
State Water Resources Control Board

**NOTICE OF FILING, OPPORTUNITY TO COMMENT, PUBLIC HEARING,
AND ADOPTION**

**PROPOSED REVISION TO THE SOURCES OF DRINKING WATER POLICY
TO ESTABLISH A SITE-SPECIFIC EXCEPTION FOR GROUNDWATER AT THE
ROYAL MOUNTAIN KING MINE SITE, CALAVERAS COUNTY**

AND

**PROPOSED APPROVAL OF AN AMENDMENT TO THE WATER QUALITY CONTROL PLAN
FOR THE SACRAMENTO AND SAN JOAQUIN RIVER BASINS TO ESTABLISH A
GROUNDWATER REGULATORY FRAMEWORK FOR THE
ROYAL MOUNTAIN KING MINE SITE, CALAVERAS COUNTY**

NOTICE IS HEREBY GIVEN THAT the State Water Resources Control Board (State Water Board) will accept comments on the proposed approval of an Amendment to the Central Valley Regional Water Quality Control Board's (Central Valley Water Board) Water Quality Control Plan for the Sacramento and San Joaquin River Basins (the "Amendment"). The Amendment would establish a regulatory framework for the expeditious closure of the Royal Mountain King Mine (RMKM) Site in Calaveras County.

NOTICE IS ADDITIONALLY HEREBY GIVEN THAT the State Water Board will accept comments on a proposed revision to the Sources of Drinking Water Policy (the "Policy") to establish a site-specific exception for the municipal and domestic beneficial use ("MUN") of groundwater beneath portions of the RMKM Site, and the accompanying draft Substitute Environmental Documentation ("SED").

NOTICE IS ADDITIONALLY HEREBY GIVEN THAT the State Water Board will hold a public hearing to receive public input and receive comments on the proposed adoption of the Policy revision and the Amendment, and related environmental documentation. The Public Hearing will be held on:

Tuesday, January 20, 2015
Joe Serna Jr. - Cal/EPA Headquarters Building
Coastal Hearing Room
1001 I Street, Second Floor
Sacramento, CA 95814

BACKGROUND

The State Water Board adopted the Policy in 1988 in [Resolution No. 88-63](#). The Policy established the principle that all ground waters within the State are considered suitable, or potentially suitable, for the MUN beneficial use with certain exceptions, such as: where groundwater is impacted by contamination that cannot reasonably be treated for domestic use; where groundwater contains total dissolved solids (TDS) exceeding 3,000 milligrams per liter and is not reasonably expected to supply a public water system; and where there is insufficient water to supply a single well capable of producing an average, sustained yield of 200 gallons per day. Site-specific exceptions may also be added to the Policy. The Policy acknowledges the Regional Boards have discretion to separately evaluate whether bodies of water are presently or potentially suitable for MUN designation.

On March 28, 2014, the Central Valley Water Board approved [Resolution R5-2014-0047](#) and adopted the Amendment. The Amendment includes, *inter alia*, provisions that de-designate the MUN beneficial use for groundwater beneath portions of the RMKM Site. While some of the groundwater in areas that the Central Valley Water Board de-designated meets the Policy's exception criterion of TDS at 3,000 mg/L (mostly due to naturally-occurring salt concentrations), the Central Valley Water Board has also de-designated some areas where groundwater does not meet any of the Policy's exception criteria.

The proposed revision to the Policy will establish a site-specific exception for groundwater beneath portions of the RMKM Site in the areas where groundwater does not meet any of the Policy's exception criteria, which will rectify the inconsistency between the Central Valley Water Board's Amendment and the Policy.

DOCUMENT AVAILABILITY

Revision to the Policy is proposed to establish a site-specific exception for MUN groundwater beneficial use at portions of the RMKM Site. The current Policy, proposed revision to the Policy and the draft SED is available for download and review at:

http://www.waterboards.ca.gov/water_issues/programs/sources_of_drinking_water_policy/index.shtml

The Amendment, including background information on the RMKM Site, is available for review at: http://www.waterboards.ca.gov/centralvalley/water_issues/basin_plans/hodson_littlejohns_fault_zone/index.shtml

A copy of the Amendment, proposed Policy revision, and the State Water Board's draft SED can also be received by mail by contacting Gene Davis at (916) 464-4687 or Gene.Davis@waterboards.ca.gov

FUTURE NOTICES

The State Water Board will also send out an agenda for the public hearing. The agenda and any change in the date, time, and place of the public hearing will be noticed on the Lyris e-mail list. Persons desiring to receive future notices concerning the proposed revision to the Policy and approval of the Amendment are encouraged to sign up for the Lyris e-mail list. The subscription form is located at:

http://www.waterboards.ca.gov/resources/email_subscriptions/reg5_subscribe.shtml

and select "Hodson-Littlejohns Fault Zone Groundwater." The State Water Board encourages use of its electronic mailing list. Persons who require notice by regular mail must submit such request to the Central Valley Water Board contact identified below.

