

ITEM:

13

SUBJECT:

Conditional Waivers of Waste Discharge Requirements for Discharges From Irrigated Lands Within the Central Valley Region: Coalition Group Monitoring and Reporting Program, Tentative Document

BOARD ACTION:

Consideration of Adoption of Coalition Group Monitoring and Reporting Program

BACKGROUND:

In 2005, the Coalition Group Monitoring and Reporting Program (MRP) was being revised by Central Valley Regional Water Quality Control Board staff (Staff). The intent was to amend a Tentative MRP for Board consideration in conjunction with the Conditional Waiver renewal, which at that time was scheduled for November 2005. The revision was necessary due to aspects of the current Coalition Group MRP that are ambiguous or need improvement to meet the Program objectives. Some of these aspects included 1) the separation in time using a 'phased approach' for toxicity measurements and for those contaminants that cause toxicity; 2) ambiguities regarding follow-up after exceedances; 3) need for clarifications in the QAPP laboratory and field procedures, and 4) need for clarification in source identification and management practice effectiveness requirements; 5) inability to capture effects of winter agriculture activities outside of storm events.

Additionally, stakeholders had identified aspects of the previous MRP for which the requirements were unclear. Some of these included 1) the requirements for raw data submittal and laboratory detection limits, 2) timing of various reports to the Regional Board, and the 3) triggers for storm event monitoring and exceedance reporting.

In general, it was evident that many difficulties inherent in implementing the previous MRP were due to the variability of crop, hydrology, topography and other conditions throughout the Central Valley. Based on the need to discuss and rework various aspects of the MRP to address these difficulties, Staff withdrew the proposed revised MRP from the Waiver renewal package in November 2005, and developed a stakeholder approach to consider alternatives.

Technical issues with regard to the MRPs were discussed at the Program Technical Issues Committee (TIC) meetings. TIC Members formed smaller focus groups which generated recommendations for Regional Board consideration. The majority of these recommendations were incorporated into a working draft MRP document which was shared with the TIC in April of 2007.

The Regional Board also contracted with Dr. Brock Bernstein of the Southern California Coastal Water Research Project to conduct a third party review of the working draft MRP. Dr.

Bernstein recommended some changes in the draft MRP language and worked with the TIC to develop a Guidance Document for the MRP. The Guidance Document provides additional clarification and suggestions for Coalition Groups to use in the development of their MRP Plans. The Guidance Document is not part of the agenda package for Board approval, but it is available on the Program website at the following link:

http://www.waterboards.ca.gov/centralvalley/water_issues/irrigated_lands/monitoring_activity/index.html.

The changes from the previous MRP incorporated into this Tentative MRP document included elimination of the 'phased approach for toxicity measurements, significant clarification in the QAPP, data submittal requirements, and elimination of reporting redundancy.

Another feature was the transition from listing MRP objectives to identifying five Program questions that need to be answered through Coalitions' monitoring and reporting. Most significantly, the Tentative MRP allows for flexibility in approaches that Coalitions may use to answer these Program Questions, which can address the differences in conditions that Coalition Groups face in applying Program requirements.

It is important to recognize that variations proposed by Coalition Groups must be submitted as part of their MRP Plans, and must meet the approval of the Regional Board. It is anticipated that cooperative Coalition Groups will be able to maximize the advantages that this flexibility allows, and still answer the Program questions, meet Program objectives, and take action to protect water quality. If a Coalition is unable to submit an acceptable MRP Plan, the Regional Board will develop a specific MRP Order for that specific Coalition group. The Tentative Coalition Group MRP was posted on 31 October 2007, and the deadline for comments was 28 December 2007. The Tentative Document and associated attachments will be presented to the Board Members at this Board meeting for consideration of adoption. The MRP Guidance Document will also be discussed.

RECOMMENDATION: *Board adoption of the Coalition Group MRP Order*

Mgmt. Review _____
 Legal Review _____

25 January 2008
 11020 Sun Center Dr. #200
 Rancho Cordova, CA 95670