

IRRIGATED LANDS REGULATORY PROGRAM UPDATE

March 2014

This month's Irrigated Lands Regulatory Program (ILRP) report covers the month of March 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 March 3, 2014, Irrigated Lands Regulatory Program (ILRP) staff participated in a Farm Food Safety Conservation Network (FFSCN) planning committee meeting to discuss the next annual FFSCN symposium.

On March 4, 2014, ILRP and Nonpoint Source (NPS) staff met with United States Department of Agriculture – Natural Resource Conservation Service (NRCS) to develop an agenda for a joint agency meeting between the State Water Board and NRCS management. The meeting will be to identify each agencies role in a formal partnership to develop water quality improvement projects and to assist growers comply with ILRP requirements.

On March 7, 2014, ILRP and NPS 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 March 7, 2014, ILRP staff met with the Sacramento-San Joaquin Delta Conservancy to develop a strategy on how to partner to develop and implement water quality improvement projects.

On March 11 and 25, 2014 ILRP and Office of Information Management and Analysis (OIMA) staff met with regional board subject matter experts to continue the development process of the ILRP Information Management Solution.

On March 17, 2014, ILRP and CalEPA staff met with Irrigation Training and Research Center (ITRC), a center established with the BioResource and Agricultural Engineering Department of the California Polytechnic State University, San Luis Obispo to discuss potential ITRC role in assisting the CalEPA carry out its mission.

On March 18, 2014, ILRP staff met with a California Certified Crop (CCA) Advisory Board member. The meeting was to discuss strategies on how best to develop a formal partnership between the State Water Board and the CCA to assist growers comply with ILRP requirements.

On March 19, 2014, ILRP staff participated in a WERF sponsored conference call regarding co- digestion of organic waste products with wastewater.

On March 27, 2014, ILRP staff met with NRCS staff to review NRCS conservation plans to determine how the conservation plans could be used to assist growers comply with ILRP requirements.

On March 28, 2014, ILRP staff participated in a Farm Food Safety Conservation Network steering committee meeting to discuss proposed revisions to the United Stated Department of Agriculture Food Safety Modernization Act.

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 is developing permits for discharges from each of the following commodities/areas: vineyards and orchards, agriculture in the Tule Lake watershed, and outdoor lily bulb cultivation. An update on each of the three permits under development follows.

Agriculture Discharges in the Tule Lake Basin

Regional Water Board staff met with agriculture interests in the Tule Lake Basin in January 2014 to discuss the formation of a third-party program to meet some of the permit requirements, such as developing a group water quality management plan and coordinated monitoring and reporting. In March 2014, staff held a teleconference call with the environmental and tribal interests regarding the development of this permit to get their input. Regional Water Board staff is also participating in a monitoring group to survey exiting monitoring data in the basin and help meet the permit monitoring requirements.

Lily Bulb Cultivation

Regional Water Board staff will meet 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. Preliminary test results have shown occurrences of toxicity in surface water. Sampling will continue in the basin as planned through spring of 2014.

Vineyards & Orchards

Regional Water Board staff plan to develop draft requirements for third party programs, including certification programs, by mid-2014. Regional Water Board staff is also coordinating with the San Francisco Bay Region's development of a discharge permit for vineyards in the Sonoma Creek and Napa River watersheds. Regional Water Board staff has attended local grower meetings to reach out to the local agricultural community regarding the upcoming permit.

Additionally, Regional Water Board staff is continuing to implement the TMDL Waivers of Waste Discharge Requirements for the Scott and Shasta River watershed and is scoping regulatory options for addressing discharges from marijuana cultivation.

SAN FRANCISCO BAY REGION

The San Francisco Bay Regional Water Quality Control Board (Regional Water Board) is working on completed site inspections and continuing to correspond with current permittees and other eligible operations regarding the Tomales Bay Grazing Waiver (Resolution R2- 2013-0039), which was renewed for a second, five-year term in December 2013. Staff is also planning outreach for the Napa/Sonoma Grazing Waiver, developing general waste discharge requirements (WDRs) for vineyard operations in the Napa River and Sonoma Creek watersheds, and renewing of a paired conditional waiver of WDRs Order and general WDRs Order for confined animal facilities.

