STATE OF CALIFORNIA
REGIONAL WATER QUALITY CONTROL BOARD
CENTRAL COAST REGION

STAFF REPORT FOR REGULAR MEETING OF APRIL 20-21, 2023

Prepared on April 7, 2023

ITEM NUMBER:	**13**
SUBJECT:	**Executive Officer's Report to the Board**
STAFF CONTACTS:	**Matt Keeling 805/549-3140** Matt.Keeling@waterboards.ca.gov
ACTION:	**Information/Discussion**
KEY INFORMATION:	**This item presents a brief overview of issues that may interest the Board. Upon request, staff can provide more detailed information about any item.**

FLOOD INCIDENT RESPONSE

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Introduction

This report updates the information provided in February's Executive Officer's report[1] regarding flood incident responses. Following significant rains in late December and early January, several additional atmospheric rivers hit the Central Coast in March. One of the significant impacts in March was the Pajaro River breach in Pajaro, Monterey County, which caused significant damage in the area. Several wastewater facilities across the region that suffered damage early in the year were affected again.

Water Board staff across our programs continue to work with agencies, facilities, and emergency management response and service providers to document impacts and help resolve problems.

The following sections provide updates for specific programs, and Table 1 at the end of this report has been updated to provide more information regarding known and reported incidents and associated impacts. Table 1 includes information only on facilities with information updated since the February report and as result of the March storm.

[1] https://www.waterboards.ca.gov/centralcoast/board_info/agendas/2023/feb/item11_stfrpt.pdf

Pajaro Flooding

Wastewater

The Pajaro River levee upstream of Watsonville failed on March 11, 2023, flooding the community of Pajaro, which is located on the south side of the river in Monterey County. About 2,000 residents were displaced, and damages are estimated in millions of dollars. Drinking water and wastewater systems were damaged or inoperable. Wastewater collected in Pajaro is piped across the river to Watsonville's treatment facility, which was not affected by flooding. A wastewater force main from Pajaro to the plant was out of service for several weeks but is now in operation. Long-term repairs to the levee and infrastructure will continue for some time.

Waste Disposal

Land Disposal Program staff is coordinating with Monterey County to enroll a site in Pajaro in State Water Board Order WQ 2020-0004-DWQ, *General Waste Discharge Requirements for Disaster Related Waste*. Monterey County is currently preparing to enroll a site on the southern edge of Pajaro to allow temporary staging of flood-related debris prior to transporting the material to landfills. Material will be transported to the staging area from damaged properties in flood areas to a location where it will be sorted and loaded onto larger trucks, allowing residents to clear flood-damaged materials from their properties. Central Coast Water Board staff is coordinating with State Water Board staff, Department of Toxic Substances Control (DTSC), and local authorities to facilitate removal of material to help protect the health and safety of local residents and water quality. DTSC staff is onsite to help ensure hazardous materials are removed from flood debris for proper disposal. Central Coast Water Board staff will continue to work with Monterey County to ensure proper handling of disaster related materials as cleanup of the Pajaro flood materials continues.

Wastewater

Significant damage to wastewater collection, treatment, and disposal infrastructure occurred in many places across the region. Staff has been in contact with many wastewater agencies to document wastewater spills and damage and to assist with response efforts. Impacts include spills from collection systems, pond berm breaches, and pond inundation. Many facilities will require significant repairs and rebuilding. Staff is working with affected wastewater agencies on funding and emergency resources in coordination with county and state offices of emergency services. Some of the facilities are in flood-prone areas and have been flooded out in the past. Staff is also beginning to have conversations with these municipalities about moving critical wastewater infrastructure out of flood-prone areas given they are likely to flood again. Staff is also having conversations with our State Water Board counterparts about how we can help facilitate relocation or consolidation efforts in the mid- to long-term with the provision of

technical and financial assistance. Follow-up incident and spill reporting is ongoing along with staff inspections.

The following paragraphs summarize examples of the most significant storm related impacts to wastewater treatment plants (WWTP) in the Central Coast Region. All of the municipal wastewater facilities noted below serve disadvantaged communities.

San Ardo WWTP. San Ardo Water District's wastewater ponds were completely inundated by Salinas River flood waters on January 10. A sewer force main tributary to the WWTP suspended under the Cattlemen Road bridge over the Salinas River was also damaged. The ponds were again flooded in March.

