

Key Elements of Proposed Ag Order 4.0

Comments can be sent to CCWQCB up until
midnight April 6

- **FARM PLAN – all ranches must develop. Held on site but must be submitted upon request.**
- Plans Must Include:
 - Irrigation and Nutrient Management Plan (INMP)
 - Includes nitrogen reporting requirements per Eastern San Joaquin precedential order. Reporting on fertilizer N, compost N, irrigation N, N in soil, N in irrigation water, volume of irrigation water applied and **total crop harvested (public accessible record)**.

- Pesticide Management Plan (PMP)
- Sediment and Erosion Management Plan (SEMP)
- Riparian Area Management Plan (RAMP)
- Water Quality Education
- CEQA - Growers must implement the Mitigation Measures – included in the EIR. Requires reporting.

a. For each element of the plan, the grower must document practices, monitoring and recordkeeping that result in compliance with applicable surface water limits.

b. Presumably, much of the required Farm Plan documentation could be satisfied by submitting sustainability certification documents/plans/etc.

- **Dischargers must complete surface receiving water monitoring and reporting**
- must submit a work plan, including a SAP and QAPP (Sampling and Analysis Plan and Quality Assurance Project Plan)
- Once approved, the work plan must be implemented

- **GROUP MONITORING by THIRD PARTIES**
 - Group options available, to be administered by third parties.
 - Compliance with surface water limits is monitored by cooperative monitoring programs (or individual pathway if desired).
 - If an area is not in compliance, Board may require ranch-level monitoring of discharge and improved management practices.

- Third parties may also assist with Riparian Restoration via Cooperative Watershed Restoration Plan (CWRP).
- *Joining a Third Party Program*
 - *will reduce fees to State Board*
 - *shift much of the testing and reporting to the Third Party*
 - *may allow aggregation of data to partially blind individual farms*
 - *“the third-party may propose alternative compliance pathways”*
 - *Regionally scaled programs are preferred*

- **NITROGEN LIMITS (for groundwater protection)**
- Limits vary by crop. Hard on vegetables, not too bad on wine grapes.
- N discharge limit (A minus R) – amount of N retained in postharvest soil

Maximum nitrogen remaining in soils post-harvest:

2022 – target is 500#/acre

2024 – target is 400#/acre

2026 – *limit* is 300#/acre

2030 – *limit* is 200#/acre

2035 – *limit* is 150#/acre

2040 – *limit* is 100#/acre

2050 – *limit* is 50#/acre

- **SURFACE WATER**
 - Limits and timelines vary by constituent and geographic area.
 - Nutrient and toxicity limits are tied to TMDLs
 - Sediment limits for areas with TMDLs, Turbidity limits for non-TMDL areas
 - Compliance with surface water limits can be monitored by cooperative monitoring programs (or individual pathway).
- If an area is not in compliance, Board may require ranch-level monitoring of discharge and improved management practices

- **RIPARIAN ZONES – for ranches with waterbodies within property or bordering**
 - **Operational Setback – by Oct 2022**
 - “Dischargers with waterbodies within or bordering their ranch ***must*** measure and report the current on-farm setback width and vegetative cover”
 - Minimum operational setback is 1.5 times width of the active channel or applicable setback distance (based on Strahler Stream Order), whichever is less.

Bare soil vulnerable to erosion ***must*** be minimized within the setback

- **Riparian Setback (timelines differ by area)**
- Board Staff, in the “Findings” Section 27 p. 25
Estimate they will create 554 miles of newly protected streams
- and fallow 4,064 productive acres

- Must achieve setback widths and vegetative cover values as specified, using one of four compliance pathways:
 - Cooperative Approach
 - On-Farm Setback
 - Rapid Assessment Model (RipRAM)
 - Alternative Proposal

“Work Plans for areas with persistent exceedances of the surface water limits in the Order must identify follow-up actions to restore the degraded areas”

“The CWRP must identify and implement *projects that result in riparian establishment, re-establishment, and/or enhancement* projects that benefit water quality objectives for sediment, toxicity, nutrients, and temperature, and are **protective of all beneficial uses** for inland surface waters, enclosed bays, and estuaries as outlined in section 3.3.2 of the Basin Plan”

***“Projects that only serve to
preserve and protect existing
riparian areas do not meet the
criteria for this requirement”***

- **Sediment & Erosion Control**
 - Monitoring and reporting required
 - TMDL limits with time table for compliance
 - Ranches with impermeable surfaces must not exceed stormwater discharge 10-yr storm - Impermeable surfaces with slopes of 5% or more must have a sediment and erosion control plan developed and certified by a qualified professional.

