

Response to Comments on August 15, 2019 Workplan Draft

No.	Commenter	Ref.	Comment (Summarized)	Response
1	Tim Johnson Rice Commission	Task 4.1.1	Add a task to facilitate a policy discussion focused on the development of partnerships and cost-sharing programs for non-physical projects, as a mechanism to reduce salt contributions from upstream SMR's that benefit overall salt reductions in the Central Valley.	Added following text as an additional bullet in list of policy discussion items in Task 4.1.1.: <i>"Discussion of opportunities to develop partnerships and cost sharing programs, e.g., with other SMRs, to support implementation of non-physical projects (identified in Task 4.2) in Phase II that benefit overall salt reductions in the Central Valley."</i> This addition plus the addition resulting from the responses to Comments No. 13 and 20 below added three important issues to the policy discussion list. We made a small increase in the annual budget for this task.
2	Tim Johnson Rice Commission	Task 4.2	Add a task to develop partnerships and cost sharing programs for non-physical projects that reduce salt contributions from upstream SMR's that benefit overall salt reductions in the Central Valley.	Task 4.2 addresses the identification of potential non-physical projects for inclusion in SMRs. Selection of non-physical projects for inclusion in an SMR does not occur until Task 4.5. Because this work would only be accomplished with non-physical projects planned for implementation in Phase II, we have incorporated this recommendation into Task 4.6 (Develop Phase II Salt Management Region Implementation Plans) as a new Subtask 4.6.1 (Develop Partnerships and Cost-Sharing Programs to Support Implementation of Non-Physical Projects). Original three subtasks 4.6.1 thru 4.6.3 have been renumbered 4.6.2 thru 4.6.4. Modification resulted in the addition of a new line item in the deliverable, schedule and budget tables in Section 5.
3	Rebecca Franklin Regional Sanitation District (Regional San)	Figure 2-4	Would there potentially be a scenario where existing and already planned projects would be sufficient to ensure long-term sustainability (e.g. foothill areas)? If so, recommend adding one additional SMR scenario with 3 bullets (similar to SMR A but with no new non-physical projects or physical projects needed).	In theory, this scenario could occur in a planning area. Rather than revise the figure, we added a parenthetic note to the figure caption and we modified the text to note the possibility. Specifically, in "Step 5: Select a Preferred Salt Management Alternative" the text now states the following: <i>"Figure 2-4 provides a conceptual illustration of various SMR project portfolios that could be outcomes from Phase I. In addition to what is shown in Figure 2-4, the potential exists for an SMR to demonstrate that it can achieve salt sustainability without any new non-physical or physical projects. Under this scenario, the only element in the project portfolio would be implementation of existing and planned salt management projects."</i> Footnotes with similar statements were added at Tasks 3.7 and 4.2 to note that additional analyses to identify non-physical and physical projects would not be necessary in an SMR that could achieve sustainability without new physical/non-physical projects.
4	Rebecca Franklin Regional San	Task 3.8.1	There are some additional benefits to groundwater recharge in basins where groundwater has a surface water outflow/connection.	The following sentence was added to the overall description of Task 3.8.1: <i>"Improving the water quality of underlying aquifers, stormwater recharge improves/increases natural outflows of basins – through subsurface outflow and rising groundwater in streambeds where there is an interconnection with groundwater."</i>
5	Rebecca Franklin Regional San	Task 3.8.1	Recommend including in-lieu recharge (using recycled water to substitute for groundwater use) in this assessment.	The following bullet was added to the overall description of Task 3.8.1: <i>"In lieu recharge, e.g., using recycled water for crop or landscape irrigation, which reduces groundwater demand and use"</i>

