

IRRIGATED LANDS REGULATORY PROGRAM UPDATE

September 2014

This month's Irrigated Lands Regulatory Program (ILRP) report covers through the month of September 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 September 3, 2014 ILRP staff participated in a conference call with Region 7 staff and City/County agencies to discuss an alternative biosolids treatment at the wastewater treatment plant in the City of Brawley (Imperial County).

On September 5, 2014, ILRP and Nonpoint Source (NPS) staff participated in a conference call with USEPA to review a presentation that will be presented at the NPS National Workshop in November 2014.

On September 9, 2014, ILRP staff participated in a field demonstration project at UC Davis. The field demonstration was to observe green waste application on agricultural land and to measure irrigation management and tillage practices to reduce greenhouse gas emissions.

On September 10, 2014, ILRP staff participated with EPA Region 9 staff in a field inspection of the Santa Rosa Wastewater Treatment Plant biosolids and compost operations. Included in the field tour was the inspection of the biosolids land application site.

On September 16, 2014, ILRP staff participated in a meeting with CDFA to discuss the Grower Nitrogen Management Program as described in the Central Valley Regional Water Quality Control Board WDRs. Other meeting participants included Central Valley Water Board, CDFA, and UC Davis Nitrogen Management Training Steering Committee members.

On September 17, 2014, ILRP staff participated in a meeting with Board Member D'Adamo, other State Water Board staff, and Southern California Gas Company staff/contractor. The meeting was to discuss de-carbonizing the pipeline for renewable natural gas from dairies, wastewater treatment plants, and other sources.

On September 19, 2014, ILRP staff participated in a meeting with CDFA staff to discuss implementation of the State Water Board / CDFA MOU.

On September 23, 2014, ILRP staff participated in a presentation to the State Water Board regarding the SBX2 1 Agricultural Expert Panel Final Report.

On September 25, 2014, ILRP staff attended a CalRecycle workshop to discuss initiating the formal rulemaking process for the Compostable Materials, and Transfer/Processing regulations.

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 on these efforts follows.

Agriculture Discharges in the Tule Lake Basin

Staff have drafted an informational letter to landowners in the Tule Lake Basin as requested by the Tulelake Irrigation District (TID) and the Lava Beds-Butte Valley RCD. The letter will be sent to landowners along with another letter from TID and the RCD explaining the approach to developing the permitting program and the organization of a third-party program to facilitate compliance. TID and the RCD will hold a series of workshops this winter to outreach to their community, explain the process, and encourage participation in the third-party program. Concurrently, staff are writing the draft permit to share with the Advisory Group in early 2015.

Lily Bulb Cultivation

Regional Water Board staff held a phone conference meeting with local growers to discuss the development of a water quality management plan that could be used as a group plan for compliance with the upcoming permit. The growers submitted a draft plan and staff are in the process of commenting and refining that draft. Concurrently, staff are writing the draft permit to share with the Lily Bulb Production Advisory Group in 2015 following work on the Tule Lake permit. Sampling will continue through next year in order to conduct at least two more wet weather sampling events.

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 also participating in the development of agricultural BMPs by the Agricultural Commissioner in Sonoma

County as part of the adoption of a Sonoma County Riparian Ordinance. Staff are also in the process of developing guidelines for third party programs to facilitate compliance with the upcoming WDRs.

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.

SAN FRANCISCO BAY REGION

San Francisco Bay Regional Water Quality Control Board (Regional Water Board 2) staff continues to develop its Agricultural Lands Discharge Program. A significant element of the Agricultural Lands Discharge Program focuses on regulating discharges from vineyard properties located in the Napa River and Sonoma Creek watersheds through the development of general waste discharge requirements (WDRs) and supporting draft environmental impact report (EIR). Over this reporting period, Regional Board staff kicked-off the EIR process by publicly noticing an Initial Study (IS) and a Notice of Preparation (NOP) in support of the EIR. Staff also held a CEQA scoping meeting at the Napa County Agricultural Commissioner's office to receive public comment on the Vineyard WDRs project. Staff worked to integrate comments received during the public process to revise and inform our CEQA approach and continued to work closely with our CEQA contractor to support efforts in developing the EIR. Additionally, staff continued to assist several third-party technical assistance groups, through a combination of general outreach and 319 (h) grant specific actions, to develop and enhance local expertise, tools, and templates to assist growers with Vineyard WDRs compliance (in anticipation of permit adoption). Staff coordinated closely with the Region 1 Water Board staff on a) proposed elements and requirements of the Region 2 vineyard WDRs, b) expectations and roles of third-party technical assistance groups, and c) general timeline for Region 2 Board consideration of Vineyard Program (adoption of general WDRs and certification of EIR). Staff worked closely with State Board and Region 1 Board management on a budget change proposal for one additional staff position to assist in Vineyard Program development, roll- out, ongoing Program administration, and enforcement. Regional Water Board 2 also administers its grazing and confined animal facilities programs within its Agricultural Lands Discharge Program.

