

## **IRRIGATED LANDS REGULATORY PROGRAM UPDATE**

### **July 2016**

This month's Irrigated Lands Regulatory Program update provides a summary of significant activities of State Water Board and North Coast, San Francisco Bay, Central Coast, Los Angeles, Colorado River, Lahontan, Santa Ana, and San Diego Water Boards' staff. Next month's report will present activities of the Central Valley Water Board's Program.

#### **STATE WATER BOARD:**

In July 2016, Irrigated Lands Regulatory Program staff participated in several meetings with agricultural related agencies, including the California Air Resources Board's Interagency Waste Workgroup, Oregon Department of Agriculture, California Agricultural Partnership Forum, Farm Food Safety Conservation Network, California BioResources Alliance, California Roundtable on Agriculture and the Environment, California Association of Sanitation Agencies, and California Water Environment Association.

#### **REGIONAL WATER BOARDS:**

**North Coast Water Board** staff is focusing on a series of targeted permits specific to agricultural commodities or geographic areas. The targeted permits include Discharges from Cannabis Cultivation, Agricultural Discharges in the Tule Lake Basin, Agricultural Discharges Associated with Vineyards and Orchards, and Agricultural Discharges from Easter Lily Bulb Cultivation.

In June 2015, 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 North Coast Water Board website.

As of July 8, 2016, the North Coast Water Board had a total of 479 entities enrolled in the conditional waiver of Waste Discharge Requirements for discharges from cannabis cultivation and associated activities. Approximately half of these enrollees were enrolled through two approved third-party programs. There are an additional 121 entities that have submitted a notice of intent, but have not completed the enrollment process.

**San Francisco Bay Water Board** staff anticipates release for public comment draft General Waste Discharge Requirements for Vineyard Properties located in the Napa River and Sonoma Creek watersheds, and a related draft Environmental Impact Report, on July 15, 2016. Staff anticipates Board consideration of the Vineyard Properties General Order and associated documents in mid-fall 2016.

San Francisco Bay Water Board staff encourages permittees to work with Board-approved Third-Party Programs and Qualified Professionals in the development and implementation of Farm Plans. Third-Party Programs and Qualified Professionals will provide technical assistance and expertise to help dischargers comply with the requirements of the proposed General Order.

The **Central Coast Water Board** revised and renewed its Agricultural Conditional Waiver on March 15, 2012. The Waiver was petitioned to the State Water Board and was largely upheld, with some modifications. The State Water Board's order in response to the petition was challenged in civil court, which found that several aspects of the State Water Board's order did not comply with applicable policy. The State Water Board appealed the civil court's decision and

the appellate case is pending. The current Agricultural Conditional Waiver will expire in March 2017. Central Coast Water Board staff is in the planning stages of renewing the waiver.

The **Los Angeles Water Board** revised and renewed its Conditional Waiver on April 14, 2016. 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 and the Ventura County Agricultural Irrigated Lands Group are the two discharger groups in the Los Angeles Region that have formed to comply with the Conditional Waiver. The most significant additions to this iteration of the Conditional Waiver include groundwater monitoring and individual drinking water well sampling requirements, and individual discharge limitations if Water Quality Benchmarks for watersheds subject to Total Maximum Daily Loads are not attained within a certain time.

The **Lahontan Water Board** adopted a Conditional Waiver for Irrigated Grazing and will consider adopting conditional waivers for alfalfa and other commodity specific agricultural discharges as Total Maximum Daily Loads are being developed.

Since 2012, the **Colorado River Water Board** has adopted four Conditional Waivers for agricultural dischargers and drain maintenance activities to control discharges of agricultural pollutants. These Conditional Waivers collectively affect approximately 650,000 net farmable acres in the Palo Verde Valley, Bard Valley, Coachella Valley, and Imperial Valley; the Region's main agricultural areas. The Conditional Waivers are implemented by the Total Maximum Daily Load / Non-Point Source program staff. The staff are currently focused on implementing the elements of the Conditional Waivers (enrollment, monitoring, and reporting), and on readopting the Conditional Waivers as they expire.

**Santa Ana Water Board** staff anticipates that their Board will consider a Conditional Waiver of Waste Discharge Requirements for Agricultural Operations in the San Jacinto River Watershed (Tentative Order No. R8-2016-0003) and the Mitigated Negative Declaration for the Conditional Waiver at the July 29, 2016 Board meeting.

**San Diego Water Board staff** developed two tentative General Waste Discharge Requirements; one for Agricultural Operations that are Members of a Third-Party Group, and one for Agricultural Operations that elect not to participate in a Third-Party Group. The two Tentative General Waste Discharge Requirements as well as a Tentative Resolution to adopt a Negative Declaration for the project have been released for public comment. The public comment period ends on July 29, 2016. It is anticipated that a public hearing for the Board to consider adoption of the two tentative General Waste Discharge Requirements and Tentative Resolution will occur later this year.

If adopted, the two General Waste Discharge Requirements will provide regulatory coverage for over 6,000 commercial irrigated and non-irrigated agricultural operations within the jurisdictional boundaries of the San Diego Water Board.