Agricultural Order 4.0

CEQA Scoping Meeting for the Irrigated Lands Agricultural Order

March 2018
• Administrative details
• Meeting purpose
• What is CEQA scoping? (5 minutes)
• CEQA background (5 minutes)
• Project overview (5 minutes)

• Remainder of time is dedicated to hearing from you
• Stick to agenda
  • Presentation first, input/questions second
• Raise your hand for comments
• We will transcribe and project your comments
• Respect everyone’s turn
Subscribe to our email list at:
https://www.waterboards.ca.gov/resources/email_subscriptions/reg3_subscribe.html

- Board Meeting Agenda
- 303(d) List / Integrated Report
- Agricultural Discharges
- Agricultural Order - Discretionary Review
- Ballard Canyon Interested Parties
- Basin Planning Triennial Review
- Buckley Road Area TCE Investigation
- Cannabis Cultivation Regulatory Program
- CEQA - Agricultural Order 4.0, March 2020
- Duke Energy Morro Bay Power Plant
- Elkhorn Slough Watershed Biostim TMDL
- Estrella River Basin Boron TMDL
- Franklin Creek Nutrients TMDL (Carpinteria Marsh)
- Grant Funding Opportunities
- Groundwater Assessment and Protection (GAP)
Purpose of the meeting. Why are we here?

To solicit your input on potential environmental impacts associated with Ag Order 4.0.

We want your input on environmental impacts

Meeting NOT focused on details of Ag Order 4.0.

Photo credit: http://dopplercomm.com/cultivating-audience-participation/
Future opportunities for public comment, Ag Order 4.0

- March 22-23, 2018 Board meeting – Santa Barbara
- May 10-11, 2018 Board meeting – San Luis Obispo
- September 20-21, 2018 Board meeting – Watsonville
- **Late summer 2018 – Draft Ag Order 4.0 options**
  - Public comment period
  - Public workshops
- March 2020, proposed adoption date
A scoping meeting is an opportunity to solicit input from the public on environmental impacts.

Environmental impacts = physical changes in the environment

(CCR 15063)
• What type of management practices might growers use to control, monitor, or treat discharges of waste from agricultural operations?
  • What are some of the potentially significant environmental impacts associated with implementing these management practices? What specific evidence supports there will be impacts? What is the magnitude of these impacts?
  • Are there mitigation measures that would minimize any environmental impacts?
  • What are the costs of some of these potential management practices?
• Are there any project alternatives that may be capable of reducing any potentially significant environmental impacts?
<table>
<thead>
<tr>
<th></th>
<th></th>
<th></th>
<th></th>
<th></th>
</tr>
</thead>
<tbody>
<tr>
<td>Improve irrigation efficiency</td>
<td>Less water in creek</td>
<td>Potentially significant</td>
<td>Phase in irrigation efficiencies</td>
<td></td>
</tr>
<tr>
<td>Denitrifying bioreactors</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Reduce fertilizer application</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>
• How to make your comments meaningful
  • Focus comments in the areas we are asking
  • Identify new information, new impacts

• Remember, you can call, email, or submit comments in writing on the Initial Study before April 30, 2018.
CEQA = California Environmental Quality Act

- Passed in 1970
  - Public Resources Code, Sections 21000 – 21189.3
  - California Code of Regulations, Title 14, Division 6, Chapter 3, sections 15000 – 15387

Picture credit: http://www.supercoloring.com/silhouettes/california-map
CEQA objectives

• Develop and maintain a high-quality environment now and in the future.
• Take all action necessary to protect, rehabilitate, and enhance the environmental quality of the state.
• Identify ways to avoid, reduce, prevent environmental damage by requiring mitigation measures and alternatives.
• Public disclosure and participation

(PRC 21000, 21001, 21002, 21003.1)
• Must comply with CEQA if proposed activity is considered a “project.”

The project is defined as the Agricultural Order’s requirements and irrigated agriculture’s activities implemented as a result of complying with those requirements.
Initial Study
February 16, 2018
**ENVIRONMENTAL FACTORS POTENTIALLY AFFECTED:**

The environmental factors checked below would be potentially affected by this project, involving at least one impact that is a "Potentially Significant Impact" as indicated by the checklist on the following pages.

