

## IRRIGATED LANDS REGULATORY PROGRAM MARCH 2012 UPDATE REPORT FOR APRIL 2012 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 March 30, 2012 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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### CENTRAL VALLEY REGIONAL WATER QUALITY CONTROL BOARD IRRIGATED LANDS REGULATORY PROGRAM (ILRP)

#### Long-term Irrigated Lands Regulatory Program

On 18 January 2012 staff met with representatives from the California Department of Food and Agriculture (CDFA) to discuss nutrient management planning. During this meeting, CDFA provided staff with information regarding their nutrient management projects currently underway. These projects include 1) a concept proposal to develop a Certified Crop Advisor training/certification program for nutrient management planning, 2) nutrient management plan coordination with the East San Joaquin Water Quality Coalition, and 3) development of a searchable database tool for accessing fertilizer research papers providing information on nutrient management.

On 7 February 2012, staff updated the long-term ILRP order development schedule. The updated schedule is available on the Central Valley Water Board's website at:

[http://www.waterboards.ca.gov/centralvalley/water\\_issues/irrigated\\_lands/long\\_term\\_program\\_development/ilrp\\_wdrs\\_sched.pdf](http://www.waterboards.ca.gov/centralvalley/water_issues/irrigated_lands/long_term_program_development/ilrp_wdrs_sched.pdf)

The schedule provides planning information for the development of six geographically-based orders and one commodity-based order (rice) to implement the long-term ILRP over the next two years.

**East-side San Joaquin River Watershed WDRs** – On 17 January 2012, staff met with the coalition to discuss draft groundwater monitoring and nutrient management planning requirements. During this meeting the coalition agreed to provide written feedback on staff draft waste discharge requirements, draft groundwater monitoring requirements, and a proposal for nutrient management planning requirements. On 27 February 2012, staff met with the coalition to discuss coalition feedback on draft waste discharge requirements. Based on the discussion, staff will be revising the draft waste discharge requirements. Staff and the coalition met on 2 March 2012 to discuss the coalition's proposal for nutrient management planning and also their feedback on draft groundwater monitoring requirements. Following the 2 March 2012 meeting,

staff plans to update the draft waste discharge and monitoring requirements for interested party review in April of this year.

**Sacramento River Watershed Rice WDRs** –On 24 January 2012, staff met with the California Rice Commission (CRC) to discuss a CRC proposed framework for assessing groundwater quality within rice growing areas. During this meeting staff provided feedback on the proposed framework. On 22 February 2012, staff and the CRC met to discuss CRC feedback on draft waste discharge requirements and draft surface water monitoring requirements. Staff is currently updating the draft documents based on CRC feedback. The CRC plans to provide a proposal for groundwater monitoring in late March 2012. Upon receipt of the CRC proposal, staff will review the proposal and assemble complete draft waste discharge and monitoring requirements for the CRC. Staff is planning to release the CRC draft waste discharge requirements and draft monitoring requirements for interested party review in May of this year.

#### **Southern San Joaquin Valley Water Quality Coalition (SSJVWQC)**

On 23 January 2012, staff met with the SSJVWQC to discuss development of the Monitoring and Reporting Program Order for the Long Term Irrigated Lands Regulatory Program. Topics of discussion included groundwater assessment report requirements, groundwater monitoring strategies, and grower reporting responsibilities. Staff will meet with the coalition on 5 March 2012 to discuss the coalition's feedback on the proposed MRP requirements.

#### **Grasslands Bypass Project**

On 13 January 2012, staff met with representatives of the Grasslands Bypass Project (GBP) to discuss the integration of the irrigated lands requirements with the current WDRs for the GBP. The GBP representatives indicated they wanted to have one set of requirements, including any new long-term irrigated lands requirements, for the 97,000 acre area that has been under WDRs since 1998. The next step is for staff to provide the GBP representatives with a working draft set of requirements for discussion purposes.

#### **Board Member Briefings**

Staff briefed Board members Jon Costantino (on 4 January 2012) and Jennifer Lester-Moffitt (on 21 February 2012) on the history and status of the long-term irrigated lands regulatory program.

