

IRRIGATED LANDS REGULATORY PROGRAM UPDATE

January 2016

This month's ILRP report provides an update on the activities of the North Coast, San Francisco, Central Coast, Los Angeles, Lahontan, Colorado River Basin, Santa Ana, and San Diego Regional Water Quality Control Board ILRPs through January 2016. Future monthly reports will alternately present status of the Central Valley Water Board ILRP one month, and the other Regional Water Board ILRPs the alternate month. Current and past ILRP program monthly reports can be found on the [State Water Board Irrigated Lands Regulatory Program](#) website.

STATE WATER BOARD

On January 6, 2016, Irrigated Lands Regulatory Program (ILRP) staff met with Office of Research, Planning, and Performance (ORPP) Groundwater Management Unit staff to discuss efforts by ORPP and Department of Water Resources (DWR) to identify data needed to implement the Sustainable Groundwater Management Act (SGMA). A long list of data needs was identified; some of that data is currently available, some is not. Discussion identified past and present land use data as an element in need of additional focus. Discussions will continue with the goal of identifying concurrent needs within the Water Board, and between agencies, so that a strategy can be identified; and, leverage resources to satisfy multiple agency needs.

January 7, 2016, ILRP staff participated in a meeting with the Deputy Regional Administrator, US EPA Region 9, Director, Water Division, US EPA Region 9, Env. Eng. - Biosolids & Bioresources, US EPA Region 9, the Chairman, Central Valley Regional Water Quality Control Board, State Water Board Division of Water Quality Groundwater Protection Section Supervising Engineering Geologist, and the Exec. Director, Association of Compost Producers to discuss future California Bioresources Alliance (CBA) organization and roles including assisting in implementation of AB1045 and the Healthy Soils Initiative. The Administrator, US EPA Region 9 will meet via videoconference with, CalEPA Deputy Secretary for Environmental Policy, and Undersecretary for Environmental Protection, on Monday January 25, 2016 to discuss participation and an MOU between parties regarding future roles.

On January 8, 2016, ILRP staff participated in a conference call with Western Growers to discuss proposed changes to the Leafy Green Marketing Agreement Accepted metrics regarding potential changes related to cadmium risk in some leafy green production.

On January 11, 2016, ILRP staff participated a Farm Food Safety Conservation Network (FFSCN) conference call. The conference call included discussion on: Further development of the FFSCN Newsletter; look for opportunities for the FFSCN to be present at other gatherings, where there are already people with an interest in food

safety coming together, e.g. Hartnell Food Safety Summit, EcoFarm Conference, or present at other Forums. United Fresh food safety and technology committee; continue to support the position that that Co management is not just about protecting wildlife, it is about water reuse, about use of amendments and more.

On January 12, 2016, ILRP staff participated in a briefing led by several individuals from the Bio-Char industry. The Bio-Char industry approached the Governor's Office of Planning and Research (OPR) about having a briefing on the industry view of the state of the biochar industry in California, the industry work with members of California Air Pollution Control Officers Association (CAPCOA) on a bio char "protocol" and the industry hope for working with and in the state moving forward. Topics of discussion included: Driver for Action (GHG Reduction, Water Conservation, Forest Management (Fire Protection), Agricultural Production and Resiliency, Bio-Innovation and Value-Add for the Waste/Recycling Sector); State of Biochar Research (Quality, Safety, Effectiveness); State of Biochar Production (Feedstocks, Production, Technologies, Post Processing); State of Biochar Market [Agriculture (land and livestock), Horticulture, Bio-materials, Industrial applications]; Environmental Benefit Recognition (Carbon and Water); Current State/Desired Action(s) [GHG protocol approval with ARB, Water conservation recognition, Tracking of biochars and their impacts, Classification and approvals for biochar (quality assessment)];

On January 15, 2016, ILRP staff attended a California Department of Food and Agriculture (CDFA) Science Advisory Committee (SAP) meeting. The meeting discussed agronomic use rates for compost application to support a CDFA incentive program on Healthy Soils and Agronomic compost application rates proposed by the expert subcommittee of the SAP.

