

# Kings River East/Alta Irrigation District Management Zone Pilot Study

Steering Committee Meeting

Dinuba Parks & Recreation  
Center

*November 13, 2019*



# MEETING AGENDA

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- Introductions
- Nitrate Control Program Update
- Status of Governance Options
- Draft Preliminary Management Zone Proposal
- Early Action Plan
- Other Business
- Discussion of Next Steps

# NITRATE CONTROL PROGRAM UPDATE



# STATE WATER BOARD ACTION

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- State Water Board Approved the Basin Plan Amendment on October 16, 2019
  - Establishes a Salt and Nitrate Control Program into the Central Valley Basin Plans
- State Water Board Resolution
  - Directs Central Valley Water Board to adopt targeted revisions to the Nitrate Control Program within one year of effective date
  - Directive to revise the Nitrate Control Program does not change the Notice to Comply dates for priority groundwater basins/subbasins

# NITRATE CONTROL PROGRAM IMPLEMENTATION

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- Office of Administrative Law approval is the final step before the Nitrate Control Program becomes effective
  - Anticipated that effective date will be in February 2020
- Notices to comply with Nitrate Control Program for Priority 1 groundwater subbasins anticipated in March 2020
- Assuming an April 1 effective date:
  - Formal submittal of a Preliminary Management Zone Proposal with Early Action Plan is due within 270 days or about December 26, 2020
  - Early Action Plan must begin implementation 60 days later unless the Central Valley Water Board objects – or about February 24, 2021

# STATE WATER BOARD DIRECTED REVISIONS - OVERVIEW

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- Modified Program Goals
  - Convert program goal of balanced nitrate loading to an interim goal
  - Add new final program goal of ceasing causing or contributing to exceedances of the nitrate water quality objective in the receiving water
- Management Zone Boundaries
  - Include process for Board to modify a Management Zone's boundaries if the proposed boundary inappropriately excludes areas with nitrate > 10 mg/L
- Management Zone Implementation Plans – Include proposals for
  - Enforceable/quantifiable interim deadlines that focus on reducing nitrate in ongoing discharges;
  - Proposed final compliance date for ongoing discharges of nitrate to cease causing or contributing to exceedances of the water quality objective

# STATE WATER BOARD DIRECTED REVISIONS - OVERVIEW

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- Exceptions Policy Revision
  - Require that all nitrate discharges cease causing or contributing to exceedances of the receiving water objective within a term that is as short as practicable for each discharger or category of dischargers participating in the Management Zone but in no case is longer than 35 years
  - Set a maximum of 50 years as a goal for restoring basins to achieve nitrate water quality objectives throughout the basin. The Board may recognize, however, that some basins may require more than 50 years to achieve restoration or may qualify for de-designation of beneficial uses through the water quality control plan amendment process
- Remove option for Management Zones to use a volume-weighted average to allocate assimilative capacity as an alternative compliance pathway
- Modify how Offsets Policy may be implemented with regards to nitrate





# STATUS OF GOVERNANCE OPTIONS

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# DRAFT PRELIMINARY MANAGEMENT ZONE PROPOSAL

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# OUTLINE FOR PRELIMINARY MANAGEMENT ZONE PROPOSAL

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## **1.0 Background and Purpose**

- 1.1 Nitrate Control Program
- 1.2 Notice to Comply
- 1.3 Management Zone Formation
- 1.4 Process to Establish Proposed Management Zone
- 1.5 Initial List of Participants in Proposed Management Zone

## **2.0 Characterization of Proposed Management Zone**

- 2.1 Geography
- 2.2 Jurisdictions
- 2.3 Groundwater Sustainability Agencies
- 2.4 Water Management Entities
- 2.5 Drinking Water Systems
- 2.6 DACs and DUCs
- 2.7 Land Use

## **3.0 Initial Assessment of Groundwater Conditions**

- 3.1 Hydrogeology
- 3.2 Groundwater Elevations and Flow
- 3.3 Upper Zone Delineation
- 3.4 Nitrate Water Quality

## **4.0 Management Zone Participants**

- 4.1 Permitted Discharger Participation
- 4.2 Non-Discharger/Local Stakeholder Participation

