What is the Agricultural Order?
The Central Coast Water Board is mandated to regulate discharges from commercially irrigated agricultural lands to protect surface waters and groundwater. The Agricultural Order is the permit that the Central Coast Water Board uses to authorize and regulate agricultural discharges, including pesticides, nutrients, and sediments discharging to surface waters through irrigation, tile drain, and stormwater discharge; and nutrients and pesticides discharging to groundwater through percolation.

To retain regulatory coverage through the Ag Order, growers must comply with its requirements. Requirements include monitoring, reporting, and the implementation of management practices to control and reduce pollutant discharges over time. The goal of the Ag Order is to achieve water quality objectives as defined by the Central Coast Basin Plan, and to protect the beneficial uses of surface water and groundwater.

The first Ag Order in the Central Coast, Ag Order 1.0, was adopted in 2004. In 2012 it was replaced by Ag Order 2.0, which was subsequently replaced by Ag Order 3.0 in 2017. Ag Order 3.0 is currently in effect and growers must comply with its requirements. Ag Order 3.0 was adopted for a three-year term and will expire in March 2020. The Central Coast Water Board must replace Ag Order 3.0 prior to its expiration.

Why do we need an Agricultural Order in the Central Coast region?
The Central Coast Water Board has documented severe and widespread pollutant contamination resulting from irrigated agricultural activities. The discharge of nitrogen associated with the application of fertilizer, compost, and other nitrogen-containing materials is the primary source of nitrate contamination in Central Coast aquifers. Recent sampling indicates that approximately 31% of domestic wells sampled through Ag Order requirements exceed the drinking water standard of 10 mg/l Nitrate as Nitrogen (nitrate concentrations can also be expressed in the form of Nitrate as Nitrate, in which case the drinking water standard is 45 mg/L).

Surface waters including lakes, rivers, and streams have also been impacted by agricultural discharges. Many reaches of surface waterbodies in the Central Coast region, including many in predominantly agricultural watersheds, are listed in the Central Coast Water Board’s 303(d) list of impaired waterbodies. Surface waters are impacted by nutrients, sediments, toxicity from pesticides, and other agricultural pollutants.

What does the current Agricultural Order (Ag Order 3.0) require?
All commercially irrigated acreage in the Central Coast region is required to be electronically enrolled in the Agricultural Order. Both operators and landowners are responsible for ensuring that their land is enrolled and that the information reported in the electronic Notice of Intent is accurate and up-to-date. Annual permit fees apply to all ranches and are based on acres of irrigated land.
This report includes the total amount of nitrogen applied to their crops from all materials including fertilizer, compost, amendments, other nitrogen-containing materials, and irrigation water, as well as the nitrogen present in the soil.

Additional requirements apply to Tier 3 ranches depending on their site-specific characteristics. Some Tier 3 ranches are required to perform individual surface discharge monitoring, also known as edge-of-field monitoring. Some ranches are required to develop and implement an Irrigation and Nutrient Management Plan and submit a report on the effectiveness of their plan at reduce nutrient loading to surface water and groundwater. Some ranches are also required to develop and implement a Water Quality Buffer Plan and submit an associated report on their plan.

How will Ag Order 4.0 differ from Ag Order 3.0?

While the exact content of the future Ag Order is unknown this early in the development process, the order will likely continue to focus on several key areas: nitrate discharges to groundwater; pesticide, nutrient, and sediment discharges to surface waters; and riparian habitat to support aquatic life and protect the beneficial uses of surface waters. Implementing management practices to control the discharge of irrigation water, tile drain water, stormwater, nutrients, pesticides, and sediments will continue to be important for all growers. Surface water and groundwater monitoring and reporting programs are also likely to continue to be required.

The Agricultural Order development process

The process for developing and adopting a new Ag Order includes a robust public input process. To kick off the project in August of 2017, Central Coast Water Board staff held a series of listening sessions throughout the region to receive input from all stakeholders, including growers, grower representatives, technical assistance providers, environmental representatives, environmental justice representatives, and other interested parties. Staff also provides updates on the process during regular Central Coast Water Board meetings, where any member of the public may attend and provide comment.

The Central Coast Water Board is required to comply with the California Environmental Quality Act (CEQA). To meet this mandate, staff has developed an Initial Study document and will hold a series of CEQA scoping meetings throughout the region in March 2018. An Environmental Impact Report (EIR) will be developed and released for public review and comment. The anticipated release date for the EIR is early 2019.

In summer 2018, staff plans to release documents describing a wide range of options for regulating agricultural discharges. Staff will hold a series of workshops throughout the region to solicit input from interested parties, and will accept written public comment letters. Staff will then consider all the input received and update their recommendation before releasing a draft order in 2019. An additional public comment period will be held after the draft order is released, and staff will again accept written public comment letters in response to the draft order. Staff will consider all comments and recommendations, and make a final recommendation to the Board for approval. The target adoption date is early 2020, ahead of the Ag Order 3.0 expiration date.

For More Information

For additional information regarding the requirements of Ag Order 3.0, as well as announcements related to the development of Ag Order 4.0, please refer to the Irrigated Lands Regulator Program webpage. An archive of Ag Order 4.0 materials will also be periodically updated throughout the development process. Please direct any questions to AgNOI@waterboards.ca.gov