

CV-SALTS Executive Committee Meeting - Summary Action Notes
for
April Policy Sessions – 4/5/2012 and 4/19/2012

Attendees are listed on the Membership Roster

Meeting Objectives for April 5th:

- Identify Point-of-Use and Point-of-Compliance for Groundwaters
- Identify Point-of-Use and Point-of-Compliance for Surface Waters
- Develop Direction to Technical Subcommittee and Contractors
- Initiate Planning for CV-Salts Presentation at Regional Board Workshop in June, 2012

Meeting Objectives for April 19th:

- Define Appropriate Management Zones and Averaging Periods
- Confirm Selected Archetypes and Prototypes
- Develop Direction to Technical Subcommittee and Contractors
- Continue Planning for CV-Salts Presentation at Regional Board Workshop in June, 2012

APRIL 5th - AGENDA

1) Welcome and Introductions

- Vice-Chair Jeff Willett brought the meeting to order, and roll call was completed.
- Debbie Webster moved to approve, and Nigel Quinn seconded, and by general acclamation the February 16, 2012 meeting action notes were approved.

2) Identify Expected Outcomes for April 5, 2012 Session

- Tim Moore advised the committee the session would focus on how CV-SALTS wants to define points of compliance, how it has been defined in the past, and what kind of flexibility that offers for the use of offsets in a contractual compliance strategy.

3) & 4) Identifying "Point-of-Use" and Defining "Point-of-Compliance" for Ground Waters & Surface Waters

- The committee was provided with the following reference documents for the discussion:
 1. "Addressing Nitrate in California's Drinking Water" – Harter
 2. United Nations "Report of the Special Rapporteur on human right to safe drinking water and sanitation, Catarina de Albuquerque"
 3. US EPA "Achieving Water Quality Through Integrated Municipal Stormwater and Wastewater Plans"
- The Discussion Outline for the session, citing the Current Regulatory Approach, Working Premises, Strawman Proposal and Theoretical Illustrations, was reviewed by the committee.
 - A lengthy discussion was held on the issues related to moving, or redefining, the point of compliance.
 - Gary Carlton suggested a two-tiered approach for a vertical point of compliance. Using first encounter groundwater as a warning point to alert for potential problems, with the point of compliance established where you want to protect the beneficial use.

- Daniel Cozad observed that the Central Valley surface water is a highly modified system, bearing no resemblance to a natural system. The CV-SALTS process needs to yield some additional tools to assist the Regional Board in managing the system.
- Tim Moore reiterated that an offset program could be a major new tool in the Regional Board's implementation strategies, particularly as a contractual compliance strategy to address nitrate issues in economically disadvantaged communities. Pamela Creedon indicated it will need to be a combination of strategies, e.g. offsets + source control.
- Jennifer Clary indicated that very little of the groundwater remediation money had gone to the disadvantaged valley communities. CV-SALTS assistance would really be appreciated in this area since the EJ communities lack the grant application structure, population, and political clout.
- The committee reviewed item 7 of the Strawman Proposal, items cited as included in the Regional Board's "broad discretion." The committee was asked for more input on a suggested "hybrid approach" of protecting existing uses on a narrow plume scale of influence while using offsets and degradation on a regional scale. Tim indicated #7 was really important and would be addressed again in the next session.

5) Direction to Technical Subcommittees and Contractors

- Daniel Cozad and Richard Meyerhoff reviewed the current status of technical projects.
- Next TAC agenda will have first cut at scope of work for the Conceptual Model, including a number of additions to the model.
- Initial discussion was held with Kennedy-Jenks on the Animal Watering Study. A subcommittee will be set up under the Technical Advisory Committee to oversee that project.

6) Initial Planning for Presentations to Regional Board at Fresno Workshop in June, 2012

- Daniel Cozad reviewed the draft agenda for the workshop and requested committee members forward any thoughts on topics for inclusion in the presentation.
- Pamela Creedon recommended CV-SALTS keep a clear chronological record of how often outreach is done to other groups.
- Karl Longley recommended inclusion of long-term socio-economic impact if nothing is done to address the salt and nitrate issues in the valley, e.g. job losses, etc.
- Tim Moore wants to build on the UN finding of a system that is designed to be preventative, cannot be restorative.

