

Central Valley Regional Water Quality Control Board

Summary of Revisions to Eastern San Joaquin River Watershed Tentative Waste Discharge Requirements (WDRs) and Monitoring and Reporting Program (MRP) for Discharges from Irrigated Lands (Eastern San Joaquin River Tentative WDRs)

6 November 2012

The following summarizes the significant revisions made to the Eastern San Joaquin River Tentative WDRs and MRP relative to the version released for public comment on 6 July 2012. Redline/strikeout versions of the revised Tentative WDRs and MRP are also available on the Central Valley Water Board's web site. This summary is meant to aid interested parties in identifying areas with significant changes, but does not replace or interpret the actual text of the revised Tentative WDRs and MRP and does not summarize all changes made. The summary also does not address all of the concepts or provisions in the Tentative WDRs and MRP, but focuses only the changes from the July version. The summary identifies the general concept or provision followed by a description of the addition or change made.

Small farming operations (<60 acres) – small farming operation definition and provisions added, which reduce reporting requirements or timing (e.g., farm evaluations, nitrogen management plans, sediment and erosion control plans) based on farm size.

Nitrogen Management Plans/Nitrogen Management Plan Summary Reports – certified nitrogen management plans are required for high vulnerability areas. Preparation of nitrogen management plans is recommended, but not required, for low vulnerability areas. Nitrogen Management Plan Summary Reports address nitrogen management from the prior crop year and, therefore, are not required until one year after the first certified Nitrogen Management Plan must be prepared. A broad range of certification options are available.

Sediment and erosion control plans – require that sediment and erosion control plans be developed by Members that have the potential to cause erosion and discharge sediment that may degrade surface waters, instead of the previous requirement for plan development by all Members discharging to surface water. This change will help to prioritize establishing these plans to areas where they are most needed.

Table 1. Summary of Member Requirements Based on Size of Farming Operation and Location of Parcel in Low/High Vulnerability Area

Requirement	Small Farming Operation		Other Farming Operations	
	Low Vulnerability	High Vulnerability	Low Vulnerability	High Vulnerability
<i>Farm Evaluation</i>	1 March 2017 Five Years	1 March 2014 Annual	1 March 2014 Five Years	1 March 2014 Annual
<i>Nitrogen Management Plan</i>	No requirement/ recommended	1 March 2016* Annual	No requirement/ recommended	1 March 2014* Annual
<i>NMP Summary Report</i>	No requirement/ recommended	1 March 2017 Annual	No requirement/ recommended	1 March 2016 Annual
<i>Sediment and Erosion Control Plan</i>	No requirement	1 year from 3 rd party Sediment Assessment Report approval*	No requirement	6 months from 3 rd party Sediment Assessment Report approval*

*Broad range of certification options available, including self-certification.

Sediment discharge and erosion assessment report – this new third-party technical report is included to determine which Members need to develop a sediment and erosion control plan. The report is due one year from the third-party receiving its Notice of Applicability.

Engineering for ponds and basins – the requirement that any new or modified settling ponds, basins, and tailwater systems be designed by a registered civil engineer has been removed. The broad requirement is unnecessary, as the Executive Officer may require (by issuing a California Water Code section 13267 Order) design by a registered civil engineer in specific cases where water quality concerns are identified with such systems.

Groundwater quality monitoring and management practice assessment, and evaluation requirements – these requirements have been revised to provide additional clarity; revisions include renaming the “representative groundwater monitoring program,” to the “management practices evaluation program.” The clarifications also include focusing on the goals of the MPEP and identifying the variety of tools available to meet those goals, rather than identifying a preferred tool. The “group” option, which allows the third party to work with other coalitions and agricultural groups, has been preserved.

Vulnerability designations – the language has been changed to make clear that the third-party will identify high vulnerability areas based on available information. The DPR groundwater protection areas and State Water Board vulnerable areas are a “default” only if the third-party does not provide a groundwater quality assessment report by the deadline.

Templates –an option has been added for the third-party to develop the templates in coordination with other third-parties, commodity groups, etc. (submitted within 90 days from approval of third-party NOA). Language has been included identifying the minimum requirements of the templates (this language is similar to that included in the administrative draft WDRs and MRP released in April 2012). The board will still develop the templates if the third-party does not choose the option to coordinate with other groups.

Receiving water limitations – term “receiving water limitations” used instead of “discharge limitations”. This revision is intended to clarify that the board is not establishing edge-of-field effluent limitations, but wants to ensure that discharges from irrigated lands do not cause or contribute to a water quality problem.

Spatial resolution for third-party summary reports of Member information –the spatial resolution required for the summary reporting has been changed from the section (1 square mile) to the township level (36 square mile). Data submitted as part of reporting is not required to identify the specific Member or the specific parcel. However, all data used to prepare summary reports must be provided (associating the data with the individual Member is not needed). The reporting frequency (see below) has been increased, so the board will be able to identify trends sooner. The board can require the submittal of Member-specific information, if improvements in practices are not being made and water quality is still impacted.

Monitoring report frequency –the third-party must submit an annual monitoring report summarizing activities conducted during the previous year; modified from the previous version’s biennial monitoring report. This increase in reporting frequency has been included in part because of the change in resolution for third-party summary reports of Member information. More frequent reports will help the board determine where water quality practices are being implemented and in which areas additional board follow-up may be necessary.