

# Central Valley Regional Water Quality Control Board

## Irrigated Lands Regulatory Program (ILRP)

### Frequently Asked Questions

Updated January 2020

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## Irrigated Lands Regulatory Program (ILRP)

### Frequently Asked Questions

Updated January 2020

The information contained in this ILRP Frequently Asked Questions was developed as general guidance for growers within the Central Valley and may be revised to answer new questions.

#### What is the Central Valley ILRP?

This is a Central Valley Regional Water Quality Control Board (Central Valley Water Board or Board) program which issues permits and conducts compliance and enforcement activities to ensure growers comply with Water Board regulations.

#### ILRP background

In 1999, the California Legislature passed Senate Bill 390, requiring the Water Boards to develop programs to regulate agricultural lands in accordance with the Porter-Cologne Water Quality Control Act (California Water Code Division 7). The Central Valley ILRP was initiated in 2003 to regulate agricultural discharges to surface waters. In 2012, the Central Valley Water Board extended the regulations to cover discharges to both surface and ground waters.

#### Why was the ILRP created?

The ILRP was created to address discharge of wastes (e.g., sediments, pesticides, nitrates) from commercial irrigated lands. At high enough concentrations, these pollutants can harm aquatic life or make water unusable for drinking or agricultural uses. The goal of the ILRP is to protect surface water and groundwater for their beneficial uses.

#### What are commercial irrigated lands?

For the Central Valley ILRP, commercial irrigated lands are lands that meet both commercial and irrigated lands standards as defined in the ILRP General Orders:

##### *Commercial*

Irrigated lands with one or more of the following characteristics:

1. The landowner or operator holds a current Operator Identification Number/ Permit Number for pesticide use reporting
2. The crop is sold to a third party including, but not limited to,
  - a) an industry cooperative,
  - b) harvest crew/company, or
  - c) a direct marketing location, such as farmers' markets;

3. The landowner or operator files federal taxes using federal Department of Treasury Internal Revenue Service Form 1040, Schedule F *Profit or Loss from Farming*.

### *Irrigated Lands*

Land that is irrigated to produce crops or pasture for commercial purposes; nurseries; and privately and publicly managed wetlands.

### Do I need to be in the ILRP?

Regulatory coverage is required if you own or operate land that is irrigated to produce crops or pasture for commercial purposes, without regard for source of the water supply.

Visit us online [for assistance in determining if your property needs coverage under the ILRP](http://www.waterboards.ca.gov/centralvalley/water_issues/irrigated_lands/ilrp_decision_tree.pdf).  
<www.waterboards.ca.gov/centralvalley/water\_issues/irrigated\_lands/ilrp\_decision\_tree.pdf>

### Who does not need to be in the ILRP?

Regulatory coverage is not required **only** if the property is not used for commercial purposes, is never irrigated, is covered under the Dairy Program, or if the irrigated land is covered under a separate program (i.e., other Confined Animal Facilities).

Visit us online [for assistance in determining if your property is exempt from needing coverage under the ILRP](http://www.waterboards.ca.gov/centralvalley/water_issues/irrigated_lands/ilrp_decision_tree.pdf).  
<www.waterboards.ca.gov/centralvalley/water\_issues/irrigated\_lands/ilrp\_decision\_tree.pdf>

### How do I seek regulatory coverage under the Central Valley ILRP?

There are two options to obtain regulatory coverage: 1) join a third-party coalition group (coalition) who works with the Board on behalf of the grower, or 2) obtain coverage as an individual grower. Both programs are fee based and are assessed each year.

#### *Coalition Option*

To join a coalition, a grower must file an application to join a coalition **and** must remain in good standing with their coalition to maintain coverage.

Coalitions work directly with their members (growers) and assist them in complying with Board requirements at a regional watershed level - meaning a grower shares the cost of compliance, monitoring and reporting with other coalition members. The grower remains fully responsible for complying with ILRP requirements; however, this option greatly reduces the grower having to work with Board staff to comply with regulations.

Coalitions assess fees to cover their costs and State Water Board fees; prepare and implement mandatory regional water quality management and monitoring plans; and report the results of the monitoring efforts and the effectiveness of the plans to the Board. More information on the coalition group in your area and how to apply to join a coalition group can be found on the ILRP's [Coalition Group webpage](http://www.waterboards.ca.gov/centralvalley/water_issues/irrigated_lands/regulatory_information/for_growers/coalition_groups/).

