

IRRIGATED LANDS REGULATORY PROGRAM (ILRP)

Frequently Asked Questions

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Central Valley Regional Water Quality Control Board

IRRIGATED LANDS REGULATORY PROGRAM

Frequently Asked Questions

The information contained in the following Frequently Asked Questions for the Irrigated Lands Regulatory Program (ILRP) was developed as general guidance for growers within the Central Valley and may be revised to answer new questions.

What is the Central Valley ILRP?

The Central Valley ILRP is a program within the Regional Water Quality Control Board (hereafter, Water Board or Board) that develops regulations - [Waste Discharge Requirements \(WDRs\) or Orders](#) – to protect surface and groundwater. (www.waterboards.ca.gov/centralvalley/water_issues/irrigated_lands/regulatory_information/#adopted)

These Orders regulate discharges from commercial irrigated agricultural lands in the Central Valley to prevent or reduce pollutants from entering surface water and groundwater. ILRP staff conduct compliance and enforcement activities to ensure growers comply with Water Board regulations.

ILRP background

In 1999, the California Legislature passed Senate Bill 390, requiring the Water Boards to develop programs to regulate agricultural lands in accordance with the Porter-Cologne Water Quality Control Act (California Water Code Division 7). The Central Valley ILRP was initiated in 2003 to regulate agricultural discharges to surface waters. In 2012, the Central Valley Water Board extended the regulations to cover discharges to both surface and groundwaters.

Visit us online [for more background and history about the ILRP](#).

(www.waterboards.ca.gov/centralvalley/water_issues/irrigated_lands/background_history/)

Why was the ILRP created?

The ILRP was created to address discharge of waste (e.g., sediment, pesticides, nitrate) from agricultural commercial irrigated lands. The goal of the ILRP, as well as the Central Valley Water Board, is to protect the quality of surface and groundwater for the benefit of present and future generations.

At high enough concentrations, pollutants can harm aquatic life, or make water unusable for human consumption (i.e., drinking/cooking) or for agricultural uses.

What are commercial irrigated lands?

Commercial irrigated lands are lands that are **both** operated to produce a commercial crop and irrigated from surface and/or groundwater as defined below:

Commercial Lands

Irrigated land with one or more of the following characteristics:

1. The landowner or operator holds a current Operator Identification Number/ Permit Number for pesticide use reporting;

2. The crop is sold to a third party, including, but not limited to:
 - a) an industry cooperative,
 - b) harvest crew/company, or
 - c) a direct marketing location, such as farmers' markets;
3. The landowner or operator files federal taxes using the federal Department of Treasury Internal Revenue Service (IRS) Form 1040, Schedule F *Profit or Loss from Farming*.

Irrigated Lands

Land that is irrigated (e.g., sprinkler, micro-sprinkler, drip, flood, etc.) to produce crops or pasture for commercial purposes, including nurseries. In some cases, man-made conveyance systems such as tile drains could be considered a source of waste discharge that requires regulatory coverage.

Who needs to be in the ILRP?

You are **required** to be in the ILRP, if you own or operate land that is irrigated to produce crops or pasture for commercial purposes, regardless of water supply source.

Visit us online [for assistance in determining if your property needs coverage under the ILRP](http://www.waterboards.ca.gov/centralvalley/water_issues/irrigated_lands/ilrp_decision_tree.pdf).
(www.waterboards.ca.gov/centralvalley/water_issues/irrigated_lands/ilrp_decision_tree.pdf)

Who does not need to be in the ILRP?

You are **not required** to be in the ILRP, if the property is not used for commercial purposes, is never irrigated, or if the irrigated land is covered under a different program (e.g., food processors, wastewater treatment land application areas, and Confined Animal Facilities – dairy, poultry, or bovine).

[For assistance in determining if your property is exempt from the ILRP](http://www.waterboards.ca.gov/centralvalley/water_issues/irrigated_lands/ilrp_decision_tree.pdf), visit us online.
(www.waterboards.ca.gov/centralvalley/water_issues/irrigated_lands/ilrp_decision_tree.pdf)

How do I get regulatory coverage under the ILRP?

