
Central Coast Regional Water Quality Control Board

May 20, 2013

Northern Central Coast Groundwater Task Force
Abby Taylor-Silva
Vice President, Policy and Communications
Grower-Shipper Association of Central California
512 Pajaro St.
Salinas, CA 93901
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VIA ELECTRONIC MAIL ONLY

Dear Ms. Taylor-Silva:

PROCESS FOR APPROVAL OF PHASED GROUNDWATER COOPERATIVE MONITORING PROGRAM WORKPLAN

Thank you for spending Friday April 26 with Central Coast Water Board (Water Board) staff and Board Members Jeffrey Young and Russ Jeffries to discuss the comments contained in our April 17 and 18, 2013 comment letters. Open and clear communications are critical to our collective efforts to implement Agricultural Order R3-2012-0011 (Order).

The option for Cooperative Groundwater Monitoring Program(s) (Program) in lieu of individual monitoring was included in the Order adopted by the Water Board on March 15, 2012. Program proposals were due March 15, 2013. The first meeting between Water Board staff and proponent of the two largest proposed Programs occurred on January 22, 2013 leaving less than two months for discussion and review of large complex monitoring programs. Water Board staff recognize the long-term value of functional cooperatives serving the growers of the Central Coast Region. Water Board staff are sensitive to the time constraints imposed by such a late start to develop a complete Program proposal.

At the April 26 meeting, I offered the option for proponents to develop a detailed Program workplan outlining a schedule and deliverables consistent with the MRP and our comment letters of April 17 and 18, and our discussions of April 26 in lieu of complete Program proposals. This option allows proponents more time to complete details of their Program workplan. However, use of this option requires multiple "phased" approvals and therefore comes with some risks.

On May 13, 2013, you submitted an updated workplan, which included proposed timelines. To assist you in preparation of your submittal due on May 31, 2013, Water Board staff is providing comments on the updated workplan (attached). In consideration of these comments, you must provide a final workplan by May 31, 2013. All remaining Program components not previously approved must be submitted in detail for Executive Officer review by the date specified in the comments or by June 2, 2014 (whichever comes first), and all remaining Program components not previously approved must receive Executive Officer approval. By October 1, 2015, the implementation of the Program workplan must be complete, as approved by the Executive

JEFFREY S. YOUNG, CHAIR | KENNETH A. HARRIS JR., INTERIM EXECUTIVE OFFICER

Officer and the Final Program reports and all deliverables must be submitted to the Water Board, per the schedule approved.

Approval of a phased Program workplan by June 21, 2013 does not obligate the Executive Officer to approve any subsequent section or part when details are submitted for approval. If a section or part of the Program is not initially approved, the Executive Officer will provide written comments explaining the reasons for disapproval and the proponent will have time to revise the section or part of the *workplan*. Water Board staff will work with the proponent to correct any deficiencies during the review and revision period.

If the Executive Officer makes a final determination that any section or part of the phased workplan is not approved OR if the cooperative fails to implement any part of the workplan as approved (including approved time schedule), growers become individually responsible for implementing the Order's monitoring and reporting program (MRP) as described in the following proposed MRP language.

a) Dischargers who participate in a cooperative groundwater monitoring program approved by the Executive Officer are responsible for the successful implementation of that program. This individual discharger responsibility has two consequences if the cooperative monitoring program is not successfully implemented:

i) The Water Board or Executive Officer will require individual dischargers to conduct individual monitoring per the requirements of the Order.

ii) The Water Board may take enforcement action against individual dischargers. The failure of a third-party group to successfully implement an approved program cannot be used as an excuse for lack of individual discharger compliance.

If you have any questions, please contact Angela Schroeter at (805) 542-4644 or at aschroeter@waterboards.ca.gov, or Lisa McCann at (805) 549-3132 or at lmccann@waterboards.ca.gov.