## **5.0 Current Treatment and Control Efforts or Management Practices of Management Zone Participants**

- 5.1 General Orders (Irrigated Lands Regulatory Program, Dairies, Poultry Program, Confined Bovine Feeding Operations)
- 5.2 Individual Permitted Dischargers

# OUTLINE FOR PRELIMINARY MANAGEMENT ZONE PROPOSAL

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## **6.0 Early Action Plan Development**

- 6.1 Development Approach
- 6.2 Key Early Action Plan Elements
- 6.3 Schedule of Implementation
- 6.4 Early Action Plan Implementation Period

## **7.0 Plan to Finalize Management Zone Proposal**

- 7.1 Identification of Final Management Zone Participants
- 7.2 Non-Discharger Participation
- 7.3 Boundary Refinement
- 7.4 Groundwater Assessment Updates
- 7.5 Management Zone Governance & Funding
- 7.6 Submittal of Deliverables

## **Attachments**

- Attachment A - Notices of Participation from Permitted Dischargers within Proposed Management Zone
- Attachment B - Groundwater Sustainability Agencies within and Adjacent to the Proposed Turlock Management Zone
- Attachment C - Example Notice to Comply Letters
- Attachment D - List of Permitted Dairies, Confined Bovine Feeding Operations and Poultry Farms within the Proposed Management Zone
- Attachment E - Letter Sent to Permitted Dairies, Permitted Dairies, Confined Bovine Feeding Operations and Poultry Farms within the Proposed Management Zone
- Attachment F - Outreach Conducted with Permitted Dischargers with an Individual WDR
- Attachment G - Public Meeting Records for Development of Preliminary Management Zone Proposal
- Attachment H - Early Action Plan

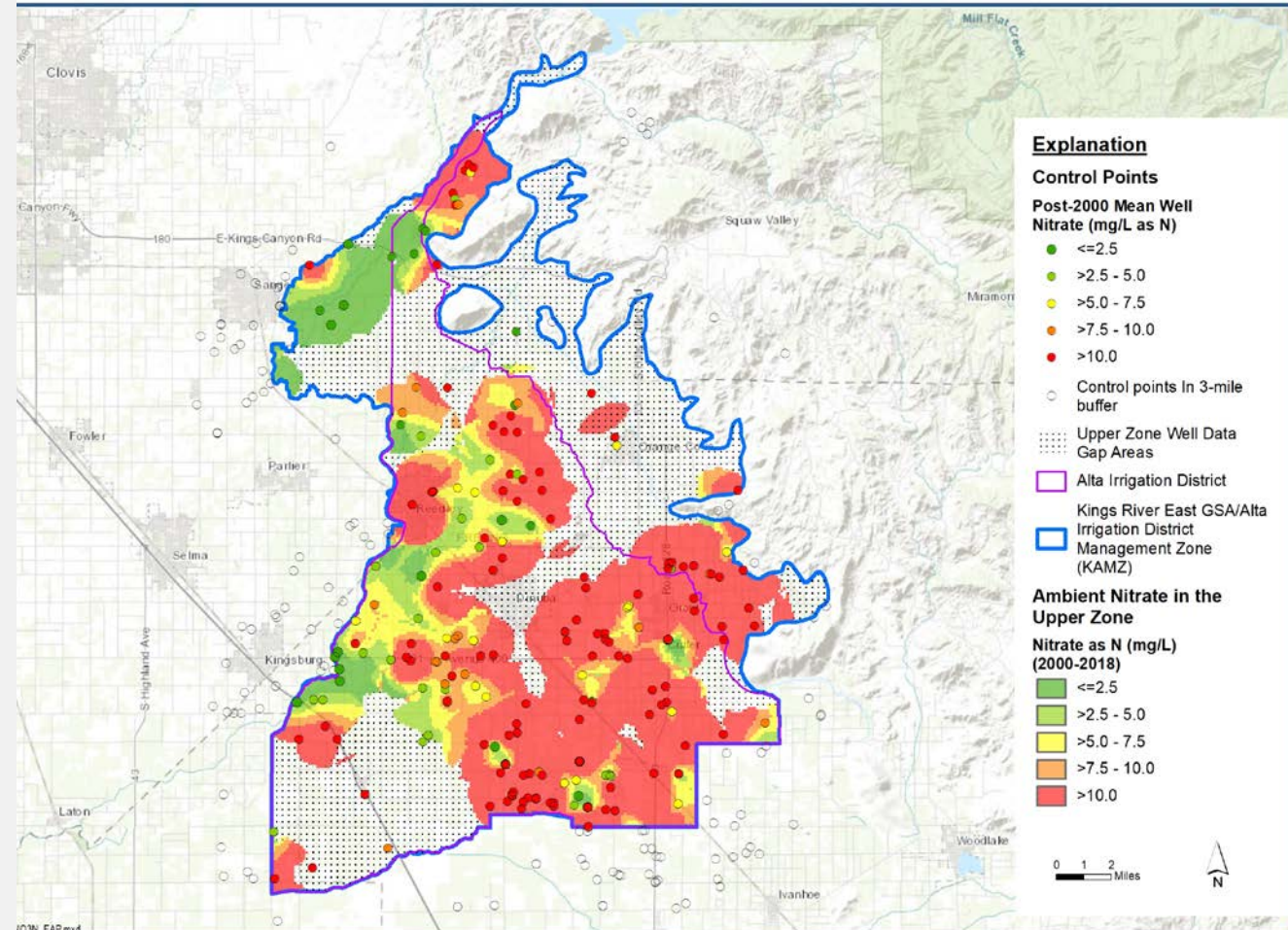
# SECTION 1. BACKGROUND AND PURPOSE - HIGHLIGHTS

