

IRRIGATED LANDS REGULATORY PROGRAM UPDATE

October 2014

This month's Irrigated Lands Regulatory Program (ILRP) report covers up through the month of October 2014 and will provide an update on the activities of the Central Valley Regional Water Quality Control Board (Regional Water Board) ILRP as provided by the Regional Water Board October 9-10, 2014 Executive Officer report. Future monthly reports will alternate between the status of the ILRP from the Central Valley Regional Water Board for one month, and the status of other Regional Water Board ILRPs for the alternate month. Current and past ILRP program monthly reports can be found on the [State Water Board Irrigated Lands Regulatory Program](#) website.

STATE WATER BOARD

On October 8, 2014, Irrigated Lands Regulatory Program (ILRP) staff participated in a meeting with CalRecycle and California Department of Food and Agriculture (CDFA) regarding Publicly Owned Treatment Works (POTW) co-digestion of cow blood and a proposed Napa project. Other co-digestion issues were discussed as needed.

On October 9, 2014, ILRP staff participated in a meeting with State Water Board and DWQ management to discuss common issues and information sharing.

On October 13, 2014, ILRP staff attended a meeting hosted by the California Water Quality Monitoring Council (CWQMC). The presentation covered CWQMC goals and ongoing efforts to increase collaboration and make monitoring data and assessment information available to the science and management community.

On October 29, 2014 ILRP staff participated in a Farm Food Safety Conservation Network (FFSCN) conference call to determine the future direction of the FFSCN.

On October 30, 2014, ILRP staff participated in a joint training provided by CalRecycle and California Association of Sanitary Agencies (CASA) to POTW operators, regional board staff and other interested stakeholders. The training was regarding co-digestion of anaerobically digestible material (ADM) at a POTW.

On October 31, 2014, ILRP staff participated in a conference call with EPA to provide input on a template EPA is developing that will eventually be used to track the implementation progress of the National Water Quality Initiative (NWQI). EPA will be asking for information related to all NWQI watersheds and the subset of monitored NWQI watersheds. EPA will use the information to create a written status report on NWQI implementation. The Natural Resources Conservation Service (NRCS) will also be providing summary information on conservation practices. In addition, EPA will be tracking 319 investment information through the 319 Grants Reporting and Tracking System (GRTS). This information will be of great interest to the Office of Management

and Budget, NRCS and EPA leadership, and all states and stakeholders that have invested in the success of the NWQI.

CENTRAL VALLEY REGION

Waste Discharge Requirements (WDRs) Development:

Grasslands Bypass Project

A workshop on the draft WDR and monitoring reporting program (MRP) was presented to the board on 8 August 2014. Regional Water Board members requested the Grassland Bypass Project and Grassland Drainage Area WDRs and MRPs be presented together before the board to determine how the requirements in the two Orders are related and would be integrated.

On 25 August 2014 a conference was arranged between representatives of the Grassland Area Farmers and the U.S. Bureau of Reclamation to discuss the board's request and the additional information needed for the two Orders. Another conference call is scheduled 15 September 2014 to discuss further coordination and scheduling.

Sacramento River Watershed WDR

On 4 June, the Executive Officer issued a Conditional Notice of Applicability and conditional approval of the Northern California Water Association (NCWA) to serve as the third-party group under Order R5-2014-0030. The conditional approval required submittal of an addendum containing additional documentation related to organizational governance and accountability to complete the NCWA's application. An addendum was submitted by NCWA on 27 June, which partially met the requested documentation. On 12 August 2014, the Executive Officer issued a Request for Supplemental Information from NCWA, which is due by 12 September 2014 and must include 1) the methods by which summaries of fees and revenues are readily available to Members, and 2) copies of bylaws of the subsidiary organizations and copies of agreements between collaborating organizations.

By 16 July 2014, one comment letter was received on the Sacramento Valley Water Quality Coalition's proposed Farm Evaluation template. Regional Water Board staff is preparing a final Farm Evaluation template, as well as a final Managed Wetlands Evaluation Template to be used by members in the Coalition area. Templates will be issued by the Executive Officer.

Western San Joaquin River Watershed WDRs

On 29 July 2014, the Executive Officer issued the final Managed Wetland Evaluation Template for Members who are wetlands managers in the Westside San Joaquin River Watershed Coalition (Coalition). Wetlands managers must use the template to report practices in managed wetlands in lieu of submitting the Farm Evaluation Template. The Coalition and wetlands managers coordinated with Regional Water Board staff to develop the template.

