

IRRIGATED LANDS REGULATORY PROGRAM FOR AUGUST 2014

STATE WATER RESOURCES CONTROL BOARD:

On August 4, 2014, Irrigated Lands Regulatory Program (ILRP) staff participated in a California Cap and Trade meeting regarding potential nitrate trading for agriculture.

On August 6, 2014, ILRP staff participated in a meeting with CalRecycle regarding anaerobically digestible material (ADM) co-digestion at publically owned treatment works (POTW). Discussion centered on dedicated digesters and revisions to the ADM definition.

On August 7, 2014, ILRP staff participated in a Department of Pesticide Regulation (DPR) pesticide use reporting database workshop. ILRP staff is looking to incorporate a similar database as part of the ILRP for fertilizer use.

On August 12, 2014, ILRP staff met with CalRecycle staff regarding compost and ADM. CalRecycle provided an update on regulations being developed for compost and ADM.

On August 13, 2014, ILRP staff participated in a meeting with DPR, CASA, and Central Valley Regional Water Board staff regarding pyrethroid re-evaluation.

On August 15, 2014, ILRP staff participated in a final preparation meeting with the Farm Food Safety Conservation Network (FFSCN) to finalize the upcoming annual forum regarding food safety and water quality issues and proposed revisions to the United States Department of Agriculture Food Safety Modernization Act (FSMA).

On August 19-21, 2014 ILRP staff participated in the FFSCN annual Forum.

On August 28, 2014, ILRP staff participated in a Natural Resource Conservation Service (NRCS) State Technical Guide Committee (STGC) meeting to review revisions to several conservation practice standards.

REGIONAL WATER BOARD:

This month's ILRP report covers up through the month of August 2014 and will provide an update on the activities of the Central Valley Regional Water Quality Control Board (Regional Water Board) ILRP as provided by the Regional Water Board August 2014 Executive Officer report .

Future monthly reports will alternate between the status of the ILRP from the Central Valley Regional Water Board for one month, and the status of other Regional Water Board ILRPs for the alternate month.

Current and past ILRP program monthly reports can be found on the State Water Board Irrigated Lands Regulatory Program website:

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

For additional information on the statewide ILRP, please contact State Water Board staff:

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CENTRAL VALLEY REGIONAL WATER QUALITY CONTROL BOARD IRRIGATED LANDS REGULATORY PROGRAM (ILRP)

1. General Waste Discharge Requirements (WDRs) Development

- **Grasslands Bypass Project**

A draft administrative WDR and MRP reflecting new compliance dates to meet selenium objectives in Mud Slough (north) and incorporating relevant requirements from the Irrigated Land Regulatory Program was released 29 May. Comment period ended on 30 June. Six comment letters were received and are being reviewed by staff. A workshop notice on the draft WDR and MRP has been posted for the August board meeting. A tentative WDR and MRP is expected to be released for public comment in early August 2014.

- **Grassland Drainage Area**

Staff are working with representatives of the Grassland Area Farmers received on the draft groundwater WDR and MRP for the Grassland Drainage Area. The Grassland Area Farmers are covered by the Grassland Basin Drainage Management Activity Agreement (GBD Activity Agreement) established under the umbrella of the San Luis & Delta-Mendota Water Authority, a joint powers agency organized pursuant to the California Government Code section 6500 *et seq.* On 2 July a conference call was arranged between staff of the Central Valley Water Board and representatives of the Grassland Area Farmers to discuss questions on the draft groundwater WDR and MRP. A second conference call is scheduled on 25 July.

- **Sacramento River Watershed WDR**

On 10 April, the Northern California Water Association (NCWA) submitted an application to serve as the third-party to represent growers in the Sacramento River Watershed on behalf of the Sacramento River Water Quality Coalition (Coalition). On 4 June, the Executive Officer issued a Conditional Notice of Applicability and conditional approval of NCWA to serve as the third-party group under Order R5-2014-0030. The conditional approval required that an addendum containing additional documentation related to organizational governance and accountability was needed to complete NCWA's application. The documentation submitted by NCWA is under management review. On 16 June, the Executive Officer released for comment the Sacramento Valley Water Quality Coalition's Farm Evaluation template, recognizing that templates may require modifications for different geographic areas. Comments are due by 16 July and will be considered before the Executive Officer issues a final template.

