

Regional Water Quality Control Board
North Coast Region

Executive Officer's Summary Report
Thursday, January 29, 2015
Regional Water Quality Control Board
Santa Rosa, California

- ITEM: 8
- SUBJECT: Update on the Development of the Agricultural Lands Discharge Program (Ben Zabinsky)
- BOARD ACTION: This is an informational item only.
- BACKGROUND: There are approximately 360,000 acres of productive agricultural lands in the North Coast Region. As shown in Figure 1, these lands are spread throughout the region in distinct geographic and commodity groupings.
- Agricultural lands have the potential to discharge pollutants to surface water and groundwater through the application of fertilizers and pesticides, human-caused erosion of sediment, pollutants in irrigation tailwater return flows, and the removal and suppression of riparian vegetation. The Regional Water Board's Agricultural Lands Discharge Program (Program) addresses impacts to water quality and the requirements of the California Water Code, the State Nonpoint Source Policy, and the Klamath and Lost Rivers, Scott River, and Shasta River Total Maximum Daily Load Action Plans.
- The Program includes several commodity-specific or geographic-specific permits to address the highest priority agricultural operations in the Region. Several permits are in place and being implemented. Several are under development.
- Existing Permits
- Scott River TMDL Waiver of Waste Discharge Requirements (WDRs)
 - Shasta River TMDL Waiver of Waste Discharge Requirements
 - Cow Dairy General Waste Discharge Requirements, Waiver of WDRs, and National Pollution Discharge Elimination System Permit
- Permits Under Development
- Cannabis Cultivation Waste Discharge Regulatory & Enforcement Program
 - Tule Lake Basin Agricultural Discharge Permit
 - Easter Lily Bulb Agricultural Discharge Permit
 - Vineyards and Orchards Agricultural Discharge Permit
 - Grazing Regulatory Action Program

Efforts To Be Developed

- Assessment of Water Quality Impacts from Agricultural Lands in Butte Valley

Item 6 on today's agenda covers the development of the Cannabis Cultivation Waste Discharge Regulatory and Enforcement Program. This informational item will focus on recent efforts to develop permits for discharges from agricultural lands associated with Tule Lake, Easter lily bulb cultivation, vineyards and orchards, and grazing. Given staffing limitations, Regional Water Board staff are having to prioritize the efforts to develop these agricultural lands discharge permits. A summary of recent activities and key next steps in these permits is provided below:

Tule Lake Agricultural Discharge Permit:

Prior to meeting with agricultural interests in January 2014, staff developed guidelines for the development of a local third party program. Agricultural representatives led by the Lava Beds/Butte Valley Resource Conservation District (RCD), Klamath Water Users Association (KWUA), and Tulelake Irrigation District (TID) outlined potential roles for the third party. Staff also met with environmental interests in March 2014 to receive input on the permit program. Staff coordinated with TID and the RCD to send a pair of landowner letters in September 2014 explaining the upcoming permit program and the potential role of a third party in assisting growers in complying with future permit requirements. The letters were followed by a TID-led workshop for growers. Finally, in November, staff presented on the permit program at a Klamath Basin Stewardship Workshop in Klamath Falls. At the workshop, staff discussed monitoring strategies with representatives of KWUA, TID, the RCD, and the Bureau of Reclamation.

Staff is working to bring a draft permit and monitoring plan to the Tule Lake Advisory Group in April or May 2015. Staff will then incorporate input from stakeholders and develop documents to satisfy the California Environmental Quality Act (CEQA). The draft permit and CEQA documentation will be distributed for public review and comment in the fall of 2015. The Regional Water Board hearing to consider adopting the permit is planned for early 2016.

Easter Lily Bulbs Agricultural Discharge Permit:

Staff met with lily bulb growers and environmental interests in April 2014 to share the surface water testing results to date and to discuss the permit program. Surface water testing is being conducted to screen for pollutants in the Smith River Plain. Staff is in the middle of the sampling effort, which will conclude in the summer of 2015. Staff plan to conduct water quality testing on

groundwater, starting in the spring of 2015. Staff is also working with growers on a water quality control plan that may be used to comply with upcoming permit requirements. Staff intends to bring the Easter Lily Bulbs Agricultural Discharge permit for Board consideration after adoption of the Tule Lake Agricultural Lands permit.

Vineyards and Orchards Agricultural Discharge Permit:

Staff are working with third party certification programs to incorporate water quality requirements that are consistent with likely future permit requirements. Staff is also coordinating with the San Francisco Bay Region staff to develop vineyard permit requirements that are consistent between regions. Staff intends to bring The Vineyards and Orchards permit to the Board for consideration after adoption of the Easter Lily Bulb permit.

