

## IRRIGATED LANDS REGULATORY PROGRAM MAY 2011 UPDATE REPORT FOR JUNE 2011 EXECUTIVE DIRECTOR REPORT

This month's Irrigated Agricultural Lands Regulatory Program (ILRP) monthly report will provide an update on activities of the Central Valley Regional Water Quality Control Board (Central Valley Water Board) ILRP, as reported in the Central Valley Water Board's June 2011 Executive Officer's report. Current and past ILRP program monthly reports can be found on the State Water Board Irrigated Agricultural Lands Regulatory Program website:

[http://www.waterboards.ca.gov/water\\_issues/programs/agriculture/](http://www.waterboards.ca.gov/water_issues/programs/agriculture/)

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### **Long-Term Program**

On 22 June 2006, the Central Valley Water Board adopted Order No. R5-2006-0053, which is a Coalition Group Conditional Waiver of Waste Discharge Requirements for Discharges from Irrigated Lands (Conditional Waiver). This Order became effective on 1 July 2006 and expires on 30 June 2011 unless rescinded or renewed.

The Central Valley Water Board has been working with stakeholders to develop a long-term program for addressing discharges from irrigated lands. As part of this process, on 7 April 2011 the Board adopted Resolution No. R5-2011-0017 certifying the *Irrigated Lands Regulatory Program, Program Environmental Impact Report* (Final Program EIR). In addition, the Board considered a staff proposed "Framework" for implementing the long-term ILRP. The Board did not take action on the Framework, but asked staff to address a number of questions and issues at the next Board meeting. The Board also directed staff to begin developing Orders to address discharges of waste from irrigated lands to groundwater and surface water.

Staff has begun an effort to develop proposed orders and other regulatory actions that will establish the long-term ILRP. To complete this effort, staff proposes to renew the current Conditional Waiver beyond 30 June 2011. Renewing the current Conditional Waiver will allow the existing water quality efforts to continue while the Board develops proposed orders that will comprise the long-term program. Also, renewing the current Conditional Waiver would minimize disruption of the ongoing regulatory effort and allow the Board to devote the maximum staff effort toward implementing the new program. Staff has developed a proposed schedule to draft all Orders for Board consideration within twenty-four (24) months. The Central Valley Water Board will consider staff's proposal at the June 2011 Board meeting

### **Compliance & Outreach - Exemption Claim Inspections**

In March and April 2011, Central Valley Water Board staff completed 24 inspections to verify landowner exemption claims to the ILRP. Landowners can respond to ILRP staff's postcards or 13267 Orders by claiming their land is not used for agriculture, not irrigated, or that it has no irrigation tail water or storm water runoff (no waste discharges to surface waters). These claims create a need for verification inspections, which staff regularly conducts. Staff verified that lands associated with 23 inspections were exempt from regulatory coverage under the current ILRP. The outcome of one inspection is pending further investigation.

### **Compliance & Outreach – Postcards**

In March 2011 ILRP staff mailed 126 postcards to non-participating landowners in Sutter County. In April 2011 ILRP staff mailed an additional 106 postcards to landowners in Sutter County.

## **ENFORCEMENT**

### **California Water Code section 13267 Orders & Notices of Violation**

In March 2011 the Executive Officer issued 70 CWC §13267 Orders to potential owners of irrigated lands in Stanislaus County. These Orders were issued to landowners who first received an outreach postcard and subsequently did not respond.

Additionally in March 2011, the Executive Officer issued 16 CWC §13267 Orders to dischargers who were dropped from the Westside San Joaquin River Watershed Coalition's 2010 membership list. The goal of this mail out was to obtain information as to why these dischargers failed to maintain their regulatory coverage and bring those in need of coverage back into compliance.

### **Coalition Groups**

#### **California Rice Commission (CRC)**

Staff completed a review of the CRC 2010 Annual Monitoring Report, which is posted on the ILRP website.

On 26 April, the Executive Officer approved the management practices for the 2011 season for the Rice Pesticides Program. On 25 April 2011 the City of Sacramento and West Sacramento began monitoring at their water intakes for thiobencarb. Weather delayed application of thiobencarb; therefore, the CRC began monitoring at their sites 12 May 2011.

#### **Goose Lake Coalition**

On 27 February 2011, Central Valley Water Board staff received the Goose Lake Coalition's 2010 Annual Monitoring Report (AMR) according to the coalition MRP Order. Staff has reviewed the AMR and determined it to be complete. Pre-irrigation sampling in Goose Lake began in late April 2011 and will continue throughout the irrigation season. Goose Lake Coalition will conduct macroinvertebrate sampling in late June this year.

#### **Sacramento Valley Water Quality Coalition (SVWQC)**

On 16 March 2011, ILRP staff met with the SVWQC and their subwatershed leads to discuss the long-term irrigated lands regulatory program.

On 15 April 2011 the SVWQC submitted its Annual Management Plan Progress Report. Staff review of this report is scheduled to begin in May 2011.

On 29 April 2011 staff mailed a letter to the SVWQC approving the removal of Management Plan Requirements for Freshwater Creek in Glenn County. This water body had been included in the Management Plan due to a reporting error by the Coalition.

