

Update Salt/Nutrient Management Plans

State Water Board's Recycled Water Policy

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Introduction

- Recycled Water Policy
 - Stakeholders to develop implementation plans for meeting objectives for salts and nutrients.
 - Implementation plans to be adopted by Regional Water Boards as Basin Plan Amendments.
 - State Water Board to coordinate Water Boards' efforts statewide.

Overview of Presentation

- Progress to Date
- Basin Planning Process
- Water Boards' Next Steps
- Funding

Progress to Date

- February 2009 State Water Board adopts Recycled Water Policy
- May 2009-RW Policy became effective
- July 2009- State Water Board adopts General Permit Waste Discharge Requirements for Landscape Irrigation Uses of Municipal Recycled Water
- August 2009-State Water Board memo to Regional Water Boards on implementing RW Policy
- September 2009- coordination meetings between State Water Board and WaterReuse begin

Progress to Date (cont.)

- September 2009-Water Boards establish Salt/Nutrient Management Group to coordinate Water Boards' role
- November 2009 State Water Board hires Recycled Water Ombudsperson **Jagroop Khela**
- November 2009 WateReuse holds 3 kick-off workshops, State Water Board participates

Regional Water Boards' Progress

- North Coast Water Board- stakeholder group starts to plan process for Santa Rosa Plains Basin
- Central Coast Water Board- schedules two workshop sessions: March 3 and March 10, refer to Regional Board website for information
- Lahontan Water Board-discusses S/N plan requirements at the Integrated Regional Water Management (IRWM) meetings and two watershed group meetings.

Regional Water Boards' Progress (cont.)

- Central Valley Water Board- In February, the "Salt and Nitrate Sources Pilot Implementation Study Report" finalized and posted on the Central Valley Salinity Coalition web site (<http://cvsalinity.org/>)
- San Diego Water Board-Following Oct. 2009 kick-off meeting San Diego County Water Authority and Southern California Salinity Coalition begin preparing Tiered Guidelines for Preparation of Salt and Nutrient Management Plans for San Diego Region, and a White Paper on strategies for compliance with iron and manganese discharge requirements.

Basin Plans – Brief Overview

- Regional Water Quality Control Plan = Basin Plan
- 10 Regional Water Quality Control Plans
 - 9 Regions in California
 - Central Valley Water Board has 2 Plans
 - Central Valley
 - Tulare Lake

Basin Plans – Brief Overview

- Basin Plans consist of a designation or establishment for the waters within a specified area of all of the following:
 - (1) Beneficial uses to be protected.
 - (2) Water quality objectives.
 - (3) A program of implementation needed for achieving water quality objectives – including monitoring and surveillance

Basin Plans – Brief Overview

- Basin Plans are adopted as regulations
 - They have the force and effect of law.
- Basin Plans must be reviewed “from time to time”
- Basin Plans may be revised
- Basin Plan Revisions must be done in accordance with State and Federal Laws
- Basin Plans apply to both surface and ground water in California

Basin Plan Amendments

- Must include Implementation (Water Code § 13242)
 - Options for Program of Implementation include:
 - No change to implementation provisions
 - Modification of implementation provisions
 - New implementation provisions
 - Evaluate alternative implementation mechanisms, if appropriate
 - Prohibition of discharge
 - Waste discharge requirements
 - Waiver of waste discharge requirements
 - Cleanup and abatement order
 - 13267 orders

Basin Plan Amendments

- Must Include Monitoring and Surveillance
- Alternatives to Consider
 - No change – monitoring currently described in Basin Plan addresses new amendment
 - Adopt general monitoring goals – provide flexibility, but ensure basic information is collected
 - Specific direction (sites/constituents) – if flexibility is not desired and no changes in monitoring expected

