Summary of CV-SALTS CEQA Scoping Session Comments/Questions
During October 2013 Public Workshops in
Modesto (10/10); Rancho Cordova (10/16); Colusa (10/21); Fresno (10/28)

Anti-Degradation

- Does Anti-degradation apply to groundwater as well as surface water? (Modesto)
- Are there clear guidelines on how to do an anti-deg analysis? (Modesto)
- Has the board has provided guidance to staff on anti-degradation analysis and maximum benefit determination? (Fresno)
- Is there potential that anti-degradation may not be attainable in some areas? (Colusa)
- Is there a standardized method of determining "maximum benefit"? (Colusa)
- Can you consider "economic vitality" as part of "maximum benefit"? (Colusa)

Categorizing Water Bodies

- Does the Board know how many natural tributariess, streams, etc. are out there and currently un-designated? Knowing that there are thousands it would make sense to break it down into some type of management zones. (Rancho Cordova)
- Would it make more sense to classify groundwater basins on a smaller scale than traditional hydrologic basins? (Colusa)

Beneficial Uses

- MUN: What are examples of a limited use (Rancho Cordova)
- AGR: Are there any cases where there has been impairment due to salt? (Colusa)
- AGR: Imperial Valley is evaluating impacts on their basin from Colorado River imports. (Colusa)
- AGR: Flushing salts is a reasonable beneficial use of water. (Colusa)

Water Quality Objectives

- MUN: If Secondary MCLs apply to raw water, do all supplies need to be treated for salt? (Rancho Cordova)
- MUN: Is there any other criteria that could be used as water quality objectives for other categories of MUN (Modesto)
- AGR: Aren't there currently areas where background salinity exceeds 700 umhos/cm? (Modesto)
- AGR: During a recent study evaluating water quality in 70-irrigation wells, found that more than EC needed to be addressed to protect ag (e.g. pH, carbonate and interactions between chemicals). Current approach appears limited if only looking at EC/TDS. (Modesto)
- AGR: Natural groundwater background ranges from 300-1600 EC and higher. Permitted waste water currently being used on crops can contain 2800-3000 EC. How is this apparent regulatory discrepancy resolved?
- AGR: What is the current AGR narrative objective and how might it change? (Colusa)
- AGR: Reuse has been occurring for decades in the Colusa Basin Drainage area. Coordination occurs between districts and anything under 1000-EC appears OK. Re-use is beneficial. Worried that farming will end or will eliminate discharges to lower farms (or from lower farms) if the current water quality objective enforced. (Colusa)
- AGR: A single number doesn't represent reality. Need some flexibility, especially during drought conditions or when trying to maximize water conservation. (Colusa)

- AGR: Like a two sided coin, need good supply but still need to drain. Need to find a manageable balance that allows water reuse and conservation without impacting neighbors. (Colusa)
- What is driving the discussion about stock watering? Does the Board have to set level of protection for stock watering no matter what the percentage of use? (Fresno)

Alternative Compliance Utilizing Groundwater Assimilative Capacity

- Question zeroed in on issue of impacted zone. Questioner said that antideg cannot be done because the zone is already impacted. Had a very hard time understanding the concept of moving the point of compliance. (Rancho Cordova)
- Commenter "doesn't see how changing the point of compliance is consistent with antideg and porter cologne" (Rancho Cordova)
- Is "this" (use of assimilative capacity to measure compliance) even legal? Did not think that dilution was an allowable Beneficial Use. (Fresno)
- "This" is a potential way to incentivize ways to provide clean water to impacted wells. (Fresno)
- Would the proposal to use assimilative capacity come from a Management Zone to Board? (Fresno)
- Sustainability of salt is important, especially in the San Joaquin River Basin, where current numbers can't be met at the end of a drain/field. Ag is evaluating assimilative capacity of the river through Real-Time Management activities. (Colusa)
- How did the concept of assimilative capacity work in the Santa Ana Basin? (Colusa)

Alternative Compliance Strategies

- Commenter who has worked on SNMPs in RB1 and RB2 said they had found recycled water was a very small contributor of salt. Recommended that we don't limit the idea or approach of sources of salt. (Imported water and private sources such as septic systems, landscaping) (Rancho Cordova)
- What's the incentive to utilize alternatives? Where's the monetary benefit? (Colusa)

