

IRRIGATED LANDS REGULATORY PROGRAM UPDATE

March 2016

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 March 2016. 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 March 1-2, 2016, Irrigated Lands Regulatory Program (ILRP) staff presented an ILRP update at a California Association of Pest Advisers/Certified Crop Advisers (CCA) sponsored nutrient management plan workshop in Exeter, CA.

On March 10, 2016, ILRP staff met with CalEPA and CalRecycle staff for a pre-meeting discussion on Biochar in preparation for a meeting that will be hosted by the Governor's Office of Planning and Research and Office of Business and Economic Development on March 11, 2016.

On March 11, 2016, ILRP staff participated in a meeting hosted by the Governor's Office of Planning and Research and Governor's Office of Business and Economic Development. The meeting was with Bob Kingman from the Sierra Nevada Conservancy (SNC) to hear about SNC's interest in supporting bio char projects in the Sierra Nevada region. The objective of the meeting was to discuss any permits, funding, science, or needs that state agencies, departments or boards may have related to developing bio char production facilities. In meetings of the USFS Forest Biomass Working Group as well as the Tree Mortality Task Force, members have expressed their immediate concerns and urgent need to address the tree mortality problem. It seems that the creation of bio char from forest feedstock may be one of several solutions to assist with the disposal of these dead trees. Further discussions are being planned.

On March 14, 2016, ILRP staff met with the CCA Board of Director's to discuss criteria for the nutrient management plan certification program.

On March 15, 2016, ILRP staff met with the California Agricultural Partnership Forum to discuss final mission statement and objective of the group in preparation to advance the group's goal of developing multi-media demonstration projects under the Healthy Soils platform. Focus of the group is to develop incentivized conservation plans that would meet regulatory requirements.

On March 17, 2016, ILRP staff met with the San Joaquin Resource Conservation District to discuss the recently released East San Joaquin Coalition Waste Discharge Requirement Order.

NORTH COAST REGION

North Coast Regional Water Quality Control Board (North Coast Water Board) staff is focusing on a series of targeted permits specific to agricultural commodities or geographic areas. An update on several efforts follows:

Discharges from Cannabis Cultivation:

February 15, 2016 was the deadline for enrollment in 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 (Order). Leading up to and following the deadline, staff sponsored 15 enrollment clinics throughout the region with approximately 567 public participants, including cannabis cultivators, consultants, and members of partner agencies. As of March 10, 2016, a total of 263 entities enrolled through-out the region, a third of which were enrolled through two approved third-party programs. Seven other proposals for third-party programs are currently under review.

Staff is also conducting pre-enrollment consultation inspections for growers upon request, presenting information about the program at county Board of Supervisor meetings and industry group meetings, reviewing applications by prospective third-party programs, and working closely with State Office of Enforcement staff to develop an Order enrollment enforcement process. This process will help determine target watersheds, identify sites that likely need to enroll, issue directive letters, and then follow-up with additional notices and penalties as appropriate.

Agricultural Discharges in the Tule Lake Basin:

North Coast Water Board staff continues to work on the draft permit, which is now undergoing internal review.

Agricultural Discharges from 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. Interim monitoring reports were published in December 2015 and are available on the Regional Board's website.

SAN FRANCISCO BAY REGION

Vineyard WDRs Program Development:

The San Francisco Bay Regional Water Quality Control Board (Regional Water Board) anticipates public release of draft waste discharge requirements (WDRs) and a draft environmental impact report for the Vineyard Program in May 2016. The WDRs will implement the Napa River and Sonoma Creek sediment total maximum daily loads.

Third-party technical assistance providers are expected to provide an important function by assisting producers in complying with the requirements of the WDRs. Therefore, in parallel with the EIR and permit efforts, staff continues to work with parties that have expressed an interest in filling this important function.

Waiver of Waste Discharge Requirements for Existing Dairies Implementation:

On March 15, 2016, the Regional Water Board released, for public comment, draft general waste discharge requirements (General WDRs) and draft mitigated negative declaration for confined animal facilities (CAFs) located throughout the region. The General WDRs will regulate currently operating confined animal facilities (CAFs), as well as a small subset of dormant CAFs that may reopen within the footprint of a former CAF operation. New or expanding CAF operations may be eligible for General WDRs coverage for discharges provided owners/operators provide proof of compliance with the California Environmental Quality Act, and demonstrate compliance with all applicable local, State and federal permits. Close of comment period on the General WDRs and mitigated negative declaration is April 29.

Last June 2015, the Regional Water Board renewed a conditional waiver of Waste Discharge Requirements for existing dairies (Dairy Waiver). Since Dairy Waiver adoption, Regional Water Board staff has worked with representatives from the Western United Dairymen, UC Cooperative Extension, and the California Dairy Quality Assurance Program to develop a series of curricula to be used at workshops to help producers understand and comply with their regulatory obligations under the Waiver.

