

**STATE WATER RESOURCES CONTROL BOARD  
EX PARTE COMMUNICATIONS REGARDING PENDING GENERAL ORDERS  
DISCLOSURE FORM**

*Note: This form is intended to assist the public in providing the disclosure required by law. It is designed to document meetings and phone calls. Written communications may be disclosed by providing a complete copy of the written document, with attachments. Unless the board member(s) provided you with a different contact person, please send your materials to: [commentletters@waterboards.ca.gov](mailto:commentletters@waterboards.ca.gov)*

**Use of this form is not mandatory.**

1. Pending General Order that the communication concerned:

In the matter of Review of General Order R5-2012-0116, SWRCB/OCC Files A-2239(a)-(c)

2. Name, title and contact information of person completing this form:

*Note: Contact information is not mandatory, but will allow the Water Board to assist you if additional information is required. If your contact information includes your personal residence address, personal telephone number or personal email address, please use a separate sheet of paper if you do not want that information posted on our website. However, this information may be provided to members of the public under the Public Records Act.*

Andrew Deeringer

3. Date of meeting, phone call or other communication: 9/1/2016

Time: 11:00am

Location: N/A (conference call)

4. Type of communication (written, oral or both): Both

5. Names of all participants in the communication, including all board members who participated:

Adam Laputz, Clay Rodgers, Pamela Creedon, Sue McConnell, Emel Wadhvani, Phil Wyels, Darrin Polhemus, Andrew Deeringer, Patrick Pulupa, Steven Moore

6. Name of person(s) who initiated the communication:

Adam Laputz

7. Describe the communication and the content of the communication. *Include a brief list or summary of topics discussed at the meeting, any legal or policy positions advocated at the meeting, any factual matters discussed, and any other disclosure you believe relevant. The Office of Chief Counsel recommends that any persons requesting an ex parte meeting prepare an agenda to make it easier to document the discussion properly. Attach additional pages, if necessary.*

See attachment

8. **Attach a copy of handouts, PowerPoint presentations and other materials any person used or distributed at the meeting. If you have electronic copies, please email them to facilitate web posting.**

## State Water Board Member Briefing Document - September 2016

CVWB Adopted Order	State Board Draft Order	Recommendations for Updated Order
<p>Management Practice Evaluation Program (MPEP) assesses whether current management practices are protective of groundwater quality in light of site-specific conditions and identifies practices protective of groundwater quality.</p> <p>Summary of reported nitrogen data provides statistical summary of nitrogen consumption ratios and characterizes input, uptake and loss of nitrogen fertilizer applications by crop. Summary will describe the range, percentiles and any outliers.</p>	<p>Require field-level data so Central Valley Water Board (CVWB) can develop multi-year A/R ratio as the metric of nitrogen management.</p> <p>CVWB and coalitions to develop acceptable ranges for multiple-year A/R for each crop within 3 years of availability of R removed coefficient, with refinement over time for different conditions for each crop.</p> <p><i>Goal: numeric metric to assess nitrogen loading</i></p>	<p><b>Recommendation: Explicitly require development of numeric metric linking nitrogen management to groundwater quality in MPEP.</b></p> <p>Data collected from (1) the MPEP, and (2) Nitrogen Summary Reports can provide the basis for developing a metric linked to groundwater quality. The metric does not necessarily have to be a multi-year A/R ratio but should include information regarding the nitrogen applied and removed. Justification and rationale for the proposed metric should be required with its development.</p> <ul style="list-style-type: none"> <li>• Field-level data submittal to CVWB is not needed for development of the numeric metric through the MPEP</li> <li>• While information is collected to develop the numeric metric, Coalitions will work to minimize nitrogen discharges to groundwater: <ul style="list-style-type: none"> <li>- Address abandoned wells and wellhead management for active wells</li> <li>- Continue nitrogen management plan training for growers</li> <li>- Outreach to all growers who provided NMP Summary Reports with a focus on outlier outreach</li> <li>- Develop outreach materials involving early implementation of management practices to reduce nitrogen loading to groundwater</li> </ul> </li> </ul>
<p>Allows Coalition to aggregate field-level data on a township scale for reporting to CVWB.</p> <p>Executive Officer has authority to require field-level data as needed.</p>	<p>Use individual field-level data to verify</p> <ol style="list-style-type: none"> <li>1) accuracy and completeness of Coalition submittals,</li> <li>2) adequacy of Coalition follow-up actions with members, and</li> <li>3) effectiveness of ILRP in protecting groundwater quality.</li> </ol>	<p><b>Recommendation: Rely on audits rather than mandatory field-level reporting to ensure accountability.</b></p> <ul style="list-style-type: none"> <li>• Accuracy and completeness of Coalition submittals can be verified with CVWB audits of the Coalition and the information from its members</li> <li>• Outreach to outliers and other Coalition actions are provided in annual report and non-compliant members identified in annual member list</li> <li>• Current program has required field-level data be submitted to the CVWB for non-compliant growers</li> <li>• Field-level reporting will not aid the public's understanding of who is polluting groundwater. In many areas, it is infeasible to link a groundwater quality trend with current practices due to the time lag between the two and uncertainty as to the historical movement of groundwater.</li> </ul>

## State Water Board Member Briefing Document - September 2016

### Additional topics for discussion:

- Lessons learned from first summary of reported nitrogen data
- Need for annual farm evaluations everywhere?
- Challenges with requiring certification of all nitrogen management plans