Incorporating CEQA

- Basin Planning is a “certified regulatory program”
 - Exempt from requirement to prepare
 - Initial study
 - Negative Declaration
 - Environmental Impact Report
 - Instead, prepare “substitute environmental documentation” that fulfills same information needs as traditional CEQA documents
- Scoping Meeting Required
(Pub Res Code §§21080.5; 14 CCR 15250, 15251(g); 23 CCR 3782)

Scientific Peer Review Requirement

- Health and Safety Code § 57004
 - Applies to all Cal/EPA Organizations
 - “Submit the scientific portions of the proposed rule, along with a statement of the scientific findings, conclusions, and assumptions on which the scientific portions of the proposed rule are based and the supporting scientific data, studies, and other appropriate materials, to the external scientific peer review entity for its evaluation.”
 - Standing contract with the University of California for independent reviewers
- Regional Boards request peer review when Basin Plan Amendment is complete

Public Review of Documents

- Legal Requirements:
 - **Notice**
 - 45-days notice of a public hearing on proposed basin plan amendments is required (40 CFR 25.5(b)(applies to water quality standards actions for surface waters; Cal. Code Regs., tit. 23, §3777(b))
 - Response to Comments Required
 - Water Board must Adopt at a Public Meeting
 - State Water Board, Office of Administrative Law Approvals Needed Before Effective
 - Need U.S. EPA Approval for changes to Surface Water Standards

Water Boards' Next Steps

- State Water Board staff preparing draft document templates for Regional Boards' basin planning process (draft April 2010)
- Purpose is to streamline process
- Documents will create a standardize basin plan framework, but allow for regional flexibility
- Documents content will be linked to ensure they support next step in basin planning process, and inform Regional Boards and stakeholders

Water Boards' Next Steps (cont.)

- Documents designed to accommodate range of Basin and Salt/Nutrient plan complexity
 - Can accommodate additional water quality issues
- Documents include:
 - Standardized basin plan list of ground water basins and associated beneficial uses
 - Basin plan amendment in table format
 - Environment analysis with check list
 - Regional Water Board Staff Report
 - Suggested S/N plan table of contents to support the Regional Board's process.

Water Boards' Next Steps (cont.)

- Envision 3 types of Basin Plan Amendments, characteristics include:
 - **Big Plan**-basin large in size, complex land-use, heavily used, water quality threatened
 - **High TDS Plan**-coastal basins with high TDS not currently used as a source of water, and interior saline basin
 - **No Threat Plan**-basins with minimal or no known current threat to water quality-address all within a Region with single basin plan amendment

Funding

- State Water Board working with DWR on Integrate Regional Water Management Grant-Prop 84 guidelines language
- \$870 million implementation, \$30 million in planning funds to update 46 IRWM Plans
- State Water Board will send letter to IRWM Regions asking them to support S/N Planning
- S/N Stakeholders need to work with IRWM Regions to update Plans to incorporate S/N Planning Language

Prop 84 Requirements

- Eligible projects must:
 - Implement an IRWM Plan
 - Be consistent with an adopted IRWM Plan or its functional equivalent
 - Provide multiple benefits
- Draft guidelines can be found at:
- http://www.water.ca.gov/irwm/integregio_new10.cfm

Prop 84 Requirements Related to S/N Plans

- Eligible projects must include one or more of the following project elements:
 - Storm water capture, storage, clean-up, treatment, and management
 - Groundwater recharge and management projects
 - Contaminant and salt removal through reclamation, desalting, and other treatment technologies and conveyance of reclaimed water for distribution to users

Prop 84 Requirements Related to S/N Plans

- Eligible projects must include one or more of the following project elements (cont.):
 - Water banking, exchange, reclamation and improvement of water quality
 - Planning and implementation of multipurpose flood management programs

Map of the Final 46 Approved, and Conditionally Approved, Regions for IRWM Purposes



http://www.water.ca.gov/irwm/docs/RAP_Rec_Summ/IRWM_RAP_sizeE_final_decision_11_23_09.pdf

How can we assist you?

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