
Central Valley Regional Water Quality Control Board

31 August 2021

David DeGroot
Tule Basin Water Quality Coalition
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Don Tucker
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General Tule Management Zone email
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Dear David DeGroot and Don Tucker:

Conditional Approval of Revised Early Action Plan

The Central Valley Water Board's Nitrate Control Program includes provisions that authorize lengthy compliance schedules (up to 35 years) for dischargers that are having difficulty meeting nitrate objectives. These compliance schedules are only available when dischargers develop a robust plan to provide interim drinking water to people in the vicinity of the discharge who are affected by nitrate contamination. The drinking water plans, known as Early Action Plans (EAPs), are one of the cornerstones of the Nitrate Control Program, and require participation from a wide range of stakeholders as solutions are developed and implemented. The Tule Management Zone submitted an EAP for the Central Valley Water Board's review on 8 March 2021. After review of the EAP, the Board issued a disapproval of the EAP on 7 May 2021 with a 60-day opportunity to cure. In the Board's disapproval, Tule Management Zone was directed by the Board to address deficiencies related to their EAP's community engagement, well sampling program, technical analysis and data transparency, point-of-use programs, financial reporting, and reporting to the Board.

On 6 July 2021, Tule Management Zone submitted their revised EAP to the Central Valley Water Board. After a review of the revised components of the plan, the Board finds that the Tule Management Zone adequately addressed the issues identified in the 7 May 2021 disapproval letter and approves the Tule Management Zone's EAP with the following conditions:

1. Poplar/West Porterville Fill Station

The Board recognizes the challenges Tule Management Zone has faced in their

KARL E. LONGLEY SCD, P.E., CHAIR | PATRICK PULUPA, ESQ., EXECUTIVE OFFICER

efforts to build a fill station in the Poplar/Cotton-Center area. However, the Tule Management Zone must continue to work diligently to establish this filling station, and must keep the Board updated on their schedule and milestones for the alternative effort to work with the City of Porterville and the Porterville Irrigation District to build a fill station west of Porterville.

2. Funding updates

The Board appreciates the inclusion of a 2021/22 Fiscal Year budget in the revised EAP. The Management Zone needs to keep the Board apprised of revisions and changes to this budget as additional information is obtained regarding membership and drinking water needs in the Tule Lake Management Zone area.

In conditionally approving the Early Action Plans, the Board expresses its gratitude for the effort undertaken by the Tule Management Zone to address the issues identified by the Board, especially as they pertain to community engagement efforts and stakeholder involvement. Development and implementation of the Early Action Plans requires adherence not only to the elements of the Nitrate Control Plan, but also to the guidance provided by Board staff and the State Water Board's Office of Public Participation during the development of the EAP.

The Board also appreciates that implementation of this plan has commenced during the onset of severe drought conditions, which the Board acknowledges is putting additional pressure on many of the entities that are responsible for implementing the EAPs and on residents dependent on shallow domestic wells as their source of drinking water. The Board will continue to regularly engage with the Tule Management Zone to address issues and concerns as they arise during their EAP implementation.

Sincerely,

Patrick Pulupa
Executive Officer