
Central Coast Regional Water Quality Control Board

March 21, 2014

Mr. Parry Klassen
Executive Director
Central Coast Groundwater Coalition
P.O. Box 828
Salinas, CA 93902

Dear Mr. Klassen:

IRRIGATED LANDS REGULATORY PROGRAM – BOARD DIRECTIVE TO ENSURE IMPLEMENTATION OF CONSISTENT DRINKING WATER NOTIFICATION AND FOLLOW-UP REPORTING PROCESSES

At the Central Coast Water Board meeting on January 30, 2014, the Central Coast Water Board directed staff to make the Central Coast Groundwater Coalition's (Coalition) reporting of maximum contaminant level (MCL) exceedances and follow-up reporting equivalent to our non-coalition process. The Board also directed staff to document (maintain a written record) drinking water follow up actions and to require ongoing reporting regarding the adequacy of replacement water and continued use of contaminated water wells. Accordingly, we will be revising our non-coalition process and we understand that the Coalition is also currently revising its notification and documentation process. This letter provides the Coalition with the changes we expect to require the Coalition to make to its notification, documentation, and reporting process such that the two processes are aligned and credible. We provide this information to facilitate this alignment, to offer guidance, and to minimize the number of changes that the Coalition makes as it brings its process into alignment. We also provide this information in advance of our next meeting on March 26th, such that we can collectively discuss these proposed changes to better document notification, replacement water, and verification/follow up while establishing a formal written record with the Water Board as described in this letter.

Changes to the Coalition process are necessary to maintain a formal written record and tracking process at the Water Board office that demonstrates we are protecting human health and the drinking water beneficial use. Additionally, this level of documentation will provide credibility to both the Water Board's and the Coalition's notification processes in terms of documenting that timely notification and ongoing and adequate replacement water actions are taking place. The Water Board cannot delegate this responsibility to maintain a written record, or its authority to protect public health, to a third party. The Water Board also cannot rely on anecdotal, aggregated, or anonymous information or records regarding this public health/drinking water issue. Water Board staff must maintain and frequently access appropriate written records, as we currently do in our process for non-coalition farmers. While we understand this is a sensitive issue for growers, the real public health risk component of this issue outweighs the desire for privacy. Additionally, information provided through this documentation will assist Water Board staff in identifying and informing domestic well users for wells that are not on properties enrolled under the Ag Order in areas where well water can be reasonably predicted to be unsafe.

DR. JEAN-PIERRE WOLFF, CHAIR | KENNETH A. HARRIS JR., EXECUTIVE OFFICER

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Note also that the notification process we are using for non-coalition farmers is well established and is working well. We have issued over 60 notification letters to non-coalition growers and the vast majority responded promptly and provided the necessary information. A copy of our non-coalition notification template letter, revised per Board direction, is attached for your reference (Attachment 1).

To ensure that our respective notification and follow up reporting processes are equivalent, we anticipate requiring the Coalition to revise its Drinking Water Notification (DWN) process as follows:

1. Each DWN letter shall be addressed to the Coalition "member" with a copy sent to the local public health agency, water well owner (property owner) and enrollee of the irrigated cropland (operator), if not the same as the member. The Agricultural Order defines both the property owner and operator as "Dischargers" and therefore as responsible parties. The Coalition's DWN letter shall be revised as follows:
 - a) The DWN letter shall include the farm/ranch Global Identification Number (i.e. AGL#), well name and analytical results, and the Assessor's Parcel Number (APN) in the subject line or header. This information is necessary to properly identify the specific ranch/farm and well associated with the DWN.
 - b) The DWN letter shall incorporate the following specific language:

"Please alert all persons using the private domestic water supply well and post notifications within 10 days indicating the water poses a human health risk due to elevated nitrate concentration. The notice should include a warning against the use of this water for drinking or cooking. It may also be necessary to provide the well users with either appropriately treated drinking water or an alternative drinking water supply (e.g. bottled water). In addition, provide written notification to all new well users (e.g. tenants and owners) indicating the water poses a human health risk due to elevated nitrate concentration. Verify that treatment or alternative drinking water supplies are provided to new water well users.

