

IRRIGATED LANDS REGULATORY PROGRAM UPDATE

July 2014

This month's Irrigated Lands Regulatory Program (ILRP) report covers up to the month of July 2014 and will provide an update on the activities of the North Coast, San Francisco, Central Coast, Los Angeles, Colorado River Basin, Santa Ana, and San Diego Regional Water Quality Control Board ILRPs. Future monthly reports will alternate between the status of the ILRP from the Central Valley Regional Water Board for one month, and the status of other Regional Water Board ILRPs for the alternate month. Current and past ILRP program monthly reports can be found on the [State Water Board Irrigated Lands Regulatory Program](#) website.

STATE WATER BOARD

On July 1, 2014, ILRP staff participated in the SBX2 1 Nitrate Expert Panel public comment meeting. The meeting was conducted at the Irrigation Training and Research Center in San Luis Obispo.

On July 2, 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 (FSMA). These conference calls are monthly to keep abreast with the revisions being made to the FSMA.

On July 10, 2014, ILRP staff participated in a California Certified Crop Advisory Board of Directors meeting. Meeting is to discuss ongoing CCA strategy and conduct CCA business.

On July 15, 2014, ILRP staff participated in a Natural Resource Conservation Service (NRCS) State Technical Guide Committee (STGC) meeting. Meeting is a forum for the STGC to review, comment, and revise NRCS practice standards. ILRP staff focus on water quality practices.

On July 28, 2014, ILRP staff participated in the SBX2 1 Nitrate Expert Panel Advisory Committee meeting. The meeting was conducted at the CalEPA building in Sacramento.

On July 30, 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.

NORTH COAST REGION

Update on Permit Development:

North Coast Regional Water Quality Control Board (Regional Water Board) staff continue to develop the Agricultural Lands Discharge Program, focusing on a series of targeted permits specific to agricultural commodities or geographic areas. In the near term, Regional Water Board staff are developing permits for discharges from vineyards and orchards, agriculture in the Tule Lake watershed, and outdoor lily bulb cultivation. An update these efforts follows.

Agriculture Discharges in the Tule Lake Basin

Staff are working with the Tule Lake Irrigation District to draft a letter to landowners explaining the basis for the upcoming permit program. The letter is intended to initiate participation in the program and to involve the local community. Concurrently, staff are writing the draft permit to share with the Advisory Group in early 2015.

Lily Bulb Cultivation

Regional Water Board staff met with agricultural interests and environmental interests in April 2014 to get input on permit development and to discuss recent water sampling results that included toxicity testing. Sampling will continue through next year in order to conduct at least two more wet weather sampling events. Lily bulb growers are working with Regional Water Board staff to develop a water quality management plan for their area to guide compliance with the upcoming permit program. Staff will develop the draft lily bulb permit following work on the Tule Lake permit.

Vineyards & Orchards

North Coast Regional Water Board staff are coordinating with the San Francisco Bay Region's (Region 2) development of a discharge permit for vineyards in the Sonoma Creek and Napa River watersheds, with the intent of being as consistent as possible between the regions. North Coast Regional Water Board staff are participating in a Technical Advisory Group to help develop a local RCD program for vineyards and orchards. The primary purpose of the program is to help landowners comply with the upcoming Regional Water Board permits and local county ordinances. Additionally, Regional Water Board staff have been attending local grower meetings to reach out to the local agricultural community regarding the upcoming permit and working with the Sonoma County Ag Commissioner to coordinate regulations.

Scott River & Shasta River Watershed

Regional Water Board staff continue to implement the TMDL Waivers of Waste Discharge Requirements for the Scott and Shasta River watersheds. An update on TMDL implementation activities in the Klamath River Basin, including the Scott River and Shasta River watersheds, is scheduled for the October 9, 2014 Board Meeting in Siskiyou County

In addition, Regional Water Board staff continue to scope regulatory options for addressing discharges from marijuana cultivation.

For additional information on the North Coast Regional Water Board's Water Quality Compliance Program for Discharges from Agricultural Lands, please visit the [Region 1 website](#).

