
Central Valley Regional Water Quality Control Board

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SUBJECT: EAST SAN JOAQUIN WATER QUALITY COALITION'S PROXIMITY WATERBODIES
PHASE ONE AND TWO WORK PLANS

On 24 July 2015, the Central Valley Water Board's Executive Officer conditionally approved the East San Joaquin Water Quality Coalition's (Coalition) 15 May 2015 Sediment Discharge and Erosion Assessment Report (SDEAR). A condition of approving the SDEAR was that the Coalition must submit a Work Plan to address the sediment discharge and erosion risk of parcels immediately adjacent to surface waters, which was submitted on 1 December 2015.

The Work Plan was conditionally approved on 24 December 2015, such that parcels meeting one of the following conditions can be exempt from the requirement to complete a Sediment and Erosion Control Plan (SECP):

1. The Parcel is below the level of the adjacent surface water body or a hydraulic barrier (berm, levee, or elevated roadway) is between the surface water and the parcel.
2. The parcel has riparian vegetation that would prohibit sediment discharges or erosion.

The Work Plan also included a three phase approach where each phase would identify member parcels needing a SECP along a subsequently smaller type of water body:

- Phase One identifies member parcels along major water bodies (submitted 24 March 2016)
- Phase Two identifies member parcels along secondary tributaries (submitted 24 June 2016)
- Phase Three identifies member parcels along the remaining water bodies (due June 2017)

This memo contains Staff's comments and recommendations for the Coalition's Phase One and Phase Two Work Plans.

Staff’s Review and Recommendations

The Coalition’s proposed methodology is as follows:

- 1) In their May 2015 Sediment Discharge and Erosion Assessment Report, the Coalition identified parcels needing a SECP through: a) the RUSLE Equation, b) self-identification on the Farm Evaluation Plan (FEP) that there was a potential to discharge sediments to surface waters, and c) the member did not send in a FEP.
- 2) The Coalition mapped member parcel’s adjacent to a water body (major waterbodies for the Phase One Work Plan and secondary tributaries for Phase Two), and removed any parcel identified in the previous step, as they were already required to have an SECP in place.
- 3) The Coalition mapped federal (built and maintained by the United States Army Corps of Engineers) and non-federal (other man-made levees) levees. Parcels adjacent to these levees were removed from the list that resulted from the previous two steps, and are not required to complete a SECP.
- 4) The Coalition plans to mail postcards to the parcels identified in the proximity to surface waters analysis that could not be exempted from the required SECP in steps 1-3 above. The postcards will inform the landowner of the two allowed SECP exemption categories and request a response confirming the parcels’ discharge status. If the landowner returns the postcard stating that the parcel has a hydraulic barrier that prevents sediment discharge or is bordered by an appropriately sized riparian area¹, then a SECP will not be required for the parcel. The postcards will serve as the Coalition’s vetting process. The remaining parcels identified in the analysis will need to complete a SECP by February 2017 for major water bodies and by February 2018 for secondary tributaries.

Staff agrees with the approach used in the Phase One and Phase Two Work Plans, as long as the only criteria being used to remove a parcel from the need to complete a SECP are: 1) the parcel is below the level of the adjacent surface water body or a hydraulic barrier (berm, levee, or elevated roadway) is between the surface water and the parcel, and 2) the parcel has riparian vegetation that would prohibit sediment discharges or erosion.

Lastly, staff recommends that a clear accounting of the number of parcels identified/exempted from the SECP requirement should be provided in the next Annual Report. A table would be the easiest way to show the data, and could look as follows:

	Phase I	Phase II	Phase III
Identified Adjacent Member Parcels			
Identified Adjacent Member Parcels			
Exempted parcels (total 1+2 below)			
1. Exempted because of Hydraulic Barrier			
2. Exempted because of Riparian area			
Parcels required to complete a SECP based upon the Work Plan			
Parcels required to complete a SECP based upon not submitting a FEP			

¹ Appropriately sized riparian areas will be defined as “woody vegetation including cottonwood trees, elderberries, eucalyptus, oaks, willows and woody vines. The riparian vegetation will need to be at least 35 feet wide and be present throughout the year.” This definition is in accordance with Natural Resource Services Conservation Districts Conservation Practice Standard Code 319.