Over this reporting period staff continued to fine tune a pair of permits (conditional waiver of WDRs and general WDRs) for confined animal facilities and solicited the commitment of small technical advisory group familiar with animal management to review key elements of the two permits before public notice. Staff also continued to assess permittee compliance with the Tomales Bay and Napa River and Sonoma Creek watershed Grazing Program. Staff assisted third parties on the annual measurement

and reporting of residual dry matter (performance metric for grazing pastures). Staff also participated in the Statewide Grazing Regulatory Action Program (GRAP). Participation included briefing State Board regional liaisons on the current status of the GRAP workgroup and anticipated next steps. Staff coordinated with Region 1 and State Board on proposed fee changes as they relate to CAFs regulated under conditional waivers of WDRs.

CENTRAL COAST REGION

ILRP Activities at a Glance:

Regional Board staff finalized the total nitrogen applied (TNA) reporting form, forwarded it to consultants and technical service providers, and posted it on our website. The TNA reports are due by tier-2 and tier-3 high risk growers on October 1, 2014.

Regional Board staff conducted routine tiering analysis. Improvements in GIS analysis resulted in tier change letters to enrollees. To date, we anticipate about 400 tier increases at the ranch level, most of which are from tier-1 to tier-2; this change requires these growers to complete the annual compliance form for the first time by October 1, 2014 (staff is being flexible about the due date). Staff communicated with consultants and technical service providers prior to sending the tier change letters.

Expert Panel: Chapter 1 of the Second Extraordinary Session of 2008 (SBX2 1, Perata), required the State Water Board to develop pilot projects focusing on nitrate in groundwater in the Tulare Lake Basin and Salinas Valley, and to submit a report to the Legislature on the scope and findings of the pilot projects, including recommendations.

The State Water Board made 15 recommendations. Recommendation 14 of the State Water Board's report to the Legislature was to convene a panel of experts (Expert Panel) to assess existing agricultural nitrate control programs and develop recommendations, as needed, to ensure that ongoing efforts are protective of groundwater supply quality. The Expert Panel released a draft report in July 2014. Regional Board staff provided written comments to the State Water Board following the public release of the draft report. The Expert Panel followed with a final draft, which they presented in summary to State Board on September 23, 2014.

Items for Discretionary Review by the Regional Board:

The Ag Order identifies discretionary actions by the Executive Officer that are subject to review by the Regional Board. Regional Board staff has posted items subject to discretionary review at the Irrigated Lands Regulatory Program section of their internet site and will update its quarterly for review. The Regional Board staff will notify interested parties of the updates through subscription to a Lyris list.

Discretionary Review items include Provision 11 for the approval or denial of a third-party project or program. On August 14, 2014, the Executive Officer approved a pilot project submitted by the Santa Barbara County Agricultural Commissioner (SBCAC).

The pilot project is specific to application of chlorpyrifos where participating growers will use granular chlorpyrifos under controlled conditions with the objective of having no runoff or toxic effects of the pesticide. The SBCAC will work closely with participating growers and DPR to implement, monitor, and verify effective management practices and use conditions in an effort that could ultimately lead to a SBCAC permit specific to granular chlorpyrifos use. At this time, participation in the pilot project does not trigger a lowering of the tier status of the participating grower; however, once the project is proven successful, the Executive Officer could reconsider this. Regional Board staff will include the information surrounding the pilot project in the next update regarding items for discretionary review.

Also, under review, is Part 2 of the MRP for approval or denial of a cooperative groundwater monitoring programs. On July 3, 2014, Central Coast Water Board staff received a request from California Rural Legal Assistance (CRLA) for discretionary review of the alignment of the coalition's notification process with the Central Coast Water Board's individual monitoring notification process. This item was originally considered as part of the July 31, 2014 Water Board meeting Drinking Water Notification item (Item No. 13). This hearing was continued to the November 13-14, 2014 Water Board meeting. Consideration of contour mapping as a supplement is also to be considered, not a substitute for the display of individual well location, obscured by ½ mile. The hearing for this item is tentatively scheduled for the January 2015 Water Board meeting. Regional Board staff have received no additional new proposals for cooperative groundwater monitoring programs since the last update in the Executive Officer's Report.

Provision 18 is under review for approval of a farm to transfer to a lower tier, or requirement of a farm to transfer to a higher tier. Regional Board staff will post quarterly tier changes to the discretionary review portion of the ILRP website and will notify interested parties through Lyris list subscription. The current list was updated in July 2014.

