

## **IRRIGATED LANDS REGULATORY PROGRAM UPDATE**

### **February 2014**

This month's Irrigated Lands Regulatory Program monthly report will provide an update on activities of the Central Valley Regional Water Quality Control Board Irrigated Lands Regulatory Program (ILRP), as reported in the Central Valley Water Board's February 6-7, 2014 Executive Officer's report. Current and past ILRP program monthly reports can be found on the [State Water Board Irrigated Lands Regulatory Program](#) website.

### **STATE WATER BOARD**

On February 3, 2014, ILRP staff participated in a Farm Food Safety Conservation Network steering committee meeting to discuss proposed revisions to the United States Department of Agriculture Food Safety Modernization Act.

On February 4, 2014, ILRP staff participated in a California Bioresource Alliance (CBA) planning committee meeting to initiate planning of this year's annual CBA symposium.

On February 11, 2014, ILRP staff meet with CalRecycle and California Association of Sanitation Agencies (CASA) to discuss the Publicly Owned Treatment Works (POTW anaerobically digestible material) ADM) exclusion.

On February 12, 2014, ILRP staff participated in the California Roundtable on Agriculture and the Environment (CRAE) meeting held at the California Farm Bureau Office.

On February 25, 2014 ILRP staff participated in a National Water Quality Initiative (NWQI) meeting with Natural Resource Conservation Service (NRCS) and USEPA Region 9 to discuss NWQI monitoring criteria. Tetra-Tech also participated in the meeting and stated they would be able to provide training on setting-up a monitoring network in Calleguas Creek. Tetra-tech stated they would assist in providing similar training in other regions of the state.

On February 26, 2014, ILRP staff participated with CalRecycle in a Local Enforcement Agency Enforcement Advisory Council meeting.

### **CENTRAL VALLEY REGION**

#### **General Waste Discharge Requirements (WDRs) Development:**

##### *Tulare Lake Basin WDRs*

Applications to serve as a third-party representing growers under General Order R5-

2013-0120 (Tulare Lake Basin Area Irrigated Lands General Order) have been received from six prospective third parties and are under staff review. Central Valley Regional Water Quality Control Board (Regional Water Board) staff is working with the prospective third parties to modify proposed boundaries to ensure complete coverage for all growers in the Tulare Lake Basin Area.

#### Sacramento Valley Rice WDRs

On November 19, 2013, Regional Water Board staff met with the California Rice Commission and the Sacramento River Source Water Protection Program to discuss comments received for the administrative draft WDRs.

#### Sacramento River Watershed WDRs

On November 22, 2013, Regional Water Board staff met with representatives of the Sacramento River Source Water Protection Program and the Sacramento River Water Quality Coalition to review comments submitted for the administrative draft of the Sacramento River Watershed WDRs and to discuss revisions to be included in the tentative WDRs.

On December 19, 2013, Regional Water Board staff posted the Tentative Order for the Sacramento River Watershed WDRs and a Notice of Public Hearing for March 11-12, 2014. Written comments from the public are due no later than January 21, 2014.

#### Delta WDRs

On November 7, 2013, Regional Water Board staff and the San Joaquin County and Delta Coalition held a meeting to discuss the Draft Waste Discharge Requirements.

On December 16, 2013, Regional Water Board staff posted the Tentative Order for the San Joaquin County and Delta Area WDRs and a Notice of Public Hearing for March 11-12, 2014. Written public comments will be accepted until January 17, 2014.

#### Western San Joaquin River Watershed WDRs

On November 25, 2013, Regional Water Board staff participated in a phone conference with the Westside San Joaquin River Watershed Coalition representatives regarding the comments on the Tentative Draft of Waste Discharge Requirements and a Monitoring and Reporting Program for Growers that are Members of a Third-party Group within the Western San Joaquin River Watershed. Issues associated with the tentative order were discussed.

By the December 2, 2013 deadline, the Central Valley Water Board received five comment letters on the Tentative Draft of Waste Discharge Requirements and a Monitoring and Reporting Program for Growers that are Members of a Third-party Group within the Western San Joaquin River Watershed.

On December 18, 2013, Regional Water Board staff met with the representatives of the Westside San Joaquin River Watershed Coalition to discuss outstanding issues in the tentative order following the public review and comment period.

