

ITEM: 5

SUBJECT: Workshop on the Draft WDRs in the Western Tulare Lake Basin Area

BOARD ACTION: *No board action. Workshop Item.*

BACKGROUND: On 14 June 2013, staff circulated draft Waste Discharge Requirements for discharges from irrigated lands for growers that are members of a third-party group within the Western Tulare Lake Basin Area (WTLBA Order). Interested person comments were due by 15 July 2013. Staff revision to the draft WTLBA Order based on interested person comments are expected to begin in August of this year. The tentative WTLBA Order is scheduled to be circulated for public comment in September/October 2013. At a January 2014 hearing in Los Banos, staff intends to propose board adoption of the tentative WTLBA Order. The draft WTLBA Order and attachments are included in this agenda package.

In general, the draft WTLBA Order is similar to the board-adopted Waste Discharge Requirements (WDRs) for Growers within the Eastern San Joaquin River Watershed (Eastern San Joaquin Order) and the tentative Tulare Lake Basin Area Order (tentative TLBA Order). The draft WTLBA Order addresses discharges to both surface water and groundwater, requires regional surface water and trend groundwater monitoring, and evaluation of management practice effectiveness. The draft WTLBA Order maintains the use of third-party entities to represent growers, and requires farm evaluations by growers, nitrogen management and reporting by growers in high vulnerability groundwater areas, and sediment and erosion control plans where applicable. The draft WTLBA Order also provides more time for small farming operations to comply with certain requirements.

There are two significant differences between the draft WTLBA Order and the adopted Eastern San Joaquin Order and tentative TLBA Order. The draft WTLBA Order allows portions of high vulnerability groundwater areas to temporarily operate under reduced monitoring requirements where, due to naturally occurring constituents, the underlying groundwater would likely qualify for de-designation under the Basin Plan. In such cases, the third-party has the option of pursuing a basin plan amendment to address the appropriateness of the beneficial use. The reduced monitoring and reporting requirements would be no less stringent than the requirements for low vulnerability areas.

The other significant difference is that the draft WTLBA Order recognizes the dry climate and minimal surface water flow in the Western Tulare Lake Basin Area. The surface water monitoring program focuses on sampling the three ephemeral streams crossing the Western Tulare Lake Basin Area, at least monthly, whenever water is present.

RECOMMENDATION There is no staff recommendation for this workshop item. The board may provide direction to staff based on the staff presentation and comments received from the public.

Mgmt. Review \_\_\_\_\_  
Legal Review \_\_\_APM\_\_\_\_\_  
30 July 2013

Central Valley Regional Water Quality Control Board workshop  
403 "F" Street, Los Banos Fairgrounds  
Los Banos, CA 93635