

Central Valley Regional Water Quality Control Board
15 October 2021 Board Meeting

Response to Comments
for the
Central Valley Water Board's Draft Strategic Plan

The following are Central Valley Regional Water Quality Control Board (Central Valley Water Board) staff responses to comments submitted by interested parties regarding the draft Central Valley Water Board's Strategic Plan (Strategic Plan). The Strategic Plan will be considered for adoption by the Central Valley Water Board during a public meeting on 15 October 2021. The Strategic Plan will guide the Central Valley Water Board's efforts for the next 5-7 years.

A draft Strategic Plan was issued for a 30 day public comment period on 31 August 2021. The public notice was distributed via email and the Central Valley Water Board's web site. Comments were due by 5:00 p.m. on 22 September 2021. Comment letters were received by the deadline from:

1. Western Plant Health Association, 22 September 2021
2. Sacramento Regional County Sanitation District, 22 September 2021
3. Pam Giacomini and Hat Creek Grown and Resilient Resources, 22 September 2021
4. City of Sacramento Department of Utilities, 22 September 2021
5. Sacramento Valley Water Quality Coalition, 22 September 2021
6. Central Sierra Environmental Resource Center, 13 September 2021

Written comments from the above parties are summarized below, followed by responses from Central Valley Water Board staff. Based on the comments, staff made some minor changes to the draft Strategic Plan which are reflected in the final Strategic Plan being considered for Board adoption on 15 October 2021.

Western Plant Health Association

Western Plant Health Association (WPHA) submitted a letter to the Central Valley Water Board in general support of the Strategic Plan. A summary of WPH's comments follow:

Western Plant Health No. 1: WPHA appreciates the Central Valley Water Board's strategic planning effort.

RESPONSE: The Central Valley Water Board and Strategic Planning Committee appreciate the comment.

No changes were made to the Strategic Plan because of this comment.

Western Plant Health No. 2: The commenter stated that California's farms require the ongoing relief offered by advanced nutrition for plants and innovative and environmentally friendlier protections against harmful weeds, insects, worms, and bacteria that destroy crops. WPHA's comment letter pointed out that California's farms can be a part of solutions to climate

change because trees and plants grown on farms convert carbon to oxygen reducing greenhouse gases.

RESPONSE: The Strategic Planning Committee appreciates this perspective, and notes that California Department of Food and Agriculture (CDFA) have developed a “Healthy Soils Program” which aims to provide some of the protections described in the comment letter. The Healthy Soils program, which the Central Valley Water Board is actively involved in, uses a combination of innovative farm and land management practices contribute to building and protecting soils and organic matter that can increase carbon sequestration. The Healthy Soils Initiative will be part of the Central Valley Water Board’s Climate Change Dashboard.

No changes were made to the Strategic Plan because of this comment.

Sacramento Regional County Sanitation District

Sacramento Regional County Sanitation District (Regional San) submitted a comment letter that was generally in support of the Strategic Plan. The comments submitted in the letter are summarized below.

Sacramento Regional County Sanitation District No. 1: The commenter states, “[c]ollaboration and stakeholder engagement are fundamental to achieving the Board’s vision and mission and we appreciate the Board incorporating these values throughout the 2021 Draft Strategic Plan.” Commenter expresses the desire to continue collaborative efforts into the future.

RESPONSE: The Strategic Planning Committee appreciates the comment and looks forward to continued collaboration with Regional San on a variety of issues. One project that the Board is specifically interested in is Regional San’s own Harvest Water Program, which when complete will store and manage groundwater while improving stream flow, enhancing groundwater-dependent riparian habitats, sustaining agricultural lands, and improving regional water supply reliability. The Harvest Water Program’s water will be used to supply water for irrigation and wildlife beneficial uses. The Central Valley Water Board looks forward to collaborating with Regional San on this important effort.

No changes were made to the Strategic Plan because of this comment.

Pam Giacomini and Hat Creek Grown and Resilient Resources

Pam Giacomini and Hat Creek Grown and Resilient Resources (Hat Creek Grown) submitted a comment letter in general support of the Strategic Plan. Hat Creek Grown’s comments are summarized below.

