

IRRIGATED LANDS REGULATORY PROGRAM UPDATE

June 2017

This month's Irrigated Lands Regulatory Program update provides a summary of significant activities of State Water Board from May 15, 2017 to June 15, 2017; and, the North Coast, San Francisco Bay, Central Coast, Los Angeles, Colorado River, Santa Ana, and San Diego Water Boards from April 15, 2017 to June 15, 2017. Next month's report will present activities of the Central Valley Water Board's Program and cover the time period from May 15, 2017 to July 15, 2017.

STATE WATER BOARD

On May 16, 2017, Irrigated Lands Regulatory Program and Nonpoint Source Program staff participated in a Natural Resources Conservation Service State Technical Advisory Committee meeting to discuss allocation of 2018 Farm Bill funds. The anticipated future impact to Farm Bill funding based on anticipated budget cuts was included in the discussion; \$1.5 million was maintained in the 2018 Farm Bill for National Water Quality Initiative Projects in California.

On May 17, 2017, staff participated in a California Association of Pest Control Advisers and Certified Crop Advisers Board of Directors meeting to discuss budget issues and the addition of the State Agronomist to the Board of Directors.

On May 18, 2017, staff participated as a member of the Environmental Farming Act Science Advisory Panel, hosted by California Department of Food and Agriculture. At this meeting, staff presented summaries of public comments received and the programmatic framework for the Healthy Soils Program. Public comments focused on the incentives program, funding, scoring criteria, eligibility, and the roles of non-profit organizations.

On May 24, 2017, Irrigated Lands Regulatory Program and Nonpoint Source staff participated in a webinar sponsored by the American Farmland Trust and World Resources Institute. The webinar focused on a report on Water Quality Success Stories that featured lessons learned from six "Water Quality Targeting Success Stories." The projects used in-stream and tile drain monitoring to detect water quality improvements attributable to farm conservation practices adopted in the watersheds. Successful projects were found in California, Oklahoma, Iowa, Wisconsin, and Indiana. California's Walker Creek Project achieved three years of no Chlorpyrifos pesticide exceedances, thereby complying with state regulations for irrigated cropland.

On May 31, 2017, staff participated in California BioResources Alliance steering committee meeting to continue planning the annual symposium scheduled for November 1 – 2, 2017, in Sacramento.

On June 5, 2017, staff met with representatives of the California Rice Commission to discuss fee schedule alternatives that may be utilized in future fee development. The Rice Commission presented a proposed “fee for service” model for staff to consider.

On June 7, 2017, staff met with the California Agricultural Partnership Forum to discuss ongoing development of a framework to promote agricultural related water quality improvement demonstration projects and regulatory recognition.

On June 9, 2017, staff participated in a conference call with the California Bioresources Alliance to discuss composting of digestates. Topics focused on the addition of moisture and nutrients in specified amounts for the purpose of creating composts for different uses, developing quality standards for different compost varieties, tailoring composts to specific uses, and the logistics of co-locating digesters and compost operations.

NORTH COAST REGION

North Coast Regional Water Board staff is developing a vineyard and orchard discharge permit. Staff plan to get input from an existing Stakeholder Advisory Group once the draft is ready for review. Staff are also conducting public workshops for the renewal of the Conditional Waivers of Waste Discharge Requirements (WDRs) for Discharges Related to Specific Land Management Activities in the Shasta and Scott Watersheds in Yreka on June 14, 2017, and in Santa Rosa on June 29, 2017. The waivers are scheduled for renewal by the North Coast Regional Water Board on October 19, 2017, in Siskiyou County. As of May 11, 2017, approximately 2,210 entities are enrolled in the Conditional Waiver of WDRs for cannabis cultivation and associated activities. Of those, approximately 780 are enrolled via a third party, with the remainder enrolled as individuals.

SAN FRANCISCO BAY REGION

On June 15, 2017, the a revised version of the draft proposed General WDRs for Vineyard Properties in the Napa River and Sonoma Creek Watersheds (General Permit) was posted to provide stakeholders additional time to digest changes to the draft permit before it is brought before the Board for consideration of adoption on July 12, 2017. These revisions were a result of workshops conducted in April which provided an opportunity for Board staff to present the requirements of, and recommended changes to, the General Permit, and for stakeholders to provide comments on the General Permit.

CENTRAL COAST REGION

On May 22 and 24, 2017, staff hosted four workshops for growers and agricultural

technical assistance providers. Staff provided direction on compliance with the total nitrogen applied requirements, which is part of the Agricultural Order approved in March 2017. Two workshops were in English and two were in Spanish. On May 23, 2017, staff gave a presentation to a local wine grape grower group on the newly approved Agricultural Order requirements.

Central Coast Water Board staff are coordinating with the State Water Board Office of Enforcement staff and the Salinas Basin Agricultural Stewardship Group to implement an interim replacement water settlement agreement to enable farmers and landowners to avoid enforcement for a specific period. In exchange, the Salinas Basin Agricultural Stewardship Group would provide free interim replacement drinking water to those reliant on small water systems and domestic wells in the Salinas Valley currently without safe drinking water due to groundwater nitrate pollution. At the May 2017 Board Meeting, Board Members voiced support for the settlement agreement and requested that staff provide an implementation update at the July 2017 Board Meeting.

