

# Minimum Requirements for Alternate Compliance Plans/Management Zone Implementation Plans

Updates to Initial Assessments and Preliminary Management Zone Proposals

- Options: a) Incorporate as Part of Basin Plan Language  
b) Incorporate as Guidance in Staff Report

SNMP Recommendation	Modified Recommendations
<p><b>Proposed preliminary boundary areas that include:</b></p> <ul style="list-style-type: none"> <li>Anticipated zone of influence of the individual discharger (or third party group subject to a general order), or group of dischargers under a management zone, over a 20-year planning horizon</li> </ul>	<p><b>Modifications to SNMP Recommendations:</b></p> <ul style="list-style-type: none"> <li>Anticipated zone of <u>contribution</u> of the individual discharger (or third party group subject to a general order), or group of dischargers under a management zone, over a 20-year planning horizon</li> </ul>
<ul style="list-style-type: none"> <li>Stakeholders that may be affected within the zone of influence.</li> </ul>	<ul style="list-style-type: none"> <li>Stakeholders that may be affected within the zone <u>of contribution over a 20-year planning horizon;</u></li> </ul>
<ul style="list-style-type: none"> <li>Initial assessment of water quality conditions based on existing data and information. For groundwater, dischargers should use default information in, or referenced by, the Central Valley SNMP or provide supplemental information that includes water quality conditions in the upper, lower and production zones over the anticipated zone of influence.</li> </ul>	<ul style="list-style-type: none"> <li><u>Further assessment of water quality conditions based on additional data and information.</u></li> </ul>
<ul style="list-style-type: none"> <li>Any constituents of concern the individual discharger/group of dischargers intends to address besides nitrate (not required but is an optional available); and</li> </ul>	<ul style="list-style-type: none"> <li>No change</li> </ul>
<ul style="list-style-type: none"> <li>Identification of current best efforts/Best Practicable Treatment and Control (BPTC) and need for assimilative capacity or an approved exception from meeting the nitrate water quality standard.</li> </ul>	<ul style="list-style-type: none"> <li>No change</li> </ul>

## Components of a Proposed Alternative Compliance Project

SNMP Recommendation	Modified Recommendations
<ul style="list-style-type: none"> <li>Be consistent with the management goals of the Central Valley SNMP, including addressing short-term and long-term drinking water needs affected by nitrates (Management Goal 1), plan for achieving balanced nitrate loadings within the proposed boundaries of the project, where reasonable and feasible (Management Goal 2), and a plan for establishing a managed aquifer restoration program to restore nitrate levels to concentrations at or below the water quality objectives to the extent reasonable and feasible (Management Goal 3).</li> </ul>	<ul style="list-style-type: none"> <li>No change</li> </ul>
<ul style="list-style-type: none"> <li>Prioritize assurance that drinking water that meets drinking water standards is available to all drinking water users within the zone of influence where there are significant nitrate water quality concerns in groundwater. This component may be met through the development and implementation of an Early Action Plan, as may be required by the SNMP (see SNMP Groundwater Management Zone Policy, Attachment A-1; SNMP Nitrate Permitting Strategy, Attachment A-2; and SNMP Section 4.3.2.2).</li> </ul>	<ul style="list-style-type: none"> <li><u>Include a process to ensure that drinking water that meets drinking water standards is available to all drinking water users utilizing groundwater within the zone of contribution.</u> This component may be met through the development and implementation of an Early Action Plan, as may be required by the <u>SNMP Nitrate Permitting Strategy, payment into a mitigation fund, and/or other mechanisms geared toward providing emergency, interim and permanent solutions.</u></li> </ul>
<ul style="list-style-type: none"> <li>Describe the outreach that will occur to insure that stakeholders or affected communities within the zone of influence are informed of, and given opportunity to participate in, the development of any ACP proposal as well as ongoing activities designed to resolve their drinking water concerns.</li> </ul>	<ul style="list-style-type: none"> <li>Describe the outreach that <u>has occurred and that will continue to occur</u> to ensure that stakeholders or affected communities within the zone of influence are informed of, and given opportunity to participate in, the development of any ACP proposal as well as ongoing activities designed to resolve their drinking water concerns.</li> </ul>
<ul style="list-style-type: none"> <li>For a management zone, contain a governance framework that, at a minimum, establishes the following: (a) roles and responsibilities of all participants; (b) involvement of an entity with authority to manage water use within the zone of influence, if applicable or as necessary; (c) funding or cost-share agreements to implement the ACP, and short and long-term nitrate management projects/activities; and (d) a mechanism to resolve disputes among participating dischargers.</li> </ul>	<ul style="list-style-type: none"> <li>For a management zone, contain a governance framework that, at a minimum, establishes the following: (a) roles and responsibilities of all participants; (b) involvement of an entity with authority to manage water use within the zone of influence <u>including any identified SGMA management agency,</u> if applicable or as necessary; (c) <u>involvement of representative(s) of stakeholders and/or communities within the zone of influence that utilize the groundwater as a drinking water supply;</u> (d) funding or cost-share agreements to implement the ACP, and short and long-term nitrate management projects/activities; and (e) a mechanism to resolve disputes among participating dischargers.</li> </ul>