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- Defines the Management Zone Boundary and includes statement regarding consistency with regulatory requirements
  - Defined portion of a large groundwater basin/subbasin
  - Encompasses groundwater potentially impacted by Management Zone participants
  - Voluntarily proposed by permitted dischargers
- Figure 1-2 – lists the requirements for a Preliminary Management Zone Proposal and where that information is found in the document
- Placeholder for description of Management Zone Organization – at time of proposal submittal
- Initial list of permitted dischargers participating in the Management Zone

# SECTION 3. INITIAL GROUNDWATER ASSESSMENT - UPDATES

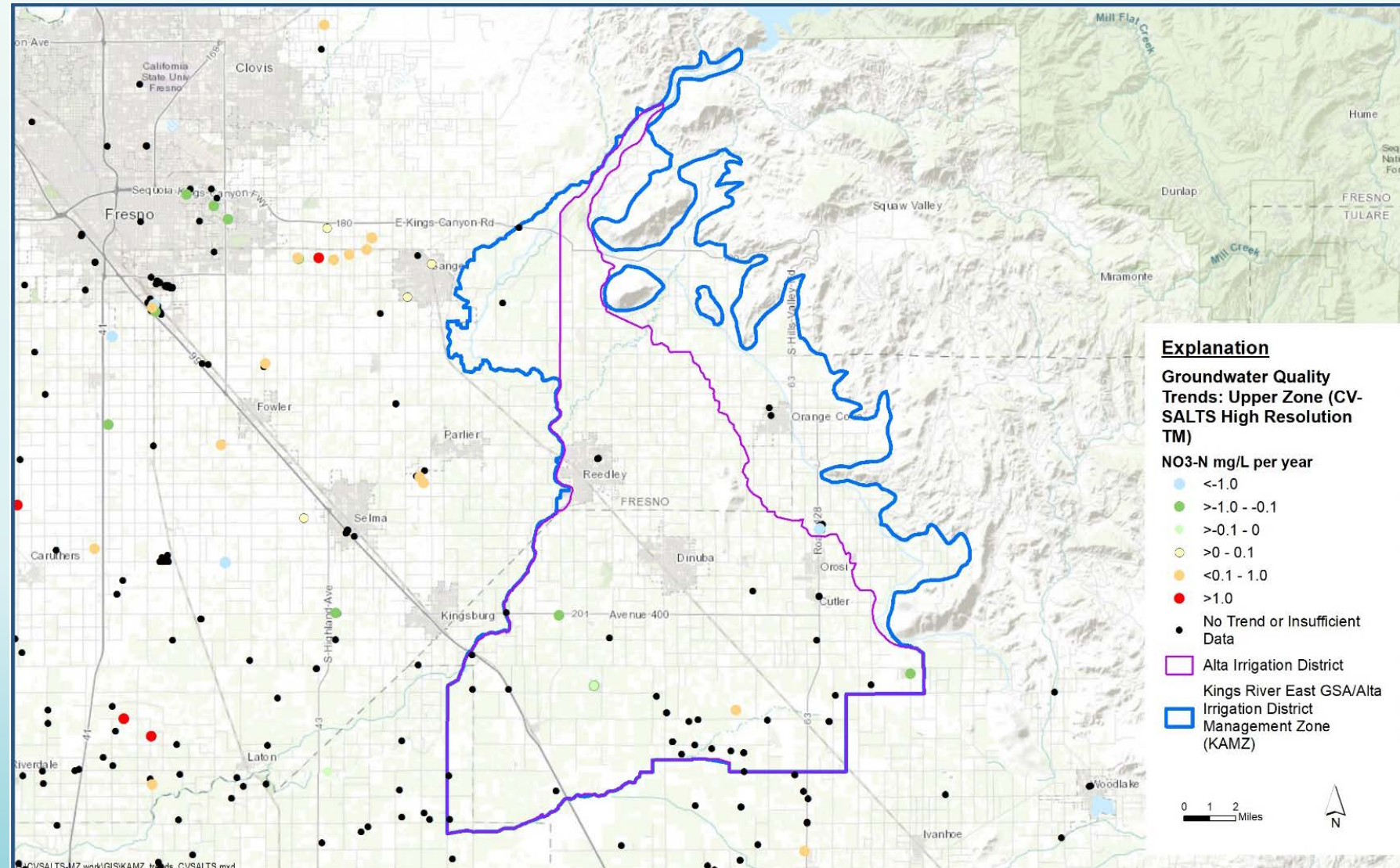
- Comment on Assessment Methodology
  - Methodology to assess existing nitrate concentrations has the potential to significantly underestimate current nitrate concentrations in wells, especially those which have more recently begun to exceed the nitrate MCL
  - As a result, potential exists for residences to be omitted from outreach efforts to ensure they have access to safe drinking water