- Groundwater areas organized by 'Phases' –
 - all phases, over time, have to comply with the whole Order
 - The vegetable growing areas are in Phase 1 - comply by 2022
 - Vegetable areas also Phase 2 – have to comply in 2024
 - All the up stream areas are Phase 3 – additional 4 years to comply 2026

- Surface Water (areas organized by 'Priority')
- The whole of the Salinas River Watershed is included as Priority 1 – highest
- Estrella watershed is Priority 4 – least, but by 2026 must comply the same as Priority 1

- Riparian (areas organized by ‘Priority’)
 - by 2026 all must comply as Priority 1

farmers in 3rd party groups have until 2028

- Phases and Priorities are temporary and all irrigated ag will have to comply

- The Order requires Quantifiable Milestones (strict limits instead of targets) over set periods of times for
- nitrogen,
- other fertilizers if levels rise (Boron)
- pesticides of concern
- turbidity

Both groundwater and surface water are to be monitored and improved by milestones and time schedules

Starting 2021 all ranches must create the Annual Compliance Form (ACF)

1. **By March 1, 2021, and annually thereafter by March 1, all Dischargers must submit an ACF, Annual Compliance Form, electronically, in a format specified by the Executive Officer. The ACF includes, but is not limited to, the items listed below.**

- a. Irrigation, stormwater, and tile drain discharge characteristics (e.g., number of discharge points, estimated flow and volume, and number of tailwater days).
- a. Status of Farm Plan development and implementation.

- a. Identification of specific water quality management practices implemented and assessed on the ranch to reduce water quality impacts, including:
 - i. Irrigation management practices;
 - ii. Nutrient management practices;
 - iii. Salinity management practices;
 - iv. Pesticide management practices;
 - v. Sediment and erosion management practices;
 - vi. Stormwater management practices; and
 - vii. Riparian and wetland area management practices.

- e. Reporting on the Riparian Area Management Plan (RAMP).
 - i. Current setback width, in feet;
 - ii. Current total vegetative cover, in percent;
 - iii. Current vegetative cover by type, in percent (trees, shrubs, grasses, non-vegetated);
 - iv. Digital map of farm and setback boundaries;
 - v. Compliance pathway selection if ranch is located in a Riparian Priority area;

- i. When the Cooperative Approach compliance pathway is selected, membership status in the cooperative.
- ii. When the On-Farm Setback compliance pathway is selected, status of achieving the success criteria.
- iii. When the Rapid Assessment Method compliance pathway is selected, RipRAM or CRAM results, to be compared with the appropriate reference sites and scores.
- iv. When the Alternative Proposal compliance pathway is selected, status of implementing approved work plan and achieving approved success criteria.

