

**Central Coast Regional Water Quality Control Board
DRAFT Third-Party Program Expectations
Agricultural Order 4.0**

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The goal of the Central Coast Water Board is to be clear about roles, objectives, and expectations when reviewing and approving third-party cooperative programs (Cooperative Programs). The activities and components of Cooperative Programs under Agricultural Order 4.0 (Order) and the Monitoring and Reporting Plan (MRP) will vary depending on the Cooperative Program's goals, which can generally be broken down into four major categories.

- **Groundwater Monitoring, Reporting, and Implementation Programs**
- **Surface Water Monitoring, Reporting, and Implementation Programs**
- **Sustainability Certification Programs**
- **Watershed Restoration Programs**

Cooperative Programs can be formed at a regional or watershed level (i.e., groundwater basins/subbasins or HUC-8, HUC-10, or HUC-12 watersheds) or the entire central coast region. Cooperative Programs can be formed to conduct activities related to one or more of the four major categories outlined above.

This document begins with general expectations for all Cooperative Programs followed by sections with specific expectations related to each of the four major categories outlined above.

1. General Expectations

Cooperative Programs should meet the following general expectations.

- **Roles**
 - Conduct monitoring, submit reporting, and implement follow-up actions to improve water quality on behalf of their members.
 - Have a presence in the watershed where the program is being implemented.
 - An organizational structure with stakeholders of varying backgrounds and viewpoints (e.g., growers, scientific researchers, environmental advocates, and water quality experts).
- **Objective**
 - Assist dischargers in complying with requirements of the Order and MRP.
- **Work Plan**
 - Develop a detailed work plan for Executive Officer approval in accordance with requirements of the Order and MRP. Amendments may be deemed necessary throughout the life of the Order and will also require Executive Officer review and approval.
- **Membership Fees**
 - Membership fee structure in place to support Cooperative Program work plan activities.
 - Membership fee structure is publicly available.

- Timely invoicing and statements provided to members.
- **State Board Permit Fee Collection**
 - Cooperative Programs that only conduct monitoring and report monitoring information and do not include an implementation component would not qualify as a “group” that can manage State Board permit fee collection and payment.
 - A “group” must be approved by the Regional Board or Regional Board Executive Officer. Cooperative Programs that request to be reviewed to qualify as a “group” will be evaluated and ranked based on a number of factors, including the number of participating members, geographical extent of the program, and proposed implementation activities (e.g., monitoring, reporting, education, management measures).
 - A “group” approved to manage State Board permit fee collection and payment must follow State Board and Regional Board permit fee reporting processes.
- **Membership** – Tracking and reporting should include the following:
 - Membership list is publicly available, updated annually, and associated with the discharger’s global identifier (AGL number).
 - Notification to the Central Coast Water Board of members terminated for fee infractions.
 - A system to allow terminated members to reinstate.
- **Financial Records** – Recording and reporting should include the following:
 - Preparation and submission of an annual line-item budget that details membership fees collected and expenditures (e.g., costs of administration, monitoring, laboratory testing, legal advice).
 - Detailed accountings and records in support of the line-item budget that are available to both members and the Central Coast Water Board.
- **Outreach and education** – Develop and implement education/outreach components to assist dischargers with the following:
 - Compliance with the Order and MRP requirements.
 - Information about water quality conditions at the ranch, watershed, and regional level (e.g., trend analyses).
 - Assistance with individual monitoring result submissions when required (e.g., ranch-level surface water discharge monitoring).
 - Assistance with program enrollment and termination procedures.
 - Identification of management measures that have been implemented to improve water quality and ways dischargers can improve on those management measures.
- **Data Collection and Reporting** – Collect and report data and reporting as required by the Order and MRP. Data collection and reporting should include the following, at a minimum:

- Collection of high-quality, scientifically defensible, neutral, and consistent data.
- Data cannot be aggregated in either time or space and must be associated with the discharger's unique global identifier (AGL number), unless the monitoring applies to a cooperative watershed restoration project. This data would be tied to the project, not specific dischargers.
- Successful submission of data to the designated Central Coast Water Board database program, (e.g., GeoTracker database for groundwater and CEDEN database for surface water) for all data types required by the Order and MRP.
- **Annual Reporting** – submit annual reports summarizing data, analyses, and findings and quality assurance efforts for each calendar year and other required elements as required by the Order and MRP.
- **Time Schedule** – a time schedule for data uploads and reporting as required by the Order and MRP.

