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LATE COMMENT

Lahontan Regional Water Quality Control Board

Transmitted by Email
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TO: Ms. Jeanine Townsend
Clerk to the Board
STATE WATER RESOURCES CONTROL BOARD



FROM: 
Chuck Curtis
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LAHONTAN REGIONAL WATER QUALITY CONTROL BOARD

DATE: August 7, 2014

SUBJECT: LAHONTAN WATER BOARD COMMENTS ON THE AGRICULTURAL EXPERT PANEL DRAFT REPORT

Lahontan Regional Water Quality Control Board (Lahontan Water Board) staff has reviewed the July 7, 2014 draft report, *Conclusions of the Agricultural Expert Panel*, by the State Water Resources Control Board's Agricultural Expert Panel (Panel). We appreciate the opportunity to provide feedback on the report.

We realize the importance of agriculture to the Region and the State for production of food and fiber, as well as the economic importance of agriculture, especially in rural areas. Protecting water quality from certain agricultural operations is difficult, yet necessary for the long-term sustainability of our water resources and for protection of human health. The Lahontan Water Board is starting to develop an Agricultural Irrigated Lands Regulatory Program to supplement other programs of the Board for the protection of surface and ground waters within the Lahontan Region. Adverse impacts to the Region's waters have been documented as a result of agriculture, including discharge of fecal matter to surface waters from livestock grazing and nitrate pollution of drinking water aquifers from crop production and dairy operations. The Lahontan Water Board has active programs dealing with grazing and dairy discharges, so these comments focus on irrigated crop production, as was the focus of the Panel.

We appreciate the significant challenge the Panel faced in responding to the questions posed by the State Water Board. The general programmatic recommendations of the Panel appear appropriate, and we support them. Educating farmers on ways to improve irrigation application efficiency and fertilizer management is key to reducing nitrogen loading to groundwater. We recommend the State Water Board work with the University of California Cooperative Extension and the agricultural research and application programs of the University of California and the California State University to develop a consistent and ongoing training program for farmers and a certification program for developers of agricultural irrigation and nutrient management plans.

AMY L. HORNE PHD, CHAIR | PATTY Z. KOUYOUMDJIAN, EXECUTIVE OFFICER

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Such certification could then be required for irrigation and nutrient management plans required by the State or Regional Water Boards through their agricultural regulatory programs. We also support such training and certification for State and Regional Water Board staff that oversee agricultural regulatory programs.

The Panel recommends a paradigm shift in regulation of agricultural discharges to water. This new paradigm “places emphasis on training/education, [development and application of] irrigation and nitrogen management plans, and concise reporting.” The report provided significant discussion of and options for training and management plans. The report did not provide significant discussion or options for verifying that irrigation and nutrient management plans were being implemented, though the idea of requiring some proof of nutrient management training prior to the purchase of fertilizer is worthy of consideration as one minimal requirement. The Panel recommends a suite of data collection and tracking by every farmer on crop type(s), crop acreage, and total nitrogen applications for each crop (pounds per acre), and we support this recommendation. However, the only reporting by farmers or third-party coalitions that the Panel recommends is total nitrogen applied annually for a given crop or a given farm field or region. While the Panel recommends concise reporting, i.e., short and to the point, it is not clear how that limited reporting will facilitate evaluation of whether an appropriate management plan is being followed and whether it is effective.

The Panel’s conclusions on the quality and usefulness of past and future groundwater monitoring seem to be overly broad and do not appear to be technically supported. Lahontan Water Board staff feels it is appropriate to require groundwater monitoring by agricultural dischargers in situations where there is reasonable evidence that the agricultural operation is adversely affecting the beneficial uses of a waterbody, including when a drinking water well is adversely affected by the agricultural operation. We agree with the Panel’s statement that water quality data from drinking water wells do not necessarily provide adequate information to assess whether current agricultural practices are impacting water quality; however, such data from drinking water wells is important for protecting public health. The Lahontan Water Board has and will continue to require dischargers, including agricultural dischargers, to supply replacement drinking water when their discharges cause drinking water wells to be impacted above drinking water standards. We support agricultural use of groundwater affected by nitrates, and such use may be part of a program of nutrient management that reduces concentrations of nitrate in groundwater. And, we agree with the Panel’s recommendation for trend monitoring of groundwater. Based on the Panel’s recommendations for trend monitoring that excludes existing drinking water wells, purpose-specific monitoring wells may be required of agricultural operations by the Lahontan Water Board to assess that operation’s impact on water quality and the efficacy of nutrient discharge control programs. Monitoring wells installed by farmers or third-party coalitions may be appropriate to evaluate trends in regional groundwater quality affected by nitrates.

As indicated above, the Lahontan Water Board is just beginning development of its Agricultural Irrigated Lands Regulatory Program. We appreciate the experience of the Central Valley and Central Coast Regional Water Boards in developing and implementing their programs. And, we concur with the comments that have been provided by those Regional Water Boards as they apply to the Lahontan Region.

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