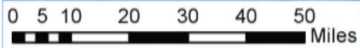
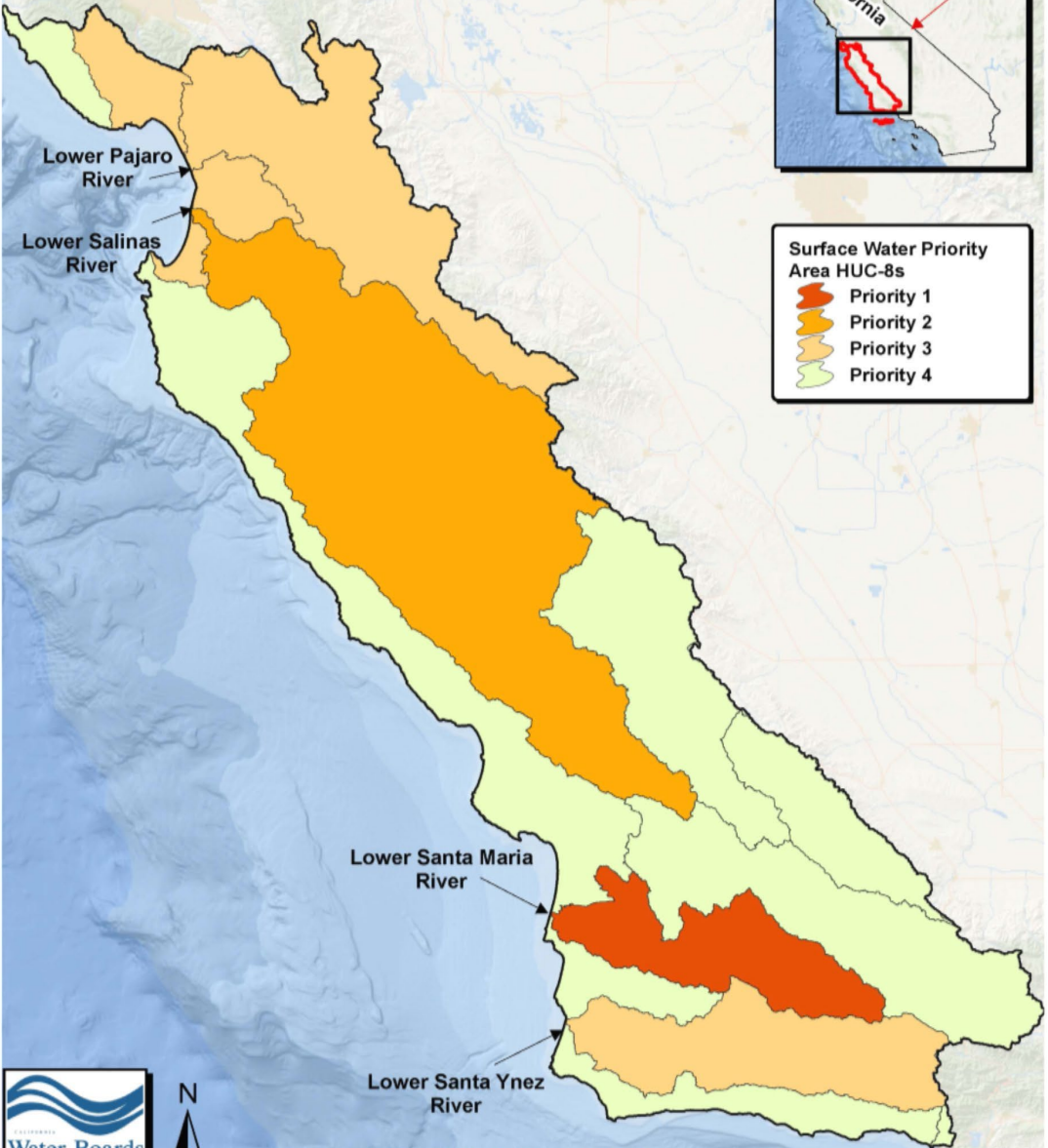
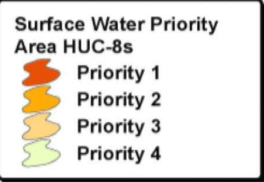
- e. Reporting on water quality and management practice education obtained.
- e. Status of drinking water notification to well users.

(This ends the annual Report)

- All records must be maintained for a minimum of 10 years
- All reports, monitoring, co-efficient calculations, management practice implementation and assessment and education records
- Farm Plans stay on the Farm but must be submitted to CCRWQCB upon request.
- Data must be entered manually into GeoTracker
- Significant cost in time and money for compliance

- a. Reporting on the Sediment and Erosion Management Plan (SEMP).
 - i. Confirmation that sediment and erosion control measures (e.g., sediment basins) are properly designed and maintained; and
 - ii. Where applicable, confirmation that the SEMP has been developed by a qualified professional.

