

CALIFORNIA REGIONAL WATER QUALITY CONTROL BOARD
CENTRAL VALLEY REGION

DRAFT RESOLUTION R5-2017-XXXX
ACCEPTING THE SALT AND NITRATE MANAGEMENT PLAN
FOR THE CENTRAL VALLEY REGION DEVELOPED UNDER THE CV-SALTS INITIATIVE AND
DIRECTING STAFF TO INITIATE BASIN PLAN AMENDMENTS AS APPROPRIATE TO IMPLEMENT
THE PLAN

WHEREAS, the California Regional Water Quality Control Board, Central Valley Region (Central Valley Water Board) finds that:

1. Over the last 150 years, increased agricultural, municipal and industrial activities, coupled with population growth, have resulted in dramatic increases in salt and nitrates in surface water, groundwater, and soils within the Central Valley.
2. Some groundwater supplies throughout the Central Valley have been degraded or polluted which, in part, may be due to historical practices of the agricultural and dairy industries; commercial, industrial and military discharges; failing septic systems; and other land discharges.
3. Communities rely on these water sources to support beneficial water uses, including municipal and domestic supply (drinking water supply), agricultural supply, industrial process supply and industrial service supply. The elevated salt and nitrate concentrations impair, or threaten to impair, the region's water and soil quality, which in turn threaten drinking water supplies, agricultural and industrial productivity and overall quality of life.
4. The problem is both urgent and long-term. New regulatory approaches are needed to address the challenges and sustain the economy and environment of the Central Valley.
5. On 31 January 2006, the State Water Resources Control Board (State Water Board) and the Central Valley Water Board held a joint workshop to receive information on salinity in the Central Valley.
6. In response to the information received at the workshop, the State Water Board and the Central Valley Water Board initiated the Central Valley Salinity Alternatives for Long-Term Sustainability (CV-SALTS) initiative. The goal of this project was to develop a salinity and nitrate management plan (SNMP) for the Central Valley that will be implemented through amendments to the Water Quality Control Plans (Basin Plans).
7. The State Water Board and Central Valley Water Board established a CV-SALTS Leadership Group to take the lead in raising funds and preparing the salinity and nitrate management plan. In October 2006, the Leadership Group held its first meeting and established four committees to conduct work between the annual meetings.
8. The four committees meet regularly and are comprised of the Executive Committee, Technical Advisory Committee, Economic and Social Impact Committee, and the Public Education and Outreach Committee. These committees have been meeting on a regular basis since early 2007.
9. Committee members represent government agencies, non-government agencies, industry, consultants, environmental justice concerns and other interested parties working together to

develop a salinity and nitrate management plan for the Central Valley. Committee meetings are open to all who wish to attend.

10. In 2008 the Central Valley Salinity Coalition (CVSC) was formed as a non-profit member organization that works to organize, facilitate, and collect funding for efforts needed to complete the SNMP work and efficiently manage salinity and nitrates in the Central Valley.
11. In 2010, the State Water Board, the Central Valley Water Board and the CVSC signed a Memorandum of Agreement to memorialize understandings regarding the representation and governance of CV-SALTS; coordination of salinity management, regulatory and planning efforts in and affecting the Central Valley Region; and funding for CV-SALTS projects.
12. On 3 February 2009, the State Water Board adopted Resolution No. 2009-0011, Adoption of a Policy for Water Quality Control for Recycled Water (*Recycled Water Policy*). The *Recycled Water Policy* became effective on 14 May 2009.
13. The *Recycled Water Policy* calls for local water and wastewater entities, together with local salt and nutrient contributing stakeholders, to fund and control a collaborative process open to all stakeholders to prepare salt and nutrient management plans protective of groundwater within their basins within 5 years (May 2014). These plans were to be submitted to the Regional Water Boards and elements of the plans were to be incorporated into the Basin Plans, as appropriate.
14. On 10 March 2010, the Central Valley Water Board adopted Resolution R5-2010-0024 directing a Central Valley wide salt and nitrate management plan, consistent with the *Recycled Water Policy*, be developed in conjunction with the CV-SALTS Initiative.
15. On 10 October, 16 October, 21 October and 24 October 2013, Central Valley Water Board staff held California Environmental Quality Act (CEQA) public scoping meetings to receive comments on proposed content of an SNMP and to identify any significant issues that must be considered.
16. On 6 December 2013, the Central Valley Water Board adopted Resolution R5-2013-0149, approving a 2-year time extension for the development of a Central Valley Salt and Nitrate Management Plan upon finding that stakeholders were making substantial progress towards the completion of a salt and nitrate management plan, as allowed under the *Recycled Water Policy*.
17. On 31 December 2016, stakeholders working through the CV-SALTS initiative completed a comprehensive SNMP for the Central Valley.
18. The SNMP was formally submitted by the CV-SALTS Executive Committee to the Central Valley Water Board on 12 January 2017. The SNMP recommends that the Basin Plans be amended to incorporate new requirements for managing salt and nitrate in the Central Valley.
19. The SNMP proposes the establishment of an overarching framework for managing salt and nitrate in the Central Valley, and would establish three management goals to guide implementation:
 1. Ensure a safe drinking water supply;
 2. Achieve balanced salt and nitrate loadings; and
 3. Implement managed aquifer restoration programs where practical and feasible.
20. The SNMP goals are prioritized to recognize the need to focus limited resources on the most important water quality concerns: First, focus on health risks from potentially unsafe drinking