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6	Rebecca Franklin Regional San	Task 3.8.1.1	DWR is interested in cataloging GSP projects into a centralized database, so we recommend coordinating with that effort.	The following sentence was added to Task 3.8.1.1: <i>“At this time, DWR is planning to compile GSP project information into a central database. To support this task, the Contractor will evaluate the availability of data in this planned database and use it to the extent possible to support preparation of the deliverables for this subtask.”</i>
7	Rebecca Franklin Regional San	Task 3.8.1.1	Non-critically over-drafted subbasins won’t necessarily have GSPs completed until 2022 so additional coordination will be necessary with those GSAs to ensure planned projects are included in this analysis.	The following footnote was added to Task 3.8.1.1: <i>“Non-critically over-drafted subbasins are not required to have GSPs completed until 2022 so additional coordination may be necessary with those GSAs to ensure planned projects are included in this analysis when the development of potential physical and non-physical projects occurs under this Workplan.”</i>
8	Rebecca Franklin Regional San	Task 3.8.1.3	Recharge projects may also be sited to provide ecosystem benefits such as benefits to riparian habitats in groundwater dependent ecosystems and stream benefits (in areas with rising groundwater).	The following text was added to the “Stream Course” bullet in Task 3.8.1.3: <i>“Recharge projects may also be sited to provide ecosystem benefits such as benefits to riparian habitats in groundwater dependent ecosystems and stream benefits (in areas with rising groundwater).”</i>
9	Rock Zierman CIPA	Pg. 1-2	The revised Workplan addresses one of our primary requests, to emphasize that CVSC participation benefits members with a streamlined permitting procedure that reduces the costs of compliance. (See page 1-2.) However, CIPA notes the need to emphasize the control of program costs. For example, the Workplan proposes funding both a facilitator and administrator. (32) These positions could be combined.	While controlling program costs is certainly important, combining the administrator/facilitator positions may be difficult given the very different functions/skill sets anticipated for these positions. Specifically, the administrator functions to manage stakeholder participation including, but not limited to, meeting locations, agendas and notes. The facilitator is intended to be a person who not only has skills to facilitate potentially challenging meeting discussions among stakeholders but has sufficient knowledge of the agenda items under discussion (e.g., see list of potential topics in Task 4.1.1) to help obtain necessary input/direction from the Executive Committee to keep the program moving forward. For now, we recommend retaining both positions, but this is something that the Executive Committee can revisit on a regular basis during implementation of the annual planning task (Task 2.1.1.2).
10	Rock Zierman CIPA	Table 1-1	Table 1-1 lists studies for stormwater and recycled water...which could be fulfilled by existing research or SWRCB / DWR work. (1-5)	Table 1-1 is equivalent to Table S-2 in the Basin Plan Amendment (BPA) that establishes the Salt Control Program. We have included it here to provide a reference to what the regulation requires as deliverables from the Phase I P&O Study. All of the special studies in this table and referenced in this comment are addressed in Task 3.8.1. The intent throughout this task is to coordinate/collaborate with other agencies and rely on existing information where possible. Thus, the references to coordination and interaction with other agencies, including GSAs, Division of Water Rights, Water/Irrigation/Flood Control Districts, DWR and US Army Corps of Engineers. However, we have added additional clarifications in a few places. See also response to coordination issues in Comment No. 15.

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11	Rock Zierman CIPA	Task 3.1.1.1 Pgs. 4-21, 4-22	Another example of costs, the contractor in Task 3.1.1.1 is delegated to compile surface water data from stations approved by the executive committee. (4-21). A number of questions: Surface water? Data available elsewhere? Stations existing? And the contractor is developing a salinity assessment methodology...which does not exist anywhere? (4-22)	<p>The Salt Control Program applies to both surface and ground waters in the Central Valley (see description of Salt Control Program in BPA). For Tasks 3.1.1.1 (Current Ambient Salinity Conditions in Surface Water Bodies) and Task 3.1.1.2 (Current Ambient Salinity Conditions in Groundwater Basins) the intent is to use data available from other entities and from existing stations. For example, the scope of work for the surface component states: <i>“For each hydrologic region, the Contractor will catalog potential surface water sampling stations with <u>publicly available data</u> for potential use in characterizing ambient salinity conditions... <u>sources include, but may not be limited to, US Geological Survey [USGS], Central Valley Water Board, California Environmental Data Exchange Network [CEDEN], etc...Contractor will work with agencies that may have data not publicly available (e.g., water districts) to identify sampling stations for potential use in this task...The Contractor will compile the surface water data from the stations approved by the Executive Committee”</u></i> (emphasis – underline – added).</p> <p>With regard to the comment regarding “salinity assessment methodology,” we have deliberately included a step for the Contractor to develop a methodology that is approved by the Executive Committee. There are methods in existence, but we believe it is critical that whatever is used by the Contractor considers the methods that will be incorporated into the CV-SALTS Surveillance and Monitoring Program (SAMP) – the monitoring program to be developed by CV-SALTS to assess the effectiveness of the Salt & Nitrate Control Program. The Contractor should also consider other regulatorily accepted methods such as the one approved by the Santa Ana Water Board and in use in the Santa Ana Region (see text) and other assessment methods used by CV-SALTS during development of the BPA. Consideration of CV-SALTS methods was not particularly clear in the text, so we have edited the text to mention it.</p> <p>Also, to be even more clear about the use of existing data, we have added text to both the groundwater and surface water subtasks in Task 3.1.1 to note that the effort to compile existing data will include a data call to the P&O Study email list.</p>
12	Rock Zierman CIPA	Task 3.6.2	Likewise, for Task 3.6.2, characterizing SMRs...this could be obtainable from existing data, or at least partially so. (4-36)	<p>The intent of the P&O Study Workplan is to use existing (or “available”) data and analyses to the extent possible. For example, the existing text states: <i>“The purpose of this subtask is to collect and <u>compile the available data, studies, and reports</u> that will be used in Task 4 to support development of salt management alternatives in each SMR. To complete this task, the Contractor will (a) review and <u>compile relevant data and information already developed</u> through the implementation of Tasks 3.1 through 3.5...”</i> (emphasis - underline - added). Similar to sections 3.1.1.1 and 3.1.1.2 we added text to state that a call for “existing relevant data, studies, and reports” will be made to P&O Study stakeholders.</p>