In March 2016, Regional Water Board staff contributed to curriculum development for a spring- series of workshops designed to assist producers with near-term permit requirements, including well testing and annual reporting. The workshop was very well received, well managed, and provided those attending with useful information.

Grazing Waiver Program Implementation:

Regional Water Board staff is implementing two conditional waivers of waste discharge requirements for grazing operations in the Napa River, Sonoma Creek and Tomales Bay watersheds. Implementation has focused on outreach and wet and dry weather ranch inspections. The prolonged drought has had an impact on rangelands resulting in less available forage. Ranchers have generally responded by reducing herds and modifying grazing rotations. In addition, Regional Water Board staff worked closely with the Tomales Bay

Advisory Committee and stakeholders to develop a coordinated water quality monitoring program for the Tomales Bay watershed.

Later this year, Regional Water Board staff will begin work on a waiver renewal that covers the Napa River and Sonoma Creek watersheds.

CENTRAL COAST REGION

ILRP Surface Water Activities at a Glance:

Central Coast Regional Water Quality Control Board Irrigated Lands Regulatory Program staff (Regional Water Board staff) developed and implemented an outreach plan to share total nitrogen applied data submitted by growers. Recall that October 1, 2015 marked the second year that a subset of tier 2 and tier 3 growers who grow crops that have a high risk of loading nitrogen to groundwater were required to report the total nitrogen applied. Regional Water Board staff now has two years of data, which was summarized and presented at the outreach meetings. The outreach meetings targeted State Board executive staff, CDFA executive staff, growers and their consultants, agricultural researchers, environmental justice advocates, and the environmental community. One of the goals of the outreach meetings was to give the stakeholders an opportunity to see and comment on the presentation before it was presented at a Central Coast Water Board meeting.

Regional Water Board staff presented a summary of the total nitrogen applied data to the Central Coast Water Board on March 18, 2016; see Item 20 of the March meeting. The meeting was attended by a spectrum of stakeholders, including growers, Ag coalition and cooperative staff, environmental justice and environmental advocates. The presentation will be posted on the Central Coast Water Board's website soon. The informational item followed two other Irrigated Land Regulatory Program (ILRP) items that are summarized below in the section titled: ILRP Groundwater Activities at a Glance.

A subset of Tier 3 growers is required to develop and implement a Water Quality Buffer Plan by October 1, 2016. The goal of the Water Quality Buffer Plan is to control discharges causing or contributing to exceedance of water quality impairment, particularly driven by sediment, turbidity or temperature. Growers are required to establish a 30-foot buffer, or equivalent, to accomplish the goal. Regional Water Board staff is developing a guidance document for growers with a goal of finalizing in April 2016.

A subset of Tier 3 growers are required to develop and implement an irrigation and nutrient management plan (INMP). The INMPs should be implemented for about a year now. An INMP Effectiveness Report is required by October 1, 2016. Regional Water Board staff is developing a guidance document for growers to draft their INMP effectiveness report; the goal is to have the guidance document completed in April 2016.

ILRP Groundwater Activities at a Glance:

On March 7, 2016, the Environmental Justice Coalition for Water (EJCW) conducted a second EJ/Safe Drinking Water Tour in the Salinas Valley and Monterey County. State Water Board Members, Central Coast Water Board Members, and Regional Water Board staff participated in the tour and met with community members and environmental justice representatives to hear their perspective on drinking water contamination and related environmental justice issues.

Regional Water Board staff provided an update on Environmental Justice activities in Item 18 at the March 18, 2016 Board Meeting. Vicente Lara, the Central Coast Program Coordinator for EJCW, presented a documentary titled "Thirsty for Justice" to the Board and the public, and discussed next steps.

Regional Water Board staff provided a summary of groundwater monitoring data in Item 19 at the March 18, 2016 Board Meeting. Angela provided a presentation summarizing compliance with groundwater monitoring requirements and data results, including exceedances of the drinking water standard for nitrate in drinking water and irrigation wells.

Regional Water Board staff has received groundwater data for approximately 4000 domestic drinking water wells and irrigation wells sampled in compliance with the ILRP order. Approximately 2800 of these wells were sampled by individual growers and the data has been available on the Water Board's GeoTracker data management system. The remaining 1200 wells were sampled by the Central Coast Groundwater Coalition (CCGC); the data from CCGC was made available on GeoTracker on March 15, 2016. 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.

The groundwater data continues to indicate significant impacts to drinking water throughout portions of the Central Coast. Regional Water Board 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.