With the renewal of the Tomales Bay Grazing Waiver the Regional Water Board mailed compliance reminders to current permittees and other eligible operations. As a result of this mailing, the proportion of landowners in compliance with the Grazing Waiver increased from 37% to 66%. In addition, the Regional Water Board staff conducted several field inspections in the watershed and continues to reach out to the regulated community to clarify the new residual dry matter (RDM) documentation requirements for complying with the renewed waiver. Regional Water Board staff plan to mail out a second round of compliance letters to eligible operations and follow up with individual landowners over the next calendar quarter.

Given that the Napa/Sonoma Grazing Waiver is structured similarly to the Tomales Bay Grazing Waiver program, Regional Water Board staff plans to mail out similar compliance reminders soon to current permittees and eligible operations in the Napa River/Sonoma Creek watersheds.

Revisions are moving forward to modify the draft Vineyard Waiver for Napa River/Sonoma Creek watersheds into General WDRs. Regional Water Board staff has held several meetings with staff from the Napa County Planning Department, Sonoma County Vineyard Erosion and Sediment Control (VESCO) program, California Land Stewardship Institute (Fish Friendly Farming), and Napa and Sonoma Resource Conservation Districts (RCDs) to better define the existing regulatory structure and conservation efforts that have already been implemented. Regional

Water Board staff is also providing input and guidance to local agencies for the development of third-party technical assistance capacity in both watersheds. Regional Water Board staff is in the process of finalizing a CEQA contract through the Department of General Services (DGS) and expects to begin preparation of an Environmental Impact Report (EIR) in April 2014.

Regional Water Board staff is also continuing to work on renewing the waiver of WDRs and general WDRs for confined animal facilities (CAFs) and to better align the program with requirements set forth by the North Coast Regional Water Board for cow dairies. The revised draft permit will extend region-wide and it will apply to various types of confined animal facilities (e.g., horse facilities) aside from cow dairies. Input from a focused technical assistance group will occur prior to public release of the draft, anticipated during the next quarter.

CENTRAL COAST REGION

Annual Compliance Form – Nitrogen Reporting:

The State Water Resources Control Board Order WQ 2013-0101 (State Order) upheld requirements for growers with Tier 2 and Tier 3 farms that have a high groundwater nitrate loading risk determination to report total nitrogen applied by October 1, 2014. Regional Water Board staff is coordinating with certified crop advisors, technical assistance providers, agricultural industry representatives and consultants, and growers to develop the total nitrogen reporting format in anticipation of reporting requirements. In addition, Regional Water Board staff participated in a March 4, 2014 Certified Crop Advisor Nutrient Management Training convened by the California Department of Food and Agriculture.

Drinking Water Notifications:

Based on results of individual groundwater monitoring, Regional Water Board 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. The purpose of these letters is to notify growers that their domestic well exceeds the drinking water standard for either nitrate or nitrogen and presents a health risk to those who may be drinking or cooking with the water. The letter also includes a grower resource document titled “Nitrate in Drinking Water” which provides important information about the domestic well, human health risks associated with drinking water containing elevated levels of nitrate/nitrogen, and a list of resources and contacts where growers and persons using the well can obtain additional information and assistance. This guide is also available on our website and in English and Chinese translations.

As of March 28, 2014, the Regional Water Board has issued approximately 85 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. The letter requests that the grower

provide confirmation that they have notified the domestic well users of the nitrate exceedance, posted an appropriate public health notification, and identify any treatment method or alternative drinking water supplies provided to ensure safe drinking water, if applicable.

Cooperative Groundwater Monitoring - Central Coast Groundwater Coalition:

The Regional Water Board continues to coordinate closely with the Central Coast Groundwater Coalition (CCGC) to implement cooperative groundwater monitoring program requirements. The CCGC issues drinking water notification letters for growers and landowners who are CCGC members. As of March 28, 2014, the CCGC has issued approximately 75 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. The CCGC notification letter is similar to the Regional Water Board's letter and also requests that the grower provide confirmation that they have notified the domestic well users of the nitrate exceedance, posted an appropriate public health notification, and identify any treatment method or alternative drinking water supplies provided to ensure safe drinking water, if applicable.