- **San Joaquin County and Delta Water Quality Coalition WDRs**

On 6 June, the Executive Officer released for comment the San Joaquin County and Delta Water Quality Coalition's Farm Evaluation template recognizing that templates may require modifications for different geographic areas. Three comments were received by the 7 July 2014 deadline. Comments will be considered before the Executive Officer finalizes the template.

- **Western San Joaquin River Watershed WDRs**

A petition was filed with the State Water Resources Control Board regarding the board's adoption of the "Waste Discharge Requirements General Order for Growers within the Western San Joaquin River Watershed that are Members of a Third-Party Group" (Order No. R5-2014-0002). The petition is identified as A-2292 CSPA and C-WIN and can be found at:

http://www.waterboards.ca.gov/public_notices/petitions/water_quality/petitions.shtml

On 19 May, the Executive Officer issued the final template for Farm Evaluation that all third-party members (Members) in the Western San Joaquin River Watershed must use to report management practices implemented to protect surface water and groundwater quality. Recognizing that templates may require modifications for different geographic areas, on 28 March 2014 a proposed Farm Evaluation template for the Western San Joaquin River Watershed was released for review and comments by interested parties. One comment letter was received by the 28 April 2014 deadline; suggestions were considered and deemed not to necessitate changes to the template.

On 15 May, the Westside San Joaquin River Watershed Coalition (Coalition) submitted a Managed Wetland Evaluation Template, per Order R5-2014-0002. Upon completion of staff's internal review, the template will be posted for a 30-day public comment period. Comments will be considered prior to the Executive Officer approving a final Managed Wetland Evaluation Template.

2. State Water Resources Control Board Agricultural Expert Panel

The State Water Board's Agricultural Expert Panel has released their draft report:

http://www.waterboards.ca.gov/water_issues/programs/agriculture/docs/swrcb_ilrp_expert_panel_draft_report.pdf.

The public notice for a meeting to take public comment on their report can be found at:

http://www.waterboards.ca.gov/public_notices/comments/docs/notice_expert_panel_public_mtg_071814.pdf

3. Management Practice Evaluation Program (MPEP)

On 8 May, the East San Joaquin Coalition, the San Joaquin County and Delta Water Quality Coalition, and the Westside San Joaquin River Watershed Coalition submitted additional information as required in the conditional approval of the Management Practices Evaluation Program (MPEP) Group Option Agreement issued on 18 March. The Group Option allows multiple entities to prepare a joint MPEP Workplan to determine the effects, if any, irrigated agricultural practices may have on first encountered groundwater under different conditions that could affect the discharge of waste from irrigated lands to groundwater, and to address the conditions relevant to high vulnerability groundwater areas. The additional information adequately addressed the required elements.

4. Grower Enrollment under New Orders

The new ILRP Orders provide an opportunity for growers who do not have regulatory coverage to directly join the coalition. After the allowable time frame to directly join the coalition, the growers must submit a Notice of Intent to the Central Valley Water Board to get approval for regulatory coverage under the applicable third-party group Order. As each Order has been adopted, and the coalitions approved, staff and the coalitions initiate outreach efforts to inform non-participating growers of the opportunity to join the coalition.

The Coalitions generally are required to report their Member lists 60 days after the opportunity to join the coalition directly. Member lists are then reported annually thereafter. Table 1 provides a summary of enrollment for two coalitions for which the board has current membership information. Information for other coalitions will be provided as the window for direct grower enrollment with the coalitions close and board staff receives membership lists. Note that the Table below is identical to that contained in the June 2014 Executive Officer's report, since no new participant information has been received.