On January 20, 2016, ILRP staff attended a California Biodiversity Council (CBC) Winter Meeting held at the California State University, Sacramento. Meeting Objectives were to learn about progress on CBC Resolutions, Integrated Regional Conservation and Development Program (IRCAD) and demonstration projects, learn about California Department of Fish and Wildlife Conservation Programs, Update on 2015 State Wildlife Action Plan – An Opportunity to Align Conservation Work among CBC Member Agencies, and California Headwaters Initiative & Watershed Improvement Program for the Sierra Nevada, review and approve IRCAD Work Plan, and discuss alignment opportunities with IRCAD.

On January 21, 2016, ILRP staff participated in a webinar presented by the USEPA, the National Association of Clean Water Agencies, and the Water Environment Federation. The webinar is the first of a series of webinars focused on innovative ways in which utilities are becoming their own Utility of the Future through resource recovery. The focus was on the landscape that has traditionally driven wastewater utilities that is changing rapidly and the fact that today's wastewater utility managers are no longer just concentrating on treating and discharging wastewater. Wastewater Utilities are now looking for ways to optimize their efficiency, recover valuable resources and contribute to the overall health of watersheds. This path forward is reflected in the Water

Resources Utility of the Future Blueprint, first issued in 2013. Future webinars will cover other leading topics like building public support and workforce development.

On January 27-28, 2016, ILRP staff participated in the quarterly ILRP roundtable hosted by the Colorado River Basin Regional Water Quality Control Board. All Regional Boards participated, as well as, staff from CDFA and USEPA Region 9.

NORTH COAST REGION

North Coast Regional Water Quality Control Board (North Coast Water Board) staff are focusing on a series of targeted permits specific to agricultural commodities or geographic areas. An update on several efforts follows.

Discharges from Cannabis Cultivation:

As the February 15, 2016, enrollment deadline approaches, North Coast Water Board staff have been hosting a number of enrollment clinics throughout the region to answer questions about the *Waiver of Waste Discharge Requirements and General Water Quality Certification for Discharges of Waste Resulting from Marijuana Cultivation and Associated Activities or Operations with Similar Environmental Effects in the North Coast Region* (Order), and to assist landowners and cannabis cultivators with enrollment for coverage under the Order. Staff are also conducting pre-enrollment consultation inspections for growers upon request; presenting information about the program at county Board of Supervisor meetings and industry group meetings; reviewing applications by prospective third party programs (to date, the Executive Officer has approved one third party program); and preparing to implement enrollment enforcement efforts following the enrollment deadline, including aerial imagery review, letters to owners of unenrolled private properties where cannabis is being cultivated, and subsequent progressive enforcement as appropriate.

Agricultural Discharges in the Tule Lake Basin:

North Coast Water Board staff continue to work on the draft permit, and it is now undergoing internal review.

Agricultural Discharges from Easter Lily Bulb Cultivation:

In June 2015, North Coast Water Board staff completed sampling of tributaries in the Smith River Plain and at several wells to screen for the presence of agricultural pollutants and toxicity. Interim monitoring reports were published in December 2015 and are available on the Regional Board's website.

SAN FRANCISCO BAY REGION

No update submitted for this report.

CENTRAL COAST REGION

ILRP Surface Water Activities at a Glance:

A subset of Tier 3 growers is required to develop and implement a Water Quality Buffer Plan by October 1, 2016. The goal of the Water Quality Buffer Plan is to control discharges causing or contributing to exceedance of water quality impairment, particularly driven by sediment, turbidity or temperature. Growers are required to establish a 30-foot buffer, or equivalent, to accomplish the goal. Central Coast Regional Water Quality Control Board ILRP staff (Central Coast Regional Water Board staff) is developing a guidance document for growers with a goal of finalizing in early February.

A subset of Tier 3 growers is required to develop and implement an irrigation and nutrient management plan (INMP). The INMPs should be implemented for about a year now. An INMP Effectiveness Report is required by October 1, 2016. Central Coast Regional Water Board staff is developing a guidance document for growers to draft their INMP effectiveness report; our goal is to have the guidance document completed by early February 2016.

