

CV-SALTS Executive Committee

Policy Discussions and Decisions

On October 20, 2011 the Executive Committee met to review and discuss the concepts and alternatives. Based on these discussions, several decisions were made and the consultants were given additional direction to guide future planning efforts. The purpose of this memorandum is to document these decisions in order to facilitate timely development of the CV-SALTS deliverables. There is broad agreement among members of the Executive Committee on the following:

- 1) There is a need and an obligation to develop a Salt and Nitrate Management Plan (SNMP) to protect the beneficial use of surface and ground waters throughout the Central Valley region.
- 2) Development of an effective SNMP presumes that appropriate beneficial uses have been assigned to each waterbody.
- 3) In some cases, the MUN use that is presumed to apply to all surface and ground waters in the region may not be appropriate and more fitting uses should be designated.
- 4) Rather than attempt to identify and remedy each instance where the presumptive MUN use may not apply, it is more cost-effective to develop a semi-standardized procedure based on a few select cases to serve as "proof-of-concept" archetypes for the CV region.
- 5) The archetypical examples should be selected based on the following criteria: (a) regulatory urgency - pending NPDES permit actions depend on accurate use designation; (b) regulatory simplicity - the example meets one or more of the state's exemption criteria; (c) regulatory utility - the facts in each case are widely applicable to similar situations elsewhere in the region; (d) regulatory cost - existing data and documentation minimizes the expected cost to make the necessary demonstrations.
- 6) Based on the aforementioned criteria, the Executive Committee suggests that the following cases (and related receiving waters) should be considered for use as "proof-of-concept" archetypes in order of priority: (a) Live Oak, (b) Willows, (c) Colusa, and (d) Biggs.
- 7) The Regional Board is already preparing a proposed work plan for one or more of the waterbodies identified above. The Executive Committee appointed a subcommittee to help develop appropriate technical elements for these work plans. The subcommittee was asked to streamline the process by applying the previous lessons learned from recent experiences in Old Alamo Creek and in Sulfur Creek. Members of the

subcommittee include: Debbie Webster, David Cory, Tess Dunham, Tom Grovhoug, Tim Johnson and others who may wish to serve.

- 8) The findings and results of these technical studies will be used to support appropriate basin plan amendments and will be incorporated into the SNMP. In addition, the process and procedures described in the work plans will serve as a template to guide similar studies in the future.
- 9) The Executive Committee also recommends that the aquifer underlying the historic Tulare Lake bed serve as the archetypical example for evaluating the appropriateness of a MUN designation based solely on naturally-elevated TDS concentrations in a ground water basin. The Tulare Lake Drainage District (TLDD) has completed extensive prior studies of the area. CV-SALTS will work closely with TLDD and the Regional Board staff to determine what additional information may be required to qualify this aquifer for an exception to the state Sources of Drinking Water Policy (88-63).
- 10) Just as there are waterbodies previously presumed to be MUN that may be incapable of serving that beneficial use, there are also waterbodies where the MUN use is already occurring but where existing water quality is not protecting that use. This is particularly true in small rural communities where nitrate concentrations exceed safe drinking water standards. Therefore, an effective SNMP must provide both near-term and long-term strategies to address this problem.
- 11) To demonstrate the credibility and effectiveness of the collaborative process, CV-SALTS is committed to early implementation efforts for the SNMP. CV-SALTS will work with the Regional Board and various NGOs to identify economically-disadvantaged communities where excess nitrate levels severely impair the local drinking water supply. CV-SALTS will provide technical/engineering expertise and grant-writing assistance to accelerate project design and construction. In addition, CV-SALTS will review the current system of regulatory incentives and impediments to recommend critical changes as part of the SNMP.
- 12) The Executive Committee has tasked EKI, with assistance from CDM, to develop more detailed Scopes-of-Work (including schedule and budget estimates) to execute the tasks described above. Some of these efforts, such as those related to developing surface water archetypes for evaluating the MUN designation, will be funded jointly through state grant funds and matching contributions from the Salinity Coalition. Other tasks, principally those focused on providing technical assistance to economically-disadvantaged communities will be funded solely by members of the Salinity Coalition.
- 13) Once accepted, the Executive Committee will work with Regional Board staff to solicit qualified contractors to provide the services defined in the detailed Scopes-of-Work. The goal is to begin these efforts in early 2012 and complete them by the end of that same year.

- 14) In a parallel effort, timed to coincide with the tasks described above, the Technical Committee and the Knowledge-Gained Subcommittee are developing a Conceptual Model and Approach for the CV-SNMP. A contract Scope-of-Work is expected shortly.