livestock, and people. Learn more >>

#### Is it Safe to Eat Fish From Our Waters?



Aquatic organisms are able to accumulate certain pollutants from the water in which they live, sometimes

reaching levels that could harm consumers. Learn more >>

#### Is There Monitoring Data Near Me?



A number of regional monitoring programs throughout California collect and display water quality and aquatic ecosystem health data. Learn more >>











# Questions?



**Rebecca Fitzgerald** 

State Water Resources Control Board - Division of Water Quality -Standards & Assessment Section Manager

rebecca.fitzgerald@waterboards.ca.gov - 916-203-8083