Hat Creek Grown No. 1: The commenter cites excerpts from the Strategic Plan pertaining to the ILRP and the Adaptive Prioritization Strategic Goal, and commends the Board for its, “recognition of the cost of compliance, and the burden that this places on various

stakeholders.” The commenter supports the goal of Adaptive Prioritization and use of science and to focus the Board’s resources on projects that are of greatest impact to water quality.

RESPONSE: The Strategic Planning Committee appreciates this input.

No change to the Strategic Plan was made because of this comment.

Hat Creek Grown No. 2: The commenter notes the similarities between Board’s Internal Vision and the collaborative problem-solving that goes on in the commenter’s own line of work, thanks the Board for making this a priority.

RESPONSE: The Strategic Planning Committee thanks the commenter for this perspective and acknowledges that many organizations that seek to achieve difficult objectives among diverse stakeholders could express similar ideas in their internal vision statements!

No changes to the Strategic Plan were made because of this comment.

Hat Creek Grown No. 3: The commenter thanks the Board for its most recent permit changes for the Goose Lake watershed.

RESPONSE: The Strategic Planning Committee acknowledges this comment.

No change to the Strategic Plan was made because of this comment.

Hat Creek Grown No. 4: The comment letter notes that disadvantaged communities are found throughout the Central Valley Region, including agricultural communities in the northern part of the Central Valley that have been bearing the burden of increased fees and cost of compliance. The commenter looks forward to additional engagement with the Central Valley Water Board on this topic.

RESPONSE: In developing the Board’s strategic objectives, both the Board and the Strategic Planning Committee sought to make sure that all manner of underserved and disadvantaged communities would have their needs considered in the Board’s Strategic Plan.

No changes to the Strategic Plan were made because of this comment.

City of Sacramento - Department of Utilities

The City of Sacramento, Department of Utilities (City of Sacramento) submitted a comment letter, which was generally appreciative of the opportunity to provide comments on the draft Strategic Plan. Some need for points of clarification in the Strategic Plan or changes were also expressed. Comments from the City of Sacramento are provided below.

City of Sacramento No. 1: The commenter states that although the Strategic Plan’s objectives are said to reflect a synthesis of public comments received, the objectives do not

adequately reflect their views on protecting the Municipal beneficial use (MUN) and the City's water supply.

RESPONSE: The Strategic Planning Committee acknowledges that when the perspectives of all stakeholders were synthesized into the Strategic Objectives, the focused comments of certain commenters would not necessarily be reproduced verbatim in the objectives. Nonetheless, the Strategic Objectives still reflect the Board's continuing commitment to the protection of all beneficial uses, including the MUN beneficial use.

No changes to the Strategic Plan were made resulting from this comment.

City of Sacramento No. 2: The commenter expressed concerns regarding the Adaptive Prioritization objective in the Strategic Plan. Per the commenter, adaptive prioritization must not be used, "to delay or defer the work necessary to comply with the Board's duty to protect the MUN beneficial use".

RESPONSE: The Strategic Planning Committee made revisions to the Strategic Plan to address the commenters concerns. This change was made to make it clear that the Adaptive Prioritization objective does not eliminate the Central Valley Water Board's obligation to protect beneficial uses.

The second paragraph of the Adaptive Prioritization section of the Strategic Plan (page 15), now reads as follows (changes to language in italics):

While the need to protect beneficial uses lies at the core of the Board's mission, there are nevertheless many ways to increase efficiencies while continuing to protect water quality. After considering the comments provided by a wide variety of stakeholders, it is reasonable for the Board, in its Strategic Plan, to make a commitment to engage in a process of adaptive prioritization, where ineffective or inefficient projects are evaluated and scaled back to make additional resources available for high-impact water quality efforts. The goal of adaptive prioritization will be to continuously assess, streamline, and improve processes across all programs, thereby enabling the Board to focus resources on those activities that are most impactful.

City of Sacramento No. 3: The commenter requests that the City of Sacramento (and other MUN users) be included in any discussions regarding qualitative assessments.

RESPONSE: The Board's Strategic Plan, specifically those objectives relating to stakeholder engagement, along with the Board's ongoing commitment to stakeholder engagement, would certainly ensure that the City would be included in any conversation of qualitative assessments. The Board looks forward to continued collaboration on these matters.

