

IRRIGATED LANDS REGULATORY PROGRAM UPDATE

January 2015

This month's Irrigated Lands Regulatory Program (ILRP) report covers through the month of January 2015 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 January 2, 2015, ILRP staff participated in a conference call with Department of Water Resources (DWR) to discuss 2012 Agricultural Water Management Plans and Implementation of Efficient Water Management Practices Review Report.

On January 7, 2015, ILRP staff participated in conference call with the California Department of Food and Agricultural (CDFA) to discuss the Grazing Regulatory Action Project (GRAP).

On January 8, 2015, ILRP staff met with CDFA staff to discuss implementation of the State Water Board/CDFA MOU.

On January 9, 2015, ILRP staff participated in a CalRecycle Organics Working group to discuss anaerobic digester exclusion (i.e. like the CalRecycle POTW ADM exclusion) for private entities.

On January 13, 2015, ILRP and other DWQ staff met with CalRecycle to discuss mutual projects of interest, such as: development of a joint agency land application task force, Compost General Order, Legislative Bill related to solid waste, training opportunities and conferences, metal shredder waste.

On January 16, 2015, ILRP staff participated in an Air Resources Board (ARB) workshop to discuss Improving DNDC Modeling Capability to Quantify Mitigation Potential of Nitrous Oxide from California Agricultural Soils (14-306).

On January 23, 2015, ILRP and DWQ staff presented to the Division Management Committee (DMC) on ILRP fee schedule alternatives, ILRP Information Management Solution, and ILRP issues identified by the DMC.

On January 27, 2015, ILRP and DWQ staff presented to the Management Coordinating Committee (MCC) on ILRP fee schedule alternatives, ILRP Information Management

Solution, and ILRP issues identified by the DMC.

NORTH COAST REGION

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 lily bulb cultivation. An update on these efforts follows.

Agriculture Discharges in the Tule Lake Basin:

Regional Water Board staff continue to write a working draft permit to share with the Advisory Group in April or May of 2015. Regional Water Board staff will then incorporate input from stakeholders and develop documents to satisfy the California Environmental Quality Act (CEQA). The draft permit and CEQA documentation will be distributed for public review and comment in the fall of 2015. The Regional Water Board hearing to consider adopting the permit is planned for early 2016. Regional Water Board staff are currently working with the Klamath Water Users Association and Tulelake Irrigation District to develop a draft water quality management plan and monitoring plan that can be used to fulfill the planning requirements of the upcoming permit. In November 2014, staff presented on the Tule Lake Basin permit program at a Klamath Basin Stewardship Workshop in Klamath Falls and discussed monitoring strategies with stakeholders.

Lily Bulb Cultivation:

Regional Water Board staff continue to coordinate with the lily bulb growers on development of best management practices and a group water quality control plan that can be used to fulfill permit requirements. Water quality sampling will continue through summer 2015 in order to conduct at least three more wet weather sampling events. Staff also plan to conduct water quality testing on groundwater, starting in 2015. Staff intend to bring the Easter Lily Bulbs Agricultural Discharge permit for Board consideration after adoption of the Tule Lake Agricultural Lands permit.

Vineyards & Orchards:

Regional Water Board staff are coordinating with the San Francisco Bay Regional Water Quality Control Board on their 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. Regional Water Board staff are also working with third party certification programs to incorporate water quality requirements that are consistent with likely future permit requirements. Staff will begin drafting a permit for discharges from vineyards and orchards after the adoption of the other two Agricultural Lands Discharge Program permits.

Regional Water Board staff continue to implement the TMDL Waivers of Waste

Discharge Requirements for the Scott and Shasta River watersheds. In addition, Regional Water Board staff are currently drafting permits for discharges from cannabis cultivation.

SAN FRANCISCO BAY REGION

Regulation of sediment and stormwater discharges from vineyard properties located in the Napa River and Sonoma Creek watersheds is a short-term Program focus. The anticipated WDRs will require controls, as deemed necessary through a farm inventory and assessment process, on the following:

- Soil erosion from farmed areas;
- Sediment delivery from roads;
- Storm runoff from hillside vineyards; and
- Pesticide and nutrient storage, mixing, and application.

Regional Water Board staff continued to work on an environmental impact report that evaluates potential environmental impacts from implementing the Vineyard WDRs.

