

## **IRRIGATED LANDS REGULATORY PROGRAM UPDATE REPORT MAY 2008**

This month's Irrigated Lands Regulatory Program (ILRP) monthly report will provide an update on activities of the Central Valley Regional Water Quality Control Board (Central Valley Water Board) ILRP. Future ILRP monthly reports will alternate between the Central Coast, Los Angeles, Colorado River Basin, San Diego, and Central Valley Regional Water Quality Control Board programs. English and Spanish translations of current and past ILRP program monthly reports can be found on the State Water Boards Irrigated Agricultural Waiver Program website:

[http://www.waterboards.ca.gov/water\\_issues/programs/agriculture/](http://www.waterboards.ca.gov/water_issues/programs/agriculture/)

For specific program information, contact Mr. Joe Karkoski, program manager of the Central Valley Water Board Irrigated Lands Regulatory Program, at 916- 464-4668.

### **CENTRAL VALLEY WATER BOARD IRRIGATED LANDS CONDITIONAL WAIVER PROGRAM**

#### **LONG-TERM PROGRAM / ENVIRONMENTAL IMPACT REPORT (EIR)**

A series of public workshops were held to gather stakeholder input related to the development of the long-term Irrigated Lands Regulatory Program. The workshops were held in Tulare, Modesto, Sacramento, and Durham. Based on available regulatory tools and stakeholder comments, Regional Water Board staff will prepare the program alternatives to be evaluated in the EIR. The Regional Water Board's contractor, Jones and Stokes Associates (JSA) is continuing to update the surface and ground water quality data in the Existing Conditions Report (ECR). In addition, JSA is updating the management practices section of the ECR. Information gaps that were identified during the public comment period on the ECR are being addressed.

#### **ENFORCEMENT**

##### **California Water Code section 13267 Orders**

A list of non-complying landowners with the largest land area in the San Joaquin-Sacramento Delta has been developed and double checked against Coalition Group records. The landowners on this list will be issued California Water Code section 13267 Orders during the week of March 31, 2008 and starting the week of April 7, 2008 staff will be issuing Orders weekly. Staff has identified landowners who have submitted Technical Reports stating they have joined a Coalition Group but potentially have not, as well as landowners who have failed to pay fees to renew their memberships. Further investigation and coordination with Coalition Groups is occurring to verify membership status of these landowners before taking enforcement steps.

#### **DISCHARGES**

On February 20, 2008, Regional Water Board staff continued testimony at a Contra Costa Agricultural Commissioner hearing concerning the September 2007 Marsh Creek fish-kill. The hearing is in response to a Contra Costa Agricultural Commissioner Notice of Proposed Action against the East Contra Costa Irrigation District. The Commissioner proposes a fine of \$1,000 for an alleged herbicide discharge.

### **Applications for Regional Water Board Approval to Join Coalition Groups**

As of March 19, 2008, 245 applications had been submitted to the Regional Water Board, encompassing over 57,000 acres of land. One hundred and four applications have been processed to date. Staff is working with applicants to obtain complete information, evaluate the applications and prepare recommendations for the Executive Officer. The Executive Officer must approve all applications to join a Coalition Group. Staff recommendations will be presented to the Regional Water Board at its 24/25 April 2008 meeting regarding the conditions under which landowners can be approved to join Coalition Groups. Elements of the California Water Code section 13267 Orders and the application process are interrelated, which will be discussed, along with program resource implications and potential approaches for addressing impacts. Current applicants were sent a letter on March 17, 2008, informing them of the Board Meeting and staff recommendations for modifying the conditions under which landowners may be approved to join Coalition Groups.

### **Recommendations for Fee Modifications**

Staff has conducted an analysis of staff time spent overseeing Irrigation Districts, Dischargers under the Individual Waiver and processing applications to join Coalition Groups. Recommendations for modifications to the current fees charged were drafted and submitted to State Water Board staff for review.

### **Memorandum of Understanding (MOU) with Butte and Glenn Counties**

The 2007 Annual Report for the MOU Pilot Program has been posted on the ILRP website. This report contains a summary of the work performed in 2007. The contracts to continue the MOU Pilot Program were signed by the Agricultural Commissioners of Butte and Glenn Counties and will extend the pilot program from April 1, 2008 to March 31, 2009. On February 15, 2008, Regional Water Board staff participated in a meeting in Willows with Butte and Glenn Counties to review recent accomplishments under the MOU.