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13	Rock Zierman CIPA	Tasks 3.8.1, 4.1.1 & Task 4.3.4	We respectfully reiterate our concern that there is insufficient reference to IND permit and program considerations. As a result, unintentional but consequential omissions may occur in Task 3.8.1, groundwater recharge (4-38-39), Task 4.1.1 produced water policies (4-48-49) and in Task 4.3.4, evaluating salt management / storage / disposal options. (4-57-58) The three citations might reference IND leadership in prioritizing and detailing options, as AG and MUN are incorporated elsewhere.	<p>We agree there is insufficient reference to the IND (Industrial Service Supply) beneficial use (and PRO [Industrial Process Supply] beneficial use) in the Workplan. Both are presumptive uses in groundwater and should be considered during development of long-term salt management strategies, in particular with regards to how potential salt management strategy might affect industrial uses. However, it is important to recognize that this evaluation would be based on available studies, reports, etc. that evaluate the use of water with elevated salinity for industrial purposes. This evaluation would be limited to this scope because there are currently no numeric water quality objectives applicable to IND/PRO. There are also no narrative translators in use to establish salinity targets for these uses. To address this comment, we made targeted revisions to the Workplan to emphasize the need where appropriate to broaden evaluations of use protection to include IND/PRO, e.g.,</p> <ul style="list-style-type: none"> • Task 3.2: First sentence of this task was revised to state (italics = new text): As part of the P&O study, the Contractor will develop information leading to the establishment of numeric targets to protect the AGR and other existing beneficial uses in surface waters and groundwaters of the Central Valley Region (<i>e.g., this may include Industrial Service Supply [IND] and Industrial Process Supply [PRO] beneficial uses which, per the Basin Plans, are presumptively applied to all groundwaters</i>) (see also next comment which is relevant to this change) • Task 3.4.1: In the list of “Areas to be evaluated include requirements related to, but not limited to”: Added IND and PRO uses to list of beneficial uses to be evaluated and modified “farming practices” to “farming and industrial practices”. • Task 4.1.1: Added bullet to list of policy discussion items: “<i>Discussions regarding how the salt management strategies under development in the P&O Study provide protection of IND and PRO beneficial uses given that the Basin Plans state that all groundwater in the Central Valley Region is considered suitable or potentially suitable for industrial supply (IND), and industrial process supply (PRO)</i>”. • Task 4.1.3.2: Task focuses on de-designating AGR/MUN uses where establishment of an SMA is appropriate. A footnote was added to note the potential need to address applicable IND/PRO uses as well: “<i>This task focuses on de-designation of AGR and MUN as the Basin Plans currently apply conservative assumptions for interpretation of the narrative objectives and application of numeric water quality objectives, respectively, to protect these beneficial uses. However, the scope of this task may be broadened by the Executive Committee if a finding is made that de-designation of IND/PRO beneficial uses is determined necessary or preferred when establishing an SMA. If de-designation of these uses was deemed necessary, the exception criteria in the Basin Plans applicable to these uses would need to be evaluated for the SMA.</i>” Budget for this task was not increased at this time, but if additional technical work was needed to address de-designation of IND/PRO uses, additional budget would be required to make the appropriate technical findings.