<table>
<thead>
<tr>
<th>Factor</th>
<th>Status</th>
</tr>
</thead>
<tbody>
<tr>
<td>Aesthetics</td>
<td></td>
</tr>
<tr>
<td>Biological Resources</td>
<td>✅</td>
</tr>
<tr>
<td>Greenhouse Gas Emissions</td>
<td></td>
</tr>
<tr>
<td>Land Use / Planning</td>
<td></td>
</tr>
<tr>
<td>Population / Housing</td>
<td></td>
</tr>
<tr>
<td>Transportation / Traffic</td>
<td></td>
</tr>
<tr>
<td>Mandatory Findings of Significance</td>
<td>✅</td>
</tr>
<tr>
<td>Agriculture and Forestry Resources</td>
<td></td>
</tr>
<tr>
<td>Cultural Resources</td>
<td></td>
</tr>
<tr>
<td>Hazards &amp; Hazardous Materials</td>
<td></td>
</tr>
<tr>
<td>Mineral Resources</td>
<td></td>
</tr>
<tr>
<td>Public Services</td>
<td></td>
</tr>
<tr>
<td>Tribal Cultural Resources</td>
<td></td>
</tr>
<tr>
<td>Air Quality</td>
<td></td>
</tr>
<tr>
<td>Geology / Soils</td>
<td></td>
</tr>
<tr>
<td>Hydrology / Water Quality</td>
<td></td>
</tr>
<tr>
<td>Noise</td>
<td></td>
</tr>
<tr>
<td>Recreation</td>
<td></td>
</tr>
<tr>
<td>Utilities / Service Systems</td>
<td></td>
</tr>
</tbody>
</table>
### Table 8-4. Biological resources, environmental checklist

<table>
<thead>
<tr>
<th></th>
<th>Potentially Significant Impact</th>
<th>Less Than Significant with Mitigation Incorporated</th>
<th>Less Than Significant Impact</th>
<th>No Impact</th>
<th>Potentially Beneficial</th>
</tr>
</thead>
<tbody>
<tr>
<td>4. BIOLOGICAL RESOURCES: Would the project:</td>
<td>![Cross]</td>
<td>![Blank]</td>
<td>![Blank]</td>
<td>![Blank]</td>
<td>![Blank]</td>
</tr>
<tr>
<td>a) Have a substantial adverse effect, either directly or through habitat modifications, on any species identified as a candidate, sensitive, or special status species in local or regional plans, policies, or regulations, or by the California Department of Fish and Game or U.S. Fish and Wildlife Service?</td>
<td>![Cross]</td>
<td>![Blank]</td>
<td>![Blank]</td>
<td>![Blank]</td>
<td>![Blank]</td>
</tr>
</tbody>
</table>
“Significant effect on the environment” means a substantial, or potentially substantial, adverse change in any of the physical conditions within the area affected by the project, including:

- Land
- Air
- Water
- Minerals
- Flora
- Fauna
- Ambient noise
- Objects of historic or aesthetic significance.
“An economic or social change by itself shall not be considered a significant effect on the environment.”

“A social or economic change related to physical change may be considered in determining whether physical change is significant.”

(CCR 15382), emphasis added.
CEQA for Ag Order 4.0

• Initial Study Feb. 2018
• CEQA scoping meetings March 2018
• Draft EIR spring 2019
  • Public review
• Final EIR expected early fall 2019
  • Response to comments
• Exact language of 4.0 unknown at this point
  • This is okay from a CEQA standpoint.

Project area

466,000 acres of irrigated agriculture
What are the main goals of Ag Order 4.0?
Agricultural Order 4.0 – Project overview (4 of 9)

Improve water quality

Photo credit: https://www.fs.usda.gov/wps/portal/fsinternet/cs/detailful

Photo credit: http://www.groundwater.org/get-informed/basics/groundwater.html
Protect

Public Health

Aquatic habitat

Photo credit: https://www.quora.com/What-is-the-flow-rate-of-a-public-drinking-fountain

Achieve these goals by:

- Reducing nutrient and salt loading
  - To surface water
  - To groundwater
- Reducing/eliminating toxicity
- Reducing sediment discharges
- Protecting/enhancing riparian habitat
Agricultural Order 4.0 – Project overview (7 of 9)

Reductions through management practices

Nutrient management practices examples

- Rotate crops
- Install bioreactor
- Develop a nutrient management plan
- Reduce fertilizer application
- Treat irrigation discharge
- Reduce irrigation discharge
- Buffer strips
- Cover crops
- Others…
Cannabis

State Board General Order for cannabis

Ag Order 4.0

Conventional irrigated agriculture

Ag Order 4.0

Picture credit: https://www.clker.com/clipart-15662.html

Picture credit: https://freeclipartimage.com/article/top-78-vegetables-clip-art/4
Agricultural Order 4.0 – Project overview (9 of 9)

• **Similar** to Ag Order 3.0 in requirements
  • Monitoring & reporting
  • Implementing management practices
• **Different** from Ag Order 3.0
  • More growers will have to implement more management practices

• We won’t have a final answer until the Board adopts the Order.

*Bottom line – implement management practices to achieve water quality goals.*
• Let’s get started…