

October 9, 2014



Mr. Kenneth A Harris Jr., Executive Officer
Central Coast Regional Water Quality Control Board
895 Aerovista Place, Suite 101
San Luis Obispo, CA 93401-7906

Re: Central Coast Groundwater Coalition Proposal for Providing Member Information to the Central Coast Regional Water Quality Control Board

Dear Mr. Harris:

The Central Coast Groundwater Coalition (CCGC) has been working diligently with Central Coast Regional Water Quality Control Board (Central Coast Water Board) staff, as directed by the Central Coast Water Board at its July 31, 2014 Board Meeting. Accordingly, we have been working cooperatively with your staff to develop a method by which they can efficiently associate domestic wells with nitrate concentrations above the maximum contaminant level (MCL) to a landowner/operator who is a member of the CCGC.

The CCGC submits the following proposal for consideration in response to the concerns expressed by Central Coast Water Board members regarding staffs need to efficiently verify compliance with certain requirements contained in Order R3-2012-0011, as modified by State Water Resources Control Board Order WQ 2013-0101 (collectively referred to hereafter as "Conditional Waiver"). The CCGC believes that this proposal provides Central Coast Water Board staff with necessary information in an appropriate format that allows them to efficiently associate domestic wells with landowner/operators so that they can verify compliance with Conditional Waiver groundwater monitoring and related notice requirements. Further, CCGC believes that providing the information to the Central Coast Water Board using the proposed approach allows for a certain level of protection to alleviate security and privacy concerns expressed by CCGC members. Our members concerns are specifically related to personal privacy and biosecurity issues as well as protection for individuals that work and/or live onsite at member's facilities. The CCGC proposes that this approach be used in lieu of submitting all exceedance notification letters to the Central Coast Water Board.

I. Summary of Current Process

To provide the proper context for the CCGC proposal described below, the following is a summary of the CCGC's current notification process to its members, and the information that is currently reported to the Central Coast Water Board. The CCGC notifies its members within two business days of any nitrate exceedance found in a well after groundwater quality data have been received by CCGC and reviewed for accuracy. This notification is in writing and sent via Federal Express. The CCGC has worked closely with Central Coast Water Board staff to ensure that the content of the notification letter complies with the Conditional Waiver and provides the landowner/operator with appropriate instruction for actions that they must subsequently take. Specifically, the notification letter from CCGC to the member instructs the landowner/operator of their obligation to inform residents that may be using the water for domestic purposes of the potential health effects associated with consuming the water. The CCGC notification directs the landowner/operator to share the notice with all other individuals who drink the well water (posting of notice and distribution of notice). The CCGC then asks that the member respond to the CCGC in writing¹ of any additional follow up actions taken (i.e., actions beyond providing notification of health concerns) that have occurred previously or as a result of finding that the domestic well exceeds the drinking water standard for nitrate (e.g., supplying an alternative source of drinking water or installing treatment devices).

In addition to notifying its members of their obligations, the CCGC notifies Central Coast Water Board staff of nitrate exceedances found at all wells in reports called "Exceedance Reports". For wells monitored as part of the Work Plan for the Northern Counties, the Exceedance Report includes a well identifier ("Field Point Name"), column for well use type ("Field Point Class"), Sample Date, Nitrate Result, Water Quality Objective (WQO) (flag indicating if the concentration is above the MCL), Notification Date (date that the member was notified) and Notification Confirmation Date (date that the member confirmed that they received notification; only tracked for domestic wells with exceedances). The Field Point Name in the exceedance report is associated with the CCGC Global ID² where data are stored within GeoTracker.

A decision was made by the CCGC Board to take on the responsibility of gathering exceedance notification follow-up information from members. This decision was made following the December 2013 Central Coast Water Board meeting where Board members directed staff to follow-up with CCGC members who had received nitrate exceedance notifications and determine what action had been taken to correct the problem. All information given to CCGC related to replacement water actions has been reported to the Central Coast Water Board in an aggregated summarized format. The aggregated summary lists the replacement water action taken by members. To date, 100% of CCGC members have

¹ CCGC's process for collecting follow-up information was originally informal as to match Central Coast Regional Water Board staff's process through emails and phone calls with members. Written documentation began on February 18, 2014, in response to comments made at the January 2014 Central Coast Water Board meeting.

