

IRRIGATED LANDS REGULATORY PROGRAM UPDATE

August 2018

This month's Irrigated Lands Regulatory Program update provides a summary of significant activities of State Water Board from July 15, 2018 to August 15, 2018; and of the North Coast, San Francisco Bay, Central Coast, Los Angeles, Colorado River Basin, Santa Ana and San Diego Water Boards from June 15, 2018 to August 15, 2018. Next month's report will present activities of the Central Valley Water Board's Program and cover the time period from July 15, 2018 to September 15, 2018.

STATE WATER RESOURCES CONTROL BOARD

On July 25, 2018, Irrigated Lands Regulatory Program staff (staff) participated in a monthly California Bioresources Alliance steering committee conference call to further develop the agenda for the Annual Symposium scheduled for November 2018. Topics planned for discussion at the symposium include organics recycling and diversion, bioresources research updates, soil health, and biofertilizers.

On July 26-27, 2018, staff co-hosted the Irrigated Lands Regulatory Program roundtable with a field trip to vineyards and almond orchards in Lodi organized by Central Valley Regional Board staff. The main topics discussed at the roundtable included activities related to the California Agricultural Partnership Forum, the National Water Quality Initiative (NWQI), coalition expectations, and State/Regional Board updates.

On August 1, 2018, staff participated in a meeting conducted by USDA Natural Resources Conservation Service and EPA regarding revisions to the NWQI for fiscal year 2019-2020. The revisions include a new pilot program specifically aimed at protecting drinking water supplies, including groundwater.

On August 10, 2018, staff met with California Natural Resources Conservation Service, California Resource Conservation District, and EPA Region 9 staff to determine if existing NWQI watersheds should continue to be funded beyond fiscal year 2019-2020. If this funding was not available, alternatives through the California Agricultural Partnership Forum could fund watersheds through other sources such as the Environmental Quality Incentives Program or Regional Conservation Partnership Program. The State and Regional Board Irrigated Lands Regulatory Program staff nominated several watersheds for NWQI funding consideration.

REGIONAL WATER QUALITY CONTROL BOARDS

North Coast Regional Water Quality Control Board staff are developing an administrative vineyard and orchard discharge draft permit internally and plan to get input from an existing Stakeholder Advisory Group once the draft is ready for review.

Staff are developing a letter requesting technical information pursuant to California Water Code, section 13267, from lily bulb growers in the Smith River Plain. The information will be used to develop a draft water quality management plan that will be further refined through a stakeholder process. Staff are also initiating a process to develop a monitoring strategy in collaboration with other agencies and the Tolowa Dee-ni' Nation to track trends in water quality as the management plan is implemented.

San Francisco Bay Regional Water Quality Control Board Vineyard Program staff are focusing on outreach, enrollment, and reconciling land parcel information to determine which land parcels qualify for General Permit coverage. Following this year's grape harvest, beginning in late October, staff will focus outreach efforts on developing an annual report template and providing information and assistance about the farm planning element of the General Permit. Staff will also be working with the Napa County Farm Bureau and other local agricultural organizations to implement a group monitoring program.

Additional Vineyard Program information can be found at:

https://www.waterboards.ca.gov/sanfranciscobay/board_info/agendas/2018/August/41_ssr.pdf
and

https://www.waterboards.ca.gov/sanfranciscobay/water_issues/programs/agriculture/vineyard/index.html

Central Coast Regional Water Quality Control Board staff presented an informational item on "Healthy Soil Projects, Composting and Gleaning Crops" to the Central Coast Water Board and public at the June 28-29, 2018 board meeting. This informational item continued the discussion from the March and May 2018 board meetings of practices that can reduce pollutant loading. The topics and speakers for this informational item touched on soil health and its relationship to water quality and nitrogen removal of unharvested plant material as a method to reduce nitrogen loading and pollution. The informational item included guest presentations from external speakers: Allegra Roth, Community Environmental Council; Dan Noble, California Association of Compost Producers; and Roxanne Sanders and Emily Wilson, GleanSLO. These and future agenda informational items are intended to inform the board and interested parties as staff continue to develop the next agricultural order.

Los Angeles Regional Water Quality Control Board staff met with Ventura County Agricultural Irrigated Lands Group (VCAILG) representatives to discuss revisions required for the Groundwater Management Practice Evaluation Plan (GMPEP), which was originally due in July 2018. On July 12, 2018, VCAILG requested an extension for submitting the revised GMPEP; the extension was approved on August 7, 2018.

In July and August 2018, staff reviewed and approved four requests for termination from the Conditional Waiver from growers in Ventura and Los Angeles counties.

Staff is currently working with Natural Resources Conservation Service representatives on identifying new subwatersheds to propose for the fiscal year 2019-2020 NWQI grant. Staff was previously successful in helping to obtain NWQI funds for subwatersheds within the Calleguas Creek Watershed, including the McGrath Lake and Lower Conejo Arroyo subwatersheds.