**Grasslands Bypass Project:**

On December 20, 2013, Regional Water Board staff met with the Grassland Basin Drainage Steering Committee in Los Banos to discuss the status of the draft WDRs for surface water discharges from the Grassland Bypass Project. Regional Water Board staff was given a short tour of the Grassland Bypass Project. The draft administrative WDRs will incorporate relevant requirements from the Irrigated Land Regulatory Program and is expected to be released in February 2014.

**Compliance and Outreach:**

*Storm Water Inspections in the East San Joaquin Foothills*

In November and December 2013, Regional Water Board staff continued to inspect the foothill portions of the East San Joaquin River Watershed for parcels that may have sediment discharges in the rainy season. Regional Water Board staff conducted several hundred foothill storm water inspections during this time. Twenty-seven of these inspections required follow up with growers to inform them of the need for improved erosion and sediment controls at their properties. Regional Water Board staff has focused on the foothill portion of Stanislaus County after becoming aware that many parcels in that area were being converted to orchards from grazing land. Regional Water Board staff has noticed that the process for doing this usually involves denuding the vegetation from parcels. This leaves minimal sediment and erosion control measures in place, which could lead to a pollution discharge. Administrative Civil Liabilities have been issued in the past for parcels that have undergone similar transformations and had major discharges of sediment in doing so. The goal of these inspections is to warn landowners to prevent similar situations in the future. Regional Water Board staff enforcement letters are planned to be mailed to the landowners whose parcels have been identified as having minimal sediment and erosion control measures in place.

*Water Code section 13260 Directives*

In December 2013, Regional Water Board staff mailed 23 NOVs to landowners who failed to respond to a previous 13260 Directive Order. Landowners in the Eastern San Joaquin River Watershed whose parcels are used for commercial irrigated lands (as determined by Regional Water Board staff inspections) are being mailed the directives which require the recipients to submit proof of coalition membership or a Report of Waste Discharge.

*Pre-ACL Settlement Letters for Failure to Comply with 13260 Directives*

In October 2013, Regional Water Board staff mailed pre-Administrative Civil Liability (ACL) letters to four growers who did not respond to 13260 Directives or subsequent Notices of Violation. In November 2013, two of the growers satisfactorily addressed the issues identified in the pre-ACL letters and Regional Water Board staff does not intend to pursue further enforcement. Regional Water Board staff is currently preparing

ACL Complaints for the remaining two growers. An additional nine pre-ACL settlement letters are being prepared for mailing in January 2014.

**Coalition Groups:**

*California Rice Commission Coalition*

On December 30, 2013, the California Rice Commission submitted the 2013 Annual Monitoring Report required by the ILRP, which is currently under Regional Water Board staff review.

*East San Joaquin Water Quality Coalition*

On November 27, 2013, Regional Water Board staff received the East San Joaquin Water Quality Coalition Quarterly Monitoring Data Report for the period April-June 2013.

On December 3, 2013, the East San Joaquin Water Quality Coalition (Coalition) provided an update on the development of the Groundwater Quality Assessment Report that is required to be prepared by the Waste Discharge Requirements General Order for Growers within the Eastern San Joaquin River Watershed. The Coalition's update included information on the modeling to assess vulnerability and the approach to identify vulnerable areas within the Coalition boundary and on the Central Valley Floor.

In response to December 2, 2013 Regional Water Board staff comments on the revised draft templates for Farm Evaluation, Nitrogen Management Plan, and Sediment and Erosion Control Plan, the East San Joaquin Water Quality Coalition submitted the final Farm Evaluation Template on December 6, 2013. The Farm Evaluation Template to be used under the Eastern San Joaquin River Watershed General Order was approved by the Assistant Executive Officer on behalf of the Executive Officer on December 9, 2013. The [approved template](#) can be found on the Regional Water Board website.

On December 10, 2013, the East San Joaquin Water Quality Coalition (Coalition) submitted a revised Monitoring Program Update report per the October 9, 2013 conditional approval by the Regional Water Board Executive Officer. The submittal included updates to the Coalition Monitoring Program update for the 2014 water year, and an addendum with additional analysis/evaluation of past use and water quality data.