City of Sacramento No. 4: The commenter requests that work on climate change identify the impact that climate change may have on source water quality.

RESPONSE: The Strategic Planning Committee agrees that identifying impacts on source water quality resulting from climate change should be included in the Strategic Plan and will be proposing a minor revision to make it clear that source water considerations are part of the Board's overall climate change work.

Changes were made to the first paragraph of the Strategic Plan's section on the Climate Change Dashboard/Portal (page 17). That portion of the Strategic Plan now reads as follows (changes in italics):

For the California's Central Valley, Climate Change is not something looming on the horizon – from an agricultural sector crippled by droughts to disadvantaged communities that have lost their source of drinking water, from small wastewater treatment plants grappling with increasing salinity to megafires that have devastated whole communities, the effects of climate change are already being felt throughout the Valley. In the Board's strategic planning outreach effort, stakeholders ranked Climate Change/Drought as their single most important issue. *Enhancing source water protections in the face of a rapidly changing climate emerged as one fundamental issue that is critical for the Board to address, as source waters are particularly vulnerable to numerous climate-related threats.* Fortunately, prioritizing climate change work will not take a huge new commitment of resources, because each and every one of the Board's water quality programs is already spending a great deal of time and energy working on issues related to climate change and drought. However, it is clear that the Board needs to more effectively communicate and coordinate these efforts in order for the public and the Board to better understand the impact that climate change is having on water quality in this region.

Sacramento Valley Water Quality Coalition

The Sacramento Valley Water Quality Coalition (Sacramento Valley Coalition) submitted a letter which expressed general support of the Central Valley Water Board's mission and Strategic Plan. Comments included in the letter are summarized below.

Sacramento Valley Coalition No. 1: The commenter states that the commenter's and the Board's respective missions and passions for high quality water are closely aligned.

RESPONSE: The Strategic Planning Committee agrees and appreciates the commenter for pointing this out.

No changes to the Strategic Plan were made because of this comment.

Sacramento Valley Coalition No. 2: The commenter states its interest in improving water quality and in continuing to work on tailored solutions for the Sacramento Valley. The commenter states that this work will be consistent with the Governor's Water Resilience Portfolio, the fundamental structure of the Porter-Cologne Water Quality Control Act, and the overarching Basin Planning dynamic.

RESPONSE: The Strategic Planning Committee thanks the commenter for this continuing commitment to our region's water quality and the Board looks forward to additional collaboration in the Sacramento Valley.

No changes were made to the Strategic Plan because of this comment.

Sacramento Valley Coalition No. 3: The commenter expressed support for the objectives outlined in the Strategic Plan.

RESPONSE: The Strategic Planning Committee thanks the commenter for their supportive comments.

Sacramento Valley Coalition No. 4: The commenter expressed its belief that the Central Valley Water Board can benefit from integrating the science-based technical work completed by the State Water Resources Control Board (State Water Board) in many other areas, including the drinking water needs assessment and the Safe and Affordable Funding for Equity and Resilience (SAFER) program.

RESPONSE: The Strategic Planning Committee thanks the commenter for this comment. The Board will absolutely continue to collaborate with the State Water Board on a multitude of different projects, including those mentioned in the comment letter.

No changes to the Strategic Plan were made resulting from this comment.

Sacramento Valley Coalition No. 5: The commenter suggests that the Central Valley Water Board would benefit from continued collaboration with other agencies, including the California Department of Food and Agriculture (CDFA), to obtain technical data that would help advance the mission of water quality protection.

RESPONSE: Along with its commitment to continue to collaborate with the State Water Board (see the response to comment No. 4 above), the Central Valley Water Board will also continue to collaborate with other agencies, including CDFA, that may help advance the Board's mission, vision, and strategic objectives.

No changes to the Strategic Plan were made resulting from this comment.

Central Sierra Environmental Resource Center

Central Sierra Environmental Resource Center (Central Sierra Center) submitted a comment letter that expressed general skepticism regarding the Strategic Plan, and suggested changes to language. Central Sierra Center's comments are summarized below.

Central Sierra Center No. 1: The commenter suggested that the Strategic Plan is missing a commitment to "excellence."

