

## **IRRIGATED LANDS REGULATORY PROGRAM UPDATE**

### **September 2008**

This month's Irrigated Agricultural Lands Regulatory Program (ILRP) report will provide an update on the activities of the Central Coast, Los Angeles, Riverside and San Diego Regional Water Quality Control Board programs. Future monthly reports will alternate between the status of the ILRP at the Central Valley Water Board for one month, and the status of other Regional Water Boards for the alternate month. English and Spanish translations of current and past ILRP monthly reports can be found on the [State Water Boards Irrigated Agriculture Program website](#).

### **CENTRAL COAST REGION**

Central Coast Water Board staff in the Agricultural Program evaluates compliance with the Conditional Waiver of Waste Discharge Requirements for Irrigated Agriculture by considering reporting and monitoring information submitted by growers, along with water quality data for nitrate and toxicity in streams, pesticide use information, and results of inspections. As a break- thru in the program, this is the first-time staff have used Geographic Information System tools to link site and area land uses to water quality data from monitoring programs.

Staff is working on agricultural regulation and implementation of best management practices at irrigated agricultural facilities. Over the last four years, by complying with the Conditional Waiver of Waste Discharge Requirements for Irrigated Agricultural (irrigated agricultural order), growers within the Central Coast Region have implemented many practices to some degree, including irrigation management, nutrient management, pesticide management, and erosion controls. Staff has also identified other ways to address toxicity and other agricultural water quality impacts. Examples include:

- Requiring irrigation tail-water reductions from farm operations;
- Improving efficiencies of irrigation systems;
- Reducing fertilizer applications through nutrient budgeting;
- Inspecting agricultural facilities to verify the effectiveness of changes in growers' practices, and to verify implementation of management practices;
- Developing ways to track fertilizer applications; and
- Coordinating with the Department of Pesticide Regulation on specifications to incorporate on pesticides labels to address water quality and prevent pesticide movement off-site.

Also, State Board Staff recommended funding to the State Water Resources Control Board in June for a Central Coast irrigation and nutrient efficiency program. This a major step forward toward addressing high nitrates in surface and ground water and

toxicity from agricultural land uses. Irrigation efficiency increases will also directly address severe groundwater problems from over drafting and will be directly increasing sustainability within watersheds in the Central Coast Region.

**Ag Waiver Enrollment Status as of June 30, 2008:**

<b>Enrollment Status</b>	<b>Number of Operations</b>	<b>Irrigated Acres</b>	<b>Tailwater Acres</b>
Tier 1 (15 hours education and farm plan)	1,203	358,424	79,107
Tier 2 (incomplete education or farm plan)	526	37,120	5,517
Growers with more than 14 hours of education	1127	319,320	71,120
Growers with completed farm plan	1419	379,022	80,974
<b>Total Enrolled</b>	<b>1735</b>	<b>396,030</b>	<b>84,802</b>
<b>Percent of Region Total</b>	<b>~80%</b>	<b>~90%</b>	<b>N/A</b>

**Water Quality Data:**

Staff is developing water quality reports for each monitoring site (50) and upstream areas. These reports summarize water quality, land uses that are contributing to the site, pesticide applications and other information into short reports that will be made available to staff, growers and the public. Central Coast Water Quality Preservation, Inc. (Preservation Inc.) is conducting follow-up upstream monitoring and continuous flow monitoring in several watersheds.

Preservation Inc. is also conducting education and outreach to provide growers with on-farm sampling in several watersheds. Follow-up monitoring is a mandatory component of the Cooperative Monitoring Program established by the Conditional Waiver. Follow-up projects are developed by Preservation, Inc. and approved by the Water Board. Follow-up projects are funded by regular program fees and by a Proposition 40 grant.

**Inspections:**

Staff is conducting inspections throughout the region in order to assess and improve compliance with the agricultural program requirements. Staff issued a Notice of Violation as a result of a complaint, requiring the grower to complete an engineering report and implement corrective actions to eliminate sediment discharges before the rainy season. Staff is also conducting comprehensive watershed wide inspections in the Santa Maria area, beginning with Oso Flaco Creek watershed. By inspecting all the growers in a watershed, staff can identify watershed scale problems and involve other entities as necessary. Staff is also following up on complaints expressed at the last

Central Coast Water Board meeting about runoff in the Boronda area of Monterey County.

**Enforcement Actions:**

Staff is in the process of settling the five administrative liability complaints that were issued to non-filing farming operations. All five have enrolled and paid all past due monitoring charges.

**Conditional Waiver Renewal Process:**

Staff is planning internal stakeholder meetings in August 2008 to solicit management and staff input on the irrigated agriculture program and to consider how to best integrate the agriculture program with the Region's Vision and Goals. Staff will hold external stakeholder meetings with the Agricultural Advisory Panel and other stakeholders throughout the fall.

