

**STATE OF CALIFORNIA
CALIFORNIA REGIONAL WATER QUALITY CONTROL BOARD
LOS ANGELES REGION**

**MONITORING AND REPORTING PROGRAM No. CI-8835
FOR
INDIVIDUAL DISCHARGER
UNDER**

**ORDER NO. R4-2005-XXXX
CONDITIONAL WAIVER OF WASTE DISCHARGE REQUIREMENTS
FOR
DISCHARGES FROM IRRIGATED LANDS**

This Monitoring and Reporting Program (MRP) describes the minimum requirements for Individual MRP for compliance with Order No. R4-2005-XXXX, Conditional Waiver of Waste Discharge Requirements for Discharges from Irrigated Lands (Conditional Waiver). The purpose of the MRP Plan is to monitor the discharge of constituents of concern (COC) and/or pollutants in irrigation return flows, tile drains and stormwater from dischargers that are enrolled under the Conditional Waiver. Each individual discharger shall prepare and submit to the California Regional Water Quality Control Board, Los Angeles Region (Regional Board) for review and approval by the Regional Board Executive Officer (Executive Officer) a monitoring and reporting plan that meets the minimum requirements of this Order and includes sites to be monitored, frequency of monitoring, COCs to be monitored, documentation of monitoring protocols, and sufficient information about the irrigated lands to demonstrate that the proposed MRP Plan adequately represents water quality, COCs, and pollutant loadings.

The Regional Board adopts this MRP pursuant to Water Code Section 13267. The reports required by this MRP are necessary to evaluate impacts of discharges of waste to waters of the State from irrigated lands, to determine compliance with the Conditional Waiver, and to ensure attainment of all State and federal water quality standards to protect all beneficial uses. The Executive Officer may revise this MRP as appropriate.

I. DESCRIPTION OF MONITORING AND REPORTING PROGRAM

A. Individual Discharges

Notice of Intent to Discharge (NOI) and annual monitoring reports shall be received by the following schedule:

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<u>Task</u>	<u>Due date</u>
Notice of Intent to Discharge	9 months after adoption of Conditional Waiver
Annual Report	a) Typical Discharger: Annually after issuance of NOA b) Low-Risk Discharger: 1 year and 3 years after issuance of NOA.

The discharger shall submit to the Regional Board a NOI which documents management practices in place, information for the Executive Officer to classify the Discharger as Low-Risk, the monitoring plan, a Quality Assurance Project Plan (QAPP), and Water Quality Management Plans (WQMP) if monitoring results have documented receiving water quality which exceeds the receiving water limits, Water Quality Objective (WQOs) of the Basin Plan, CTR and applicable TMDL load allocations. The Individual Discharger shall maintain a copy of the record of pesticide and fertilizer application for the Regional Board staff review.

Individuals with less than 10 acres of irrigated lands, or with substantial fiscal liabilities may submit documentation for the Conditional Waiver, and request relief from some monitoring and reporting requirements on a financial basis, providing full documentation of the fiscal impacts. Relief from some monitoring and reporting requirements will not be considered for discharges that do not meet WQOs.

B. Discharge Classifications

Individual Dischargers are classified as Typical or Low-Risk, based on the nature of the agricultural practices. The monitoring frequency is established for each classification, with less frequent sampling for the Low-Risk classification. Typical discharges are those that are considered more likely to impact water quality than Low-Risk discharges. The requirements for discharges to be classified as Low-Risk are detailed below.

The Executive Officer will classify the discharge based upon the information included in the NOI and other information provided by the discharger. If the Executive Officer finds insufficient information is submitted for the discharge to justify classification as Low-Risk, the discharge will be classified as Typical.

If the annual report of water quality demonstrates that the discharge classified as Typical is meeting all the water quality requirements in Appendices 1 and 2 and upon the request of the discharger, the Executive Officer may revise the discharge classification from Typical to Low-Risk. Further, a Low-Risk classification may be revised to Typical if the Executive Officer finds that the

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discharge no longer meets the requirements and criteria as a Low-Risk discharge.