# SECTION 3. INITIAL GROUNDWATER ASSESSMENT - UPDATES

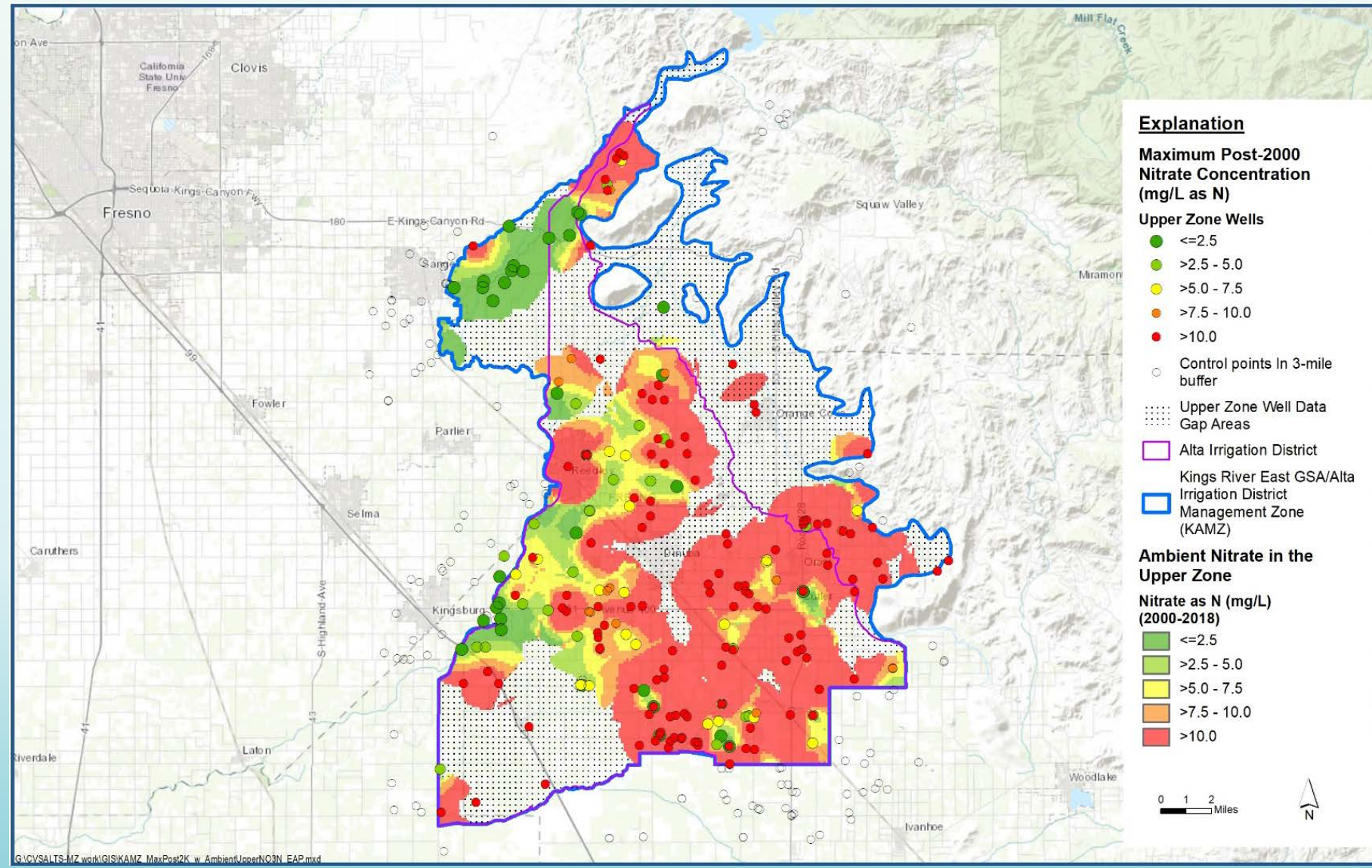
- Added new Figure 3-8  
- Groundwater Quality  
Trends for Nitrate in  
the Upper Zone of  
Groundwater  
Underlying the  
Proposed  
Management Zone





# SECTION 3. INITIAL GROUNDWATER ASSESSMENT - UPDATES

- Added new Figure 3-9 - Maximum Post-2000 Nitrate in the Upper Zone with Ambient Groundwater Underlying the Proposed Management Zone





