

SAC-VALLEY NEWS

SVWQC actions, accomplishments, and updates

1.1+ MILLION IRRIGATED ACRES

7300+ PARTICIPANTS

11 SUBWATERSHEDS

CDFA to Explore Opportunities to Streamline Regulatory Processes for Agriculture

A new study announced by the California Department of Food and Agriculture (CDFA) will evaluate agriculture's food safety and water quality regulatory reporting requirements as part of an effort to streamline administrative processes and optimize information collected by the state. The study is supported by funding in the State's 2021-22 budget.

CDFA is contracting with Sacramento-based Crowe LLC to conduct the study. Crowe will map current CDFA and State Water Resources Control Board ag-related food safety and water quality reporting requirements. Crowe LLC will prepare a final report with recommendations. The project will be completed by 2025.

The results of the study will support the State's food safety and water quality standards while advancing efficient reporting practices and opportunities to create synergistic partnerships between agencies on information collected.

To inform this analysis, CDFA, the State Water Board, and Crowe will engage with and gather input from the agricultural community and other stakeholders on their experiences with current reporting requirements and processes.

The Northern California Water Association (NCWA), on behalf of the Coalition, is actively engaged in the stakeholder feedback process. NCWA also plans to host a Roundtable Meeting where Crowe LLC, the State Water Board, and CDFA can speak and interact with Coalition leadership and Coalition Members directly in the coming months.



The latest in this issue:

STREAMLINING OF REGULATORY PROCESSES

REGIONAL BOARD OUTREACH AND ENFORCEMENT

SUBMISSION OF MAY 1 ANNUAL REPORTS

MANAGEMENT PLAN COMPLETE IN GILSIZER SLOUGH

MEMBER INFORMATION

CROP YEAR 2022 REPORTING DUE IMMEDIATELY!

Regional Board Performs Enrollment Outreach to 216 Unenrolled Landowners

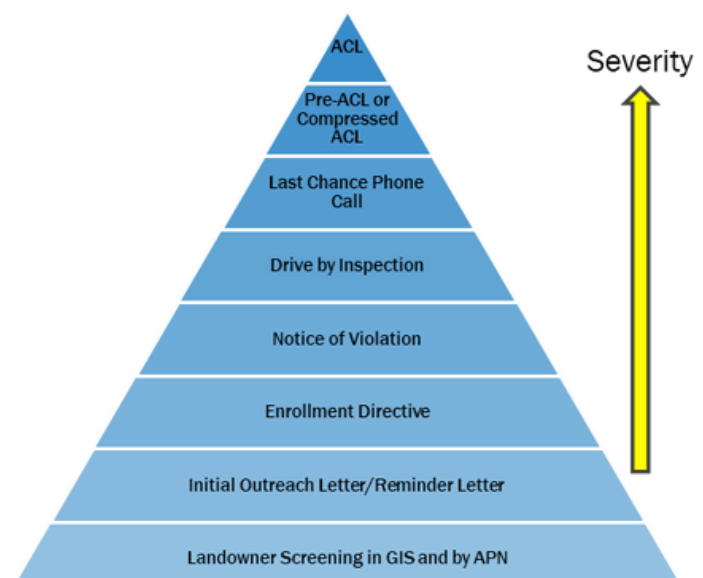
In February 2023, the Central Valley Regional Water Quality Control Board (Regional Board) mailed 216 Reminder Letters to potential non-filers across multiple Subwatersheds. Potential non-filers are landowners that the Regional Board has identified, through GIS and public records, as potentially owning and operating commercial irrigated lands that are NOT currently enrolled in the program. Reminder Letters are sent to potential non-filers to provide them with information on the Irrigated Lands Regulatory Program (ILRP) and steps for enrollment. In April, 140 13260 Directives to Enroll were mailed to those who did not respond to the February Reminder Letters. Responses to the 13260 Directives are still being recorded and Notice of Violations (NOVs), the next step in the enforcement pyramid, are currently being prepared to be mailed to those who fail to respond. **Failure to respond to enforcement letters from the Regional Board may result in fines of up to \$1,000 per day.**

What to do if you receive a letter from the Regional Board

1. Current members – If you are a current member of the Coalition, do not panic. Contact your local Subwatershed IMMEDIATELY to ensure that your membership has not lapsed and that enrolled APNs align with county records. The Regional Board performs enforcement on an APN basis – not landowner name basis – so if there is a typo in the enrolled APN or if there have been any APN splits/changes, the Coalition and Regional Board records may simply need to be updated. If this is the case, the record will be updated, and you will not be subject to any further enforcement action. However, this does stress the importance of keeping your membership updated at all times with the proper APN!
2. Unenrolled Landowners – Unenrolled landowners should contact their local Subwatershed IMMEDIATELY, whose information will be included in the letter. If the land is both irrigated and commercial, the Subwatershed will work with you to enroll the acreage. Enrollment includes payment of membership fees and back dues, if necessary, and submission of annual reports. After the process is complete, the Coalition will notify the Regional Board that you now have regulatory coverage. You will not be subject to any further enforcement action as long as you remain a member in good standing. If you believe you are exempt from the ILRP (i.e., non-irrigated or non-commercial), you must still contact your local Subwatershed AND the Regional Board to claim the exemption.

