

SUMMARY OF DRAFT AG ORDER REQUIREMENTS

SEDIMENT AND TURBIDITY				
Legal Requirement - Minimize sediment discharges from agricultural lands to meet sediment and turbidity standards and protect aquatic habitat ^{2,3}				
Tier 1, Tier 2, and Tier 3 - REQUIREMENTS				
Draft Ag Order Condition	Confirmation of Compliance (monitoring/reporting)	Point of Compliance¹	Milestone(s) to Measure Progress	Time to Compliance
(46) Dischargers must conduct receiving water quality monitoring	Receiving Water Monitoring and Reporting	Receiving Water	Initiated Receiving Water Monitoring Reported Receiving Water Monitoring Results	6 Months 1 Year and every year thereafter
(65) Dischargers must not cause or contribute to excursions or exceedances of sediment, turbidity, or temperature water quality standards in waters of the State or the United States. Dischargers may have to implement best management practices, treatment or control measures, or change farming practices to achieve compliance with this Order.	Farm Plan	Ranch	Farm Plan developed	1.5 Years
	Management practice implementation	Ranch	Farm Plan updated	2.5 Years and every year thereafter
	Receiving Water Monitoring	Receiving Water	Reported Receiving Water Monitoring Results	1 Year and every year thereafter
(66) Dischargers must minimize the presence of bare soil vulnerable to erosion and soil runoff to surface waters to meet turbidity and sediment water quality standards in waters of the State or the United States and achieve compliance with this Order.	Farm Plan	Ranch	Farm Plan developed	1.5 Years
	Management practice implementation	Ranch	Farm Plan updated	2.5 Years and every year thereafter
	Receiving Water Monitoring	Receiving Water	Reported Receiving Water Monitoring Results	1 Year and every year thereafter

SUMMARY OF DRAFT AG ORDER REQUIREMENTS – Sediment and Turbidity

(67) Dischargers must prevent or minimize discharges of waste to waters of the State and of the United States to protect beneficial uses of existing aquatic habitat (including perennial, intermittent, or ephemeral streams, lakes, and riparian and wetland area habitat or other waterbodies) to achieve compliance with this Order... by: a. Maintaining ... riparian functions b. Maintaining naturally occurring mixed vegetative cover ...	Farm Plan	Ranch	Farm Plan developed	1.5 Years
	Management practice implementation	Ranch	Farm Plan updated	2.5 Years and every year thereafter
	Receiving Water Monitoring	Receiving Water	Reported Receiving Water Monitoring Results	1 Year and every year thereafter
(68) In the case where disturbance of aquatic habitat is necessary for the purposes of water quality improvement or restoration activities, Dischargers must implement appropriate and practicable measures to avoid, minimize, and mitigate erosion and discharges of waste, including impacts to aquatic habitat.	Farm Plan	Ranch	Farm Plan developed	1.5 Years
	Management practice implementation	Ranch	Farm Plan updated	2.5 Years and every year thereafter
	Receiving Water Monitoring	Receiving Water	Reported Receiving Water Monitoring Results	1 Year and every year thereafter
(69) Where required by California Fish and Game Code, Dischargers must submit proof of an approved Streambed Alteration Agreement from CDFG for any work conducted within the bed, bank or channel of a lake or stream, including riparian areas that have the potential to result in erosion and discharges of waste to waters of the State.	Streambed Alteration Agreement Reporting	Ranch	Reported proof	Whenever applicable
(70) Where required by California Forest Practice Rules, Dischargers must submit proof of California Department of Forestry and Fire Protection authorization, and enrollment in the Central Coast Water Board's General Conditional Waiver of WDRs – Timber Harvest Activities in the Central Coast Region, for any commercial harvesting of timber that has the potential to result in erosion and discharges of waste to waters of the State.	Timber Harvest Waiver Reporting	Ranch	Reported proof	Whenever applicable

SUMMARY OF DRAFT AG ORDER REQUIREMENTS – Sediment and Turbidity

(71) Dischargers must implement erosion control, sediment, and stormwater management practices in non-cropped areas to protect unpaved roads and other heavy use or bare soil areas from concentrated flows of stormwater.	Farm Plan	Ranch	Farm Plan developed	1.5 Years
	Management practice implementation	Ranch	Farm Plan updated	2.5 Years and every year thereafter
	Receiving Water Monitoring	Receiving Water	Reported Receiving Water Monitoring Results	1 Year and every year thereafter
(73 - 74) Dischargers must develop and implement a farm water quality management plan (Farm Plan).	Farm Plan	Ranch	Farm Plan developed	1.5 Years
	Management practice implementation	Ranch	Farm Plan updated	2.5 Years and every year thereafter
(75 - 77) Dischargers must obtain appropriate farm water quality education and technical assistance to achieve compliance.	Farm Plan	Ranch	Farm Plan developed	1.5 Years
			Farm Plan updated	2.5 Years and every year thereafter
Tier 2 and Tier 3 - ADDITIONAL REQUIREMENTS				
Draft Ag Order Condition	Confirmation of Compliance (monitoring/reporting)	Point of Compliance¹	Milestone(s) to Measure Progress	Time to Compliance
(78) Tier 2 and Tier 3 Dischargers with operations adjacent to or containing a waterbody identified on the 2010 List of Impaired Waterbodies as impaired for temperature, turbidity, or sediment must conduct photo monitoring.	Photo Monitoring and Reporting in Compliance Document	Ranch or edge of ranch	Photo documentation submitted	1.5 Years and every year thereafter
(79) Tier 2 and Tier 3 Dischargers must submit an Annual Compliance Document.	Compliance Document Reporting	Ranch	Compliance Document submitted	1.5 Years and every year thereafter