ILRP Groundwater Activities at a Glance:

The Central Coast Regional Water Board ILRP has received groundwater data for approximately 4000 domestic drinking water wells and irrigation wells sampled in compliance with the ILRP order. All ILRP groundwater data is managed in the Water Board's GeoTracker data management system and reports are available to the public on the Water Board's website.

The groundwater data continues to indicate significant impacts to drinking water throughout portions of the Central Coast. Central Coast Regional Water Board staff continues to require notification to domestic well users for drinking water wells with unsafe levels of nitrate and is aiding disadvantaged communities in finding replacement water.

An informational item to update the Central Coast Water Board on the ILRP groundwater monitoring requirements is scheduled for the March 2016 Board Meeting.

LOS ANGELES REGION

Background on the Conditional Waiver:

The Conditional Waiver of Waste Discharge Requirements for Dischargers from Irrigated Lands adopted by Order No. R4-2015-0202 (Conditional Waiver) requires agricultural operators (dischargers) to enroll irrigated agriculture property under the waiver in order to continue discharging waste to waters of the state. Agricultural operators may enroll as an individual discharger or as a member of a discharger group. The Nursery Growers Association Los Angeles County Irrigated Lands Group (NGA-ILG) and the Ventura County Agriculture Irrigated Lands Group (VCAILG) are the two discharger groups in the Los Angeles Region that have formed to comply with

the Conditional Waiver.

Enrollment and Enforcement:

In November 2015, Los Angeles Regional Water Quality Control Board staff (Los Angeles Regional Water Board staff) sent Pre-Prosecution letters to three growers who received Notices of Violation in August 2015 but did not respond. NGA-ILG is currently working with the Los Angeles Department of Water and Power (LADWP) to enroll all LADWP tenants who operate agricultural irrigated lands.

Interagency Coordination:

On December 10, 2015, Los Angeles Regional Water Board staff met with a NGA-ILG representative regarding staffing changes within NGA-ILG and the upcoming Conditional Waiver renewal. On January 5, 2016, Los Angeles Regional Water Board staff met with representatives from Ventura Coast Keeper, Santa Barbara Channel-keeper, Los Angeles Waterkeeper, and Center for Food and Safety regarding the upcoming Conditional Waiver renewal. On January 12, 2016, Los Angeles Regional Water Board staff met with representatives from VCAILG, Ventura Coast Keeper, and Santa Barbara Channel-keeper to discuss proposals for the upcoming Conditional Waiver renewal.

Conditional Waver Renewal:

Los Angeles Regional Water Board staff are currently working on a report for a review of the Conditional Waiver Order No. R4-2015-0202 and recommendations for waiver renewal. Los Angeles Regional Water Board staff have evaluated annual monitoring data reported over the past seven years and have assessed trends in water quality as part of the Conditional Waiver renewal process. On October 8, 2015, the Los Angeles Regional Water Board adopted Order No. R4 2015-0202 that extended the expiration date of Order No. R4-2010-0186 to April 15, 2016. As part of the Conditional Waiver renewal process, Los Angeles Regional Water Board staff have been meeting with environmental organizations, dischargers groups, and other stakeholders to discuss the proposed changes.

Irrigated Lands Program Region 4 Database:

Los Angeles Regional Water Board staff have analyzed data using both GIS and excel to assess water quality trends and BMPs implementation. Los Angeles Regional Water Board staff continue to update the Irrigated Lands Program geodatabase including enrollment and enforcement for both Ventura and Los Angeles Counties.

LAHONTAN REGION

The Lahontan Regional Water Quality Control Board (Lahontan Regional Water Board) staff allocated staff efforts during the December 2015/January 2016 reporting period on administrative tasks supporting the Irrigated Lands Regulatory Program. Lahontan Regional Water Board staff also spent significant time working on contaminated groundwater issues associated with irrigated agricultural areas and

irrigated land areas associated with dairies.