SAN FRANCISCO BAY REGION

The San Francisco Bay Regional Water Quality Control Board (Regional Water Board) staff is developing general waste discharge requirements (WDRs) for vineyard operations (Vineyard WDRs) in the Napa River and Sonoma Creek watersheds.

Staff have prepared an initial study and issued a Notice of Preparation of an Environmental Impact Report (EIR) on July 7, 2014, as required by the California Environmental Quality Act, to kick-off the environmental impact assessment process on the Vineyard WDRs.

Staff will hold a CEQA scoping meeting to inform the draft EIR for the Vineyard WDRs on July 23, 2014 from 3 – 5 pm at the Napa County Agricultural Commissioner's Office in Napa.

Additionally, staff has continued to assist several third-party technical assistance groups in developing the expertise, tools, and templates necessary to assist growers with Vineyard WDRs compliance once the permit is adopted.

Staff has continued to coordinate with Region 1 on elements of our confined animal facility program and anticipated vineyard program to make permit requirements and roles of third-party technical assistance groups between the Regional Boards as consistent as possible.

Staff has drafted a paired conditional waiver of WDRs and general WDRs for confined animal facilities for internal review. Following internal review, staff intends to solicit targeted input on elements of both permits from a small technical advisory group familiar with animal management.

Lastly, staff has continued to assess permittee compliance with the Tomales Bay and Napa River and Sonoma Creek watershed Grazing Program.

CENTRAL COAST REGION

The following information is a status update regarding implementation of Agricultural Order R3- 2012-0011.

Expert Panel:

Staff is participating on the Advisory Committee to the Nitrate Expert Panel. If the Expert

Panel determines that modifications to the implementation of the Agricultural Order are necessary, staff will coordinate with State Board staff to consider the appropriate adjustments. The Expert Panel released DRAFT conclusions and recommendations in July 2014. Regional Board staff is currently developing comments and will forward them to State Board staff.

Drinking Water Notifications:

Based on results of individual groundwater monitoring, staff continues to issue "Drinking Water Notification" letters to those growers and landowners whose domestic water supply wells exceed the drinking water standard for nitrate or nitrogen.

As of July 8, 2014, the Central Coast Water Board issued approximately 102 drinking water notification letters to growers and landowners who have one or more domestic drinking water wells which exceed the drinking water standard; some farms/ranches have multiple groundwater wells with exceedances.

Based on coalition groundwater monitoring efforts, the Central Coast Ground Water Coalition has issued 118 drinking water notification letters for exceedance of the drinking water standard.

Regional Board staff requested copies of the groundwater exceedance notifications sent by the Central Coast Groundwater Coalition (CCGWC); regional Board staff received a PRAR for information pertaining to the CCGWC notification process. CCGWC contends that it is not required to provide copies of the notification letters. The issue will be considered by our board at the July 31-August 1, 2014 Central Coast Water Board hearing; please see agenda item-13.

Items for Discretionary Review by the Regional Board:

State Order WQ-2013-0101 identifies specific items for which interested persons may seek discretionary review by the Central Coast Water Board. Provision 11 included approval or denial of a third-party project or program. Part 2 of the MRP included approval or denial of a cooperative groundwater monitoring program. In July 2013, the Executive Officer reviewed four cooperative groundwater monitoring program proposals and approved two. We have received a request for a discretionary review regarding alignment of the Central Coast Groundwater Coalition's drinking water notification process with the notification process Central Coast Water Board staff implements with individual (non-coalition) well data information. This issue is in the agenda as item-13 of our July 31-August 1, 2014 Regional Board hearing. Provision 18 included approval of a farm to transfer to a lower tier, or requirement of a farm to transfer to a higher tier. Since March 2012, staff has reviewed approximately 140 tier review requests from growers. Staff has posted a list of tier review requests to the Central Coast Water Board's Internet site and will update it periodically so that interested persons may review the status. The Executive Officer has required two farms to transfer to a higher tier. Staff continues to implement the Irrigated Lands Regulatory Program to improve and protect water quality and make progress towards the Central Coast Water Board goals of clean groundwater, healthy aquatic habitat and properly managed land that protects

watershed functions.

