

# Proposed Public Participation and Communication Plan

## Policy for Protecting and Improving Groundwater Quality in California

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### Purpose

The purpose of this Public Participation and Communication Plan is to clearly communicate to stakeholders the activities and communication tools State Water Board staff will use to provide project information, solicit input, engage in dialogue, and respond to input from stakeholders and the public during development of the Policy for Protecting and Improving Groundwater Quality in California (Draft Groundwater Policy).

### Background

The California State Water Resources Control Board (State Water Board) has made it a priority to conduct a review of Resolution 68-16, the “Statement of Policy with Respect to Maintaining High Quality of Waters in California” (Antidegradation Policy). The purpose of the review was to improve the usefulness of the Antidegradation Policy as a tool for making informed decisions regarding discharges that affect groundwater.

Currently, the Antidegradation Policy applies to the disposal of waste to high quality surface water and groundwater. This policy requires that the quality of existing high quality water be maintained until it has been demonstrated to the State that any change will be consistent with maximum benefit to the people of the State, will not unreasonably affect present and anticipated beneficial use of such water, and will not result in water quality less than that prescribed in policies as of the date on which such policies became effective. The Antidegradation Policy also requires best practicable treatment or control (BPTC) of discharges to high quality waters to assure that pollution or nuisance will not occur, and that the highest water quality consistent with maximum benefit to the people of the State will be maintained.

This effort is consistent with the goals of Assembly Bill 685, Human Right to Water where it is established policy of the state that every human being has the right to safe, clean, affordable, and accessible water adequate for human consumption, cooking, and sanitary purposes.

### Public Participation and Communication

As part of this public participation and communication process, the State Water Board will engage those entities and individuals who are interested in providing input through various public participation opportunities as identified in the Communication Tools and Public Participation Opportunities section of this plan.

#### Process

State Water Board staff will follow the principles and practices listed below during this process:

- All scoping meetings and workshops are open to the public (public meeting).

- All public meeting materials will be made available to the public on the State Water Board Antidegradation Policy Application to Groundwater website. Hard copies will be made available during public meetings.
- Written and verbal comment opportunities will be provided for all public meeting materials. Where appropriate, materials will be made available to meet the language needs of the community.
- If there is a need for interpreters, they will be made available at public meetings.
- Draft public meeting agendas will be posted to the State Water Board Antidegradation Policy Application to Groundwater website and the State Water Board Clerk to the Board website at least 10 days in advance of the public meeting.
- Program staff will evaluate the public participation process and make adjustments as deemed appropriate

## **CEQA**

This project will include completion of a California Environmental Quality Act (CEQA) Substitute Environmental Document (SED). The formal CEQA review process will be coordinated with opportunities for public participation, beginning with CEQA scoping meetings, and continuing through a 45 day comment period.

Assembly Bill 52 specifies that “a project with an effect that may cause a substantial adverse change in the significance of a tribal cultural resource, as defined, is a project that may have a significant effect on the environment.” Where appropriate, the State Water Board will consult with California Native American tribes that are traditionally and culturally affiliated with the geographic area affected by this project.

## **External Scientific Peer Review**

State Water Board staff will submit the Draft Policy for External Scientific Review in accordance with Health and Safety Code §57004, as necessary. The University of California maintains an Advisory Panel of faculty with expertise covering all potential topics from California Environmental Protection Agency (CalEPA) boards, departments, and offices. The Advisory Panel assists in identifying qualified candidates as peer reviewers. The peer reviewer’s responsibility is to determine whether the scientific findings, conclusions, and assumptions are based upon sound scientific knowledge, methods, and practices.

## **Decision Making**

Stakeholders and members of the public will be encouraged to provide input to the State Water Board regarding their concerns and recommendations. Where possible, the State Water Board will encourage people to provide suggestions that balance the purpose of the antidegradation policy with the various interests involved.

## Roles and Responsibilities

Water Board Executive Sponsors - will oversee development of the Draft Policy and CEQA SED in coordination with the Water Board Antidegradation Team. The Executive Sponsors will also provide support in adhering to the project timeline as well as providing policy input and identifying issues that must be elevated to Executive Management and Water Board Members.

Water Board Antidegradation Team – will listen to, document, and respond as appropriate to concerns and recommendations provided by the stakeholders and the public. This includes engaging in dialogue as appropriate to understand issues and consider solutions that balance all interests. The team includes members from the State Water Board and six Regional Water Quality Control Boards (North Coast, Central Coast, Los Angeles, Central Valley, Lahontan, and Santa Ana).

State Board Public Participation and Communication Team – will work with the Water Board Antidegradation Team to ensure that all opportunities for public input are noticed, and materials are made available in advance to the meetings. The team includes analyst and technical staff from the Division of Water Quality, with support from the Office of Public Participation.

State Board Office of Public Affairs – will serve as the primary point of contact for the public and media, and will work with the Water Board Antidegradation Team in preparing communication materials and fact sheets.

Focused Stakeholder Groups – will participate in consultation meetings with State Water Board staff and also provide input and recommendations through public workshops and other public input opportunities. The focused stakeholder groups are comprised of: agriculture & dairy, environmental, water districts, publicly-owned treatment works, food processors & wineries, and other partner agencies as applicable.