water; second, focus on balancing salt and nitrate loading to receiving waters; and finally, seek to restore affected water resources, where reasonable and feasible.

21. The SNMP identifies current ambient water quality, and proposes to define available assimilative capacity in upper, lower and production zones of groundwater basins and sub-basins. Current and trending conditions were based on source and fate modeling using best available data that met quality assurance standards.
22. The SNMP identifies 11 proposed strategies, policies, policy changes or clarifications to the Basin Plans to facilitate SNMP implementation by providing new authorities for the Central Valley Water Board to supplement its existing authorities. These components include:
 1. The Nitrate Permitting Strategy;
 2. The Salinity Management Strategy;
 3. Groundwater Management Zone Policy;
 4. Revisions to the Exceptions Policy for Waste Discharges to Groundwater (The Exceptions Policy);
 5. Salinity Management to Provide Reasonable Protection of AGR Beneficial Uses in Groundwater (The AGR Policy);
 6. Updates to the Salinity Variance Policy;
 7. The Offsets Policy;
 8. The Drought and Water Conservation Policy;
 9. Guidelines to Implement Secondary Maximum Contaminant Levels;
 10. Guidelines for Developing Alternative Compliance Projects for Nitrate Discharges; and
 11. Factors to Support a State Anti-Degradation Maximum Benefit Finding.
23. As part of the SNMP development, the CV-SALTS Executive Committee commissioned the preparation of feasibility studies, as well as numerous research papers (white papers). The SNMP describes these studies in order to provide the basis for recommendations for the short and long-term management of salt and nitrate throughout the Central Valley, including nitrate drinking water treatment and local and regional salinity management needs, such as a regulated brine line for salt export.
24. The submitted SNMP contains an assessment of the potential environmental impacts that could occur as a result of the Board's implementation of the SNMP, an economic assessment of the implementation of the SNMP and various alternatives, and an explanation of how the proposed SNMP and related strategies, policies, policy changes complies with existing state and federal laws and regulations, including State Water Board Resolution 68-16, the Statement of Policy with Respect to Maintaining High Quality of Waters in California (*State Antidegradation Policy*).
25. The approach selected by the CV-SALTS initiative is consistent with the *Recycled Water Policy* to ensure coordination and consistency in the development of management plans within the Central Valley. The identified solutions and proposed policy changes will add needed regulatory flexibility to achieve the goals of the initiative faster than under current conditions.

THEREFORE BE IT RESOLVED that:

1. The Central Valley Water Board, after considering the entire record, including oral testimony at the hearing, hereby accepts the SNMP developed under the CV-SALTS initiative.
2. The Central Valley Water Boards directs Board staff to initiate basin planning actions to develop and incorporate amendments, as appropriate, to the Basin Plans that would allow for the implementation of the strategies, policies, guidance and revisions to existing policies recommended by the SNMP.

I, PAMELA C. CREEDON, Executive Officer, do hereby certify the foregoing is a full, true, and correct copy of a Resolution adopted by the California Regional Water Quality Control Board, Central Valley Region, on 9 March 2017.

PAMELA C. CREEDON, Executive Officer