Central Coast Region Surface Water Priority Areas



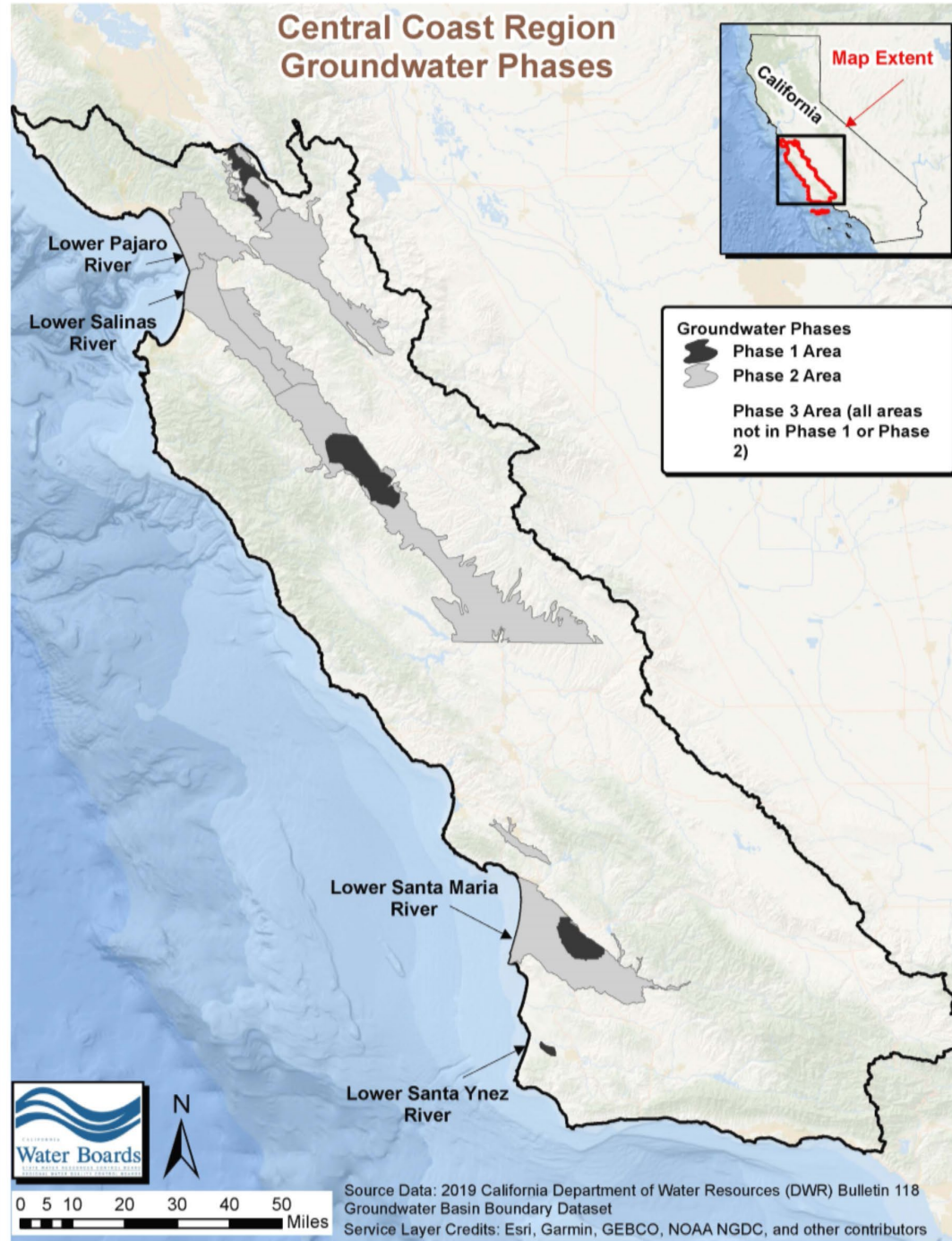
HUC stands for Hydrologic Unit Code
Source Data: National Hydrography Dataset (NHD) Plus Watershed Boundary Dataset (WBD)
Service Layer Credits: Esri, Garmin, GEBCO, NOAA NGDC, and other contributors

Central Coast Region Groundwater Phases



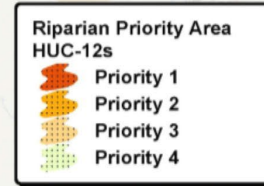
Groundwater Phases

- Phase 1 Area
- Phase 2 Area
- Phase 3 Area (all areas not in Phase 1 or Phase 2)



Source Data: 2019 California Department of Water Resources (DWR) Bulletin 118
Groundwater Basin Boundary Dataset
Service Layer Credits: Esri, Garmin, GEBCO, NOAA NGDC, and other contributors

Central Coast Region Riparian Priority Areas



Lower Pajaro River

Lower Salinas River

Lower Santa Maria River

Lower Santa Ynez River

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