There are two options to obtain regulatory coverage: **1)** join a third-party coalition group (coalition), or **2)** obtain coverage as an individual grower. Both options are fee based, and fees are assessed each year.

Coalition Option

Coalitions work with the ILRP on behalf of the grower (their members). They work directly with their members and assist them in fulfilling ILRP requirements at a regional-watershed level - meaning a **coalition member shares the cost** of compliance, monitoring, and reporting with other members. Each member remains fully responsible for complying with ILRP requirements; however, this option greatly reduces overall costs, as well as working directly with the ILRP to fulfill Water Board regulations. Additionally, coalitions prepare and implement mandatory regional water quality management and monitoring plans; and report the results of the monitoring efforts and the effectiveness of the plans to the Board.

To join a coalition, a grower must apply to a designated coalition for their local area, which is determined by the property location. The coalition member (grower) must then remain in good standing with their coalition to maintain coverage. Fees are assessed yearly to cover both coalition costs, as well as State Water Board fees.

More information about coalition groups can be found on the ILRP's [Coalition Group webpage](http://www.waterboards.ca.gov/centralvalley/water_issues/irrigated_lands/regulatory_information/for_growers/coalition_groups/). (www.waterboards.ca.gov/centralvalley/water_issues/irrigated_lands/regulatory_information/for_growers/coalition_groups/)

Individual Option

Growers who choose this option (choose not to join a coalition) work directly with the ILRP to fulfill Water Board regulations and must independently take care of the full costs and responsibility for compliance, monitoring, and reporting.

Costs include State administrative fees, preparation of a report of waste discharge, monitoring and reporting, and any other sampling (including laboratory and equipment fees). Generally, the **costs for the individual options are much higher than the coalition option** and take up a lot more time for a grower because monitoring and reporting is done at a local level – meaning from a grower's property – by the individual, instead of at a regional-watershed level assisted by a third-party coalition.

Depending on the specific site conditions, growers with **individual coverage are required to:**

- monitor runoff from their property,
- install monitoring wells, and
- submit various technical reports regarding their actions directly to the Board – depending on site conditions reports required could include:
 - Quality Assurance Project Plan (QAPP)
 - Farm Water Quality Plan
 - Surface Water Action Plan
 - Groundwater Action Plan
 - Annual Monitoring Report
 - Farm Plan
 - Management Practices Evaluation Workplan
 - Management Practices Evaluation Reports
 - Sediment and Erosion Control Plan (certified by an expert)
 - Irrigation and Nitrogen Management Plan (INMP)

A grower may seek individual coverage by submitting a Notice of Intent (NOI) and administrative fee directly to the Central Valley Water Board (see [Fee Schedule](#) section below). For more information, please contact the ILRP (see [General Contact Information](#) on page 8).

Fee Schedule

The fee schedule for irrigated agriculture is located on the [Water Quality Fees website](http://www.waterboards.ca.gov/resources/fees/water_quality/), under *Fee & Cost Information by Program: Water Quality Fees*. (www.waterboards.ca.gov/resources/fees/water_quality/)

How do I claim an exemption?

If you received a letter from the ILRP and believe your property does not need regulatory coverage, or you received a letter by mistake, you still need to respond to prevent further action. You can respond by completing and returning the Exemption Claim form (with any supporting documents) that was included with your letter. Return the completed form to the ILRP staff

person identified in the letter by email, or mail to the address on the form. Please be aware that Board staff will verify your exemption claim.

If you do not have the [Exemption Claim form](#), it is available online, on our Forms and Templates webpage, and can be submitted by email or mailed to the address on the form.

(www.waterboards.ca.gov/centralvalley/water_issues/irrigated_lands/forms_templates/exemption_claim_form.pdf)

How is water quality monitored?

Depending on the option a grower chooses to obtain regulatory coverage under the ILRP, water quality is monitored on either a collective regional watershed level (*Coalition Option*) or on a local level (*Individual Option*). Water quality monitoring has identified problems in some waterways associated with irrigated agriculture. When this occurs, the coalition groups prepare regional plans to address the problems, and some growers are required to implement additional management practices.

