

**State of California
California Regional Water Quality Control Board
Santa Ana Region**

STAFF REPORT

ITEM 9

SUBJECT: Proposed *General Waste Discharge Requirements for Discharges of Waste from Irrigated Lands in the San Jacinto River Watershed, Riverside County*, Order R8-2023-0006 (General Order)

PURPOSE: The proposed Order regulates discharges of waste from irrigated lands in the San Jacinto River Watershed in Riverside County. The proposed General Order will replace and rescind the 2016 Conditional Waiver of Waste Discharge Requirements that currently regulate those discharges.

BACKGROUND:

Irrigated lands in the San Jacinto River Watershed have been regulated under Order R8-2016-0003, *Conditional Waiver of Waste Discharge Requirements for Discharges from Agricultural Operations in the Watersheds of the San Jacinto River and its Tributaries, collectively the "The San Jacinto River Watershed", Riverside County* (CWAD), which was adopted on July 29, 2016. On April 28, 2017, the Santa Ana Water Board adopted Order R8-2017-0023, amending Order R8-2016-0003, to extend the compliance schedule, facilitate discharger participation, encourage coalition formation, and accommodate delays in the development and implementation of the electronic Notice of Intent ("eNOI") enrollment form.

To comply with the CWAD, Eastern Municipal Water District (EMWD) formed the San Jacinto Coalition for dischargers, who were identified as recycled water users or citrus growers within the San Jacinto River Watershed. The San Jacinto Coalition obtained approval from the Santa Ana Water Board to act as a third-party coalition group on March 18, 2018, to represent dischargers in meeting the groundwater requirements of the CWAD as well as to manage fee collection and payment on behalf of coalition members.

The Western Riverside County Agricultural Coalition (WRCAC), a non-profit entity formed to represent agricultural and dairy operations in the San Jacinto River Watershed to meet the requirements of the Lake Elsinore and Canyon Lake Total Maximum Daily Loads (TMDLs), has provided surface water reports for the CWAD. The Lake Elsinore and Canyon Lake TMDLs established load allocations (LA) to govern the discharge of excess nutrients from non-point sources, which includes agricultural operations.

In 2018, following a public hearing, the State Water Resources Control Board (State Water Board) adopted revisions to the Central Valley Regional Water Quality Control Board's (Central Valley Water Board) *Waste Discharge Requirements General Order for Growers Within the Eastern San Joaquin River Watershed that are Members of the Third-Party Group* in Order WQ 2018-0002 (Eastern San Joaquin Order). The Eastern San Joaquin Order directs all regional water boards to revise the permits in their irrigated lands regulatory programs to be consistent with its precedential requirements. Those precedential requirements include, but are not limited to, irrigation and nitrogen management planning and reporting, groundwater trend monitoring, and drinking water wells monitoring and reporting.

The CWAD was set to expire in 2021 but was renewed by Order R8-2021-00034 until February 7, 2023, to allow time to incorporate the precedential requirements of the Eastern San Joaquin Order. This proposed General Order complies with the State Water Board's directive to incorporate Eastern San Joaquin Order precedential requirements.

CURRENT STATUS:

The draft General Order is currently scheduled for adoption on February 3, 2023.

ISSUES:

On November 14, 2023, prior to the public review period, staff provided the draft General Order to the San Jacinto Coalition and WRCAC for review. Staff made several revisions to the draft General Order in response to the initial comments received from the San Jacinto Coalition and WRCAC.

Eastern Municipal Water District, on behalf of the San Jacinto Coalition members, requested an extension to the public comment period and for Santa Ana Water Board staff to meet with its members and non-coalition enrollees to discuss the changes to the irrigated lands program in the draft General Order. Staff met with the irrigated lands dischargers on January 3, 2023, and made a presentation about the new requirements and provided responses to their questions. The public comment period was also extended from January 3, 2023, to January 6, 2023, to allow some time for additional written comments.

PUBLIC COMMENTS:

The public review period began on December 3, 2023 and ended on January 6, 2023. Two comment letters were received on behalf of the following interested parties:

- TBL Consultants
- Eastern Municipal Water District

Staff has proposed revisions to the draft General Order in response to comments received during the comment period. Staff's responses to the comments and the proposed revisions to the draft General Order have been sent to Board members, commenters, and interested parties.

RECOMMENDATION:

Adopt proposed Order R8-2023-0006, with the proposed changes made in response to comments (See Attached Response to Comments Table).