Staff continue to follow up with growers in Ventura and Los Angeles counties who received notices to enroll or notices of violation for failure to enroll in the Conditional Waiver.

Colorado River Basin Regional Water Quality Control Board staff met with representatives from the Imperial Irrigation District-Imperial County Farm Bureau Coalition group at Imperial Irrigation District's office on June 20, 2018. These quarterly Technical Management Committee meetings are an opportunity to discuss implementation of the Imperial Valley Conditional Waiver.

On June 27, staff attended an Enforcement training held in our office. The training was conducted by David Boyers, Assistant Chief Counsel, and Susan Loscutoff, Attorney, both from the Office of Enforcement.

Staff are continuing with the development of a General Order of Waste Discharge Requirements to replace the Conditional Waiver for the Palo Verde area. The Waiver for the Palo Verde area expired in September 2017. Staff plan to bring the General Order before the Regional Board for consideration of adoption in November 2018.

Staff are also developing a General Order of Waste Discharge Requirements to replace the Conditional Waiver for the Bard Unit of Reservation Division. The Waiver for the Bard Unit expired in January 2018. Staff are planning to bring the General Order before the Regional Board for consideration of adoption in late 2018 to early 2019.

Santa Ana Regional Water Quality Control Board staff are working to verify enrollee information for the Conditional Waiver for Agricultural Discharges in the San Jacinto River watershed (Order No. R8-2016-0003 as amended by Order No. R8-2017-0023; the CWAD). The CWAD is the primary mechanism directing agricultural operations in the watershed to compliance with the Lake Elsinore and Canyon Lake nutrients Total Maximum Daily Loads (TMDLs; Order No. R8-2004-0037), which allocate a portion of the nitrogen and phosphorus loads to agriculture. The TMDLs are undergoing a technical evaluation to establish revised allocations; Staff is working cooperatively with agricultural representatives and other stakeholders in this ongoing process.

Beginning June 19, 2018, Notices of Authorization were sent to those enrollees whose applications were deemed complete. The first CWAD monitoring and reporting requirements are due six months after the issuance of the NOAs. State Water Board annual fees will be assessed in the second half of 2018. For those enrollees with incomplete Notices of Intent (NOIs), requests for additional information were sent beginning July 5, 2018. There are currently 28 enrollees in the CWAD program; an additional 28 were deemed exempt from the CWAD program. Properties given exempt status were properties that have changed from agricultural zoning to either industrial or residential zoning and are no longer farming on those properties or dry farmers who are not farming the land this season.

On March 15, 2018, the Santa Ana Water Board Executive Officer approved Eastern Municipal Water District (EMWD) as the third party to administer a coalition of growers who receive EMWD reclaimed water. 20 of the 28 CWAD enrollees joined the Coalition and an additional 4 were identified as qualified to join the coalition. The Coalition is in the process of reaching out to current members and those who qualify to attend an informational meeting schedule for August 28, 2018. Staff will be in attendance to answer questions and help with the enrollment process.

Staff are working to develop a coalition for the growers who are not in the Coalition. There are 4 identified enrollees who do not meet the qualifications for the Coalition, and they have expressed concern over their ability to pay the fees associated with the CWAD. Staff met with one of the dry farmers to determine the feasibility of developing a coalition specific to dry farmers and those who do not receive EMWD reclaimed water. Staff are working toward coordinating a meeting with the enrollees to help them establish a separate coalition.

San Diego Regional Water Quality Control Board staff continues to work on enrolling non-filers in General Waste Discharge Requirements for Discharges from Commercial Agricultural Operations for Dischargers that are Members of a Third-Party Group in the

San Diego Region, [Order No. R9-2016-0004](#) (Order), and compelling them to join one of four Third-Party Groups serving the San Diego Region. Of the ten Directive Letters issued to non-filers in the first and second quarter, nine recipients either submitted an electronic Notice of Intent (eNOI) or began the enrollment process by joining a Third-Party Group. Program staff issued seven more Directive Letters to non-filers for a total of 17 letters since February 2018.

1,367 agricultural operations, covering approximately 32,320 acres, are currently enrolled in the Order; an increase of 67 agricultural operations and approximately 2,320 acres since June. The Program's highest priority remains enforcement actions on non-filers starting with issuance of Directive Letters and follow ups that include assessing civil liabilities if necessary. Staff continue to collaborate with Third-Party Groups and storm water managers to educate growers within their jurisdictions about the requirement to enroll in the Order.

Staff reviewed and provided comments on draft Monitoring and Reporting Plans submitted by the four Third-Party Groups servicing the San Diego Region. Staff are facilitating discussions amongst the four groups regarding the requirement to share responsibility of thirteen regional bioassessment monitoring stations, where monitoring is required twice every five years. The goal of the discussions is to find an arrangement to share costs, which may include establishment of a Memorandum of Understanding and using one consultant to perform the work on behalf of all Third-Party Groups.