Members of the public, public agencies – participate in public meetings and provide input and recommendations to the State Water Board. Engage in dialogue as appropriate to understand issues and consider solutions that balance all interests.

Facilitators – will ensure a fair and transparent process of public input and collaboration. Facilitators will manage dialogue between stakeholders, the public, tribes, and the State Water Board to ensure balanced participation, and enhance mutual understanding.

## Communication Tools and Public Participation Opportunities

This section describes the communication tools the State Water Board will use to keep stakeholders and the public informed during the policy development process and opportunities for public participation and input that the State Water Board will provide.

### Communication Tools

- The State Water Board will use its Policy for Protecting and Improving Groundwater Quality website ([http://www.waterboards.ca.gov/plans\\_policies/antidegradation.shtml](http://www.waterboards.ca.gov/plans_policies/antidegradation.shtml)) to

maintain all information and materials associated with the policy development process. The website will make information easily accessible and will allow interested parties to track the status and development of the project. In addition, the website will include a page where interested individuals can sign up to be included on a lyrics e-mail notification list

([http://www.waterboards.ca.gov/resources/email\\_subscriptions/swrcb\\_subscribe.shtml](http://www.waterboards.ca.gov/resources/email_subscriptions/swrcb_subscribe.shtml)).

- The State Water Board will use **e-mail** as its main form of electronic communication. E-mail announcements through a lyrics e-mail notification list will provide general information about the policy development process including notifications of draft or final documents, opportunities for public participation, and other pertinent information.

### Public Participation Opportunities

- State Water Board staff will host three **Focused Stakeholder Group meetings** designed to inform and engage the groups to provide feedback and input on the policy update process as well as issues discussed during early focused stakeholder group input solicited in October/November 2013.
- State Water Board staff will host two sets of three **Public Stakeholder Meetings** (Northern, Central, and Southern California) designed to inform and engage non-technical audiences, for a total of six public meetings. The meetings will provide general information about the policy update, and will solicit all public input. Materials distributed will be tailored to the general audience.
- State Water Board staff will host two **CEQA (Pub. Resources Code §21000) Scoping Meetings** in Northern & Southern California to provide the opportunity for agencies and the public to review the proposed project, identify environmental impacts, alternatives, and mitigations.
- The State Water Board will host one **Public Board Workshop** designed to provide stakeholders and the public with an opportunity to share comments and concerns with the members of the State Water Board prior to the Board Meeting Adoption.
- The State Water Board will host the **Board Meeting Adoption** of the Draft Policy. This meeting will be designed to provide stakeholders and the public with one last opportunity to share comments and concerns with the members of the State Water Board prior to an adoption vote.

### **Project Timeline**

The anticipated project timeline will be posted on the Policy for Protecting and Improving Groundwater Quality website ([http://www.waterboards.ca.gov/plans\\_policies/antidegradation.shtml](http://www.waterboards.ca.gov/plans_policies/antidegradation.shtml)), and will be updated as needed.

Activities completed by the Water Board Antidegradation Team prior to this Public Participation and Communication Plan are summarized in Table 2 below.

| <b>Table 2. Completed Activities</b>  |                                 |
|---|---------------------------------|
| <b>TASK</b>   | <b>Completion</b>               |
| <p><b>Initial Focused Stakeholder Group Meetings (6)</b> – to obtain early input on the project scope</p> <ul style="list-style-type: none"> <li>• Dairy &amp; Agriculture</li> <li>• Environmental Groups</li> <li>• Publicly Owned Treatment Works</li> <li>• Water Districts</li> <li>• Food Processors &amp; Wineries</li> <li>• Site Cleanup</li> </ul>  | <b>October – November 2013</b>  |
| <p><b>Executive Management and Board Member Briefings</b> – The executive management and members of the State Water Board were briefed on the comments received from the stakeholders and gave input on the path forward for the project.</p>   | <b>January – February 2014</b>  |
| <p><b>Water Board Antidegradation Team Meetings</b> - The Water Board Antidegradation Team, composed of staff from the State Water Board and North Coast, Central Coast, Los Angeles, Central Valley, Lahontan, and Santa Ana Regional Water Boards, has held several meetings to consider stakeholder comments and work on the framework for the project.</p>  | <b>April – November 2014</b>    |
| <p><b>Staff Discussion Papers</b> - Small subgroups of the Water Board Antidegradation Team have completed broad discussion papers regarding:</p> <ul style="list-style-type: none"> <li>• pre-existing contamination,</li> <li>• basin-wide management tools,</li> <li>• permitting, and</li> <li>• contributions by dischargers to improve groundwater quality</li> <li>• baseline,</li> <li>• assimilative capacity,</li> <li>• <i>de minimis</i> discharges,</li> <li>• permitting including agriculture and irrigated lands,</li> <li>• maximum benefit,</li> <li>• best practicable treatment or control, and</li> <li>• point of compliance/monitoring.</li> </ul> | <b>April – August 2014</b>      |
| <p><b>Executive Management and Board Member Briefings</b> – The executive management and members of the State Water Board were briefed on the project scoping document and gave input on the path forward for the project.</p>  | <b>April and May 2015</b>       |
| <p><b>Project Scoping Document</b> – Information from Staff Discussion Papers, Focused Stakeholder Group comments, and internal feedback used to develop the Project Scoping Document.</p>  | <b>October 2014 – June 2015</b> |