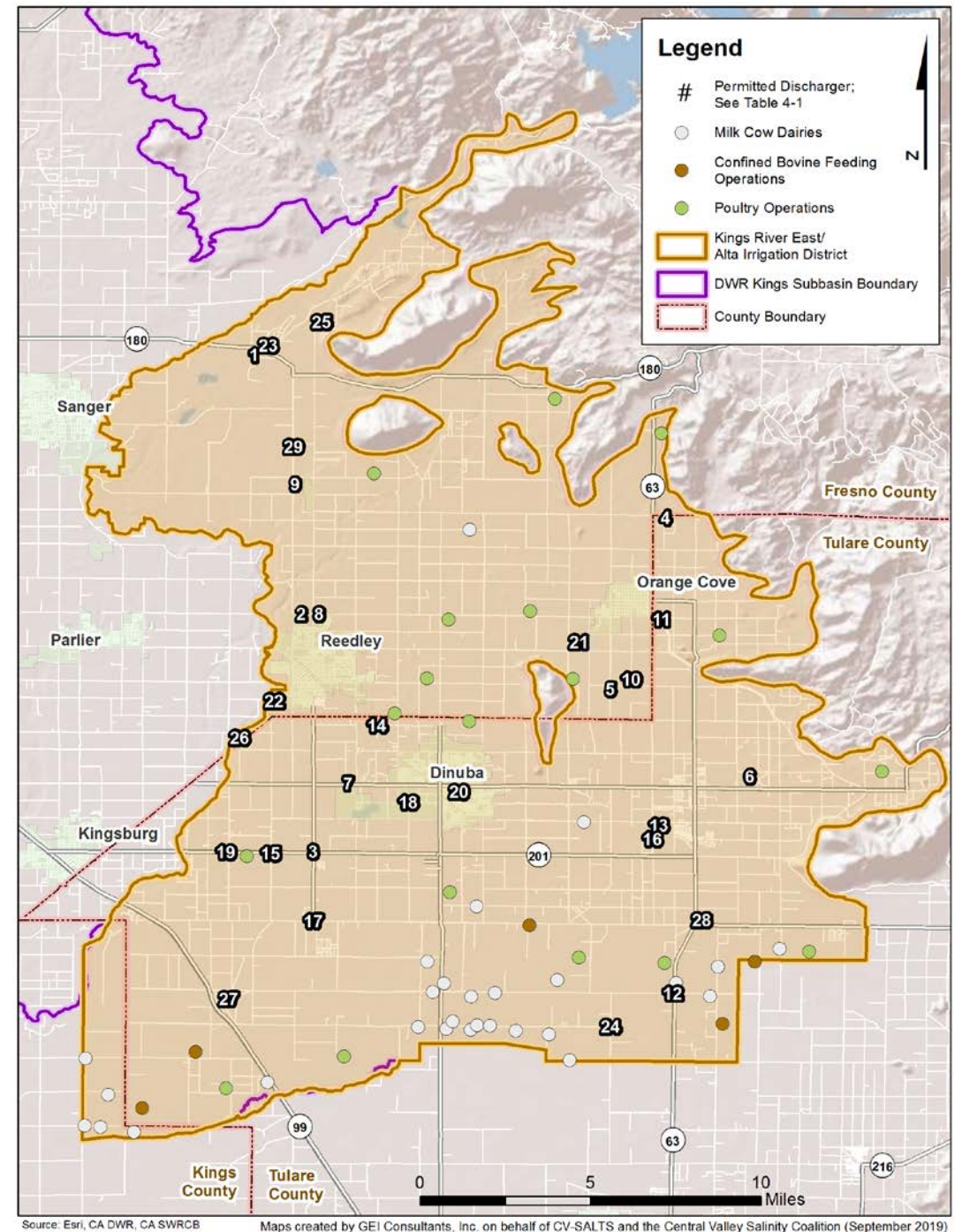
# SECTION 4. MANAGEMENT ZONE PARTICIPANTS - HIGHLIGHTS

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- Section 4.1 – Permitted Discharger Participation
  - Identifies permitted dischargers within the proposed Management Zone
  - Describes outreach to permitted dischargers to give them opportunity to participate
    - Note included at beginning of Section 4.1.2 that some of the described outreach activities have yet to occur
- Section 4.2 - Non-Discharger/Local Stakeholder Participation
  - Table 4-3 – Key entities targeted for Management Zone Outreach
    - Includes entities currently participating
    - Denotes “TBD” where no participation is yet occurring – area for targeted outreach
  - Table 4-4 – Entities/Stakeholders on the Management Zone Mailing List

# SECTION 4. MANAGEMENT ZONE PARTICIPANTS - HIGHLIGHTS

- Figure 4-1 identifies locations of permitted dischargers (associated with Table 4-1 information)
- Permitted Dairies, Confined Bovine Feeding Operations and Poultry Facilities shown with symbols – Attachment D will be a list of specific facilities participating in the Management Zone



# SECTION 5. NITRATE MANAGEMENT - HIGHLIGHTS

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- Section 5.1 – General Orders
  - Irrigated Lands Regulatory Program – Summary included
  - Dairy Program – Summary included
  - Confined Bovine Feeding Operations – not included at this time
  - Poultry Program – Not included at this time
- Section 5.2 – Individual Permitted Dischargers
  - Subsections to provide information for individual dischargers – none included at this time