Table 1. Coalition Enrollment Information Summary

Coalition	East San Joaquin	Kings River (7)
New Order Outreach Start Date	Jan-13	Jan-14
Participating Growers and Associated Acreage		
Number of Growers, Pre-Order (1)	2,225	8,400
Number of Growers, as of May 2014	3,963	Pending
Change (Additional Growers Enrolled) (3)	1,738	Pending
Number of Acres, Pre-Order (2)	535,653	451,889
Number of Acres, as of May 2014	718,833	502,485
Change (additional Acres Enrolled) (3)	183,180	50,596
Projected Total Number of Growers and Acres		
Growers Requiring Coverage (4)	3,600	Pending
Irrigated Acres Requiring Coverage (5)	835,000	1,038,345
Acres Enrolled Under the Dairy Program (6)		
	165,000	Pending

¹ For the East San Joaquin coalition, the pre-Order participating growers comes from July 2012; the Kings River Coalition comes from the July 2013 participant list. Participant values were provided by the Coalition Group or calculated by staff using a pivot table to determine the number of unique names.

² For East San Joaquin Coalition this number is derived from the July 2012 Coalition Participant List; for the Kings River Coalition, this number is derived from the July 2013 Coalition Participant List. Reporting acres vary (e.g., acres, irrigated acres, farmable acres, assessed acres, etc.)

³ This value is the change in grower participation or participating acres from when outreach related to the general orders began to the present.

⁴ Projected number of growers was derived from the US Dept of Agriculture 2007 Census of Agriculture or extrapolating the coalition participant lists and total irrigated lands. Details are provided in the respective adopted Orders. Actual values may differ from projected.

⁵ Projected irrigated acres were derived from the CA Dept of Conservation's Farmland Mapping and Monitoring Program GIS datasets, the Dept of Water Resources land use GIS datasets, and the County Agricultural Commissioners' reports. Details are provided in the respective adopted Orders. Actual values may differ from projected.

⁶ Acres enrolled under General Order, R5-2007-0035, for Existing Milk Cow Dairies. Information comes from annual reports from dairies.

⁷ Some participant values and acreages are pending, since the deadline for providing the participant list has not occurred. For the Kings River Coalition, the deadline for growers to directly enroll with the coalition is 19 May 2014. This will be provided in the July 2014 participant lists, if not earlier.

5. Compliance & Outreach – East San Joaquin Agricultural Parcel Inspections

In May and June, and on July 1st, ILRP staff inspected 102 parcels in the East San Joaquin River Watershed. The purpose of these inspections is to determine if the parcels are commercial irrigated lands that require coverage under the Eastern San Joaquin River

Watershed General Order. Data gathered during these inspections will be used to focus and prioritize the issuance of 13260 directives to commercial irrigated lands that are not covered by the Eastern San Joaquin River Watershed General Order.

6. Compliance & Outreach – East San Joaquin Notices of Violation

In May and June, staff mailed 82 Notices of Violation (NOVs) to landowners who failed to respond to California Water Code 13260 Directives to arrange regulatory coverage for their irrigated lands. The NOVs give the recipients 15 days to respond or face administrative civil liability.

7. Compliance & Outreach – Pre-ACL Settlement Letters for Failure to Comply with 13260 Directives

In June, ILRP staff mailed pre-Administrative Civil Liability (ACL) letters to 13 growers who did not respond to 13260 Directives or subsequent Notices of Violation. Eight growers responded to the pre-ACL letters; two did not respond; two letter recipients were found to have sold their property; and one pre-ACL letter will be resent owing to an initial wrong address. Staff plans to issue ACL Complaints to the two growers who did not respond.

8. Compliance & Outreach – Letter to San Joaquin County & Delta Growers

In May and June, ILRP staff used Geographic Information Systems and county tax assessor's parcel information to prepare a list of landowners with parcels that likely require coverage under the Waste Discharge Requirements General Order for Growers within the San Joaquin County & Delta Area (General Order). And in June, 2,970 landowners with a total of 190,100 acres of land were mailed an outreach letter informing them of new ILRP requirements under the General Order, and how they could join the Coalition or get more information. Staff is working with the San Joaquin County & Delta Coalition representatives to determine landowner response to the outreach letters. Follow up outreach to these landowners is pending response results.