Eastern San Joaquin River Watershed WDRs

On 5 August 2014, the State Water Board adopted Order WQ 2014-0135, which orders that the State Water Board will review Waste Discharge Requirements Order No. R5- 2012-0116 on its own motion. This action allows the State Water Board more time to review the issues raised in the three petitions of the Eastern San Joaquin River Watershed WDRs.

State Water Resources Control Board Agricultural Expert Panel:

The State Water Board's Agricultural Expert Panel released their final report and recommendations and presented it to the State Water Board at the State Water Board's meeting on 23 September 2014. The [final report](#) is available online.

On 18 July 2014, the Executive Officer provided testimony to the Expert Panel at a public meeting to receive comments on the Panel's draft report.

On 28 July 2014, Regional Water Board staff attended a meeting of the Expert Panel Advisory Committee. The Advisory Committee developed several consensus recommendations related to the Expert Panel's [draft report](#).

Compliance and Outreach:

East San Joaquin Agricultural Parcel Inspections

In July and August 2014, Regional Water Board ILRP staff inspected 120 parcels in the East San Joaquin River Watershed. The purpose of these inspections is to determine if the parcels are commercial irrigated lands that require coverage under the Eastern San Joaquin River Watershed General Order. Data gathered during these inspections will be used to focus and prioritize the issuance of 13260 directives to commercial irrigated lands that are not covered by the Eastern San Joaquin River Watershed General Order.

Water Code section 13260 Directives

In August, Regional Water Board ILRP staff mailed 67 Directives to landowners who staff has determined own irrigated agriculture. Landowners in the Eastern San Joaquin River Watershed whose parcels are used for commercial irrigated lands (as determined by staff inspections) are being mailed the directives that require the recipients to submit proof of coalition membership or a Notice of Intent to get regulatory coverage.

Letters to San Joaquin County & Delta Growers

In July and August 2014, Regional Water Board ILRP staff mailed 991 initial notice letters and 1,983 final notice letters to likely owners of irrigated lands in the San Joaquin County & Delta Coalition area. The letters advised owners of irrigated lands to join the Coalition before the 23 August 2014 "open enrollment" deadline. After this deadline, new Coalition members must submit a Notice of Intent and processing fee to the Central Valley Water Board in addition to applying to join the Coalition.

Letter to Sacramento Valley Growers

In July and August 2014, Regional Water Board ILRP staff mailed 5,747 notice letters to likely owners of irrigated lands in the Sacramento Valley Water Quality Coalition area. The letters advised owners of irrigated lands to join the Coalition before the 2 October 2014 “open enrollment” deadline. After this deadline, new Coalition members must submit a Notice of Intent and processing fee to the Central Valley Water Board in addition to applying to join the Coalition. Regional Water Board staff is working with Sacramento Valley Water Quality Coalition representatives to determine landowner response to the outreach letters. Follow up outreach to these landowners is pending response results.

Letters to Tulare Lake Basin Area Growers

Since the last Executive Officer report, 801 outreach letters have been issued throughout the Tulare Lake Basin Area, bringing the total number of outreach letters issued in the basin to 28,176. The outreach letter efforts are now complete for the Tulare Lake Basin Area, and Regional Water Board staff will be conducting compliance inspections for unenrolled growers during the upcoming months.

Enforcement

On 28 August 2014, the Assistant Executive Officer of the Central Valley Water Board issued a proposed settlement agreement (Stipulated Order) between the Central Valley Water Board Prosecution Team and David L. and Linda M. Davis Trust (Davis Trust). The settlement is for an Administrative Civil Liability Complaint (Complaint) issued to Davis Trust for failure to respond to a 13260 Directive to obtain regulatory coverage under the Irrigated Lands Regulatory Program.

This Stipulated Order was prepared in response to a memorandum that the Central Valley Water Board’s Advisory Team issued to the Prosecution Team tentatively rejecting an earlier proposed settlement of the Complaint. The Prosecution Team revised the penalty methodology for the Stipulated Order in response to the Advisory Team’s comments to better explain how the proposed settlement adequately addresses the Central Valley Water Board’s regulatory interests.

The Assistant Executive Officer and Davis Trust have tentatively agreed to the terms of the Stipulated Order. However, the settlement agreement will not become final until after a 30-day public notice and comment period and adoption of the Stipulated Order by the Central Valley Water Board, or its delegee. The public comment period ends on 6 October 2014.