Sincerely,

Kenneth A. Harris Jr.
Interim Executive Officer

ENCLOSURE:

May 20, 2013 Water Board Comments – Northern Central Coast Groundwater Cooperative Monitoring Program (NCCGCMP) Skeleton Workplan Including Proposed Timelines (updated 5/13/13)

Item No. 21, Supp Sheet
May 30, 31, 2013 Board
Meeting

cc:

Ms. Gail Delihant
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Ms. Claire Wineman
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1 **Northern Central Coast Groundwater Cooperative Monitoring Program (NCCGCMP)**
2 **Skeleton Workplan Including Proposed Timelines (updated 5/13/13)**
3

4 <THE FOLLOWING ARE COMMENTS PROVIDED BY WATER BOARD STAFF ON MAY 20, 2013. GENERAL
5 COMMENT: THIS OUTLINE EFFECTIVELY COVERS MANY OF THE ISSUES NECESSARY IN AN APPROVABLE
6 WORKPLAN AND IS A GOOD DRAFT. THERE ARE NECESSARY CLARIFICATIONS AND ADDITIONS, AS
7 NOTED BELOW AND AS WILL BE DISCUSSED IN OUR FORTHCOMING CALL.>

8 As agreed upon at our meeting with Regional Board Staff on April 26, the NCCGCMP Task Force has
9 created a modified workplan timeline for meeting the specific deliverables agreed upon. <COMMENT:
10 THE WORKPLAN MUST IDENTIFY EACH DELIVERABLE THAT WILL BE SUBMITTED TO THE WATER BOARD
11 AND IDENTIFY THE DATE IT WILL BE SUBMITTED. IN ADDITION, PLEASE INCLUDE A SUMMARY
12 LIST/TABLE OF DELIVERABLES AND ASSOCIATED SUBMITTAL DATES AS GENERALLY DESCRIBED IN YOUR
13 BULLET 11 BELOW.> The major difference from this workplan and the one originally submitted is that
14 there is no longer a prioritization plan for sampling domestic supply wells. <COMMENT: THIS IS
15 INTERPRETED AS THERE IS NO LONGER A PRIORITIZATION SCHEME BECAUSE ALL DOMESTIC WELL
16 SAMPLING OCCURS IN THE NEAR TERM. PLEASE CONFIRM.> The short window for sampling all wells
17 does not allow for the development of high and low priority wells. All wells need to be identified and
18 sampled or justification provided as to why they are not sampled. <COMMENT: THE COMMITMENT TO
19 SAMPLE DOMESTIC DRINKING WATER WELLS IN THE PROGRAM AREA IS A HIGH PRIORITY. DOMESTIC
20 WELLS INCLUDE ALL DOMESTIC WELLS THAT ARE USED OR COULD BE USED FOR DOMESTIC PURPOSES,
21 INCLUDING DRINKING, COOKING, BATHING, AND OTHER SIMILAR PURPOSES.>
22

23 This framework is intended to respond to the requests for revised and additional information in
24 correspondence and meetings with the Board and Staff. The deadlines and commitments are
25 conditioned on reaching an agreement on the confidentiality of well location data. In the absence of
26 agreement, this framework is for discussion purposes only and is based upon a program acceptance
27 date of June 15, 2013 or before.

- 28 1. Introduction
29 a. Reason for proposal
30 b. Introduce Northern Central California Cooperative Groundwater Program
31 2. Cooperative Program boundaries
32 a. Outer boundaries include members within Monterey, Santa Cruz, Santa Clara, and San
33 Benito Counties
34 i. Only those lands in Region 3
35 ii. Only irrigated lands
36 iii. Only land area of member ranches are in program area <COMMENT: PROGRAM
37 AREA DOES NOT INCLUDE ALL IRRIGATED LANDS IN THE FOUR COUNTIES
38 IDENTIFIED ABOVE. THUS, PROGRAM AREA IS LIKELY TO BE SPOTTY AND NON-
39 CONTINGUOUS. WHILE THIS IS NOT UNACCEPTABLE, THIS FRAGMENTED
40 APPROACH WAS NOT THE INTENT OF THE ORDER AND MRP AND MAY LIMIT
41 THE BENEFIT OF USING THE DATA TO UNDERSTAND GROUNDWATER QUALITY

1 WITHIN THE PROGRAM AREA. WE ENCOURAGE YOU TO USE ALL AVAILABLE
2 DATA IN YOUR ANALYSIS TO MAXIMIZE YOUR PROGRAM'S ABILITY TO MEET
3 COOPERATIVE GW MONITORING OBJECTIVES (I.E., CHARACTERIZATION OF
4 AQUIFER, ETC.). >

