

IRRIGATED LANDS REGULATORY PROGRAM UPDATE

November 2015

This month's ILRP report provides an update on the activities of the North Coast, San Francisco, Central Coast, Los Angeles, Lahontan, Colorado River Basin, Santa Ana, and San Diego Regional Water Quality Control Board ILRPs through November 2015. Future monthly reports will alternately present status of the Central Valley Water Board ILRP one month, and the other Regional Water Board ILRPs the alternate month. Current and past ILRP program monthly reports can be found on the [State Water Board Irrigated Lands Regulatory Program](#) website.

STATE WATER BOARD

On November 2, 2015, Irrigated Lands Regulatory Program (ILRP) staff participated in a California Association of Pest Control Advisers (CAPCA) and Certified Crop Advisers (CCA) Board of Directors meeting. The meeting was held in Sacramento at the Farm Bureau office. Meeting discussions included 1) 4R Nutrient Management Planning Specialist Exam performance objectives from the American Society of Agronomy and International Certified Crop Adviser Program. 4R represents the "Right source, Right rate, Right time, and Right place"; 2) 2015 Board Financials; and 3) CCA Committee reports.

On November 4-5, 2015, ILRP staff participated in the California Bioresources Alliance (CBA) Annual Symposium. The agenda included first day sessions on Food Safety; Setting Standards and Factoring in Precautions regarding "Compost, Co-digestate, and Biochar". The second day expanded discussion on research on digestate and biochar.

On November 9-10, 2015, ILRP staff participated in a State Water Resources Control Board (State Water Board)/Department of Pesticide Regulation (DPR) training. Training included presentations regarding: 1) Management of Pesticides for the Protection of Surface and Groundwater in California; 2) Water Quality Regulation 101; 3) Pesticide Regulation 101; and 4) Multi-Agency Agreement (MAA) meeting. Technical presentations touched on pesticide and water quality projects of mutual interest to DPR and Water Board Staff. The MAA discussion was to solicit feedback on current inter-agency interaction and the effectiveness of how the California Pesticide Management Plan is implementing the MAA. Comments will be used to rewrite California Pesticide Management Plans.

On November 12, 2015, ILRP staff met with California Department of Food and Agriculture (CDFA) staff, as required by the State Water Board/CDFA Memorandum of Understanding (MOU). Details of the MOU were discussed in order to formulate a strategy on meeting the MOU requirements. Staff from both agencies will meet on a regular basis to develop a functional partnership in dealing with fertilizer/nutrient issues.

On November 16-18, 2016, ILRP staff participated in a nutrient management planning workshop. The meeting was held in Ontario. Issues discussed included continuance of nutrient management plan certification training by Certified Crop Advisers (CCA) for the 2016 FY. Also discussed was the potential of adding a “train the growers” module into the curriculum; Soil Fertility in the Desert; Benefits and Uses of Enhanced Efficiency Fertilizers; Making sense of Biostimulants; Soil Health and Crop Consultants; Water Quality for Irrigation and the Environmental; and Impacts of Soil and Water Management; and Variable Rate Fertilizer.

On November 19, 2015, ILRP staff participated in a meeting with the Farm Food Safety Conservation Network (FFSCN) to discuss re-defining next year’s scope of work for the FFSCN. Also discussed was the recent controversial UC Berkley study titled *“Comanaging fresh produce for Nature Conservation and Food Safety”*. The controversy revolves around the author’s position on the perceived impact of grazing to adjacent agricultural fields; and, the source of the data that was used to make their conclusions. FFSCN will be meeting with the authors soon to discuss these issues.

On November 24, 2015, ILRP staff met with the San Diego Farm Bureau and small wineries commodity group to discuss the regulation of small wineries in the San Diego region. Of concern to the wineries is that they are being regulated by three separate permits. These small winery operations include growing the grapes (vineyard ILRP permit); crushing, wine processing, and tasting facilities (Industrial NPDES permit or WDR for land application of process waste; and outside washing of process equipment and wine tasting/parking areas (Stormwater Permit). The Farm Bureau and small wineries commodity group is requesting the State Water Board to provide one permit to cover all three operations.

