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California Regional Water Quality Control Board Central Valley Region

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**Arnold
Schwarzenegger**
Governor

NOTICE of CEQA SCOPING MEETINGS

Concerning the development of an amendment to the Regional Water Quality Control Plan for the Sacramento River and San Joaquin River Basins addressing selenium

Staff of the California Regional Water Quality Control Board, Central Valley Region, (Regional Board) will hold California Environmental Quality Act (CEQA) scoping meetings to discuss development of an amendment to the Water Quality Control Plan for the Sacramento River and San Joaquin River Basins (Basin Plan). The Regional Board is the lead state agency charged with the protection of water quality in the Central Valley. The Basin Plan contains water quality goals and objectives for selenium and an implementation plan to meet those goals and objectives. The Regional Board goes through a formal public process to amend its Basin Plan.

BACKGROUND

The Regional Board has been asked to consider amending the date a conditional prohibition of discharge comes into effect in the Basin Plan's selenium control program; specifically deferring the conditional prohibition of discharge for agricultural subsurface drainage discharges to Mud Slough (north) for an additional nine years. Mud Slough is tributary to the San Joaquin River and the dischargers contend that delays in funding have prevented them from implementing some planned drainage management projects, making it unlikely that they will be able to meet the water quality objective in Mud Slough by October 2010, the compliance date currently listed in the Basin Plan. In recent months they have developed a conceptual plan to eliminate discharges of high selenium agricultural subsurface drainage flows by 2019 and they have obtained funding to implement key elements of the plan. Project elements will be refined and presented in detail in an environmental document (EIS/EIR) that the dischargers anticipate to release for public comment in November.

Selenium is present in groundwater in certain parts of the San Joaquin Valley and can be mobilized when agricultural subsurface (tile) drainage is discharged. The selenium control program is implemented primarily through regulation of discharges from the Grassland Bypass Project. Project elements include drainage reduction (source control); drainage collection and reuse; and controlled, limited discharge of drainage to the San Joaquin River through the San Luis Drain (Grassland Bypass) and a six-mile section of Mud Slough (north).

The scope of Regional Water Board staff considerations on this issue follows:

- Is there data in addition to that associated with compliance with the current selenium control program that the Board should consider in making their decision?
- Can the Mud Slough selenium objective be met by 2019? Are there any alternatives to revising the compliance date? Is there justification to consider other reasonable time

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frames to achieve compliance with the objective? What are the reasonably foreseeable options for complying with each alternative?

- What are the potential environmental impacts of revising the compliance date, or of any alternatives? How might those alternatives be mitigated?
- Is there other information the Board should be aware of as they consider the proposed Basin Plan Amendment?

PURPOSE OF CEQA SCOPING

The purpose of the scoping meeting is to provide a forum for public consultation on the development of a proposed amendment to the compliance time schedule in the selenium control program. This consultation will assist the Regional Water Board in determining what environmental information responsible and trustee agencies, as well as other interested parties may require to analyze the potential environmental impacts of the proposed amendment.

Scoping is helpful to the Regional Water Board in identifying the range of actions, alternatives, mitigation measures, and significant environmental effects to be analyzed prior to the decision making process. Scoping has been found to be an effective way to bring together and resolve the concerns of affected federal, State, and local agencies, the proponent of the actions, and other interested persons including those who might not be in accord with the proposed actions on environmental grounds. The meeting will be conducted by Regional Water Board staff, but a quorum of Regional Water Board members may be present at the scoping meeting; however, no action will be taken by the Regional Water Board at the scoping meeting.

The public meeting, in accordance with the requirements of CEQA, will allow interested parties to provide comments on the potential environmental impacts from development and implementation of an amendment to the Basin Plan to amend the Basin Plan's selenium control program. Regional Water Board staff will present an overview of the program's regulatory performance to date will discuss potential elements of the amendment that are being considered, including proposed operational restrictions which would be imposed on the use of the San Luis Drain under a Use Agreement between the drainers and the Bureau of Reclamation.

SCOPING MEETINGS

Date: 17 October 2008

Time: 1:00 PM

Place: San Luis Delta Mendota Water Authority Conference Room
842 6th Street
Los Banos, CA

Date: 12 November 2008

Time: 1:00 PM

Place: Central Valley Regional Water Quality Control Board
11020 Sun Center Drive, #200
Rancho Cordova, CA

WHO SHOULD ATTEND

Growers or their representatives, water and drainage district managers, wetland managers, environmental groups, government officials and other interested groups or individuals are encouraged to attend. If unable to attend in person, public comments regarding this Basin Plan amendment process or content can be forwarded to Regional Board staff prior to the meeting via regular mail or via e-mail to gcismowski@waterboards.ca.gov .

CONTACT INFORMATION

If you have further questions, need to access background documents, or wish to make a presentation at the workshop, please call 916-464-4608 or send an e-mail to gcismowski@waterboards.ca.gov. The workshop facilities will be accessible to persons with disabilities. Individuals requiring special accommodations are requested to contact Gail Cismowski at 916-464-4608 at least 5 working days prior to the meeting. TTY users may contact the California Relay Service at (800) 73502929 or voice line at (800) 735-2922.

--original signed by--

RUDY SCHNAGL, Environmental Program Manager

25 September 2008