#### **San Joaquin County and Delta Water Quality Coalition (SJCDWQC)**

On 16 March 2011, staff submitted its review of the SJCDWQC 1 March 2011 Annual Monitoring Report to the Coalition. The review is posted on the Central Valley Water Board website.

On 1 April 2011, the Coalition submitted its 2011 Management Plan Update Report. The MPUR is under Staff review and will be posted on the Central Valley Water Board website.

On 3 May 2011, staff held the 11th quarterly meeting with the Coalition to discuss progress of implementing the Coalition's Management Plan and chlorpyrifos discharges in the Duck Creek site subwatershed.

#### **East San Joaquin Water Quality Coalition (ESJWQC)**

On 28 March 2011, staff held a 2<sup>nd</sup> SJR TMDL meeting with the East San Joaquin and Westside Coalitions. The purpose of the meeting was to discuss Staff's review of the Annual SJR Chlorpyrifos-Diazinon TMDL Report (Annual SJR C-D TMDL Report) submitted by the two Coalitions on 31 October 2010 and to determine next steps. Staff gave a brief description of the Basin Plan

requirements to comply with the water quality objectives and load allocations. After a discussion of potential alternatives on how to approach compliance aspects in the next Annual SJR C-D TMDL Report, the Coalitions agreed to follow up with a proposal that will include a proposed reporting and monitoring schedule and report structure.

On 1 April 2011, the ESJWQC submitted their 2011 Annual Management Plan Update Report as required by MRP Order R5-2008-0005 and the Management Plan approved by the Central Valley Water Board Executive Officer on 25 November 2008. Staff is reviewing the report and preparing comments.

On 11 April 2011, ILRP staff attended the ESJWQC monthly board meeting in Modesto. Some of the attendees included representatives from: Madera and Merced County Farm Bureau; almond and grape growers; and Merced, Modesto, Oakdale, and Turlock irrigation districts. Staff provided a brief summary of the outcome of the 7 April 2011 Board Hearing of the Long Term Irrigated Lands Regulatory Program EIR and considerations brought up for resolution.

On 27 April 2011, staff mailed a review to the ESJWQC for the Coalition's 2011 Annual Monitoring Report submitted on 1 March 2011. The Coalition complied with the majority of MRP Order monitoring and reporting requirements. Staff contacted the Coalition about three chlorpyrifos exceedances that occurred in Deadman's Creek during the 2010 monitoring period and discussed follow-up actions.

On 29 April 2011, the Westside and Eastside Coalitions submitted a draft proposal that included a proposed: (1) time period for the reporting period and submittal of the Annual SJR C-D TMDL Report; (2) a joint Coalition submittal of the Annual SJR C-D TMDL Report; and (3) monitoring strategy to comply with WQOs and load allocations.

On 3 May 2011, staff met with the ESJWQC during the 11th quarterly Management Plan meeting. The purpose of the meeting was to discuss exceedances reported in the 2011 AMR report, staff questions on 2011 Annual MPUR, and the status of Management Plan performance goals. The Coalition is currently implementing and meeting Performance Goals for the first, second, and third set of priority areas (2008 – 2010, 2010 – 2012, and 2011 - 2013 respectively). The Coalition has completed management plan implementation and evaluation for the first set of high priority site subwatersheds. The same level of completion is expected to be reached in April 2012 for the second set of high priority site subwatersheds.

On 3 May, staff held the 3<sup>rd</sup> SJR TMDL meeting with the Eastside and Westside Coalitions. The purpose of the meeting was to discuss the Coalitions' proposed monitoring and reporting strategy for the next Annual SJR Chlorpyrifos and Diazinon TMDL Report. This draft proposal submitted on 29 April included a proposed: (1) reporting schedule of May 1st, 2012 for the next TMDL report, (2) quarterly and monthly monitoring schedule for the different compliance sites, and (3) a single joint annual TMDL report. As part of the outcome of the meeting, TMDL and ILRP Staff will meet internally to evaluate whether the Coalitions' proposal meets the TMDL requirements. Additionally, Coalitions agreed to submit a description of the process that they would follow if WQOs and load allocation exceedances occur.

### **Westside Coalition**

On 14 March 2011, the Coalition submitted an addendum to their November 2010 SAMR that summarizes laboratory QC results, discusses tests that did not meet QC objectives and any potential effects on data validity. The addendum met reporting requirements.

On 15 March 2011, the Coalition submitted a preliminary Performance Goals Report for their Focused Management Plan II. Staff will provide comments to the Coalition as guidance to be used in preparing the final report due on 15 June 2011.

On 29-30 March 2011, the Coalition provided a field tour for staff to visit the Westside's monitoring sites, see examples of BMP projects, and learn about irrigation and water management strategies. Representatives from the Coalition and from the participating water districts discussed the opportunities and challenges that exist for improving and protecting water quality.

On 4 May 2011, ILRP staff and the Westside Coalition held the second 2010 Quarterly Meeting to discuss Management Plans and Focused Management Plans. Meeting topics included: a status update on grower surveys, completion of BMP Performance Goals and a Schedule for the 2<sup>nd</sup> focused management plan, and development of the 3<sup>rd</sup> focused management plan.

