

## **IRRIGATED LANDS REGULATORY PROGRAM UPDATE**

### **July 2009**

This month's Irrigated Lands Regulatory Program (ILRP) report will provide an update on the activities of the Central Coast, Los Angeles, Riverside and San Diego Regional Water Quality Control Board programs. The Colorado River Basin Water Board did not submit an update report this month for their agricultural program.

Future monthly reports will alternate between the status of the ILRP at the Central Valley Water Board for one month, and the status of other Regional Water Boards for the alternate month. English and Spanish translations of current and past ILRP monthly reports can be found on the [State Water Boards Irrigated Agriculture Program](#) website.

### **CENTRAL COAST REGION**

#### **Watershed Implementation Strategy:**

Central Coast Water Board staff has initiated a coordinated watershed approach to implement the Agricultural Regulatory Program. This approach emphasizes priority water quality issues, such as toxicity, nutrients, and sediments. Initial efforts focus on the Salinas River, Santa Maria, and Pajaro River watersheds. Staff will continue assessing implementation and compliance and targeting enforcement actions as necessary. Addressing priority agricultural water quality issues, on a watershed basis using a focused and systematic approach, in coordination with other Water Board programs and efforts, enables us to maximize our effectiveness toward tangible improvements in water quality and sustainable land management. In addition, we will assess and track our progress at the watershed scale, using specific, tangible operational measures, and adapt to the feedback our tracking provides.

#### **Irrigated Agriculture Order Renewal:**

The Central Coast Water Board adopted the Conditional Waiver of Waste Discharge Requirements for Discharges from Irrigated Lands (Irrigated Ag Order) on July 9, 2004. As such, this order is due for review in July 2009. However, staff was not able to prepare a new draft Irrigated Ag Order for the July 2009 Water Board meeting due to the complexity of the water quality, aquatic habitat, cultural, and economic issues we are addressing as part of renewal, including compliance with the California Environmental Quality Act. Staff needs more time to address the relevant issues and develop a comprehensive draft Order for Board consideration. Since the existing Irrigated Ag Order expires in July 2009, staff is proposing that the Water Board re-issue the existing Order "as is" for up to one year, until July 2010. In the interim, staff will continue to work on the relevant issues and will bring a comprehensive draft Irrigated Ag Order to the Board for consideration as soon as possible (before July 2010 if possible). Central Coast Water Board staff will complete significant work (described below), prior to bringing a new order to the Board; the new order will build

on successes of the existing program and directly address water quality problems from agricultural discharges that are not adequately served by the existing order.

### **Surface Water Quality Impacts:**

The Cooperative Monitoring Program continues to show significant impacts from agricultural operations, specifically, toxicity related to pesticides and high nutrient levels. Overall, nearly half of the cooperative monitoring program sites have shown significant toxicity to invertebrates and 60% of the sites have averaged greater than the current Basin Plan objective for nitrate in drinking water (10 mg/L of nitrate as nitrogen) over the past four years. For nitrate, there is currently no numeric objective to protect aquatic life, but the literature suggests an aquatic life nitrate objective would be significantly lower than the drinking water objective, at approximately 1 mg/l. Staff is continuing work to develop an appropriate nitrate level for the protection of aquatic life.

### **Groundwater Quality Impacts:**

The Board's records included limited groundwater data during development of the first conditional waiver in 2004, with most of the information primarily focused on the Salinas Valley. According to Department of Water Resources Bulletin 118, at least 93 public supply drinking water wells in the Central Coast have nitrate concentrations greater than the drinking water standard (10 mg/L as nitrogen); however, the number of polluted wells is likely to be significantly higher, since this number does not include rural domestic wells. Staff's uncertainty regarding the exact number of wells reflects both how incomplete the data currently are and how difficult collecting private well water quality information can be. As part of the Irrigated Ag Order renewal, staff is currently gathering groundwater data from all our groundwater basins (e.g., ambient water quality, concentration trends over time for specific pollutants, sensitive recharge areas, preferential pathways, etc.). This includes looking at basins that have significant agricultural acreage and identifying trends and actions necessary to improve and protect groundwater basins in agricultural areas. Staff is also planning to participate in a joint project with Monterey County Water Resources Agency (MCWRA) and the State Water Board to do a pilot project in Salinas to look at groundwater nitrate impacts.

### **Aquatic Habitat Impacts:**

Protecting aquatic habitat is critical for protecting beneficial uses. Staff is currently assessing the state of aquatic habitat health throughout the region and assessing the impact that irrigated agricultural and food safety requirements are having on riparian and wetland habitat. Staff is also reviewing all available information on aquatic habitat protection requirements, ordinances, and regulations nationwide, looking at economic costs associated with both loss and protection, and coordinating with efforts in other regions.