2. Groundwater Cooperative Programs

A Groundwater Cooperative Program could assist dischargers in complying with groundwater protection requirements in the Order and MRP in the following areas:

- Monitoring and reporting of agricultural domestic and irrigations wells, and other wells that may be included in a groundwater quality trend monitoring network (i.e., purpose-built monitoring wells, private domestic wells, etc.).
- Ranch-level individual discharge monitoring and reporting (when required).
- Groundwater quality trend monitoring, reporting, and analyses.

The purpose of groundwater monitoring and reporting is to assess the following, which should be reflected in a work plan:

- Assess drinking water wells for pollutants that exceed drinking water standards.
- Identify water quality patterns and trends, by pollutant, for basin/sub-basin areas with improving water quality conditions and basin/sub-basin areas with declining water quality conditions.
- Determine compliance with achieving discharge targets or limits in the Order that are associated with groundwater protection.
- Determine effectiveness of implemented water quality management practices to improve water quality and meet the discharge targets and limits and water quality standards for groundwater protection.

3. Surface Water Cooperative Programs

Areas in which a Surface Water Cooperative Program could assist dischargers in complying with surface water protection requirements in the Order and MRP include:

- Surface receiving water monitoring and reporting.
- Follow-up surface receiving water monitoring and reporting.
- Ranch-level individual discharge monitoring and reporting (when required).

The purpose of surface receiving water monitoring and reporting is to assess the following, which should be reflected in a work plan:

- Identify water quality patterns and trends, by pollutant, for watershed areas with improving water quality conditions and watershed areas with declining water quality conditions.
- Determine watershed areas that need follow-up monitoring plans to identify pollutant sources and follow-up activities with dischargers to improve water quality conditions.
- Determine compliance with surface receiving water limits in the Order that are associated with surface water protection.
- Determine effectiveness of implemented water quality management practices to improve water quality and to meet surface receiving water limits for surface water protection.

4. Sustainability Certification Programs

The primary objective of Sustainability Certification Programs (SCPs) should be to develop programs that ensure member dischargers are complying with the Order and MRP, or, complying with specific requirements of the order and MRP. The SCP could potentially provide some level of alternative compliance pathways to its members (e.g., modified monitoring and reporting). The SCPs might be crop-specific (e.g., strawberries), crop-type specific (e.g., row crops, orchards, vineyards), or farming practice specific (e.g., organic, conventional). The SCPs could cover one or more of these parameters. SCPs should include the following components.

- **Quantifiable Water Quality Results** – Alternative compliance pathways must be tied to quantifiable water quality results, not just management measures. Quantifiable water quality results should include, at a minimum, the following:

- Irrigation and Stormwater Runoff Management – Management measures to eliminate irrigation runoff and control stormwater to avoid off-farm discharges into surface water bodies.
 - Nutrient Management – Nutrient application limits and nutrient loading limits that align with the Order.
 - Sediment Management – Prohibit the discharge of sand, silt, clay, or other inorganic or organic earthen materials into waters of the state from any activity in a manner that: 1) unreasonably affects or threatens to affect beneficial uses, or 2) creates or threatens to create a condition of pollution or nuisance.
 - Pest Management – Reduction of the use of pesticides by developing and implementing an Integrated Pest Management Plan.
 - Pesticide Prohibitions – The SCP must keep a regularly updated list of prohibited pesticides to reflect current science and water quality toxicity in the Central Coast region. Pesticide-related requirements to control and/or prohibit off-site movement must be included. The California Department of Pesticide Regulations maintains a list of restricted materials at this link: <https://www.cdpr.ca.gov/docs/enforce/dpr-enf-013a.pdf>.
 - Equipment and Chemical Storage – Management measures to ensure the proper handling and storage of equipment and chemicals.
 - Riparian Area Management – Prohibit riparian vegetation removal and promote riparian restoration efforts.
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- **Inspection/Audit Regimes** – Clear expectations for inspections/audits that includes a review of water quality-related components (e.g., nutrient management plans, sediment and erosion plans, pesticide management plans) to determine whether dischargers have successfully met the requirements to participate in the program, and inspection/audit frequencies and reporting periods.
 - **Point Systems** – If a point system is used, points related to protecting and restoring water quality should be clearly identified. The total points required to qualify for certification should be high as they relate to water quality.
 - **Full Acreage Enrollment** – Partial acreage enrollment should not be allowed.
 - **Certification Verification** – A system to inform the Central Coast Water Board if a discharger is no longer certified, or if a portion of their acreage is no longer certified.

5. Cooperative Watershed Restoration Programs

The primary objective of Cooperative Watershed Restoration Programs (CWRPs) should be to develop programs that ensure watershed-level restoration projects are identified, designed, and implemented to achieve water quality objectives and protect beneficial uses. The watershed-level restoration projects could seek to satisfy riparian

area management protection requirements of the Order via the cooperative approach pathway. CWRPs should develop include the following components.

- **Scope** – Proposed restoration projects should be focused on riparian enhancement that benefits Basin Plan water quality objectives for sediment, toxicity, nutrients, and temperature, and protects beneficial uses.
- **Capacity and Expertise** - Key program tasks (e.g., identify, design, and implement restoration projects, conduct water quality monitoring, analyze data) and design and implement follow-up adaptive management activities, including recommendations on activities that should be implemented to achieve proposed success criteria.
- **Advisory Committee** - Formed to prioritize restoration projects. Restoration projects should be coordinated using a landscape approach (e.g., the Wetland and Riparian Area Monitoring Plan for Wildlife of the California Wetland Monitoring Workgroup of the Water Quality Monitoring Council). The advisory committee should be composed of members of the regulatory, agriculture, and research and environmental community. The advisory committee should develop a watershed strategy with a minimum five-year planning horizon. The watershed strategy should be updated every five years, at a minimum.
- **Unified Approach** - A unified approach conducted by a single entity that will ensure information used for decision-making is of the highest quality, efficiency of data management, and cost-effectiveness.
- **Project Identification and Prioritization** - Identification of watershed specific environmental and water quality projects will require a combined policy, geographic opportunity, and constraints analysis. Considerations in selecting priority areas for CWRPs should include:
 - Resource management and enhancement objectives defined within local and state plans, local water quality objectives, downstream flood and water quality concerns.
 - Resource preservation priorities.
 - Willing landowners.
 - Industry support and recommendations.
 - Short- and long-term environmental objectives.
 - Integration of regulatory and legal guidelines, management plan objectives (including the Central Coast Basin Plan and the Order).
- **Project Development and Implementation** – Develop, design, and implement successful watershed restoration projects, collect information on management measures implemented, track performance in terms of quantifying water quality improvements, analyze and summarize this information, and submit reporting to

the Central Coast Water Board. The key components of restoration projects that would be considered include:

- Wide range of options to landowners and operators.
- Optimize water quality treatment and have significant load reduction potential.
- Design options that provide greater habitat value and higher potential to achieve water quality objectives and protect beneficial uses (e.g., habitat corridor considerations, anadromous fish needs, and hydrologic challenges).
- Partnerships between multiple stakeholders and leveraged resources to ensure sustainability and facilitate collaborative solutions.
- Legal mechanisms to ensure projects will be properly monitored, adaptively managed, and protected over time (e.g., conservation easement or purchase, endowment-type maintenance fund).

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