

Water Quality Regulatory Update: Changes Anticipated with the Upcoming Ag Order



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Irrigated Lands Regulatory Program

- Corresponding Regional Water Quality Control Board administers each program (Conditional Ag Waiver, Ag Order/WDR)
- Applies to all growers who irrigate commercial crops
- Regulates water that discharges into surface water (irrigation & stormwater) as well as leaching to groundwater
- Control and prevent contaminants to protect beneficial uses
- Growers comply individually or by joining a 3rd party coalition
 - Ventura County Agricultural Irrigated Lands Group (VCAILG). Established in 2006 and administered by the Farm Bureau of Ventura County.



Current Conditional Waiver Program

- *Conditional Waiver of Waste Discharge Requirements for Discharges from Irrigated Lands*
- Adopted in 5 year terms
- Implementation roles and responsibilities:

VCAILG	Grower/Landowner
<ul style="list-style-type: none">• Water quality sampling and special studies (surface and groundwater)• Water quality management plans• Reporting to Regional Board• Education and outreach program	<ul style="list-style-type: none">• Maintain membership in VCAILG• Report BMP implementation• Attend annual continuing education• Develop field-level Nitrogen Management Plans (where required)• Implement BMPs on the farm

Conditional Waiver Program History

1st term (2005 – 2010)

2nd term (2010 – 2016)

- Incorporated TMDLs

3rd/Current term (2016-2021, extended to Dec. 2022)

- Increased focus on groundwater
- Source investigation studies for increasing trends
- Time certain deadlines for TMDLs
- Nitrogen Management Plan requirements

Transition to Ag Order (anticipated Dec. 2022)

- TMDL deadlines begin coming due
- State-wide precedential nitrogen management tracking and reporting
- Unknown other changes