#### **Enforcement**

##### **California Water Code section 13260 & 13267 Orders, & Notices of Violation**

In January 2012, the ILRP mailed 25 NOV's to landowners in Madera, Merced, & Stanislaus Counties for failure to respond to a CWC §13260. The NOV's directed the recipients obtain the proper regulatory coverage for their waste discharges.

Also in January 2012, ILRP staff mailed 45 CWC §13267 Orders to landowners in Nevada, Placer and Sutter Counties. These Orders were issued to landowners who first received an outreach postcard and subsequently did not respond.

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

In January 2012 ILRP staff mailed 50 postcards to non-participating landowners in Lake County. ILRP staff screened these landowners' parcels using aerial photography to target agricultural operations with the potential to discharge waste to surface waters.

In February 2012, ILRP staff mailed an additional 38 postcards to non-participating landowners within Lake County. This postcard list was also screened using aerial photography.

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

In February 2012, Central Valley Water Board staff completed 12 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. Staff verified that the lands associated with 8 of these inspections were exempt from regulatory coverage under the ILRP. Additional investigation will be required to complete the remaining inspections.

### **Administrative Liability Complaint Issued for Alleged Sediment Discharges**

The Central Valley Water Board Executive Officer has issued an Administrative Civil Liability Complaint (Complaint) to in the amount of \$10,000 for alleged violations of the coalition Conditional Waiver of Waste Discharge Requirements for Discharges from Irrigated Lands. The parties named are Antonio P. and Mary R. Bettencourt; Tom Bloomfield, lessee of the property and F.A. Maggiore & Sons, LLC, sub lessee of the property, which is in Brentwood, Contra Costa County.

The irrigated parcel associated with the alleged violations is a 57-acre tomato field. The Water Board staff conducted two separate inspections at the site in 2010 and 2011. Significant amounts of sediment-laden irrigation return flows from the property and discharged to a roadside ditch that empties into Kellogg Creek, a tributary to the Sacramento/San Joaquin Delta. The Complaint alleges that the discharges caused pollution in violation of Water Board requirements and standards.

### **Coalition Groups**

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

On 22 February 2012, the California Rice Commission submitted its revised Annual Monitoring Report (AMR) for 2011. The AMR includes the report for the Rice Pesticides Program (RPP) that is reviewed by RPP stakeholders before being finalized. Staff review of the AMR is currently underway.

On 21 and 23 February 2012, Regional Board staff gave presentations at the Thiobencarb Stewardship meetings in Woodland and Yuba City. Jean Miller, Glenn County Assistant Agricultural Commissioner, gave the presentations in Maxwell and Willows on 22 and 24 February, respectively.

#### **East San Joaquin Water Quality Coalition**

On December 28 2012, the East San Joaquin Water Quality Coalition (coalition) requested to exchange Yori Grove Drain @ East Taylor Rd from the coalition's monitoring program with Levee Drain @ Carpenter Rd. The request was approved on 7 February 2012.

On 6 January 2012, the East San Joaquin Water Quality Coalition (coalition) requested to remove certain constituents from its current Management Plan monitoring schedule. The request is under staff review.

On 13 February 2012, Regional Board staff attended a meeting of the coalition board. The focus of the discussion was the coalition's concerns about non-participants in the area failing to help implement the program and defray costs. The coalition and Regional Board staff discussed ideas for increasing participation, including how the new WDRs in development could be structured to increase participation.

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

On 22 December 2012, the SVWQC submitted an action plan for chlorpyrifos on Coon Creek in Placer County following two exceedances in 2011.

On 18 January 2012, Regional Board staff attended a meeting of the Fish Friendly Farming Program in Placerville where certified growers were recognized for their participation. Regional Board staff gave an overview of development of WDRs for the ILRP's Long-term Program.

On 8 February 2012, Regional Board Executive Officer and Regional Board staff briefed State Board Chair Hoppin and Tom Howard on monitoring requirements of the ILRP with a focus on the monitoring conducted in El Dorado County.

