



# Irrigated Lands Regulatory Program

Sarah Bragg-Flavan  
Water Resource Control Engineer  
February 4, 2020

# Outline



Background on Agricultural Order  
(Why, What, Who, When)



Ag Order 4.0 Development Process



Draft Documents



Conceptual Table



Public Comment Period



Next Steps



## Agricultural Water Quality Concerns

- Irrigation runoff
- Stormwater runoff
- Drainage water that percolates to groundwater
- Pesticides and Toxicity
- Nitrogen and other nutrients
- Salt
- Soil, silt, sediment
- Trash



## What is the purpose of the Agricultural Order?

Current Ag Order requires farmers and landowners to implement management practices, and conduct monitoring and reporting, to ensure that farms are protecting surface water and groundwater.



# What does the Agricultural Order apply to?

1. Land planted to row, vineyard, field and tree crops where water is applied for producing commercial crops;
2. Specific commercial nurseries, nursery stock production, and greenhouse operations;
3. Land planted to commercial crops that are not yet marketable, such as vineyards and tree crops.



# Agricultural Orders



2004: FIRST AG ORDER;  
WAIVER (AG ORDER 1.0)



2012: SECOND AG ORDER;  
WAIVER (AG ORDER 2.0)



2017: THIRD AG ORDER;  
WAIVER (AG ORDER 3.0)



UNDER DEVELOPMENT:  
FORTH AG ORDER; WDR  
(AG ORDER 4.0)

# Ag Order 4.0 Goals & Framing Questions

---

**Minimize** Minimize nitrate discharge to groundwater to achieve water quality objectives

---

**Minimize** Minimize nutrient discharge to surface waters to achieve water quality objectives

---

**Minimize** Minimize toxicity in surface waters from pesticide discharges to achieve water quality objectives

---

**Ensure** Ensure that riparian and wetland habitat is protected due to agricultural activities and discharges

---

**Minimize** Minimize sediment discharge to achieve water quality objectives

---

**Ensure** Ensure current and future affordable, safe, and clean water for drinking and environmental uses

---

# Ag Order 4.0 Development Process

- August 2017
  - Listening sessions throughout the region
- September 2017
  - Staff presentation on timeline and process
- February-March 2018
  - CEQA initial study published for public comment
  - CEQA scoping meetings throughout region
- March and May 2018
  - Surface water quality conditions
  - Groundwater quality conditions
  - Guest presentations
- September 2018
  - Stakeholder workshop
  - Framing questions
  - Panel responses to framing questions



# Ag Order 4.0 Development Process

- Nov 2018
  - Conceptual options tables and staff presentation
- Nov 2018 – January 2019
  - Public comment period
  - Specific questions on the tables
    - TBD, 20XX, loading/concentration, cost, etc.
  - Open-ended request for alternative proposals
- March and May 2019
  - Updated conceptual options tables and staff presentation
  - Panel discussions of alternative proposals
  - Board direction on what to incorporate into draft Order
- September 2019
  - Workshop on co-managing food safety and environmental protection



# Draft Documents

- Draft Ag Order 4.0 developed based on
  - Conceptual options tables
  - Board direction in May 2019
  - Includes requirements, findings, monitoring and reporting program (MRP), and definitions
- Draft EIR
  - Assesses the potential environmental impacts associated with the order
  - Identifies mitigation measures to reduce environmental impacts
  - Includes evaluation of alternative proposals

