



CENTRAL VALLEY SALINITY ALTERNATIVES FOR LONG-TERM SUSTAINABILITY

NITRATE CONTROL PROGRAM

PRIORITY 2 PERMITTED DISCHARGERS

A Nitrate Control Program is now in place in the Central Valley to address nitrate problems.

This program is being rolled out in stages. The Priority 1 stage launched in 2020 and is active. The Priority 2 stage will launch at the end of 2023.

If you have a discharge permit in the Central Valley (you discharge nitrate or nitrogen and are a permittee) and you are located in a Priority 2 basin (see map below), you are responsible for choosing one of two pathways and following the requirements laid out by the Central Valley Regional Water Quality Control Board.

Pathway A: Individual Permitting Approach

A permittee or group of permittees may opt to comply under the individual permit requirements.

However, Pathway A compliance options are difficult and expensive if there are 1) drinking water wells near your facility that are high in nitrate, 2) your discharge is high in nitrate, or 3) local shallow groundwater exceeds 75% of the nitrate drinking water standard.

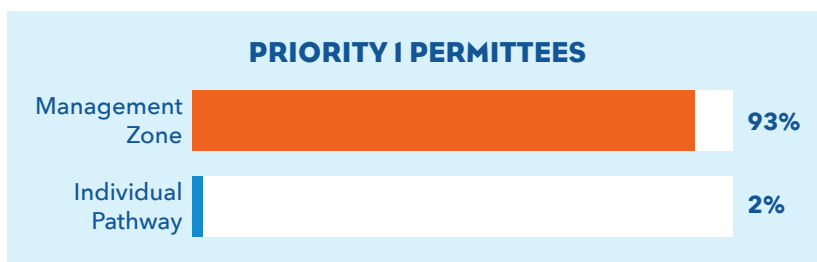
For further information on Pathway A, please email cvsalts@waterboards.ca.gov.

Pathway B: Joining a Management Zone

When permittees join a Management Zone, they work collectively to comply with the Nitrate Control Program, which is more efficient and typically more economical.

For most permittees, Pathway B (joining a Management Zone) is the best choice.

93% of Priority 1 basin permittees chose Pathway B.



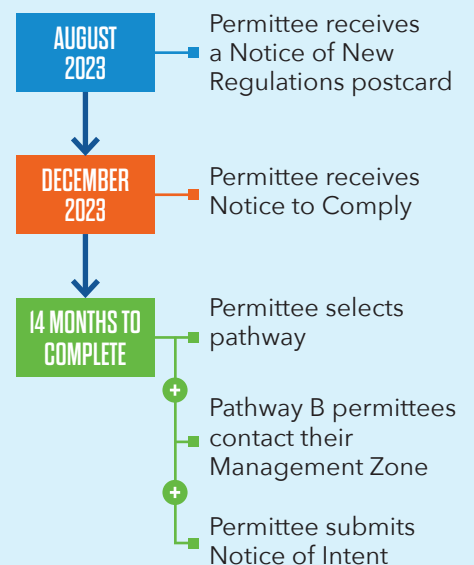
NOTICE TO COMPLY

A Notice to Comply is a letter outlining legal requirements that must be followed. The Central Valley Regional Water Quality Control Board issues a Notice to Comply to inform a Permittee of their legal responsibilities regarding the Nitrate Control Program and how they can fulfill them.

If you receive a Notice to Comply from the Central Valley Regional Water Quality Control Board, you are legally responsible to respond by filing a Notice of Intent within 14 months.

Permittees who do not submit a response to the Notice to Comply and select a permitting pathway by the due date are subject to enforcement action by the Central Valley Water Board.

Timeline for Priority 2



To contact your local Management Zone, please go to www.cvsalinity.org/nitrate-program/find-your-management-zone.

Priority 2 Permitted Dischargers

Why Are Permittees Responsible for Participating in This Program?

Most of the nitrate accumulating in the groundwater comes from sources such as fertilizer, manure, wastewater treatment, septic systems, and others. In the Central Valley, 90% of residents rely on groundwater wells for drinking water, and some of this supply is now unsafe. The Central Valley Regional Water Board implemented new regulations for permittees (growers, dairies, municipalities, food processors, etc.) to participate in projects that provide safe drinking water. In exchange, those providing safe drinking water are provided more options and time to collaborate to achieve nitrate compliance.

To streamline resources while addressing nitrate management issues, groundwater basins in the Central Valley have been grouped into three categories for nitrate management. The highest priority areas with the most affected drinking water supplies were addressed first. These Priority 1 areas are located in these Basins or Subbasins: Chowchilla, Kaweah, Kings, Modesto, Tule, and Turlock.

Now, **Priority 2 areas are being addressed.** This may include you.

Permittees in Priority 2 areas include:

- Food Processors
- Wineries
- Poultry
- Dairy and Bovine
- Oil & Gas
- Irrigated Agriculture
- Non-Chapter 15 POTWs
- Industries
- Recycled Water Permittees

Priority 2 groundwater basins/subbasins are Delta-Mendota, Eastern San Joaquin, Kern County (Poso), Kern County (West-side South), Madera, Merced, Tulare Lake, and Yolo. See map and link for more information.



