
Central Valley Regional Water Quality Control Board

ORDER No. R5-2025-XXXX

AMENDING WASTE DISCHARGE REQUIREMENTS GENERAL ORDER FOR GROWERS WITHIN THE SACRAMENTO RIVER WATERSHED THAT ARE MEMBERS OF THE THIRD-PARTY GROUP, R5-2014-0030-11

WHEREAS, the California Regional Water Quality Control Board, Central Valley Region (Central Valley Water Board) finds that:

1. The Central Valley Water Board's authority to regulate waste discharges that could affect the quality of waters of the State, which includes both surface water and groundwater, is found in the Porter-Cologne Water Quality Control Act (California Water Code Division 7).
2. The Central Valley Water Board issued Waste Discharge Requirements General Orders for growers within the Central Valley that are members of a third-party group for discharges from irrigated lands to surface water and to groundwater (Irrigated Lands Regulatory Program (ILRP) General Orders).
3. "Irrigated Lands" in the ILRP General Orders (except for the Tulare Lake Basin and the Western Tulare Lake Basin General Orders) is defined as "land irrigated to produce crops or pasture for commercial purposes; nurseries; and privately and publicly managed wetlands."
4. The Central Valley Water Board issued Order R5-2014-0030-11 *Waste Discharge Requirements General Order for Growers within the Sacramento River Watershed that are Members of the Third-Party Group* for growers in the Sacramento River watershed.
5. The Sacramento Valley Water Quality Coalition (Coalition) is the third-party group for non-rice irrigated agricultural operations in the Sacramento River watershed.
6. The Pit River subwatershed is located in the northeastern region in the Central Valley Region and the Sacramento River watershed.
7. There are approximately 75,000 acres of irrigated agriculture currently enrolled in Order R5-2014-0030-11 that are managed by 186 growers in the Pit River subwatershed. The dominant irrigated crops grown in the subwatershed include pasture (79%) and forage crops such as grain, hay, and grass hay (10%). Other crop types grown in the subwatershed include wild rice (6%), strawberries, mint, onions, garlic, and other miscellaneous crops (5%).

8. Monitoring and management practices data indicate that Pit River irrigated agriculture is at low risk of generating ILRP high priority pollutant issues such as pesticides, toxicity, and groundwater nitrate, as the use of pesticides and fertilizers is low.
9. Groundwater protection requirements have become a substantial part of the ILRP's efforts and costs, with a focus on addressing nitrogen contamination of groundwater and protection of drinking water sources. Because Pit River is approximately 90% irrigated pasture and forage crops and managers rarely apply nitrogen or apply at rates less than crop uptake, the groundwater requirements and costs are not appropriate for them.
10. ILRP regulatory costs for the dominant crops in Pit River (irrigated pasture and forage crop operations) are significantly higher compared to most other crops in the Coalition, when considered as a percentage of per acre earnings.
11. The Central Valley Water Board recognizes that Pit River irrigated pasture and forage crop operations, the agricultural commodities likely impacting priority pollutant issues the least within the Coalition region, are paying the highest regulatory costs in the context of per acre earnings.
12. Pit River irrigated agricultural operations have a minimal risk of impairing the quality of surface waters and groundwater. Where it is found that these operations need to take action(s) to address water quality impairments (e.g., TMDL or 303(d) listing), staff will identify and implement an appropriate regulatory mechanism.
13. The Central Valley Water Board recognizes that the ILRP requirements are currently overprotective for regulating Pit River irrigated agriculture.
14. This Order amends Order R5-2014-0030-11 to remove the requirement for parcels within the Pit River subwatershed to obtain coverage under the ILRP.
15. The Central Valley Water Board, acting as a lead agency pursuant to CEQA (Pub. Resources Code, § 21000 et seq.), certified a Program Environmental Impact Report (PEIR) for the Irrigated Lands Regulatory Program on 7 April 2011. This Order relies on the environmental impact analysis contained in the PEIR to satisfy the requirements of CEQA. Pursuant to this Order, the removal of Pit River irrigated agriculture from the ILRP is within a range of options identified and analyzed in the PEIR. Therefore, the PEIR identified, disclosed, and analyzed all potentially significant environmental impacts of this Order.
16. The Central Valley Water Board has notified interested agencies and persons of its intent to adopt this Order for discharges of waste from irrigated lands within the Central Valley and has provided them with an opportunity for a public hearing and an opportunity to submit comments.
17. The Central Valley Water Board, in a public meeting, heard and considered all comments pertaining to this Order.

18. This Order R5-2025-XXXX amends R5-2014-0030-11 which regulates discharges from irrigated lands to surface water and to groundwater that may impact a disadvantaged or tribal community.

The Central Valley Water Board has satisfied the outreach requirements set forth in Water Code section 189.7 by conducting outreach in affected disadvantaged or tribal communities.

Pursuant to Water Code section 13149.2, the Central Valley Water Board reviewed readily available information and information raised to the Board by interested persons concerning anticipated water quality impacts in disadvantaged or tribal communities resulting from adoption of this Order No. R5-2025-XXXX Amending Order R5-2014-0030-11. The Board also considered environmental justice concerns within the Board's authority and raised by interested persons with regard to those impacts.

The Central Valley Water Board anticipates that the amendment of this Waste Discharge Requirement will result in no or insignificant changes to current water quality within the scope of the Board's authority. Pit River irrigated agricultural operations have a minimal risk of impairing the quality of surface waters and groundwater.

The Central Valley Water Board has identified the following measures available and within the scope of its authority to address the potential impacts of the discharges from irrigated lands in the Pit River subwatershed to surface water and to groundwater in impacted community(s): If future information shows that irrigated agricultural operations may be causing or contributing to water quality problems, Order R5-2014-0030-11 will be modified to remove the exemption and these operations will be re-enrolled in the ILRP. The Central Valley Water Board may require Pit River irrigated agricultural operations to participate in a water quality program specific to upper subwatershed operations or a grazing program, should either be developed in the future.

IT IS HEREBY ORDERED that ILRP Waste Discharge Requirements General Order R5-2014-0030-11 is amended by making the modifications identified in Attachment 1 of this Order.

Any person aggrieved by this action of the Central Valley Water Board may petition the State Water Board to review the action in accordance with Water Code section 13320 and California Code of Regulations, title 23, section 2050 and following. The State Water Board must receive the petition by 5:00 p.m., 30 days after the date of this Order, except that if the thirtieth day following the date of this Order falls on a Saturday, Sunday, or state holiday, the petition must be received by the State Water Board by 5:00 p.m. on the next business day. Copies of the law and regulations applicable to filling petitions may be found on the [Water Quality Petitions webpage](http://www.waterboards.ca.gov/public_notices/petitions/water_quality/) or will be provided upon request. <www.waterboards.ca.gov/public_notices/petitions/water_quality/>

I, PATRICK PULUPA, Executive Officer, do hereby certify the foregoing is a full, true, and correct copy of an Order adopted by the California Regional Water Quality Control Board, Central Valley Region, on *<insert date signed>*.

PATRICK PULUPA, Executive Officer

Attachments

Attachment 1: Order R5-2014-0030-12, Amended Waste Discharge Requirements