Impacts of Approaching TMDL Deadlines

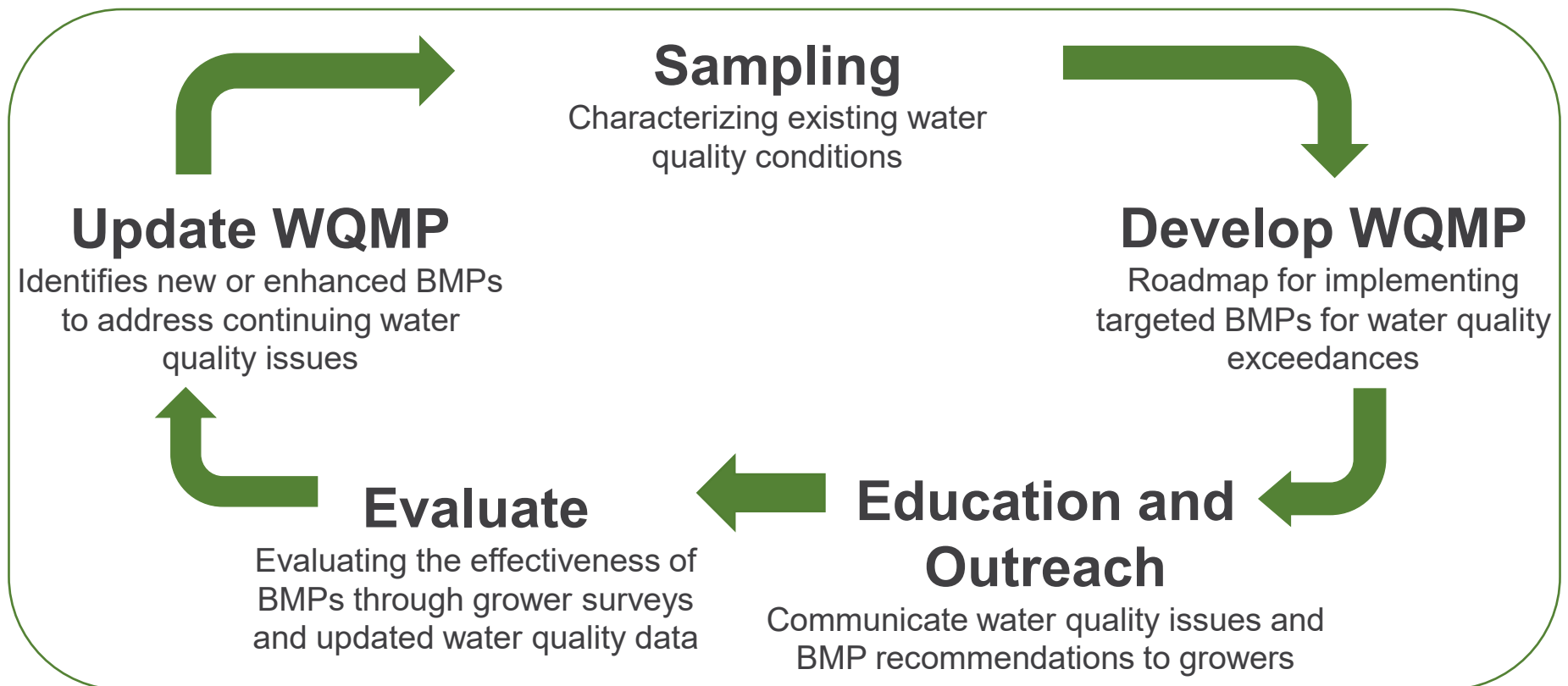
VCAILG Monitoring Program



Iterative Process

Implement BMPs to the degree necessary to meet water quality benchmarks

- VCAILG provides recommendations and referrals to technical service providers
- Growers decide what works best for individual farm/ranch



Iterative Process Backstops

Total Maximum Daily Loads (TMDL)

- Additional regulatory layer on top of general Conditional Waiver water quality benchmarks. Include compliance dates.
- Any one-time water quality exceedance after TMDL compliance date will require individual monitoring under current requirements

	TMDL Constituents	Compliance Date
Ventura River Watershed	Algae	June 28, 2019
Calleguas Creek Watershed	Toxicity, Chlorpyrifos, and Diazinon	March 24, 2022
	Metals and Selenium	March 26, 2022
	Nitrogen Compounds and Related Effects	October 14, 2025
	OC Pesticides and PCBs	March 24, 2026
Santa Clara River Watershed	Nitrogen Compounds	October 14, 2022
	Bacteria	March 21, 2023 (dry)
	Boron, Chloride, Sulfate and TDS (Salts)	Dec. 23, 2023
	Toxaphene (Estuary)	October 7, 2025
Oxnard Plain/Costal Watersheds	OC Pesticides and PCBs (McGrath Lake)	June 30, 2021
	Pesticides, PCBs, and Sediment Toxicity (Oxnard Drain #3)	April 14, 2026

Individual Monitoring

- Timeline:
 - Within 3 months of exceedance being reported in Annual Monitoring Report, all growers within area being represented by monitoring site would submit field-specific Monitoring and Reporting Plans (MRPs)
 - Edge-of-field sampling initiated following wet and or dry season
 - Continue for each grower until 2 years without exceedance
 - Results reported annually by grower to Regional Board
- Challenges:
 - Infeasible to be conducted through VCAILG – growers will need to develop MRPs, conduct own sampling, and coordinate with labs directly
 - Snapshot-in-time, single-point samples at the edge of a field are incredibly variable
 - Finer scale, field-level monitoring and reporting is not going to improve water quality - and distracts attention and resources away from in-field actions that would
 - No clear pathway to compliance

Ag Order – Opportunities

Alternative proposal: create a compliance pathway that incentivizes meaningful action by focusing on field-level assessment and implementation, rather than field-level sampling