9. Compliance & Outreach – Final Notice Letter to Western San Joaquin Watershed Growers

On June 6th, ILRP staff mailed 302 final notice letters to landowners in the Western San Joaquin Watershed advising them to join the Westside San Joaquin River Watershed Coalition before the June 30th "open enrollment" deadline. After this deadline, new Coalition members must submit a Notice of Intent and processing fee to the Central Valley Water Board in addition to applying to join the Coalition.

10. Compliance & Outreach – Letters to Tulare Lake Basin Area Growers

Since the last Executive Officer report, 8,818 outreach letters have been issued throughout the Tulare Lake Basin Area, bringing the total number of outreach letters issued in the Tulare Lake Basin Area to 27,375. Staff estimates another 1,000-2,000 letters will be issued in the upcoming months as open-enrollment outreach closes for the Third-parties in the Tulare Lake Basin Area.

11. Coalition Groups

a) California Rice Commission Coalition

On 29 May, the staff review of the 2013 Annual Monitoring Report was sent to the California Rice Commission. The staff review has been posted on the ILRP website. The review noted corrective actions should be taken to ensure complete QA/QC lab analyses were performed and reported.

b) East San Joaquin Water Quality Coalition

On 8 May, staff held the 22nd quarterly meeting with the East San Joaquin Water Quality Coalition (Coalition) to discuss progress of implementing the Coalition's Management Plan, performance goals and status of other activities in progress. The Coalition provided an update on the monitoring results and outreach in the subwatersheds that have active management plans.

On 12 May, Regional Water Board staff attended a meeting of the East San Joaquin Water Quality Coalition board in Modesto. The board members and growers attending the meeting expressed their concerns about the lack of fines issued to non-participating growers. Water Board staff provided a status report on enforcement efforts.

On 5 June, the East San Joaquin Water Quality Coalition (Coalition) requested approval to remove site specific constituents from the Coalition's Management Plan and Management Plan Monitoring schedule. The request is under staff review.

On 6 June, the Executive Officer conditionally approved the East San Joaquin Water Quality Coalition's (Coalition) Groundwater Quality Assessment Report (GAR). The GAR determines high and low vulnerability areas, establishes priorities within high vulnerability areas, and provides a basis for further workplan and management plan requirements. The staff review took into account stakeholder comments received during the general Irrigated Lands Regulatory Program stakeholder meeting held on 26 February in Modesto. Outstanding issues must be addressed by 11 August for the GAR to be considered for final approval.

On 19 June, Regional Water Board staff met with representatives of the East San Joaquin Water Quality Coalition to discuss their response to the conditional approval of the GAR. Board staff agreed to meet with all interested Coalitions to discuss GAR expectations. The meeting will be held on 23 July in Modesto.

On 1 July, the East San Joaquin Water Quality Coalition (Coalition) submitted a summary of information reported by growers in the Farm Evaluations. As required by the Waste Discharge Requirements for the Eastern San Joaquin River Watershed, members within high vulnerability areas were required to complete and submit their Farm Evaluation describing management practices implemented during 2013. High vulnerability areas are the geographic regions with the Coalition area where there is a management plan due to surface or groundwater quality impairments or where the area has been determined to be highly vulnerable for groundwater in the Groundwater Assessment Report (GAR). Based on the existing surface water management plans and the tentative vulnerability designations as outlined in the GAR, 91% of all Coalition members, representing 95% of the enrolled acreage, are in the high vulnerability area.

c) Sacramento Valley Water Quality Coalition (SVWQC)

On 15 May, Regional Water Board staff held a quarterly meeting with the Sacramento Valley Water Quality Coalition (Coalition) to discuss progress of implementing the Coalition's Management Plan, performance goals and status of other activities in progress.

On 16 May, Regional Water Board staff met with the SVWQC to discuss a draft outline of their Groundwater Quality Assessment Report. Additional meetings to discuss the

Coalition's proposed approach are planned. On 20 May, the SVWQC submitted a request for completion of their Lower Snake River Chlorpyrifos Management Plan. The request includes a discussion of several factors in support of the request. The request is under staff review.

