

**STATE OF CALIFORNIA  
REGIONAL WATER QUALITY CONTROL BOARD  
CENTRAL COAST REGION**

**STAFF REPORT FOR REGULAR MEETING OF MAY 30-31, 2013**

Prepared on May 3, 2013

**ITEM NUMBER: 21**

**SUBJECT: Agricultural Regulatory Program Update – Cooperative Groundwater Monitoring Programs**

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**SUMMARY**

This is an information item to update the Board regarding implementation of the Agricultural Order R3-2012-0011, specifically an update on activities related to cooperative groundwater monitoring requirements. In addition, this staff report also summarizes recent staff efforts to conduct outreach and education related to the Agricultural Regulatory Program.

Staff is also involved in activities related to the State Water Resources Control Board's review of the Petitions of the Agricultural Order and associated Monitoring and Reporting Program (MRP). The specific timeframe to address the Petitions is unknown; however, staff expects the State Water Resources Control Board to prepare a draft order in June or July 2013. To avoid related scheduling and workload conflicts for staff and agricultural representatives who are involved in the Petition, staff will not provide an information item to the Board for the July 2013 Board Meeting.

Staff will resume information updates to the Board for the September 2013 Board Meeting.

**STATUS OF COOPERATIVE GROUNDWATER MONITORING PROGRAMS**

The Agricultural Order and MRP were adopted on March 15, 2012 and provides growers with the option to conduct cooperative groundwater monitoring or individual groundwater monitoring. For growers who chose to comply with cooperative groundwater monitoring requirements, the Agricultural Order and MRP provided for 12 months to submit a cooperative groundwater monitoring program for Executive Officer approval. At a minimum, cooperative groundwater monitoring programs must include sufficient monitoring to characterize the groundwater in the local area of the participating growers, characterize the groundwater quality of the uppermost aquifer, and identify and evaluate groundwater used for domestic drinking water purposes. Adequate monitoring, which characterizes groundwater quality of the uppermost aquifer, and especially groundwater used for domestic drinking water purposes, is critical to both comply with the Agricultural Order and to resolve the severe water quality conditions in agricultural areas of the Central Coast region and significant threat to human health. As discussed at the March 14 – 15 Board Meeting, staff received the following four cooperative groundwater monitoring program proposals by the March 15, 2013 due date:

1. Northern Central Coast Cooperative Groundwater Program (Submitted by Grower-Shipper Association of Central California, Abby Taylor-Silva)
2. Cooperative Groundwater Monitoring Program for Irrigated Lands in Southern Region 3 (Submitted by Grower-Shipper Association of San Luis Obispo and Santa Barbara Counties, Clare Wineman)
3. Cooperative Groundwater Monitoring Plan for the Morro Valley Hydrogeologic Basin (Submitted by grower, Rick Sauerwein)
4. Cooperative Groundwater Monitoring Plan Santa Rosa Creek Valley, Cambria, CA (Submitted by grower, George Kendall)

The review process and schedule (Attachment 1) and a copy of the program proposals are available on the Water Board's website at:

[http://www.waterboards.ca.gov/centralcoast/water\\_issues/programs/aq\\_waivers/index.shtml](http://www.waterboards.ca.gov/centralcoast/water_issues/programs/aq_waivers/index.shtml)

Staff reviewed the program proposals using specific evaluation criteria developed to compare the program proposals against the minimum requirements contained in the MRP, to evaluate the institutional capacity for the proposed programs, and to ensure a consistent and thorough evaluation of all cooperative groundwater monitoring program proposals submitted to the Central Coast Water Board (Attachment 2). Staff provided comments to the program proponents on April 17-18, 2013 (Attachments 3-6). Staff reviewed the Santa Rosa Creek cooperative groundwater monitoring program proposal and determined that it is approvable with some minor clarification. Staff found the other cooperative groundwater monitoring program proposals were unfinished or incomplete and did not meet the minimum requirements of the Agricultural Order and MRP. Furthermore, staff found that the program proposals were not implementable. The proposals were plans to develop a plan without specific details for actual groundwater sampling (specific location, timeframe, or technical rationale). In particular, staff determined that the most critical limitation of the program proposals was the lack of timely domestic drinking water well sampling and reporting.

Board Members (Chairman Young and Board Member Jeffries) and staff met with the program proponents on April 26, 2013 to discuss staff's comments and potential options to respond to the Water Board's comments, to confirm the approval schedule and next steps. Attachment 7 to this staff report contains the meeting agenda and list of individuals who attended the meeting.

The outcomes of the April 26, 2013 discussions will be distributed in a supplemental sheet to this staff report.

In order for the Executive Officer to consider approval of the proposed cooperative groundwater monitoring programs, proponents were requested to submit a revised program proposal and cover letter that describes how the revisions respond to Water Board comments by May 31, 2013. As the due date falls on the day of the May 31, 2013 Board Meeting, staff will have limited time to review the proposals ahead of the Board Meeting and will not have sufficient time to determine whether or not the revised program proposals meet the requirements of the Agricultural Order and MRP and are responsive to staff's comments.

The Executive Officer will inform the proponents of the status of their program approval by June 21, 2013. If the Executive Officer approves a cooperative groundwater monitoring program, the Water Board will notify growers in the program area who elected cooperative groundwater monitoring. The Water Board will notify growers who elected individual monitoring that they

have a specified amount of time to enroll in the cooperative groundwater monitoring program. If the Executive Officer does not approve a program, then growers who elected to participate in that program must conduct the individual groundwater monitoring requirements in Part 2 of the MRP.