LOS ANGELES REGION

The Los Angeles Regional Water Quality Control Board (Regional Water Board) lost a key ILRP staff person and is in the process of hiring a replacement. Because of the lack of ILRP staff the Regional Water Board was not able to submit a monthly report for July 2014.

LAHONTAN REGION

The Lahontan Regional Water Quality Control Board (Lahontan Water Board) staff is addressing many issues that support the Irrigated Lands Regulatory Program.

Since 2010, Lahontan Water Board staff informed the Lahontan Board of intent to implement a Dairy Strategy to address groundwater impacts associated with about one dozen dairies consisting of the following:

- Assess and address risk to groundwater drinking water receptors from exposure to- polluted groundwater. Issue Cleanup and Abatement orders requiring dairy owners to provide replacement water to affected residents;
- Implement source control through requiring appropriate waste control and disposal practices. Water Board issued numerous enforcement orders in the past including an Administrative Civil Liability Order for one recalcitrant dairy owner;
- Ensure adequate monitoring to evaluate the extent of affected groundwater and effectiveness of source control measures implemented; and
- Assess groundwater remediation options where quality is adversely affected.

In January 2014, three dairy operators were notified of staff's intent to issue Cleanup and Abatement Orders requiring measures to eliminate sources of nitrate pollution to groundwater. Data provided by PGE was assessed for groundwater nitrate concentrations in the Hinkley area that has historical and current irrigated farming activity. Staff also provided recommendations to management regarding historical and closed dairy operations.

In July 2014, Lahontan Water Board staff collected and compiled data to establish the acreage of irrigated agricultural land within the Lahontan Region. Data was segregated by crop type, and irrigated pasture was segregated from crop land. This information was collected to support additional staffing needs to address identified groundwater impacts from agricultural activities. The full magnitude of identified groundwater impacts from agricultural activities is not established due to lack of resources.

The Lahontan Water Board adopted site-wide Waste Discharge Requirements in March 2014 for PG&E's agricultural treatment of hexavalent chromium in the Hinkley area.

Lahontan Water Board staff has spent approximately 150 hours during this update period to review additional technical information to support a report of waste discharge from PG&E to expand its agricultural treatment of hexavalent chromium.

In June 2014, Lahontan Water Board staff began a door-to-door assessment of residences in the Hinkley area to obtain residential well samples to determine household water nitrate concentrations that may result from historical or current agricultural practices.

Lahontan Water Board staff is evaluating existing nitrate and TDS data in the Mojave groundwater basin to identify responsible parties, potential sources, and need for replacement water. Some existing dairies already provide replacement drinking water under current Water Board orders. Lahontan Water Board staff intends to expand or issue new Cleanup and Abatement Orders for replacement water in the next few months. To date, the Lahontan Water Board has issued four Cleanup and Abatement Orders requiring replacement drinking water delivery. An additional Cleanup and Abatement Order requiring replacement drinking water delivery is pending. A draft Cleanup and Abatement Order is pending for one dairy operator to take measures for eliminating unlined wash water percolation ponds.

Lahontan Water Board staff has conducted several stakeholder outreach efforts. Staff met individually, and collectively, with dairymen to discuss implementation requirements and time schedules. Also, staff met with the Natural Resources Conservation Service and local Resource Conservation District. Staff met with Western United Dairymen representative on numerous occasions. Staff additionally participated in the Mojave Water Agency's Technical Advisory Group, tasked with preparing a Salt and Nutrient Management Plan for the Mojave Watershed, which will address, in part, salt and nutrient contributions from agricultural activities.

COLORADO RIVER BASIN REGION

On June 26, 2014, the Colorado River Basin Water Board adopted a Conditional Waiver of Waste Discharge Requirements (WDRs), Board Order R7-2014-0046, for agricultural dischargers in the Coachella Valley. This Conditional Waiver affects about 60,000 acres of farmland in central Riverside County. On April 25, 2014 prior to the adoption, Regional Water Board staff circulated the environmental documents prepared pursuant to CEQA and the draft Conditional Waiver. A public workshop was held on May 21, 2014. The Coachella Valley Irrigated Lands Coalition (CVILC) group, a non-profit organization recently formed, will be responsible for fee collection from agricultural landowners and the monitoring program.