For more information on water quality monitoring, results, and regional plans, please contact [ILRP staff](#).

(www.waterboards.ca.gov/centralvalley/water_issues/irrigated_lands/program_contacts/)

Monitoring with Coalition Coverage

Coalitions have worked with Water Board staff to identify monitoring locations for surface waters and for representative wells for groundwater. These monitoring locations are then monitored on a regional basis by the coalitions for their members.

Monitoring with Individual Coverage

Growers with individual coverage must monitor surface water discharges leaving their own property (local level), as well as monitor their on-farm wells or drill a new well for groundwater monitoring.

How do growers in a coalition comply with the ILRP?

Growers must follow ILRP General Order requirements and maintain good standing with their coalition. They must implement appropriate management practices to prevent sediment, fertilizer, pesticides, manure and other materials used in farming from entering surface water from their field irrigation and storm water runoff, or from leaching below the root zone to groundwater.

Growers are also required to develop and implement on-farm plans and submit reports to their coalition; these reports are then summarized and reported to the Central Valley Water Board.

What are the relationships between growers, coalitions and the Central Valley Water Board?

Growers

Must implement appropriate practices, remain in good standing with their Coalition, and develop and submit required reports.

Coalitions

Communicate with the Central Valley Water Board, assist and educate growers, monitor, develop work plans for water quality exceedances, provide summary reports to the Board, and collect fees.

Central Valley Water Board - ILRP

Develops regulations, works closely with Coalitions to resolve water quality issues, conducts outreach and ensures compliance through progressive enforcement.



What are my responsibilities as a coalition member?

A grower's primary responsibility is to implement management practices to protect water quality.

Coalition members are required to:

- pay annual fees;
- annually attend a coalition outreach event;
- prepare and complete the following farm management plans using templates approved by the Central Valley Water Board:
 - Prepare and submit a [Farm Evaluation](#) every 5 years, following 2021;
 - Annually prepare an [Irrigation and Nitrogen Management Plan \(INMP\) Worksheet](#);
 - Annually prepare and submit an [INMP Summary Report](#) to the Coalition;
 - [Monitor On-Farm Drinking Water Wells](#)

Approved templates can be obtained and completed through a member's coalition, and more information regarding required reports and monitoring can be found in any of the eight [ILRP Orders for Growers in Coalition Groups](#).

(www.waterboards.ca.gov/centralvalley/water_issues/irrigated_lands/regulatory_information/#adopted)

Farm Evaluation

The Farm Evaluation helps determine what farm practices are currently being implemented and whether any improvements can be made to protect water quality. It is intended to be a list of farming practices used on Central Valley irrigated cropland to protect surface and groundwater and is a basic checklist for growers to evaluate their property.

Farm Evaluations must be **submitted to the coalition**, and **a copy should be kept at a Member's farming headquarters** or primary place of business and must be available upon

request by Water Board staff. However, as mentioned in the previous section, the Farm Evaluation is only required when due to the coalition, **every 5 years** following 2021.

For more information, check out the [ILRP Annual Reports Brochure](#).

(www.waterboards.ca.gov/centralvalley/water_issues/irrigated_lands/annrpt_brochure.pdf)

Irrigation and Nitrogen Management Plan (INMP) Worksheet

The INMP Worksheet is prepared prior to a member's crop season and is a farm management plan intended to assist growers in preparing for the upcoming crop season. It is a tool to help evaluate irrigation practices and anticipated crop nitrogen demand.

INMP Worksheets are required to be **completed annually** and should be **maintained at a member's farming headquarters** or primary place of business. They must be provided to Water Board staff if requested.

For more information, check out the ILRP [Annual Reports Brochure](#).

(www.waterboards.ca.gov/centralvalley/water_issues/irrigated_lands/annrpt_brochure.pdf)

INMP Summary Report

The INMP Summary Report is a summary of what happened during the crop season. INMP Summary Reports are required to be **submitted to the coalition annually** and should be prepared after the crop season including information from the INMP Worksheet.