Staff also worked with potential third-party technical assistance groups via face to face meetings and 319 (h) grant-specific actions to help them to develop the tools and templates that will be needed to assist growers with compliance with the anticipated requirements of the Vineyard WDRs. Our expectation is that third parties will provide services ranging from site assessment, farm planning, assisting growers with best management practice selection, annual reporting, and possibly, fee collection.

Staff continue to coordinate permitting strategy and general timeline with the North Coast Regional Water Board.

Additional elements of the Agricultural Lands Discharge Program include the administration of a pair of conditional waivers of WDRs for rangeland grazing operations in the Tomales Bay, Sonoma Creek, and Napa River watersheds; and the confined animal facility (CAF) Program which is currently limited to Marin and Sonoma county dairies.

CAF Program work consisted of multiple activities. Staff readied two permits, a conditional waiver of WDRs and general WDRs through consideration/incorporation of input solicited from a focused technical advisory group experienced in animal management, in anticipation of a mid-February 2015 public release. Staff is also working with State Board's fee unit on proposed fee changes on waivers of WDRs for CAF operations. Staff provided animal-related complaint response assistance to the Enforcement Unit. Additionally, staff are attending monthly meetings, when held, of the Sonoma-Marine Animal Resources Committee.

CENTRAL COAST REGION

The following information is to update the Central Coast Regional Water Quality Control Board (Regional Water Board) regarding implementation of Agricultural Order No. R3-2012-0011.

ILRP Activities at a Glance:

Regional Water Board staff is assessing data received for the October 1, 2014 update and associated requirements. We are planning to share findings of our assessments with the Central Coast Water Board and public as informational items at upcoming Central Coast Water Board meetings, likely for our March 2015 board meeting.

Regional Water Board staff received several complaints during the rain events of early December 2014. The callers informed staff about discharges off agricultural lands that carried water and sediment to adjacent private property or public roads. In some cases, the discharge was likely exacerbated using plastic on fields or hoop-houses, particularly in hilly areas. Staff is currently assessing our role in further tracking the potential for increased runoff from the use of plastic.

Regional Water Board staff sent Notice of Violations to growers who failed to submit total nitrogen applied information, which was required on October 1, 2014.

Central Coast Water Quality Preservation, Inc. (Preservation Inc.) sent participants the 2015 invoice on December 19, 2014. The invoice was accompanied by a newsletter informing growers that the participation fees for 2015 are 33% less than 2014.

Regional Water Board staff has two agenda items for our January 29-30, 2015 board meeting. One item is a recommendation to the board that staff wait to begin developing a new agricultural order, which will expire in March 2017, until after the State Water Board addresses pending petitions on Central Valley agricultural orders. The other item is to respond to a request for discretionary review of the way the Central Coast Groundwater Coalition nitrate data are disclosed to the public; see discussion below in Cooperative Groundwater Monitoring.

Items for Discretionary Review by the Regional Board:

The Agricultural Order identifies discretionary actions by the Executive Officer that are subject to review by the Regional Board. The discretionary review process was established as part of the State Water Board order that responded to the petition on or agricultural order. Staff updates the list quarterly and posts it at the [Irrigated Lands Regulatory Program](#) section of our website. The [items for discretionary review](#) are located on the Region 3 website.

Discretionary Review items include Provision 11, Part 2 of the MRP, and Provision 18. Staff has posted modifications of the Central Coast Groundwater Coalition (CCGC) workplan for Part 2 of the MRP. Staff has also posted tier transfer requests for Provision 18.

Cooperative Groundwater Monitoring (Central Coast Groundwater Coalition):

Regional Water Board staff continues to coordinate closely with the Central Coast Groundwater Coalition (CCGC) to implement cooperative groundwater monitoring program requirements. Staff last met with CCGC on Dec. 9 and Dec. 19 to discuss the use of CCGC generated contour maps of nitrate concentrations in groundwater (in lieu of mapping nitrate well data on GeoTracker).

Agricultural Order R3-2012-0011 and State Board Order WQ 2013-0101 require growers to notify drinking water well users if groundwater monitoring results indicates that the well exceeds drinking water standards. At the Central Coast Water Board meetings on July 31, 2014 and Nov. 13, 2014, the Central Coast Water Board heard staff's evaluation and recommended path forward concerning CCGC's process for sharing drinking water notification information that will allow the Central Coast Water Board staff to verify such notification. As a result, the Executive Officer issued a letter to CCGC on Dec. 8, 2014, requiring the CCGC to provide a relational key to the Central Coast Water Board. The relational key must include the CCGC Member ranch-specific Global ID and the associated CCGC Field Point Name (individual well identification) for all groundwater wells sampled by the CCGC in compliance with the Agricultural Order.