The Executive Officer will consider the following factors and additional relevant information provided by the Discharger to classify Low-Risk discharges:

- All irrigation is by drip-tape or line, mini sprinklers, or other approved water-saving device.
- No irrigation runoff was observed during the most recent year, except for storm runoff.
- Fertilizer application volumes are documented to be no more than the nitrogen requirement as determined by methodology proposed by the Discharger and approved by the Executive Office.
- No pesticides listed for the watershed on the most recent 303(d) list are used.
- Pesticide application is in accordance with Integrated Pest Management Guidelines provided by University of California Cooperative Extension or the National Resource Conservation Service.
- The irrigated land has at least 50-foot setback from any water body or wetlands or is separated from that waterbody by buffer strips.
- No sediment moves off the property, including during storm conditions, but is retained by filter strips, buffer zones, retention basins, or other management practices.
- Tile drains are not used or the discharge is impounded or treated, or it is documented to meet all WQOs, TMDL numeric targets and CTR.

Additional factor for Low-Risk classifications include, but are not limited to, those for nurseries with soil floors and container farms, include management practices for containing runoff. The Executive Officer will also evaluate Dischargers that have management practices which result in no discharge to surface waters and do not use pesticides and fertilizer.

C. Quality Assurance Project Plan

Each discharger must submit a QAPP for the Executive Officer's approval that describes how data will be collected and analyzed to ensure that data are consistent with State and Regional Board monitoring programs and is of high quality. Dischargers shall develop a QAPP, consistent with the State's Surface Water Ambient Monitoring Program (SWAMP) QAPP and approved by the Regional Board's Quality Assurance Officer. A draft QAPP template will be available through the Regional Board's website and is included in Appendix 9 of the Order No. R4-2005-XXXX.

All data collection shall be conducted utilizing field techniques consistent with SWAMP. A laboratory certified by the Department of Health Services shall

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conduct all laboratory analysis according to standard methodologies. The QAPP will include location of sample site(s), description of analytical techniques, data quality objectives, and other standard quality assurance information. All data will be submitted in electronic format to be provided by the Regional Board and written tabular format to the Regional Board.

II. INDIVIDUAL WATER QUALITY MONITORING

An individual owner or leasor of irrigated lands shall submit a Monitoring and Reporting Plan with the NOI to participate in the Conditional Waiver if they own or operate an agricultural operation within the Regional Board's jurisdiction. The plan will assess impacts to surface water and groundwater.

The Discharger shall complete monitoring for the constituents shown on Appendix 3 following the schedule described and shall submit the results in an annual report. Dischargers that are Low Risk will complete this monitoring for the first and third years to demonstrate that all surface and groundwater Basin Plan requirements and Total Maximum Daily Loads (TMDL) reductions are met and will not be required to sample for the term of the Conditional Waiver.

A. Discharge Quality Monitoring

Discharges shall be sampled and analyzed for the COCs described in Appendix 3 at locations on the downstream edge of the property so as to measure the COC in the water that leaves the property to mix with surface or groundwaters. The number of locations shall be sufficient to ensure documentation of the full range of discharge characteristics have been measured. The numbers and location of sampling sites shall be based on the number of discharge locations as approved by the Executive Officer.

Monitoring is designed to be conducted during the dry season and wet season. The definition of 'dry' is intended to coincide with the season of May through October, but which may start as early as February and extend to November, and the 'wet' season is intent to coincide with October through March, which may include September and May.

Dry season (May 15 – October 15) monitoring will include water toxicity. Wet season sampling (October 15 – March 15) will be conducted during rain events greater than 0.1 inch, preferably including the first event that results in significant flow increase. All sampling methodologies will be consistent with the SWAMP monitoring approach. The monitoring data will be submitted in electronic and written formats to be provided by the Regional Board.

The Discharge MRP Plan shall be carried out using a systematic schedule. The MRP Plan should indicate the start date, identify time of the year, and define the

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frequency of sampling. Location, timing, duration, and frequency of sampling should be based on the complexity, hydrology, and size of the waterbody. Historical data must be reviewed to assist with determining some of these factors.

The monitoring frequency will be structured in two phases. The first phase covers the monitoring conducted during the 2 year period from issuance of the NOA. During the first phase, the frequency of monitoring shall be twice during each dry weather period and twice during each wet weather period. The second phase covers the period from the end of the first phase until the expiration of the Conditional Waiver. During the second phase, the frequency of the monitoring shall be once during each dry weather period and once during each wet weather period. Toxicity shall be monitored at least once during each dry weather period. Based on review of the monitoring reports from the first phase, the Executive Officer may increase the frequency of monitoring during the second phase. Factors in the Executive Officer's evaluation of the monitoring frequency include, but are not limited to, the levels of COCs relative to the Receiving Water Limits and the effectiveness of any management measures.

