

CEQA Scoping and Compliance for CV-SALTS

The requirement for a CEQA scoping meeting is in the Public Resources Code section 21083.9 and there is some guidance in the CEQA Guidelines section 15206.

PRC § 21083.9. "a lead agency shall call at least one scoping meeting for either of the following: (1) A proposed project that may affect highways or other facilities under the jurisdiction of the Department of Transportation if the meeting is requested by the department. The lead agency shall call the scoping meeting as soon as possible, but not later than 30 days after receiving the request from the Department of Transportation.

(2) A project of statewide, regional, or areawide significance.

Waterboard attorneys have opined that all basin plan amendments fall under "a project of statewide, regional, or areawide significance."

Considerations for CEQA Scoping:

- Which range of beneficial uses might be affected and in what way (i.e. should be or should not be designated). If the project might modify beneficial uses, describe the information you have on the existence and attainability of any pertinent uses. – **CV-SALTS anticipates that all beneficial uses will be considered and that all may be affected where objectives are set for salinity and nitrate. Currently the Initiative has not evaluated beneficial uses and attainability of any specific uses.**
- Which water quality objectives might be affected and in what way, including how the objectives impact the various uses. – **CV-SALTS anticipates that changes for all objectives for salinity will be considered. Objectives changes for nitrates have not been evaluated. Currently the Initiative has not evaluated the impact of any specific uses.**
- What range of implementation might be needed to achieve the water quality objectives and what kinds of dischargers could be affected. – **CV-SALTS anticipates that a very broad range of actions may be needed to implement the changes in objectives to achieve salt balance. Implementation for nitrates may be less significant however the Initiative has not yet evaluated the impact to water suppliers, dischargers or other resources.**
- Why are the amendments needed? – **Current objectives are not attainable for appropriate dischargers and lead to unsustainable interim water management strategies to reduce salinity discharge or increase salts in the soils. Policy, programs and strategy is needed to encourage and incentivize region-wide salt and nitrate management.**
- What water quality concerns will be addressed? - **Salinity increases in the basins are significant, different salts are problematic in different areas, however holistic solutions are needed for long term sustainability. Nitrates are frequently associated with the salinity and are a chronic problem in some areas of the region.**

- To prepare for this meeting, go through the environmental checklist and roughly identify the areas where there may be concerns and why and roughly identify the areas where there are probably no concerns and why. – **CVSC will review the Waterboards checklist in preparation for the meeting, Waterboards staff will evaluate and provide input to CVSC.**

Procedural Steps:

- All public meetings and workshops must have a 45-day notice to all interested parties. Note that the large postal mailing for the CEQA Scoping meeting is the only time it is done. The mailing must include directions that no further notices on this subject will be provided unless the entity requests postal/email notifications. Therefore, this mailing with the directions on how to receive further notifications must be part of the administrative record. - **CVSC will prepare the draft notice for Regional Board Legal and Staff Review. Regional board will address, mail and receive and compile comments for the administrative record.**

- For CV-SALTS, there is already a website and email lists.

- Optional: Write a CEQA Informational Document so that the participants have a good idea of what to expect. **CVSC will prepare a CV-SALTS Informational Document for Regional Board staff and stakeholder review. When revisions are complete it will be posted on the web.**

- Get a venue for your meeting – choose a community relatively close to the project location. For CV-SALTS, it would be good to have a meeting in each Basin. However, a meeting for the Sacramento River Basin might not be well attended so it will probably be OK just to hold a meeting in Sacramento to cover both the Sacramento and San Joaquin River Basins. - **CVSC will obtain public facilities, preferable the CalEPA building or Regional Board Offices and plan a meeting and venue for the Sacramento areas for September 2009 and follow that in January with a meeting in the Tulare Lake basin with the same materials but including any lessons learned.**

- Write CEQA Scoping Meeting Notice. Remove all hyperlinks and

underling of web addresses because newspapers are having trouble with them and this formatting hides underscores in the print copies. **CVSC will prepare a draft CEQA Scoping Notice from the Regional Board Template for Review and approval.**

- Approve by Board Attorney.

- Sign by Assistant Executive Officer.