Regulatory Process

- What are the constituents covered by "salt"—e.g. is perchlorate covered? (Rancho Cordova)
- Concern that by setting up alternative compliance strategies for "only salt" that other dischargers of other types of constituents would be regulated to a different level. Would like to see the alternative compliance strategies apply for other constituents. (Rancho Cordova)
- Endorse this "holistic" approach and caution that regulatory "tools" are not the best approach. (Colusa)
- How do we deal with past liabilities (in the groundwater)? Current activities and potential improvements may not be observed for decades. Who is liable for past practices? (Colusa)

General Comments

- Each question and issue could encompass a full day or more of discussion. How can we even respond and comment right now? (Modesto)
    - *Response at meeting was to note that detailed discussions on these topics are occurring at the CV-SALTS Executive Committee meetings which are open to the public. The comment period on the potential project components is also open until December 31, 2013.*

- Where does the current Irrigated Lands Regulatory Program fit in? That program appears to be utilizing flexibility/alternatives that don't seem to fit the command and control model described. The monitoring and research studies already appear to serve as a variance. (Modesto)
- How can you protect groundwater and still have agriculture? Is there a priority rating that indicates which is more important? (Modesto)
- The project appears to focus on how do we add more salt or provide regulatory relief (Rancho Cordova)
- The communities that are facing degraded drinking water today are not going to be receptive to a project that appears focused on regulatory relief. (Rancho Cordova)
- CV-SALTS goals (maintain Ag, etc.) appear to get lost in the details of the proposed project. (Rancho Cordova)
- Intent of the project should be to allow regulated community to have the flexibility to come up with their own decisions on how to sustainably manage salt/nitrate in their area. (Colusa)
- Don't lose sight of unintended consequences. Hanford had arsenic for years with no apparent impact to population (concentrations below criteria at the time). When Department of Public Health lowered arsenic MCL, Hanford had to drill deeper wells. Now arsenic meets drinking water criteria but trees and landscaping in the city are dying due to higher salt and boron levels from deeper wells. (Fresno)
- Have there been any studies on how many cows an area can support to prevent nitrate contamination? Referenced Belgium or Netherlands studies. (Fresno)
- Are other regions handling assimilative capacity the same way? (Fresno)
- If assimilative capacity concept in groundwater is found to be inappropriate how will "it" (contamination, discharge, recycling, etc.) be handled? (Fresno)
- How is this CEQA process going to be handled will there be an EIR developed or will it be an FED (Functional Equivalent Document—now known as a Substitute Environmental Document)? (Fresno)
- When will the SED (substitute environmental document) be completed? (Modesto)
- Throughout the presentation there is mention of "Long Term Sustainability" what is the time frame being considered for "long term"? (Fresno)
- If guidance developed is not included in an actual basin plan amendment that guidance should go through an approval process to avoid the perception of underground regulations. (Fresno)
- Don't forget to evaluate the benefits of salt accumulating plants as a means to remove salt from the basins (e.g. as feed for stock outside of the Central Valley). (Modesto)
- Have there been any studies on removing salt through harvestable crops? (Colusa)
- Will the developed SNMP be absorbed into the Basin Plan or be a stand-alone "plan"? (Colusa)
- What considerations are being given to future issues and changes? How do we know that what is considered OK today won't change in 20-yrs? What if something better is developed? (Colusa)
- Would flexibility be removed if a plan is put into a Basin Plan (e.g. Santa Ana example)? (Colusa)

Cost

- How much is this project costing and where is the money coming from? (Colusa)

- Seems like an expensive project. The effort should be funded through a general fund (State funded). Dischargers need to know how much the plan will cost in the future (e.g. to implement). (Colusa)
- Need to balance the costs of overly conservative regulation with the cost of efforts to try to bring more sense to the process. There is a laundry list of issues that this project is trying to address. (Colusa)
- Existing rules are worse than the proposed alternatives. (Colusa)
- Costs should be determined by who is causing issues—apportioned. What kind of allotment of costs has been considered? (Colusa)
- What are the boundaries of the economic analysis going to be? (Colusa)