**LOS ANGELES REGION**

The California Regional Water Quality Control Board Los Angeles Region (Regional Board) adopted a Conditional Waiver of Waste Discharge Requirements for Discharges from Irrigated Lands (Order No. R4-2005-0080) on November 3, 2005. Regional Board staff participated in the California Nonpoint Source Conference, held May 5 – 7, 2008 in San Diego; staff presented a poster on the Los Angeles Region Conditional Waiver for Irrigated Lands Program. The poster presentation included Conditional Waiver program requirements and water quality monitoring results collected to date. Moreover, Regional Board staff has been actively working with representatives of the Ventura County Agriculture Irrigated Lands Group and the Nursery Growers Association – Los Angeles County Irrigated Lands Group to discuss the preparation of Agriculture Water Quality Management Plans (AWQMP), which are required as part of the Conditional Waiver program. The AWQMPs outline a strategy for BMP implementation to reduce pollutants from irrigated agriculture sites. The AWQMPs are due to the Regional Board for review in September 2008. Regional Board staff looks forward to continued cooperation with the agricultural community to effectively implement the Irrigated Lands Program.

The objectives of the ILRP program are to monitor the water quality effects, and, if required, mitigate those impacts from runoff from irrigated agriculture facilities in the coastal watersheds of Los Angeles and Ventura Counties. Currently, 75% of the irrigated acreage in the Region is enrolled in the Conditional Waiver program. On March 13, 2008, the Regional Board sent notices of violation to approximately 700 growers in Los Angeles County who had not yet enrolled in the Conditional Waiver program. Regional Board staff has responded to approximately 400 phone calls and 100 emails from agriculture growers in the Los Angeles area. The notices of violation generated positive feedback from the stakeholder community with numerous new enrollees in Conditional Waiver program.

## **SANTA ANA REGION**

The Regional Water Quality Control Board, Santa Ana Region (Regional Board) is developing a Conditional Waiver of Waste Discharge Requirements for waste discharges from various types of agricultural operations in the Lake Elsinore / San Jacinto Watershed. Regional Board staff has determined that in the Lake Elsinore / San Jacinto Watershed, waste discharges from variety of sources are contributing to pollution in Canyon Lake and Lake Elsinore and causing violations of water quality standards. The non-point source (NPS) pollutants responsible for these violations are discharged from urban areas, open space, agricultural activities (i.e. includes, but not limited to, irrigated agricultural lands), transportation facilities and other land uses in the watershed. In response to these violations, the Regional Board adopted a Total Maximum Daily Load (TMDL) for Canyon Lake and Lake Elsinore. The TMDL is now part of the Basin Plan. The TMDL includes a variety of tasks that need to be completed in order to achieve the TMDL's objectives. The TMDL assigns key individual stakeholders or groups of stakeholders in the watershed with the responsibility for implementing these tasks. The TMDL requires water quality monitoring plans, to gauge the effectiveness of the management plan. The TMDL also requires stakeholders to develop problem-specific management plans, such as for nutrient management. Regional Board staff is proposing that all operators of irrigated or dry- farmed land enroll in a conditional waiver of waste discharge requirements. The Regional Board is calling their program the Conditional Waiver for Agricultural Discharge (CWAD). The conditional waiver will allow agricultural operators to continue to discharge waste to waters of the state from their farming operations. The CWAD program will require participants take steps to comply with the TMDL, pay implementation fees and implement best management practices (BMPs) to reduce the pollutant load of their discharge.

The Conditional Agricultural Waiver will allow some conditions to be met through the collective action of a group or groups of agricultural operators who are enrolled in the program, or by a third party representing a group of enrollees. An example of a condition that could be met by a representative acting for a group of enrollees is a monitoring and reporting condition. The representative could obtain the required information for the group it represents and report the information to the regional board. Agricultural operators who do not enroll in the Conditional Agricultural Waiver will be required to apply for individual waste discharge requirements and will have the full responsibility for compliance.

Regional Board staff attended a meeting of State and Regional Board ILRP contacts in which Regions 3 and 4, along with the State Water Board, provided information to Regions 8 and 9 contacts in an effort to help begin the design and/or implementation of their respective ILRP programs and associated conditional waiver. On August 15, Regional Board staff participated in the ILRP Roundtable in Rancho Cordova. Regional Board staff is currently coordinating with State Water Board and Region 9 staff to put on enrollment and educational workshops in Orange and Riverside

counties. Also, Regional Board staff are in the process of putting enrollment and educational materials on their website.

## **SAN DIEGO REGION**

Conditional Waiver No. 4 for irrigated agriculture and nurseries was adopted by the San Diego Regional Water Quality Control Board (Region 9) on October 10, 2007. The waiver requires all commercial agricultural and nursery operators in the San Diego Region to enroll under the waiver by January 1, 2011. Other general requirements of the waiver include implementation of Best Management Practices to control pollutant discharge, as well as monitoring and reporting. On March 27, 2008, June 20, 2008 and July 19, 2008 Regional Board staff presented an overview of the requirements of the waiver at growers' workshops in San Diego County. On August 4, 2008, a Region 9 representative attended a meeting of State and Regional Board ILRP contacts in which Regions 3 and 4, along with the State Water Board, provided information to Regions 8 and 9 contacts to help begin the implementation of their respective ILRP programs. On August 14 and 15, Region 9 participated in the ILRP Roundtable in Rancho Cordova. We are currently coordinating with State Water Board and Region 8 staff to put on enrollment and educational workshops in Orange and Riverside counties. Also, we are in the process of putting enrollment and educational materials on our website.