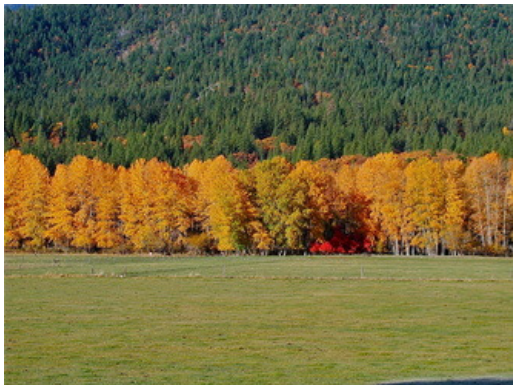


North Coast Regional Water Quality Control Board Agricultural Lands Discharge Program Development

Full Advisory Group Meeting
September 10, 2013
Redding

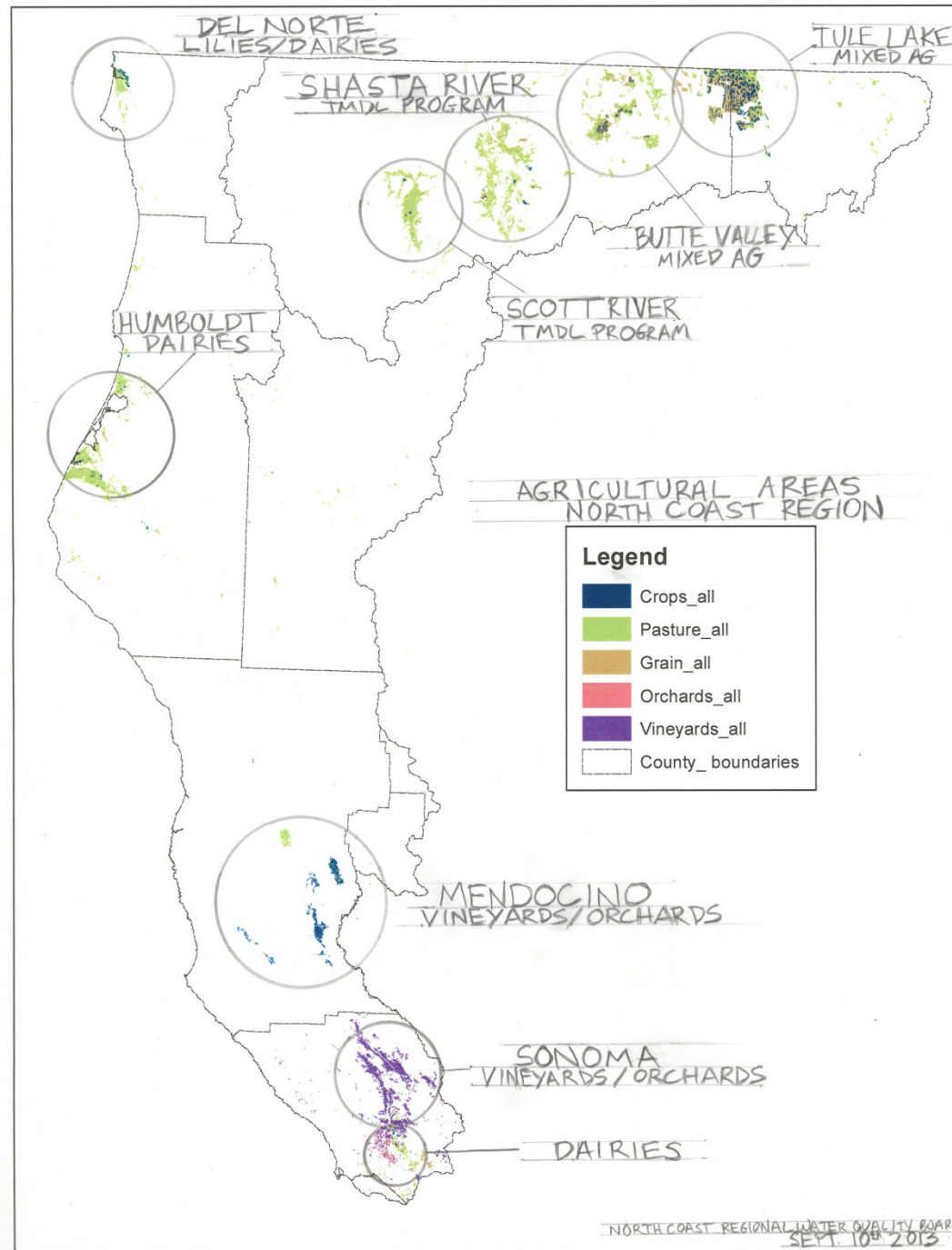


Purpose of Meeting

- Receive input on staff proposal to present to Regional Water Board on Sept. 26 in Fortuna
- Present staff proposal to re-scope the Agricultural Lands Discharge Program
- Discuss staff's reasoning for proposing changes
- Review progress of Advisory Group to date
- Timelines for permit development

Proposal to Re-Scope Program

- Near term permit development
 - Discharges associated with vineyards and orchards
 - Discharges associated with lily bulb production
 - Agricultural discharges in the Tule Lake Basin
- Variety of approaches to discharges from the following agricultural areas:
 - Scott/Shasta Basins
 - Marijuana
 - Butte Valley
 - Irrigated pasture
 - All Other



What We've Heard

- Difficulty adapting general requirements to specific landscapes and agricultural types in the North Coast
- Requests for separate permit for Tule Lake operations
- Difficulty addressing smaller operations
- Difficulty fitting grazing into permit framework given proposed statewide program
- Overlap with Scott and Shasta Programs unclear
- Desire to coordinate vineyard regulations with San Francisco Bay Region

