

SAN LUIS & DELTA-MENDOTA WATER AUTHORITY

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September 16, 2015

NOTICE OF REQUIREMENTS FOR NEW GENERAL ORDER

Dear Members of the Grassland Drainage Area Coalition:

Beginning in 1998 the Grassland Bypass Project (GBP) has been under waste discharge requirements (WDRs) for surface water through regulation by the Regional Water Quality Control Board (Regional Board). Since that time, the GBP has been the vehicle for landowners and farmers in the Grassland Drainage Area (GDA) to comply with State water quality regulations. The GDA generally covers lands between the California Aqueduct on the west, Highway 33 on the east, Mendota to the south, and Dos Palos to the north (see attached map).

On July 31, 2015, the Regional Water Quality Control Board updated the Grassland Bypass Project Waste Discharge Requirements and adopted a new General Order of Waste Discharge for the GDA regulating discharges to groundwater from irrigated lands. The description below addresses the General Order for the GDA only.

To be covered under the new GDA General Order for discharges to groundwater from commercially irrigated agriculture, individuals must sign up as Members. The Order applies to both landowners and other farm operators, such as lessees, and either the landowner or the operator (but not both) of every parcel or commercially irrigated land must become a Member and directly participate in the regulatory program. Members have significant new obligations to comply with the regulations. Those who do not seek coverage under the GDA General Order must comply individually.

The General Order identifies a "Third Party" to assist the individual Members by performing various required actions. The Steering Committee of the Grassland Basin Drainage Management Activity Agreement (Steering Committee) is recognized by the Regional Board as "the third party" representing Members under this new Order. For the past 17 years, the Steering Committee has been conducting the required surface water monitoring and reporting for the GBP. With the adoption of the new General Order, the Steering Committee has new responsibilities for providing notices, obtaining data, providing management plans and submitting reports to the Regional Board, including reports identifying the Members and the enrolled parcels, to name a few.

Background on the Third Party:

The Grassland Basin Drainage Management Activity Agreement, and the Steering Committee, were formed under the umbrella of the San Luis & Delta-Mendota Water Authority (Authority). The offices of the Steering Committee are in Los Banos, California. The Steering Committee was formed under the leadership of seven drainage districts and water districts that serve land in the GDA to provide the most cost effective way for landowners and farmers to comply with the GBP and, now, the General Order. The member districts included Charleston Drainage District, Pacheco Water District, Panoche Drainage District, Broadview Water District, Firebaugh Canal Water District, Widren Water District, and the Camp 13 Drainage District. Broadview Water District and Widren Water District remain within the GDA boundaries but no longer participate in or discharge to the GBP. However any lands irrigated within Broadview and Widren must comply with the new General Order. For the purposes of conducting its business with the Regional Board and other interested parties, as it relates to the GBP and the General Order, the Authority and the Steering Committee are forming the Grassland Drainage Area Coalition (Coalition).

Representation:

The activities of the Coalition are governed by the Steering Committee. The Steering Committee has regularly scheduled monthly meetings. The representatives on the Steering Committee are selected by member districts to represent individual Members within their respective boundaries. Members who own or farm parcels that are

not within the boundaries of the member districts are represented two ways: first, through their common interests with the other represented parties and second, by receiving meeting notices and the opportunity to participate in Steering Committee Meetings.

All Members will need to join the Coalition by executing the Grassland Drainage Area Coalition Special Project Agreement, a special project organized under the San Luis & Delta-Mendota Water Authority Grassland Drainage Management Activity Agreement.

Cost of the program and how payment is made:

The annual budget for the GDA Coalition program is set every year by the Steering Committee. Member districts collect dues to cover the program budget and make payment on behalf of Members within their boundaries. Each district has a different method to collect the funds. Some make payments out of other fees collected by the district, some have a separate fee and some have a combination. Please contact your district to find out the specifics. Members not located within a district are billed directly by the San Luis & Delta Mendota Water Authority.

Requirements of the Order:

To comply with the new General Order landowners and farmers will need to meet certain deadlines and requirements.

- Landowners or operators of all lands within the Coalition area will be required to complete the Coalition's Special Project Membership application.
- Any lands electing not to be covered by the Coalition program will be required to seek individual coverage directly with the Regional Board. Individual coverage will be more expensive than Coalition coverage.
- Growers will be required to submit to the Coalition a Farm Evaluation report specifying measures the farm is taking to protect water quality. These reports shall also be kept at the farming headquarters and must be provided to the Regional Board upon request.
- Members will be required to implement management practices necessary to protect surface and groundwater quality. Information will be provided in the future on what these practices might be.
- Members, or their representatives, will be required to attend annual Coalition sponsored education/outreach events.
- Members will be required to prepare a Nitrogen Management Plan (NMP), kept on-farm, summarizing the amount of nitrogen applied to the land and the amount of nitrogen used by the crop. Annual Summary reports must be sent to the Coalition. Reporting requirements will vary based on threat to groundwater.
- Members are required to maintain a copy of the Grassland Drainage Area General Order at the farm headquarters including a summary provided by the Regional Board and shall be familiar with the contents of the Order.
- Members shall permit representatives of the Regional Board, at reasonable hours, to enter premises to inspect, copy, or photograph any records or facilities. Members shall provide the Coalition with the phone numbers of individuals who are authorized to provide consent to access facilities.
- The Regional Board is likely to commence enforcement actions against growers and landowners that do not obtain regulatory coverage or effectively implement management practices.

Grower Deadlines:

- Complete Special Project Membership application – 12/28/2015 - form will be provided by the Coalition
- Farm Evaluation – 3/1/2017 – template will be provided by the Coalition
- Nitrogen Management Plan – starting 4/15/2017
- Nitrogen Management Plan Summary Report – starting 4/15/2018

This is a summary outline. Additional information will be sent to Members in advance of deadlines applicable to them, starting with the Special Project Membership application.

Questions can be directed to your water or drainage district or by contacting Orvil Mckinnis, with Summers Engineering at 559-582-9237 or email at omckinnis@summerseng.com