

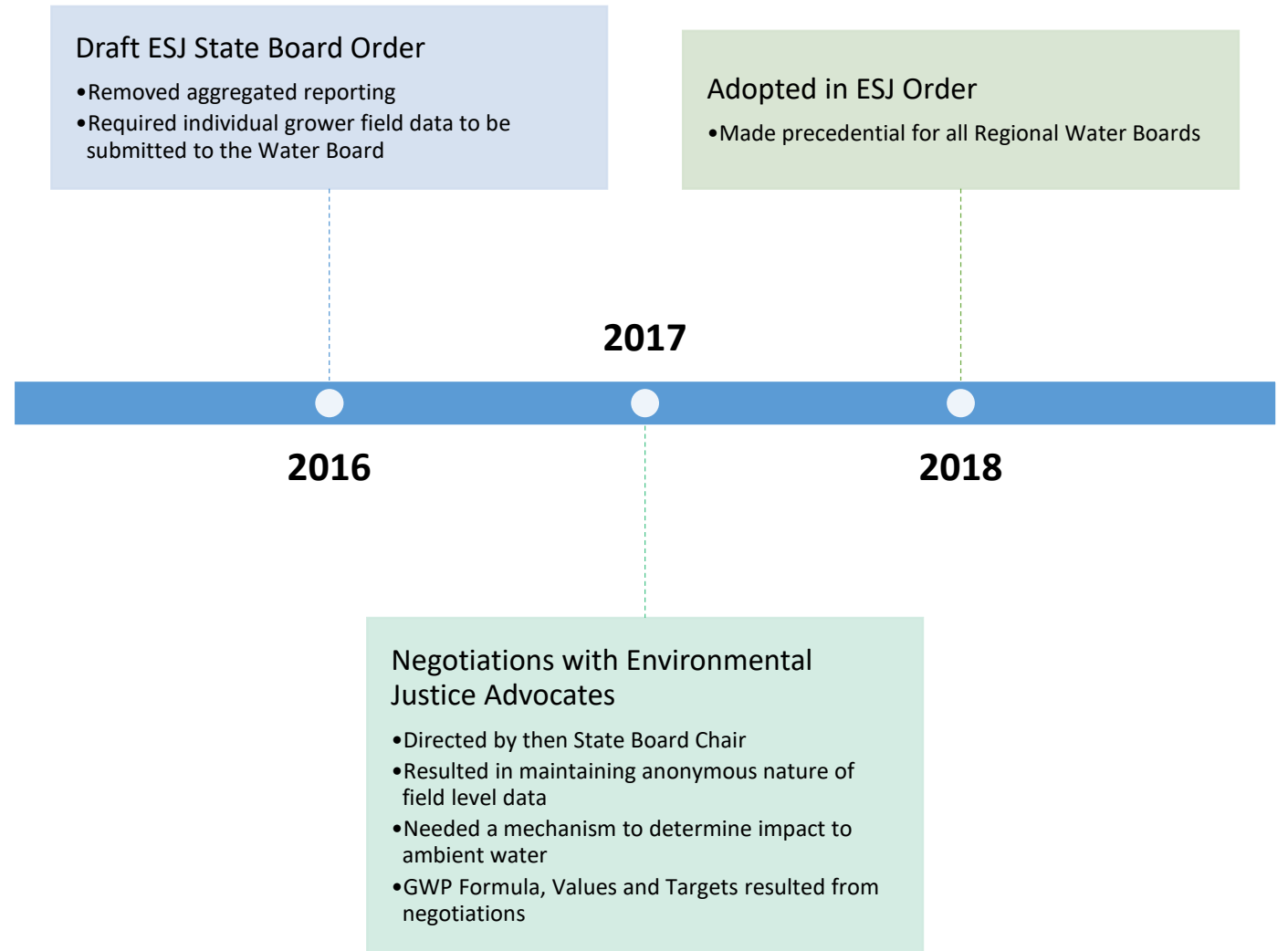
Groundwater Protection (GWP) Program

Technical Advisory Committee Meeting

November 30, 2022



Overview of How The Groundwater Protection Requirements Came About





The Primary GWP Provisions: As adopted by the State Board

- Set targets for nitrogen loading on a township-by-township basis
- Targets designed for all growers to *collectively* achieve compliance with receiving water limitations
- Applies to high priority townships or other geographic areas identified by Regional Board Executive Officer
- Third party, where applicable, may take the lead in developing the methodology
- Methodology subject to public review and comment & Executive Officer approval

Evolution of GWP Provisions Into Central Coast ILRP Order

Staff Proposal (Draft 2020)	Ag Partners Alternative (Oct. 2020)	Board Adopted Alternative (April 2021)
<p>Nitrogen Discharge Targets/Limits</p> <ul style="list-style-type: none"> • A-R Based • Compliance to be assessed annually • Targets apply as of 12/31/2023 • Limits apply as of 12/31/2027 • Final limit of 50 lbs/acre per year as the allowed difference between A minus R – 12/31/51 	<p>Third Party Alternative Program</p> <ul style="list-style-type: none"> • Short-term discharge targets <ul style="list-style-type: none"> • 500 lbs by 12/31/2023 • 400 lbs by 12/31/2026 • GWP Formula, Values & Targets <ul style="list-style-type: none"> • Interim Targets (phased in overtime) • Final Targets (2050) • Enhanced follow up program 	<p>Third Party Alternative Program</p> <ul style="list-style-type: none"> • Participating growers subject to nitrogen discharge targets <ul style="list-style-type: none"> • Starting 12/31/2024 • Failure to comply with discharge targets may result in ineligibility for the third-party program • GWP must be scaled to evaluate compliance on a collective and individual basis for interim and final targets • Program must include consequences for not meeting collective interim and final targets

Important Distinctions Between Central Valley & Central Coast ILRP Programs

Central Valley ILRP

- Growers report INMP summary data to third party
- Third party removes names & locations of farming operations before reporting INMP summary data to Water Board
- GWP Provisions applied on an aggregated township basis to high vulnerability township

Central Coast ILRP

- Growers report INMP summary data to Water Board & third party
- Growers subject to operational level nitrogen discharge targets
- Failure to comply with GWP interim and final targets may result in removal from third party alternative program

What incentives do the Central Coast GWP provisions provide to Growers?



Non-enforceable targets v. limits



Extra time to meet initial targets



Most restrictive ranch target set at 300 lbs, per acre, per year, per ranch



Provides for “area-based” GWP targets versus ranch-based limits



Follow up by third party designed to assist and educate growers to meet targets

Legal Status of Central Coast Order Provisions

- Petitions filed by Agricultural & Monterey Coastkeeper challenging multiple provisions – include elements of the Third Party Alternative Compliance Pathway Program for Groundwater
- Petitions pending before the State Water Board
- Review anticipated to occur late in 2023 or 2024
- All provisions remain in effect – unless a Stay of Certain provisions is granted



Timing of Groundwater Protection Requirements for Central Valley ILRPs



Adopted February 7, 2018



By July 1, 2020, Propose GWP Formula



Six months after Executive Officer
Approval of GWP Formula, develop GWP
Values using the GWP Formula



Within 1 year of submittal of GWP Values,
develop GWP Targets for each township
for which there is a GWP Value

End