Regional Water Quality Control Board
North Coast Region
Wednesday, February 20, 2019
Regional Water Quality Control Board Office
Santa Rosa, California

**ITEM: 5**

**SUBJECT:** Update on the status of addressing lily bulb operations in the Smith River Plain (*Ben Zabinsky and Clayton Creager*)

**BOARD ACTION:** This is an information item only; no action will be taken by the Board.

**BACKGROUND:** This item will provide an update on the status of efforts by Regional Water Board staff and their partners to address discharges of waste associated with lily bulb operations in the Smith River Plain. Regional Water Board staff last presented to the Board on this topic in April 2018, when we presented the results of the Regional Water Board's January 2018, Smith River Plain Surface Water and Sediment Monitoring Report (January 2018 report) assessing water quality in the Smith River Plain. The results of the report demonstrated aquatic toxicity and the presence of agricultural chemicals in concentrations above critical thresholds in some of the waterbodies in the study area. After presenting the results and hearing input from the public, lily bulb growers, and Regional Water Board staff, the Board directed staff to develop a California Water Code section 13267 request for information from the lily bulb growers. The section 13267 request letter was sent to growers on October 2, 2018, and requires growers to submit information by February 1, 2019, related to their operations and measures being taken to address the water quality problems identified in the January 2018 report. As part of this update, staff will report on the lily bulb growers' response to the section 13267 information request.

**DISCUSSION:** The water quality management practices described by the lily bulb growers in conjunction with information from NOAA Fisheries, the California Department of Fish and Wildlife (CDFW), and the Tolowa Dee-ni' Nation will be used by Regional Water Board staff to develop a draft Smith River Plain Water Quality Management Plan (SRPWQMP or Plan). The draft SRPWQMP will be a comprehensive water quality plan for the area, with the goal of coordinating measures being taken and planned in the Smith River Plain to address water quality and aquatic habitat restoration. It will also include a plan for ongoing monitoring to track the water quality status and trends, with regular reporting to the public and Regional Water Board on progress implementing the Plan. The SRPWQMP will be coordinated with other ongoing restoration and water quality protection efforts including the Smith River Restoration Plan recently completed by the Smith River Alliance. The Smith River Restoration Plan contains dozens of priority projects focused on improving fish passage and riparian conditions in the Smith River Plain. The Regional Water Board efforts are focused on preventing agricultural chemicals from entering streams and will complement the restoration projects described in the Smith River

Restoration Plan, and together they will serve to protect and restore aquatic habitat in the Smith River Plain.

Staff anticipate the draft SRPWQMP will be available for stakeholder input and written comment in the summer of 2019. Following stakeholder comment, the members of the Regional Water Board will decide whether the SRPWQMP will be approved by the Board or by the Executive Officer. Further, consistent with the requirements of the Policy for Implementation and Enforcement of the Nonpoint Source Pollution Control Program (State Nonpoint Source Policy) and the Statement of Policy with Respect to Maintaining High Quality of Waters in California (State Antidegradation Policy) and subject to public input, the Regional Water Board plans to utilize the SRPWQMP, once approved, in developing general waste discharge requirements (WDRs) or a waiver of WDRs. Following input from interested stakeholders and Board members, and before the end of 2019, Regional Water Board staff will develop a timeline for development of the general WDRs or waiver. To ensure the protection of water quality from the impacts of lily bulb operations while the SRPWQMP is being developed, Regional Water Board staff will conduct field inspections, document practices with photographs, and will periodically report to the Regional Water Board.

On November 1, 2018, the Environmental Law Foundation and the Pacific Coast Federation of Fishermen's Associations and Institute for Fisheries Resources (Petitioners) petitioned the State Water Resources Control Board (State Water Board) concerning the approach the Regional Water Board is taking to address the discharges from lily bulb operations in the Smith River Plain. On November 30, 2018, Petitioners submitted a letter to the Regional Water Board Executive Officer further outlining their concerns with the Regional Water Board's proposed regulatory approach. To date, the State Water Board has not acted on the petition. The Regional Water Board has confirmed its intent, following approval of the SRPWQMP, to develop a timeline by the end of 2019 for development of a general WDR or waiver that incorporates and implements aspects of the SRPWQMP, as appropriate and consistent with the State Nonpoint Source Policy and State Antidegradation Policy.

Since the release of the Regional Water Board's January 2018 report, the lily bulb growers have been implementing management practices to address the water quality problems documented in the report. The practices focus on controlling stormwater runoff from lily bulb fields, filtering sediment and attached chemicals in runoff through edge of field treatments and the protection of riparian areas. Regional Water Board staff met with lily bulb growers in November 2018 and January 2019 and toured lily bulb operations in November 2018. The purpose of the tour was to gain a better understanding of the factors affecting water quality and to document the management practices that were implemented by growers during the prior growing season. On the tour Regional Water Board staff saw several types of practices being implemented by the growers to protect water quality, and the growers are working with their technical advisors to refine those practices to fit the unique environment and farming methods in the Smith River Plain. Regional Water Board staff discussed with growers the possibility of developing a system of tracking and reporting on management practices that involves a GIS interface that would account for

field rotations and changing practices. Examples of the management practices being implemented and documented on the November 2018 tour will be presented during this information item.

In November 2018, Regional Water Board staff also met with the lily bulb growers, state and federal agencies, and the Tolowa Dee-ni' Nation to plan upcoming monitoring efforts. The growers will be responsible for monitoring and documenting implementation of Best Management Practices (BMPs) on their properties. The agencies and Tribe will continue their work as a monitoring group on a longer-term status and trends water quality monitoring plan with standardized procedures and protocols. Both BMP implementation monitoring and water quality status and trends monitoring will be part of the SRPWQMP. The upcoming status and trends monitoring effort will build upon previous monitoring efforts to assess water quality in streams that provide aquatic habitat in the Smith River Plain, further assess sources, and attempt to better establish background conditions. The monitoring effort will also improve our understanding of the timing and locations of impacts on water quality from seasonal agricultural activities. Regional Water Board staff provided a draft proposal of monitoring locations and in January 2019 met with lily bulb growers and the monitoring group to tour monitoring locations and finalize the plan for the upcoming monitoring effort. The extent and timeframe of the water quality monitoring effort is currently being developed by the group and will depend on available resources, cost of lab analysis, availability of monitoring group members, the frequency of sampling, and the cooperation of private landowners in providing access to the sample sites. The status and trends monitoring will begin once the monitoring plan is finalized. The monitoring will be coordinated with the Tolowa Dee-ni' Nation's monitoring study to assess the risk of bioaccumulation of chemicals in aquatic species in the Smith River estuary. Key components of the monitoring strategy will be summarized as part of this information item.

**RECOMMENDATION:** N/A

**SUPPORTING DOCUMENTS:** None.