On 30 June, the SVWQC submitted the fourth Annual Reports for the Pilot Watershed Management Practices Plans in the Napa and El Dorado Subwatershed areas.

d) San Joaquin County and Delta Water Quality Coalition

On 9 June, 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 16 June, Regional Water Board staff prepared a review of the San Joaquin County and Delta Water Quality Coalition's 2013 and 2014 AMR. Staff combined the 2013 and 2014 into one review. The Coalition's AMRs satisfactorily met the conditions of the reporting requirements.

On 1 July, the San Joaquin County and Delta Water Quality Coalition submitted a dissolved oxygen and specific conductance Management Plan amendment request based on the Basin Plan criteria and its Order. The Order excludes total dissolved solids monitoring. It is under staff review.

e) Tulare Lake Basin Area Third-party Groups

On 23 May 2014, Regional Water Board staff with Casey Creamer of the Kings River Water Quality Coalition and other coalition leads in the Tulare Lake Basin Area to discuss their proposed amendments to the Farm Evaluation Template.

On 23 May 2014, Regional Water Board staff met with David DeGroot of the Tule Basin Water Quality Coalition to discuss the review of their Surface Water Monitoring Plan Outline. The letter containing the outline review was issued on 18 June 2014.

On 12 June 2014, Regional Water Board staff attended a meeting with representatives of the Buena Vista Coalition at their offices in Buttonwillow, CA. Topics of discussion included an explanation of district surface water conveyance structures, district operational techniques, and presentation of preliminary data collected for the Groundwater Quality Assessment Report.

On 17 June, Regional Water Board staff issued a Farm Evaluation template to the Cawelo Water District and Westside Water Quality Coalition for comment. The deadline to submit written comments to be considered prior to the Executive Officer providing the final template to the Third-Party Groups is 17 July 2014.

On 18 June, Regional Water Board staff issued reviews of the Kaweah, Tule, and Kern coalition Surface Water Monitoring Plan (SWMP) outlines. Staff is scheduled to meet with the Coalitions on 11 July to discuss the review and development of the SWMPs. The deadline to submit the SWMPs is 4 August 2014.

f) Fresno Office Staff Training and Outreach Meetings

On 13 May, Regional Water Board staff attended a Walnut Pruning Trial Field Day at Castle Farms in Atwater, CA. The demonstration was sponsored by the University of

California Cooperative Extension and included the following topics: Pruning effects on crop output, canopy management, and herbicide demonstration plots examining the effectiveness of combining various common herbicides to reduce overall use.

On 9 June, Regional Water Board staff attended an alfalfa pest and crop management meeting hosted by the San Joaquin Sustainable Farming Project in Dos Palos, CA. Topics of discussion included: Integrated Pest Management, vertebrate pest control, and drip irrigation in alfalfa.

g) Westside San Joaquin River Watershed Coalition

On 12 June, the Westside San Joaquin River Watershed Coalition submitted its Groundwater Assessment Report outline as part of the Order requirements. The Coalition will prepare the Groundwater Assessment report by March 2015.

On 15 June, the Westside San Joaquin River Watershed Coalition submitted its semi-annual monitoring report covering the period September 2013 through February 2014. The report is under staff review.

On 19 May, the Executive Officer approved the Westside San Joaquin River Watershed Coalition's (Coalition) 3 April 2014 Turner Slough near Edminster Road monitoring site removal request. Parcels in the Turner Slough drainage are enrolled in the Dairy Program and do not require overage under the Irrigated Lands Regulatory Program. In its letter and supporting information, the Coalition provided sufficient evidence that no other parcels enrolled in the Coalition drain into the Turner Slough.

12. Other Projects

a) Data Management

Data from 2009 through mid-2013 for all Coalitions are available to the public on CEDEN. The next transfer is planned for September 2014 and will add data through early 2014. New data will continue to be transferred to CEDEN on a quarterly basis. Data reports received in acceptable condition through 15 June 2014 are currently being processed and loaded into the California Environmental Data Exchange Network (CEDEN) comparable database provided by the Central Valley Regional Data Center (CV RDC).