More detailed information regarding the CCGC and implementation of cooperative groundwater monitoring requirements is available on the [CCGC website](#).

Conclusion:

Regional Water Board staff continues to implement the Irrigated Lands Regulatory Program to improve and protect water quality and make progress towards the Regional Water Board goals of clean groundwater, healthy aquatic habitat and properly managed land that protects watershed functions. Future updates to the State Water Board will continue to report on the status of implementation, including compliance. For additional information about the [Central Coast Water Board's Irrigated Lands Regulatory Program](#), visit the Regional Water Board website.

In addition, the Regional Water Board receives routine Irrigated Lands Regulatory Program updates at each Board Meeting. More detailed [information regarding status of implementation](#) may also be found in the related staff reports on the Regional Water Board website.

LOS ANGELES REGION

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. To comply with the Conditional Waiver, these groups must submit Annual Monitoring Reports (AMR) to the Regional Board summarizing the results from their water quality monitoring efforts. NGA-ILG submitted their 2013 AMR on January

27, 2014. Due to a lack of rainfall and implementation of Best Management Practices, no runoff was reported from NGA-ILG monitoring stations. VCAILG submitted their 2013 AMR on February 26, 2014. VCAILG monitors 16 sites for the Conditional Waiver program, and 11 sites for TMDL compliance. Results were mixed, with nitrate concentrations still above Regional Board benchmark levels for most sites. Monitoring sites overall demonstrated a decrease in Total DDT and chlorpyrifos concentrations. Unfortunately, these concentrations are still above benchmark levels.

Enrollment:

Regional Water Board staff is currently involved in talks with the Los Angeles Department of Water and Power (DWP) and Southern California Edison (SCE) to enroll the nursery growers leasing DWP and SCE property. Staff from DWP plan to send a letter to tenants in April 2014. The letter will give growers information about the Conditional Waiver and the Regional Board, and also inform tenants that their lease could be at risk if they do not enroll in the Waiver program. On September 11, 2013 SCE sent out a packet to 118 tenants that included information about the Conditional Waiver, an enrollment form for NGA-ILG, and a letter stating if tenants do not enroll in the Waiver program in 45 days their lease could be terminated. This effort resulted in 56 tenants enrolling in the Conditional Waiver program. Out of the remaining tenants 17 were found to be exempt from the program, 10 responded but have not yet enrolled, and 35 did not respond. Regional Water Board staff and SCE staff are coordinating on how to enroll the remaining growers in the Conditional Waiver program.

GIS Database:

Regional Water Board staff has been creating a geographically referenced database of data relevant to the Irrigated Lands Program in Region 4. Data includes water quality monitoring results and mailing addresses of Conditional Waiver program members and growers that are targeted for outreach/enforcement actions. This database is consistently being updated as Regional Water Board staff receives more information on enrollment and BMP implementation. Regional Water Board staff recently included BMP adoption rates reported relative to monitoring station drainage area included in VCAILG's 2012 Water Quality Management Plan.

Education Workshops and Outreach:

VCAILG provided three classes in March 2014. One of the classes is being offered online to allow growers flexibility in attaining their eight required hours of education. The class takes approximately two hours to complete and has a quiz at the end to ensure that participants have absorbed the material. The other classes included information on Conditional Waiver requirements and irrigation management techniques on strawberry fields. NGA-ILG organized an educational meeting in March for growers who speak Spanish as their primary language. The meeting explained Conditional Waiver requirements in Spanish and took growers on a field trip to demonstrate Best Management Practice implementation. Since renewal of the waiver, both VCAILG and NGA-ILG have provided numerous opportunities for their members to receive all eight hours of education credit required by the Conditional Waiver.