San Ardo continues to haul wastewater to King City multiple times a day. The WWTP is inaccessible due to the access road and temporary easement being flooded from the March storms. Since the ponds are full from the March storms and the site is inaccessible, there continues to be delays to get a contractor out to clean the debris and silt from the ponds. San Ardo continues to work with FEMA, CalOES, and Monterey County to get reimbursement for damages from the two federally declared storm events. On March 14, 2023, the county board of supervisors approved an advance funding agreement between the county and San Ardo Water District to implement emergency repairs of damages to the WWTP incurred during the January to February 2023 atmospheric river storms in the amount up to $1,187,500. The agreement is effective until the emergency funds are repaid to the county, likely through forthcoming FEMA funding. The emergency funding will allow San Ardo to use its limited remaining reserve funds to cover staff costs and ongoing wastewater hauling costs until the repairs are made to the WWTP. San Ardo will need to continue hauling its wastewater to King City at cost of around $4,200 per day until the facility is repaired. Water Board staff provided comment during the board of supervisor's meeting in support of the proposed funding. FEMA has taken on facilitating weekly check in meetings with the Central Coast Water Board, State Water Board's Emergency Management Program, San Ardo Water District, the county, and CalOES to assist the water district with any unmet needs. Prior to the flooding events, Water Board staff and the Division of Financial Assistance assigned technical assistance providers for the wastewater and drinking water systems. Water Board staff continues to coordinate with the district to pursue technical assistance, planning, and construction grants.

Chualar WWTP. Chualar's wastewater ponds were flooded with stormwater from adjacent agricultural areas on January 12. Wastewater was pumped and hauled to Soledad until flood waters receded enough to allow use of the ponds. The ponds were flooded again in March. Damages to the WWTP were worse in March than January and include fencing that is missing, reeds in headworks, and major holes in the pond berms.

Monterey County, which operates the facility, has not been able to access the Chualar WWTP ponds since they were overtopped by Salinas River floodwaters on March 12, 2023. As of April 4, Salinas River floodwater was flowing over Chualar Dump Road at a depth and velocity greater than staff could wade across. The county continues to haul wastewater from Chualar to the city of Soledad. The county can better estimate the

hauling duration after they assess the interior berms, transfer pips, force-main, headworks and electrical service. If the force-main or headworks are damaged, the county will need to haul wastewater to Soledad until the repairs are completed. If the force-main, headworks, and transfer pipes are functioning properly, the county could recommission the facility soon. Following the federal declaration of the March storm event, the county intends to pursue assistance from FEMA. Central Coast Water Board and State Board's Emergency Management Program staff have offered to help facilitate those discussions. Prior to the flooding events, the county has explored regionalization opportunities with neighboring WWTPs. These discussions and associated planning are ongoing.

Salinas Industrial WWTP. The Salinas River breached pond berms, and flood water entered disposal/treatment Pond 1 on January 13. This is an industrial WWTP receiving fruit and veg processing waste and no domestic sewage. Flood waters again overtopped berms in the March storms.

The industrial wastewater from the fruit and vegetable processors has been, and is currently, bypassing the WWTP and being pumped directly to Monterey One Water's regional treatment plant. The WWTP is not operational because the three effluent disposal ponds are full of flood water and associated sediment and debris. The ponds can store over 600 acre feet of water. The city is evaluating pond fullness and the possibility of berm failure from excessive saturation. The city is waiting on water quality samples to determine if the floodwater can be discharged via a pump in Pond 3 to the regional treatment plant. The city was also collecting stormwater in the WWTP because the stormwater conveyance pipeline was clogged with debris at the Salinas River outfall. As of April 4, the city cleared the stormwater line of debris.

Guadalupe WWTP. On January 10, the Santa Maria River breached treated wastewater holding ponds and a wet weather percolation pond and flooded spray irrigation fields. The disposal fields were in use by March, but they have been inundated since March 15 due to Twitchell Dam releases and the March storm events.

Discharges from holding ponds to the disposal area had been occurring on and off since the January 9 storm. As of March 17, the treated wastewater in Pond C/Wet Weather Pond has been spilling into and mixing with Santa Maria River flows. The city currently has no means of disposing of treated wastewater, and the river flood flows damaged irrigation piping that had been restored prior to March 15. The city is actively pursuing FEMA funds to assist in the repair of the damaged pond levee and disposal fields.

