

ITEM: 8

SUBJECT: Consideration of a Resolution Extending Coalition Group Conditional Waiver of Waste Discharge Requirements for Discharges from Irrigated Lands, Order No. R5-2006-0053

BOARD ACTION: Twelve-month Extension of Current Coalition Group Conditional Waiver of Waste Discharge Requirements for Discharges from Irrigated Lands

BACKGROUND: On 22 June 2006, the Central Valley Water Board adopted a Coalition Group Conditional Waiver of Waste Discharge Requirements for Discharges from Irrigated Lands (Conditional Waiver) (Attachment A). This Order became effective on 1 July 2006 and expires on 30 June 2011 unless renewed. The Board intended the 2006 conditional waiver to serve as an interim regulatory program until a long-term program was developed. When the Board approved the 2006 conditional waiver, it directed staff to begin developing a long-term irrigated lands regulatory program (ILRP) to protect water quality in accordance with state law. The Board also directed staff, in developing the ILRP, to continue preparation of an Environmental Impact Report (EIR) pursuant to the California Environmental Quality Act (CEQA) that would evaluate alternatives for the ILRP.

In July 2010, the Central Valley Water Board released for public review the *Draft Irrigated Lands Regulatory Program Program Environmental Impact Report* (Draft Program EIR) and *Draft Technical Memorandum Concerning the Economic Analysis of the Irrigated Lands Regulatory Program* (Economics Report). In considering public comments on the draft documents, staff subsequently developed a Recommended Framework for a Long-Term ILRP for Board consideration. The Framework has been developed from components of the ILRP alternatives analyzed in the Draft Program EIR.

The recommended approach in the Framework consists of developing ten to twelve geographic/ commodity specific general waste discharge requirements (WDRs) and/or conditional waivers of WDRs to regulate the discharge of waste to ground and surface waters of the state from irrigated agricultural operations. The Framework's proposed timeframe for establishment of the program calls for Central Valley Water Board issuance of the ten to twelve WDRs and conditional waivers within twelve months. This resolution would extend the current waiver program for twelve months beyond the current expiration date to allow for development of long-term program orders. This extension will ensure that growers in Coalition groups continue to have proper and enforceable regulatory coverage for their discharges to surface water. Staff recommends that the Board adopt the twelve month extension of Order No. R5-2006-0053.

Mgmt. Review _____
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