

IRRIGATED LANDS REGULATORY PROGRAM UPDATE February 2018

This month's Irrigated Lands Regulatory Program update provides a summary of significant activities of State Water Board from January 15, 2018 to February 15, 2018; and, the North Coast, San Francisco Bay, Central Coast, Los Angeles, Colorado River Basin, Santa Ana, and San Diego Water Boards' from December 15, 2017 to February 15, 2018. Next month's report will present activities of the Central Valley Water Board's Program and cover the time-period from January 15, 2018 to March 15, 2018.

STATE WATER RESOURCES CONTROL BOARD -

On January 18, 2018, Irrigated Lands Regulatory staff (staff) participated on a conference call hosted by Environment Protection Agency Region 9 staff to discuss possible coordination of the Irrigated Lands Regulatory Program and the Nonpoint Source Program as related to EPA 319 Grant supporting the Nonpoint Source Program.

On January 24-25, 2018, staff participated in the Irrigated Lands Regulatory Program roundtable held in Region 7. California Department of Food and Agriculture staff also participated as required by the Memorandum of Understanding between the two Agencies,

On January 30, 2018, staff participated in a DPR CalEPA Community Symposium. All branches of DPR shared information about DPR work in a professional and social setting.

On February 1, 2018, staff participated in Fee stakeholder meeting to discuss fee alternatives with several agricultural coalitions.

On February 1, 2018, staff met with Natural Resources Conservation Service staff to discuss potential revisions to the nutrient management and irrigation practice standards.

On February 5, 2018, staff met with the California Association of Pesticide Advisers and Certified Crop Advisers to discuss nutrient management plan certification and liability issues.

On February 7, 2018, staff participated in a California Bioresources Alliance steering committee meeting to discuss ongoing planning of the annual symposium scheduled for October 2018.

On February 13, 2018, staff participated in a meeting with staff from California Department of Food and Agriculture, California Air Resources Control Board, Environment Protection Agency Region 9, and the Compost Industry to discuss developing a formal Memorandum of Understanding between the Agencies for administering the activities of the California Bioresources Alliance.

On February 15, 2018, staff participated in conference call meeting with GeoTracker staff and several Regional Water Quality Control Board Irrigated Lands Regulatory Program coordinators to discuss the implementation of a statewide electronic Notice of Intent and the need to further develop a statewide data management system for managing the large amount of data the Irrigated Lands Regulatory Program is anticipated to generate.

REGIONAL WATER QUALITY CONTROL BOARDS

North Coast Regional Water Quality Control Board - North Coast Regional Water Quality Control Board staff (staff) are currently 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. The North Coast Board received funding for an additional PY for the Agricultural Lands Discharge Program. Once the position is filled, the person will be working solely on development of the vineyard and orchard permit.

Conditional Waivers of WDRs for Discharges Related to Specific Land Management Activities in the Shasta and Scott Watersheds were scheduled for renewal by the North Coast Regional Water Board on October 19, 2017 in Siskiyou County. In light of the recent wildfire emergencies, the Board decided to reschedule the hearing for April 19th, 2018 in Weed in Siskiyou County.

As of February 12, 2018, the North Coast Water Board had a total of 2923 active sites enrolled in the North Coast Region Conditional Waiver of Waste Discharge Requirements for discharges from cannabis cultivation and associated activities. Staff of the North Coast Board have also enrolled 24 active sites in the State Water Resource Control Board general permit for discharges from cannabis operations.

The North Coast Board recently released a final report on sampling conducted by Regional Board staff from 2013-2017 in the Smith River plain to better understand water quality conditions related to Easter lily bulb production. Staff have held meetings with interested stakeholders to discuss the results and are internally developing the next steps to take towards regulating discharges associated with lily bulb production.

San Francisco Bay Regional Water Quality Control Board - In July 2017, the Water Board adopted a General Permit that regulates pollutant discharges from vineyard properties in the Napa River and Sonoma Creek watersheds. We have posted the General Permit on our website at:

https://www.waterboards.ca.gov/sanfranciscobay/water_issues/programs/TMDLs/vineyard/final_docs/Vineyard%20General%20WDRs%20-%207-17.pdf .

Staff are working to finalize an electronic enrollment form, fact sheets and other outreach materials, and are implementing a communications strategy to facilitate enrollment under the General Permit. Enrollment will occur in two stages. The first group of vineyard properties will enroll by July 31, 2018 and a second group, comprised of those properties which received a one year extension due to 2017 wildfires in Napa and Sonoma, will enroll in July 2019.

Central Coast Regional Water Quality Control Board – No Report submitted for February 2018.

Los Angeles Regional Water Quality Control Board – The Conditional Waiver of Waste Discharge Requirements for Dischargers from Irrigated Lands adopted by Order No. R4-2016-0143 (Conditional Waiver) requires agricultural operators (dischargers) to enroll irrigated agricultural land under the waiver to continue discharging agricultural runoff to waters of the

state. If the dischargers no longer own or operate irrigated land for commercial crop production, the owners/operators can request a termination from the program. In January 2018, Los Angeles Regional Water Board staff (staff) performed inspections in Los Angeles County to process two Notices of Termination (NOT).