*Kings River Watershed Coalition Authority (KRWCA)*

On October 17, 2013, representatives from the KRWCA submitted a Notice of Intent to form a third-party under the Tulare Lake Basin Area Irrigated Lands General Order. On November 20, 2013, the Assistant Executive Officer issued a Notice of Applicability to the KRWCA designating the entity as a representative third-party under the Tulare Lake Basin Area Irrigated Lands General Order for growers within portions of Fresno, Kings, and Tulare Counties.

*Sacramento Valley Water Quality Coalition (SVWQC)*

On November 18, 2013, the SVWQC submitted a request to move their Pine Creek (Butte County) monitoring site downstream to improve the reliability of runoff during scheduled monitoring events. The request is under Regional Water

Board staff review.

On December 18, 2013, the SVWQC submitted two requests to the Executive Officer to consider management plans for sediment toxicity on Stony Creek and aquatic toxicity to *Ceriodaphnia dubia* on Cache Creek complete.

#### San Joaquin County and Delta Water Quality Coalition

On November 27, 2013, the San Joaquin County and Delta Water Quality Coalition submitted its Quarterly Monitoring Data Report for the period between July and September 2013, as required by Order No. R5-2006-0053. After review, these data will be posted on the Irrigated Lands Regulatory Program web site.

#### Tulare Lake Basin Third-party Groups

On December 12, 2013, Regional Water Board staff met with representatives of six prospective third parties and the Kings River Watershed Coalition Authority (all of which formed from the previous SSJVWC) to discuss coverage for growers under the recently adopted Tulare Lake Basin Area Irrigated Lands General Order. Topics of discussion included coverage of irrigated agricultural areas outside existing irrigation district boundaries and planned staff outreach efforts to enroll new growers in previously uncovered areas.

#### Westside Coalition

On November 20, 2013, Regional Water Board staff held a quarterly management plan meeting with Westside Coalition representatives. Agenda items included discussion of Focused Plan IV revisions, an update from the Coalition on October 29, 2013 grower meeting, and an update on Regional Water Board staff review of the June 2013 SAMR.

On November 30, 2013, the Westside Coalition submitted its Semi-annual Monitoring Report covering the period March through August 2013, as required. The report is under Regional Water Board staff review.

#### **Data Management:**

Data from 2009 through 2012 for all Coalitions are available to the public on CEDEN. The latest transferred occurred in November 2013 and added data though early-2013 for some coalitions. The next transfer is planned for March 2014 and will add data through mid-2013 for most coalitions. New data will continue to be transferred to CEDEN on a quarterly basis.

Data reports received in acceptable condition through December 31, 2013 are currently being processed and loaded into the California Environmental Data Exchange Network (CEDEN) comparable database provided by the Central Valley Regional Data Center (CV RDC).

Data collected prior to 2009 will continue to be available on the ILRP surface water quality data webpage until those sets have been processed and transferred to CEDEN

as resources permit. Regional Water Board staff is currently processing the Westside Coalition and Sacramento Valley Coalition data collected between 2004 and 2008. Once complete, these sets will complement the existing data on CEDEN providing all of the data submitted by both Coalitions since program inception. The current goal is to complete the Westside Coalition data by mid- 2014. The next priority historical dataset will include data collected by the Sacramento Valley Water Quality Coalition between 2004 and 2008.

**Rice Pesticides Program:**

On December 27, 2013, the California Rice Commission submitted the 2013 monitoring report for the Rice Pesticides Program. The report was distributed to RPP stakeholders for review as required by Resolution R5-2010-9001.

**Prop 84 Grant Funding:**

To date, fifty-five projects have been completed and invoiced. Twenty-two projects are still open. The completion and invoicing of projects are required by December 2014. The soil erosion model submission has been extended for one year so that additional field data may be collected. In 2013, the field crew encountered difficulties in communications (notification of irrigation beginning), the variability of field parameters (crop type, soil type) and the various irrigation management practices used by farmers. Additional field data to be collected in 2014 will provide more assurance that the model can be used to estimate the sediment load reduction due to implementation of the grant projects.

The [CURES website](#) has additional information on the Prop 84 funding and photos of completed projects.