



## CV-SALTS Groundwater Management Zone Policy

As part of the Salt and Nitrate Management Plan (SNMP), CV-SALTS developed a *Groundwater Management Zone Policy* (Policy), which recommends that the Central Valley Water Quality Control Plans (Basin Plans) be amended to allow for and encourage management of nitrate through the establishment of groundwater management zones.

### Purpose and Need for the Policy

Areas of water quality concern for nitrates in the Central Valley range from local hotspots to large geographic areas. To manage nitrates in a practical manner, the management scale should be commensurate with the regulatory and resource management decisions that must be made (geographic scale) and tied as closely as possible to local management efforts. The current Basin Plans do not (a) define clearly what constitutes a proper management zone or (b) include the criteria for the Central Valley Water Board to review and approve a management zone. While the Central Valley Water Board can currently require larger management zones to address nitrates, more specific guidance is needed.

### Policy Summary

The SNMP recommends establishing a programmatic approach to nitrate management in the Central Valley through formation of groundwater management zones. A management zone is a defined area, e.g., a portion of a larger groundwater basins/subbasin, voluntarily proposed by regulated dischargers. The management zone would serve as a discrete regulatory compliance unit for compliance with the SNMP nitrate management requirements. In general, a management zone consists of multiple dischargers working collectively, first ensuring the availability of safe drinking water within the defined area, then managing nitrates to establish a nitrate balance within the management zone where reasonable and feasible, and then ultimately developing and implementing a long-term plan for restoring groundwater, where reasonable and feasible, to meet the nitrate water quality objective.

### Approach

The SNMP Nitrate Permitting Strategy (Strategy) identifies two pathways to comply with its nitrate management requirements: Path A – comply as an individual discharger (in general, the traditional permitting approach); or Path B – comply by establishing a management zone among a collective group of dischargers. The decision to choose Path A or B must be made by each discharger, or collective groups of dischargers covered under a general order. (See the Nitrate Permitting Strategy for more information.)

For dischargers that choose Path B, the Policy allows establishment of a management zone to facilitate the collective management of nitrates by multiple dischargers within the management zone boundary. As part of this alternative permitting approach, to comply, dischargers within the management zone may:

- Apply for an exception and/or offset as a collective group (see Exceptions and Offsets Policies); or
- Request allocation of assimilative capacity for the management zone. (Assimilative capacity is the amount of nitrate that can be added to the upper zone portion of the groundwater within the management zone boundary and meet water quality objectives.)

Per the proposed Policy, the Central Valley Water Board would not allocate assimilative capacity if such an allocation would result in groundwater quality in the upper zone<sup>1</sup> exceeding 75% of the nitrate water quality objective (7.5 mg/L nitrate as N) over a 20-year time frame, unless the Central Valley Water Board finds that allocation of assimilative capacity above the 75% threshold would not result in pollution or nuisance over the longer term. In addition, to obtain an exception or to be allocated assimilative capacity, dischargers must demonstrate that nitrate-related impacts from the discharge to drinking water within the management zone, or in areas down-gradient of the management zone, have been addressed. Drinking water impacts are addressed by establishing an Early Action Plan (EAP) that includes specific actions and an implementation schedule to address the immediate needs of those drinking groundwater from public water supply or domestic wells affected by nitrates, as well as identifying long-term solutions.

### Process to Establish a Management Zone

Dischargers that select Path B to comply with the SNMP nitrate management requirements by establishing a management zone must complete several activities and submit key deliverables to meet the SNMP requirements for establishing a management zone. Receipt of a Notice to Comply with the SNMP nitrate management requirements is the trigger for initiating these activities, as summarized in Table MZ-1.

**More information on this policy and other SNMP recommendations may be found at:**

[www.cvsalinity.org](http://www.cvsalinity.org)

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<sup>1</sup> The upper zone represents the zone where the majority of domestic well use draws from in the management area.

**Table MZ-1. CV-SALTS Recommended Nitrate Management Zone Requirements**

<b>Requirements to Establish a Management Zone</b>	<b>Description</b>
<p>Interested dischargers collectively submit a Preliminary Management Zone Proposal (PMZP). <i>(Within 270 days or 1 year of receipt of Notice to Comply in Priority 1 and 2 Areas, respectively – see SNMP for Priority Areas)</i></p>	<p>Key elements of a PMZP include:</p> <ul style="list-style-type: none"> <li>• Initial assessment of groundwater quality conditions.</li> <li>• Identification of public supply and/or domestic wells that exceed the nitrate drinking water quality objective.</li> <li>• An Early Action Plan (EAP) with an implementation schedule of actions to address immediate drinking water needs where the nitrate objective is exceeded.</li> </ul>
<p>Central Valley Water Board posts PMZPs for public review.</p>	<p>Provides opportunity for:</p> <ul style="list-style-type: none"> <li>• Comment on proposals to establish management zones.</li> <li>• Dischargers within the developing management zone to make a final determination whether to join a management zone and work collectively with other dischargers or comply separately as an individual discharger.</li> </ul>
<p>Dischargers submit a Notice of Intent (NOI) to participate in a management zone.</p>	<p>Within <i>60 days of posting of the PMZPs</i>, dischargers that wish to participate in a management zone shall:</p> <ul style="list-style-type: none"> <li>• Submit an NOI that includes: <ul style="list-style-type: none"> <li>– Identification of the management zone in which they will participate.</li> <li>– Acceptance of the commitments established in the PMZP for that zone.</li> </ul> </li> <li>• Begin to implement the EAP unless the Board has objected to the plan.</li> </ul>
<p>Dischargers submit a Final Management Zone Proposal (FMZP).</p>	<p>Within <i>180 days of submittal of PMZP</i>, submit FMZP. Key elements include:</p> <ul style="list-style-type: none"> <li>• Schedule to prepare Management Zone Implementation Plan.</li> <li>• Final list of zone participants; governance structure; and funding agreements.</li> <li>• Updated groundwater condition assessment, as needed.</li> <li>• Proposed approach for regulatory compliance (request an allocation of assimilative capacity or authorization of an exception).</li> </ul>
<p>Dischargers develop a Management Zone Implementation Plan (MZIP) for the management zone.</p>	<p>Key elements of an MZIP include:</p> <ul style="list-style-type: none"> <li>• Short-term (<math>\leq 20</math> years) and long-term (<math>&gt; 20</math> years) projects and/or planning activities to be implemented to make progress towards achieving the SNMP nitrate management goals, with ensuring a safe drinking water supply being the highest priority.</li> <li>• Schedule with interim milestones and identification of triggers for implementing alternative procedures if interim milestones are not met.</li> <li>• Water quality surveillance and monitoring program to assess progress.</li> <li>• Identification of responsibilities of dischargers within the management zone.</li> </ul>
<p>After approval of the management zone and its MZIP, the Central Valley Water Board would revise the WDRs/Waivers of dischargers within the management zone to incorporate nitrate management requirements consistent with the MZIP.</p>	