- Publish notice in papers (Provide to the paper 3-5 full business days prior to publication date. **CVSC will publish in regional papers in the region as listed by the Regional Board.**

- Send postal notice to Basin Plan mailing list and the counties and cities. For CV-SALTS, this will be 3170 entities. – **Because of the time extension Regional Board will complete distribution.**

- Send email notice to relevant email lists. - **Regional Board to email to Lyris list and CVSC to email to all CV-SALTS and Committee lists.**
- Email notice to staff - **Regional Board staff will email to Regional Board and State Board Staff.**
- Post notice and any supporting documents on website in .pdf format. **CVSC will post notice on cvsality.org, Regional Board will post on CV-SALTS section of the Board's pages.**
- Send notice and any supporting documents to Board members – **Regional Board will send notice and supporting documents to Regional and State Board members.**
- **Regional Board and CVSC will contribute to the Administrative Record.**
- **Regional Board as the lead CEQA agency will manage and maintain the Administrative Record.**
- **(Need to ADD steps for Administrative Record)**

Schedule Proposal

CVSC proposes the following schedule for the CEQA Scoping Meetings

As the July 15th meeting date did not work for Regional Board Staff CVSC proposes the following: September 15th approximately Scoping meeting in Sacramento (planning also for a January 15th approximately Scoping meeting in Tulare Basin)

- **May 30th CEQA Notice and Newspaper copy to RB Staff and Legal for Review**
- **June 17th CEQA Information Document Review by CV-SALTS Committees**
- **June 30th Final CEQA Info Document to Regional Board Staff for Review**
- **July 15th Final CEQA Info Document from Board Staff**
- **July 25th release newspaper notices, post all documents to the web**
- **July 25th produce materials copies for mailing**
- **July 30th mail notices to mailing list**
- **August 1st email notices to email lists (Lyris and CV-SALTS)**
- **September 15-24 (aprox) Scoping Meeting**
- **September 24 (Leadership meeting)**
- **September 30 Comment Deadline**
- **October 5th Compilation of Comments**
- **October 28th CV-SALTS Committee Review of Comments**
- **November 15th CV-SALTS revise planning as needed**

29 May 2009

To: Interested Parties

SUPPLEMENTAL INFORMATION TO THE NOTICE OF PUBLIC WORKSHOP/CEQA SCOPING MEETING FOR A PROPOSED WATER QUALITY CONTROL PLAN TO ADDRESS SALTS AND NITRATES IN CENTRAL VALLEY WATERBODIES

The following provides supplementation information to the Central Valley Regional Water Quality Control Board (Central Valley Water Board) Public Notice regarding an upcoming CEQA Scoping Meeting and Public Workshop for a proposed amendment to the Water Quality Control Plan for the Sacramento River, San Joaquin River and Tulare Lake Basins (Basin Plan, 200___). The proposed amendment will develop numeric basin objectives for surface and ground water for various species of salts and Nitrates Central Valley waterbodies including Sacramento-San Joaquin Delta.

The included material provides background on Salinity in the Central Valley and relevant waterbodies, existing regulations and possible alternatives for numeric targets and implementation options. This document is provided to encourage public discussion about potential alternatives and approaches and no policy or regulation is either expressed or intended. Staff encourages comments on additional options, alternatives or any other relevant information that should be considered in the CEQA process. Information on how to submit comments is included in the Public Notice.

This proposed amendment will include:

- Development of and implementation of numeric targets/water quality objectives in Central Valley waterbodies.

- Program of implementation for the CV-SALTS Initiative to accomplish objectives

- Surveillance and monitoring programs

- Compliance schedules

1.0 Purpose of Scoping

The purpose of the scoping meeting is to provide a forum for initial public consultation on the development of a proposed amendment to the Water Quality Control Plan for the Sacramento River, San Joaquin River and Tulare Lake Basins to address Salinity and Nitrates in Central Valley waterbodies and the corresponding environmental documents. Scoping is helpful to the Central Valley Water Board in identifying the range of actions, planning steps, alternatives, mitigation measures, means of compliance and their impacts, and significant environmental effects to be analyzed prior to the decision making process. Scoping will assist the CV-SALTS process in identifying all potential work needed to develop information and recommend alternatives to move forward a part of the comprehensive salinity management plan. Scoping has been found to be an effective way to bring together and resolve the concerns of affected federal, State, and local agencies, the proponent of the actions, and other interested persons including those who might not be in accord with the proposed actions on environmental grounds. The meeting will be conducted by Central Valley Water Board staff and CV-SALTS Initiative participants.