LOS ANGELES REGION

On May 15, 2017, staff sent 23 notices to re-enroll to Los Angeles County growers who were previously enrolled in the Conditional Waiver for Discharge from Irrigated Lands (Conditional Waiver), but who had let their enrollment lapse. Staff have been responding to inquiries about these notices and will follow up with enforcement actions as necessary with growers who do not re-enroll.

Staff continue to respond to calls and emails regarding 731 notices of violation sent to Ventura County Growers in March 2017 for failure to enroll in the Conditional Waiver. Staff completed reviewing the exemption requests and are currently performing inspections to both confirm exemptions and gather information for follow-up enforcement. As of June 15, 2017, 286 growers enrolled in the Conditional Waiver in response to the notices of violation.

Staff is currently reviewing the Ventura County Agricultural Irrigated Lands Group Water Quality Monitoring Plan and advertised the availability for public comment on May 31, 2017 with a thirty-day comment period.

COLORADO RIVER BASIN REGION

On May 5, 2017, staff issued a letter to the Imperial Valley Coalition Group regarding issues of non-compliance. Also, in May 2017, the Executive Officer approved Annual Reports from coalition groups. The Annual Monitoring Report from the Imperial Valley Coalition Group was approved pending revisions. Staff is drafting a General Order of Waste Discharge Requirements to replace the Conditional Waiver for the Palo Verde Valley, and plan to bring the General Order to the Regional Board for consideration of adoption in Fall 2017.

SANTA ANA REGION

During May and June 2017, staff met with various stakeholders to discuss enrollment and formation of coalition groups. Staff sent public announcements, via direct mailings and subscription list messages, describing the revisions to the Conditional Waiver of Waste Discharge Requirements for Agricultural Discharges (CWAD), and providing instructions to locate and complete the NOI form. Staff are also working with Regional Water Board Land Disposal staff to determine whether certain operations (e.g. on farm composting) are eligible for coverage under the CWAD.

The Lake Elsinore and Canyon Lake nutrients Total Maximum Daily Loads (TMDLs) (Order No. R8-2004-0037) allocate a portion of the nitrogen and phosphorus loads to agriculture. The TMDLs are undergoing a technical evaluation to establish revised allocations; Regional Water Board staff are working with agricultural coalition representatives and other stakeholders as taskforce members and reviewing several reports relating to the different sources and inputs of nutrients.

SAN DEIGO REGION

The San Diego Regional Water Board's Commercial Agriculture Regulatory Program continues to conduct outreach activities to encourage enrollment in Order No. R9-2016-0004, General WDRs for Discharges from Commercial Agricultural Operations for Dischargers that are Members of a Third-Party Group (Third-Party General Order) or Order No. R9-2016-0005, General WDRs for Discharges from Commercial Agricultural Operations for Dischargers Not Participating in a Third-Party Group (Individual General Order). The deadline for enrollment under either the Third-Party General Order or the Individual General Order (collectively referred to as the General Agricultural Orders) is August 7, 2017.

In order to leverage limited resources, the San Diego Water Board continues to work collaboratively with other interested entities to educate the operators and owners of Commercial Agricultural Operations in the San Diego Region.

The San Diego Water Board has sent a Notification of Enrollment Deadline to 1,500 agricultural rate customers of the Rancho California Municipal Water District.

The San Diego Region Irrigated Lands Group (SDRILG) sent letters providing information regarding the General Agricultural Orders to approximately 1,300 agricultural operations located in San Diego County who are not members of the San Diego Farm Bureau.

Third-Party Group Status:

The SDRILG remains the only approved Third-Party Group under the Third-Party General Order, and they are enrolling up to 20 new members per day. On May 23,

2017, Eric Larson of the SDRILG demonstrated on-line tools that they have developed to assist SDRILG members with enrolling in the Third-Party General Order. The tools use information supplied by the member to develop a Water Quality Protection Plan.

The Riverside Farm Bureau's Upper Santa Margarita Irrigated Lands Group (USMILG) was an approved Third-Party Group that assisted growers in southwest Riverside County with complying with Conditional Waiver No. 4 – Discharges from Agricultural and Nursery Operations (Agricultural Waiver). On May 4, 2017, the Riverside County Farm Bureau provided a notice on its webpage that the USMILG has been disbanded. On May 19, 2017, the San Diego Water Board sent a letter to the Riverside County Farm Bureau requesting that commercial agricultural operations in southwest Riverside County be allowed to enroll as members of any approved Third-Party Group including the SDRILG. On June 1, 2017, the Riverside County Farm Bureau informed staff they have been in discussions to determine if the SDRILG could enroll growers in southwest Riverside County.

On May 26, 2017, staff met with growers in the De Luz area to discuss the possible formation of a Third-Party Group under the Third-Party General Order.