SUMMARY OF DRAFT AG ORDER REQUIREMENTS – Sediment and Turbidity

Tier 3 - ADDITIONAL REQUIREMENTS				
Draft Ag Order Condition/Prohibition	Confirmation of Compliance (monitoring/reporting)	Point of Compliance¹	Milestone(s) to Measure Progress	Time to Compliance
(48, 95) Tier 3 Dischargers must conduct individual discharge monitoring.	Individual Discharge Monitoring and Reporting	Ranch	Initiated Individual Discharge Monitoring Individual Discharge Monitoring Results	6 Months 2 Years and every year thereafter
(92 - 94) Tier 3 Dischargers with operations adjacent to or containing a waterbody identified on the 2010 List of Impaired Waterbodies as impaired for temperature, turbidity, or sediment must submit to the Executive Officer a Water Quality Buffer Plan that protects the listed waterbody and its associated perennial and intermittent tributaries, or alternative.	Water Quality Buffer Plan Reporting	Ranch or edge of ranch	Water Quality Buffer Plan submitted	3.5 Years
(99) Tier 3 Dischargers must demonstrate that they are not causing or contributing to exceedances of water quality standards for sediment and turbidity in waters of the State or of the United States. Dischargers may have to implement best management practices, treatment or control measures, or change farming practices to achieve compliance with this Order.	Management practice effectiveness reporting Individual Discharge Monitoring Receiving Water Monitoring	Ranch Variable: in discharge at edge of ranch or just prior to discharge entering surface water Receiving Water	Measured load reduction Measured concentration reduction in discharge Measured concentration or load reduction in receiving water	3 Years

SUMMARY OF DRAFT AG ORDER REQUIREMENTS – Sediment and Turbidity

Footnote 1. The Point of Compliance does *not necessarily* refer to a place that water quality standards must be met. The Point of Compliance refers to the place where a specific condition or action required by the Order takes place and where any indicator or parameter is measured or observed as required by the Order or by the Monitoring and Reporting Program, which may or may not be receiving water. Therefore, the Point of Compliance is variable and dependent on which condition or action is under evaluation as an indicator of compliance. For example, when a discharger must implement farm water quality practices and report on the practices in the Farm Plan or Annual Compliance Document, the Point of Compliance is the farm, ranch or location where the practice is employed. If the discharger must monitor their individual discharge, the point of compliance may be any of the following as applicable: at the edge of the farm, at an appropriate point after the discharge passes through a treatment or control structure or system that is located off the farm (e.g., a vegetated buffer or conveyance ditch adjacent to the farm), or at the point just prior to the discharge entering the receiving water body, or in the receiving water.

Footnote 2

Basin Plan Chapter 2, Sec. II.A.2 – Narrative Sediment Objective

“The suspended sediment load and suspended sediment discharge rate of surface waters shall not be altered in such a manner as to cause nuisance or adversely affect beneficial uses.”

Basin Plan Chapter 3, II.A.2. Objectives for all Inland Surface Waters, Enclosed Bays, and Estuaries — Turbidity and WDR R3-2006-0032

“Waters shall be free of changes in turbidity that cause nuisance or adversely affect beneficial uses. Increase in turbidity attributable to controllable water quality factors shall not exceed the following limits in receiving water:

- a. Five NTU, where natural turbidity is less than 25 NTU
- b. Twenty percent, where natural turbidity is between 25 and 50 NTU.
- c. Ten NTU, where natural turbidity is between 50 and 100 NTU.
- d. Ten percent, where natural turbidity is greater than 100 NTU.”

Basin Plan Chapter 5, Sec. III.G. -- Sedimentation and Erosion Control

“Regulation of sediment discharges from routine annual agricultural operations, such as tilling, grazing, and land grading and from construction of agricultural buildings is waived except where such activity is causing severe erosion and causing, or threatening to cause, a pollution or nuisance.”

Basin Plan Chapter 5, Sec. V.G.4 -- Erosion and Sedimentation Control Actions

“A filter strip of appropriate width, and consisting of undisturbed soil and riparian vegetation or its equivalent, shall be maintained, wherever possible, between significant land disturbance activities and watercourses, lakes, bays, estuaries, marshes, and other water bodies. For construction activities, minimum width of the filter strip shall be thirty feet, wherever possible as measured along the ground surface to the highest anticipated water line.”

Basin Plan Chapter 5, Sec. V.G.6 -- Erosion and Sedimentation Control Actions

“Cover crops shall be established by seeding and/or mulching, or other equally effective measures, for all disturbed areas not otherwise protected from excessive erosion.”

Footnote 3

Basin Plan Chapter 2, Sec. II. – Water Quality Objectives to Protect Beneficial Uses including aquatic habitats

“Water quality objectives are considered to be necessary to protect those present and probable future beneficial uses enumerated in Chapter Two of this plan and to protect existing high quality waters of the State. These objectives will be achieved primarily through the establishment of waste discharge requirements and through implementation of this water quality control plan.”

S:\Shared\Agricultural Regulatory Program\Ag. Order 2.0\0- March2011_Documents\Board Presentation Info\Matrix Ag Requirements_Sed_010511.doc