Colorado River Basin Water Board staff is coordinating with interested parties in the Imperial Valley (over 450,000 acres of irrigated lands) to develop a Conditional Waiver of WDRs for consideration for adoption in late 2014. The interested parties include the Imperial Irrigation District and Imperial County Farm Bureau. Staff assisted with

outreach and education activities planned at the Imperial County Farm Bureau's annual drain-shed meetings held May 14-16, 2014. The Imperial Valley is now the last agricultural area of the region not covered by a Conditional Waiver program.

Colorado River Basin Water Board staff continues to successfully implement Board Order R7- 2012-0047, a Conditional Waiver WDRs for agricultural wastewater discharges within the Palo Verde Valley in Riverside and Imperial Counties. In October 2013, Palo Verde Irrigation District (PVID) submitted its Coalition Group's membership. The enrollment of irrigated lands covered 93,000 acres and over 99% of the farms. The Palo Verde Outfall Coalition Group's water quality monitoring program began in November 2013, and they submitted their first Annual Monitoring Report dated March 7, 2014 to the Regional Water Board, stating that the water quality objectives of the Basin Plan are being met.

Board Order R7-2013-0002 for the Bard Unit of Reservation Division (Imperial County) Conditional Waiver was adopted on January 17, 2013. This Conditional Waiver affects about 7,000 acres of farmland along the Colorado River near Yuma, Arizona. Implementation began in 2014 with the Bard Water District in the process of forming a nonprofit organization to represent landowners and farmers regulated by the Conditional Waiver. Bard Water District submitted a Notice of Intent to the Regional Water Board in February 2014, stating that it will develop and implement a Coalition Group Compliance Program for eligible members to obtain coverage under the Conditional Waiver. In May 2014, Bard Water District submitted its draft monitoring and reporting program for review by staff.

In anticipation of receiving PY authority to account for the Colorado River Basin Water Board's fee collection, the implementation and management of the Irrigated Lands Regulatory Program's Conditional Waivers is being transitioned to the Non-Point Source Program staff.

SANTA ANA REGION

There is no status change with RB8's pending, proposed Conditional Waiver of WDRs for Ag Dischargers (CWAD). Latest drafts of CWAD documents have received management review and are currently being revised to include mitigation and offset measures for TDS and N impacts to groundwater.

Santa Ana Water Board staff are continuing to work towards adoption, and initial implementation, of a conditional waiver of WDR targeting the agricultural operations in the San Jacinto River Watershed of the Region. Initial implementation will be characterized by enrolling at least 50% of known agricultural operations in the conditional waiver who meet enrollment criteria. The objective for this task for FY 2014-15 is to adopt and begin implementing the CWAD by focusing on agricultural operations in the target San Jacinto River watershed.

Desired outcome of the Ag waiver is to measurably reduce NPS pollution, principally N

and TDS loadings from agricultural operations in San Jacinto River Watershed to surface and ground waters.

From an estimated 450-500 potentially eligible agricultural enrollees, the program will seek to attain at least 10% enrollment by 8/30/2014.

CWAD Program advisory group of major stakeholders and agricultural operators meets on a regular basis to coordinate the development of waiver requirements and developing a group monitoring program for the San Jacinto River Watershed CWAD.

On April 17, 2014, Regional Water Board staff conducted a quarterly meeting of the CWAD advisory group. Discussion focused on how to craft a monitoring plan that will comply with the proposed CWAD and address other WQ monitoring needs and requirements, and the proposed management measures for nutrients in runoff and leachate from fields.

The next CWAD program advisory group meeting is scheduled to take place on August 14, 2014.

SAN DIEGO REGION

The Regional Water Quality Control Board, San Diego Region (San Diego Water Board) is developing Tentative General Waste Discharge Requirements for Discharges of Wastes from Commercial Agricultural and Nursery Operations within the San Diego Region (Ag Permit) to replace the Conditional Waiver of Waste Discharge Requirements for Discharges from Agricultural and Nursery Operations (Ag Waiver) that expired on February 4, 2014. Adoption of the Ag Permit is scheduled to be considered in June 2015.

The San Diego Water Board anticipates releasing a revised monitoring and reporting program (MRP) for informal public comment in Fall 2014.