RESPONSE: In October of 2019, the Central Valley Water Board had an extensive discussion of the values that it wanted to include in the Board's Strategic Plan. Although

“excellence” wasn’t specifically mentioned, the Board’s core values include, “integrity, professionalism, and collaboration,” among many other terms.

No changes to the Strategic Plan were made resulting from this comment.

Central Sierra Center No. 2: The commenter is concerned that the Central Valley Water Board’s Mission Statement contains redundant wording.

RESPONSE: The Board ratified its Mission Statement in October of 2019, early in the Strategic Planning process. Though the language may seem redundant, it reflects both the legal term (“beneficial uses”) and the common term (“for the benefit of”), which is why both terms were included in the Board’s Mission Statement.

No changes were made to the Strategic Plan because of this comment.

Central Sierra Center No. 3: The commenter expressed its opinion that wording acknowledging an essential need for expanded monitoring is missing from the Strategic Plan’s National Pollution Discharge Elimination System (NPDES) discussion.

RESPONSE: Crafting monitoring programs that identify problems and that are tailored to the size and scope of those problems falls under the Strategic Plan’s objective of Adaptive Prioritization.

No changes were made to the Strategic Plan because of this comment.

Central Sierra Center No. 4: The commenter expressed that the Non-Point Source program (NPS) discussion provides no strategies for change or for solutions to program challenges, which therefore results in an inadequate strategic plan. The commenter states that the NPS discussion should, “spell out explicitly the additional funding, staffing, and resources,” needed to address NPS pollution.

RESPONSE: The goal of the Strategic Plan is to articulate a grand strategy, for developing priorities and following through on commitments, not necessarily to specifically outline the priorities, details, and funding for all of the Board’s 19 water quality programs that will be guided by the Strategic Plan. Although the Strategic Planning Committee appreciates these comments, they are perhaps better directed at the Board’s consideration of program priorities each December. Further, although the Strategic Planning Committee acknowledges that additional funding for the NPS program would greatly help address significant pollution problems in the Central Valley, the Board is limited in its ability to generate additional funding in this program area, as NPS grants are funds provided by US Environmental Protection Agency (USEPA) and increasing those funding sources are not within to the Board’s discretion.

No changes to the Strategic Plan were made in response to this comment.

Central Sierra Center No. 5: The commenter suggests that the only feasible strategy for the Central Valley Water Board’s Forest Activities Program is to prioritize the most significant

threats of sources of non-point discharges and to focus primarily upon them until progress is made.

RESPONSE: In setting priorities for the Forest Activities Program, the Central Valley Water Board already prioritizes the most significant threats of non-point pollution, consistent with its existing legal and policy obligations. The Strategic Planning Committee suggests that the Central Sierra Center continue to advocate for this position and may consider submitting comments during the Board's annual programmatic priority-setting exercise in December (as mentioned also above).

No changes were made to the Strategic Plan as a result of this comment.

Central Sierra Center No. 6: The commenter suggests that the Adaptive Prioritization discussion appears to justify scaling back projects or requiring compliance if dischargers oppose their costs as excessive and onerous.

RESPONSE: The Strategic Planning Committee is proposing a revision to this section to make it clear that Adaptive Prioritization does not eliminate the Board's obligation to protect beneficial uses.

Changes to the Strategic Plan were made in response to this comment. Please see the response to the City of Sacramento's comment No. 2 above.

Central Sierra Center No. 7: The commenter states that the Strategic Plan consists of carefully chosen words intended not to produce criticism from special interests or stakeholders. Therefore, the Strategic Plan is not visionary, compelling, or daring.

RESPONSE: The Strategic Planning Committee disagrees. There have been numerous controversies over the proposed language, scope and vision laid out in the draft Strategic Plan that have been debated at length in the multiple stakeholder input sessions (surveys, Board Meeting discussions, and special outreach meetings). The Strategic Plan has been developed under the guidance of the Board at the Board's Strategic Planning workshop. The Strategic Planning Committee believes that the Strategic Plan reflects the input of stakeholders and the public, contains balanced language, and is an important tool for helping guide the Board's staff and programs going forward.

No changes to the Strategic Plan were made because of this comment.