Staff Reasoning for Proposal

- Flexibility to better adapt separate permits to specifics
- Easier to understand and implement
- Simpler monitoring and reporting programs
- Staff can work more closely with stakeholders
- Allows for different time schedules for permit development and better coordination:
 - Vineyard/orchard permit with SF Region vineyard program
 - Tule Lake permit with Klamath stewardship program
 - Lily bulb permit with monitoring effort
- Stakeholders contacted generally expressed support for the proposal

Consistent Permit Structure

- General WDRs or Conditional Waiver of WDRs
- Individual enrollment in a general permit
- Tiered approach based on risk
- Water quality requirements
- Individual or group water quality planning
- BMP implementation
- Monitoring
 - BMP verification and effectiveness
 - Water sampling where appropriate
- Options for third parties to play a role
 - Planning
 - Technical Assistance
 - Inspections and verifications

Discharges from Vineyards and Orchards

- Coordinating with San Francisco Bay Region (2)
 - align time schedules if possible
- Working with third party certification programs in Mendocino and Sonoma Counties
 - Sonoma County Ag Commissioner
 - LandSmart
 - Fish Friendly Farming
 - Code of Sustainable Winegrowing
 - Mendocino County RCD Technical Assistance Program

Agricultural Discharges in the Tule Lake Basin

- Plan to meet with stakeholders
 - Tulelake Irrigation District, Klamath Water Users Assoc.
 - Environmental interests
 - Tribal government
- TID interested in playing third party planning role for district growers

Discharges Associated with Lily Bulb Production

- Met with growers and environmental interests
- Initiated monitoring program with State funds to determine range of pollutant presence
- First round of monitoring completed in August 2013 – more sampling scheduled through 2014

Variety of Approaches to
Discharges from Remaining
Agricultural Areas in the North
Coast Region

Agricultural Discharges in the Scott/Shasta Basins

- No additional requirements for controlling discharges at this time
- Continue implementation of TMDL conditional waiver programs
- Revisit waivers prior to expiration to review requirements and to consider need for changes

Discharges Associated with Marijuana Production

- Staff considering regulatory options
- Continue outreach and enforcement
- Staff counsel drafted a legal memo regarding the legality of permitting discharges from marijuana farms
- There is no conflict between regulation and state or federal drug laws
- Nonpoint Source Policy calls for regulation of discharges
- Board has asked staff to present regulatory options at September 26th Board meeting
- Looking for input

Agricultural Discharges in Butte Valley

- Monitoring of surface and groundwater to assess quality and risk from agricultural discharges
- No permitting is scheduled at this time

Discharges Associated with Grazing

- Irrigated pasture with tailwater runoff is not proposed for coverage on a regionwide basis
- Grazing will continue to be covered under existing programs
 - Scott/Shasta TMDL Programs
 - Dairy Program
 - USFS managed lands
- Irrigated pasture with tailwater runoff may be covered as part in Tule Lake Basin permit
- Grazing may be covered as part of statewide Grazing Regulatory Action Plan

Other Agriculture Outside of Named Areas

- No new regulations proposed
- Other agriculture includes for example
 - Small farms <5 acres
 - Nurseries
 - Forage crops
- Addressed on case-by-case basis
 - Complaint based
 - Executive Officer can require regulatory coverage via individual WDRs
 - EO may initiate enforcement action as needed

Advisory Group Progress to Date

- Draft Scope and Framework
 - Includes regionwide scope and minimum thresholds
- Tiered framework
- Draft Water Quality Requirements/Prohibitions
- Draft Water Quality Management Plan Requirements
- Common Types of Monitoring Info Sheet
- Initial Draft of Frequently Asked Questions Documents
 - Policy Questions
 - Legal Questions

Typical Schedule for Permit Development

Month							
1	2	3	4	5	6	7	8
CEQA Scoping	Draft Permit Outline	Advisory Group Meeting	Public Draft Permit Development				Advisory Group Meeting
Month							
9	10	11	12	13	14	15	16
Public Draft Development, Staff Report, CEQA Analysis			Release Public Draft	Public Review Period (includes Public Workshop)		Response to Comments and Revisions	Board Hearing

Advisory Work Group and General Outreach Impacts of Rescoping

Sub-Regional Groups

- Groups re-formatted along commodity-specific lines
- **Initial** re-formatted groups to include:
 - Vineyards/Orchards
 - Lily Bulbs
 - Tule Lake
- Membership for any commodity group open to all current Advisory Work Group members
- Scott/Shasta workgroup may be reconvened prior to the existing waiver(s)
- Additional groups for marijuana and Butte Valley may be convened as regulatory approaches are determined

Full Advisory Work Group

- The future of the full Advisory Work is uncertain at this time:
 - May be restructured as a venue for general discussions about agricultural water quality issues in the North Coast Region
 - Could serve as an educational venue for growers throughout the North Coast Region as new regulations come on line
- Existing email listservs will continue to be used to circulate information about agricultural issues generally

General Stakeholder Outreach

- Each permit will include an outreach and comment component as required by state law
- In addition to standard CEQA comment periods for each permit, outreach will include public workshops to receive input
- All Board meeting agenda items on each commodity permit will include a public comment period as required by state law

COMMENTS?

Next Steps

- Another update to the Board on September 26, 2013 in Fortuna
- Realignment of Advisory Groups
- Staff will contact group members with dates and agendas for upcoming meetings
- Staff will continue to work with stakeholders on developing elements of the program