Data collected prior to 2009 will continue to be available on the ILRP surface water quality data webpage until those sets have been processed and transferred to CEDEN as resources permit. Staff is currently processing the Westside San Joaquin Watershed Coalition data and the Sacramento Valley Water Quality Coalition collected between 2004 and 2008. Once complete, these sets will complement the existing data on CEDEN providing all of the data submitted by the Coalition since program inception. The current goal is to complete and load the Westside San Joaquin River Watershed Coalition data to CEDEN by September of this year. The Sacramento Valley Coalition data is currently slated to be complete by mid-2015.

In August of 2013, CEDEN released the most updated and consolidated version of their electronic data templates. Over the course of late 2014 and into early 2015, the ILRP will be transitioning to the use of these new CEDEN templates for Excel based data submissions from Coalitions. This transition will assist all parties in better maintaining comparability and efficient use of resources. On 22 January 2014, Stakeholders were

notified via email of the ILRP's intent to transition to new templates. A brief history and explanation of the transition was provided, as well as a schedule for future communications and updates to available resources and tools. A second email communication was issued 27 March 2014. A series of informational graphics comparing the current templates to the new templates was provided. Stakeholders were also informed about a delay in the availability of a critical online tool for the new templates. The next communication is planned for late July and should provide an update on the status of the online tool, an updated webpage with links to the new templates and resources as well as provide a revised schedule for the transition.

b) Managed Wetlands Workgroup

During the WDR Order adoption hearings for the Long-term ILRP, the Board directed the Executive Officer and staff to address issues raised by wetlands managers. Following an initial meeting with the Executive Officer, a work group consisting of representatives from public and private managed wetlands formed to address concerns about the applicability of the ILRP framework for regulating discharges from managed wetlands. Central Valley Water Board staff held a kick-off meeting with the Managed Wetlands Workgroup on 19 March 2014 with the primary objective to begin discussion of options for wetlands regulatory coverage. During the meeting, wetlands representatives provided background information about managed wetlands to clarify the basis of their concerns and asked staff to explain the Board's perspective for requiring regulatory coverage. The work group developed a preliminary list of desirable outcomes for a managed wetlands regulatory framework. The next meeting of the Managed Wetlands Workgroup is scheduled for 31 July.

c) Prop 84 Grant Funding

To date, sixty-two projects have been completed and invoiced. Fifteen projects are still open. The completion and invoicing of projects are required by December 2014.

The CURES website at <http://www.curesworks.org/bmp/projects84.asp> has additional information on the Prop 84 funding and photos of completed projects.

d) Rice Pesticides Program

The California Rice Commission initiated monitoring for thiobencarb on 6 May due to the late start for rice operations. Monitoring ended 8 July. No detections of thiobencarb (detection limit of 0.1 ppb) have been reported by the City of Sacramento or West Sacramento.

e) Pesticide Evaluation Advisory Workgroup

The Waste Discharge Requirements for irrigated lands include requirements to monitor pesticides in surface water, which are to be identified as a part of a process by Central Valley Water Board staff with input from qualified scientists and in coordination with the California Department of Pesticide Regulation (DPR). On 23 May 2014, the Central Valley Water Board solicited nominations for qualified scientists to serve as members of the Pesticide Evaluation Advisory Workgroup (Workgroup), which will draft a process for evaluating and identifying pesticides that may require monitoring in surface water.

Coordination with the DPR has been arranged, and members of the Workgroup were selected on 18 June 2014. The list of Workgroup members and Information about the meetings is available online at:

http://www.waterboards.ca.gov/centralvalley/water_issues/irrigated_lands/new_waste_discharge_requirements/stakeholder_advisory_workgroup/index.shtml

f) **Fees**

Regional Water Board staff attended a State Water Board sponsored stakeholder meeting on fees for the upcoming fiscal year. The State Water Board is not proposing any changes to the irrigated lands coalition fees at this time (the current fee is \$0.75 /acre).