- 5 1. Expected to be dynamic from year to year as members add and delete
6 leased land from their holdings
- 7 2. Will provide a list of members September 1 of each year starting in
8 September 2013
 - 9 a. Provided the Regional Board Staff provides the APN numbers by
10 September 15th as provided above, will provide a complete map
11 of the program area by November 1, 2013. Many leases change
12 hands in October of each year. A map created before November
13 will be inaccurate and require immediate revision. <COMMENT:
14 THE COOPERATIVE SHOULD COLLECT AND MANAGE ALL DATA
15 NECESSARY TO ADMINISTER AND IMPLEMENT THE PROGRAM.
16 IF THE PROGRAM WANTS ACCESS TO INFORMATION
17 SUBMITTED TO THE WATER BOARD BY PARTICIPATING
18 GROWERS (E.G., eNOI OR ANNUAL COMPLIANCE FORM OR
19 OTHER), THE PROGRAM MUST GET SIGNED AUTHORIZATION
20 FROM THE ENROLLED OPERATOR OR OWNER. IN ADDITION,
21 COMPLETENESS AND ACCURACY OF DATA IS DEPENDENT ON
22 QUALITY OF INFORMATION SUBMITTED BY GROWERS>
 - 23 b. Member ranches are provided as part of a shapefile. The lands for which the program is
24 responsible are the member parcels within the county boundaries
 - 25 i. Shapefile in NAD 83
 - 26 ii. Accuracy – 1:24,000
 - 27 c. A general perimeter boundary map showing the program area will be submitted to the
28 Regional Board by May 31, 2013.

29 3. Description of the cooperative program

- 30 a. Cooperative program will undertake two linked tasks
 - 31 i. Locating and testing of domestic supply wells on member parcels
 - 32 1. Domestic supply well identification and sampling is done in 3 phases
33 over 14 months. <COMMENT: IF IMPLEMENTATION IS DONE IN PHASES,
34 THE WORKPLAN SHOULD CLEARLY IDENTIFY WHEN DELIVERABLES FOR
35 EACH PHASE WILL BE SUBMITTED. THE WORKPLAN MUST PROVIDE
36 DETAIL OF, AND RATIONALE FOR, PHASING. ALSO, THE WORKPLAN
37 MUST CLEARLY DESCRIBE WHEN REPORTING TO GEOTRACKER WILL
38 OCCUR FOR EACH PHASE.>
 - 39 ii. Characterizing groundwater aquifers with focus on shallow groundwater
 - 40 1. Characterizing aquifers will be complete by December 15, 2014. The
41 annual reports generated by this GW-CMP will influence annual updates
42 to this characterization <COMMENT: CHARACTERIZATION IS AN

1 ITERATIVE APPROACH –CHARACTERIZATION WILL INITIALLY BE
2 PROVIDED WITH THE WORKPLAN AND A MORE ROBUST
3 CHARACTERIZATION WILL COME FOLLOWING EVALUATION OF GW
4 MONITORING DATA. THE WORKPLAN MUST CLEARLY DESCRIBE WHAT
5 REPORTS WILL BE SUBMITTED TO THE WATER BOARD AND WHEN,
6 DELIVERABLE(S)>.

7 **4. Task 1 - Phase I – Identify well locations; Characterize aquifer; Develop QAPP**