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<ul style="list-style-type: none"> <li>Identify how nitrate conditions will be characterized for use as the basis for demonstrating how nitrate will be managed over short and long-term periods to meet the nitrate management goals established in the Central Valley Region SNMP.</li> </ul>	<ul style="list-style-type: none"> <li>No change</li> </ul>
<ul style="list-style-type: none"> <li>As needed, prioritize management activities based on factors identified in the Central Valley SNMP and the results of the characterization of nitrate conditions. Prioritization provides the basis for allocating resources with resources directed to the highest water quality priorities first.</li> </ul>	<ul style="list-style-type: none"> <li>Remove this bullet</li> </ul>
<ul style="list-style-type: none"> <li>Identify short (<math>\leq 20</math> years) and long-term (<math>&gt; 20</math> years) projects and/or planning activities that will be implemented as part of the ACP to make progress towards attaining each of the water quality-related management goals established by the Central Valley SNMP within the zone of influence. For management zones, projects/planning activities may be prioritized to better allocate resources. Over time as water quality improves in prioritized areas, updates to the ACP may shift the priorities.</li> </ul>	<ul style="list-style-type: none"> <li>Identify short (<math>\leq 20</math> years) and long-term (<math>&gt; 20</math> years) projects and/or planning activities that will be implemented as part of the ACP to make progress towards attaining each of the water quality-related management goals established by the Central Valley SNMP within the zone of influence. <u>Projects/planning activities must first prioritize provision of safe drinking water</u> but individual activities may be further prioritized to better allocate resources. Over time, as water quality improves in prioritized areas, updates to the ACP may shift the priorities.</li> </ul>
<ul style="list-style-type: none"> <li>Identify mechanism(s) to support achievement of the overall Central Valley SNMP's long-term strategy to achieve balanced nitrate loadings and managed aquifer restoration, where reasonable and feasible. Mechanisms may include, but not be limited to: <ul style="list-style-type: none"> <li>Use of offsets to help mitigate potential localized impacts, while improving overall basin or subbasin-wide water quality</li> <li>Implementation of management practices that will reduce current nitrate loading to groundwater; and</li> </ul> </li> </ul>	<ul style="list-style-type: none"> <li>Identify mechanism(s) to support achievement of the overall Central Valley SNMP's long-term strategy to achieve balanced nitrate loadings and managed aquifer restoration, where reasonable and feasible. Mechanisms may include, but not be limited to: <ul style="list-style-type: none"> <li>Use of offsets to help mitigate potential localized impacts, while improving overall basin or sub-basin-wide water quality (<u>see SNMP Offsets Policy, AttachmentA-7</u>);</li> <li>Implementation of management practices that will reduce current nitrate loading to groundwater;</li> <li><u>Managed groundwater recharge;</u></li> <li><u>Pump and utilize and/or treat and distribute;</u> and</li> <li><u>Payment into a mitigation fund established to meet development and implementation of long term drinking water solutions, balance and restoration.</u></li> </ul> </li> </ul>
<ul style="list-style-type: none"> <li>Include a short and long-term schedule for implementation of nitrate management activities with interim milestones and performance measures to assess progress.</li> </ul>	<ul style="list-style-type: none"> <li>Include a short and long-term schedule for implementation of nitrate management activities with interim milestones and performance measures to assess progress <u>every 5 years during</u></li> </ul>