PLEASE PROVIDE THE FOLLOWING INFORMATION IN WRITING TO THE CENTRAL COAST GROUNDWATER COALITION WITHIN 30 DAYS OF THE DATE OF THIS LETTER: 1) Confirmation that you have notified the domestic well users, property owner of impacted well(s), posted the appropriate public health notification, provided the Water Board's nitrate guidance document (English, Spanish or Chinese versions, as appropriate), 2) Identification of contaminated well(s) used for drinking water supply and the number of people served, 3) A description of any treatment method or alternative drinking water supplies provided, both long-term and short-term, to ensure safe drinking water (e.g. bottled water, treatment system installation - stating type of treatment, well shut off, etc.) if applicable.

Attached is a general guide regarding nitrate in drinking water, including the potential health effects associated with drinking water containing elevated levels of nitrate and general recommendations for private domestic well owners/users. This document also includes a list of resources and contacts where you can obtain additional information. For specific questions regarding the safety of your

private domestic well, please contact your local public health agency. Please distribute the nitrate guide to all persons using the domestic well.”

- c) The Coalition’s DWN letter must be sent electronically to the Water Board when it is issued. Please send to Hector Hernandez at Hector.Hernandez@Waterboard.ca.gov.
- d) The Coalition’s DWN letter must also include the Water Board’s nitrate guidance document (Attachment 2 to this letter) in either English, Spanish or Chinese versions, as appropriate, or comparable information that is first approved by the Water Board’s Executive Officer.
- e) The Coalition’s DWN letter must exclude using the following (or similar) language:

“If you choose to share that information with us, we will provide it to the Regional Board, aggregated, anonymously, with information provided by others, in an effort to help them understand that there is no drinking water concern with this well. We may also note this information anecdotally and anonymously in our materials.”

2. Within 30-days of completing notification, the Coalition must:

- a) Upload a list of Coalition DWN letters sent out each month, including addresses (owner and operator) Global Identification Number (i.e. AGL#), farm name, farm address, analytical results, and APN to the Coalition’s GeoTracker site on the State Water Resources Control Board’s GeoTracker database using existing Responsible Party/Consultant document upload protocol.
- b) Upload each individual Coalition DWN letter, attachments, and written response from operator (responsible parties) to the Coalition’s GeoTracker site. Please use consistent letter Title/Description: e.g. “DWN-AGL#####” and Document type: “Correspondence”. Each upload shall be for an individual DWN letter and response with specific Global Identification Number indicated in the Title/Description.
- c) Provide a list of Coalition members and/or property owners who have not provided information about notification, follow-up actions, or who have not taken actions to provide treatment or alternative drinking water supplies for well users affected by drinking water exceedances. The Central Coast Water Board staff will contact these members directly.

The anticipated requirements and modifications to the Coalition’s existing drinking water notification and follow up reporting protocol, as detailed above, are necessary to provide clarity and ensure that our respective drinking water notification protocols are as credible and transparent as possible, given the significance of this human health issue. These changes provide both documentation and confidence that all appropriate initial actions have been taken to protect public health for wells with drinking water exceedances, as required by State Board Order WQ-2013-0101. Additionally, implementation of these changes will ensure that the Coalition’s drinking water notification process is consistent with the notification process that is presently followed by the Central Coast Water Board staff for growers who comply with individual groundwater monitoring requirements, as well as consistent with the direction provided by the Water Board itself.

Mr. Parry Klassen

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We look forward to discussing these anticipated changes in the notification and follow up reporting process at our meeting on March 26 as well as working with the Coalition to ensure safe drinking water throughout the region.

If you have any questions concerning this letter, please contact **Hector Hernandez at (805) 542-4641** or via e-mail at Hhernandez@waterboards.ca.gov, or Angela Schroeter at (805) 542-4644 or via e-mail at: Aschroeter@waterboards.ca.gov.

Sincerely,



Digitally signed by Kenneth A Harris Jr.
DN: cn=Kenneth A Harris Jr., o=Central
Coast Regional Water Quality Control
Board, ou=Executive Officer,
email=Ken.Harris@waterboards.ca.gov,
c=US
Date: 2014.03.21 12:16:30 -0700'

Kenneth A. Harris Jr.
Executive Officer

Attachments:

1. Template - Drinking Water Notification Letter (Non-Coalition)
2. Resources for Growers Regarding Nitrate in Drinking Water (English, Spanish and Chinese versions)

cc:

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Mr. Tim Borel
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Ms. Kara Stuart
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