The quarterly meeting of the SVWQC was held on 15 February 2012 in Yuba City. Regional Board Executive Office and Regional Board staff met with representatives from all of the subwatershed groups in the coalition. Regional Board staff gave a presentation about activities of the Water Board outside of the Irrigated Lands program. Regional Board Executive Officer led a discussion of the Irrigated Lands program and where it is likely to go in the coming years.

On 24 February 2012, Regional Board staff met with SVWQC representatives for the Quarterly Management Plan meeting. They discussed the relationship between the work of the coalition and the CV-SALTS program, as well as specific Management Plan requirements throughout the watershed.

On 29 February 2012, the SVWQC submitted a request to modify monitoring requirements for water bodies in the upper watersheds of the coalition area. The request is under staff review. )

### **San Joaquin County and Delta Water Quality Coalition**

On 6 January 2012, the San Joaquin County and Delta Water Quality Coalition (coalition) requested to remove certain constituents from its current Management Plan monitoring schedule. The request is under staff review.

On 9 January 2012, Regional Board staff attended the San Joaquin County and Delta Water Quality Coalition steering committee meeting held in Stockton. The committee discussed the Coalition's monitoring results.

On 12 January 2012, the Regional Board Executive Officer approved the San Joaquin County and Delta Water Quality Coalition's 1 December 2012 Roberts Island at Whiskey Slough Pump site exchange request. The coalition provided sufficient evidence that the exchange site is more representative of agriculture than the previous site.

On 6 February 2012, the Regional Board Executive Officer approved the San Joaquin County and Delta Water Quality Coalition's request to modify their High Priority monitoring schedule. The approved schedule revisions required amendments to the monitoring schedule for Roberts Island and Bear Creek.

On 13 February 2012, Regional Board staff attended the San Joaquin County and Delta Water Quality Coalition Steering Committee meeting held in Stockton. The committee discussed the coalition's monitoring results and the Methyl Mercury TMDL.

### **Westlands Coalition**

On 2 February 2012 Regional Board staff received the Westlands Coalition 2011 Annual Monitoring Report. The 2011 storm season produced measurable flow in all three of the coalition monitored streams allowing the collection of 32 surface water samples and 8 sediment samples. The 2011 Annual Monitoring Report is currently under staff review.

### **Westside Coalition**

On 1 February 2012, Regional Board staff held the Quarterly Management Plan meeting with coalition representatives. Agenda topics included the status of coalition deliverables and actions related to recurring pesticide exceedances observed during 2011 monitoring.

On 10 February 2012, the Westside San Joaquin River Watershed Coalition proposed monitoring program revisions. The revisions included the elimination of four monitoring sites because the sites were frequently dry or no longer represented agricultural discharges. The request is under review.

### **Other Projects**

#### **Data Management**

Data reports received through 1 March 2012 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). At this time, 51 reports have been successfully processed and loaded into the CEDEN comparable database. Sixteen of those reports have been finalized and transferred to CEDEN for public access. An additional 19 reports have recently undergone a final verification and will be transferred to CEDEN by April 2012. The next round of data reports is due from the coalitions in June 2012.

At this time, all of the coalitions have received an initial feedback package for their most recent electronic data deliverable (EDD). Feedback packages were developed to serve as real-time communication from staff to assist the coalitions with the review and formatting of datasets prior to submission. All new data submissions have been reviewed against the checklist provided to the coalitions in their initial feedback packages. A follow-up feedback checklist has been provided to the Westside San Joaquin River Watershed Coalition and the Sacramento Valley Water Quality Coalition (respectively) identifying areas of progress and areas of persistent or new issues. Future data submittals requiring extensive corrections will be returned to the coalition for revision. After the data is successfully processed and loaded, the coalition will be provided with a query of the data as it appears in the database.

#### **Prop 84 Grant Funding**

Three projects have now been completed under the grant program. Those receiving grant funds are required to provide a 50% match for their project. The second round of applications has been received and will be reviewed by the Advisory Selection Committee. Successful applicants are expected to be notified in April 2012.