401 Program

The 401 program primarily regulates projects and activities that occur within waterbodies. The recent storms have increased the need for such projects and activities significantly. The most common types of projects and activities resulting from the recent storms include creek bank stabilization, debris basin clearing, creek clearing, bridge repair, and road repair. The primary parties implementing these projects and activities are public agencies, such as municipalities, flood control districts, and Caltrans.

Since January 1, the 401 program has received approximately 50 applications for emergency 401 certifications. Several of those applications are from municipalities and other public agencies and address work in numerous locations. Of particular note, the Santa Barbara County Flood Control District has completed clearing creeks and basins of sediment and placing that material on Goleta and Carpinteria beaches. However, the district has commenced with emergency dredging and desilting of the Carpinteria salt marsh, with some of the material being placed on Carpinteria beach at the marsh opening to the ocean.

401 program staff is regulating emergency projects in accordance with the status of the emergency. When the emergency is in the initial response mode, staff seeks to facilitate the emergency response by streamlining the typical permitting processes. Emergency permits allow for emergency work to commence prior to staff authorization if necessary. In addition, staff has developed a single emergency project application form for a variety of different permits, so that critical time does not need to be spent by applicants determining the correct form to use. Furthermore, during the emergency response stage, staff will typically authorize projects to proceed as proposed, but may condition the project to assess impacts to waterbodies and implement mitigation after-the-fact. This approach allows for emergencies to be addressed promptly in the short term, while also providing long-term protection of water quality and beneficial uses of waters. As emergency projects shift to the recovery stage, 401 program staff increases regulatory oversight by potentially conditioning projects prior to authorization and reviewing monitoring data to regularly assess compliance.

During the recent storms, 401 program staff has been implementing procedures developed and put in place during previous emergencies. These procedures have been effective in allowing critical projects to proceed while providing an appropriate level of regulatory oversight. Moving forward, 401 program staff can further facilitate emergency preparedness by continuing its efforts to issue program-level permits to municipalities which typically conduct numerous projects. These program-level permits can front load requirements and authorization for future emergency projects, improving permitting efficiency and water quality protection for such projects.

Conclusions

More frequent atmospheric river event storms of significant intensity and duration are anticipated in the future that will require us to shift resources to emergency response. More importantly, it requires us to change how we approach our work in general as it relates to mitigating and adapting to climate change. We and the entities we regulate will need to be more proactive versus reactive in anticipating and mitigating the impacts associated with severe storms and sea level rise. Doing so will require significant investments in staff resources, the provision of technical and financial assistance, and ongoing dialogue and coordination. This will be no easy task, but the storm is upon us requiring collective action.

Table 1 – Summary of Storm Incidents and Associated Impacts*

Program/Spill Type	Facility	County	Impact
WWTP	San Ardo WWTP	Monterey	Wastewater ponds flooded by overflowing Salinas River on 1/10/2023. Town was under evacuation orders. Waste being trucked to King City. • Salinas River has inundated the sewer ponds and filled the ponds with silt and debris; debris and flood waters need to be removed and ponds inspected for further damage. • Concrete valve boxes at ponds; remove debris and silt, inspect for plugged lines (silt) remove silt and debris. • Concrete headworks structure, remove silt/debris repair as necessary. • Access driveway(s) are in need of regrading and or rock placement/repair. April 5, 2023: San Ardo continues to haul wastewater to King City multiple times a day. The WWTP is inaccessible due to the access road and temporary easement being flooded from the March storms. Since the ponds are full from the March storms and the site is inaccessible, there continue to be delays to get a contractor out to clean the debris and silt from the ponds. San Ardo continues to work with FEMA, CalOES and county to get reimbursement for damages from the two federally declared storm events. FEMA has taken on facilitating the weekly check in meetings with Water Board, water district, FEMA, county, and CalOES representatives to assist the district with any unmet needs.