SNMP Recommendation	Modified Recommendations
	<p><u>the first 20 year planning horizon and every 10 years thereafter.</u></p>
<ul style="list-style-type: none"> <li>• Identification of triggers for the implementation of alternative procedures or measures to be implemented if the interim milestones are not met.</li> </ul>	<ul style="list-style-type: none"> <li>• No change</li> </ul>
<ul style="list-style-type: none"> <li>• A water quality surveillance and monitoring program that is adequate to assure that the ACP when implemented is achieving the expected progress towards attainment of water quality-related management goals (coordination with the SNMP’s surveillance and monitoring program may be considered as part of efforts to comply with this element).</li> </ul>	<ul style="list-style-type: none"> <li>• A water quality surveillance and monitoring program that is adequate to <u>ensure</u> that the ACP when implemented is achieving the expected progress towards attainment of water quality-related management goals (coordination with the SNMP’s surveillance and monitoring program may be considered as part of efforts to comply with this element).</li> </ul>
<ul style="list-style-type: none"> <li>• The ACP may be modified periodically to incorporate changes that will benefit water quality. Any modifications to an ACP that impact or change timelines, milestones or deliverables identified must be approved by the Central Valley Water Board.</li> </ul>	<ul style="list-style-type: none"> <li>• The ACP may be modified periodically to incorporate changes that will benefit water quality. Any modifications to an ACP that impact or change timelines, milestones or deliverables identified must be approved by the Central Valley Water Board <u>through a public process.</u></li> </ul>
<ul style="list-style-type: none"> <li>• The ACP shall identify the responsibilities of each regulated discharger, or groups of regulated dischargers if participating in a management zone, to manage nitrate within the zone. The Central Valley Water Board shall incorporate the responsibilities of each discharger, or groups of dischargers if within a management zone, into their respective Individual or General WDRs.</li> </ul>	<ul style="list-style-type: none"> <li>• No change</li> </ul>
<ul style="list-style-type: none"> <li>• Before the Central Valley Water Board may modify any WDRs to incorporate the use of assimilative capacity on a management zone basis or to adopt an exception to meeting a water quality standard in a WDR for a discharger participating in the management zone, the Central Valley Water Board’s Executive Officer must approve the establishment of the management zone and its ACP after providing public notice and opportunity to comment. Executive Officer approval of the management zone in no way changes the requirement that any modifications to WDRs must be approved by the Central Valley Water Board after public notice and hearing.</li> </ul>	<ul style="list-style-type: none"> <li>• Before the Central Valley Water Board may modify any WDRs to incorporate the use of assimilative capacity on a management zone basis or to adopt an exception to meeting a water quality standard in a WDR for a discharger participating in the management zone, the Central Valley Water Board’s Executive Officer must approve the establishment of the management zone and its ACP after providing public notice and opportunity to comment. <u>Should a stakeholder that is in the zone of influence of the proposed management zone contest the proposed ACP, the ACP must be approved by the Central Valley Water Board after public notice and hearing.</u> Executive Officer approval of the management zone in no way changes the requirement that any modifications to WDRs must be approved by the Central Valley Water Board after public notice and hearing.</li> </ul>

SNMP Recommendation	Modified Recommendations
	<p><b>Additional guidance:</b></p> <ul style="list-style-type: none"> <li>• Implementation plans must ensure that groundwater basins are restored within 50 years.</li> <li>• Identification of stakeholders within the zone of contribution who are not included within the ACP boundaries and why;</li> <li>• Identification of areas within the zone of influence that overlap with other management areas/activities and the process to ensure coordination;</li> <li>• Identifications of geologic and hydrologic features that limit or promote groundwater movement.</li> <li>• Process to identify affected residents and the outreach utilized to ensure that stakeholders are informed of and given the opportunity to participate in the development of any ACP proposal;</li> <li>• The triggers for determining the need for an ACP are identified in the Nitrate Permitting Strategy and based in part on the nitrate concentration in the effluent, the concentration in the receiving water, and the rate of degradation.</li> <li>• Progress on the milestones and performance measures of the ACP must be provided to the Central Valley Water Board at a minimum of every five years during the first 20-year planning horizon and every 10-years thereafter. The progress reports must also include:</li> </ul>