Lahontan Regional Water Board staff held a Confined Animal Facilities public workshop in Barstow on November 19, 2015 to gather public input and concern from dairymen and interested stakeholders to help staff develop a General Order. Twenty-eight people attended this meeting including representatives from nine of the 10 Confined Animal Facilities. Also present were representatives from the Natural Resources Conservation Service, Resources Conservation District, PG&E, as well as Kern and San Bernardino County representatives. Lahontan Regional Water Board staff described elements that are supposed to be included in the General Order such as: a) require wash water to be mixed with fresh water and applied to crops at agronomical rate or be disposed into lined ponds, b) prohibiting unlined wash water disposal ponds, and c) the need for groundwater monitoring.

In January 2016, Lahontan Regional Water Board staff met with the Resources Conservation District and discussed creating a Technical Advisory Committee (TAC). Lahontan Regional Water Board staff supports creating a TAC to research and make recommendations about minimum monitoring standards.

Lahontan Regional Water Board staff plans to sample residential supply wells in Newberry Springs during January 2016 to evaluate potential impacts to residential wells from a nearby dairy facility that is irrigating land areas.

COLORADO RIVER BASIN REGION

Colorado River Basin Regional Water Quality Control Board (Colorado Basin Regional Water Board) staffs continue to implement four Conditional Waivers of Waste Discharge Requirements for agricultural discharges. Most agricultural areas (99.7%) in the region are regulated by Conditional Waivers.

The Colorado Basin Regional Water Board adopted a Conditional Waiver of WDRs for agricultural wastewater discharges within the Palo Verde Valley in Riverside and Imperial Counties (Board Order R7-2012-0047) on September 20, 2012. This Conditional Waiver covers over 130,000 acres in eastern Riverside County and northeastern Imperial County. The responsible parties include individual farmers, and the Palo Verde Irrigation District (PVID). Implementation has begun with PVID forming the Palo Verde Outfall Coalition (PVOC), a group that represents landowners and farmers regulated by the Conditional Waiver. According to the PVOC group, membership is at over 99%. The PVOC group's water quality monitoring program began in November 2013. The PVOC group continues with the Group Compliance Program, and to submit reports of water quality sample results.

On January 14, 2016 PVOC submitted water quality monitoring program sampling data for January to May 2015 to Colorado Basin Regional Water Board staff. Colorado Basin Regional Water Board staff are reviewing the data.

On January 19, 2016 PVOC submitted water quality monitoring program sampling data for June to December 2015 to Colorado Basin Regional Water Board. Colorado Basin Regional Water Board staff are reviewing the data.

On January 21, 2016 PVOC, PVID and Colorado Basin Regional Water Board staff held their first Technical Management Committee meeting in Palm Desert to discuss the problems that they are experiencing in implementing the agricultural waiver, and what problems the coalition staff are hearing from members (i.e., to discuss what works and what is not working as envisioned). Topics also discussed, were the monitoring program, potential enforcement actions and statewide Irrigated Lands issues.

The Colorado Basin Regional Water Board adopted a Conditional Waiver of WDRs for agricultural wastewater discharges originating within the Bard Unit of Reservation Division (Board Order R7-2013-0002) on January 17, 2013. This Conditional Waiver covers approximately 6,688 acres of farmland along the Colorado River near Yuma, Arizona. The responsible parties include individual farmers, and the Bard Water District (BWD). Implementation has begun with BWD forming the Bard Unit Coalition Group (BUCG), a nonprofit organization that represents landowners and farmers regulated by the Conditional Waiver. According to the BUCG group, membership is at over 99%. The BUCG water quality monitoring program began in June 2015.

On December 22, 2015 BUCG submitted water quality monitoring program sampling data for November 2015 to Colorado Basin Regional Water Board staff. Colorado Basin Regional Water Board staff previously suggested moving the sampling location on Drain No. 7 to some other location on the drain that is not experiencing an infestation of Giant Salvinia. The BUCG has moved the sampling location to upstream of the previous location on Drain No. 7, in agreement with the Colorado Basin Regional Water Board staff's suggestion on November 18, 2015. This is the first Water Quality Monitoring Report with the new Drain No. 7 sampling site. Colorado Basin Regional Water Board staff are reviewing the data.