- 8 a. Identify aquifers below program region
- 9 b. Locate domestic wells with 2 connections or less drawing from the shallow or
- 10 uppermost aquifer <COMMENT: COOPERATIVE PROGRAM MUST INCLUDE DOMESTIC
- 11 WELLS NOT REGULATED BY CDPH OR COUNTY AND THEREFORE NITRATE DATA IS
- 12 UNAVAILABLE (COUNTY DEPENDENT)>.
- 13 i. Delineate commercial agricultural areas
- 14 ii. Delineate parcels belonging to cooperative program members
- 15 iii. Identify well locations using Google Earth and County well permits
- 16 iv. Field verification of wells
- 17 1. Obtain access to wells, obtain wells logs, depth information
- 18 v. Characterize depth of well screens
- 19 vi. Develop list of wells for sampling by **November 1, 2013.** <COMMENT:
- 20 PREVIOUS WATER BOARD COMMENTS INDICATE THAT DOMESTIC WELL
- 21 SAMPLING MUST BEGIN BY SEPTEMBER 2, 2013. IN ADDITION, THE EXECUTIVE
- 22 OFFICER MUST APPROVE LIST OF WELLS PLANNED FOR SAMPLING AND
- 23 LOCATIONS. THE COOPERATIVE MUST INITIATE SAMPLING BY SEPTEMBER 2,
- 24 2013 AND MUST PROVIDE DRAFT LIST OF WELLS PLANNED FOR SAMPLING AND
- 25 LOCATIONS PRIOR TO SAMPLING. >
- 26 vii. Justify if list is less than the total number of wells
- 27 1. Document spatial variability
- 28 2. Determine number of wells needed to characterize central tendency
- 29 (mean or median) within an acceptable level of uncertainty
- 30 <COMMENT: SEE COMMENT ABOVE. THE PROPOSAL SHOULD INCLUDE
- 31 A LIST OF ALL DOMESTIC WELLS AT PARTICIPATING FARMS. IF THE
- 32 COOPERATIVE PROGRAM PROPOSES TO SAMPLE A SUBSET OF
- 33 DOMESTIC WELLS, A JUSTIFICATION MUST BE SUBMITTED WITH THE
- 34 LIST OF WELLS PLANNED FOR SAMPLING. THE JUSTIFICATION MUST BE
- 35 APPROVED BY THE EXECUTIVE OFFICE PRIOR TO SAMPLING. A PHASED
- 36 APPROACH MAY BE PROPOSED (I.E., SALINAS BASIN, THEN LLAGAS
- 37 BASIN, ETC.), BOTH WITH RESPECT TO SUBMITTING WELL LISTS AND
- 38 JUSTIFICATION AND FIELD IMPLEMENTATION/SAMPLING). FOR
- 39 EXAMPLE, THE COOPERATIVE MAY BEGIN SAMPLING BY SEPTEMBER 2,
- 40 2013 IN A SPECIFIC GEOGRAPHIC AREA – AND SUBMIT THE LIST OF
- 41 WELLS AND JUSTIFICATION FOR THAT PHASE FIRST, FOLLOWED BY
- 42 INFORMATION FOR LATER PHASES. THE WORKPLAN MUST CLEARLY

1 DESCRIBE IF IMPLEMENTATION WILL BE PHASED, AND WHEN SPECIFIC
2 DELIVERABLES WILL SUBMITTED TO THE WATER BOARD. AS
3 COMMENTED ABOVE, THE WORKPLAN MUST INCLUDE EITHER ALL THE
4 DOMESTIC DRINKING WATER WELLS LOCATED ON PARCELS WHOLLY OR
5 PARTLY INCLUDED IN THE PROGRAM BOUNDARY AND ON LAND
6 OWNED, LEASED, OR OPERATED BY ALL THE GROWERS PARTICIPATING
7 IN THE PROGRAM, OR (2) A SUBSET OF THE DOMESTIC DRINKING
8 WATER WELLS LOCATED ON PARCELS WHOLLY OR PARTLY INCLUDED IN
9 THE PROGRAM BOUNDARY AND OWNED, LEASED, OR OPERATED BY ALL
10 THE GROWERS PARTICIPATING IN THE PROGRAM WITH TECHNICAL
11 JUSTIFICATION FOR SELECTING THE SUBSET (E.G., HYDROGEOLOGY,
12 DUPLICATIVE SCREEN INTERVAL LOCATIONS, ETC.).>

13
14 5. Develop Quality Assurance Project Plan/Sampling Analysis Plan – Describe sampling and analysis
15 methods **August 15, 2013.**

- 16 a. Analytes are from Table 3 of MRP documents (MRP No. R3-2012-0011-01, MRP No. R3-
17 2012-0011-02, and MRP No. R3-2012-0011-03)
- 18 b. Field methods to be used
- 19 i. Meter maintenance and calibration
 - 20 ii. Sample collection, processing, and preservation
 - 21 1. Well sampling methods
 - 22 2. List of field parameters and analytes
 - 23 3. Field QA/QC: field blanks and duplicates
- 24 c. Analytical methods
- 25 i. Identify laboratory to perform analyses
 - 26 ii. Description of analytical methods
 - 27 iii. Laboratory standard operating procedures
 - 28 iv. Laboratory QA/QC methods