Coalition Groups:

East San Joaquin Water Quality Coalition

On 8 July 2014, Regional Water Board staff met with the East San Joaquin Water Quality Coalition (Coalition) to discuss concerns identified by staff during review of the Coalition’s Sediment Discharge and Erosion Assessment Report (SDEAR). As a result of the meeting, the Coalition submitted a revised approach for the SDEAR on 15

August 2014. Following completion of Regional Water Board staff's review, the Coalition will submit a revised SDEAR.

On 1 August 2014, the Coalition submitted their surface water Monitoring Plan Update (MPU) for the 2015 water year. Per the WDR Order, the MPU provides a comprehensive monitoring schedule, including core sites, represented sites, parameters and frequency of monitoring. Regional Water Board staff review is currently underway.

On 8 August 2014, the Executive Officer approved a 90-day extension for submittal of the East San Joaquin Water Quality Coalition's (Coalition) revised Groundwater Quality Assessment Report (GAR). The GAR determines high and low vulnerability areas, establishes priorities within high vulnerability areas, and provides a basis for further workplan and management plan requirements. The Coalition must submit the revised GAR by 10 November 2014. On 3 September 2014, the Coalition submitted a request for extension of the sixth priority Management Plan Performance Goals; specifically, for Performance Measures 2.1 and 2.2, which involve obtaining management practice surveys from targeted growers. The request is currently under Regional Water Board staff review.

Sacramento Valley Water Quality Coalition (SVWQC)

On 1 August 2014, the Sacramento Valley Water Quality Coalition (Coalition) submitted their surface water Monitoring Plan Update (MPU) for the 2015 water year. Per the WDR Order, the MPU provides a comprehensive monitoring schedule, including representative sites, special study sites, parameters and frequency of monitoring. Regional Water Board staff review is underway.

On 2 September 2014, the Coalition submitted a Groundwater Assessment Report (GAR) Outline, per requirements of the WDR Order. Regional Water Board staff review is currently underway. The GAR determines high and low vulnerability areas, establishes priorities within high vulnerability areas, and provides a basis for further workplan and management plan requirements. The Final GAR is due on 4 June 2015.

San Joaquin County and Delta Water Quality Coalition

On 1 August 2014, the San Joaquin County and Delta Water Quality Coalition submitted its 2014 Monitoring Plan Update report in accordance with Attachment B of the Order. The plan is under Regional Water Board staff review.

On 21 August 2014, the Executive Officer approved the Coalition's final Farm Evaluation Template after receiving comments from the public. The template is used to comply with the requirements of the General Order. Coalition members must submit their farm evaluations to the Coalition by 15 June 2015.

On 22 August 2014, based on the information provided in a June 2014 request letter,

the Executive Officer approved the completion of certain management plans within the San Joaquin County and Delta Water Quality Coalition.

Tulare Lake Basin Area Third-party Groups

On 29 July 2014, Regional Water Board staff met with representatives of the Cawelo Water District Coalition to discuss the development of the Surface Water Monitoring Report and proposed monitoring locations. The Groundwater Assessment Report and designation of high vulnerability areas were also discussed.

On 6 August 2014, Regional Water Board staff traveled to western Fresno County to conduct a trial run of irrigated lands compliance inspections.

On 18 and 19 August 2014, Regional Water Board staff issued reviews of Groundwater Quality Assessment Report outlines for the Kern River Watershed Coalition Authority, Kaweah Basin Water Quality Association, Tule Basin Water Quality Association, and Buena Vista Coalition. The deadlines for submittal of the final Groundwater Quality Assessment Reports for these coalitions are between 4 and 6 February 2015.

On 18 and 19 August 2014, Regional Water Board staff issued reviews of Surface Water Monitoring Report outlines for Cawelo Water District Coalition and Westside Water Quality Coalition. The deadlines for submittal of the final Surface Water Monitoring Plans are 23 October and 17 November 2014, respectively.

On 22 August 2014, the Executive Officer issued revised Notices of Applicability to the Cawelo Water District Coalition and the Kern River Watershed Coalition Authority to revise a shared boundary between the coalitions.

On 27 August 2014, Regional Water Board staff met with the representatives of the Kaweah Basin Water Quality Coalition and Fig Growers Laboratory to discuss quality control and data formatting issues.