Interagency Coordination:

Regional Water Board staff has been working with the Ventura County Resource Conservation District (RCD) to apply for 319(h) grants to improve conditions at the Central Ditch in the Calleguas Creek watershed. The Central Ditch is impaired for Organochlorine pesticides. The RCD submitted their full proposal for 319(h) funding in January 2014.

Regional Water Board staff continues to work with the NRCS, EPA, and State Water Board staff on the National Water Quality Initiative (NWQI) in the Calleguas Creek watershed. The NWQI program provides financial assistance to help farmers and ranchers implement conservation systems to reduce nitrogen, phosphorous, sediment and pathogen contributions from agricultural land. Regional Water Board staff also continues to work with local NRCS staff in Ventura County to reach out to growers about the NWQI.

Grant Management:

Regional Water Board staff is overseeing a Proposition 84 grant for a mobile irrigation laboratory to improve irrigation efficiency on farms in Ventura County (Grant Agreement No. 10- 417-554). The grantee is the Ventura County Resource Conservation District. Under the grant, RCD staff travels to farms, evaluates irrigation efficiency, recommends improvements, and provides cost share funding to implement the recommended improvements. The goal of the grant is to reduce dry-weather loading of agriculture-related pollutants. Staff reviews invoices and attends regular technical advisory committee meetings, including a meeting in January 2014, as part of their oversight of this grant.

Regional Water Board staff continues to manage a Clean Water Act section 319(h) grant which was executed for the purpose of identifying the contribution of and reducing metal loadings from nurseries and other irrigated agricultural lands in the San Gabriel River Watershed (Grant Agreement No. 11-098-554). The grantee is the Council for Watershed Health (CWH). The CWH has reported the status of their project in bi-monthly meetings with Regional Water Board staff and other stakeholders and has identified priority locations for BMP implementation along the San Gabriel River. The drought has negatively affected the project, however, preventing collection of baseline copper data imperative to assess the effectiveness of implemented BMPs. CWH requested an extension of one year to wait for rain to create enough runoff to collect samples. The request was approved on August 23, 2013.

COLORADO RIVER BASIN REGION

Colorado River Basin Water Board (Regional Water Board) staff is implementing Board Order R7-2012-0047, a Conditional Waiver of Waste Discharge Requirements (WDRs) for agricultural wastewater discharges and discharges of wastes from drain operation and maintenance activities within the Palo Verde Valley in Riverside and Imperial Counties. In October 2013, Palo Verde Irrigation District (PVID) submitted its Coalition

Group's membership farming over 6 acres in the compliance program. 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 Colorado River Basin 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 Colorado River Basin 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.

Regional Water Board staff is working with interested parties in the Coachella Valley to develop a Conditional Waiver of WDRs for consideration for adoption in 2014. This Conditional Waiver affects about 60,000 acres of farmland in central Riverside County. Regional Water Board staff is preparing the environmental documents to be prepared pursuant to CEQA and the draft Conditional Waiver. In September 2013, Regional Water Board staff received notification of the incorporation of the Coachella Valley Irrigated Lands Coalition group. Riverside County Farm Bureau and Coachella Valley Water District assisted the formation of this coalition group, and through a Memorandum of Understanding, are providing funding for start-up costs.

Regional Water Board staff is also 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 2014. Regional Water Board staff is preparing to assist with outreach and education activities planned at the Imperial County Farm Bureau's four annual drain-shed meetings scheduled in May 2014.

Grant Management:

Regional Water Board staff is overseeing a \$900,000 Proposition 50/84 Agricultural Water Quality Grant Program project (Grant Agreement 09-351-557) titled the Precision Drain Cleaning BMP Plan. The grantee is the Imperial Irrigation District. The goal of the grant project is to reduce impacts of IID's dredging and maintenance operations throughout the over 1,300-mile drainage system by implementing a drain improvement program. IID is now preparing the Final Project Report.

Under the grant, IID staff will develop a protocol to classify, prioritize, and rectify substandard earthen drainage segments. IID staff will also implement drain improvements as determined necessary, implement a program to utilize vegetation (i.e., salt grass) as a drain erosion inhibitor, and implement a GPS-guided drain cleaning program.