## COMPONENT TABLES

	TABLE 1: INMP GROUNDWATER	TABLE 2: INMP SURFACE WATER	TABLE 3: PESTICIDES	TABLE 4: SEDIMENT & EROSION	TABLE 5: RIPARIAN HABITAT
Phasing or Prioritization	-Location-specific phasing	-Watershed prioritization	-Watershed prioritization	-Watershed prioritization	-Waterbody prioritization (highest priority only)
Quantifiable Milestones* <i>(Numeric Limits)</i>	<ul style="list-style-type: none"> <li>★ <math>A_{FER} + A_{IRR} - R</math></li> <li>-App. Limit (by crop)</li> <li>-App. Limit (consequence)</li> </ul>	<ul style="list-style-type: none"> <li>-Rec. Water/Discharge Limit</li> <li>-TMDLs or WQOs</li> <li>-App. Limit (consequence)</li> </ul>	<ul style="list-style-type: none"> <li>-Rec. Water/Discharge Limit</li> <li>-TMDLs or WQOs</li> </ul>	<ul style="list-style-type: none"> <li>-Rec. Water/Discharge Limit</li> <li>-Impermeable, slope, winter</li> <li>-Sediment discharge</li> <li>-Receiving Water alteration</li> <li>-Design storm (impermeable)</li> </ul>	<ul style="list-style-type: none"> <li>-Individual/Cooperative</li> <li>-Setback widths</li> <li>-Vegetation</li> <li>-Prohibition</li> </ul>
Time Schedule*	<ul style="list-style-type: none"> <li>-Discharge Targets/Limits</li> <li>-Final limit by 2050-2054</li> <li>-High <math>A_{IRR}</math> incentive</li> <li>-App. Limit (by crop) 2022</li> </ul>	<ul style="list-style-type: none"> <li>-TMDL time schedules</li> <li>-Non-TMDL areas TBD</li> </ul>	<ul style="list-style-type: none"> <li>-TMDL time schedules</li> <li>-Non-TMDL areas TBD</li> </ul>	-Table 2, 3 time schedules	-TBD
Monitoring and Reporting* <span style="background-color: #008000; color: white; padding: 2px;">3P</span>	<ul style="list-style-type: none"> <li>★iNMP                             <ul style="list-style-type: none"> <li>★TNA, R, Irrigation</li> <li>★Mgmt. Practices</li> </ul> </li> <li>-Individual Discharge to GW</li> <li>★Domestic Wells</li> <li>★Groundwater Trends</li> </ul>	<ul style="list-style-type: none"> <li>★iNMP                             <ul style="list-style-type: none"> <li>★Mgmt. Practices</li> </ul> </li> <li>-Receiving Water Trends</li> <li>-Follow-Up Receiving Water</li> <li>-Individual Discharge to SW</li> </ul>	<ul style="list-style-type: none"> <li>-PMP                             <ul style="list-style-type: none"> <li>★Mgmt. Practices</li> </ul> </li> <li>-Receiving Water Trends</li> <li>-Follow-Up Receiving Water</li> <li>-Individual Discharge to SW</li> <li>-Pesticides (subset of wells)</li> </ul>	<ul style="list-style-type: none"> <li>★SEMP                             <ul style="list-style-type: none"> <li>★Mgmt. Practices</li> </ul> </li> <li>-Receiving Water Trends</li> <li>-Follow-Up Receiving Water</li> <li>-Individual Discharge to SW</li> </ul>	<ul style="list-style-type: none"> <li>-RMP                             <ul style="list-style-type: none"> <li>-Setbacks, vegetation</li> </ul> </li> <li>-Receiving Water Trends</li> </ul>
Incentives <span style="background-color: #008000; color: white; padding: 2px;">3P</span>	<ul style="list-style-type: none"> <li>-High <math>A_{IRR}</math> incentive</li> <li>-Compost</li> <li>-Increase removal</li> <li>-Third party programs</li> </ul>	-Third party programs	-Third party programs	-Third party programs	-Cooperative approach

**Legend**

- \* NPS Policy required elements
- ★ ESJ precedent
- ➔ Consequences (NPS Key Element 5)
- 3P Opportunity for third-party assistance

# Public Comment Period

- 45-day written public comment period for draft Order and draft EIR
  - Workshops to be held throughout region
- Submit written comments to [AgNOI@waterboards.ca.gov](mailto:AgNOI@waterboards.ca.gov)
- Email subject lines
  - “Comments on Draft Ag Order 4.0”
  - “Comments on Draft EIR”

# Next Steps

- Public comment period will close in late March/early April 2020
- May 7-8 and May 28-29, 2020 board meeting item
  - Discuss draft documents
  - Opportunity for oral public comment
  - Direction from board
- Adoption prior to January 31, 2021 expiration of Ag Order 3.0
  - Adoption hearing date will depend on direction from board in May

Thank you

Please signup for our email list for current information and reminders from our website:

[https://www.waterboards.ca.gov/centralcoast/water\\_issues/programs/ag\\_waivers/](https://www.waterboards.ca.gov/centralcoast/water_issues/programs/ag_waivers/)