NORTH COAST REGION

North Coast Regional Water Quality Control Board (North Coast Water Board) staff continue to develop the Agricultural Lands Discharge Program, focusing on a series of targeted permits specific to agricultural commodities or geographic areas. An update on several efforts follows.

Discharges from Marijuana Cultivation:

North Coast Water Board adopted the Waiver of Waste Discharge Requirements and General Water Quality Certification for Discharges of Waste Resulting from Marijuana Cultivation and Associated Activities or Operations with Similar Environmental Effects in the North Coast Region in August 2015.

Agricultural Lands Discharges in the Tule Lake Basin:

North Coast Water Board staff continue to work on the draft permit, and it is now undergoing internal review. Staff plan to bring together a Technical Advisory Group to provide input on draft Water Quality Management Plan (WQMP) requirements, which

are a subset of the permit requirements. The Technical Advisory Group meeting will be scheduled for early 2016. North Coast Water Board staff will then incorporate input from the group and develop an administrative draft permit for review by the Tule Lake Basin Stakeholder Advisory Group. After incorporating their edits, staff will draft CEQA documentation and distribute the full draft permit package for public review and comment.

Easter Lily Bulb Cultivation:

In June 2015, North Coast Water Board staff completed sampling of tributaries in the Smith River Plain and at several wells to screen for the presence of agricultural pollutants and toxicity. The lab results for the groundwater sampling have recently been finalized, and staff are in the process of summarizing the results. The summaries and full reports on the 2015 groundwater results and the 2013 surface water sampling results will be available to the public by October 2015. The 2014-2015 surface water sampling results are not yet available. North Coast Water Board staff intend to bring the lily bulb cultivation discharge permit for Board after adoption of the Tule Lake agricultural lands discharge permit.

Vineyards & Orchards:

North Coast Water Board staff are coordinating with the San Francisco Bay Regional Water Quality Control Board (San Francisco Bay Water Board) on their development of a discharge permit for vineyards in the Sonoma Creek and Napa River watersheds, with the intent of being as consistent as possible between the regions. North Coast Water Board staff are also working with third-party certification programs to incorporate water quality requirements consistent with likely future permit requirements. North Coast Water Board staff will begin drafting a permit for discharges from vineyards and orchards after the adoption of the Tule Lake and Easter Lily Discharge permits discussed above.

SAN FRANCISCO BAY REGION

Vineyard WDRs Program Development:

Progress continues for the development of an environmental impact report and draft general waste discharge requirements (WDRs) for vineyard properties located within the Napa River and Sonoma Creek watersheds. The Vineyard WDRs will implement the Napa River and Sonoma Creek sediment total maximum daily loads (TMDLs).

The Vineyard WDRs anticipate roles for third-party technical assistance providers to help producers comply with the requirements of the permit; therefore, San Francisco Regional Water Quality Control Board (San Francisco Bay Water Board) staff continues to engage with parties that have expressed an interest in filling this important function. At a minimum, third-party groups will assist producers in preparing farm plans that identify, plan, and schedule the implementation of effective management practices to achieve the performance standards identified in the WDRs.

Tentative Waiver of Waste Discharge Requirements for Existing Dairies:

On June 10, 2015, the) renewed a conditional waiver of Waste Discharge Requirements (Waiver) for existing dairies. Since June 2015, San Francisco Bay Water Board staff has worked with representatives from the Western United Dairymen, UC Cooperative Extension, and the California Dairy Quality Assurance Program on short-term and long-term producer outreach strategies.

Short-term outreach in August 2015 was focused on helping producers complete their notices of intent (NOI) to enroll under the Waiver. San Francisco Bay Water Board staff feel that this outreach was a success in that it contributed to a solid enrollment tally (i.e., 80 percent producer enrollment by the September 1, 2015 deadline).