Please go to www.cvsalinity.org/nitrate-program/find-your-management-zone for an interactive map of Priority 2 Basins/Subbasins and Management Zones.

Management Zones

What is a Management Zone?

A Management Zone is a formally defined area with specific boundaries where permittees agree to work collaboratively to provide safe drinking water and to manage nitrate. Flexibility, local discretion, and cooperation are hallmarks of the Management Zone approach.

Through this choice, the new Nitrate Control Program recognizes diverse demographic, climate, hydrologic, and geologic conditions and allows local interests to determine the best steps for providing safe drinking water, managing nitrate discharges, and safeguarding water resources and the economy.

Choosing Pathway B and joining a management zone provides permittees with the simplest, most manageable compliance option. By choosing this pathway, permittees avoid the rigorous, complex requirements of the traditional Pathway A.

Management Zone Responsibilities

- Conducting outreach to affected residents and communities, elected officials, and community leaders.
- Identifying potentially affected residents and ensuring they have an opportunity to participate in designing and accessing proposed long-term safe drinking water solutions.
- Developing specific actions for providing interim replacement drinking water to affected residents within the Management Zone. Key things to consider:
 - Input from local communities.
 - Types of facilities and operational agreements with water filling stations or vendor-supplied facilities.
 - Alternatives such as home bottled water delivery or point-of-use treatment.
 - Well water sampling and groundwater quality analyses.
- Developing and managing a Management Zone Implementation Plan to control nitrate discharges and identify long-term drinking water solutions.
- Preparing and implementing an Early Action Plan that looks to test wells and provide alternative drinking water at no cost to the resident if the well exceeds drinking water standards.



Advantages of Joining a Management Zone

Joining a Management Zone offers water quality permit holders a chance to work together and achieve mutual benefits such as:

- 1 Less cost.** Meeting regulatory objectives through shared resources and economies of scale reduces costs for individual permittees.
- 2 More time.** Participating in a Management Zone earns permit holders more time to meet Nitrate Control Program objectives.
- 3 Fewer headaches.** Being part of a Management Zone lightens the burden for individual permit holders by transferring much of the required technical work to experts working for the collaborative.
- 4 More flexibility.** Through Management Zones, permittees can tailor solutions for safe drinking water and nitrate management to local conditions.

What is the CV-SALTS Nitrate Program?

Nitrate Control Program

The new Nitrate Control Program was approved by the Central Valley Water Board in 2018 and by the State Water Board in 2019. The existing Basin Plans were amended to include the new and revised regulations, allowing more flexibility to manage nitrate locally while providing safe drinking water supplies.

The program includes twin imperatives for the Central Valley:

- Provide safe drinking water as quickly as possible, especially for residents in affected areas.
- Manage nitrate discharges to reduce or eliminate impacts to groundwater.

Addressing Threats to Water Quality and the Economy

The Central Valley is the epicenter of California's economy—encompassing 40% of the state and providing water for people and businesses from Mount Shasta to San Diego, as well as food for California, the nation, and the world. Over the last 150 years, increased agricultural, industrial, and municipal activities, coupled with population growth, have resulted in dramatic increases in nitrate in groundwater. In some communities, the nitrate concentrations have resulted in unsafe drinking water. If not addressed, the economic impacts of nitrate on the Valley are estimated to be billions per year.

Collaborative Regulation Process

The Central Valley Water Board regulates nitrate discharges by agricultural, municipal, and industrial activities. Decades ago, the Board recognized that updated, flexible regulations were needed to address the Valley's natural diversities (e.g., climatic, hydrologic, and geologic conditions) while protecting water quality and maintaining a strong economy.

In 2006, a coalition of stakeholders, including the Central Valley Water Board and other federal, state, and local agencies, permitted dischargers (growers, ranchers, municipalities, food processors, etc.), and environmental justice groups, started discussing how to balance maintaining a strong economy while ensuring safe drinking water. This initiative is called the Central Valley Salinity Alternatives for Long-Term Sustainability (CV-SALTS). To help fund the technical and scientific studies necessary to support the development of alternative regulatory approaches, the Central Valley Salinity Coalition (CVSC) was established in 2008. The technical studies and policies developed by CV-SALTS led to the approval of the Nitrate Control Program in 2018 and 2019.

LEARN MORE

Visit any of these online resources to learn more about the CV-SALTS effort:

 www.cvsalinity.org

 www.waterboards.ca.gov/centralvalley

 Salt Control Plan
www.cvsalinity.org/salt-program

 Nitrate Control Plan
www.cvsalinity.org/nitrate-program



GET INVOLVED & LEARN MORE!

Do you use water in the Valley?

Join CV-SALTS to help bring safe drinking water to the entire Central Valley.

Visit www.cvsalinity.org to learn how you can help and to receive CV-SALTS updates.