## **WATER DISTRICTS WITH REGULATORY COVERAGE UNDER THE INDIVIDUAL CONDITIONAL WAIVER ORDER**

### **Merced Irrigation District**

On 24 March 2011 staff sent the Merced Irrigation District its review of their 2010 Annual Monitoring Report.

On 2 May 2011 the Merced Irrigation District filed a Notice of Termination as an Individual Discharger in the ILRP and submitted an application to join the East San Joaquin Water Quality Coalition. Staff is preparing a response.

### **Modesto Irrigation District**

On 16 March 2011 ILRP staff sent the Modesto Irrigation District its review of their 2010 Annual Monitoring Report.

On 2 May 2011 the Modesto Irrigation District filed a Notice of Termination as an Individual Discharge in the ILRP and submitted an application to join the East San Joaquin Water Quality Coalition.

### **Oakdale Irrigation District**

On 21 April 2011, staff submitted its review of the Oakdale Irrigation District 1 March 2011 Annual Monitoring Report to the District. The review will be posted on the Central Valley Water Board website.

On 2 May 2011, the Oakdale Irrigation District notified the Central Valley Water Board that it plans to terminate its Individual Conditional Waiver of Waste Discharge Requirements and subsequently submit an application to join the East San Joaquin Water Quality Coalition.

### **South San Joaquin Irrigation District**

On 26 April 2011, staff submitted its review of the South San Joaquin Irrigation District 1 March 2011 Annual Monitoring Report to the District. The review will be posted on the Central Valley Water Board website.

### **Turlock Irrigation District (TID)**

On 24 March 2011 staff sent the Turlock Irrigation District its review of their 2010 Annual Monitoring Report

On 2 May 2011 the Turlock Irrigation District filed a Notice of Termination as an Individual Discharge in the ILRP and submitted an application to join the East San Joaquin Water Quality Coalition.

### **Data Management**

Data reports received through March 1<sup>st</sup> 2011 that arrived in an electronic SWAMP comparable format are currently being prepared for loading into a California Environmental Data Exchange Network (CEDEN) comparable database provided by the Central Valley Regional Data Center (CV RDC). These reports and future data sets will be sent to the CV RDC to be uploaded into CEDEN for state-wide assessment efforts. At this time, 27 reports have been successfully processed and loaded into the CEDEN comparable database.

The most recent electronic data submittal (March 2011) received from the Southern San Joaquin Water Quality Coalition has been successfully formatted, reviewed and loaded within the database. The Sacramento Valley Water Quality Coalition's most recent submission (March 2011) is currently in process and is slated to be loaded by mid- to late June. Concurrent to these efforts, ILRP and CV RDC staff has developed guidance documents and checklists to assist the Coalitions with formatting and reviewing data prior to submission. A data feedback package containing these resources, as well as their final formatted data will be submitted to the Coalition after each data submission has been reviewed by Staff. The goal of this effort is to provide timely feedback to Coalitions and streamline data submission and processing.

Prioritization and loading schedules have been developed for all future incoming data submittals, as well as those received on and prior to March 1<sup>st</sup> 2011. Additional resources from the CV RDC and the SWAMP program have been identified and are being utilized to assist in processing and providing timely feedback and assistance to data submitters .

### **MOU Pilot Program**

A final report on the Pilot Program is being prepared by the Glenn County and Butte County Agricultural Commissioners and ILRP staff.

The MOU is to be reviewed by the signatories (i.e. the State Water Resources Control Board, (State Water Board), the Central Valley Water Quality Control Board, (Central Valley Water Board) the Department of Pesticide Regulation, (DPR) and the Butte and Glen County Agricultural Commissioners) to determine the MOU's effectiveness and whether it should be renewed. The review is to be done by June 29, 2011.

### **Prop 84 Grant Funding**

The Coalition for Urban/Rural Environmental Stewardship (CURES) submitted a tentative list of members for the Advisory Selection Committee with their roles and responsibilities. This committee will review each application and rank the projects for possible funding.

### **Fertilizer Research Education Program**

ILRP staff submitted Fertilizer Research Education Program (FREP) project suggestions to the California Department of Food & Agriculture (CDFA) on 1 March 2011. CDFA's goal with the FREP is to reduce agriculture's contribution to groundwater contamination from fertilizer use. Because this goal is shared by the ILRP, collaboration between the two agencies could potentially lead to a more effective and efficient use of resources. CDFA Secretary Ross wrote a letter to the Board expressing her interest in collaborating with us on the ILRP. Subsequently, the FREP program manager told Board staff that the four project proposals were accepted. Those proposals are for 1) a nutrient management training academy to train more advisors to be able to certify nutrient management plans; 2) crop-specific nutrient management plan templates; 3) web-based information management tools for nutrient information; and 4) compilation and assessment of BMPs for salt and nitrate management. ILRP and CV-SALTS staff plans to further develop the proposed project concepts by identifying research collaborators and discussing projects with CDFA.