Whether a current member or unenrolled landowner, under no circumstances should the letter be ignored. If the Coalition and Regional Board receive no response from the landowner, the landowner will progress to the next level of enforcement. The Regional Board performs progressive enforcement. As members move up the enforcement ladder, the severity of the enforcement increases. **Until the very last step, an Administrative Civil Liability (ACL) and a fine of up to \$1000 per day, landowners have an off-ramp by responding to the letter.**

Progressive Enforcement for Non-Enrolled APNs



Coalition Submits Required May 1 Annual Reports

The annual surface water reports for the Sacramento Valley Water Quality Coalition (Coalition), plus the first Five-Year Assessment Report for the Groundwater Quality Trend Monitoring program, as required by the Coalition's Waste Discharge Requirements General Order for Growers within the Sacramento River Watershed that are Members of a Third-Party Group (R5-2014-0030-11, most recently amended by Order No. R5-2021-053) (WDR) were submitted on May 1, 2023.

The annual surface water reports include the 2022 Annual Monitoring Report, the 2022 Chlorpyrifos and Diazinon TMDL Report, and the 2022 Management Plan Progress Report. These reports detail the Coalition's surface water monitoring results, efforts to comply with the Chlorpyrifos and Diazinon TMDL, and progress on existing and new management plans for the 2022 Water Year, which ran from October 2021 to September 2022.

The Five-Year Assessment Report for the Groundwater Quality Trend Monitoring Program provides a trend analysis for salinity and nitrates in groundwater. The results from the Five-Year Report show little to no trend of degradation in much of the Sacramento Valley, providing the opportunity to reduce the frequency of groundwater quality trend monitoring, currently annually, and/or the footprint of where groundwater quality trend monitoring occurs. This could result in an annual cost reduction of \$100,000.

Copies of the reports are available at www.svwqc.org. If you have any questions about the reports, please email Bruce Houdesheldt at bruceh@norcalwater.org.

Great News! Diazinon Management Plan in Gilsizer Slough Deemed Complete

On 12 April 2023, the Executive Officer of the Central Valley Regional Water Quality Control Board, approved completion of a diazinon management plan in Gilsizer Slough for the Sacramento Valley Water Quality Coalition (Coalition). Gilsizer Slough drainage is located in south of Yuba City, CA in the Butte-Yuba-Sutter Subwatershed. The Management Plan was initially triggered by exceedances observed in January 2018 and January 2020.

The implemented management plan successfully eliminated a water quality problem caused or influenced by discharge of agricultural pollutants into surface receiving waters. The Coalition held multiple member meetings to provide guidance regarding practices to protect water quality. Examples of practices implemented by growers include follow label instructions, permit conditions, and PCA recommendations; avoid surface water when spraying; monitor wind and rain conditions; lengthen time between pesticide application and irrigation; and increase soil water penetration with amendments. Thanks to these management practices implemented by growers in the drainage, monitoring results showed that the water quality objective is being met, demonstrating the effectiveness of implemented practices.

Environmental Justice Petition to California Supreme Court

The decade long pursuit by Environmental Justice groups based in the San Joaquin Valley to get individual grower data on nitrogen use continues. On April 27 the Environmental Law Foundation and Coastkeeper filed petitions with the California Supreme Court to have the decisions of both the Third District Court of Appeal and Sacramento County Superior Court reviewed. The Agricultural intervenors are working on responses to these two petitions which are due by May 16.



Coalition Member Information Hub



DUE IMMEDIATELY: CROP YEAR 2022 REPORTING

According to the Waste Discharge Requirements, all Coalition Members are required to complete their member reports by at least March 1 annually. If you have not yet completed your reporting, do so immediately to avoid potential fines and/or future enforcement action from the Regional Board.

Your reporting data are EXTREMELY valuable and are used to inform many other program elements and as justification for reducing the footprint and/or frequency of member requirements.

2022 Crop Year reporting includes at a minimum:

- 1) Submittal of the Irrigation and Nitrogen Management Summary Report (INMP Summary Report). *The only exemption for the INMP Summary Report is if you own irrigated pasture with no external nitrogen inputs. If this exemption applies to you, please call or email your Subwatershed to inform them so that your membership is not accidentally reported to the Regional Board for non-reporting.*
- 2) Where applicable, submittal of your Groundwater Management Practice Implementation Report (GW MPIR).
- 3) If in an area subject to a Management Plan, submittal of your Surface Water Management Practice Implementation Report (SW MPIR).

Members who fail to report will have their names sent to the Regional Board. Since the original deadline was months ago on March 1, some Subwatersheds have already submitted a list and enforcement letters have been mailed. **FAILURE TO RESPOND TO THESE LETTERS MAY RESULT IN FINES OF UP TO \$1000 PER DAY**, enforced by the Regional Board.

Keep in mind, avoiding enforcement from the Regional Board for non-reporting is simple! Report ON TIME!

The Central Valley Regional Water Quality Control Board is working on translating the Irrigation and Nitrogen Management Plan Worksheet and Summary Report into Spanish, to make reporting and compliance more easier and more accessible for all Central Valley growers. We hope to be able to notify you that this resource is available soon!

General Questions

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