2.0 Background

Salt was regulated in Basin plans beginning in ____the current Basin Plan is found at http://www.swrcb.ca.gov/rwqcb5/water_issues/basin_plans/sacsjr.pdf. Salt and nitrate have become significant in enforcement and regulatory issues as well as critical to water supply and water transfer in the region.

Add description of CVSALTS and the program

3.0 Watershed Description

The project area of the proposed Basin Plan Amendment (BPA) includes watersheds of the Central Valley waterbodies listed in Table 1. These waterbodies are located in the Sacramento River, San Joaquin River, Tulare Lake Basins and the Sacramento-San Joaquin Delta. The following provides a brief overview of these waterbodies.

3.1 Sacramento River Watershed (*is this generic?*)

All three basins are of importance to the implementation of the CV-SALTS Initiative. Several are located in the Sacramento River watershed. Surface and groundwater of these watersheds are important to the control of salinity and nitrates.

3.2 San Joaquin River Watershed

In the San Joaquin River watershed, the proposed amendment includes the San Joaquin River. The project area for these reaches includes the entire area draining to the SJR upstream of the Airport Way Bridge near Vernalis. Surface and groundwater of these watersheds are important to the control of salinity and nitrates.

3.3 Tulare Lake Watershed

In the Tulare Lake watershed, the proposed amendment includes the entire watershed and all surface and groundwater of these watersheds are important to the control of salinity and nitrates.

Table 1. Listings of for Central Valley Surface and Ground Waterbodies for Basin Plans

3.4 Sacramento-San Joaquin Delta

The legal boundary of the Sacramento-San Joaquin Delta comprises over 700 miles of interconnected waterways and encompasses 1,153 square miles of diked islands and tracts. On the 2006 303(d) List, the Delta is divided into 8 portions designated as Delta waterways including the Stockton Ship Channel (State Water Board, 2007). Many of the Delta waterways follow natural courses while others have been constructed to provide deepwater navigation channels, to improve water circulation, or to obtain material for levee construction. Four rivers, the Sacramento, the San Joaquin, the Mokelumne, and the Cosumnes feed the Sacramento-San Joaquin Delta.

4.0 Beneficial Uses

The waterbodies to be included in the proposed amendment are provided by the Basin Plan which contains beneficial uses as listed in Table 2 (Sacramento and San Joaquin Basin

Plans 1998, Tulare Lake Basin Plan 2004). The beneficial uses of the waterbodies most applicable to Salinity and Nitrates are based on the protection of human health (MUN) and agricultural use protection (AGR).

Table 2. Beneficial Uses From Basin Plan Table III-4 and III-5

5.0 Range of Potential Numeric Targets

Objectives require a quantitative numeric or narrative target(s) to implement water quality standards (water quality objectives and the beneficial uses). Objective targets can consist of numeric water quality objectives (existing or new) and/or the targets can be used to interpret narrative water quality objectives. Suitable numeric target(s) will be evaluated based on all available guidelines relevant to Salt and Nitrates as well as any further information developed in the CV-SALTS Initiative. No Potential targets will be presented in this document any targets referenced are provided for discussion purposes only, and are not intended to be inclusive of all possible targets. As part of CEQA scoping, the public can comment on additional targets that should be considered.

Targets and Objectives will be considered for surface and ground waterbodies as well as other controls that may be considered appropriate for the control and management of salinity and nitrate.

6.0 Source Identification

The Central Valley Salinity Coalition has recently begun pilot source identification efforts specific to this effort but many prior studies and investigation projects have provided salt source information. A review of prior studies and data sources has been compiled on the website. http://cvsalinity.org/index.php/documents/doc_download/122-prior-works-and-data-sources. These sources and others will be considered in the basin plan amendment process. Commentors may wish to present information on sources they believe may have historically be overlooked or under evaluated.

Preliminary Constituents of salinity and nitrate are shown as tiers indicated below in an evaluation process:

1. Salts as Total Dissolved Solids and/or EC, and separately, but with equal importance, Nitrates and water quality related nitrogen species
2. Other salt constituents, chloride, phosphate, sulfate, carbonate, and bi-carbonate or others of local interest as recommended

Commentors may wish to provide information on additional constituents to be included or on the appropriateness of these constituents and tiers.

7.0 Project Alternatives

Based on CEQA regulations, project alternatives to be analyzed will be limited to those that are feasible, would accomplish the objectives of the project, and would avoid or substantially lessen any of the significant effects of the project. Notably, the purpose of the alternatives analysis is to ascertain whether alternatives exist that offer substantial environmental advantages over the project proposal and may be 'feasibly accomplished in a

successful manner' considering the economic, environmental, social and technological factors involved.