Monitoring data shall be compared to existing receiving water limits shown on Appendices 1 and 2. The first wet weather sample will be collected within 24-hours of the first storm of the year with greater than 0.1 inch rain as measured by the nearest National Weather Service rain gauge. The dry weather samples will be collected after the majority of growers in a sub watershed have applied pesticides or fertilizers and during the period where irrigation is required.

Method detection limits and practical quantification limits shall be reported in the MRP plan for Executive Officer approval. In general, the method detection limits shall be less than the receiving water limits in Appendices 1 and 2 of the Order No. R4-2005-XXXX.

B. Leachate and Groundwater Quality Monitoring

On going studies funded by the State Board (Proposition 13 - Watershed Protection Grant Program and PRISM Project # 0039 Modifying Agricultural Pesticide Practices to Reduce Loading in Calleguas Creek with United Water Conservation District) will be completed in 2007. Upon completion of the studies and/or other future groundwater studies, staff will assess the loading to groundwater from existing irrigation practices and the Executive Officer may modify monitoring programs to include groundwater monitoring in areas with potential groundwater impacts.

III. DESCRIPTION OF REPORTING REQUIREMENTS

Pursuant to California Water Code (CWC) Section 13267, the following Reports

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are required to be submitted to the Regional Board by the time schedule identified below.

A. Individual Discharger Report

DUE: 9 months after adoption

The Individual Discharger eligible under this Order bears the responsibility to keep the Regional Board informed, maintain records, and submit regular reports specifying the types of discharges, monitoring results for required constituents, who controls the discharges, the type of management measures implemented including changes in pesticides applied, how those measures have changed the effluent water quality, and other basic information which the Executive Officer may determine is required.

The Individual Discharger Report shall contain the following:

1. Notice of Intent to comply with this Conditional Waiver (Appendix 5) which may be a summary of a farm plan to be kept on the premises of the irrigated land.
2. A site map showing drainage patterns and discharges, and sampling locations.
3. An annual fee, as required by the State Water Resources Control Board. The check or money order shall be made payable to the "State Water Resources Control Board".
4. Any additional information that the Executive Officer deems necessary to evaluate the discharge.
5. Individual Monitoring and Reporting Program Plan

The MRP Plan must include the components of the monitoring program as stated in this Order. The MRP Plan shall specify all quality assurance elements including the US EPA test method and detection limits for the required constituents as specified in the QAPP for Monitoring Program Requirements. At a minimum, the MRP Plan shall include the following elements:

- a. Summary of the historical data and on-going monitoring;
- b. Monitoring periods;
- c. Monitoring sites;
- d. Land Use description;
- e. Detailed maps showing the land use and sampling locations;
- f. Monitoring periods including monitoring events and frequencies of monitoring during each event;

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- g. Monitoring parameters to include all parameters in Appendix 3;
- h. A QAPP consistent with the requirements described in Appendix 9 of the Order No. R4-2005-XXXX;
- i. Documentation of monitoring protocols including sample collection methods and laboratory quality assurance manual.
- j. Laboratory Quality Assurance manual must describe analytical methods; internal quality control (QC) samples, frequency of QC sample analyses and acceptance criteria; calibration procedures and acceptance criteria; instrumentation and, other technical capabilities of the laboratory; and
- k. Discharger contact information

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B. Individual Annual Monitoring Report

Due: 1 year after NOA

The Annual Monitoring Report (AMR) shall be prepared after monitoring events have been completed and shall include a review of the results of the data collected and data evaluation. The AMR shall include the following components:

1. Title page;
2. Table of contents;
3. Monitoring objectives;
4. Sampling site descriptions;
5. Location map of sampling sites including GIS coordinates of sampling sites and land use;
6. Tabulated results of analyses;
7. Sampling and analytical methods used;
8. Copy of chain of custody's;
9. Associated laboratory and field quality control samples results;
10. Summary of precision and accuracy;
11. Data interpretation including assessment of data quality objectives;
12. If WQO, CTR, or TMDL load allocations are not attained as demonstrated by monitoring, then a Water Quality Management Plan must be developed to address all water quality impacts, including but not limited to, time-certain implementation of management practices (new or revised); this shall also include evidence of existing and future plans for pollutant management.
13. Evidence of education requirement have been fulfilled by the Discharger.
14. Conclusions and recommendations.