The Colorado River Basin Water Board adopted a Conditional Waiver of WDRs for agricultural dischargers in the Coachella Valley (Order No. R7-2014-0046) on June 26, 2014. A Monitoring and Reporting Program Plan was adopted with the Conditional Waiver. This Conditional Waiver covers about 60,000 acres of farmland in central Riverside County. The responsible parties include individual farmers, the Coachella Valley Water District (CVWD) and the Coachella Valley Irrigated Lands Coalition (CVILC). Implementation has begun. The CVILC, a nonprofit organization, has partnered with CVWD to represent landowners and farmers regulated by the Conditional Waiver. The CVILC began implementing their Compliance Program in April 2015. Approximately 70 % of lands are currently enrolled under the Coachella Valley Conditional Waiver, and the CVILC is continuously accepting membership. The next step will be for the CVILC to submit updated coalition member information.

On April 30, 2015 the CVILC submitted a draft Quality Assurance Project Plan (QAPP). Colorado River Basin staff have reviewed the draft QAPP and sent review recommendations to CVILC. It was approved by the Colorado Basin Regional Water Board Executive Officer on September 30, 2015. The monitoring began in October 2015.

On December 3, 2015 CVILC submitted water quality monitoring program sampling data for October 2015 to Colorado Basin Regional Water Board staff. Data review completed.

On December 23, 2015 CVILC submitted water quality monitoring program sampling data for November 2015 to Colorado Basin Regional Water Board staff. Data review completed

On January 11, 2016, the Colorado River Basin Water Board met with representatives from CVILC and CVWD to discuss issues related to implementation of the QAPP. Topics discussed were lower reporting limits for monitoring analytes, and fish tissue monitoring. CVILC will bring the fish tissue monitoring topic before their Board in February 2016 to get approval to use Coalition funds for the monitoring.

On January 19, 2016 CVILC submitted water quality monitoring program sampling data for December 2015 to Colorado Basin Regional Water Board staff. Colorado Basin Regional Water Board staff are reviewing the data.

The Colorado River Basin Water Board adopted a Conditional Waiver of WDRs for agricultural dischargers in the Imperial Valley (Order No. R7-2015-0008) on January 15, 2015. This Conditional Waiver covers over 450,000 acres of irrigated lands in the Imperial Valley near the International Boundary with Mexico. The interested parties include individual farmers, the Imperial Irrigation District (IID) and Imperial County Farm Bureau (ICFB). Implementation has begun with IID and ICFB forming a joint Coalition Group to represent landowners and farmers regulated by the Conditional Waiver.

On October 27, 2015. Colorado Basin Regional Water Board staff met with representatives from IID and ICFB to discuss implementation of the Conditional Waiver. Several regulatory issues came up that needed clarification from the Regional Water Board, including the applicability of the Conditional Waiver and payment of the State Annual Agricultural and Irrigated Lands Fee (State Fee). These issues have significant bearing not just on who needs to obtain coverage under the Waiver, but also on the Coalition's billing system, which is being designed to collect the State Fee for coverage under the Waiver.

On November 10, 2015, the ICFB requested that the Colorado River Basin Water Board amend the time schedule for the Waiver in order to provide the Coalition with additional time to fully implement its Control Program. The ICFB explained that the additional time was needed to restructure the outreach and education modules,

membership requirements, and billing system for the Coalition. On that same date, Colorado Basin Regional Water Board staff requested by letter that the State Water Resources Control Board (State Water Board) not bill the Imperial Valley Agricultural Waiver Coalition for the fiscal year 2015-2016 State Fee while the Coalition restructures its Control Program.

On November 13, 2015, via email, the State Water Board granted the Colorado Basin Regional Water Board staff's request and thus, will not be billing Imperial Valley Agricultural Waiver Coalition Group the fiscal year 2015-2016 State Fee.

