

MEETING SUMMARY

CV-SALTS EXECUTIVE COMMITTEE POLICY SESSION NOTES – FEBRUARY 13, 2020

PREPARED FOR: Kern River Watershed Coalition Authority (KRWCA)

PREPARED BY: Stephanie Tillman/Land IQ

DATE: February 18, 2020

INTRODUCTION

The purpose of this meeting summary is to document the presentation and discussion items from the February 13, 2020 CV-SALTS Executive Committee Policy Session. The main purpose of this meeting was to update the committee on the CV-SALTS basin plan amendments implementation status, Management Zone Pilot Study and P&O Study Work Plan grant-funded documents; and public education and outreach committee activities.

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

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

SUMMARY AND RELEVANCE TO KRWCA

- **Basin Plan Amendments – Update and Implementation (Anne Walters/Patrick Palupa)** – Notice of Decision was filed with division of natural resources on Jan 17, which makes the BPA official. There was a partial disapproval by the USEPA because of the multi-discharger variance provision, so that has to be addressed by Regional Board. Community outreach is a major concern of the EJ community, State Board, and Office of Public Participation. Collaboration with these entities is necessary but adds to the time needed to mobilize efforts to meet compliance deadlines. Postcards were sent out, and notice of compliance letters for nitrate (Priority 1 only) will go out in March and those for salinity (all dischargers) will go out in April.
- **Management Zone (MZ) Pilot Study Projects (Richard Meyerhoff) – Project Update and Templates.** The Executive Committee approved the documents drafted by consultants to serve as templates and guidance documents. They are not final, but rather “grant final”, meaning they have met the requirements intended. The initial steps for the P&O study during the first year were reviewed.
- **Public Education and Outreach Committee (Nicole Bell)** – The outreach matrix, new website, monthly information blurbs, text for new nitrate control program for review were discussed. Postcards for advanced early notice to comply and revisions were discussed. PEOC is planning outreach strategy for Priority 1 areas.

MEETING NOTES

BASIN PLAN AMENDMENTS – UPDATE AND PROGRAM IMPLEMENTATION PATRICK PULUPA AND ANNE WALTERS (REGIONAL WATER BOARD)

- Notice of Decision – see agenda packet for letter
- Implementation Postcard Distribution

- Postcards were mailed out on Jan 30-31 by Regional Board – over 3,300 were mailed. Summary is in agenda packet. Some got returned – closed facilities, changed contact info, etc. Daphne has original mailing list, but it includes errors. Corrections will be made in the next month to prepare for notices to comply. See agenda packet for summary of mailings and General Orders that were included.
- Nitrate notice to comply in priority 1 areas will be mailed in March.
- Salinity notice to comply will be mailed in April.
- Update on 12-month BPA and Nitrate Early Action Plans (link in agenda packet)

Regional Board response to EJ comment letter on EAPs – see agenda packet for letter from EO

- Patrick notes that the need to make sure there are accessible summaries for each guidance and policy document.
- There is a lot of communication now between State Board and Regional Board staff regarding BPA implementation.
- Community outreach – one of biggest issues from EJ with regard to EAPs; therefore, Regional Board needs to develop strategy that is acceptable to stakeholders and state board.
 - Outreach is an essential component of entire BPA program that maybe wasn't appreciated enough at the beginning of this process.
 - The current process to get outreach plan approved is different than what Regional Board is used to. Usually, Regional Board lays out a plan and its expectations, then State Board reviews. This time, more top down, Office of Public Participation is playing a big proactive role, as is State Board.
 - List of best practices is being developed by OPP because Regional Board wants to know early what State Board's expectations are.
 - OPP wants a presence at an Executive Committee meeting in April or May to lay out expectations.
 - List of consultants may not meet expectations of how deep they can go in communities.
 - Big wrinkle may be that groups that are used to engaging with communities don't want to take money because they're worried it will taint their relationship with community members. In response to this concern, Joe Karkovsky is working on developing an approach via the state water fund that will re-route those concerns.
- There is also, on the other hand, a lot of pressure to get things done fast, especially by EJ community. Both Tess and Patrick are concerned that CV-SALTS and new BPA are being set up for failure because this process will take time.
- Concern voiced by Tess that dischargers are going to be asked to pay for community outreach without negotiation and that will be a hard sell; also that dischargers have been left out of discussion until now. Patrick reassured the committee that dischargers will be part of it, but Regional Board doesn't even know expectations yet. You can't make dischargers do something without negotiation or alternatives or policy because that would be an underground regulation.
- State Board is not known for its speed in approving contracts, etc.
- Expectation is to get list of best practices from State Board to OPP next month.

- Daniel commented that any feedback is helpful – EC hasn't heard from OPP in about three years even though they have been kept in the loop about CV-SALTS.
- Take home message is that Patrick needs list of practices ASAP from OPP because he doesn't want State Board to veto what they propose for community engagement. Management zone needs them too because they are in the same position and need to get going on compliance efforts.

Draft BPA Amendment Language

- First draft available for review – need comments by March.
- This is regarding process for defining MZ boundaries if collaborative process doesn't work among MZ members.

