

Regional Water Quality Control Board
North Coast Region

Executive Officer's Summary Report

Thursday, September 26, 2013
River Lodge Conference Center
Fortuna, California

ITEM: 5

SUBJECT: Update on the development of the Agricultural Lands Discharge Program (*Rebecca Fitzgerald*)

BOARD ACTION: This is an information item only.

BACKGROUND: Agricultural lands have the potential to discharge to surface water and groundwater through the over-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 is developing the Agricultural Lands Discharge Program (Program) to address these potential impacts to water quality and to meet the requirements of the California Water Code, the State Nonpoint Source Policy, and the Klamath River and Lost River Total Maximum Daily Load Action Plans.

ISSUES: Program Development to Date

To date, staff have focused on a region-wide, tiered permit system in which agricultural operators develop water quality management plans and implement best management practices to prevent and limit agricultural discharges. Operators would receive regulatory coverage for discharges resulting from their activities and associated facilities if they comply with the conditions of the permit. Since the last presentation to the Regional Water Board on the Program in October 2012, staff have continued working with the Stakeholder Advisory Group to develop the Program. In October 2012, staff held a round of Advisory Group meetings that focused on draft permit conditions, water quality management plan requirements, and requirements for third party programs. In April 2013, staff held a webinar with the Advisory Group to present two "frequently asked questions" documents that address issues raised during the Advisory Group discussions over the past year and a half.

Proposal to Re-Scope the Program

During the Advisory Group meetings, staff heard about the wide variety of climates, hydrology, topography, soil types, vegetation, and

agricultural practices in the North Coast Region. Based on this input from the Advisory Group and the desire to develop a more efficient and effective program that can address unique sub-regional factors, Regional Water Board staff are proposing to 're-scope' the Program. Rather than develop a single region-wide permit, staff now propose to address agricultural discharges by developing a series of separate permits tailored to specific commodities and geographic areas.

The purpose of this information item is to describe staff's rescoping proposal, summarize feedback received at the September 10, 2013 Advisory Group meeting, and receive input from the Board and public.

The first permits to be developed would be either Waste Discharge Requirements (WDRs) or conditional Waivers of WDRs for discharges associated with the following crop commodities or geographic areas:

- Lily Bulbs
- Vineyards and Orchards
- Agricultural Lands in the Tule Lake Watershed

As part of the re-scoping proposal, and in addition to developing the three permits listed above, Regional Water Board staff propose the following approaches to address other agricultural-related discharges:

- Scott River and Shasta River Watersheds - Agricultural discharges in the Scott River and Shasta River watersheds would continue to be addressed through the existing Total Maximum Daily Load Conditional Waivers of WDRs.
- Marijuana Cultivation - In the near term, staff will continue to address discharges from marijuana cultivation through outreach and education, complaint response, and coordinated enforcement. As part of this information item, pursuant to Board Member request, staff will present options for permitting discharges associated with this type of agriculture.
- Butte Valley - Staff would focus on assessing groundwater and surface water quality in Butte Valley in the near term to help assess risk to water quality from agricultural discharges.
- Dryland Grazing - As previously planned, dryland grazing would be addressed through the ongoing statewide Grazing Regulatory Action Project. The scope of the Grazing Regulatory Action Project is likely to include both dryland and irrigated animal grazing activities.
- All Other Agricultural Discharges - Agricultural discharges from other types of operations, such as those from nurseries or

smaller farms that are associated with the above commodities and geographic areas, would be addressed as needed, based on the risk to water quality.

**SUPPORTING
DOCUMENTS:**

1. Agricultural Lands Discharge Program, Re-scoping Proposal, July 18, 2013

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