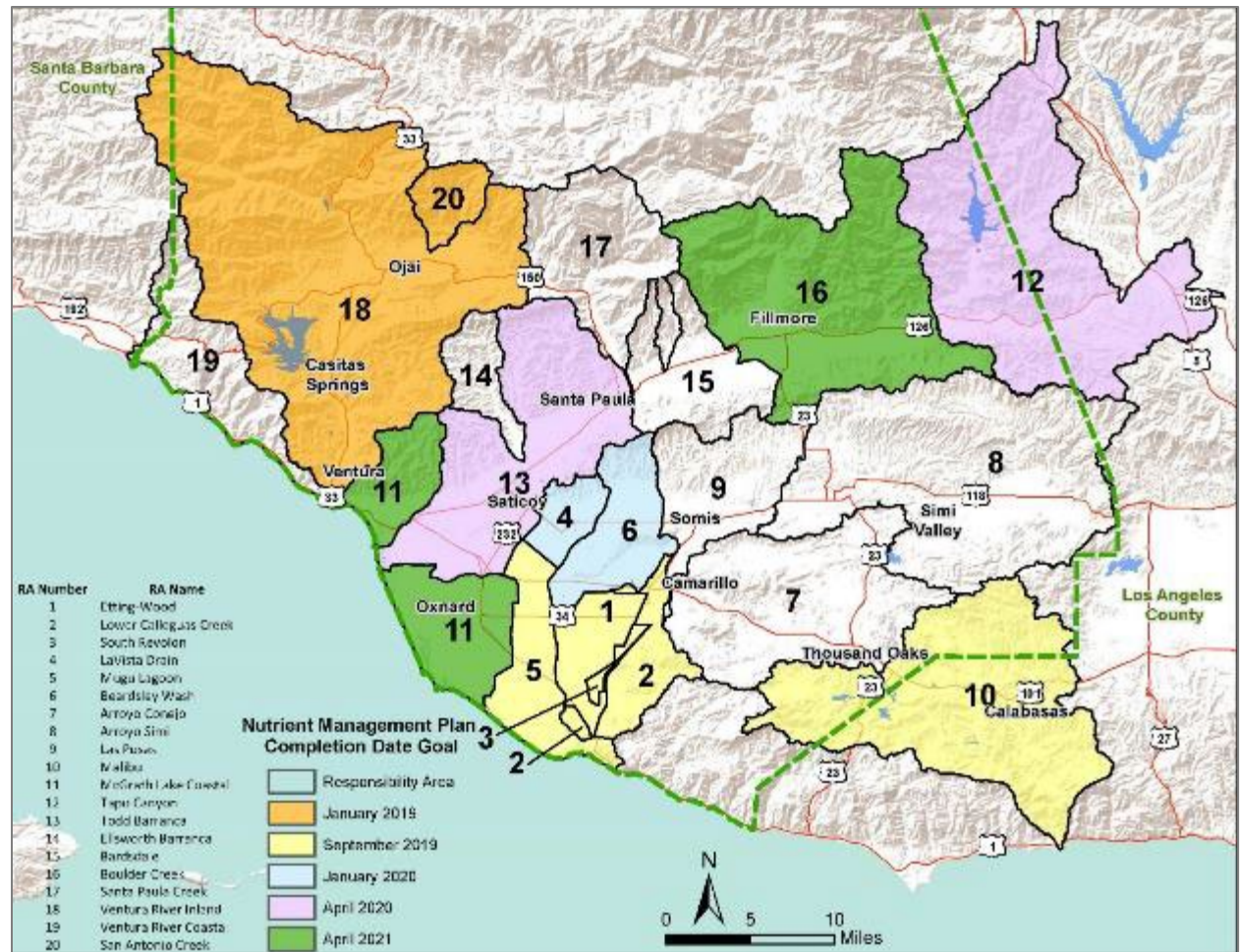
- Flexibility
 - Growers can opt-in or comply with individual monitoring (default)
- Field-level guidance
 - Subject matter experts providing field-level guidance
 - Leverage existing assistance programs and partnerships with local and federal agencies
- Immediate action
 - Individual monitoring might show a grower that they have a single point-in-time exceedance, but then what? Alternative pathway identified potential issues and leads to immediate action.
- Compliance assurance
 - Compliance expectations and required actions are clearly defined
 - Assurance provided to allow for significant investment and participation in regional projects



Precedential Requirements: Nitrogen Tracking and Reporting


Nutrient Management Plans

- Required in RAs with nutrient exceedances or with nutrient TMDLs that mandate NMPs
- RAs with higher degree of nutrient exceedance required to develop plans earlier to allow time to meet compliance deadline