### **UC Davis Monitoring**

Researchers at UC Davis are now preparing the draft summary report for all sampling conducted under this contract. The summary will be submitted by UC Davis to staff for review in June 2008, and will subsequently be finalized and posted on the program website.

## **COALITION GROUPS**

### **California Rice Commission**

Regional Water Board staff and California Rice Commission (CRC) representatives have been meeting to finalize a Management Plan for exceedances of algae toxicity. On March 12, 2008 CRC submitted a revised Algae Aquatic Toxicity Management Plan that was largely acceptable. Remaining documentation includes quality control data for performance-based analytical methods.

### **East San Joaquin Water Quality Coalition**

The East San Joaquin Water Quality Coalition (ESJWQC) submitted its semi-annual monitoring report (SAMR) on January 14, 2008. Staff will be reviewing the SAMR, although priority is being given to the Management Plan and MRP Plan preparation at this time. The ESJWQC has been meeting with staff to develop management plans that

will address exceedances. Meetings have included reconciliation of the exceedances that have occurred in comparison with Regional Board records, and also in the establishment of priorities for Management Plan activities. Since the Management Plan is incorporated into the ESJWQC's pending MRP Plan revisions, staff and the ESJWQC is working on the final Management Plan and the MRP Plan simultaneously. On 29 February 2008, Regional Water Board staff participated in a growers meeting in Winton, California. The meeting was directed by the East San Joaquin Water Quality Coalition Group in response to toxicity found in the Merced River on two occasions in January 2008. Staff gave a presentation on monitoring and enforcement efforts within the ILRP.

On March 13, 2008 Regional Water Board staff met with ESJWQC representatives to conduct a site visit at three ESJWQC monitoring sites: Cottonwood Creek at Road 20, Ash Slough at Avenue 21, and Berenda Slough. The purpose of the visit was to consider the value of the monitoring locations in the pending MRP Plan revision. Following the site visit, staff participated in the ESJWQC Board meeting. Items discussed included: enforcement by the Water Board; membership renewal update; toxicity response at Merced River; and policies and approach on setting ESJWQC membership responsibilities. Board member Paul Bettencourt also attended the meeting.

### **Sacramento Valley Water Quality Coalition**

On January 15, 2008, staff received the Sacramento Valley Water Quality Coalition (SVWQC) Irrigation Season Semi-Annual Monitoring Report. Staff performed a brief review of this report and provided the Coalition with preliminary requests for missing data. The Coalition promptly provided this requested data. Staff review and comments on this SAMR will occur subsequent to the review of the SVWQC Storm Season SAMR which had been submitted in June 2007. Priority is being given at this time to the development of the MRP Plan and Management Plan documentation. Staff met with SVWQC representatives at the Regional Board office to provide comments on the draft Management Plan. Due to the overlap in monitoring design and schedules, the SVWQC will be working on the Management Plan and MRP Plan documents simultaneously.

Staff is currently evaluating all data provided by the SVWQC to understand where exceedances have occurred, and for which constituents, and to understand what monitoring sites have been thoroughly assessed.

On February 28, 2008 Regional Water Board staff attended the Sacramento Valley Water Quality Coalition's Annual subwatershed meeting at the Westside Water District office in Williams, CA. Staff provided an update on the future Regional Board enforcement efforts and described the new monitoring program for the ILRP and the development of management plans.

### **San Joaquin County and Delta Water Quality Coalition**

On February 20, 2008, staff completed its review of the San Joaquin County and Delta Water Quality Coalition December 31, 2007 Semi Annual Monitoring Report. Staff comments have been prepared and are in the review process. A review letter will be sent to the Coalition soon. Staff met with the San Joaquin County and Delta Water Quality Coalition (SJCDWQC) on February 13, 2008 to continue the development of

management plans. Given the overlap in terms of design and monitoring schedules, staff and the SJCDWQC will be working on the Management Plan and the MRP Plan simultaneously. On March 18, 2008, Regional Water Board staff toured Venice Island with the San Joaquin County and Delta Water Quality Coalition. Staff gained a better understanding of irrigation practices, terminology, and cropping patterns.

### **Westside San Joaquin River Watershed Coalition**

The Coalition provided a revised MRP Plan on February 5, 2008. The revisions were based on several discussions between staff and Coalition representatives. On February 22, 2008 the Executive Officer issued a letter to the Coalition approving the implementation of the revised MRP Plan for one calendar year. The letter requires the Coalition to work with staff to address some inconsistencies between the Coalition's MRP Plan and the recently approved ILRP MRP Order, and to submit a revised plan that resolves these inconsistencies by July 25, 2008. A minor revision or addendum to the Coalition's approved plan is expected to resolve these inconsistencies.