Additionally, the Executive Officer's letter required the CCGC to ensure that well users receive a written drinking water notification of drinking water exceedances (verbal notifications are not acceptable). CCGC must only submit copies of drinking water notification letters upon request, but CCGC representatives must bring copies of all drinking water notification letters to the quarterly CCGC/Water Board Coordination meetings for inspection by staff.

California Rural Legal Assistance (CRLA) submitted a petition for review to the State Water Board on the Central Coast Water Board's approval of the CCGC workplan. CRLA requests that: a) all drinking water notification letters be submitted to the Regional Board and made available to the public, upon request; b) groundwater monitoring data is submitted to Regional Board without delay and copies of drinking water notification letters are sent to local health agency; c) all CCGC data is displayed on GeoTracker GAMA; and d) the Regional Board revoke approval of the CCGC's submission of contour maps.

At the Jan. 29-30, 2015 Central Coast Water Board Meeting, Board Members heard a discretionary review item, in response to a CRLA request, regarding how CCGC data is made available to the public. The [agenda and staff report](#) for this Board Meeting will be available on the Region 3 website.

LOS ANGELES REGION

Compliance with the Renewed Conditional Waiver:

On October 7, 2010, the Los Angeles Regional Water Quality Control Board renewed a

Conditional Waiver of Waste Discharge Requirements for Dischargers from Irrigated Lands (Order No. R4-2010-0186). The Conditional Waiver requires agricultural operators (dischargers) to enroll irrigated agriculture property under the waiver in order to continue discharging waste to waters of the state. Agricultural operators may enroll as an individual discharger or as a member of a discharger group.

The Nursery Growers Association Los Angeles County Irrigated Lands Group (NGA-ILG) and the Ventura County Agriculture Irrigated Lands Group (VCAILG) are the two discharger groups in the Los Angeles Region that have formed to comply with the Conditional Waiver.

Enrollment and Outreach:

The Regional Board staff are currently focusing their efforts on outreach to increase enrollment. We have increased field visits to determine the status of irrigated agricultural parcels which are not currently enrolled in the program and which have previously received a "Notice to Enroll" and/or a "Notice of Violation". The Regional Board staff have also been working with the Los Angeles Department of Water and Power (LADWP) to get more of their tenants to enroll in the Conditional Waiver. The LADWP staff are very close to sending letters to their tenants and we are confident that this operation will result in increased enrollment. Last year, as a result of a similar partnership with Southern California Edison, enrollment in Los Angeles County increased by 44%. Finally, over the past two months, the Regional Board staff has been planning for increased enforcement actions this year to require dischargers to comply with the Order.

Annual Monitoring Reports:

Regional Water Board staff are in the process of reviewing the Annual Monitoring Reports submitted by the NGA-ILG and VCAILG in January 2015.

Irrigated Lands Program Region 4 GIS Database:

Regional Water Board staff are updating the Irrigated Lands Program geodatabase. Regional Board staff are also working on updating data for enrollment and best management practice implementation, including irrigation system upgrades provided by the Mobile Irrigation Lab grant. The new data from the annual monitoring reports have being added to the R4 GIS geodatabase.

Education:

Los Angeles Regional Water Board staff participated in a training session for interest-based negotiation for water resources and environmental issues.

LAHONTAN REGION

The Lahontan Regional Water Quality Control Board (Regional Water Board) staff spent much of its efforts during the December/January reporting period on administrative tasks supporting the Irrigated Lands Regulatory Program.

Regional Water Board Staff surveyed regulatory options and approaches implemented by other regional boards. Staff also surveyed other regions on their perspectives on the advantages and disadvantages of each approach. The results were used to draft a regulatory approach recommendation to Lahontan Water Board's management team.

Regional Water Board Staff reviewed and provided comment to State Water Board staff on the MCC issues related to ILRP.

Regional Water Board staff also spent significant time working on contaminated groundwater issues associated with irrigated agricultural areas and irrigated land areas associated with dairies.