Longer-term outreach, which begins in mid-November 2015, will consist of a series of workshops to help producers understand the requirements of the Waiver and to help them comply with the Waiver.

Grazing Waiver Program:

San Francisco Bay Water Board staff completed twelve grazing lands site inspections in the Tomales Bay, Napa River, and Sonoma Creek watersheds. The inspections were designed to assess enrollee compliance with conditional waivers of WDRs for rangeland grazing operations. Grazing practices observed during this inspection season were consistent. The prolonged drought has had an impact on rangelands resulting in less available forage and residual dry matter. Ranchers have generally responded by reducing herds and modifying grazing rotations.

Looking forward, the San Francisco Bay Water Board staff intend to continue conducting inspections and program outreach to increase levels of participation and annual reporting and pursue progressive enforcement as appropriate.

CENTRAL COAST REGION**ILRP Surface Water Activities at a Glance:**

ILRP staff is compiling total nitrogen applied (TNA) report data that was required of tier 2 and tier 3 farms/ranches with high risk of loading nitrate to groundwater. The TNA report is required annually on October 1st. Hundreds of ranches are reporting total nitrogen applied by specific crop from fertilizer, compost, and irrigation water sources. Staff intend to have data compiled in a quarrifiable format by the end of January 2016.

ILRP manager gave a presentation at the annual FREP conference in Seaside on November 5th. Several ILRP staff also attended. The conference was well attended and focused on the challenges and opportunities of nutrient management. Mr. Rose gave a summary of the ILRP requirements in the Central Coast Region and included summary results from the 2014 TNA reporting data.

The Region 3 ILRP order will expire in March 2017. Staff reported to the Board at the November meeting that staff will not begin developing a new order until current pending legal issues have been resolved, including the State Board's appeal of the ruling against the State Board's petition order that modified the Region 3 Ag Order, as well as the petitions to the Region 5 ILRP Orders.

ILRP Groundwater Activities at a Glance:

The Region 3 ILRP has received groundwater data for approximately 3476 domestic drinking water wells and irrigation wells sampled in compliance with the ILRP order, including wells sampled in compliance with both individual and cooperative groundwater monitoring requirements (see below). The groundwater data indicates significant impacts to drinking water throughout portions of the Central Coast. Approximately 25% of the groundwater wells sampled region wide exceed the drinking water standard for nitrate (approximately 884 total wells). Staff continues to require notification to domestic well users for drinking water wells with unsafe levels of nitrate and is aiding disadvantaged communities in finding replacement water. Staff is further analyzing the nitrate data to assess groundwater quality conditions and inform continued implementation of the ILRP going forward.

Central Coast Groundwater Coalition (CCGC) - Cooperative Groundwater Monitoring and Reporting Compliance Status:

As of November 9, 2015, CCGC sampled approximately 1191 domestic drinking water wells and irrigation wells in the Central Coast Region, in compliance with the ILRP cooperative groundwater monitoring and reporting requirements.

On August 27, 2015, the Executive Officer approved CCGC's comprehensive groundwater quality characterization report for the southern agricultural areas of the Central Coast Region (including San Luis Obispo, Santa Barbara, and Ventura Counties).

On June 25, 2015, the Executive Officer approved CCGC's comprehensive groundwater quality characterization report for the northern agricultural areas of the Central Coast Region (including Salinas Valley, Pajaro Valley, Gilroy-Hollister area).

In coordination with staff, CCGC works with growers and landowners to notify well users dependent on wells with unsafe levels of nitrate.

All ILRP groundwater data is managed in the Water Board's GeoTracker data management system and reports are available to the public on the Water Board's website.