Enforcement:

Regional Water Board staff is working with the enforcement unit on several non-enrollment cases. Regional Water Board staff anticipates that settlement agreements will be arranged with most of these non-enrollees and will be resolved in the next month.

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.

Conditional Waver Renewal:

In February 2016, Los Angeles Regional Water Quality Control Board Irrigated Lands Regulatory staff (Regional Water Board staff) completed the staff report to support Tentative Order No. R4- 2016-XXXX and related documents. In addition, an Initial Study was conducted by the Regional Board, which documents the reasons to support the Mitigated Negative Declaration for the Conditional Waiver. On February 18, 2016, the Regional Water Board filed a Notice of Intent to adopt a Mitigated Negative Declaration in compliance with the California Environmental Quality Act. On February 18, 2016, the Regional Water Board released a notice of public hearing and opportunity to comment on Tentative Order R4-2016-XXXX, its appendices, and the Initial Study and Mitigated Negative Declaration. The deadline for submittal of written comments for consideration by the Regional Board was 5:00 PM on March 21, 2016. Regional Water Board staff is currently reviewing and responding to public comments on the Tentative Order and related documents.

Interagency Coordination:

During the renewal of the Conditional Waiver, Regional Water Board staff worked with stakeholders, including the two established discharger groups: VCAILG and NGA-LAILG, as well as local environmental organizations. Recently, Regional Water Board staff met individually with stakeholders to address specific questions and comments on the Tentative Order and appendices. On March 9 and March 18, 2016, Regional Water Board staff had conference calls with representatives of VCAILG. On March 14, 2016, Regional Water Board staff had a conference call with a representative of Ventura County Coastkeeper. On March 17, 2016, Regional Water Board staff had a conference call with NGA-ILG representatives.

Enrollment and Enforcement:

During the 2010 Waiver term, Regional Water Board staff worked with representatives from the Los Angeles Department of Water and Power (LADWP), who is one of the two major landowners of irrigated agricultural lands in Los Angeles County, to enroll growers who lease their property. In February 2016, the LADWP enrolled in the NGA-ILG all LADWP tenants who operate irrigated agricultural lands in Order No. R4-2015-0202. As a result of this partnership with LADWP, enrollment in Los Angeles County increased by 30%.

Irrigated Lands Program Region 4 Database:

Regional Water Board staff continue to update the Irrigated Lands Regulatory Program

geodatabase, including enrollment and enforcement for both Ventura and Los Angeles Counties.

LAHONTAN REGION

The Lahontan Regional Water Quality Control Board Irrigated Lands Regulatory Program staff (Regional Water Board staff) allocated efforts during the February/March 2016 reporting period on administrative tasks supporting the Irrigated Lands Regulatory Program (ILRP). Administrative tasks included review of the agricultural order petition and participation in the ILRP Roundtable discussion on the petition.

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

In continuing efforts to develop a Confined Animal Facility General Order and at the request of stakeholders, Regional Water Board staff agreed to organize a Technical Advisory Committee (TAC) to obtain stakeholder input for General Order development. The main area where Regional Water Board staff want TAC support is developing a cost-effective monitoring program that will ensure eventual permit compliance and provide data ensuring groundwater quality is protected. Regional Water Board staff are planning to have the first TAC meeting in early April 2016.

Regional Water Board staff completed sampling eight residential supply wells with owners' consent in the Newberry Springs area adjacent to the Van Leeuwen Dairy. The results were provided to owners. The results did not detect nitrate concentrations above the drinking water standard, but two wells exceed the secondary TDS recommended level of 500 mg/L (one well had TDS of 510mg/L and the other 530 mg/L).

The Sanitation Districts of Los Angeles County effluent from the District #20 (Palmdale) treatment plant is disposed to land owned by the City of Los Angeles World Airports where it is used as irrigation water for animal grain and fodder crops. Groundwater elevations in this area have recently declined, and the District proposes to replace the groundwater monitoring wells in the agricultural area to evaluate the effect of effluent application on groundwater.

COLORADO RIVER BASIN REGION

Colorado River Basin Water Quality Control Board staff (Regional Water Board staff) continues 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 100%. 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.

Regional Water Board staff have begun the process of renewing the Conditional Waiver for the Palo Verde Valley, which will expire in September 2017. Regional Water Board staff are planning to replace the Conditional Waiver with a General Order of Waste Discharge Requirements.

On March 10, 2016 Regional Water Board staff gave a presentation before the Colorado River Basin Water Board, updating the Board on the status of the Palo Verde Conditional Waiver renewal.

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, membership is at 100%. The BUCG's water quality monitoring program began in June 2015. The BUCG continues with the Group Compliance Program, and to submit reports of water quality sample results.

