

# Irrigated Lands Regulatory Program

## Final Program Environmental Impact Report

MARCH 2011



PREPARED FOR:  
Central Valley Regional Water Quality Control Board  
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# Acronyms and Abbreviations

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Basin Plans	Water Quality Control Plans
BOD	biochemical oxygen demand
BPTC	best practicable treatment or control
Caltrans	California Department of Transportation
CCR	California Code of Regulations
Central Valley Water Board, or Board	Central Valley Regional Water Quality Control Board
CEQA	California Environmental Quality Act
CESA	California Endangered Species Act
COD	chemical oxygen demand
CSPA	California Sportfishing Protection Alliance
CSU	California State University
CWA	federal Clean Water Act
DHS	California Department of Health Services
DO	dissolved oxygen
DPH	California Department of Public Health
DPR	California Department of Pesticide Regulation
Draft ILRP Economics Report	Draft Technical Memorandum Concerning the Economic Analysis of the Irrigated Lands Regulatory Program
DWR	California Department of Water Resources
EC	electrical conductivity
ECR	Existing Conditions Report
EIR	environmental impact report
EPA	U.S. Environmental Protection Agency
ESA	federal Endangered Species Act
FWQMP	farm water quality management plan
GAMA	Groundwater Ambient Monitoring and Assessment
GHG	greenhouse gas
GQMP	groundwater quality management plan
GWPA	groundwater protection area
IID	Imperial Irrigation District
ILRP	Irrigated Lands Regulatory Program
lbs N/acre/year	pounds nitrogen per acre per year
MCL	maximum contaminant level
NAHC	Native American Heritage Commission
NAWQA	National Water Quality Assessment Program
NPDES	National Pollutant Discharge Elimination System
NPS	nonpoint source

PEIR	Program Environmental Impact Report
PHG	Public Health Goal
Porter-Cologne	Porter-Cologne Water Quality Control Act
ppb	parts per billion
Recommended Framework	Recommended ILRP Framework
ROWD	report of waste discharge
SJMSCP	San Joaquin County Multi-Species Habitat Conservation and Open Space Plan
SQMP	surface water quality management plan
SSJVWQC	Southern San Joaquin Valley Water Quality Coalition
State Water Board	State Water Resources Control Board
SVWQC	Sacramento Valley Water Quality Coalition
UC	University of California
USACE	U.S. Army Corps of Engineers
USFWS	U.S. Fish and Wildlife Service
USGS	United States Geological Survey
WDR	waste discharge requirements
WHO	World Health Organization
Workgroup	Stakeholder Advisory Workgroup





## 1.1 Purpose of the Final Program Environmental Impact Report

The purpose of the Final Irrigated Lands Regulatory Program (ILRP), Program Environmental Impact Report (Final PEIR) is to respond to public and agency comments on the *Draft Irrigated Lands Regulatory Program, Program Environmental Impact Report* (Draft PEIR), which was released for review in July 2010 (ICF International 2010a). The Final PEIR also makes factual corrections and provides clarifying revisions of material that was contained in the Draft PEIR. This document, along with the Draft PEIR which is hereby incorporated by reference, constitutes the Final PEIR in compliance with the California Environmental Quality Act (CEQA).

## 1.2 CEQA Requirements

The content and format of this Final PEIR meet the requirements of CEQA and the State CEQA Guidelines (Section 15132), which require a final EIR to consist of:

- The draft EIR or a revision of the draft EIR;
- Comments and recommendations received on the draft EIR, either verbatim or in summary (Chapter 3 contains the 145 comment letters received on the Draft PEIR);
- A list of persons, organizations, and public agencies commenting on the draft EIR (in Chapter 3);
- Responses of the lead agency to significant environmental points raised in the review and consultation process (in Chapters 2 and 3); and
- Any information added by the lead agency (in this chapter and Chapter 4).