Program/Spill Type	Facility	County	Impact
WWTP	Chualar WWTP	Monterey	Salinas River breached the WWTP on 1/12/2023. Chualar pumped and trucked as much wastewater as feasible the morning of the storm to Salinas sewer pump station. Wastewater pumped and hauled to Soledad WWTP until ponds able to receive wastewater. 1/23/2023: Chualar lift station is pumping to the WWTP ponds. All ponds have more than 2 ft of freeboard. Removed sediment from weir between ponds 2a and 2. 3/20/2023: Tom Moss (Monterey County public works - coordinates directly with Regional OES) called Kathy Truong and indicated the Chualar WWTP will continue to pump and haul wastewater to Soledad WWTP until the pond berms can be repaired (estimated 2 weeks or more for hauling). The road to WWTP is inaccessible and water level is high; Chualar River Road was overtopped. Damage to the WWTP is worse than the Jan 2023 storms and includes fencing that is missing, reeds in headworks, and major holes in the pond berms. 4/5/2023: Monterey County has not been able to access the Chualar WWTP ponds since they were overtopped by Salinas River floodwaters on March 12, 2023. As of 4/4, the Salinas River floodwater was flowing over Chualar Dump Road at a depth and velocity greater than staff could wade across. The Salinas River flow rate has declined about 800 CFS since yesterday; so, we will make another attempt to gain access this afternoon, 4/5. Monterey County continues to haul wastewater from Chualar to the City of Soledad. Monterey Co can better estimate the hauling duration after

Program/Spill Type	Facility	County	Impact
			we assess the interior berms, transfer pips, force-main, headworks and electrical service. If the force-main or headworks are damaged, Monterey Co will need to haul wastewater to the City of Soledad until the repairs are completed. If the force-main, headworks, and transfer pipes are functioning properly, Monterey County could recommission the facility soon.
WWTP	Salinas Industrial WWTP	Monterey	Levee breached at Salinas River by Davis Road and down the main facility entrance. Flood water entered disposal/treatment Pond 1 1/13 in early morning. This is an industrial WWTP with fruit and veg processors, low level of chlorine and BOD. City emptied ponds as much as possible leading up to event by pumping to M1W's regional treatment plant from Pond 3 pump station and asked processors to reduce or stop operations as much as feasible. Debris in ponds 1 and 2, damage to the levee and rapid infiltration beds, damage to entrance roadway; some silt at influent pump station. 04/5/2023: ponds were inundated with floodwater when the Salinas River elevation peaked in both the January and March floods. The industrial wastewater from the fruit and vegetable processors has been, and is currently, by-passing the WWTP and pumped to Monterey One Water's Regional Treatment Plant. The WWTP is not operational because the three effluent disposal ponds are full of flood water with sediment and debris. The ponds can store over 600 acre-feet of water. The city is evaluating pond fullness and the possibility of berm failure from excessive saturation. The City of Salinas is waiting on water quality samples to

Program/Spill Type	Facility	County	Impact
			determine if the floodwater can be discharged via a pump in Pond 3 to the Regional Treatment Plant or possible controlled discharge to the Salinas River. The city was also collecting stormwater in the WWTP because the stormwater pipeline was clogged with debris at the Salinas River outfall. As of April 4, the city cleared the stormwater line of debris.
WWTP	California Utility Services	Monterey	4/5/2023 update from operator: On March 13, 2023 the Salinas River near CUS's sprayfields crested at 26.89 feet and entered our sprayfield areas. CUS's sprayfields continued to have river water flowing through them until the morning of March 27, 2023 when the river receded. On March 27, 2023 CUS's staff immediately began making repairs to its sprayfields, replacing broken sprinklers and sprinkler piping. CUS is currently finishing repairs to its sprayfield areas 2 and 3. CUS expects these two sprayfields will be back in operation by tomorrow afternoon or Friday morning, April 7, 2023. CUS will continue to work diligently to make repairs to its remaining sprayfield areas 1, 4 and 5. CUS's WWTP has continued to operate and treat 100% of the wastewater entering its plant through all the storm events. After treating all wastewater all treated effluent went to CUS's wet weather storage pond. As of today, CUS has approximately 9ft of freeboard, or approximately 3.5 million gallons, of storage available in its wet weather storage pond. This amount of storage equates to approximately 23 days of additional storage. When CUS begins discharging to it sprayfield again, tomorrow or on Friday morning, CUS's wet weather storage capacity will increase.