LOS ANGELES REGION

Background on the Conditional Waiver:

The Conditional Waiver of Waste Discharge Requirements for Dischargers from

Irrigated Lands adopted by Order No. R4-2015-0202 (Conditional Waiver) requires agricultural operators (dischargers) to enroll irrigated agriculture property under the waiver in order to continue discharging waste to waters of the state. Agricultural operators may enroll as an individual discharger or as a member of a discharger group. The Nursery Growers Association Los Angeles County Irrigated Lands Group (NGA-ILG) and the Ventura County Agriculture Irrigated Lands Group (VCAILG) are the two discharger groups in the Los Angeles Region that have formed to comply with the Conditional Waiver.

Enrollment and Enforcement:

In August 2015 staff resent NOVs to seven growers who did not receive the NOVs that were originally mailed out in June 2015. As a result of the recent enforcement actions, 9 out of 16 growers enrolled and one was exempt (as of November 2015). Regional Board staff continue the process of updating the status of the violations. NGA-ILG is currently working with the Los Angeles Department of Water and Power (LADWP) to enroll all LADWP tenants who operate agricultural irrigated lands.

Interagency Coordination:

On November 3, 2015 and November 18, 2015, Regional Board staff met with representatives from Ventura Coast Keeper and Santa Barbara Channel-keeper regarding the Conditional Waiver renewal. On November 9 and 10, Regional Board staff attended a meeting regarding management of pesticides for the protection of surface and groundwater in California with representatives from the Department of Pesticides Regulation (DPR) and the State Water Board. On November 23, 2015, Regional Board Staff had a meeting with VCAILG representatives to discuss the proposed changes into the Conditional Waiver.

Conditional Waiver Renewal:

Regional Water Board staff are currently working on a report for a review of the Conditional Waiver Order No. R4-2015-0202 and recommendations for waiver renewal. Regional Board have evaluated annual monitoring data reported over the past seven years and have assessed trends in water quality as part of the Conditional Waiver renewal process. On October 8, the Regional Board adopted Order No. R4 2015-0202 that extended the expiration date of Order No. R4-2010-0186 to April 15, 2016. As part of the Conditional Waiver renewal process, Regional Board staff are planning more meetings with environmental organizations, dischargers groups, and other stakeholders to discuss the proposed changes.

Irrigated Lands Program Region 4 Database:

Regional Board staff have added water quality monitoring and BMP survey data to our GIS geodatabase. Regional Board staff have analyzed data using both GIS and excel to assess water quality trends. Regional Board staff continue to update the Irrigated Lands Program geodatabase including enrollment and enforcement for both Ventura and Los Angeles Counties.

Grant Management:

The Clean Water Act section 319(h) grant to identify the contribution of and reduce metal loadings from nurseries in the San Gabriel River Watershed (Grant Agreement No. 11-098-554) has been closed.

LAHONTAN REGION

The Lahontan Regional Water Quality Control Board (Water Board) staff allocated staff efforts during the October/November reporting period on administrative tasks supporting the Irrigated Lands Regulatory Program.

Water Board Staff organized and participated in a tour of the Squaw Valley Ski Area for State Water Board staff who are involved in the Healthy Soils Initiative. The tour focused on areas where compost and compost tea are used to stabilize slope areas.

Water Board staff also spent significant time working on contaminated groundwater issues associated with irrigated agricultural areas and irrigated land areas associated with dairies.

COLORADO RIVER BASIN REGION

Colorado River Basin Water Board staffs continue to implement four Conditional Waivers of Waste Discharge Requirements for agricultural discharges. Most agricultural areas (99.7%) in the region are regulated by Conditional Waivers.

The Colorado River Basin Water Board adopted a Conditional Waiver of WDRs for agricultural wastewater discharges within the Palo Verde Valley in Riverside and Imperial Counties (Board Order R7-2012-0047) on September 20, 2012. This Conditional Waiver covers over 130,000 acres in eastern Riverside County and northeastern Imperial County. The responsible parties include individual farmers, and the Palo Verde Irrigation District (PVID). Implementation has begun with PVID forming the Palo Verde Outfall Coalition (PVOC), a group that represents landowners and farmers regulated by the Conditional Waiver. According to the PVOC group, membership is at over 99%. The PVOC group's water quality monitoring program began in November 2013. The PVOC group continues with the Group Compliance Program, and to submit reports of water quality sample results.

