

Central Valley Regional Water Quality Control Board

Irrigated Lands Regulatory Program (ILRP)

Frequently Asked Questions

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ILRP Frequently Asked Questions

The information contained in this Frequently Asked Questions 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 Irrigated Lands Regulatory Program (ILRP) is a Central Valley Regional Water Quality Control Board (Water Board or Board) program which regulates commercial irrigated agricultural discharges to prevent or reduce pollutants from entering into 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.](http://www.waterboards.ca.gov/centralvalley/water_issues/irrigated_lands/background_history/)
(www.waterboards.ca.gov/centralvalley/water_issues/irrigated_lands/background_history/)

Why was the ILRP created?

The ILRP was created to address discharge of wastes (e.g., sediments, pesticides, nitrates) from commercial irrigated lands. At high enough concentrations, these pollutants can harm aquatic life or make water unusable for drinking or agricultural uses. The goal of the ILRP is to protect surface water and groundwater for their beneficial uses.

What are commercial irrigated lands?

For the Central Valley ILRP, commercial irrigated lands are lands that are **both** commercial and irrigated as defined below:

Commercial

Irrigated lands 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 federal Department of Treasury Internal Revenue Service Form 1040, Schedule F *Profit or Loss from Farming*.

Irrigated Lands

Land that is irrigated to produce crops or pasture for commercial purposes including nurseries.

Do I need to be in the ILRP?

Regulatory coverage is required if you own or operate land that is irrigated to produce crops or pasture for commercial purposes, without regard for source of the water supply.

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?

Regulatory coverage is not required if the property is not used for commercial purposes, is never irrigated, or if the irrigated land is covered under a separate program (i.e., Dairy, or other Confined Animal Facilities).

[For assistance in determining if your property is exempt from needing coverage under 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 seek regulatory coverage under the Central Valley ILRP?

There are two options to obtain regulatory coverage: 1) join a third-party coalition group (coalition) who works with the ILRP on behalf of the grower, or 2) obtain coverage as an individual grower. Both options are fee based and fees are assessed each year.

Coalition Option

To join a coalition, a grower must file an application with a coalition. The grower (coalition member) must then remain in good standing with their coalition to maintain coverage.

Coalitions work directly with their members and assist them in complying with ILRP requirements at a regional watershed level - meaning a coalition member shares the cost of compliance, monitoring and reporting with other coalition members. The member remains fully responsible for complying with ILRP requirements; however, this option greatly reduces overall costs and having to work with the ILRP to comply with regulations.

Coalitions assess fees to cover their costs and State Water Board fees; 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.

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

A grower may seek individual coverage (choose not to join a coalition) by submitting a Notice of Intent (NOI) and fee directly to the Central Valley Water Board (see Fee Schedule section).

Growers who choose this option work directly with the ILRP and accept the full cost and responsibility for compliance, monitoring and reporting. Depending on the specific site conditions, growers with individual coverage are required to monitor runoff from their property, install monitoring wells, and submit technical reports regarding their actions. Costs include State administrative fees, the cost to prepare a report of waste discharge, and any other monitoring and reporting costs. Generally, the **costs for the individual option are higher than the**

coalition option because monitoring and reporting is done at a local level instead of a regional watershed level.

For more information about individual coverage, please contact the ILRP (information at the end of this document) or check out the ILRP's [Apply for Individual Coverage webpage](#). (www.waterboards.ca.gov/centralvalley/water_issues/irrigated_lands/regulatory_information/for_growers/apply_individual_reg_coverage/)

Fee Schedule

The fee schedule for irrigated agriculture is located on the [Water Quality Fees website](#), 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 the letter by mistake, you still need to respond to stop 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, contact the ILRP for assistance. General ILRP contact information can be found at the end of this document.

What are my responsibilities?

The primary grower responsibility is to implement management practices to protect water quality. Growers are required to pay annual fees, annually attend a coalition outreach event and complete the following farm information.

1. Every 5 years prepare a Farm Evaluation;
2. Annually prepare an Irrigation Nitrogen Management Plan (INMP) worksheet, and prepare and submit an INMP Summary Report to the Coalition;
3. Monitor On-Farm Drinking Water Wells

Farm Evaluation

The Farm Evaluation will help 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 being used on Central Valley irrigated cropland to protect surface and groundwater and is a basic checklist for growers to evaluate their property.

For more information about the Farm Evaluation, check out the [ILRP's Annual Reports Brochure](#) online. (www.waterboards.ca.gov/centralvalley/water_issues/irrigated_lands/annrpt_brochure.pdf)

INMP Worksheet

The INMP Worksheet is required to be completed and **maintained at farming operations headquarters** or primary place of business and must be provided to ILRP staff if requested. It is a farm management plan intended to assist growers in preparing for the upcoming crop season and is a tool to help evaluate farming practices.

INMP Summary Report

The INMP Summary Report is required to be prepared after the crop season with information from the INMP Worksheet. It is a summary of what happened during the crop season. Growers in areas where groundwater is susceptible to contamination or is known to be impacted by nitrate, pesticides or other constituents associated with agriculture are required to have a certified INMP.

For more information about the INMP Worksheet and INMP Summary Report, check out the [ILRP's Annual Reports Brochure](#) online.

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

Monitor On-Farm Drinking Water Wells

On-farm drinking water well monitoring 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 cooking/drinking. The well should be sampled for nitrate + nitrite as nitrogen using an EPA approved Environmental Laboratory Accreditation Program (ELAP) laboratory certified for the required sample testing.

Visit the [ILRP's Drinking Water Well Monitoring webpage](#) for more information.

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

How is water quality monitored?

Surface waters are monitored on a regional basis by the coalitions, who work with Board staff to identify monitoring locations that represent the watershed. Growers with individual coverage monitor discharges leaving their properties. Groundwater is monitored in a similar fashion, with the coalitions monitoring representative wells for an aquifer and growers with individual orders monitoring wells on-farm.

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/)

How do growers in coalitions comply with the ILRP?

Growers must implement ILRP General Order requirements and maintain good standing with their coalition. They must implement Best 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 best 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

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



How is the program enforced?

There are currently three primary areas of enforcement in the ILRP:

1. ensuring growers have appropriate regulatory coverage;
2. ensuring 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. In some cases, formal enforcement is necessary to ensure compliance. Fines have been issued for non-enrollment, non-reporting and discharges of excessive sediment, ranging from \$10,000 to \$300,000.

How can I seek help on 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 phonenumber and/or email (located at the end of this document).

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