## 1.3 Public Review of the Program Environmental Impact Report

The Draft PEIR was released on July 28, 2010 for a 60-day public review period, in compliance with CEQA. Copies of the Draft PEIR were forwarded to the California State Clearinghouse; to libraries at Central Valley Regional Water Quality Control Board (Central Valley Water Board) offices in Redding, Rancho Cordova, and Fresno; and university libraries at California State University (CSU) Bakersfield, CSU Chico, University of California (UC) Merced and UC Davis. Electronic copies of the Draft PEIR were made available on the Central Valley Water Board website at: [http://www.swrcb.ca.gov/centralvalley/water\\_issues/irrigated\\_lands/long\\_term\\_program\\_development](http://www.swrcb.ca.gov/centralvalley/water_issues/irrigated_lands/long_term_program_development). Simultaneously, the Central Valley Water Board released the *Draft Technical Memorandum Concerning the Economic Analysis of the Irrigated Lands Regulatory Program* (ICF International 2010b) (Draft ILRP Economics Report) in compliance with Section 13141 of the California Water

Code. While this document is not a part of the Draft PEIR and is not required by CEQA, its analysis was the basis for the agricultural production impact analysis in the Draft PEIR. Following release of the Draft PEIR, the Central Valley Water Board conducted four public workshops to describe the contents of the Draft PEIR and receive questions and comments from the public. These meetings were held on September 8, 2010 in Tulare; September 9, 2010 in Modesto; and September 10, 2010 in Rancho Cordova and Chico. Approximately 193 individuals attended the workshops. The attendees were encouraged to ask questions of Central Valley Water Board and consultant staff in breakout sessions and to submit formal comments in writing.

The public review of the Draft PEIR generated 145 letters of comment with over 1,110 individual comments. All written comments received by the Central Valley Water Board that were concerned with the environmental analysis contained in the Draft PEIR are addressed in this Final PEIR (see Chapters 2 and 3). A number of the comments addressed the separate Draft ILRP Economics Report. These comments are not addressed individually in this Final PEIR, as the document is not part of the CEQA-required impact analysis. Instead, the comments on the economic report are summarized and addressed in Master Response 17 in Chapter 2 of this Final PEIR.

In accordance with State CEQA Guidelines Section 15088, digital copies of this Final PEIR have been made available to all public agencies that provided comment on the Draft PEIR through the Central Valley Board website:

<[http://www.waterboards.ca.gov/centralvalley/water\\_issues/irrigated\\_lands/long\\_term\\_program\\_development/index.shtml](http://www.waterboards.ca.gov/centralvalley/water_issues/irrigated_lands/long_term_program_development/index.shtml)>

In addition, hard copies have been made available for review at the Central Valley Water Board offices in Redding, Rancho Cordova, and Fresno; and at university libraries at CSU Chico, CSU Bakersfield, UC Merced, and UC Davis. Individuals wishing to receive copies of the Final PEIR should forward a request to Adam Laputz of the Central Valley Water Board at the address listed on the title page of this document.

As Lead Agency under CEQA, the Central Valley Water Board must consider certification of this Final PEIR as required by Section 15090 of the State CEQA Guidelines. In that process, the Central Valley Water Board must certify that the document has been completed in compliance with CEQA, it has reviewed and considered the information in the Final PEIR, and the document represents the Board's independent judgment and analysis. Only after this certification can the Central Valley Water Board take action on the Long-term ILRP. The Central Valley Water Board intends to consider the certification of this Final PEIR at its April 2011 Board meeting. This meeting is open to the public. If the Final PEIR is certified as adequate under CEQA, the Central Valley Water Board intends to take action on the Long-term ILRP.

## 1.4 Content and Format of the Final Program Environmental Impact Report

In addition to this introduction, the Final PEIR contains the following chapters:

- **Chapter 2—Master Responses: Discussions of Recurring Themes.** This chapter contains comprehensive responses, and in some cases additional information, to address comments that were raised by multiple individuals, groups, or agencies during the public comment period.