Program/Spill Type	Facility	County	Impact
			Additionally, the river water breached and caused a collapse of a portion of the berm at CUS's empty Emergency Influent Storage Pond, the small reservoir on the North side of CUS's treatment plant property next to the Salinas River, which had been similarly breached in the event on January 13, 2023. CUS had made temporary repairs to the approximately 25 foot section of the berm at CUS's empty Emergency Influent Storage Pond after the January 13, 2023 event. As with the last event, this pond was empty and had no treated or untreated wastewater in it at the time of collapse. This collapse has not harmed or endangered CUS's continued operation and treatment of its incoming wastewater flows. As soon as CUS has its sprayfield areas back in operation repairs will be made to the Emergency Influent Storage Pond.
WWTP	Guadalupe WWTP	Santa Barbara	On January 10, 2023, the Santa Maria River breached treated wastewater holding ponds, breached wet weather percolation pond, and flooded spray irrigation fields. No sanitary sewer overflows occurred. The city expects to start pumping from the wet weather pond to the disposal areas on February 6. 3/30/2023: Discharge from holding ponds had been on and off since the January 9, 2023 storm. As of March 17, 2023, the treated wastewater in Pond C/Wet Weather Pond has been spilling into the Santa Maria River and mixing with the Santa Maria River. The reuse area (disposal fields) has been inundated since March 15 due to Twitchell Dam releases prior to storm event. They have no means of disposing of treated wastewater and the released water

Program/Spill Type	Facility	County	Impact
			damaged any irrigation piping that had been restored prior to March 15, 2023. The city is actively pursuing FEMA funds to assist in the repair of the damaged pond levee and reuse areas/disposal fields.
WWTP	Laguna County Reclamation Facility	Santa Barbara	A portion of percolation Pond 1 levee broke due to Orcutt Creek storm surge. Levee breach discovered after gaining access through the flooded roads to the lower pond area. We received an email about the break on 1/17/2023. By that time they had already repaired the break and provided photos of before and after.

* Note: most of the SSO related impact language taken directly from initial and follow-up spill reports and is essentially unfiltered.

IRRIGATED LANDS PROGRAM UPDATE

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This informational update summarizes the implementation actions of Irrigated Lands Program (ILP) staff since the last Agricultural Order[2] (Order No. R3-2021-0040) update at the October 13, 2022 Board Meeting.[3] ILP staff has been focused on grower outreach, compliance support, compliance assessments and enforcement, and third-party coordination.

Outreach and Grower Support

ILP staff continue to implement a multi-pronged outreach approach to coordinate with the regulated community. In addition to daily grower support services provided by the ILP staff help desk, current outreach includes YouTube video tutorials, workshops, one-on-one sessions with growers[4] and stakeholders, reminders of upcoming and past due requirements (via email or hard copy), and the guidance documents and tools available on the ILP website.[5] Our expanded outreach and coordination efforts are much more robust than for prior orders regulating waste discharges from irrigated lands and ILP staff are continuing to grow and innovate outreach efforts that are effective, timely, and in formats that are accessible to all growers enrolled in the Agricultural Order. ILP staff's targeted outreach and grower support activities since October 2022 also include planned outreach to the County Health Departments regarding drinking water issues and solutions, and participation in various public meetings and workshops.
ILP Website Tools: The ILP staff continue to develop online interactive tools to assist growers, technical service providers, and the public. Recently, the ILP staff posted the following tools on the ILP website:

> Case Management Contacts Tool:[6] This interactive map is useful to identify the ILP case management lead staff for any given geographic area. Users can zoom into a location of interest or type an address into the search bar to identify the ILP staff contact for that area. The staff contacts serve as case managers who can assist with any ranch-specific inquires, provide GeoTracker electronic notice of intent assistance, accept deliverables that are not submitted to the GeoTracker database

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[2] Agricultural Order 4.0 documents:
https://www.waterboards.ca.gov/centralcoast/water_issues/programs/ilp/regulatory_information.html

[3] Staff report for the October 2022 Agricultural Order update to the Board:
https://www.waterboards.ca.gov/centralcoast/board_info/agendas/2022/oct/item3_stfrpt.pdf

[4] The term "grower" is used herein to refer to operators/responsible parties enrolled in Ag Order 4.0.

[5] ILP website: https://www.waterboards.ca.gov/centralcoast/water_issues/programs/ilp/

[6] Case Management Contacts Tool website:
https://www.waterboards.ca.gov/centralcoast/water_issues/programs/ilp/contacts.html

(such as work plans), and will be the lead staff to follow-up on complaints in their case management area.