On February 19, 2016 BUCG submitted their water quality monitoring program sampling data for January 2016 to Colorado River Basin Water Board staff. Regional Water Board staff is reviewing the data.

On March 10, 2016 BUCG submitted an Annual Monitoring Report for the year 2015 to Regional Water Board staff which is 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 CVILC water quality monitoring program began in October 2015. The CVILC continues with the Group Compliance Program, and to submit reports of water quality sample results.

On March 4, 2016, Regional Water Board staff mailed a letter to approximately 300 Coachella Valley water account holders, potential Responsible Parties, notifying them of the need to take action to comply with the Conditional Waiver.

On March 12, 2016 CVILC submitted their water quality monitoring program sampling data for February 2016 to Regional Water Board staff. Staff are reviewing the data.

On March 15, 2016, Regional Water Board staff mailed a follow up letter to approximately 200 Coachella Valley water account holders, potential Responsible Parties, clarifying who needs to comply with the Conditional Waiver, and the types of actions they may choose to take to obtain regulatory coverage.

On March 18, 2016 CVILC submitted an Annual Monitoring Report for the year 2015 to Regional Water Board staff. Staff are reviewing the Report.

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.

The Colorado River Basin Water Board adopted Special Board Order No. R7-2016-0010 on January 14, 2016, to provide the IID-ICFB Coalition an additional 6 months to restructure their outreach and education programs, membership requirements, and billing system for the Coalition and submit its proposed Compliance Program plan to comply with the Waiver.

On January 12, 2016, IID submitted a draft QAPP. Regional Water Board staff are reviewing the draft QAPP.

On January 26, 2016, IID submitted a draft Updated Drain Water Quality Improvement Plan (DWQIP)/Surface Water Monitoring and Reporting Program Plan (SWMRP). Colorado River Basin staff are reviewing the draft Updated DWQIP/SWMRP.

SANTA ANA REGION

Tentative Order No. R8-2016-0003, the Conditional Waiver of Waste Discharge Requirements for Agricultural Operations in the San Jacinto River Watershed (CWAD), was planned to be adopted by the Santa Ana Regional Water Board during their January 29, 2016 Regional Water Board meeting. Unfortunately, there was a lack of a quorum of Regional Water Board members to adopt the CWAD. Santa Ana River Basin Regional Water Quality Control Board (Regional Water Board) staff hope to have the Regional Water Board consider adoption of the CWAD at their April 22, 2016 meeting.

Regional Water Board staff continues to coordinate with the watershed stakeholders, principally through a core group of agricultural operators that have formed the Western Riverside County Agriculture Coalition (WRCAC), a voluntary not-for-profit organization. WRCAC members have provided input on the various drafts of the CWAD. Regional Water Board staff also facilitated a CWAD Advisory Committee that includes representatives from the Riverside County Farm Bureau, UC Cooperative Extension, WRCAC, the US Natural Resources Conservation Service, and others. Regional Water Board staff has considered all comments received in revising the CWAD. No further changes have been made to the draft CWAD since the January 14, 2015 version available on the Regional Board website; however, Regional Water Board staff is reviewing the draft State Water Resources Control Board Order In the Matter of Review of the Waste Discharge Requirements General Order No. R5-2012-0116 for Growers Within the Eastern San Joaquin River Watershed that are Members of the Third-Party Group to consider if any changes might be needed.

Based on 2014 land use data, there are approximately 59,000 acres of agriculturally zoned land and up to 185 potentially eligible enrollees in the San Jacinto watershed. The CWAD is the primary compliance mechanism for agricultural sources identified in the watershed nutrient TMDLs. The CWAD will also implement the region's Salt Management Plan and the State Nonpoint Source Implementation and Enforcement Policy. The CWAD will require agricultural owners/operators to conduct monitoring for nutrients (nitrogen and phosphorus), TDS and pesticides in surface and ground waters, and sediment in surface water. An electronic Notice of Intent enrollment (eNOI) form has been prepared that uploads into the CIWQS database, which allows dischargers to submit required reports, as needed.

SAN DIEGO REGION

The San Diego Regional Water Quality Control Board (Regional Water Board) continues to develop Tentative General Waste Discharge Requirements for Discharges from Commercial Agricultural Operations for Third-Party Groups and Members and Tentative General Waste Discharge Requirements for Discharges from Commercial Agricultural Operations for Dischargers Not Participating in a Third-Party Group (Tentative Orders) and associated draft California Environmental Quality Act (CEQA) documentation. A CEQA Scoping Meeting is scheduled for April 15, 2016. It is

anticipated that the Tentative Orders and draft CEQA documentation will be considered for adoption by the Regional Water Board in 2016.