



Proposed Mercury Policy

The State Water Resources Control Board and nine Regional Water Quality Control Boards are in the process of developing a statewide Policy to control mercury in California's waters. Key elements of the Policy will include a Control Program for mercury in the state's reservoirs, and new standards (objectives) for mercury in the tissues of certain species of fish.



Why do we need a Mercury Policy?

The U.S. Environmental Protection Agency has identified more than 180 water bodies in California as contaminated by unsafe levels of mercury, a toxic metal that is found in natural soils in our state and was mined and widely used and dispersed by gold mining activities. Many fish in these impaired waters have mercury concentrations in their flesh that pose a risk to humans and wildlife that eat the fish. The number of mercury-impaired waters is expected to increase substantially when new monitoring data are evaluated.

What about ongoing programs to control Mercury in California?

The nine Regional Boards have been working to clean up mercury-contaminated waters for years, and a number of action plans for those waters ("total maximum daily loads," or TMDLs) are in effect around the state. The reservoirs project will not affect waters with TMDLs in place.

Status of the Project – July 2012

CEQA Scoping Meetings are complete

In March 2012, as required by the California Environmental Quality Act (CEQA), staff hosted public meetings to discuss the scope of the reservoir mercury control program in Sacramento, Oakland, Redding, and Riverside. We received many comments and suggestions at these meetings, and written comments are posted on the Mercury Program website, at http://www.waterboards.ca.gov/water_issues/programs/mercury/cmmnts_ceqa.shtml. Staff will not respond to scoping comments in writing, but all of the submitted comments are being evaluated as we develop a draft Policy document and technical report to support it.

The Fish Tissue Objectives were reviewed at CEQA scoping meetings in 2007. Scoping comments are posted at http://www.waterboards.ca.gov/water_issues/programs/mercury/cmmnts_mehg.shtml.

Next steps in the process

Currently, Water Board staff is preparing a draft Policy for fish tissue objectives and the reservoir mercury control program, and will be presenting it to the public for review and informal comments in fall 2012.. The supporting technical staff report should be ready for scientific peer review by late 2012/early 2013. Project documents will also undergo scientific peer review. After staff address peer review comments, a proposed Policy and staff report will be made available for a formal public comment period and posted on the website for the public to download. Staff will hold a public workshop in Sacramento, where interested individuals may comment in person.



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The Water Boards are coordinating with other agencies

Regional, state, and federal agencies are concerned about California’s mercury problem and are coordinating with the Water Boards in the development of a Mercury Policy. State agencies include the California Air Resources Board and the regional Air Districts; the Department of Toxic Substances Control; the Department of Fish and Game, the Department of Water Resources, and the Office of Environmental Health Hazards Assessment. Federal agencies include the Environmental Protection Agency, the Bureau of Land Management, the National Park Service, and the Forest Service. Local and regional agencies include those that operate reservoirs for municipal water supply or hydroelectric power, and their water and power customers. All of these agencies will be important partners for the Water Boards as we develop this policy, taking into account the importance of California’s water supply and water security.

We want to hear from the public!

The Statewide Mercury Program webpage

http://www.waterboards.ca.gov/water_issues/programs/mercury/ includes all of the information about the project and current public documents; staff update it on a regular basis. Please check often.

In addition, we maintain an electronic mailing list. Everyone who signs up will receive timely updates and important information by email. Please visit

http://www.waterboards.ca.gov/resources/email_subscriptions/swrcb_subscribe.shtml#quality, and scroll down to sign up for “Mercury – Objectives Policy,” and/or “Mercury – Statewide Control Program for Reservoirs.”

Timeline

	Policy development	Opportunities for public comment
2012	Staff prepares summary for discussion at scoping meetings	CEQA Scoping Meetings around the state
	Staff prepares draft Policy	Informal public review
	Staff prepares technical report to support the Policy	
2013	Scientific peer review	
	Staff revises Policy and Staff Report	
		Formal public comment period Workshop at State Water Board State Water Board meets to consider adopting Policy