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 August 13, 2014, the Water Board has issued approximately 106 drinking water notification letters to growers and landowners who have one or more domestic drinking water wells which exceed the drinking water standard and some farms/ranches have multiple groundwater wells with exceedances.

Cooperative Groundwater Monitoring (Central Coast Groundwater Coalition):

Regional Board staff continues to coordinate closely with the Central Coast Groundwater Coalition (CCGC) to implement cooperative groundwater monitoring program requirements and develop the data management structure for this relatively new component of the Ag Order. Regional Board staff met with CCGC staff on August

21, 2014 regarding, among other topics, reconciling the two drinking water notification processes, in follow up to the July board meeting.

The CCGC issues drinking water notification letters for growers and landowners who are CCGC members. As of August 7, 2014, the CCGC issued approximately 173 drinking water notification letters to growers and landowners who have one or more domestic drinking water wells which exceed the drinking water standard.

LOS ANGELES REGION

Compliance with the Renewed Conditional Waiver:

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, the growers must enroll in these groups or individually enroll in the program.

Enrollment:

On August 15, 2014 Regional Water Board staff sent out notices to ten growers in Ventura County to re-enroll in the Conditional Waiver for irrigated agricultural lands.

GIS Database:

Regional Water Board staff has been consistently managing a geographically referenced database of data relevant to the Irrigated Lands Program in Region 4. This dataset includes water quality monitoring results, mailing addresses of Conditional Waiver program members, and enforcement actions as well. Regional Board staff is working on updating the parcel and land use data to manage and improve enrollment.

Education Workshops and Outreach:

Regional Water Board staff approved two workshops in August 2014 held by UCCE Ventura County. The first workshop held on August 27, 2014 provided updated information on the latest in strawberry research and focused on irrigation and important issues for growers in drought- susceptible southern California. Regional Water Board staff attended the second workshop on August 28, 2014. This workshop provided both information about irrigation management efficiency in nurseries and local nurseries tours.

Interagency Coordination:

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 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). Regional Water Board staff attended a meeting on September 8, 2014. CWH has reported the pre-BMP monitoring results and updates on surveys and outreach.

New Staff:

Regional Board hired new staff to continue working on the surface water quality issues resulting from the irrigated agricultural lands, and to assure compliance with related regulations.

LAHONTAN REGION

The Lahontan Regional Water Quality Control Board (Lahontan Water Board) staff spent much of its efforts during the August/September reporting period on administrative tasks supporting the Irrigated Lands Regulatory Program. Lahontan Water Board staff reviewed and provided comments to the State Water Board on the Agricultural Expert Panel Draft Report. Lahontan Water Board staff researched local information and provided appropriate input to help State Water Board staff complete its Irrigated Lands Regulatory Program Workload Matrix. Lahontan Water Board staff researched local information and provided input to State Water Board staff to support our Region's portion for the State Water Board's proposed Budget Change Proposal for the Agricultural and Irrigated Lands Regulatory Program Adjustment. Lahontan Water Board staff provided input to State Water Board staff on the Irrigated Lands Regulatory Program Issues paper for MCC consideration.

Lahontan Water Board staff also spent significant time working on contaminated groundwater issues in the community of Hinkley as they relate to agricultural impacts. Lahontan Water Board staff began a nitrate investigation in the Hinkley area to assess impacts associated with past and present agricultural activities in the area. This year, PG&E provided enough baseline water quality data ahead of its planned agricultural treatment efforts to indicate areas of current nitrate pollution. Lahontan Water Board staff sampled 13 residential wells in the Hinkley area for nitrate and other constituents and provided results to residents. Lahontan Water Board staff coordinated with the region's contract laboratory and State Board staff on the process to upload residential well data to GeoTracker.

COLORADO RIVER BASIN REGION

The Colorado River Basin Water Quality Control Board is in the process of re-organizing ILRP staff. Because of the reorganization the Regional Water Board was not able to submit a monthly report for September 2014.

SANTA ANA REGION

Latest drafts of CWAD documents are being revised to include mitigation and offset measures for TDS and N impacts to groundwater, and to address concerns regarding land application of mulch or untreated green waste on dry, non-irrigated farmland as soil amendment.

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 Ag. enrollees, the program will seek to attain at least 10% enrollment.

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 September 17, 2014, Regional Water Board staff conducted a quarterly meeting of the CWAD advisory group. Discussion focused on concerns with land application of Mulch or untreated green waste on Ag. land, and possible regulatory approaches within the Ag. Waiver, and developing an effective Ag Waiver program that addresses NPS pollution concerns within the basin, while still being enforceable.

The next CWAD program advisory group meeting is scheduled to take place on November 19, 2014.

SAN DIEGO REGION

There is no status change with RB9's tentative General Waste Discharge Requirement for Ag Dischargers.

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.