Agricultural Order Requirements Online Tool:[7] This interactive tool provides users with a list of the Agricultural Order requirements and due dates curated to a ranch's location and third-party membership status. ILP staff developed this tool in coordination with State Water Board Division of Information Technology staff. Users input a ranch's third-party membership status, groundwater phase area and surface water priority area, then select their calendar year of interest. An additional feature will be added to the online interactive tool by early Summer; users will be able to input a ranch ID and the tool will then auto populate a list with their ranch specific Agricultural Order requirements and due dates. This tool will be useful for growers, consultants, Preservation, Inc., ILP staff, and others.

County Health Department Outreach: ILP staff are in coordination with State Water Board Division of Financial Assistance (DFA) staff to finalize outreach materials for coordination with the County Department of Health officials throughout the Central Coast Region. ILP and DFA staff plan to meet with each County to discuss the 2022 on-farm domestic well monitoring data for nitrate and 1,2,3-trichloropropane (1,2,3-TCP) in the context of local aquifer risk data[8] and available Safe and Affordable Funding for Equity and Resilience (SAFER) to implement county-wide programs[9] that provide interim water solutions (e.g., bottled water and point of use/entry treatment systems).

Public Meeting Participation: In the past four months, ILP staff implemented or otherwise participated in the following public meetings to provide information and answer questions about the Agricultural Order requirements.

Total Nitrogen Applied (TNA) and Irrigation and Nutrient Management (INMP) Recordkeeping Workshops: In December of 2022, ILP staff hosted a series of TNA and INMP recordkeeping workshops in English, Spanish, and Chinese. Staff posted webinar recordings and associated YouTube tutorial videos on our TNA/INMP website.[10] The following summarizes the workshop schedule and attendance numbers: 288 webinar participants at the English workshop; 60 in-person participants at the Morgan Hill Chinese workshop (translation in coordination with Dr. Qi, Equity Manager with the California Association of Resource Conversation Districts); and 23 webinar participants at the Spanish workshop (translation in coordination with the State Water Board's Office of Public Participation). In addition, ILP staff surveyed workshop participants and found that 88% of English workshop

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[7] ILP requirements checklist website: https://www.waterboards.ca.gov/centralcoast/water_issues/programs/ilp/requirements_checklist/

[8] Water Board's aquifer risk map website: https://gispublic.waterboards.ca.gov/portal/apps/webappviewer/index.html?id=17825b2b791d4004b547d316af7ac5cb

[9] SAFER County-wide funding website: https://www.waterboards.ca.gov/safer/funding_solicitation.html

[10] ILP website for TNA and INMP information: https://www.waterboards.ca.gov/centralcoast/water_issues/programs/ilp/tna_inmp.html

participants, 89% of Chinese workshop participants, and 73% of Spanish workshop participants found the video tutorial and presentations to be helpful and effective.

University of California Agriculture and Natural Resources Workshop: On December 9, 2022, ILP staff Monica Barricarte and Claire Bjork presented at the Sustainable Nutrient Management & Soil Health Field Day[11] in Salinas. ILP staff provided a presentation titled "Healthy Soil Incentives and Ag Order 4.0."

University of California Cooperative Extension's (UCCE) Workshop: On February 21, 2023, ILP staff Jillian Flavin and Caroline Webster presented at the 2023 Irrigation and Nutrient Management Meeting[12] in Salinas. Staff provided a presentation on "Getting Organized for Ag Order 4.0," including INMP recordkeeping requirements. The presentation was well received and participants provided positive feedback. The UCCE website contains links to the presentation materials.[13]

Olive Growers Meeting: On February 3, 2023, ILP staff Paula Richter presented a general overview of the Agricultural Order requirements at an olive growers meeting. Twelve olive growers and members of the San Luis Obispo County Farm Bureau and FARMstead ED© attended the meeting. The organizers say they found the workshop informative, engaging, and helpful.

ILP staff will continue to implement and participate in workshops and meetings to help educate growers and other parties about the Agricultural Order and facilitate compliance assistance.

Compliance Assessments and Enforcement

The ILP continues to implement a progressive enforcement approach wherein ILP staff issue reminders to growers (via email or hard copy) when Agricultural Order requirement due dates are approaching. ILP staff also issue a past due reminder to growers shortly after the growers fail to comply. If the required information is not reported, the ILP staff refers the non-compliance matter to the Enforcement Team.[14] The next step in the progressive enforcement approach is typically issuance of notices of violation (NOVs). Many of the growers report required information after NOV issuance. However, for operators and/or landowners that are out of compliance with requirements, the Enforcement Team considers further enforcement action such as an assessment of administrative civil liability. Recent compliance assessments and the associated actions to address non-compliance with Ag Order requirements are summarized below.