Grazing Regulatory Action Program:

North Coast Regional Water Board staff is participating in a statewide collaborative effort with the State Water Board and other regions to develop a regulatory strategy to address potential impacts to water quality from livestock grazing. The Water Boards are currently holding listening sessions around the state to solicit early public comments. Consideration of a staff proposal by the Water Boards is planned for late 2016.

ISSUES:

During today's presentation, staff will describe proposed requirements for the Tule Lake Basin, lily bulb production, and vineyards and orchards permits. For example, staff proposes that the permits require agricultural operators to develop water quality management plans and implement best management practices to prevent and minimize agricultural discharges. Permit compliance would be based on the appropriate use of management practices instead of attainment of effluent limits. Staff also proposes that the permits be in the form of General Waste Discharge Requirements. Staff will also propose the sequencing of bringing these permits to the Regional Water Board for consideration. Staff welcomes input on these issues.

SUPPORTING DOCUMENTS:

None

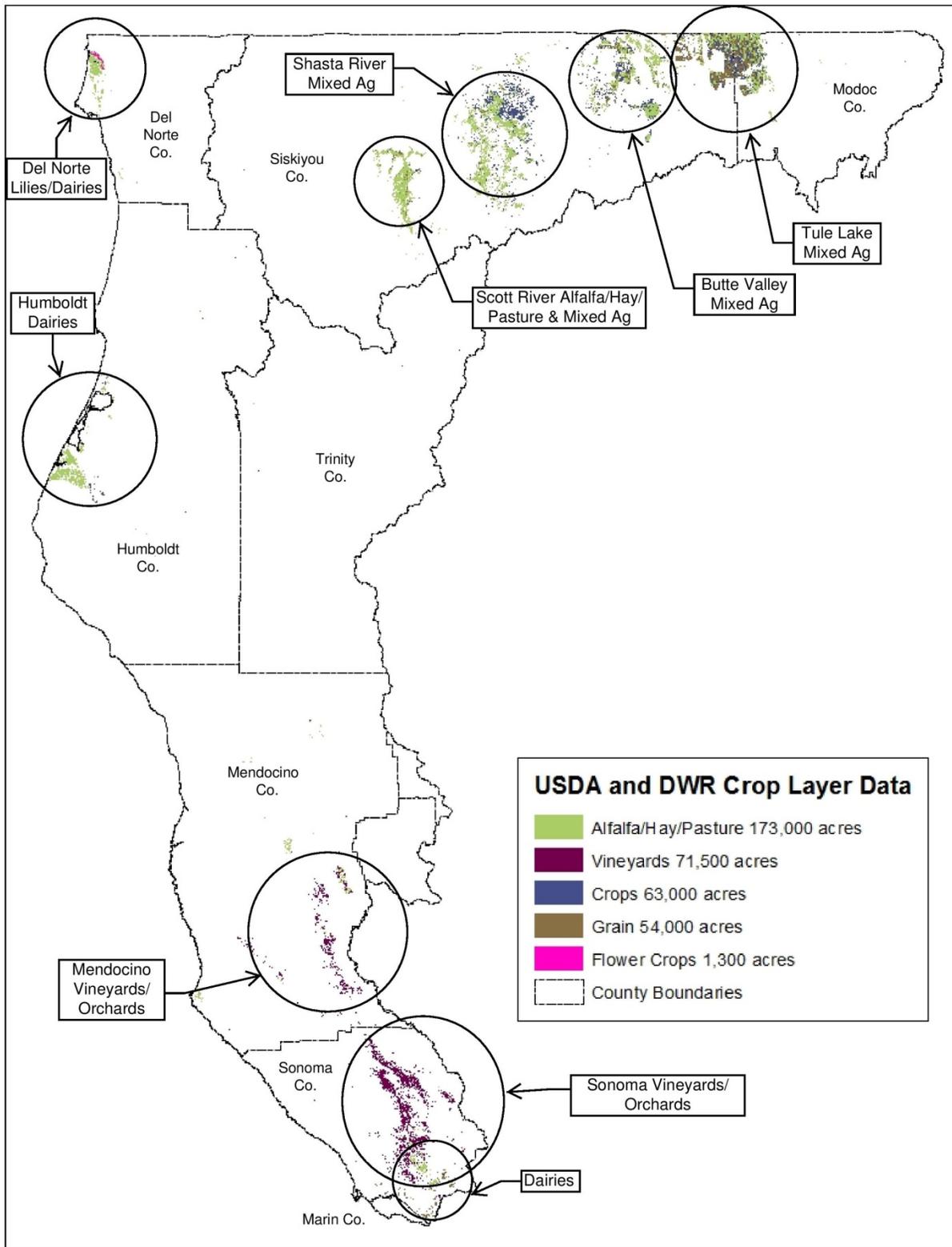


Figure 1: Agricultural Lands in the North Coast Region