The Colorado River Basin Water Board adopted a Conditional Waiver of WDRs for agricultural wastewater discharges originating within the Bard Unit of Reservation Division (Board Order R7- 2013-0002) on January 17, 2013. This Conditional Waiver covers approximately 6,688 acres of farmland along the Colorado River near Yuma, Arizona. The responsible parties include individual farmers, and the Bard Water District (BWD). Implementation has begun with BWD forming the Bard Unit Coalition Group (BUCG), a nonprofit organization that represents landowners and farmers regulated by

the Conditional Waiver. According to the BUCG group, membership is at over 99%. The BUCG water quality monitoring program began in June 2015.

On August 12, 2015 BUCG submitted a water quality monitoring program sampling report for June 2015 to Colorado River Basin Water Board staff. It was approved by our Executive Officer on September 30, 2015.

On August 28, 2015 BUCG submitted the Water Quality Management Plans (WQMPs) of their coalition group members to Colorado River Basin Water Board staff. It was approved by our Executive Officer on September 30, 2015.

On September 4, 2015 BUCG submitted a water quality monitoring program sampling report for July 2015 to Colorado River Basin Water Board staff. It was approved by our Executive Officer on November 2, 2015. Based on sampling results, our Executive Officer recommended that one sampling location that is experiencing an infestation by the aquatic invasive plant species, Giant Salvinia, be relocated. BUCG has responded in the affirmative.

On September 24, 2015 BUCG submitted a water quality monitoring program sampling report for August 2015 to Colorado River Basin Water Board staff. Colorado River Basin Water Board staff are reviewing the report.

On October 13, 2015 BUCG submitted a water quality monitoring program sampling report for September 2015 to Colorado River Basin Water Board staff. Colorado River Basin Water Board staff are reviewing the report.

On November 9, 2015 BUCG submitted a water quality monitoring program sampling report for October 2015 to Colorado River Basin Water Board staff. Colorado River Basin Water Board staff are reviewing the report.

The Colorado River Basin Water Board adopted a Conditional Waiver of WDRs for agricultural dischargers in the Coachella Valley (Order No. R7-2014-0046) on June 26, 2014. A Monitoring and Reporting Program Plan was adopted with the Conditional Waiver. This Conditional Waiver covers about 60,000 acres of farmland in central Riverside County. The responsible parties include individual farmers, the Coachella Valley Water District (CVWD) and the Coachella Valley Irrigated Lands Coalition (CVILC). Implementation has begun. The CVILC, a nonprofit organization, has partnered with CVWD to represent landowners and farmers regulated by the Conditional Waiver. The CVILC began implementing their Compliance Program in April 2015. Approximately 70 % of lands are currently enrolled under the Coachella Valley Conditional Waiver, and the CVILC is continuously accepting membership. The next step will be for the CVILC to submit updated coalition member information.

On April 30, 2015 the CVILC submitted a draft Quality Assurance Project Plan. Colorado River Basin staff have reviewed the draft QAPP and sent review recommendations to CVILC. It was approved by our Executive Officer on September

30, 2015. The monitoring is scheduled to begin in December 2015.

In the QAPP approval letter, our Executive Officer noted that the Coachella Valley Stormwater Channel is still impaired by toxicity and legacy pesticides, which will require control measures to address these impairments and a monitoring program to assess the effectiveness of the measures. Colorado River Basin staff will contact all potential responsible parties soon to discuss the implementation of control measures for these impairments, and to develop monitoring programs to assess their effectiveness.