The Nursery Growers Association Los Angeles County Irrigated Lands Group (NGA-LAILG) 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.

Order No. R4-2016-0143 requires that dischargers complete and submit management practices questionnaires prepared by the discharger groups and approved by the Executive Officer. On January 17, 2018, staff had a conference call with NGA-LAILG representatives and discussed issues such as NGA-LAILG outreach to growers, enrollment, and compliance with the questionnaire. During the end of the 2010 Waiver term, the Los Angeles Department of Water and Power (LADWP) who is one of the two major landowners of irrigated agricultural lands in Los Angeles County, enrolled growers that lease their property. Staff is currently working with LADWP representatives to send letters to their growers to complete the management practices questionnaire. Staff is preparing to send notices to complete the questionnaire to the members of the NGA-LAILG that did not comply.

Staff is currently working on sending notices to re-enroll members of VCAILG who were terminated by the group due to non-payment.

In response to the continuous outreach efforts in regards to the Notices of Violation sent to growers in the Ventura County in March 2017, additional growers have enrolled in Order No. R4-2016-0143 in January and February 2018 without the need for additional enforcement actions.

Staff is reviewing the annual monitoring reports submitted by VCAILG and NGA-LAILG in December 2017 and January 2018 respectively.

In January 2018, staff attended the ILRP roundtable organized by the Colorado River Basin Regional Water Quality Control Board in Palm Desert and discussed a variety of issues and challenges that the Regional Boards meet in implementing the program.

Colorado River Basin Regional Water Quality Control Board – On January 24 and 25, Colorado River Basin Regional Water Board staff (staff) hosted the Irrigated Lands Regulatory Program Roundtable at our office in Palm Desert, CA. On day one, ILRP staff took part in a field trip to the Salton Sea to observe existing and planned projects to mitigate a shrinking Sea. On day two, staff discussed programmatic issues with statewide ILRP and CA Department of Food and Agriculture staff.

Staff are continuing with the development process of a General Order of Waste Discharge Requirements to replace the Conditional Waiver for the Palo Verde Valley. A draft of the proposed WDRs Order and supporting CEQA documents is being reviewed by the Regional Board's management. Staff are continuing the process for Board adoption, and plan to bring the General Order before the Regional Board for consideration of adoption in May 2018.

Staff have begun the development process of a General Order of Waste Discharge Requirements to replace the Conditional Waiver for the Bard Unit of Reservation Division.

Santa Ana Regional Water Quality Control Board – During the period of December 15, 2017 to February 15, 2018, Santa Ana Regional Water Quality Control Board staff (staff) have been consulting with land owners and farmers regarding enrolling under 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). In addition, staff have been coordinating with the Coalition Group sponsor, Eastern Municipal Water District (Eastern), to ensure an effective startup with the Coalition Group. On January 24, 2018, Eastern held an introductory coalition meeting with its members which staff attended. Eastern explained the workings of the coalition and provided the first of the required educational training. A speaker from Cal Poly San Luis Obispo discussed managing nitrogen in farm applications. On January 28, 2018 Eastern submitted their request to the Regional Water Board Executive Officer to be approved as the sponsor of the Coalition Group. It is expected that the Coalition Group will be approved by the Executive Officer in early March.

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; Santa Ana Water Board staff is working cooperatively with agricultural representatives and other stakeholders in this ongoing process.

On January 25, 2018 staff attended the Irrigated Lands Regulatory Program Roundtable in the Colorado Desert Regional Water Quality Control Board office in Palm Desert.

As of February 15, 2018 staff is reviewing the applicability of 113 enrollment forms, which have identified over 120 farms/ranches/parcels and over 10,000 irrigated acres. Enrollees had until January 28, 2018 to form one or more coalition groups. As noted, a coalition of recycled water users and citrus growers has formed and is managed by Eastern. Staff expect enrollment in this coalition group to include between 50-80% of all irrigated agriculture acreage in the San Jacinto River watershed.

The Santa Ana Water Board Executive Officer will issue Notices of Authorization (NOAs) to eligible enrollees in March 2018 after Executive Officer approval of coalition formation. 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.

San Diego Regional Water Quality Control Board - The San Diego Regional Water Quality Control Board's Commercial Agriculture Regulatory Program is preparing Directive Letters to Agricultural Operations in the Region that have not submitted Notices of Intent to enroll in waste discharge requirements for commercial agricultural operations (General Orders Nos. R9-2016-0004 and R9-2016-0005; collectively called the General Agricultural Orders). Over 1,200 electronic Notice of Intents (eNOIs) have been submitted using the GeoTracker database, most of which were submitted in August 2017. Since then, enrollment has tapered off, even though the San Diego Region has many more agriculture operations subject to the requirements of the General Orders. Staff is implementing strategies for increasing enrollment, including coordination with Third-Party Groups and municipalities downstream of agricultural areas. Staff is focusing initial efforts to increase enrollment in watersheds draining to waterbodies that are impaired for sediment or eutrophic conditions.