MANAGEMENT ZONE PILOT AND P&O STUDY DOCUMENT STATUS

- Review and approval of Grant Developed Documents
 - Links to preliminary MZ proposals with EAPs in agenda packet
 - Got very few comments on most recent draft
 - Placeholder for outreach, because it will be ongoing – contained in last link (guidance document)
 - Kings/Alta draft proposed MZ plan, Kings River/Alta draft EAP, Turlock draft PMZP, Turlock draft EAP
 - Guidance document for PMZPs and EAPs (includes templates)
 - To close out Grant committee approved grant developed documents (as "Grant Final", meaning they are still draft and won't be sent out, but they fulfilled requirements that consultants met for grant)
- Prioritization and Optimization Study
 - Review and approval of Grant Developed Workplan (link in agenda packet)
 - Conservative Permitting Guidance (link)
 - To close out Grant, committee approved these grant developed documents
- Submittal process and initial procurement steps (assuming salt notice to comply goes out April 1, 2020) – for P&O Study
 - Richard reviewed efforts that need to take place during the first year of the P&O study
 - Final workplan due 10/1/2020
 - Phase 1 governance and funding plans due 4/1/2021
 - Year 1 progress report due within 90 days after the end of one full year of implementation of the approved workplan
 - Initial technical tasks – year 1 total \$575K for technical tasks only. Year 2 budget total \$915K for technical tasks only. Other non-technical tasks will be going on as well.
 - Key executive committee activities for year 1 – finalize workplan, procure list of approved contractors, initiating year 1 technical tasks, establish policy discussion priorities, establish

outreach coordination process, initiate discussions on data repository methods/needs. These are only key concerns.

- Policy session meetings for Exec Committee could change format into MZ mtgs and P&O, or mtgs divided up into these two categories.

PEOC UPDATE

- Links to outreach materials
 - Outreach matrix
 - Web pages on new regulations live at cvsalts.info
 - Analytics capturing visitors better – that info can be used for targeted outreach to specific stakeholders
 - Monthly Blurb distribution – see agenda packet
 - Daphne re-sent monthly blurbs that went out in December
 - Nicole wants feedback on if they are being used for outreach
 - Debbie (CVQWA) is using them but they are about a month behind because they are using one at a time
 - Asks members to give Nicole feedback so PEOC can determine if it is a value effort to develop them
 - JP asked if there is a plan for updating webpage, since information changes so quickly – consultant generally coordinates with Nicole, Daniel and Daphne. Could also avoid time-sensitive material so it doesn't get out of date. Daphne can fix what's out of date now, with Anne's input on how it should be changed. If anyone notices anything out of date, he/she should let Nicole or Daniel know. Will discuss further with PEOC. Calendar also needs to be updated; link was blank.
- Documents for review and approval – Content for new nitrate control program brochure (draft)
 - Nicole asked everyone to review them before next meeting – time sensitive because notices to comply are going out in March.
 - Two-week review period – comments due to PEOC by last day of February.
 - Deadlines in BP – should be expressed in days, not months, because different months have different amount of days
 - How much detail should be in these documents? Regulations are difficult to describe in a short amount of text, and readers can go to website for more information, but need to have enough information without discouraging readers.
 - JP asked - Do we need to change title of the document? No further discussion.
 - Path A vs. Path B – language about Path A makes it sound more discretionary than it was likely intended to be. Tess will discuss that and then give comments to Nicole resulting from those discussions.

- Document should include info about Priority 2 as well as Priority 1. Maybe could say briefly that Priority 2 basins will be address later, or some similar brief explanation to that effect, even though exact dates aren't known yet.
- PEOC is having a brainstorming conference call next week regarding outreach workshop strategy for Priority 1 areas. Will report back at March meeting regarding a proposed plan.
 - Debbie asked if it is solely focused on nitrate, or is it focused on both nitrate and salts? Nicole advised that there hasn't been any specific discussion. Will discuss what consultant workshop will look like as well as outreach workshops. Executive Committee will have opportunity to provide input on PEOC recommendations/plan.
- Debbie is putting together workshop on April 9 for her organization to provide point-source focused outreach mainly for POTWs – main presentation at Regional Board but also satellite to Redding and Fresno offices so staff there can answer questions. Overview of salinity in morning, and nitrate and MZs in afternoon.
- March 26 there will also be CV-SALTS panel at Dairy Summit (JP)
- Every discharger got postcards for salinity and nitrate. Every discharger will get a salinity notice to comply. However, only Priority 1 area dischargers will get nitrate notices to comply. Not all coalitions have received a postcard. Nicole will get back to Anne about that so Regional Board knows if they didn't receive them.
- Dennis Tristau asked – as a farming operation, what notices should he expect to receive? None, because the coalition gets notices on his behalf.
- Legally, clock starts on deadlines when notices to comply is received. That will be slightly different for each discharger. So, deadlines will differ by a few days for entities that don't necessarily exist yet. JP has concerns about communicating deadlines. JP just wants awareness of that issue. Patrick suggested that some language can be dedicated to that in notices to comply.
- Deadlines – March 4 for Anne on draft amendment; end of Feb for nitrate control program brochure.

MEETING SCHEDULE

PEOC call March 18, 3-4 pm

Policy meeting March 20, 9-3, Regional San