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[11] UC NAR events website: https://ucanr.edu/news/?routeName=newsstory&postnum=55735

[12] UCCE Meeting Agenda: https://ucanr.edu/blogs/SalinasValleyAgriculture/blogfiles/97479.pdf

[13] UCCE Meeting Presentation materials: https://cemonterey.ucanr.edu/Irrigation_-_Nutrient_Management_Meeting_Presentations_282/

[14] The Enforcement Team includes staff from the Central Coast Water Board Enforcement Program, ILP, and the State Water Board's Office of Enforcement

Total Nitrogen Applied (TNA): Compliance rates for TNA reporting have historically been 95% to 98%. For the 2021 reporting year, 97% of the enrolled growers required to report TNA have reported. NOVs were issued to operators and landowners of 122 ranches in July 2022. Most of the operators uploaded the TNA reports after receiving the NOV. ILP staff spent numerous hours on the phone with operators and landowners after the NOVs were issued to assist them with uploads to GeoTracker or to address incorrect contact information. On December 13, 2022, the Enforcement Team issued follow-up enforcement letters to operators and landowners of 19 ranches that did not submit TNA reports and these ranches are currently being considered for further enforcement.

For the 2022 reporting year, March 1, 2023, was the deadline for submittal of the TNA reports. ILP staff are currently finalizing their compliance analysis to determine how many growers complied with the TNA reporting requirement. Reminders were sent on January 13, 2022, and on February 22, 2023, to all enrolled growers required to submit TNA reports and emails included instructions how to upload the TNA reports.

Surface Receiving Water Trends Work Plan: Growers were required to submit a surface receiving water quality trends work plan by July 1, 2022, either individually or through an approved third-party monitoring program. Preservation, Inc. submitted a draft work plan on behalf of their members, who are therefore in compliance. A total of 137 operations that are not members of the third-party did not comply with this requirement by the due date. Staff issued NOVs to all operators associated with the operations required to submit individual surface receiving water trend work plans on December 30, 2022. Currently, 32 of these operations remain non-third-party members who have not submitted the work plan. ILP staff referred these operators to the Enforcement Team to consider further enforcement action.

Groundwater Monitoring and Reporting: ILP staff issued reminders to growers on December 21-22, 2021; February 17, 2022; and April 29, 2022, to outline the 2022 groundwater monitoring and reporting requirements. ILP staff also issued past due reminders to 762 ranches on November 2, 2022, and continued with grower compliance assistance through the end of the calendar year, in coordination with Preservation, Inc. The compliance assistance efforts increased the number of ranches that conducted groundwater monitoring and reporting. However, 234 ranches had not reported groundwater monitoring data to GeoTracker as of early March 2023. The Enforcement Team issued NOVs to these growers in late March and early April. The Enforcement Team will consider additional enforcement actions for those operators and landowners that fail to comply with the groundwater monitoring and reporting requirements.

This year (2023), requirements continue for all growers to monitor groundwater from the ranch primary irrigation well and all on-farm domestic wells between March 1 and May 31. The primary irrigation well sampling requirement will remain in effect until an approved groundwater quality trend monitoring program is in place. All on-farm domestic wells must be sampled annually. However, significant flooding in many areas of the region created logistical and safety issues for groundwater sample collection in March. On March 15, 2023, the Executive Officer approved a one-month extension for

the monitoring and reporting deadlines for this requirement and ILP staff notified growers and Preservation, Inc. This extends the 2023 sampling timeframe to June 30 (from May 31) and the reporting due date to August 30 (from July 31).

To further support grower efforts to comply with the groundwater monitoring and reporting requirements, staff are coordinating with Preservation, Inc. to develop and implement a funding agreement with the Bay Foundation of Morro Bay to provide free laboratory analyses for qualifying limited resource and/or socially disadvantaged growers. Preliminary estimates indicate that the total contract amount would fund sample analysis for approximately 172 on-farm domestic wells. The goal is to implement this contract during the 2023 sampling window.

Complaints

During the winter storms of 2022-2023, ILP staff received nine complaints, all involving sediment-laden stormwater discharges; most were for ranches using impermeable surfaces (e.g., plastic mulch or hoop houses). Complaints are assigned to ILP case management staff for a given geographic area. These complaints are still under investigation and have included compliance reviews, site inspections, and working with the growers to revise their Sediment and Erosion Management Plans and implement additional management measures.