On November 25, 2014, seven residential wells were sampled in Hinkley area and results were sent to the owners. Data will be uploaded to GAMA.

On December 6, 2014, Regional Water Board staff collected split samples from six monitoring wells at A & H Dairy in El Mirage. These monitoring wells were around corrals, agricultural fields and storm water percolation ponds. A copy of results will be sent to the Dairy.

On December 10, 2014, the Regional Water Board Executive Officer and staff visited the Dutch Dairy to hear a presentation by the Dairy on its proposal to use constructed wetlands for removing nitrates from its wash water prior to irrigated land application. Regional Water Board staff recommended the Dutch Dairy complete a feasibility study identifying the estimated cost and technical parameters for the project in order to assess effectiveness. To date, the Dairy has not responded.

On January 21, 2015, five residential wells were sampled in Hinkley area. Once lab results are received, a copy of the analyses will be sent to the residents.

Regional Water Board staff is preparing a Cleanup and Abatement Order for Dutch Dairy requiring it to sample residential downgradient wells and provide bottled water to residents whose groundwater has been adversely impacted from irrigated land practices.

Regional Water Board staff began evaluating available data from the Newberry Springs area where groundwater levels are declining due to pumping and where unknown quantities of sewage sludge, compost, and dairy manure have been applied to irrigated agricultural fields over the previous decades. Regional Water Board staff recently responded to Public Records Act requests for available groundwater data in this area. Future efforts will include collecting samples from residential wells located near agricultural activities.

Regional Water Board staff have prepared a Cleanup and Abatement Order for the B & E Dairy to provide bottled water to residents whose groundwater has been adversely

impacted from irrigated land practices. The 30-day public comment period is over, and Regional Water Board provided responses to the comments received.

Regional Water Board staff is preparing Cleanup and Abatement Orders for four dairies requiring implementation of salt and nutrient management plans associated with irrigated land applications.

COLORADO RIVER BASIN REGION

Colorado River Basin Regional Water Quality Control Board (Regional Water Board) staff continues to implement three Conditional Waivers of Waste Discharge Requirements (WDRs) and will begin implementing a fourth Conditional Waiver in 2015. Most agricultural areas (99.7%) in the region are now regulated by Conditional Waivers.

On September 20, 2012, the Regional Water Board adopted a Conditional Waiver of WDRs for agricultural wastewater discharges within the Palo Verde Valley in Riverside and Imperial Counties (Board Order R7-2012-0047). This Conditional Waiver affects over 130,000 acres in eastern Riverside County and northeastern Imperial County. The responsible parties include individual farmers, and the Palo Verde Irrigation District (PVID). Implementation has begun with PVID forming the Palo Verde Outfall Coalition (PVOC) group that represents landowners and farmers regulated by the Conditional Waiver. According to the PVOC group, membership is at over 99%. The PVOC 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. The PVOC continues to submit quarterly reports of water quality sample results. The PVOC group will continue with the Group Compliance Program and submit their second Annual Monitoring Report in March 2015.

On January 17, 2013, The Regional Water Board adopted a Conditional Waiver of WDRs for agricultural wastewater discharges originating within the Bard Unit of Reservation Division (Board Order R7-2013-0002). This Conditional Waiver affects approximately 6,688 acres of farmland along the Colorado River near Yuma, Arizona. The responsible parties include individual farmers, and the Bard Water District. Implementation has begun, Bard Water District has formed the Bard Unit Coalition Group (BUCG), a nonprofit organization that will represent landowners and farmers regulated by the Conditional Waiver. Regional Water Board staff finalized the Compliance Program and Monitoring and Report Program Plan in November 2014. The BUCG sent notice that they began implementing their Compliance Program in December 2014. They are currently accepting membership into their Compliance Program. On January 20, 2015 a Draft Quality Assurance Program Plan was submitted to Regional Board staff. Staff are reviewing the draft document. Once the QAPP is approved by our Executive Officer, the next step will be for the BUCG to begin monitoring.