Growers in high vulnerability areas where groundwater is susceptible to contamination or is known to be impacted by nitrates, pesticides, or other constituents associated with agriculture are **required to certify the INMP Summary Report**. A certified INMP Summary Report means that the report has been confirmed in one of the following ways:

- Certified by an INMP Specialist
 - someone who can answer questions pertaining to the INMP and who should be fully knowledgeable and proficient (by education and experience) in the field(s) relevant to the development of an INMP; **or**
- Self-certified by the coalition Member
 - Member attends a California Department of Food and Agriculture (CDFA), or other Executive Officer approved training program for INMP certification. The Member must retain written documentation of their attendance in the training program and participate in any continuing education required by CDFA; **or**
 - The plan adheres to a site-specific recommendation from the Natural Resources Conservation Service (NRCS) or the University of California Cooperative Extension. The Member must retain written documentation of the recommendation provided; **or**
 - If the Member states that they apply no fertilizer to the field; **or**
- Certified in an alternative manner approved by the Executive Officer.
 - Such approval will be provided based on the Executive Officer's determination that the alternative method for preparing the INMP meets the objectives and requirements of the coalition Order.

For more information, check out the ILRP [Annual Reports Brochure](#).

(www.waterboards.ca.gov/centralvalley/water_issues/irrigated_lands/annrpt_brochure.pdf)

Monitor On-Farm Drinking Water Wells

Monitoring on-farm drinking water wells is required to identify drinking water wells that have high nitrate concentrations, and to notify well users of the potential for human health risks.

A drinking water well is a groundwater well that is used to provide water for human consumption (cooking/drinking). The well should be sampled for nitrate + nitrite as nitrogen using an EPA approved Environmental Laboratory Accreditation Program (ELAP) laboratory that is certified for the required sample testing.



◀ Scan the QR code to visit the ILRP [Drinking Water Well Monitoring webpage](http://www.waterboards.ca.gov/centralvalley/water_issues/irrigated_lands/drinking_water/) for more information.
(www.waterboards.ca.gov/centralvalley/water_issues/irrigated_lands/drinking_water/)

How can I seek help with ILRP compliance?

Our website is a good source of helpful information, but ILRP staff also conduct outreach to growers and other interested parties in the Central Valley and are available for assistance by contacting the ILRP general phone-line and/or email (located below).

Coalitions also provide outreach, education and assistance to their members and should be the primary resource for those member growers.

How is the program enforced?

There are currently three primary areas of informal enforcement activities ILRP staff ensure growers fulfill:

1. growers have appropriate regulatory coverage;
2. requirements are met
(completion of required reporting, monitoring and submittal to the coalition or Central Valley Water Board); and
3. addressing site-specific water quality problems through observations or complaints.

Most often, compliance and enforcement are conducted at an informal level through inspections and different outreach methods. However, in some cases, formal enforcement (i.e., Administrative Civil Liability Orders and/or Cleanup and Abatement Orders) is necessary to ensure fulfilment of Water Board regulations. Fines have been issued for non-enrollment, non-reporting and discharges of excessive sediment, ranging from \$10,000 to \$300,000.

How can I find out more information about the ILRP?



◀ Scan the QR code to visit us online at the [ILRP homepage](http://www.waterboards.ca.gov/centralvalley/water_issues/irrigated_lands/)
(www.waterboards.ca.gov/centralvalley/water_issues/irrigated_lands/),

and/or

- ▶ You can receive ILRP-related notifications, updates and other correspondence by email. Just subscribe on-line to [our electronic mailing list](http://www.waterboards.ca.gov/resources/email_subscriptions/reg5_subscribe.shtml) by selecting the “Irrigated Lands Regulatory Program” option
(www.waterboards.ca.gov/resources/email_subscriptions/reg5_subscribe.shtml).

ILRP General Contact Information

Sacramento Office *Phone #:* (916) 464-4611
(Northern Central Valley): *Email:* irrlands@waterboards.ca.gov

Fresno Office *Phone #:* (559) 488-4396
(Southern Central Valley): *Email:* ilrpinfo@waterboards.ca.gov