Regional Water Board staff is also managing a \$340,000 Clean Water Act section 319(h) grant which was executed for the purpose of completing the construction of treatment wetlands for diverted flow from the Alamo River in Imperial County where suspended solids, nitrogen, phosphate, and fecal coliform originating from agricultural lands will be removed through organic activities prior to being released back to the Alamo River on its journey to the Salton Sea (Grant Agreement 12-411-257). The grantee is Desert Wildlife Unlimited.

SANTA ANA REGION

No change in ILRP status from Santa Ana Regional Water Quality Control Board (Regional Water Board). The Regional Water Board ILRP coordinator retired, as result, all work to develop the Regional Water Board CWAD waiver has temporarily come to a halt. The Regional Water Board will be hiring to fill the position which includes the nonpoint source (NPS) program as well as work on CWAD). The Regional Water Board will get their ag waiver moving again as the new hire comes up to speed.

SAN DIEGO REGION

San Diego Regional Water Quality Control Board (Regional Water Board) staff continues to progress on several fronts related to their current Conditional Waiver of Waste Discharge Requirements for Discharges from Agricultural and Nursery Operations (Ag Waiver). General tasks currently include conducting inspections at randomly selected facilities to assess the level of Discharger familiarity with the Ag Waiver conditions; developing the informal enforcement processes for documented noncompliance; and working through processes associated with renewing the Ag Waiver in 2014.

Regional Water Board staff is working through an additional list of 135 agricultural operations that have reportedly left the existing agricultural monitoring groups/coalitions and failed to file an individual notice of intent (NOI) for coverage under the Ag Waiver. The identified operations are being investigated by the Compliance and Enforcement Assurance Unit to evaluate enforcement alternatives and prioritize further actions according to available resources.

Regional Water Board staff continue to research and develop a list of potential agricultural operations that may be classified as “non-filers” (e.g., failed to enroll in a monitoring group or file a notice of intent (NOI) to enroll as an individual operation).

Regional Water Board staff had teleconferences and attended meetings with Rainbow Municipal Water District (RMWD) Board member Griffiths to discuss RMWD Board’s desire to form a monitoring group.

Regional Water Board staff sent out over 100 letters to notify agricultural operators, which are eligible for enrollment or enrolled in the Ag Waiver, of our intent to conduct site visits/inspections during the week of September 20 through 27, 2013. Although there were a couple of miscommunications with dischargers during the period while our office phone system was off-line, staff successfully scheduled and completed 46 inspections/site visits at agricultural operations between September 18 and October 1, 2013.

Regional Water Board staff continues to develop draft revisions to the Ag Waiver, draft Monitoring and Reporting requirements, and associated CEQA documents for regional management review and comment prior to release for public review. An administrative draft of the California Environmental Quality Act (CEQA) Initial Study and Environmental Checklist for the Tentative General Waste Discharge Requirements for Discharges of Wastes from Commercial Agricultural and Nursery Operations within the San Diego Region has been released.

On October 9, 2013, Regional Water Board staff sent out 255 letters to members of Rainbow Municipal Water District Monitoring Group (RMWDMG) to notify them that RMWDMG is not recognized by the San Diego Water Board as a monitoring group. San Diego Water Board further advised these members that in order to comply with our Ag Waiver they may form or join a new approved monitoring group or submit a complete NOI for coverage as an individual discharger.

On January 17, 2013, San Diego Water Board staff sent out 51 letters to growers who may no longer be participating in the San Diego Region Irrigated Lands Group. San Diego Water Board advised them that the Ag Waiver requires any member who ceases to participate in a monitoring group to file a Notice of Intent (NOI) with the San Diego Water Board to enroll as an individual under the Ag Waiver. The NOI must be filed with the San Diego Water Board within 30-days of ceasing to participate in the monitoring group.

On January 23, 2014, San Diego Water Board released a draft of General Waste Discharge Requirements and Monitoring and Reporting Program for Discharges from Commercial Agricultural and Nursery Operations within the San Diego Region (WDRs) for informal public comment.

An informal stakeholder meeting will be held at 9am on February 19, 2014 at the San Diego Water Board office.