The purpose of scoping is to gather public input on potential alternatives. The following presents possible alternatives including the no project alternative and the proposed adoption of the amendment. These alternatives are provided below to stimulate discussion only, and are not intended to represent the complete list of alternatives that will be considered in the CEQA analysis.

(1) No Project - Under this alternative, the Basin Plan would not be amended to include TMDLs and programs of implementation addressing salt and nitrate.

(2) Develop and implement the Stakeholder led CV-SALTS Work Plan to develop and adopt Basin Plan amendments to the Water Quality Control Plan for the Sacramento River, San Joaquin River and Tulare Lake Basins to establish numeric objectives to address salt and nitrate in Central Valley surface and ground waterbodies in various regulatory and non-regulatory methods.

(3) Adopt Basin Plan amendments to the Water Quality Control Plan for the Sacramento River, San Joaquin River and Tulare Lake Basins to establish numeric objectives to address salt and nitrate in Central Valley surface and ground waterbodies.

(4) Other Alternative approaches (To Be Determined). The public is welcome to comment on additional alternative approaches that should be considered. As part of the CEQA scoping process, staff welcomes comments on potential alternatives. Information on how to comment and the comment deadline is provided in the public notice.

8.0 Summary

As stated previously, the purpose of this supplemental information is to provide more details on the proposed project that will be discussed at the CEQA scoping meeting. It is intended to give opportunity for public discussion about potential alternatives and approaches and no policy or regulation is either expressed or intended. Any comments or concerns should be raised either by oral or written comments. The comment deadline is provided in the Public

Notice available at:

http://www.waterboards.ca.gov/centralvalley/water_issues/

Please bring the Public Notice for CEQA Scoping and this supplemental information to the attention of anyone you know who would be interested in this matter. If you have any questions, please contact me by email at _____@[waterboards.ca.gov](http://www.waterboards.ca.gov) or at (916) 464-_____.

Preliminary July 15 Presentation Outline

- 1. AREA CV Region 3 basins and Delta - RWQCB**
 - a. WATER BODIES Surface
 - b. BASINS and SUB BASINS for Groundwater
 - c. Existing Beneficial Uses
- 2. Describe No Action Alternative - RWQCB**
- 3. Describe Plan A CV-SALTS – CV-SALTS/CVSC Members**
 - a. Process and Stakeholder Lead
 - b. Plan and Lead
 - c. Timeline and oversight
- 4. Work Plan Description and Development**
 - a. Potential Beneficial Use Changes
 - b. Constituents Included
 - c. Distributed Implementation Approach
 - d. Parallel Development Schedule
- 5. Work Plan Implementation Questions**
 - a. Level of Implementation
 - b. One plan, 3 plans or many plans
 - c. One Objective or Many Objectives
 - d. Mass or Concentration
 - e. EC, TDS or Others
 - f. Regional or Individual
 - g. All Salt or de minimis
- 6. Funding Alternatives**
 - a. Market based Salt Fee, trade or offsets
 - b. Stakeholder Contributed funding
 - c. Individual Permit requirements
- 7. Implementation Alternatives**
 - a. Regulatory
 - b. Non-Regulatory
 - c. Real Time Management
 - d. Implementation Schedule
- 8. Describe Board Developed BPA (Plan B) – RWQCB**
- 9. Other Alternatives Recommended - Public**
- 10. Discussion and Feedback – Public**
 - a. Are more Scoping Meetings needed ie in Redding and Fresno or where?
 - b. Who is not represented

Regional Board and CV-SALTS LETTERHEAD

NOTICE OF PUBLIC WORKSHOP AND CEQA SCOPING MEETING

For the Development of Water Quality Control Plan for the Sacramento River, San Joaquin River and Tulare Lakes Basins Sacramento Bay Delta to Establish Objectives to address Salt and Nitrate in Central Valley Waterbodies

NOTICE IS HEREBY GIVEN that the Central Valley Regional Water Quality Control Board, (Central Valley Water Board) staff in cooperation with the Central Valley Salinity Coalition (CVSC) and the CV-SALTS Executive Committee will hold a California Environmental Quality Act (CEQA) scoping meeting and public workshop to seek input on the environmental information that should be considered in the development and adoption of amendments to the Water Quality Control Plan for the Sacramento River, San Joaquin River and Tulare Lake Water Basins and Sacramento Bay Delta (Basin Plan) to incorporate numeric objectives and a program of implementation for sources and discharges of Salinity and Nitrate to Central Valley waterbodies.

