

CENTRAL VALLEY RWQCE

IRRIGATED LANDS REGULATORY PROGRAM

OVERVIEW OF MANAGED WETLAND PARTICIPATION

Managed Wetland Workshop

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Overview of the Overview

- Wetland managers have long-term involvement in the ILRP
- Wetland “operational landscape” is inherently different than agriculture
- Wetland managers work closely with the agricultural water community/water districts
- Participation in the ILRP has always presented unique challenges

Prior to 2002

- Wildlife Areas are exempt from Waste Discharge Requirements under a Conditional Waiver covering “discharges from irrigated lands”

2002

- The Regional Board reviews existing Conditional Waiver and determines additional conditions are required to protect water quality
- The Regional Board adopted Resolution R5-2002-0201 on December 5, 2002 which continues the waivers if certain actions are taken

2003

- Wetland managers are presented with three options:
 1. Join a Coalition Group
 2. Apply for an individual discharger waiver
 3. Submit a permit application for waste discharge

- DFG/FWS/GWD weigh the options relative to cost, available resources, and relationships with others regulated under the program

April 24, 2003 Verbal Comments to Regional Board

- *“...we are concerned that managed wetlands have been placed in the same category as irrigated agricultural return water for the purposes of the Conditional Waiver. This is inconsistent with the intent of the Conditional Waiver because managed wetlands often play significant important roles as water-pollution reducers rather than contributing to the problem.”*

2003

- DFG/FWS/GWD decide to participate through Coalition Group representation
 1. Dedicated funding/resources do not exist to meet program requirements
 2. Maximizes partnerships with other dischargers in the watersheds

One Size Approach

- Little characterization of Managed Wetland discharge
- Coalition monitoring for insecticides, fertilizer, constituents not used at managed wetlands
- Required funding/resources reduce ability to meet operational mandates/goals/objectives of managed wetlands

May 23, 2003 Letter to Regional Board Executive Officer

- The inclusion of managed wetlands does not seem warranted
- Minimal potential to pollute waterways in the same quality and quantity as high intensity production agriculture
- Placing managed wetlands in the same category as production agriculture complicates the task of enhancing and protecting wildlife and is likely counterproductive

June 30, 2003 Letter to Regional Board Executive Officer

“As we have in the past, we would again like to extend our offer to assist the Board and its staff to work with the US Fish and Wildlife Service, Grasslands Water District, and other appropriate entities... to explore alternatives to address the unique characteristics, operational criteria, legislative and public trust mandates of managed wetlands.”

2005 - Low Threat Waiver Option

Wetland Managers explore the “low-threat” (De Minimis) waiver option with the Regional Board.

Meeting Objective: Provide an opportunity for Managed Wetlands interests to provide Water Board staff with ideas and issues that should be considered in a potential De Minimis Conditional Waiver. **The Water Board staff is working to obtain the necessary information to complete development of a De Minimis Conditional Waiver for Water Board consideration by the end of 2005.** This meeting is intended to engage wetland managers and be a listening session for Water Board staff to hear what should be considered during this process.

- Introductions
- Opening Remarks – Paul Forsberg and Bill Croyle
- Discussion Points
 - What do you think constitutes a low threat to water quality from managed wetland practices?
 - Describe wetland management and why you think it poses a low threat to water quality.
 - Are there documented water quality monitoring sites that are specific to managed wetlands in your county?
 - Do you have any data to help determine the appropriate criteria and conditions for a De Minimis waiver?
 - Would a group concept work, where individual wetland managers would be represented by a representative (Group) and then the Group would report to the Regional Board?
- Other Topics

May 18, 2006 Comments to Tentative Conditional Waiver

- *“While we understand the need and support efforts to control non-point source pollution, we find the developing regulatory environment effecting managed wetland outflow a serious strain to existing staffing and budgetary levels”*
- *“It appears counterproductive to develop treatment wetlands as a remediation tool within one program, and be regulated as non-point source polluters within another”*

Filtering Agricultural Runoff with Constructed and Restored Wetlands

- All wetlands studied were shown to reduce most water quality contaminants
- Pesticide removal ranged from 50 to 100 percent
- “When considering all of the ecological services provided wetlands should be promoted as an integral component of the farmscape.”

Where We Are Today

- We appreciate your interest in managed wetlands
- Board staff have been great to work with and open to discussion
- Let's use this current opportunity to craft a workable outcome that addresses both water quality and public trust resources