

IRRIGATED LANDS REGULATORY PROGRAM UPDATE REPORT JANUARY 2010

This month's Irrigated 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 January 28-29, 2010 Executive Officer's report. English and Spanish translations of current and past ILRP program monthly reports can be found on the State Water Boards Irrigated Agricultural Waiver Program website:

http://www.waterboards.ca.gov/water_issues/programs/agriculture/

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CENTRAL VALLEY WATER BOARD IRRIGATED LANDS REGULATORY PROGRAM

Long-term Program / Environmental Impact Report (EIR)

On 12 November Regional Board staff attended an organic farm tour along with the Organic Certification, Trade Association, Education and Outreach, Political Advocacy (CCOF). At this meeting staff and CCOF met with organic farmers to discuss organic operations and applicability to the long-term ILRP. CCOF, staff and growers also discussed proposed long-term program alternatives and potential roles of CCOF.

On 9 December staff spoke at the annual conference of the California Agricultural Commissioners and Sealers Association. The presentation included a discussion of the alternatives being considered in the long-term program EIR and economics analysis and potential Agricultural Commissioner roles.

On 10 December staff gave a presentation at the 37th Annual Almond Industry Conference. The purpose of the presentation was to inform growers of the long-term program development process and to provide them with an overview of the types of information being considered. The presentation included general information regarding the long-term irrigated lands program, Central Valley groundwater nitrate levels, and other programs addressing groundwater quality in the Central Valley [e.g., Department of Pesticide Regulation's (DPR) Groundwater Protection Program].

On 30 December State and Regional Water Board staff met with representatives from the California Department of Food and Agriculture (CDFA) and DPR to discuss the potential for coordination with the Fertilizer Research and Education Program (FREP). Each year, FREP provides funding for agricultural research projects. Nitrate leaching to groundwater is a chief concern for the long-term program. At the 30 December meeting staff presented a concept for a research project that would utilize GAMA well data and information regarding DPR's vulnerability zones to determine if DPR's vulnerability areas for pesticides could also reasonably represent nitrate vulnerability.

Staff and ICF Jones and Stokes have begun the development of a draft EIR, economics, and policy analysis. The results of the draft EIR, economics, and policy analysis will be used to identify a staff recommended alternative from the range of alternatives given in the *Final Long-term Irrigated Lands Regulatory Program Alternatives* document. Staff has committed to continue to engage stakeholders throughout the draft EIR process. Staff has developed a participation plan inviting small workgroup meetings during the development of the draft EIR and economic analysis. The participation plan also

establishes that staff will conduct at least two general stakeholder meetings to provide updates prior to public release of the draft EIR and economic analysis. Staff intends to circulate the draft EIR and staff recommended alternative for public review in spring of 2010.

Compliance Outreach – Postcards

In November and December 2009, Central Valley Water Board staff issued 412 outreach postcards to potential owners of irrigated lands in the San Joaquin County and Delta Water Quality Coalition and Sacramento Valley Water Quality Coalition (SVWQC) areas. The November mail out targeted the Delta Pilot Project area of Contra Costa County as well as Placer County; and the December mail outs targeted Colusa and Tehama Counties (SVWQC) and the Delta Plot Project area of San Joaquin County. The postcard recipients were identified using county tax assessor rolls, a state agricultural land use database, and a federal agricultural land use database. The postcards advise owners of irrigated lands to obtain the proper regulatory coverage.

Compliance Outreach - Exemption Claim Inspections

In November and December 2009, Central Valley Water Board staff completed 14 inspections to verify landowner claims of exemptions 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. These claims create a need for verification inspections, which staff regularly conducts.

Enforcement

California Water Code section 13267 Orders

In November and December 2009, the Executive Officer issued 179 CWC §13267 Orders to potential owners of irrigated lands in the Sacramento Valley Water Quality Coalition's area. Of these, 98 Orders were issued to landowners in the Delta Plot Project area of Sacramento County, 13 Orders were issued to landowners in Solano County, and 68 Orders were issued to landowners in El Dorado County. The Order recipients first received an outreach postcard. Those who received a postcard and did not respond subsequently received a 13267 Order.

In December 2009, 48 NOVs were mailed for failure to submit a technical report under CWC §13267. The NOVs were mailed to landowners in Mariposa, Madera, Merced, San Joaquin, and Stanislaus Counties.

