

MEETING SUMMARY

CV-SALTS EXECUTIVE COMMITTEE POLICY SESSION NOTES – DECEMBER 14, 2017

PREPARED FOR: Kern River Watershed Coalition Authority (KRWCA)

PREPARED BY: Stephanie Tillman/Land IQ

DATE: December 20, 2017

INTRODUCTION

The purpose of this meeting summary is to document the presentation and discussion items from the December 14, 2017 CV-SALTS Executive Committee Policy Session that was held by teleconference. The main purpose of this meeting was to review revised Basin Plan language for the nitrate and salinity control programs and refine policy for specific components of the Basin Plan. A Regional Board public workshop will be held in January 2018, followed by a public hearing in March.

BACKGROUND

Central Valley Salinity Alternatives for Long-Term Sustainability (CV-SALTS) is a collaborative stakeholder driven and managed program to develop sustainable salinity and nitrate management planning for the Central Valley. The goals of CV-SALTS are as follows:

- Sustain the Valley's lifestyle
- Support regional economic growth
- Retain a world-class agricultural economy
- Maintain a reliable, high-quality urban water supply
- Protect and enhance the environment

CV-SALTS includes four working groups:

1. Technical
2. Public Education and Outreach
3. Economic Social Cost
4. Other (CEQA, policy development, etc.)

ACRONYMS

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| AID – Alta Irrigation District Archetype | NIMS – Nitrate Implementation Measures Study |
| ACP – Alternative Compliance Program | P&O Study – Prioritization and Optimization Study |
| BP – Basin Plan | SGMA – Sustainable Groundwater Management Act |
| BPTC – Best Practicable Treatment and Control | SMCL – Secondary Maximum Contaminant Level |
| GSA – Groundwater Sustainability Agency | SNMP – Salt and Nutrient Management Plan |
| IAZ – Initial Analysis Zone | SSALTS – Strategic Salt Accumulation Land and Transport Study |
| ICM – Initial Conceptual Model | WQO – Water Quality Objective |
| ILRP – Irrigated Lands Regulatory Program | |
| LSJR – Lower San Joaquin River | |
| MUN – Municipal beneficial use | |

SUMMARY AND RELEVANCE TO KRWCA

- **Basin Plan Amendment Language –**
 - Compliance alternatives for nitrate and salinity control programs were presented by Patrick Palupa. These were drafted/designed to bridge the gap between Basin Plan adoption and 1) amendments to WDRs (for nitrate) and 2) P and O study (for salts). The most feasible of these options is a hybrid approach in which ILRP WDRs would be amended in one single action as per Option 1. Conditional Prohibition would apply to all other permittees. This is difficult to message because it is not obvious from its name what it means. A conditional prohibition means that your discharge is prohibited unless you meet certain conditions.
 - Draft language for the conditional prohibition was also presented. Language to further define and clarify “shallow groundwater” was also presented, which would allow permittees two options: one would be to accept a default definition based on the existing definition, while the other would allow the permittee to compile more information to make a case for why a different set of criteria should be used.
 - Salinity control program revisions were presented based on comments from the last Executive Policy session.
- **January 19th Workshop planning and 2018 schedule review**– A call is scheduled for January 3rd (afternoon) to organize presenters for the January 19th Regional Board workshop.
- **Administrative Updates** – Community/Industry inserts for outreach brochures were presented for approval and approved, including Sacramento Valley Agriculture, Publicly Owned Treatment Works, and Oil and Gas.

AGENDA ITEMS

BASIN PLAN AMENDMENT LANGUAGE

OPTIONS TO REQUIRE PARTICIPATION IN SALT AND NITRATE CONTROL PROGRAMS

- Patrick Palupa presented 5 options for permittees to comply between the time when the Basin Plan is adopted and when their WDRs are amended, and/or when they begin participation in the Prioritization and Optimization Study. There will necessarily be a gap between these two and permittees need a way to comply. Options presented included:
 - General amendment – a sort of “package deal” that would apply to everyone
 - Time schedule order – (TSO)
 - Conditional prohibition
 - Hybrid approach
 - Elective General Order
- The pros and cons of each of these options are summarized in a table in the agenda package (package page 12). Most participants preferred the hybrid approach, though messaging would need to be clear. It would include a conditional prohibition, which means that your discharge would be prohibited unless you meet certain conditions, unless you are covered by a general amendment to the ILRP orders (and possibly dairy too).

DRAFT CONDITIONAL PROHIBITION LANGUAGE

- Patrick Palupa presented draft language for a conditional prohibition.
 - It wouldn't go into effect until the discharger receives a notice to comply.
 - It would sunset at the end of Phase 1 of the P & O study.
 - Would not apply to anyone covered under ILRP (or any other general order). Difficult to message.

DEFINITIONS FOR SHALLOW GROUNDWATER

- Language now expresses two options for permittees: use existing language as default, or provide more information to justify different criteria for a different definition of shallow groundwater for a particular area. The language will be revised to indicate that the default is the existing definition.

SALINITY CONTROL PROGRAM

- Richard Meyerhoff reviewed revisions to salinity control program language for the Basin Plan:
 - The Regional Board will notify permittees that they may re-evaluated their options for with pathway they want to take (conservative or alternative) after Phase 1.
 - The time to respond after NOI was changed from 90 to 180 days.
 - It was clarified that permittees can change their pathway during a phase, but they must provide good justification.
 - A “hard stop” will be implemented after Phase 1 to allow for re-evaluation.

- The conditional prohibition discussed above will be used for Phase 1 implementation (see p. 30 of salinity control plan in agenda package).
- Daniel Cozad presented Community/Industry inserts for outreach brochures for approval and all were approved, including Sacramento Valley Agriculture, Publicly Owned Treatment Works, and Oil and Gas.

The next time the Executive Committee will meet will be January 3rd, 2018.