The Colorado River Basin Water Board adopted a Conditional Waiver of WDRs for agricultural dischargers in the Imperial Valley (Order No. R7-2015-0008) on January 15, 2015. This Conditional Waiver covers over 450,000 acres of irrigated lands in the Imperial Valley near the International Boundary with Mexico. The interested parties include individual farmers, the Imperial Irrigation District (IID) and Imperial County Farm Bureau (ICFB). Implementation has begun with IID and ICFB forming a joint Coalition Group to represent landowners and farmers regulated by the Conditional Waiver.

On October 27, 2015. Colorado River Basin Water Board staff met with representatives from IID and ICFB to discuss implementation of the Conditional Waiver. Several regulatory issues came up that needed clarification from the Regional Water Board, including the applicability of the Conditional Waiver and payment of the State Annual Agricultural and Irrigated Lands Fee (State Fee). These issues have significant bearing not just on who needs to obtain coverage under the Waiver, but also on the Coalition's billing system, which is being designed to collect the State Fee for coverage under the Waiver.

As a result of the discussions the ICFB felt it was necessary to extend the project timeline in order to allow the Coalition time to fully implement its Control Program, including restructuring its outreach and education modules, membership requirements, and billing system so that it functions properly. This will require an additional 6 months of effort to the existing timeline. This will result in delayed billing of the State Fee.

On November 10, 2015, the ICFB submitted a Request for Deadline Extensions for the Conditional Waiver. Colorado River Basin Water Board staff are reviewing the Request. Colorado River Basin Water Board staff have contacted the State Fee Unit to notify them of the delay and are preparing documents to request Colorado River Basin Water Board approval for the timeline extension in January 2016.

SANTA ANA REGION

Regional Board staff are in the final stages of reviewing recommendations made by stakeholders on the draft CWAD following the July 22, 2015 Advisory Group meeting. Among these recommendations is the proposal to include in the revised draft CWAD

animal operations, other than livestock, that are less than 20 cumulative acres and maintain an animal density of more than three (3) animal units per acre.

Board Staff are using results from AIS or Areal Information Systems, a private geospatial organization, 2014 areal mapping project to help identify agricultural parcel owners in the Upper San Jacinto watershed that would be required to enroll in the CWAD after it is adopted. Staff has had limited success in establishing the potential enrollees based upon water districts' agricultural customer lists and zoning maps. Based on an estimate of 184 potentially eligible enrollees, staff will seek to attain at least 20 percent enrollment in the CWAD by February 2016. The desired outcome of the conditional waiver is to measurably reduce NPS pollution, principally Nitrogen and TDS loadings to surface and ground waters from agricultural operations, in the San Jacinto River Watershed.

Region 8 is modifying Region 3's electronic Notice of Intent form (eNOI) to their watershed- based specific needs so that ag operators/dischargers can enroll electronically into the adopted CWAD. Information submitted through the eNOI form will be uploaded into the CIWQS database. Dischargers will then be provided with an account username ID and password that would allow them to log directly into their individual account in order to submit reports or update conditions within their agricultural facility, as necessary.

The Initial Study proposed Mitigated Negative Declaration, draft order, and staff report are posted on the [Regional Board's website](#). The revised draft CWAD will be available shortly, and we hope for adoption early 2016.

SAN DIEGO REGION

The San Diego Regional Water Quality Control Board (San Diego Water Board) continues to develop Tentative General Waste Discharge Requirements for Discharges from Commercial Agricultural and Nursery Operations within the San Diego Region (Tentative Order) and associated draft California Environmental Quality Act (CEQA) documentation. The development of the Tentative Order and draft CEQA documentation was delayed in order to give San Diego Water Board staff sufficient time to consider the recent Superior Court of California, County of Sacramento decision (Coastkeeper, et al. v. California State Water Resources Control Board) regarding the Central Coast Regional Board's Conditional Waiver of Waste Discharge Requirements for Discharges from Irrigated Lands as modified by State Board's Order WQ- 2013-0101. It is anticipated that the Tentative Order and draft CEQA documentation will be considered for adoption by the San Diego Water Board in 2016.