### **Marine Area Impacts:**

Water Board staff is gathering available information on marine environments in the region, including Marine Protected Areas, to assess potential impacts from irrigated agriculture. Staff will look at pollutant loading and assess impacts to aquatic and public health in order to develop adequate requirements to protect marine areas throughout

the region.

For additional information on the Central Coast Water Board Agricultural Regulatory Program, please contact Angela Schroeter at (805) 542-4644.

## **LOS ANGELES REGION**

Staff issued 5 ACLs (on May 5, 2009) to growers for failure to enroll in Conditional Waiver for Irrigated Lands. All growers had previously received a notice of violation (NOV) and failed to respond/enroll in response to the NOV. Staff plans to continue periodic enforcement action to maintain integrity of the Conditional Waiver program. ACLs developed by ILRP staff with guidance from the enforcement unit.

Staff continues to work with the Ventura County Agricultural Irrigated Lands Group (VCAILG) on the implementation of their Water Quality Management Plan (WQMP). Best management practice (BMP) priority areas have been identified. First tier priority growers are expected to complete BMP survey and initiate BMP implementation in summer 2009.

Staff has provided a second round of comments to the LA County – NGA Irrigated Lands Group (NGA Group) on their WQMP document. Staff continues to work with this discharger group to develop a document that will meet the requirements outlined in the Conditional Waiver and address water quality benchmark exceedances.

Staff continues general outreach (workshops, site visits, etc.) with the grower community.

Staff has also met with VCAILG, representing agriculture dischargers, regarding upcoming total maximum daily loads (TMDLs). Agricultural dischargers will be assigned a load allocation in these TMDLs.

The Conditional Waiver for Irrigated Lands will be used to implement the TMDL load allocations

For additional information on the Los Angeles Region Conditional Waiver for Irrigated Lands, please contact Rebecca Veiga Nascimento at (213) 576-6784 or Jenny Newman at (213) 576-6691.

## **COLORADO RIVER BASIN REGION**

No information submitted.

## **SANTA ANA REGION**

Program staff has received information from Riverside County Ag. Commissioner's office on the Ag. operators under their pesticides use permit. Currently, staff is reviewing this data to update data for the agricultural conditional waiver program.

For more information, please contact Athar Khan at (951) 782-3219 or Mark Adelson at (951) 782-3234.

## **SAN DIEGO REGION**

Conditional Waiver No. 4 (the Ag Waiver) requires growers who use irrigation to produce commercial crops to enroll in the waiver by December 31, 2010. The current emphasis of the Ag Waiver program in Region 9 is providing information to growers to make them aware of the requirements. Currently, the process for disseminating information includes mailing out a notification letter which outlines waiver requirements including deadlines for enrollment and for submittal of monitoring plans and reports. Also, Regional Board staff have regularly performed presentations at workshops and other special events that are attended by growers. In creating public awareness of the ag waiver, a special emphasis is being placed on informing growers of the advantages of enrolling in a monitoring group.

On March 11, 2009 Pete Peuron provided an update to members of the San Diego Regional Board at the monthly Regional Board public hearing. The update included a discussion of impairments in the region related to agriculture, the regulatory background/history of the waiver, specific requirements of the waiver and the status of waiver implementation. Eric Larson, San Diego Farm Bureau CEO and group leader of the San Diego Region Irrigated Lands Group also presented an overview of the status of his program during the update session. Regional Board members suggested modifications to the notification letter that is being mailed out. The notification letter has been modified and mailing of the letter has resumed. Currently, the Irrigated Lands Group is the region's only monitoring group and it has already enrolled nearly half of the agricultural acreage in the region. Since mid-May about 500 copies of the notification letters have been mailed out and it is anticipated that the remaining 2,300 notification letters (based on a list of known growers in the San Diego Region) will be mailed out by Mid-June.

On April 2, 2009, Regional Board staff participated in an event known as Grape Day in Temecula, California. Requirements of the Total Maximum Daily Loads Program that will affect grape growers were discussed, along with a presentation of the Ag Waiver's requirements.

Recently, Regional Board staff have been engaged in preparing the approach for regional monitoring that will be implemented beginning in 2011. An outline of the approach has been prepared based on the Los Angeles Region's current approach.

Recently, staff met with Eric Larson of the San Diego Region Irrigated Lands Group to discuss strategies for monitoring.

For additional information on the San Diego Conditional Waiver for Irrigated Lands, please contact Peter Peuron at (858) 637-7137 or [ppeuron@waterboards.ca.gov](mailto:ppeuron@waterboards.ca.gov).