## **PARTICIPATION IN GROWER OUTREACH EVENTS AND STAKEHOLDER MEETINGS**

Water Board staff continues to participate in grower outreach events and stakeholder meetings, to interact with growers and other stakeholders and receive feedback on implementation of the Agricultural Order. Staff attended the World Ag Expo in Tulare in February 2013. Additionally, Monica Barricarte made a presentation to Spanish speaking growers at the Monterey Ag Expo in Salinas on March 19, 2013 and made a presentation to the Paso Robles Wine Country Alliance on March 27, 2013. Monica Barricarte and Corinne Huckaby also participated in the Spring Area Meeting of the Central Coast Region Resource Conservation Districts (RCDs) on April 24, 2013.

Angela Schroeter provided assistance to State Board Deputy Division Chief Shahla Farahnak who participated in a Joint Legislative Hearing for the Senate Select Committee on California's Wine Industry and Assembly Select Committee on Wine, and Assembly Select Committee on Sustainable and Organic Agriculture on April 18, 2013 Sustainability Certifications.

The California Department of Food and Agriculture (CDFA) invited Central Coast Water Board staff to participate as a member on their Nutrient Management Ad Hoc Committee. The committee will provide input to CDFA's Nitrogen Management Training and Certification Program for Certified Crop Advisors (CCAs) that they are developing in coordination with University of California Agriculture and Natural Resources (UCANR), and the California Certified Crop Advisors (CaCCA). This training and certification program will assist growers in achieving compliance with irrigation and nutrient management requirements. Monica Barricarte will participate on the Ad Hoc committee. The first meeting was held on April 25, 2013.

Executive Officer Ken Harris, Monica Barricarte, Angela Schroeter and Lisa McCann met with Undersecretary of CDFA, Sandra Schubert, and CDFA staff, Amrith Gunasekara and Asif Maan, on May 1, 2013, so both agencies could exchange status of current activities related to agricultural regulation and water quality improvement. CDFA staff is coordinating with State Water Board staff to develop a process to create a Task Force that will develop a recommendation to the California Legislature on nitrogen tracking, monitoring and reporting. Water Board staff encouraged CDFA staff to comment on the industry-developed nitrogen tracking and reporting form that Water Board staff is providing to growers (for optional use) to comply with nitrogen reporting requirements in the Agricultural Order. CDFA staff indicated that they are progressing with development of the training and certification program, and will seek additional input from members of the Ad Hoc committee (see above paragraph). Water Board staff informed CDFA staff that the Water Board is notifying growers who report high levels of nitrate in their private domestic drinking water wells about nitrate health effects, about the need to alert anyone drinking the water and the need to provide treatment or an alternative source of water.

Executive Officer Ken Harris and Monica Barricarte participated in a workshop to discuss the Pinto Lake water quality issues in Santa Cruz County on April 30, 2013. Water Board staff Monica Barricarte and Corinne Huckaby will also attend the Strawberry Field Day on May 3, 2013 to meet with University of California farm advisors, professors, and representatives from the Santa Barbara Agricultural Commissioner's Office to discuss fumigant label changes,

moisture and salinity distribution under drip irrigation, and other issues related to strawberry production and the environment.

On May 7, 2013, Executive Officer Ken Harris, and Monica Barricarte, Angela Schroeter and Lisa McCann met with Lisa Lurie, Program Specialist, from the Santa Cruz County Resource Conservation District, and with Daniel Mountjoy, Director of Restoration on Private Lands, Sustainable Conservation, to discuss their efforts working with agricultural industry leaders in the Pajaro Valley to develop a performance-based incentives project. This project focuses on developing efficient and effective ways to measure improvements to water quality and water conservation on farms, and to link public and private incentives to these measured environmental improvements.

Water Board staff will participate in a Cal Poly Center for Sustainability training and panel presentation titled "Understanding and Testing Agricultural Nutrients" on May 17, 2013 in San Luis Obispo. The event will include discussion on state of the art practices for testing soil and agricultural nutrients to achieve crop production and water quality protection.

On a day to day basis, staff continues to work with growers to submit regulatory information using the Water Board's GeoTracker data management system and provide general assistance to help growers understand and achieve compliance with the Agricultural Order. These efforts have resulted in a growing number of farms and acreage enrolled in the program, and an increasing number of growers successfully reporting information to the Water Board.

#### **ATTACHMENTS**

1. Cooperative Groundwater Monitoring Program Proposal Review Process
2. Cooperative Groundwater Monitoring Program Proposal Review Evaluation Criteria
3. Comment Letter to proponents of the Northern Central Coast Cooperative Groundwater Program
4. Comment Letter to proponents of the Cooperative Groundwater Monitoring Program for Irrigated Lands in Southern Region 3
5. Comment Letter to proponents of the Cooperative Groundwater Monitoring Plan for the Morro Valley Hydrogeologic Basin
6. Comment Letter to proponents of the Cooperative Groundwater Monitoring Plan Santa Rosa Creek Valley, Cambria, CA
7. April 26, 2013 Cooperative Groundwater Monitoring Program Meeting Agenda and List of Participants
8. Central Coast Water Board April 17, 2013 Letter – Clarification of Water Board's Position on the Public Disclosure of Data Related to Cooperative Groundwater Monitoring Programs