

STATE OF CALIFORNIA
STATE WATER RESOURCES CONTROL BOARD

ORDER WQ 2022-0020

In the Matter of the Petitions of

GROWER-SHIPPER ASSOCIATION OF CENTRAL CALIFORNIA, GROWER-SHIPPER ASSOCIATION OF SANTA BARBARA AND SAN LUIS OBISPO COUNTIES, WESTERN GROWER ASSOCIATION, WESTERN PLANT HEALTH ASSOCIATION, MONTEREY COUNTY FARM BUREAU, CALIFORNIA FARM BUREAU FEDERATION, & CALIFORNIA STRAWBERRY COMMISSION; AND, CALIFORNIA COASTKEEPER ALLIANCE, SANTA BARBARA CHANNELKEEPER, MONTEREY COASTKEEPER, SAN JERARDO COOPERATIVE, INC., CALIFORNIA SPORTFISHING PROTECTION ALLIANCE, PACIFIC COAST FEDERATION OF FISHERMEN'S ASSOCIATIONS, & INSTITUTE FOR FISHERIES RESOURCES

For Review of General Waste Discharge Requirements for
Discharges from Irrigated Lands,
Order No. R3-2021-0040
Issued by the
California Regional Water Quality Control Board,
Central Coast Region

SWRCB/OCC FILES A-2751(a-b)

BY THE BOARD:

On April 15, 2021, the Central Coast Regional Water Quality Control Board (Central Coast Water Board) issued General Waste Discharge Requirements for Discharges from Irrigated Lands Order No. R3-2021-0040 (General Waste Discharge Requirements) to all growers within the region. Two timely petitions were filed seeking review of the General Waste Discharge Requirements with the State Water Resources Control Board (State Water Board). These petitions were deemed complete and consolidated for review on July 30, 2021.¹

¹ Cal. Code Regs., tit. 23, § 2054

State Water Board regulations generally require final disposition on petitions within 270 days of the date a petition is deemed complete.² If the State Water Board has not made a formal disposition within this time frame, the regulations deem the petition denied. The denial of a petition for review would ordinarily require a petitioner to file any judicial challenge within 30 days of the denial.³ When the State Water Board anticipates addressing a petition on the merits after the review period passes, it may indicate that it will review the matter on its own motion to avoid unnecessary or premature litigation.

The State Water Board anticipates issuing an order addressing some of the issues raised in the petitions, but not by April 26, 2022. Therefore, the State Water Board has decided to review the General Waste Discharge Requirements on its own motion.⁴

ORDER

IT IS HEREBY ORDERED that the State Water Board will review General Waste Discharge Requirements for Discharges from Irrigated Lands Order No. R3-2021-0040 on its own motion.

CERTIFICATION

The undersigned, Clerk to the Board, does hereby certify that the foregoing is a full, true, and correct copy of an order duly and regularly adopted at a meeting of the State Water Resources Control Board held on April 19, 2022.

AYE: Vice Chair Dorene D'Adamo
Board Member Sean Maguire
Board Member Laurel Firestone
Board Member Nichole Morgan

NAY: None

ABSENT: Chair E. Joaquin Esquivel

ABSTAIN: None



Jeanine Townsend
Clerk to the Board

² Cal. Code Regs., tit. 23, § 2050.5, subd. (a).

³ Wat. Code, § 13330, subd. (b).

⁴ See Wat. Code, § 13320, subd. (a); Cal. Code Regs., tit. 23, § 2050.5, subd. (c).