6) Future Items

- The second Policy Session for April will be on the 19th at Sac Regional.



APRIL 19th - AGENDA

1) Welcome and Introductions

- Chair Parry Klassen brought the meeting to order, and roll call was completed.

2) Identify Expected Outcomes & Priorities for April 19, 2012 Session

3) Accounting for Spatial and Temporal Variability when Characterizing Groundwater Quality

- Tim Moore reviewed a list of current regulatory constraints discussed at the April 5th session, that govern what has to be considered when thinking about how to define point of use and point of compliance.

1. The Regional Board has an obligation to deal with both existing and potential uses. It is not particularly clear why existing uses should be favored over potential uses, if there appears to be a conflict.
 2. The Regional Board has an obligation to protect ALL users, individual families and larger municipal wells. Really no legal distinction.
 3. It is desirable from a management perspective to have the earliest possible warning of a potential problem.
 4. If we are going to consider offsets in all likelihood it would be difficult for the Regional Board to approve anything other than localized offsets. Cross-watershed offsets would be difficult if not impossible.
 5. When looking at point of compliance would need to be done on long-term basis, not just the instant effect of discharge.
 6. Offsets would be extremely difficult to approve unless those proposing first demonstrate best available technology.
 7. There was more interest in looking at compliance and effects on a plume basis/zone of influence basis than evaluating those things on an aquifer-wide basis.
- Citing the UN report, Tim reiterated that the traditional regulatory model was designed to be preventative and not restorative.
 - The goal of this discussion was to focus on what the State Board is expecting from this SNMP process. A copy of the SWRCB, 8/28/2009 “Role of Regional Water Boards in Implementation of Recycled Water Policy Memo” listing GAMA Priority Basins/Sub-Basins was included in the agenda packet for committee review.
 - The committee nominated the following three basins/sub-basins as archetypes. The Technical Advisory Committee will be tasked with describing existing water quality using the best available data for:
 - Merced-Stanislaus
 - Kings River
 - Sutter-Colusa (Rice WDR)
 - Correction: items 6 & 8 of Discussion Outline – delete “federal”
- 4) Review Selected Archetypes and Prototypes in Master Flowchart
- Richard Meyerhoff reviewed the “Status of CV-SALTS Archetypes and Prototypes” chart for the committee.
 - Pamela Creedon requested it be expanded beyond just the planning stage, and also indicated the basin plan would need to address conservation. Richard will revise accordingly. Daniel Cozad will also provide the proposed revised approach and actions related to nitrates for Tier 4 to Richard.
- 5) Direction to Technical Subcommittees and Contractors
- Due to the delays encountered with delivery of technical work, Tim Moore expressed a strong concern that the technical work was not keeping pace with the policy meeting requirements.
 - After a review of the gaps in Technical Support Tasks in the “Schedule of Policy Discussions,” Jeff Willett moved, and Nigel Quinn seconded and by general acclamation the committee gave authority to a subgroup of the Technical Advisory Committee to move forward with a plan for contracting the tasks associated with the following items:
 - #3, #5 and #6 (as listed on the Schedule of Policy Discussions)
 - The subgroup will meet directly after the next TAC meeting.
 - J.P. Cativiela indicated he would be attending the May 7th Tulare Lake Basin Disadvantaged Group and will share that information with the committee.

6) Planning for Presentations to Regional Board at Fresno Workshop in June, 2012

- Daniel Cozad and Jeanne Chilcott updated the committee on the preparations for the June presentations to the Board. Tim indicated based on the day's discussion he would be restructuring the May meeting, and that in turn may result in some restructuring to the presentations for the June workshop

7) Future Items

- The May Policy Session is scheduled for May 24th.
- The next Admin call is scheduled for May 11th.

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