On 3 September 2014, Regional Water Board staff met with representatives of the Buena Vista Coalition to discuss the development of the Groundwater Assessment Report and designation of high vulnerability areas.

Western Tulare Lake Basin Area Third-Party Group

On 7 August 2014, Regional Water Board staff issued the Westlands Water Quality Coalition a Notice of Violation for failure to submit the First Quarter 2014 Surface Water Monitoring Data Report. On 14 August 2014, Westlands Water Quality Coalition resolved the violation by submitting the report.

On 18 August 2014, Regional Water Board staff issued a review of the Westlands Water Quality Coalition Groundwater Quality Assessment Report outline. The next step will be to prepare a Groundwater Quality Assessment Report based on the approved outline. The deadline for submittal of the final Groundwater Quality Assessment Report

is 16 February 2015.

Westside San Joaquin River Watershed Coalition

On 5 August 2014, Regional Water Board staff completed review of the Westside San Joaquin River Coalition's 30 November 2014 semiannual monitoring report for compliance with Monitoring and Reporting Program Order R5-2008-0831.

Groundwater Quality Assessment Reports:

On 23 July 2014, the Executive Officer and Regional Water Board staff met with representatives from several coalition groups to discuss the preparation of Groundwater Quality Assessment Reports. One of the points emphasized was the need to include consideration of disadvantaged communities in establishing priorities in high vulnerability areas.

Data Management:

Data from 2009 through mid-2013 for all Coalitions are available to the public on California Environmental Data Exchange Network (CEDEN). The next transfer is planned for September 2014 and will add data through early 2014. New data will continue to be transferred to CEDEN on a quarterly basis.

Data reports received in September 2014 for the 2nd quarter are currently being processed and loaded into the CEDEN comparable database provided by the Central Valley Regional Data Center (CV RDC).

Regional Water Board staff is currently processing the Westside San Joaquin Watershed Coalition data. Once complete, these sets will complement the existing data on CEDEN providing all the data submitted by the Coalition since program inception. The current goal is to complete and load the Westside San Joaquin River Watershed Coalition data to CEDEN by end of September this year.

In August of 2013, CEDEN released the most updated and consolidated version of their electronic data templates. Over the course of late 2014 and into early 2015, the ILRP will be transitioning to the use of these new CEDEN templates for Excel based data submissions from Coalitions. This transition will assist all parties in better maintaining comparability and efficient use of resources. The next communication is planned for late September and should provide an update on the status of the online tool, an updated webpage with links to the new templates and resources as well as provide a revised schedule for the transition.

Managed Wetlands Workgroup:

During the WDR Order adoption hearings for the Long-term ILRP, the Board directed the Executive Officer and Regional Water Board staff to address issues raised by wetlands managers. Following an initial meeting with the Executive Officer, a work group consisting of representatives from public and private managed wetlands formed to address concerns about the applicability of the ILRP framework for regulating discharges from managed wetlands. Following a meeting on 19 March 2014, the

workgroup developed a preliminary list of desirable outcomes for a managed wetlands regulatory framework. During a meeting held on 31 July 2014, the Managed Wetlands Workgroup began discussing potential regulatory options. The key concerns expressed were the effects of regulatory program costs on the ability of wetlands managers to optimize wetland habitat and the lack of benefits to their programs under the current program. The next meeting of the Managed Wetlands Workgroup was held on 16 September 2014.

Prop 84 Grant Funding:

To date, sixty-eight projects have been completed and invoiced. Nine projects are still open. The completion and invoicing of projects are required by December 2014. The [CURES website](#) has additional information on the Prop 84 funding and photos of completed projects.

Rice Pesticides Program:

A meeting to discuss the 2014 season monitoring results for the Rice Pesticides Program was held on 13 October 2014 at the Rancho Cordova office.

Pesticide Evaluation Advisory Workgroup:

The Waste Discharge Requirements for irrigated lands include requirements to monitor pesticides in surface water, which are to be identified as part of a process by Regional Water Board staff with input from qualified scientists and in coordination with the California Department of Pesticide Regulation (DPR). A Pesticide Evaluation Advisory Workgroup was formed, and meetings were held on 9 July and 5 August 2014. The Workgroup has reviewed pesticide monitoring prioritization efforts developed by other entities and incorporated elements into a preliminary pesticides' prioritization process. Detailed discussion of the process will continue in the next meeting on 25 September 2014. Additional [Workgroup information](#) is available on the Region 5 website.