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14	Rock Zierman CIPA	Task 3.2.1	And Task 3.2.1 posits the identification of “archetype study areas” with reference to cropping patterns...there may be archetypical IND study areas? (4-25)	Task 3.2 is focused on setting appropriate numeric targets. The emphasis is clearly on AGR simply because currently AGR protection with regards to salinity is often based on a conservative interpretation of the narrative objective consistent with the Conservative Permitting Approach. In contrast, as far as we know there are no comparable narrative interpretations of the IND/PRO uses that result in the establishment of similarly conservative numeric targets to protect these uses. Therefore, establishing an archetype study area specific to IND/PRO under Task 3.2.1 would not be the best use of budget to evaluate archetype areas. Instead, the evaluation of archetype areas should first consider AGR but then also consider other beneficial uses within the archetype study areas as well (e.g., not just IND/PRO but also aquatic life uses as needed). The existing Workplan scope of work includes that element, but we have made some edits throughout Task 3.2 to make that a little clearer. For example, in the first sentence of Task 3.2 we have noted the applicability of IND/PRO to groundwater as a presumptive beneficial use. In addition, under Task 3.2.1 when selecting archetype areas, we have added text regarding factors to consider when selecting study areas, including other beneficial uses.
15	Rock Zierman CIPA	Various Pgs. 1-4, 1-7, 2-3, 4-8, 4-22, 4-28...	Additionally, there remains the critical need to provide specific details about how the CVSC will coordinate and integrate with GSAs, water boards, DWR, DFW and DOC. As opposed to simply citing the proposed cooperation, there might be tasks listed on data development, database sharing and solution evaluation, as well as State departments accepting compliance and permits via reciprocity. (1-4, 1-7, 2-3, 4-8, 4-22, 4-28...). We are ready to provide additional details if needed. If permittees are to control costs and accelerate compliance, specified interagency efficiencies are imperative.	The existing Workplan emphasizes the need to coordinate with various governmental entities, especially GSAs in various tasks, especially in Tasks 3 and 4. To illustrate this, we have created a summary of coordination activities applicable to Workplan tasks (see Attachment A to this table). We have chosen to not be more prescriptive at this time regarding how this coordination/integration will occur given that we cannot predict now the best way to implement coordination activities within a task that may not be implemented for a number of years. Instead, through implementation of the process to initiate tasks, the CVSC and Executive Committee will be responsible for ensuring projects implemented under the Workplan meet the needs of the overall P&O Study at the time the work is procured, contracted and executed (e.g., see Tasks 2.1.1 and 2.1.2). It is during that process that it will be appropriate to be sure that projects include the necessary coordination with other entities so that projects are implemented cost-effectively. Of all the planned coordination activities, we believe the most important need is collaboration with the GSAs (and it should be noted this need was recognized some time ago and as a result it is explicitly stated in the BPA establishing the Salt Control Program – see for example Figure 1-3 which comes from Figure S-2 in the BPA). To better emphasize this need, we have added/modified text in second paragraph in Section 2.2.1 to state the following: <i>“The primary objective of SGMA is to ensure better local and regional management of groundwater use, eliminate overdraft, and bring discharges (primarily groundwater pumping) and recharge into balance. The Salt Control Program, through execution of this Workplan, is focused on developing a long-term salt management strategy to achieve a salt balance (see specific goals in</i>

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				<p><i>Section 1.1.1 above). The nexus between the primary objective of SGMA and the goals of the Salt Control Program’s salt management strategy is critical to the success of both programs. While SGMA focuses on the sustainability of the groundwater supply, the Salt Control Program, through implementation of the P&O Study, is concerned with achieving sustainability of the groundwater basins from a salinity standpoint. It is the intent of the P&O Study to ensure that the non-physical and physical projects identified by this Workplan are planned, designed, and implemented such that the objectives of both programs are met. Given these findings, coordination with GSAs is incorporated in a number of places in the Workplan to reduce the potential for duplication of efforts.</i></p> <p>Finally, we do want to note that besides the coordination requirements embedded in Tasks 3 & 4, Workplan Task 1 includes a regular stakeholder process and requirements for regular outreach to stakeholders including governmental entities (see for example Task 1.4.2). These collaborative activities that will occur in addition to the coordination occurring within specific technical tasks provide another opportunity to share information, minimize duplication of effort and make the program more cost efficient.</p>
16	Rock Zierman CIPA	Pgs. 2-7, 2-9, & 4- 35	We continue to question the need for the ad hoc creation of Salt Management Areas (SMAs) and Salt Management Regions (SMRs) to structure CVSC work. There are many existing official designations that can be used to avoid confusion and new acronyms. It would appear that adding bureaucratic subdivisions adds to compliance procedures and ultimately, costs. (2-7-8, 435 etc.).	<p>Thank you for the comment. Please note that of the two acronyms (SMA and SMR), the only new designation is SMR. SMAs are specifically called out and defined by the Basin Plan amendment. This is already described in Task 4.1.3, but we have added a reference to page 84 in Central Valley Water Board (2018) to add clarity. We have incorporated the potential designation of SMAs as an important outcome of the P&O Study because their establishment and use can serve as a potential tool for short- and long-term salt management.</p> <p>The purpose for creating the SMR concept is a recognition that it is unlikely that in Phase II the same salt management strategies will be applied universally throughout the entire Central Valley Region, i.e., salt sustainability solutions that work best in the Sacramento River Valley are expected to be quite different from the strategies implemented in the Tulare Basin. The SMR concept recognizes this likelihood; however, the Workplan does not require that any SMRs be established. The need for them will be decided as part of the Task 3.6.1 deliverable.</p>

