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May 1, 2018

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Mr. Glenn Meeks
Central Valley Regional Water Quality Control Board
11020 Sun Center Drive, Suite 200
Rancho Cordova, CA 95670

Re: Notice of Opportunity to Comment on the Amendments to the Water Quality Control Plans for the Sacramento River and San Joaquin River Basins and the Tulare Lake Basin to Incorporate a Central Valley-wide Salt and Nitrate Control Program

Mr. Meeks:

The Kern County Water Agency (Agency) would like to thank you for the opportunity to review and comment on the Central Valley Regional Water Quality Control Board's (CVRWQCB) Notice of Opportunity to Comment (Notice) on the Amendments to the Water Quality Control Plans for the Sacramento River and San Joaquin River Basins and the Tulare Lake Basin (Basin Plans) to Incorporate a Central Valley-wide Salt and Nitrate Control Program (Program).

The Agency was created by the California State Legislature in 1961 to contract with the California Department of Water Resources for State Water Project (SWP) water. The Agency has contracts with water districts throughout Kern County to deliver SWP water. The Agency manages and/or is a participant in multiple groundwater banking projects, including the Kern Water Bank (KWB), Pioneer and Berrenda Mesa banking projects. Additionally, the Agency maintains and operates the Cross Valley Canal (CVC). Therefore, the Agency is uniquely qualified to provide comments on the Project.

The Program's *Draft Staff Report* (Staff Report), dated March 2018, outlines the conceptual elements of the Program and identifies additional steps to be taken to determine what management actions or projects will be implemented. As a result, Agency staff are unable to fully assess the potential impacts of the Program on Kern County water management and users. Therefore, in addition to the comments below, the Agency reserves the right to offer additional comments as Program details are developed and/or made available.

(661) 634-1400

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Mr. Glenn Meeks, CVRWQCB
Notice of Opportunity to Comment on the Salt and Nitrate Control Program
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Comment 1: The methodology used to determine if a more stringent water quality control standard is needed is unclear.

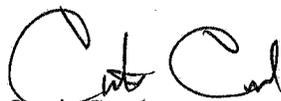
The Staff Report states “[t]o protect all beneficial uses the Regional Water Board may apply limits more stringent than MCLs” (p. 29). Agency staff was unable to identify what process and/or criteria would be used to determine if a more stringent standard is needed. Water quality standards are a critical factor in the water operations of the Agency, including the operation of local groundwater banking projects. The Program needs to ensure that water quality criteria are determined in a deliberate manner with the least amount of subjectivity and are not unduly burdensome to water management and users. Therefore, the Program should include a discussion of the process and specific criteria that would be used to determine if a more stringent water quality standard is needed.

Comment 2: The Program should include multiple levels of cost-benefit analyses.

The Salinity Control component of Program has the potential to significantly impact groundwater management in Kern County, including the operation of local groundwater banking projects. Groundwater banking projects have long been a critical component of water management in Kern County and will become even more so with the implementation of Sustainable Groundwater Management Act. Cost-benefit analyses should be conducted during each of the three phases of the Salinity Control Program to ensure the management practices and projects do not unduly impact water management and water users in Kern County.

If you have any question, please contact Lauren Bauer, of my staff, at (661) 634-1400.

Sincerely,



Curtis Creel
General Manager