29 **6. Phase II – Well Sampling Plan**

- 30 a. Develop field logistical details
- 31 i. Identify who will perform sampling
 - 32 ii. Describe how sampling will be coordinated with landowners and tenants
 - 33 iii. Identify wells to be sampled and timing of sampling
 - 34 iv. Describe type of well (domestic supply, agricultural supply, monitoring)
 - 35 v. Provide map of wells using same NAD 83 and 1:24,000 scale as provided for the
 - 36 cooperative program boundary
 - 37 vi. Finalize list of wells and tentative schedule for sampling by **November 1, 2013**
- 38 b. Begin sampling **November 1, 2013**
- 39 c. Finalize sampling **November 1, 2014** <COMMENT: DOMESTIC WELL SAMPLING MUST
40 BE COMPLETED BY SEPTEMBER 1, 2014. SAMPLING OF OTHER WELLS CAN BE
41 COMPLETED AFTER SEPTEMBER 1, 2014. THE WORKPLAN MUST SPECIFY THE

DELIVERABLES TO BE SUBMITTED TO THE WATER BOARD AND DATE TO BE SUBMITTED>.

7. **Phase III Reporting Plan** <COMMENT: THE WORKPLAN MUST CLEARLY DESCRIBE WHAT DATA WILL BE SUBMITTED TO THE WATER BOARD AND WHEN (DELIVERABLES). PREVIOUS WATER BOARD COMMENTS SPECIFIED THAT DATA MUST BE SUBMITTED TO GEOTRACKER IN PROPER FORMAT AS UNIQUE DATA POINTS INCLUDING WELL LOCATION, WELL TYPE, AND WELL CONSTRUCTION INFORMATION. THE PROGRAM PROPOSAL SUBMITTED ON MARCH 15, 2013 INDICATED THAT DATA WILL BE UPLOADED TO REGULATORY SIDE OF GEOTRACKER. THIS REVISED WORKPLAN OUTLINE DOES NOT CLEARLY STATE THIS, BUT THE FINAL WORKPLAN MUST INCLUDE THIS INFORMATION . >

- a. Enter monitoring analysis results into database. <COMMENT: SEE ABOVE, DATA MUST BE UPLOADED TO GEOTRACKER.>
- b. Develop maps of concentrations for domestic wells and other wells as appropriate (if available).
- c. Overlay with relevant geographic features – land use, recharge, groundwater levels, soils, etc.
- d. Analyze and describe relations among variables, specifically,
 - i. A description of where within the program region there exist domestic supply wells
 - ii. Summary of water quality results

8. Aquifer characterization: complete by **December 15, 2013**. <COMMENT: CLEARLY DESCRIBE WHAT IS REPORTED TO THE WATER BOARD AND WHEN (DELIVERABLE)>

- a. Describe:
 - i. Recharge rates
 - ii. Depth to groundwater
 - iii. Flow direction(s)
 - iv. Subsurface lithology
 1. Provide subsurface cross sections for aquifers where available
 - v. Description of subsurface heterogeneity
 - vi. Aquifer water quality – nitrate only
 1. Identify gaps in water quality data <COMMENT: GIVEN THE OUTER BOUNDARIES OF THE PROGRAM AREA, GAP ANALYSIS MUST FOCUS ON THE IDENTIFICATION OF GAPS RELATED TO DOMESTIC DRINKING WATER AND SHALLOW GROUNDWATER.>
 2. Cooperative program plan to fill gaps
 - vii. The annual reports generated by this GW-CMP will influence annual updates to this characterization.

9. Third party implementation

- a. Cooperative program forms new entity
- b. Organizational structure of third party/identification of officers by **September 1, 2013**
- c. Role of third party – **September 1, 2013**
- d. First year budget – **October 1, 2013**

- 1 e. Commitment to
- 2 i. Tracking members and reporting required member information to Regional
- 3 Board
- 4 ii. Collect fees to operate program
- 5 iii. Manage communications and notifications to members and Regional Board
- 6 iv. Conduct sampling to remain in compliance with the MRP requirements
- 7 v. Manage water quality monitoring data
- 8 vi. Manage contracts for technical work
- 9 vii. Interpreting data
- 10 viii. Submit reports to Regional Board on behalf of members
- 11 10. Inserted language
- 12 11. Summary
- 13 a. Table of submission dates
- 14 b. Summary of information provided