Copies of all field documentation and laboratory original data must be included in the annual monitoring report as attachments. The monitoring report should also provide a perspective of the field conditions including a description of the weather, rainfall, temperature, stream flow, color of the water, odor, and other relevant information that can help in data interpretation.

Records of monitoring information shall include the following: The date, exact places, and time of sampling or measurements, the individual(s) who performed the sampling or measurements, the date(s) analyses were performed, the individual(s) who performed the analyses, the analytical techniques or method used, and the results of such analyses.

All peaks detected on chromatograms shall be reported, including those, which cannot be, quantified and/or specifically identified. The Discharger shall use US EPA approved methods, provided the method can achieve method detection limits equal to or lower than quantification limits specified in Appendices 1 and 2 of the Order No. R4-2005-XXXX. The monitoring data will be submitted in a

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format consistent with SWAMP reporting requirements, both electronically and in written tabular form.

In reporting monitoring data, the Discharger shall arrange the data in tabular form so that the required information is readily discernible. The data shall be summarized in such a manner to clearly illustrate compliance with the Conditional Waiver, in written tabular format and electronic format to be provided by the Regional Board.

C. Other Reporting Requirements

1. A transmittal letter shall accompany each report. This letter shall include a discussion of any violations of the Conditional Waiver found during the reporting period, and proposed implementation of actions as outlined in the Water Quality Management Plan. If the discharger has previously submitted a Water Quality Management Plan describing actions and/or a time schedule for implementing the management practices, reference to the previous correspondence will be satisfactory. The transmittal letter shall be signed and contain a penalty of perjury statement by the Discharger or Discharger's authorized agent. This statement shall state:

"I certify under penalty of law that this document and all attachments were prepared under my direction or supervision in accordance with a system designed to assure that qualified personnel properly gather and evaluate the information submitted. Based on my inquiry of the person or persons who manage the system, or those persons directly responsible for gathering the information, the information submitted is, to the best of my knowledge and belief, true, accurate, and complete. I am aware that there are significant penalties for knowingly submitting false information, including the possibility of fine and imprisonment for perjury."

2. If the discharger monitors any constituent more frequently than required by the Conditional Waiver, the discharger shall submit the monitoring results to the Regional Board.
3. All monitoring instruments and devices that are used by the discharger to fulfill the prescribed monitoring program shall be properly maintained and calibrated as necessary to ensure their continued accuracy.
4. The discharger shall retain records of all monitoring information including all calibration and maintenance records, copies of all reports required by this Order, and records of all data used to complete the application for this Order.

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5. Records shall be maintained for a minimum of five years from the date of the sample, measurement, or report. This period may be extended during the course of any unresolved enforcement action including but not limited to litigation regarding this discharge or when requested by the Executive Officer.
6. Each monitoring report must affirm in writing that "All analyses were conducted at a laboratory certified for such analyses by the California Department of Health Services, and in accordance with current USEPA guideline procedures or as specified in this Monitoring Program."
7. If there is no discharge, during any reporting period, the report shall so state. The discharger shall submit an annual report to the Regional Board within one year of the date of Notice of Applicability and at the same date each year thereafter. Monitoring reports must be provided in electronic formats to be provided by the Regional Board and a paper copy provided and addressed to the Regional Board, Attention: Information Technology Unit.
8. For every item where the requirements are not met, the discharger shall submit a Water Quality Management Plan including a statement of the cause(s), and actions undertaken or proposed which will bring the discharge into full compliance with Conditional Waiver at the earliest possible time, including a timetable for implementation of those actions. Specific Requirements for the Water Quality Management Plan are provided in Appendix 8 of the Order No. R4-2005-XXXX.
9. Specifications in this monitoring program are subject to periodic revisions. Monitoring requirements may be modified or revised by the Executive Officer based on review of monitoring data submitted pursuant to this Order. Monitoring frequencies may be adjusted to a less frequent basis by the Executive Officer.

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These records and reports are public documents and shall be made available for inspection during normal business hours at the office of the California Regional Water Quality Control Board, Los Angeles Region.

Ordered by: _____
Jonathan S. Bishop
Executive Officer

Date