Plan Certification Options

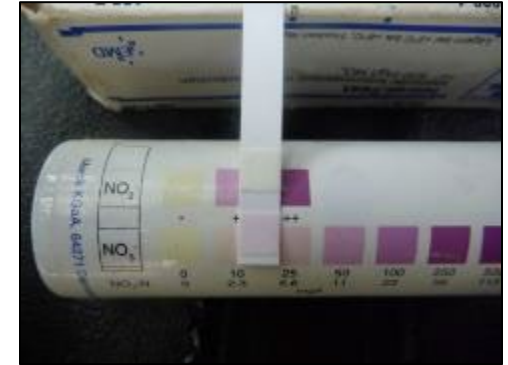
1. Self certified by grower attending approved training workshop (6 hours) and passes exam
2. Self- Certified by grower that plan adheres to site-specific recommendations from NRCS Technical Service Providers
3. Certified by Crop Advisor (CCA) certified by the American Society of Agronomy

 NITROGEN MANAGEMENT PLAN WORKSHEET NMP Management Unit: <input type="text"/>				
1. Crop Year (Harvested)	<input type="text"/>	4. APN(s):	5. Field(s) ID	
2. VCAILG ID#	<input type="text"/>			
3. Name:	<input type="text"/>			
CROP NITROGEN MANAGEMENT PLANNING		N APPLICATIONS/CREDITS	15. Recommended / Planned N	16. Actual N
6. Crop	<input type="text"/>	17. Nitrogen Fertilizers		
7. Production Unit	<input type="text"/>	18. Dry/Liquid N (lbs/ac)		
8. Projected Yield (units/ac)	<input type="text"/>	19. Foliar N (lbs/ac)		
9. N Recommended (lbs/ac)	<input type="text"/>	20. Organic Material N		
10. Acres	<input type="text"/>	21. Available N in Manure/Compost (lbs/ac estimate)		
Post Production Actuals				
11. Actual Yield (units/ac)	<input type="text"/>	22. Total Available N Applied (lbs/ac) (18+19+21)		
12. Total N Applied (lbs/ac) (22+26)	<input type="text"/>	23. Nitrogen Credits (soil)		
13. N Removed (lbs N/ac)*	<input type="text"/>	24. Available N carryover in soil (annualized, lbs/ac)		
14. Notes: <input type="text"/>		25. N in Irrigation water (annualized, lbs/ac)		
		Irrigation sources	<input type="text"/>	
		Irrigation amount applied (acft)	<input type="text"/>	
		26. Total N Credits (lbs/ac) (24+25)		
		27. Total N Recommended & Applied (22+26)		
		Actual N Applied (12) vs Actual N Removed (13)		
CROP NITROGEN MANAGEMENT PLANNING				
28. CERTIFIED BY:		29. CERTIFICATION METHOD		
<input type="text"/>		30. Self-Certified - approved training program attended		
<input type="text"/>		31. Self-Certified - NRCS site recommendation		
DATE:		32. Certified Crop Advisor		
<input type="text"/>		<input type="text"/>		

Note: Current Waiver requires plan to be available on-farm only

Upcoming Requirements Under an Ag Order

- East San Joaquin WDR adopted by State Water Resources Control Board (2018)
- Precedential for all Irrigated Lands programs in California
- Irrigation and Nutrient Management Plans (INMP) required for all operations
- INMP summary information reported annually
 - Applied nitrogen totals and harvest yield
 - Irrigation and nutrient BMPs
- Outlier notification and targeted education
- Details still in development
 - Workgroup formed to develop program proposal
 - Continued discussions with Regional Board staff



Ag Order – Anticipated Schedule

- Current Conditional Waiver expires on December 31, 2022
- Process for adopting an Ag Order:
 - Tentative Order released for public review and comment (generally 45 days)
 - Comment period closes approx. 30 days before adoption hearing
 - Adoption hearing
- Follow VCAILGs e-newsletters for updates as they become available



Questions?

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VENTURA COUNTY
Agricultural Irrigated Lands Group