

**STATE OF CALIFORNIA  
REGIONAL WATER QUALITY CONTROL BOARD  
CENTRAL COAST REGION**

**STAFF REPORT FOR REGULAR MEETING OF MARCH 14-15, 2013**

Prepared on February 13, 2013

**ITEM NUMBER: 19**

**SUBJECT: Agricultural Regulatory Program Update – Implementation Status**

**SUMMARY**

This is an information item to update the Board regarding the status of overall implementation of Agricultural Order R3-2012-0011.

**AGRICULTURAL REGULATORY PROGRAM IMPLEMENTATION SCHEDULE AND PRIORITIES**

Improving water quality conditions in the region's agricultural areas is among the highest priorities for the Water Board. The Board, Executive Officer, and staff must effectively balance resources to maximize water quality improvement in the most timely and efficient way. The State Water Board has allocated 1.5 Personnel Years (PYS) of funding specifically for the Agricultural Regulatory Program in the Central Coast Region. The Central Coast Water Board augments this with additional funding from the TMDL and WDR Programs. These resources are currently used to support one program manager and four full-time technical staff responsible for implementing the requirements of the Agricultural Order at approximately 4200 farms/ranches covering more than 400,000 irrigated acres.

In general, Agricultural Regulatory Program resources are used to conduct the following:

- Develop new reporting and information management tools (e.g. total nitrogen reporting format);
- Maintain and improve existing reporting and information management tools (e.g. GeoTracker database);
- Provide compliance assistance, especially for small and limited resource growers (via phone, email, workshops, written guides and funding opportunities);
- Conduct inspections;
- Evaluate grower compliance via review of reported information and inspections;
- Coordinate with cooperative water quality monitoring programs;
- Coordinate with cooperative water quality improvement projects;
- Evaluate monitoring and reporting information;
- Prioritize water quality issues and conduct appropriate follow-up (e.g., request additional information on management practices or water quality sampling), especially in areas where drinking water is affected;
- Conduct enforcement (e.g., issue liability complaints for failure to enroll, report, pay fees);
- Conduct grower outreach and coordinate with agricultural groups;
- Provide permit fee billing information to State Board;
- Coordinate with State Board other Regional Boards, state and local agencies;
- Update the Board;

- Provide information to the public;
- Address legal issues and respond to appeals;
- Track performance measures and evaluate progress towards meeting program goals and water quality improvement.

In addition to the general, on-going program tasks identified above, specific tasks that must be completed in the near-term, based on grower due dates in the Agricultural Order, include the following:

- March 2013 – Finalize photo monitoring protocols (photo documentation due by June 2013)
- March – May 2013 – Review and approve Cooperative Groundwater Monitoring Program Proposals (due March 15, 2013);
- March – May 2013 – Review and approve Tier 3 Individual Surface Water Discharge Monitoring Sampling and Analysis Plan/Quality Assurance Project Plan (SAP/QAPP) (due March 15, 2013);
- March – May 2013 – Establish the Technical Advisory Committee in conjunction with State Board staff from the Office of Public Participation and contracted facilitator;
- April 2013 – Finalize Tier 2/3 total nitrogen reporting format;
- April – June 2013 – Evaluate potential improvements to eNOI and GeoTracker based on discussions at January 31, 2013 Board Meeting; implement necessary changes in coordination with State Board staff and consultants (in advance of second year reporting);
- May 2013 – Update landowners on status of Ag Order - Send between 5000 to 10,000 letters or postcards to landowners who are identified on the eNOI for enrolled operations that will provide instruction for how to review requirements and stay informed on the Order.

To assist the Board in having greater visibility on the specific tasks and timeframe for implementation of the Agricultural Order, general program activities are summarized in Attachment 1. Staff constantly adapts to balance priorities and effectively manage and implement the program given the numerous tasks and the high level of Board and stakeholder interest in the program. For example, staff is very aware that farming operations in certain areas may be contributing to already severe nitrate pollution and that disadvantaged rural communities in these areas are at risk of being exposed to drinking water contamination. Staff's goal is to identify and prioritize implementation in these areas as quickly as possible, and at the same time staff must devote sufficient resources to the program tasks listed above. These challenges will continue to grow as more groundwater quality data becomes available and identifies an increasing number of priority areas that require staff attention.

Staff is still collating and evaluating the comments and suggestions made during the Board Meeting on January 31, 2013, focusing on the GeoTracker database and other Order implementation issues. Staff will propose a schedule for following up on them and providing status of response to those issues, as appropriate, that integrates with the timing of the program tasks listed above and priorities. The list of tasks in Attachment 1 may assist to identify program areas and timing appropriate for discussion at future Board Meetings.

## **PARTICIPATION IN GROWER OUTREACH EVENTS AND STAKEHOLDER MEETINGS**

Water Board staff continues to participate in grower outreach events and stakeholder meetings, to interact with growers and other stakeholders and receive feedback on implementation of the

Agricultural Order. Most recently, Angela Schroeter made a presentation at the Annual EcoFarm Conference in Asilomar on January 24, 2013. Ken Harris, Lisa McCann and Angela Schroeter attended the Board Meeting of Central Coast Water Quality Preservation, Inc. (Preservation, Inc.) on Tuesday, February 5, 2013 and discussed Preservation, Inc.'s current and potential future roles for implementing monitoring requirements of the Order, and other Order implementation issues. Angela Schroeter and Lisa McCann also met with the Central Coast Wetlands Group on Tuesday, February 5, 2013 to learn about and provide feedback on development of a proposal for a cooperative water quality improvement project in the Lower Salinas Watershed. The proposal includes treatment wetlands, on-farm management practices and cooperative, alternative monitoring and reporting requirements (in lieu of current Order requirements, monitoring and reporting for growers who participate).

Staff will also participate in the upcoming Groundwater Resources Association of California webinar series on salt and nutrient management planning (starting February 14, 2013) and will also participate in the 2013 Irrigation and Nutrient Management Meeting on February 26, 2013 in Salinas, sponsored by the University of California Cooperative Extension (UCCE) and Resource Conservation District (RCD).

## **ATTACHMENTS**

1. Summary of Agricultural Regulatory Program Activities