

CV-SALTS EXECUTIVE COMMITTEE POLICY SESSION NOTES – MAY 23, 2019

PREPARED FOR: Kern River Watershed Coalition Authority (KRWCA)

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INTRODUCTION

The purpose of this meeting summary is to document the presentation and discussion items from the May 23, 2019 CV-SALTS Executive Committee Policy Session. The main purpose of this meeting was to update the Committee on the status of the following ongoing items: State Board approval process of BPA; program implementation planning; management zone pilots 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	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

- **State Board Schedule for Basin Plan Amendments** – Workshop scheduled for July 3, 2019, and adoption hearing scheduled for August 20, 2019.
- **Program Implementation Planning** – Programs affected by BPA are working under the assumption that BPA adoption is eminent, and are preparing mailing lists for notices to comply, etc. The Office of Administrative Law (OAL) needs to approve the BPA after it is adopted, which usually takes 60 days, and usually there are no major obstacles in that approval process.
- **State Board workshop presentation outline** – Areas of emphasis will include, based on Patrick Palupa’s advice, early action plans, pilot projects already under way, and areas of controversy such as enforceability, and conditional prohibition of discharge related to ag coalitions.
- **Management Zone Pilot Study Projects** –The initial leg work of establishing boundaries and making sure stakeholders are at the table is complete. Currently, steering committee is focused on details of how to implement early action plan tasks, such as citing water kiosks. There is still an issue with businesses being unaware of their permit status and how the new regulations will change it. There was discussion about how the Regional Board could help with that communication.
- **P&O Study Workplan** – Focused on how to set targets for AGR beneficial use. The consultant is considering building off experience using an archetype model (as used in prior N modeling in CV-SALTS) and experience of LSJR committee using performance objectives, etc.
- **Public Education and Outreach Committee** – The committee is finalizing a power point presentation for general outreach use, determining how to update the CVSC website, and finalizing a fact sheet on de-designated areas.

MEETING NOTES

- State Board BPA adoption process -Patrick Palupa (Regional Board)
 - State Boards wants a July 3 workshop, with an adoption hearing on Aug 20.

- State Board also wants to put some resolution language in BPA to satisfy EJ community; but it would be non-regulatory, so it would not change the BPA significantly.
- Because there was a non-point source court case after the Regional Board approved the BPA, but before the State Board considered it, expect considerable discussion around non-point source policy.
- Expect to be in implementation phase by January 2020.
- Court case determined that in non-point source discharges, you have to have a lot of specific data regarding water quality objectives in discharge (not just in receiving water); it has to be done at CV-SALTS level or WDR level; State board wants to pass CV-SALTS and then worry about complying with non-point source policy more specifically with WDRs. So, passing CV-SALTS will be easy, but WDRs will be more difficult/strict.
- Non-point source policy gets compressed under the court decision – providing drinking water, meeting water quality objectives, governance, etc.
- CEQA also gets tougher under this non-point source policy, but Patrick thinks there is still a lot of flexibility.
- Not all WDRs would be subject to non-point source policy; really only ILRP.
- Patrick thinks the State Board hasn't yet figured out exactly what they mean by non-point source – whether it's defined according to federal Clean Water Act, or does it apply to groundwater as well as surface water, etc. They have been focused on surface water, because that's what federal Clean Water Act focuses on. But they know it applies to large scale irrigation.
- Question about how SGMA works, especially if a lot of land is fallowed. Patrick thinks that dealing with some of the water scarcity issues via SGMA will help deal with water quality issues. Before SGMA, both Pamela Creedon and Patrick were skeptical that the new BPA was going to be successful, but after SGMA was passed, they were more confident in that regard.
- Question asked about why State Board wants another workshop before hearing. Some of the board members haven't been there long enough to have been involved; they want to give full opportunity for people to voice concerns; they want to let pressure off; they want to let folks know that they too care about opinions, not just regional board.
- Program implementation planning – Patrick Palupa (Regional Board)
 - 18 programs at Regional Board
 - Program manual for upcoming year – comes from all programs
 - Anne's unit can't do anything until they know it's passed
 - Other units – dairy, etc. – working on mailing addresses, templates, notices to comply, etc.
 - OAL takes 60 days to approve; they also get documents after the hearing, which take a few weeks to process; comments that need to be addressed, etc. It's unusual for them to reject a package – usually just editorial comments.
- State Board workshop presentation outline – Tess Dunham (Somach, Simmons and Dunn)