## SECTION 6. EARLY ACTION PLAN DEVELOPMENT - HIGHLIGHTS

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- Full Early Action Plan is incorporated into the Proposal as Attachment H
- Purpose of Section 6 is to provide a high level summary of the Early Action Plan content:
  - Development Approach
    - Identification of nitrate-impacted areas
    - Community outreach
  - Key Early Action Plan Elements – Bulleted summary of Early Action Plan components
  - Schedule for Implementation – Table 6-1 from Early Action Plan
  - Early Action Plan Implementation Period

# SECTION 7. PLAN TO FINALIZE MANAGEMENT ZONE PROPOSAL - HIGHLIGHTS

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- Identification of Additional Participants
  - Also addresses withdrawal of any participants
- Non-Discharger Participation
- Boundary Refinement
- Groundwater Assessment Updates
- Management Zone Governance and Funding (Placeholder)
  - Description of existing governance/funding at time of submittal of preliminary proposal including funding mechanism for Early Action Plan
  - Discussion of activities/timeline to establish governance/funding for final proposal
- Submittal of Deliverables – Schedule to submit Final Management Zone Proposal and Management Zone Implementation Plan

# PRELIMINARY MANAGEMENT ZONE PROPOSAL – NEXT STEPS

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- Please provide any comments by November 25; Focus on the following:
  - Proposal Sections 1, 4, 5, and 7
    - Sections 2 & 3 have already been through a comment/revision process
    - Section 6 – Excerpted from Early Action Plan (Attachment H)
- Team is preparing templates (guidance) for other Management Zones based on knowledge gained from the two Management Zone Pilot Study projects, e.g.,
  - Management Zone Boundary Delineation
  - Characterization of Proposed Management Zone
  - Groundwater Quality Analysis to Identify Potentially Impacted Areas
  - Early Action Plan Development Approach
  - Identifying other Permitted Dischargers
  - Regulatory Requirements



# EARLY ACTION PLAN

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# REVISED DRAFT EARLY ACTION PLAN – STATUS

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- Revised Draft based on comments received on July draft
- Response to comment summaries provided for both Pilot Study areas for consideration of issues that cross-apply
- Revised Draft is the final deliverable under the Management Zone Pilot Study Grant Project – The Early Action Plan can continue to be refined during development of a formal Preliminary Management Zone Proposal

# REVISED DRAFT EARLY ACTION PLAN – HIGHLIGHTED COMMENTS

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- Concerns with siting & operation of water filling stations
  - Updated language regarding requirements for filling stations, e.g., coordination with property/land owners, operational considerations (e.g., time, noise, lighting), compensation for water use
- Draft emphasizes English and Spanish, but what about other potential language support?
  - Modified to state: Except for public notices which will always be in English and Spanish, Management Zone will determine need for other language support through community outreach process
- How does the Early Action Plan address changes in residents over time?
  - Mechanism for additional targeted outreach to account for potential changes in who occupies properties over time

# REVISED DRAFT EARLY ACTION PLAN – HIGHLIGHTED COMMENTS

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- What should be the minimum volume/household delivered under the Bottled Water Program?
  - July draft – 50 gallons/month/household of 4
  - Comments (based primarily on World Health Organization recommendations)
    - Minimum of 2 liters/person/day (~63 gallons/month/household of 4)
    - Range of 5.5 – 9 liters/person/day ( ~175 to 285 gallons/month/household)
  - Revised Early Action Plan has a placeholder for additional discussion of an appropriate target by Management Zone participants
  - Continues to include provision that after three months, each household will be contacted to verify they have adequate supply



## FINAL AGENDA ITEMS

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- Other Business
- Discussion of Next Steps

# NEXT STEPS - CONSIDERATIONS

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- Pilot Study is nearing completion. Remaining items:
  - Will provide revised Preliminary Management Zone Proposal based on comments received
  - Prepare response to November 25 comments
  - Complete templates (guidance) documents based on both Pilot Study projects; deliverables to the CV-SALTS Executive Committee
  - Hand-off final versions of the draft Preliminary Management Zone Proposal and Early Action Plan for continued work during formal process to respond to the Notice to Comply
- Establish process to move forward given anticipated Notice to Comply by April 1, 2020



Adjournment