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17	Rock Zierman CIPA	General	<p>Our members are committed to being active partners in this process. We request as you consider stakeholder engagement, that additional outreach be done for oil and gas operators. This program remains new for several industries and further education is key to its success. We also request outreach meetings be held in Bakersfield where a vast majority of our operations are. In addition, in Kern County, the petroleum produced water supply is an important source for agriculture irrigation, which merits detailed conversations with regulators.</p>	<p>Stakeholder engagement is key to the success of the project. The key mechanism for this to occur is through the P&O Study Stakeholder Coordination task (Task 1). Participation in this task will require a dedicated effort from all interested parties to regularly participate in P&O Study project meetings and - when appropriate - be involved on ad hoc committees or support outreach activities. It is primarily through this process that stakeholders will be able to contribute to the execution of specific tasks to ensure that the specific issues associated with salt/water management within their areas of interest (industrial, municipal or agricultural) are considered. For example, when developing appropriate numeric targets for agricultural irrigation discussions with both providers of source water and users of the water for crop irrigation need to be included in the discussion (e.g. see Task 3.2 subtasks). In addition to the ongoing stakeholder coordination process, there are specific tasks where the interaction with sector- or regional-specific stakeholders is explicitly called out: Task 3.5.1 requires direct collaboration with oil and gas representatives (and other economic sectors as well) to understand salt/water management within this industry. Later in the Workplan, when alternatives for long-salt management in Phase II are in development and selection, the Workplan includes general outreach to stakeholders in their respective regions to obtain their input (Task 1.4.3). As for locations for outreach meetings, this would be determined through the Executive Committee at the appropriate time, e.g., as part of implementation of Task 1.4.3. See also response to Comment No. 15 regarding coordination.</p>
18	Rock Zierman CIPA	General	<p>For the record, CIPA again reminds CVSC that Central Valley Water Board executive staff informally advised us that nitrates have been tentatively identified in a few wastewater discharges from petroleum productions. Should this prove a mitigation need, petroleum producers would be added to the Nitrate Management Plan (NMP). Staff informs us this could be 18-24 months before a decision is made. Thus, CIPA may need to request revisions to the NMP to accommodate our in-progress addition.</p>	<p>Thank you for the comment.</p>

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19	Rock Zierman CIPA	General	CIPA, whose members are medium and small employers living and working in the San Joaquin Valley, looks forward to a productive and long-term CVSC collaboration. Our initial emphases will include the fee structures, this Workplan, BPA development and source control methodologies. Our significant geological and engineering resources will be deployed as necessary and, as specified, in-kind.	Thank you for the comment.
20	Richard Meyerhoff, GEI Consultants	4.1.1	Noted that the alternatives analysis in the BPA Staff Report includes the following statement (Page 217): <i>“Staff also recommend that several of the options to the proposed alternative be further evaluated as part of the P&O Study, as follows: Determination of appropriate compliance point for discharges to groundwater (e.g. effluent; upper zone; defined shallow zone; etc.)”</i>	Added following additional policy discussion item to list in Task 4.1.1: <i>“Currently, first encountered groundwater is the compliance point for a discharge of salt to groundwater. For the long-term salinity management program, determine the appropriate compliance point for discharges to groundwater, e.g., Upper Zone, Production Zone, defined Shallow Zone, or retain use of first encountered groundwater. In addition, determine the appropriate method to assess compliance with salinity-related water quality objectives in groundwater.”</i>