- Included in agenda package
- After overview, nitrate control program will be presented with related policies, including exceptions policy, because it's difficult to understand whole nitrate control program without understanding exceptions policy
- Similarly, salt control program and related policies will include variance policy
- Then other policies will be presented, including conditional discharge prohibition, drought and conservation, offsets, application of secondary MCLs to protect MUN, and sampling and monitoring
- Patrick thinks early action plans should be focused on because State Board will be interested in that; also he thinks enforceability should be explained; State Board doesn't care about conditional discharge prohibition as it relates to salt, but they care a lot about it as it relates to nitrate; there is perception that ag coalitions are exempt, but they're not, they will just be regulated differently when WDRs are changed through ILRP general orders
- Also should talk about pilot projects
- Focus on areas of controversy and areas that need explanation; can leave some other areas out that don't have significant opposition
- Update on Management Zones – Parry Klassen (ESJWQC)
 - Boundaries are identified
 - Main stakeholders are at table
 - Putting general ideas into more specific implementation ideas
 - Fill stations/water kiosks
 - Making sure water fill stations are within 5-10 miles of all who need
 - Trying to figure out who would be willing to have them in their businesses in their businesses, shops, etc.
 - Also need to figure out cost of fill stations/kiosks
 - Starting to do active outreach to communities
 - Richard has starting calling people and following up with detailed emails; groups such as poultry industry (Poultry Federation) – most sell to Foster Farms, which simplifies things
 - One problem Richard ran into is that it is difficult to find the person at a business who knows about WDRs and their own permit. He is talking to a lot of receptionists.
 - Discussion about board sending a letter to businesses telling them that changes are coming. Could go out with invoices for the permit fees, though invoices only go out once a year at different times of the year. Would need to go out prior to January 2020. Like a pre-notification. Or a postcard.
- P&O Study Workplan – Tom Grovhoug (LWA)
 - Richard anticipates completion by fall.

- Pages 7-9 in agenda packet – draft targets to protect AGR use
- CV-SALTS has historically devoted a lot of time to this topic
- Lower San Joaquin River work - how to build off this experience – though it dealt with surface water only
- Use an archetype model – pick several areas within the Central Valley, not sure of number yet; work closely with ag users, and apply some of the same concepts of LSJR, focusing on crops grown in area, identify common crops, inventory crop acreage, etc, determine what are most important crops are available, also take into consideration the irrigation methods that are used; use this information/assumptions in modeling to determine what is the water salinity that is appropriate for the area considering crops, etc.
- Then determine how to extrapolate from archetype out to valley wide approach. Don't want to be too prescriptive about how that is done.
- In an area, if default targets are set, need also to define process that could be used to refine those targets.
- Setting AGR targets was only part of what was done in LSJR; also looked at future salinity conditions, which was used by regional board to set water quality objectives.
- The topic of crop breeding through CRISPR (clusters of regularly interspaced short palindromic repeats) gene editing was brought up as a potentially powerful way to change how crops are tolerant to salt and how efficient they are in N uptake.
- Concern was voiced that targets might become water quality objectives.
- PEOC Update – Nicole Bell
 - General PPT presentation for outreach
 - Last month the general PPT presentation was discussed. It is now in the agenda packets ([link](#)) to review.
 - Though there was some discussion about having a short one and a long one, PEOC decided to stick to one version. Users can cull it down or add to it as they see fit.
 - Tess has done a legal review
 - Tess, Parry and Daniel used it at the ACWA annual meeting and the Almond Board of California workshop called Navigating the Waters
 - Is there a need to reach out to media prior to the state board workshop? The video could be used for this purpose. Something could also be sent out prior to the adoption hearing.
 - The public TV show California Heartland is being re-started, so could use that as a venue, but it takes several months to schedule a show around a certain topic.
 - New fact sheet for de-designated areas in agenda packet for review. This was developed mainly for the purpose of explaining that just because you are in a de-designated area doesn't mean you are exempt from new regulations.
 - PEOC is also working on new look for website.

- Patrick Palupa advised that all state government websites are going to have much of their content removed on July 1, 2019, because of a law that requires all documents on state websites to be ADA compliant, which means that they must be able to be read by a screen reader. Because most of the documents are not this way, they will get removed. This law has been in place for a few years, but it is only now being rigorously enforced.
- Schedule
 - Next meeting – June 20, 9 am-3 pm
 - No meeting in July
 - August 15 meeting
 - July 3 – State Board workshop
 - August 20 adoption hearing