
Central Valley Regional Water Quality Control Board

RESOLUTION No. R5-2021-0017

Supplemental Program Environmental Impact Report for the Irrigated Lands Regulatory Program

WHEREAS, the California Regional Water Quality Control Board, Central Valley Region (Central Valley Water Board) finds that:

1. The Central Valley Water Board's authority to regulate waste discharges that could affect the quality of waters of the State, which includes both surface water and groundwater, is found in the Porter-Cologne Water Quality Control Act (California Water Code Division 7).
2. The Central Valley Water Board issued eight Waste Discharge Requirements General Orders for growers within the Central Valley that are members of a third-party group for discharges from irrigated lands to surface water and to groundwater (Irrigated Lands Regulatory Program (ILRP) General Orders). As part of the development of the ILRP General Orders, the Central Valley Water Board served as the lead agency under the California Environmental Quality Act (CEQA) for the preparation of a Final Program Environmental Impact Report (PEIR) to analyze the environmental impact of regulating the ILRP.
3. The Central Valley Water Board certified the PEIR on 7 April 2011 after a notice and comment period and four public workshops.
4. On 31 May 2018, the Central Valley Water Board adopted the Salt and Nitrate Control Program Basin Plan Amendments for the Sacramento and San Joaquin River Basin Plan and Tulare Lake Basin Plan in Central Valley Water Board Resolution No. R5-2018-0034 (Salt and Nitrate Control Program). The Salt and Nitrate Control Program is designed to address both legacy and ongoing salt and nitrate accumulation issues. It also establishes a prioritized Nitrate Control Program for discharges to groundwater and a phased Salt Control Program for discharges to surface water and groundwater throughout the Central Valley.
5. On 16 October 2019, the State Water Resources Control Board (State Water Board) approved the Salt and Nitrate Control Program, with direction to provide targeted revisions. The effective date of the Salt and Nitrate Control Program is 17 January 2020, the Notice of Decision Filing date following Office of Administrative Law (OAL) Approval. Components subject to United States

Environmental Protection Agency (USEPA) approval became effective on 2 November 2020, the date of USEPA Approval.

6. On 10 December 2020, the Central Valley Water Board adopted targeted revisions to the Salt and Nitrate Control Program. The State Water Board is currently considering approval of the revisions.
7. The Central Valley Water Board staff prepared a Draft Supplemental Program Environmental Impact Report (SPEIR) (Attachment 1) to consider new, project-level impacts from the ILRP implementation of the Salt and Nitrate Control Program to air quality, climate change, and transportation and circulation. These impacts were not discussed in either the Salt and Nitrate Control Program Substitute Environmental Document or the original ILRP PEIR. Staff circulated and publicly noticed the SPEIR for a public comment period between 8 February 2021 to 25 March 2021.
8. The Central Valley Water Board has considered the written comments. It has provided written responses to the written comments received on the Draft SPEIR. The Draft SPEIR was revised based on comments received during the public review period and revisions to the PEIR language were added. These incorporations resulted in the Final SPEIR (Attachment 2).
9. The Central Valley Water Board, in a public meeting, heard and considered all comments pertaining to this Resolution.

THEREFORE, BE IT RESOLVED that:

1. Pursuant to § 21080, et seq. of the California Public Resources Code, the Central Valley Water Board, after considering the entire record, including written and oral testimony at the hearing, certifies that:
 - a. The Final SPEIR has been completed in compliance with CEQA.
 - b. The Central Valley Water Board has reviewed and considered the information in the Final SPEIR.
 - c. The Final SPEIR reflects the independent judgment and analysis of the Central Valley Water Board.
2. Staff is hereby directed to prepare within five working days a Notice of Determination for the Final SPEIR.

Any person aggrieved by this action of the Central Valley Water Board may petition the State Water Board to review the action in accordance with Water Code section 13320 and California Code of Regulations, title 23, section 2050 and following. The State Water Board must receive the petition by 5:00 p.m., 30 days after the date of this Order, except that if the thirtieth day following the date of this Order falls on a Saturday, Sunday, or state holiday, the petition must be received by the State Water Board by 5:00 p.m. on the next business day. Copies of the law and regulations applicable to filling petitions may be found on the [Water Quality Petitions webpage](http://www.waterboards.ca.gov/public_notices/petitions/water_quality/) or will be provided upon request. <www.waterboards.ca.gov/public_notices/petitions/water_quality/>

I, PATRICK PULUPA, Executive Officer, do hereby certify the foregoing is a full, true, and correct copy of an Order adopted by the California Regional Water Quality Control Board, Central Valley Region, on 22 April 2021.

PATRICK PULUPA, Executive Officer

Attachments

Attachment 1: Draft Supplemental Program Environmental Impact Report
Attachment 2: Final Supplemental Program Environmental Impact Report