SUBMISSION OF WRITTEN COMMENTS FOR POLICY REVISION AND DRAFT SED

Persons interested in the proposed revision to the *Sources of Drinking Water Policy* and the draft SED are encouraged to submit comments electronically. Comment letters **must be received by 12:00 noon on November 5, 2014**. Comment letters received after that deadline will not be accepted unless the State Water Board determines otherwise. Send comments to Jeanine Townsend, Clerk to the State Water Board, by email at commentletters@waterboards.ca.gov (**must be no more than 15 megabytes**); fax at (916) 341-5620; or mail or hand delivery at:

Jeanine Townsend, Clerk to the Board
 State Water Resources Control Board
 P.O. Box 100, Sacramento, CA 95812-2000 (mail)
 1001 I Street, 24th Floor, Sacramento, CA 95814 (hand delivery)

Please also indicate in the subject line, “**Comment Letter — Proposed Revision to Sources of Drinking Water Policy**”.

SUBMISSION OF WRITTEN COMMENTS FOR APPROVAL OF THE AMENDMENT

Persons interested in the Basin Plan Amendment are encouraged to submit written comments electronically. Comment letters **must be received by 12:00 noon on November 5, 2014**. Comment letters received after that deadline will not be accepted unless the State Water Board determines otherwise. Send comments to Jeanine Townsend, Clerk to the State Water Board, by email at commentletters@waterboards.ca.gov (**must be no more than 15 megabytes**); fax at (916) 341-5620; or mail or hand delivery at:

Jeanine Townsend, Clerk to the Board
 State Water Resources Control Board
 P.O. Box 100, Sacramento, CA 95812-2000 (mail)
 1001 I Street, 24th Floor, Sacramento, CA 95814 (hand delivery)

Please also indicate in the subject line, “**Comment Letter—Royal Mountain King Mine Amendment**”.

For comments submitted for the Amendment, the State Water Board may refuse to accept any comments that do not satisfy all of the following requirements (Cal. Code Regs., tit. 23, § 3779, subd. (f).):

1. Comments must specifically address the final version of the Royal Mountain King Mine Basin Plan Amendment adopted by the Central Valley Water Board.
2. If the Central Valley Water Board previously responded to a similar or identical comment, the commenter must explain why and in what manner the commenter believes each of the responses provided by the Central Valley Water Board to each comment was inadequate or incorrect.
3. The commenter also must include either a statement that each of the comments was timely raised before the Central Valley Water Board, or an explanation of why the commenter was unable to raise the specific comment before the Central Valley Water Board.

CALIFORNIA ENVIRONMENTAL QUALITY ACT

The State Water Board's regulations for implementing the California Environmental Quality Act (Pub. Res. Code §§ 21000 et seq.) (CEQA) require the State Water Board and the Regional Boards to conduct environmental review of their certified regulatory program, which includes state policies and plans affecting water quality control and revisions thereto. (Cal. Code Regs., tit. 23, §§ 3775, 3777.) The Central Valley Water Board prepared a SED to accompany the Amendment which described the whole of the proposed action as including the need for the proposed revision to the Policy to correspond with the Amendment's de-designation of MUN from the groundwater at portions of the RMKM Site. Environmental evaluation for the proposed Policy revision is encompassed within the scope of the Central Valley Water Board's SED; therefore, the Central Valley Water Board's SED shall be utilized and support the State Water Board's revision to the Policy and is available for public comment as identified above.

PROCEDURAL MATTERS

The hearing on the State Water Board's proposed adoption of the Policy Revision and approval of the Amendment will be informal. There will be no sworn testimony or cross-examination of participants, but the State Water Board and its staff may ask clarifying questions. Participants are encouraged to submit written comments prior to the hearing. At the hearing, participants will be given an opportunity to summarize and supplement their written materials with oral presentations. To ensure a productive and efficient hearing in which all participants have an opportunity to participate, oral presentations may be time-limited. Other presentation recommendations are available on the State Water Board's Web site at:

http://www.waterboards.ca.gov/board_info/meetings/board_presentations.shtml

PARKING AND ACCESSIBILITY

For directions to the Joe Serna, Jr. (Cal/EPA) Building and public parking information, please refer to the map on the State Water Board Web site at:

<http://www.calepa.ca.gov/EPAbldg/location.htm>

The Cal/EPA Building is accessible to persons with disabilities. Individuals requiring special accommodations are requested to call (916) 341-5881 at least 5 working days prior to the meeting. TDD users may contact the California Relay Service at 1-800-735-2929 or voice line at 1-800-735-2922. An audio broadcast of the meeting will be available via the internet and can be accessed at: <http://www.calepa.ca.gov/broadcast/>

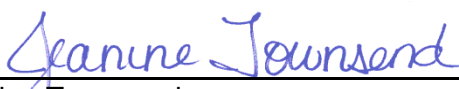
All visitors to the Cal/EPA Building are required to sign in and obtain a badge at the Visitor Services Center located just inside the main entrance. Valid picture identification may be required. Please allow up to 15 minutes for receiving security clearance.

ADDITIONAL INFORMATION

Please direct any questions about this notice to Sue McConnell, Senior Engineer at the Central Valley Water Board, at (916) 464-4798 or Sue.McConnell@waterboards.ca.gov; or to Patrick Pulupa, Attorney III at (916) 341-5189 or Patrick.Pulupa@waterboards.ca.gov.

September 16, 2014

 Date



 Jeanine Townsend
 Clerk to the Board