On November 24, 2015, Colorado Basin Regional Water Board staff provided written clarification regarding which land use activities occurring on agricultural lands need to obtain coverage under the Imperial Valley Agricultural Waiver and which activities are exempt from it.

On December 8, 2015, Colorado Basin Regional Water Board staff issued a Public Notice to begin the process for adopting a Special Board Order to amend the time schedule contained in Board Order No. R7-2015-0008, and provide the Imperial Irrigation District-Imperial County Farm Bureau Coalition an additional 6 months to restructure their outreach and education programs, membership requirements, and billing system for the Coalition and submit their proposed Compliance Program plan to comply with the Waiver.

On January 12, 2016, IID submitted a draft QAPP. Colorado Basin Regional Water Board staff are reviewing the draft QAPP.

On January 14, 2016, the Colorado Basin Regional Water Board adopted Special Board Order No. R7-2016-0010 to provide the Imperial Irrigation District-Imperial County Farm Bureau Coalition an additional 6 months to restructure their outreach and education programs, membership requirements, and billing system for the Coalition and submit its proposed Compliance Program plan to comply with the Waiver.

On January 14, 2016, the Colorado Basin Regional Water Board met with representatives from the IID and ICFB for a quarterly Technical Management Committee meeting. The goal of the meetings was to discuss implementation of the Conditional Waiver. Topics discussed were technical reports, education and outreach, and enforcement.

SANTA ANA REGION

Santa Ana River Basin Regional Water Quality Control Board (Santa Ana Regional Water Board) staff used the results from a 2014 areal mapping project produced by Areal Information Systems (AIS), a private geospatial organization, to help identify Upper San Jacinto watershed agricultural parcel owners that would be required to enroll in the CWAD after adoption. Santa Ana Regional Water Board staff had limited

success in establishing the potential enrollees based upon water districts' agricultural customer lists and zoning maps.

On December 29, 2015, Santa Ana Regional Water Board staff mailed 185 letters to individual agriculture operations to notify them that a public hearing is scheduled during the January 29, 2016 Santa Ana Regional Water Board meeting, to consider adoption of the Conditional Waiver.

The letter included detailed information regarding the draft CWAD and the upcoming Board meeting.

Based on an estimate of the 185 potentially eligible enrollees, if the Santa Ana Regional Water Board adopts the CWAD on January 29, 2016, Santa Ana Regional Water Board staff will seek to attain at least 20 percent enrollment in the CWAD by June 2016. The desired outcome from the Conditional Waiver, combined with compliance with the watershed's nutrient TMDLs, is to measurably reduce NPS pollution, principally Nitrogen and TDS loadings to surface and ground waters from agricultural operations, in the San Jacinto River Watershed.

Santa Ana Regional Water Board staff modified the Central Coast Regional Board Electronic Notice of Intent (eNOI) form to their watershed-based specific needs so that agricultural operators/dischargers can easily enroll electronically in the adopted CWAD. Information submitted through the eNOI form would be uploaded into the CIWQS database, and then provide dischargers with an account username ID and password to allow direct log-in to their individual accounts. Dischargers would then be able to submit reports or update conditions about their agricultural facilities electronically, as needed.

The CEQA Initial Study, proposed Mitigated Negative Declaration, draft CWAD order, and Santa Ana Regional Water Board staff report are posted on the Santa Ana Regional Water Board website and available for public review and commenting. As noted above, Santa Ana Regional Water Board staff will present the CWAD at the January 29, 2016 Regional Board meeting for consideration of adoption.

SAN DIEGO REGION

The San Diego Regional Water Quality Control Board (San Diego Water Board) continues to develop Tentative General Waste Discharge Requirements for Discharges from Commercial Agricultural and Nursery Operations for Third-Party Groups and Members and Tentative General Waste Discharge Requirements for Discharges from Commercial Agricultural and Nursery Operations for Dischargers Not Participating in a Third-Party Group (Tentative Orders) and associated draft California Environmental Quality Act (CEQA) documentation. It is anticipated that the Tentative Orders and draft CEQA documentation will be considered for adoption by the San Diego Water Board in 2016.