Supplemental information regarding the proposed amendments is available on the Central Valley Salinity Coalition and Central Valley Water Board websites at: [LINK CVSC LINK CVRWQCB](#)

This meeting and workshop will provide participants with: (1) an opportunity to comment on the appropriate scope and content of the proposed Basin Plan Amendments and environmental documentation to be prepared pursuant to CEQA (Public Resources Code section 21000 et seq.) and the Central Valley Water Board's certified regulatory program for basin planning (California Code of Regulations, Title 14, section 15251, subdivision (g); and Title 23, section 3775 et seq.); and (2) an overview of the CV-SALTS planned efforts for the project area.

Scoping Meeting/Workshop:

Date: 15 July 2009

Time: 9:00 A.M. to 2:00 P.M.

Place: Central Valley Regional Water Quality Control Board - Hearing Room

11020 Sun Center Drive, Suite 200

Rancho Cordova, CA 95670

Directions and location information can be found on the Central Valley Water Board's website:

http://www.waterboards.ca.gov/centralvalley/about_us/contact_us/sacramento_location.pdf

The facility will be accessible to persons with disabilities. Individuals requiring special accommodations are requested to contact Ms. Kiran Lanfranchi-Rizzardi, executive assistant, at (916) 464-4839 at least five working days prior to the meeting. TTY users may contact the California Relay Service at 1-800-735-2929 or voice line at 1-800-735-2922.

Submission of CEQA Scoping Comments:

The Central Valley Water Board will accept both written and oral suggestions on the scope and content of the information included in the scoping documents. Comments should be

Regional Board and CV-SALTS LETTERHEAD

NOTICE OF PUBLIC WORKSHOP AND CEQA SCOPING MEETING

For the Development of Water Quality Control Plan for the Sacramento River, San Joaquin River and Tulare Lakes Basins Sacramento Bay Delta to Establish Objectives to address Salt and Nitrate in Central Valley Waterbodies

NOTICE IS HEREBY GIVEN that the Central Valley Regional Water Quality Control Board, (Central Valley Water Board) staff in cooperation with the Central Valley Salinity Coalition (CVSC) and the CV-SALTS Executive Committee will hold a California Environmental Quality Act (CEQA) scoping meeting and public workshop to seek input on the environmental information that should be considered in the development and adoption of amendments to the Water Quality Control Plan for the Sacramento River, San Joaquin River and Tulare Lake Water Basins and Sacramento Bay Delta (Basin Plan) to incorporate numeric objectives and a program of implementation for sources and discharges of Salinity and Nitrate to Central Valley waterbodies.

Supplemental information regarding the proposed amendments is available on the Central Valley Salinity Coalition websites at: <http://cvsalinity.org/index.php/background/1-background/36-ceqascoping>

This meeting and workshop will provide participants with: (1) an opportunity to comment on the appropriate scope and content of the proposed Basin Plan Amendments and environmental documentation to be prepared pursuant to CEQA (Public Resources Code section 21000 et seq.) and the Central Valley Water Board's certified regulatory program for basin planning (California Code of Regulations, Title 14, section 15251, subdivision (g); and Title 23, section 3775 et seq.); and (2) an overview of the CV-SALTS planned efforts for the project area.

Scoping Meeting/Workshop:

Date: 15 July 2009

Time: 9:00 A.M. to 2:00 P.M.

Place: Central Valley Regional Water Quality Control Board - Hearing Room

11020 Sun Center Drive, Suite 200

Rancho Cordova, CA 95670

Directions and location information can be found on the Central Valley Water Board's website:

http://www.waterboards.ca.gov/centralvalley/about_us/contact_us/sacramento_location.pdf

The facility will be accessible to persons with disabilities. Individuals requiring special accommodations are requested to contact Ms. Kiran Lanfranchi-Rizzardi, executive assistant, at (916) 464-4839 at least five working days prior to the meeting. TTY users may contact the California Relay Service at 1-800-735-2929 or voice line at 1-800-735-2922.

Submission of CEQA Scoping Comments:

The Central Valley Water Board will accept both written and oral suggestions on the scope and content of the information included in the scoping documents. Comments should be