Technical Issues Committee (TIC)

Staff is preparing a revised Coalition Group MRP Order (R5-2008-0005), based on the changes and clarifications that have been identified by the TIC and staff. Staff is planning a process and schedule to receive and consider TIC members' input regarding proposed changes in the Coalition Group MRP Order. To facilitate TIC member input, Staff is proposing to hold two TIC meetings during early 2010. Staff will provide a draft of the proposed Coalition Group MRP Order changes to the TIC members prior to meetings.

Management Plan Focus Group

The Management Plan Focus Group (Focus Group) met on 10 November 2009. Each Coalition provided a summary and status of progress on their management plan tasks. Staff addressed the Coalitions' concern about reaching 100% completion on surveys and individual contacts. There was also a forum for questions from the Focus Group members to Dr. Tessa Fojut, UC Davis Postdoctoral Scholar working on the UC Davis pesticide water quality criteria methodology. Staff from the Central Valley Water Board TMDL program provided information on the Central Valley Pesticide TMDL and Basin Plan Amendment project. Management Plan Focus Group members were encouraged to provide comments regarding the diuron criteria report to TMDL staff by 6 December 2009.

Coalition Groups

California Rice Commission (CRC)

A multi-year Monitoring and Reporting Program (MRP) is being completed. The MRP will be in effect until 31 December 2012. The CRC submitted a draft management plan for propanil that is being reviewed by staff. The CRC 2009 Annual Monitoring Report has been received and is under review. The Rice Pesticides Program has been transferred to ILRP staff and will continue as a separate program. A multi-year resolution is being prepared and should be ready for public review in January 2010.

East San Joaquin Water Quality Coalition (ESJWQC)

On 1 December the ESJWQC submitted a quarterly monitoring data report. This report covered sampling that occurred between 1 July and 30 September of 2009, and included: (1) Hard copies of all laboratory reports (e.g., quality control reports, laboratory analytical reports, toxicity reports); (2) Hard copies of all field sheets; and (3) Electronic submittal in SWAMP comparable format of all available data.

Goose Lake Coalition

On 23 November, Goose Lake Coalition submitted a quarterly monitoring data report, covering the sampling period of 1 July through 30 September 2009. An exceedance for *E. coli* was identified for a sampling event on 9 July and an initial draft Management Plan has been developed by the Goose Lake Resource Conservation District and is currently under review by Central Valley Water Board Redding office staff. Completion of the draft Management Plan for review by Irrigated Lands Program management staff is expected by the end of January 2010. Regional Board staff will be attending the next Goose Lake Coalition meeting scheduled for mid January.

Pleasant Valley Coalition

Pleasant Valley Water District Board of Directors conditionally approved a Memorandum of Agreement (MOA) that provides for the inclusion of Pleasant Valley lands into Westlands Storm water Coalition. Westlands Board of Directors previously approved the MOA on 15 October 2009. The MOA is set to be executed by March 2010 pending the signature of land owner agreements with the involved farmers.

Sacramento Valley Water Quality Coalition (SVWQC)

On 9 November, staff participated by telephone in a meeting with representatives of the El Dorado Subwatershed group. Staff received comments and answered question regarding the Pilot Watershed Management Practices Plan and the Coon Hollow Creek Source Evaluation Report.

On 10 November, Redding staff attended the Shasta-Tehama subcoalition meeting to discuss outreach activities to identify potential non-participants in Shasta and Tehama Counties. Regional Board staff and Shasta-Tehama board members discussed the quantity and timing of postcard mailings for future outreach activities.

On 25 November, staff held a meeting with Coalition representatives to review the SVWQC MRP Order, which will be implemented beginning January 2010. Staff received comments related to reporting schedules, toxicity procedures, and assessment monitoring cycles.

On 25 November, staff and Coalition representatives held the fourth SVWQC Quarterly Management Plan meeting for 2009. The following items were addressed: a) Management Plan Progress Report; b) grower survey status; and c) Source Evaluation Reports for high priority constituents.

On 10 December, staff attended the SVWQC Quarterly Coalition Meeting. Agenda items included: 2009 water quality results; SVWQC MRP Order; 2009 Management Plan accomplishments and 2010 Management Plan goals; Long-term Irrigated Lands Program update; and BMP surveys.

On 21 December, the Executive Officer approved the SVWQC MRP Order No. R5-2009-0875. Implementation begins on 1 January 2010.

On 23 December, staff received a draft Pilot Watershed Management Practices Plan from the Napa County Putah Creek Watershed Group. Staff will determine if the proposal meets the requirements of a Pilot Plan, as defined in the SVWQC MRP Order.