On June 26, 2014, the Regional Water Board adopted a Conditional Waiver of WDRs for agricultural dischargers in the Coachella Valley (Order No. R7-2014-0046). This Conditional Waiver affects about 60,000 acres of farmland in central Riverside County. The responsible parties include individual farmers, the Coachella Valley Water District (CVWD) and the Coachella Valley Irrigated Lands Coalition (CVILC) group. The CVILC group, a nonprofit organization, submitted a Notice of Intent to the Regional Water Board in September 2014, stating that it will develop and implement a Coalition Group Compliance Program for eligible members to obtain coverage under the Conditional Waiver. The CVILC group will be responsible for fee collection from agricultural landowners and the monitoring program. On October 31, 2014 CVWD, the local water purveyor, submitted a list of their current customers who receive water for irrigated land in the Coachella Valley; and the Assessor's Parcel Number (APN) of the irrigated land. A Monitoring and Reporting Program Plan was adopted with the Conditional Waiver in June 2014. The next steps will be for the CVILC group to prepare a Group Compliance Program Plan, Quality Assurance Program Plan, begin monitoring, and start the Group Compliance Program.

On January 15, 2015, the Regional Water Board adopted a Conditional Waiver of WDRs for agricultural dischargers in the Imperial Valley (Order No. R7-2015-0008). This Conditional Waiver affects over 450,000 acres of irrigated lands in the Imperial Valley near the International Boundary with Mexico. The interested parties include individual farmers, the Imperial Irrigation District (IID) and Imperial County Farm Bureau (ICFB). The ICFB currently manages a Voluntary TMDL Compliance Program and plan to transition this into a Coalition Group Compliance Program. The IID and ICFB have agreed to work together to form a Coalition Group Compliance Program. The next steps are for IID-ICFB to send a Notice of Intent to the Regional Board, prepare a Group Compliance Program Plan, and Quality Assurance Program Plan.

SANTA ANA REGION

The CWAD Program is still under review by upper management and the advisory committee; Regional Water Board staff have received comments and feedback from the advisory committee earlier this week and will be including them in the Draft Order.

SAN DIEGO REGION

San Diego Regional Water Quality Control Board (Regional Water Board) has made significant progress in developing its tentative General Waste Discharge Requirement (WDR) for Agricultural Dischargers.

The Regional Water Board ILRP is developing WDRs and a Monitoring and Reporting Plan (collectively referred to as the Ag Order) and associated California Environmental Quality Act (CEQA) documentation for consideration for adoption by the Regional Water

Board in Calendar Year 2015. The Ag Order is a logical extension of the Ag Waiver, which expired in February 2014, and will be a more effective regulatory tool to reduce the impact to water quality from agricultural activities within the San Diego Region.

San Diego Water Board's ILRP Team:

A multi-branch team has been assembled to benefit from the collective knowledge, skills, and experience needed to draft the Ag Order. Weekly meetings are conducted to discuss the various issues and to ensure that the schedule for Ag Order development is met.

Status of Ag Order Development:

The next major milestone will be in the summer of 2015, when the tentative Ag Order will be available for public review.

Stakeholder/Public Outreach:

The ILRP continues to engage stakeholders and the public through stakeholder meetings, public workshops, individual meetings, and the Regional Water Board ILRP [webpage](#). This robust outreach not only furthers the Proactive Public Outreach and Communication element of the Regional Water Board's Practical Vision strategy, it also provides the opportunity for stakeholders and the public to meet with Regional Water Board staff to provide their input. The Public Outreach also provides Regional Water Board staff the opportunity to discuss why the Ag Order is needed and to engage the Agricultural Community to enroll in and comply with the Ag Order once it is adopted.

Stakeholder meetings were conducted in January and February 2014. A new series of stakeholder meetings and Public Workshops is scheduled for the summer of 2015.

To date, Regional Water Board staff has met with representatives of the San Diego Irrigated Lands Group, the San Diego Farm Bureau, the San Mateo Irrigated Lands Group, the Wild Willow Farm, and the Bee Organic. Invitations for additional meetings have been or will be extended to the following stakeholders:

- San Diego County Agricultural Commissioner;
- Riverside County Agricultural Commissioner;
- Riverside Farm Bureau;
- Orange County Farm Bureau;
- University of California Cooperative Extension;
- Mission Resource District;
- Elsinore-Murrieta-Anza Resource District;
- Temecula Valley Winegrowers Association;
- Ramona Valley Vineyard Association;
- San Diego County Flower and Plant Association;
- Selected Grove Managers;
- Indian Environmental Agencies;
- Surfrider Foundation;
- Coast Keeper; and
- Sierra Club.

Outreach will also include contacting statewide organizations such as the California Avocado Society and the California Sustainable Wine Growing Alliance.