- Chapter 3—Comments and Responses.** This chapter contains all written comments on the Draft PEIR forwarded to the Central Valley Water Board during the public comment period. In some cases, supporting literature was forwarded with comment letters. The supporting literature has not been reproduced in Chapter 3 but can be obtained by contacting Adam Laputz at the Central Valley Water Board’s Rancho Cordova office (contact information is listed on the title page of this document). All comments with significant environmental points have been responded to in this chapter. Each comment letter is included, followed by responses to the comments contained in that letter. Where comments are similar to those received from others, the commenter may be directed to Chapter 2 for a comprehensive master response.
- Chapter 4—Revisions to the Draft Program Environmental Impact Report.** This chapter contains revisions to the text of the Draft PEIR to update sections and make factual corrections where needed. The chapter is structured as errata to the Draft PEIR, with reference to page number. These errata can be inserted into the Draft PEIR to provide a complete record of the final text of the EIR.
- Chapter 5—References Cited.** This chapter contains reference information for those citations and personal communications referred to in this Final PEIR.
- Chapter 6—List of Preparers.** This chapter contains a list of those people who assisted in the preparation of this Final PEIR.

## 1.5 Restatement of Impacts

Careful review of public comment by the Central Valley Water Board did not result in determinations of any new significant impacts. Only one impact was determined to be incorrectly described in the Draft PEIR; the analysis of Alternative 1 in Chapter 5.9, Hydrology and Water Quality, was corrected to reflect a beneficial impact to groundwater quality. The impact was previously determined to have a less-than-significant impact with mitigation on groundwater quality. However, this determination was based on an improper conclusion that Alternative 1’s failure to directly address groundwater quality through management practices should result in a finding of an adverse impact. As implementation of Alternative 1 would not lower groundwater quality below its baseline quality condition, assignment of an impact was incorrect. A correction has been made in Chapter 4, Revisions to the Draft Program Environmental Impact Report, of this Final PEIR, and the revised portion of the impact summary table is shown below.

**Table 1-1. Summary of Impacts and Mitigation Measures for the Irrigated Lands Regulatory Program**

Impact	Applicable Alternative	Significance before Mitigation	Mitigation Measures	Significance after Mitigation
<b>HYDROLOGY AND WATER QUALITY</b>				
SWQ = surface water quality GWQ = groundwater quality				
HYD-1. Change in Quality of State Waters from Agricultural Discharge or Alteration of Hydrologic Patterns of Runoff or Infiltration	1	SWQ: Beneficial GWQ: Beneficial	SWQ: No mitigation is required. GWQ: No mitigation is required. Mitigation Measure HYD-MM-1: Develop and Implement a Groundwater Quality Management Plan	SWQ: – GWQ: –

## 1.6 Development of the Proposed Long-Term Irrigated Lands Regulatory Program

As stated in the Draft PEIR, each of the six CEQA alternatives was analyzed at an equivalent level of detail; neither the Draft nor Final PEIR sets forth a “proposed alternative.” For the purpose of this Final PEIR, the Staff Recommended Alternative discussed and analyzed in the Draft PEIR, Appendix A, Draft Irrigated Lands Regulatory Program Long-Term Program Development Staff Report, is referred to in comment responses as Alternative 6.

Ongoing development of the Final Long-Term ILRP continues to be guided by the economic and environmental analyses, as well as the public comments received by the Central Valley Water Board. The programmatic nature of the Final PEIR allows the Board to combine elements of the six analyzed alternatives into a Recommended ILRP Framework (Recommended Framework) not directly analyzed in the Final PEIR. Adoption of this Recommended Framework by the Central Valley Water Board through resolution of the Board and CEQA findings will include a discussion of the environmental impacts of the Recommended Framework, as well as an explanation of how the Final PEIR provides adequate analysis of the Recommended Framework to comply with CEQA.