Third Party Coordination

Routine Coordination: ILP staff continue to participate in coordination meetings every other week with Preservation, Inc. In alternate weeks and since January 2023, we also meet to discuss specific focus topics. In 2023, focus topic meetings include discussion on the following: enrollment and membership, outreach and education coordination efforts, groundwater quality trend monitoring work plan development, 2022 groundwater monitoring completeness and compliance, 2023 groundwater well sampling plans, third-party alternative compliance pathway (3P-ACP) 35% work plan development, surface water trends annual report content and format, as well as opportunities to assist small or disadvantaged growers.

3P-ACP Coordination: Since November 2022, ILP staff have participated in additional coordination meetings related to Preservation, Inc.'s process to develop the 3P-ACP 35% work plan. This work plan is due on April 15th, 2023, and will be subject to Executive Officer approval following a 30-day written public comment period and a public meeting to receive public comment and Central Coast Water Board input. In November, Preservation, Inc. initiated a two-body advisory process to obtain input on the development of the work plan. The advisory bodies are a Technical Advisory Committee (TAC) consisting of growers and researchers and a Stakeholder Advisory Committee (SAC) consisting of a variety of stakeholders involved in the Agricultural Order. ILP staff participate in these meetings to provide information regarding Agricultural Order requirements. The SAC and TAC meeting presentations and

recordings are available on Preservation, Inc.'s Stakeholder Advisory Process website.[15]

Vineyard Sustainability Certification: ILP staff, Preservation, Inc., and two vineyard sustainability certification programs began discussions in October of 2022 to explore the potential to streamline reporting for their members, including the following: use of data and information reported to the certification program to meet the Agricultural Order requirements for Farm Plans, Management Practice reporting, TNA reporting, and/or to qualify for the "no threat exemption" for INMP reporting. On November 9, 2022, all parties met to review and discuss draft concept proposals. Discussions are ongoing and Preservation, Inc. is working with the certification programs to assess the feasibility of these proposals and provide specific examples of data and information from certification programs that meet the requirements of the Agricultural Order.

Conclusion

Additional information regarding program implementation will be provided to the Board at the annual ILP update later this year. Staff will continue to coordinate with and support Preservation, Inc., technical assistance providers and individual growers to implement the Agricultural Order and provide updates to the Board.

STATE WATER RESOURCES CONTROL BOARD FUNDING INFORMATION

The State Water Board Division of Financial Assistance (DFA) administers a number of funding programs supporting wastewater and drinking water infrastructure projects in addition to other water quality protection and restoration projects. See the DFA website[16] for information regarding available loan and grant programs administered by the State Water Board.

State Water Board DFA maintains the following online dashboards tracking project funding applications and funded projects:

Application Status Search Tool,[17] allows users to search for the status of State Water Board drinking water and clean water State Revolving Fund (SRF) project applications that have been submitted for funding consideration and are currently under review (this portal does not include approved projects).

Program funding dashboard,[18] documents funded projects and descriptions via pull down menu options and graphics by funding program and geographic area for the most recent fiscal year for which the funding cycle has ended.

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[15] Preservation, Inc.'s Stakeholder Advisory Process website: https://ccwqp.org/resources/advisory/
[16] DFA website: https://www.waterboards.ca.gov/water_issues/programs/grants_loans
[17] Application Search Tool: https://public.waterboards.ca.gov/dfaAppSTAT/
[18] State Water Board Division of Financia Assistance project funding dashboard: https://app.powerbigov.us/view?r=eyJrIjoiZjk1ZjM5ZWQtOTFkYi00OGFjLThhMjUtMjJjMzlmYTI1ZTEwIiwidCI6ImZlMTg2YTI1LTdkNDktNDFlNi05OTQxLTA1ZDIyODFkMzZjMSJ9

PROGRAM PERFORMANCE MEASURES

Please see the following standard attachments.

ATTACHMENTS

1. Table 1 - 401 Water Quality Certification Applications Received
2. Table 2 - 401 Water Quality Certifications Issued
3. Table 3 - Groundwater Section, Case Closure Performance Scoreboard
4. Table 4 - Groundwater Case Closures
5. Table 5 - Enrollments In General Orders/Waivers

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