On 30 December, the Executive Officer approved a modification of the SVWQC Management Plan. The annual Management Plan Progress Report due date has been changed to 1 March. San Joaquin County and Delta Water Quality Coalition (SJCDWQC)

On 3 November, staff held the fifth quarterly meeting with the SJCDWQC to discuss progress of implementing the Management Plan.

On 16 November, the Central Valley Water Board Executive Officer approved modification to the SJCDWQC Monitoring and Reporting Program Plan 2010 Core sampling schedule. Sampling is suspended until Assessment monitoring resumes in 2011 for azinphos methyl, dieldrin, methidathion, nickel, and Group a pesticides because data indicates these are no longer parameters of concern.

On 1 September, the SJCDWQC submitted its quarterly monitoring data report for April through June, as required by Order No. R5-2006-0053. After review, these data will be posted on the Irrigated Lands Regulatory Program web site.

On 1 December, the SJCDWQC submitted its quarterly monitoring data report for July through September, as required by Order No. R5-2006-0053. After review, these data will be posted on the Irrigated Lands Regulatory Program web site.

On 29 December, the Central Valley Water Board approved modifications to the SJCDWQC monitoring schedule. Modifications included deliverable date changes to their performance goal schedule and the Management Plan High Priority implementation schedule. Southern San Joaquin Valley Water Quality Coalition (SSJVWQC) submitted a draft Monitoring and Reporting Program Plan containing all four of the sub-watersheds' edits was submitted by the Coalition on 23 November 2009. Staff reviewed the document and is preparing a response. A meeting was held with the Tule River Sub-watershed group on 29 December 2009 to discuss questions regarding a management plan on the Tule River for toxicity to fathead minnow and clarification on sediment sampling procedures. Staff agreed to provide the sub-watershed group with additional examples of management plans and provide information on the procedure for collecting bed sediment samples.

On 30 December 2009, the Coalition submitted the 2009 Irrigation season semi-annual monitoring reports. The monitoring reports are currently under staff review.

Westlands Coalition

On 30 November 2009, the Coalition submitted the third quarter 2009 monitoring report. The monitoring report is currently under staff review.

Westside San Joaquin River Watershed Coalition (WSJRWC)

On 23 November, staff received a copy of the WSJRWC Semi-Annual (Irrigation Season) Monitoring report covering monitoring from 1 March 2009 to 31 August 2009. Staff is currently reviewing the report for completeness.

Data Management

Since June of 2009, staff has received SWAMP comparable electronic data from five out of six Coalitions. Staff will be working closely with Coalition leads and stakeholders to ensure that the data submitted meets the formatting and submission guidelines. The submittal of electronic data within the SWAMP comparable format has allowed Staff to review and make the data available to other Staff and the public very quickly. The format also allows for a rapid verification process and loading into a master ILRP database for future querying. Uploads to the database have begun with the quarterly and annual data submittals received since June of this year. Staff continues to work closely with the

Surface Water Ambient Monitoring Program (SWAMP) to maintain comparability of the data and the database structure for future merging of the ILRP data with state-wide monitoring efforts.

The ILRP Participant Monitoring Data web site currently has data available through mid 2009 for all Coalitions and Irrigation Districts that have submitted monitoring reports through 31 September 2009. The next update is scheduled for January 2010 and will add the December quarterly data submissions and the California Rice Commissions annual report. Continued updates are expected to occur throughout the year.

An ILRP specific web-based SWAMP format checking tool is in the final stages of development and slated to be ready for use very soon. This tool will streamline data transfer from coalitions to Central Valley Water Board staff as well as provide feedback on the format and business rules of SWAMP compatibility for electronic data submittals. The ILRP Staff have tested the draft system and provided comments back to the SWAMP development team to complete the project. Both programs will be attempting to reach out to the Water Board Training Academy to potentially aid in the training of coalition groups for use of this tool once it is finalized and made available.

Remaining funds earmarked for the Region 5 SWAMP UC Davis Data Center have been directed to be used to assist the entry, formatting, and loading of some of the ILRP's historical datasets from 2004-2007. This assistance will support the continued efforts by the ILRP staff to upload older datasets concurrently with new datasets submitted by Stakeholders throughout the year. Oversight of the use of these funds and progress by the UC Davis Data Center will be coordinated between the ILRP Staff and the San Joaquin Watershed SWAMP unit. At this time, this project has not yet begun.

MOU Pilot Program

Contract requests to amend and extend the contracts with Butte and Glenn Counties have been started. The request would extend the contracts to 30 June 2011, by which time the conditional waiver will end for the ILRP. At that time, the EIR will be complete and the long-term alternative for the ILRP should be before the Board for approval.