
Central Valley Regional Water Quality Control Board

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GUIDANCE FOR SURFACE WATER QUALITY MANAGEMENT PLANS AND COMPLIANCE TIME SCHEDULES

As discussed in a meeting with Central Valley Water Board staff on 22 January 2014, the East San Joaquin Water Quality Coalition (Coalition) is aware it is required to submit an updated Surface Water Quality Management Plan (Management Plan or SQMP) by 1 May 2014, per the Waste Discharge Requirements General Order R5-2012-0116-R1 (Order). The updated Management Plan must conform to the requirements in the Order and the Monitoring and Reporting Program (MRP), Appendix MRP-1. The purpose of this letter is to provide guidance regarding how the compliance time schedules in the Order apply to the updated surface water quality management plan.

The goal of the Coalition's current Management Plan, approved on 25 November 2008, is to meet water quality objectives within a time period considered feasible, based on the time and resources available to the Coalition. However, the Management Plan does not contain anticipated or proposed dates to meet water quality objectives. The updated Management Plan to be submitted by 1 May 2014 must include a proposed timeframe for compliance as required for all management plans by Section XII of the Order. The Order and the MRP do not specify how this requirement should be applied to management plans that were developed and approved before the Order was adopted. Additionally, the Order and the MRP do not clearly specify how time schedules apply when it is unknown whether irrigated agriculture is causing or contributing to a water quality problem.

For surface water, Section XII of the Order states: "The time schedule identified in the SQMP for compliance with Surface Water Limitation III.A must be as short as practicable, but may not exceed 10 years from the date the SQMP is submitted for approval by the Executive Officer." For an identified water quality problem for which irrigated agriculture is clearly a potential source (e.g., pesticides), the Executive Officer will consider how long the constituent and waterbody have been governed by the previously approved management plan in determining whether the proposed compliance time schedule is "...as short as practicable...."

For an identified water quality problem for which it is unknown whether there is a potential irrigated agriculture contribution to the water quality problem (e.g., dissolved oxygen, pH, unknown toxicity), a source identification study will generally need to be conducted (see MRP-1, at sections I and I.G.). Following completion of an approved source identification study, the

third party will either prepare and submit an updated management plan for that water quality problem (including a proposed compliance schedule) or request Executive Officer concurrence that a management plan is not required (MRP-1, at section I.G).

The updated Management Plan due on 1 May 2014 will need to identify those water quality problems for which it is unknown whether there is a potential irrigated agriculture contribution, and, therefore, for which an updated management plan will not be prepared at this time. Since the Coalition will not be updating the management plan for those water quality problems at this time, the Coalition will need to separately submit a workplan or schedule for conducting the necessary source identification studies. The workplan or schedule for source identification studies must be submitted to the Central Valley Water Board by 1 May 2014.

If the results of a source identification study show that irrigated agriculture is a potential source and the Executive Officer concurs with the results, the Coalition will need to submit an updated management plan (including a proposed compliance schedule) that addresses the identified problem. Evaluation of the proposed compliance time schedule will be based on the Order's requirements and the date the updated management plan is submitted for Executive Officer approval. This would occur subsequent to Executive Officer's concurrence with the source identification study results. Again, this scenario applies only when there is uncertainty as to whether irrigated agriculture contributes to the problem. This scenario does not apply to source identification studies that address constituents with a known agricultural contribution (e.g. pesticides).

Thank you for your diligent and timely efforts to address many new requirements in the Order. If you have any questions regarding this letter, please contact Joe Karkoski at (916) 464-4668 or by email at Joe.Karkoski@waterboards.ca.gov.

Original signed by

Pamela C. Creedon
Executive Officer