² Data uploaded to GeoTracker for monitoring completed as a part of the Work Plan for Northern Counties are associated with a Coalition Global ID (AGL100000001) as opposed to the ranch specific Global ID on the individual landowner/operator's eNOI.

responded indicating that replacement water action was taken. In many cases, such action was taken years ago prior to adoption of the Conditional Waiver.

II. Summary of Proposed Approach for Supplemental Information

To assist Central Coast Water Board staff in their ability to efficiently identify the landowner/operator associated with the wells included in exceedance reports, the CCGC proposes to submit a supplemental list of information, which will include the ranch-specific Global ID and the associated Field Point Name. Central Coast Water Board staff rely on these ranch-specific Global IDs for non-CCGC members, thus they are familiar with using them to ensure compliance with groundwater monitoring and notification requirements. By submitting in one report a list of all wells monitored under the CCGC Work Plan for Northern Counties and the associated ranch specific Global ID, Regional Board staff can quickly and efficiently relate any well nitrate concentration to eNOI information including ranch, landowner/operator and address.

A key component of this proposed approach is that the Field Point Name in existing CCGC exceedance reports can be associated with the Field Point Name in the supplemental list which is connected to a ranch specific Global ID. This will enable Central Coast Water Board staff to verify compliance with the terms of the Conditional Waiver (groundwater monitoring and reporting components) by contacting the landowner/operator associated with the ranch and listed on the eNOI. In addition to providing the supplemental list, the CCGC will amend its exceedance reports to include a brief description of follow up actions by individual well. Please note that because this is a change from the current, aggregated format, we will be seeking and encouraging member approval to share this information individually. If they do not approve, information in the amended exceedance report will indicate which members did not provide that specific information. Although this proposed approach will provide the Central Coast Water Board staff the tools necessary to contact individuals directly should extenuating circumstances necessitate, the CCGC encourages staff to continue working through the CCGC to obtain additional information regarding nitrate exceedances.

With respect to the status of monitoring efforts, monitoring under the CCGC Work Plan for Northern Counties was completed on August 28, 2014. Further, 100% of exceedance notifications have already been delivered to members in the three different geographic areas (Salinas, Pajaro, Gilroy/Hollister). The CCGC will submit an Individual Global ID List as a pdf for each of the wells monitored within each geographic area. To ensure that Regional Board staff have received the associated individual Global ID for each well monitored, the CCGC will submit a full supplemental list described in this proposal on March 15, 2015 for all wells monitored under the CCGC Work Plan for Northern Counties.

III. Alternatives to this Proposed Approach

The CCGC understands that Central Coast Water Board staff will put before the Central Coast Water Board another alternative, which is to require the CCGC to submit a copy of every exceedance notification letter sent to CCGC members. We understand that Central Coast Water Board staff

considers this as a viable option to assist them in their endeavors because the exceedance notification letters include member information such as name and well location by ranch, which would help Central Coast Water Board staff identify the landowner/operator. However, the CCGC cautions against this approach. In many cases the CCGC member is not the landowner/operator. The CCGC proposal to submit a supplemental list by each geographic region connects an individual well nitrate concentration more directly to the landowner/operator through their eNOI. The CCGC proposed approach ensures that Central Coast Water Board staff can more efficiently identify members based on eNOI information.

As we detailed in our letter to the Central Coast Water Board in late July 2014, we and our members have significant concerns with providing carbon copies of the exceedance letters issued to our members to the Central Coast Water Board. Requesting all of these letters goes against the basic agreements of our program with the Central Coast Water Board. We believe our offer to provide an off-site audit of these documents at Central Coast Water Board's request, as well as providing this new document, will negate the Central Coast Water Board's need for these letters. We expect that individual letters will not need to be requested except in extraordinary instances, and in that case only specific letters should be requested that pertain to a situation for which there is no other way for the CCGC or member to substantiate compliance.

IV. Conclusion

The CCGC believes that it can efficiently and effectively work with its members to ensure compliance with the groundwater monitoring and related terms of the Conditional Waiver by conducting monitoring, assisting members with notification requirements and disseminating essential information to increase understanding of public health concerns. The CCGC submits all groundwater quality results to GeoTracker and communicates regularly with Central Coast Water Board staff regarding status of monitoring, locations of wells, nitrate exceedances, and follow up actions. The proposed approach adds to the transparency of the existing CCGC nitrate exceedance notification process and ensures that Central Coast Water Board staff have all essential information for verifying results, and for ensuring compliance with Conditional Waiver terms related to groundwater monitoring.

Sincerely,



Parry Klassen
Executive Director
Central Coast Groundwater Coalition