On March 4, 2008, Regional Water Board staff attended the Westside San Joaquin River Watershed Coalition's monthly steering committee meeting in Los Banos. The committee discussed issues including member participation and fees, development of monitoring and management plans, budget, and ILRP policies.

On March 12, 2008 Coalition representatives and staff met with the Southern California Coastal Water Research Project staff to discuss the integration and development of the Coalition's MRP Plan and Management Plan. Coalition representatives and staff are working together to complete the development of the revised Management Plan, and approval of the plan is expected by June 2008. As part of the overall Management Plan, the Coalition is also preparing a focused water quality improvement plan for the watersheds of Ingram Creek and Hospital Creek, as part of the Management Plan strategy. The purpose of these focused watershed improvement plans is to increase and document more specified and aggressive outreach and management practice implementation efforts on a watershed-by-watershed basis, as needed, and prioritized by the severity of problems identified through the monitoring program.

### **Goose Lake Coalition**

The Coalition's CEQA documentation for their Best Management Practice (BMP) projects (required as part of any grant from SWRCB) was approved by the SWRCB and implementation of its BMP projects are in progress. A BMP Demonstration Day is planned during summer 2008.

A draft Management Plan is being prepared by the Coalition for Ceriodaphnia toxicity that occurred during the 2007 irrigation season. A study to identify the source of toxicity will be conducted during the 2008 irrigation season. The Coalition has proposed some modifications to their MRP Plan for the 2008 monitoring year, and will be working with staff to develop a revised MRP Plan for subsequent years.

### **Westlands Coalition**

Staff has reviewed the Coalition's December 2007 SAMR and provided comments to the Coalition. The required components of the SAMR were completely and satisfactorily

addressed by the Coalition. The Westlands Coalition began storm season monitoring during January 2008, when enough rainfall had finally occurred to cause runoff in the normally dry creeks in the coalition area. The Coalition is conducting both Phase I and Phase II monitoring during this storm season in order to better characterize water quality conditions.

Exceedance reports for EC in Panoche-Silver Creek and water flea toxicity in Cantua Creek were submitted by the Coalition. A Management Plan schedule for EC in Panoche-Silver Creek has been requested.

### **Southern San Joaquin Valley Water Quality Coalition**

Staff has completed review of the 2007 Irrigation Season Semi-Annual Monitoring reports and generated response letters that are currently in the review process. The Coalition has been requested to prepare a Management Plan to address repeated toxicity in the water column (*Selenastrum*) and sediment (*Hyalella azteca*) in the Main Drain waterway within the Kern River Sub-Watershed. The Management Plan is currently under development by the Coalition.

On February 6, 2008, Regional Water Board staff participated in a meeting in Farmersville with the Southern San Joaquin Valley Water Quality Coalition subwatershed leads and board members. The new Coalition MRP and applicability to the Tulare Basin was discussed, along with alternative regulatory approaches for addressing irrigated lands in the basin.

On March 19, 2008, Regional Water Board staff, staff of the Kings River Sub-Watershed, and representatives of Sierra Foothills Laboratory met in Jackson to discuss the *Selenastrum* toxicity testing method and to identify testing differences that exist between laboratories.

### **Individual Dischargers**

#### **BerryBlest Farms**

The Annual Monitoring Report (AMR) was submitted by Bud Hoekstra of BerryBlest Farms. Staff has acknowledged receipt of the report to BerryBlest. Review of the AMR is ongoing.

#### **Merced Irrigation District**

On March 3, 2008 staff received the Merced ID 2007-2008 AMR dated February 28, 2008.

#### **Modesto Irrigation District**

On March 3, 2008 staff received the Modesto ID 2007-2008 AMR dated February 28, 2008.

#### **Turlock Irrigation District**

On February 29, 2008 staff received the Turlock ID 2007-2008 AMR dated February 28, 2008.

#### **Oakdale Irrigation District**

On February 29, 2008 staff received the Oakdale ID 2007-2008 AMR dated February 28, 2008.

**South San Joaquin Irrigation District**

On February 28, 2008 staff received the South San Joaquin ID 2007-2008 AMR dated February 28, 2008. Staff has notified individual dischargers that these AMRs have been received. However, staff will be prioritizing the development of Coalition Group MRP Plans and Management Plans prior to evaluating the Irrigation District AMRs.