<www.waterboards.ca.gov/centralvalley/water\_issues/irrigated\_lands/regulatory\_information/for\_growers/coalition\_groups/>

### *Individual Option*

A grower may seek individual coverage by submitting a Notice of Intent (NOI) and fee (see fee schedule) directly to the Central Valley Water Board.

Growers who choose the Individual Waste Discharge Requirements work directly with Board staff and bear the full cost and responsibility for compliance, monitoring and reporting. Depending on the specific site conditions, growers with individual coverage are required to monitor runoff from their property, install monitoring wells, and submit technical reports regarding their actions. Costs include State administrative fees, cost to prepare a report of waste discharge, and monitoring and reporting costs. Generally, the **costs for the individual option are higher than the coalition option** because monitoring and reporting is done at a local level vs. a regional watershed level. More information on individual coverage can be found on the ILRP's [Apply for Individual Coverage webpage](#).

<[www.waterboards.ca.gov/centralvalley/water\\_issues/irrigated\\_lands/regulatory\\_information/for\\_growers/apply\\_individual\\_reg\\_coverage/](http://www.waterboards.ca.gov/centralvalley/water_issues/irrigated_lands/regulatory_information/for_growers/apply_individual_reg_coverage/)>

### **Fee Schedule**

The fee schedule for irrigated agriculture is located on the [Water Quality Fees website](#), under *Water Quality Fees*. <[www.waterboards.ca.gov/resources/fees/water\\_quality/](http://www.waterboards.ca.gov/resources/fees/water_quality/)>

## How do growers in coalitions comply with the ILRP?

Growers must implement ILRP Order requirements and maintain in good standing with their coalition. Growers must work to prevent sediment, fertilizer, pesticides, manure and other materials used in farming from leaving their field in irrigation or storm water and entering surface waters, or from leaching below the root zone to groundwater. Growers are also required to develop and implement on-farm plans and submit reports to their coalition; these reports are then summarized and reported to the Central Valley Water Board.

## What are the relationships between growers, coalitions and the Central Valley Water Board?

### *Growers*

Must implement best practices, remain in good standing with their Coalition, and develop and submit required reports.

### *Coalitions*

Communicate with the Central Valley Water Board, assist and educate growers, monitor, develop work plans for water quality exceedances, provide summary reports to the Board, and collect fees.

### *Central Valley Water Board*

Develops regulations, works closely with Coalitions to resolve water quality issues, conducts outreach and ensures compliance through progressive enforcement.



## What are my responsibilities?

The primary grower responsibility is to implement management practices to protect water quality. Growers are required to submit the following farm information to their coalition:

1. Farm Evaluation, and
2. Irrigation Nitrogen Management Plan (INMP) Summary Report.  
(INMP Worksheet also required to be completed and maintained at farming operations headquarters or primary place of business and must be provided to Board staff if requested).

The Farm Evaluation will help determine what farm practices are currently being implemented and whether any improvements can be made to protect water quality. Growers in areas where groundwater is susceptible to contamination or is known to be impacted by nitrate, pesticides or other constituents associated with agriculture are required to have a certified INMP.

## How is water quality monitored?

Surface waters are monitored on a regional basis by the coalitions, who work with Board staff to identify monitoring locations that represent the watershed. Growers with individual coverage monitor discharges leaving their properties. Groundwater will be monitored in a similar fashion, with the coalitions monitoring representative wells for an aquifer and growers with individual orders monitoring wells on-farm.

Water quality monitoring has identified problems in some waterways associated with irrigated agriculture. When this occurs, the coalition groups prepare regional plans to address the problems, and some growers are required to implement additional management practices.

For [more information on water quality monitoring, results, and regional plans](#), please contact ILRP staff.

[www.waterboards.ca.gov/centralvalley/water\\_issues/irrigated\\_lands/program\\_contacts/](http://www.waterboards.ca.gov/centralvalley/water_issues/irrigated_lands/program_contacts/)

## How is the program enforced?

There are currently three primary areas of enforcement in the ILRP:

1. ensuring growers have appropriate regulatory coverage;
2. ensuring requirements are met (such as filling out the proper forms and reporting to the coalition or Central Valley Water Board); and
3. addressing site-specific water quality problems through observations or complaints.

Most often, compliance and enforcement are conducted at an informal level. In some cases, formal enforcement is necessary to ensure compliance. Fines have been issued for non-enrollment, non-reporting and discharges of excessive sediment, ranging from \$10,000 to \$300,000.

## How can I seek help on ILRP compliance?

Coalitions provide outreach, education and assistance to growers and should be the primary resource for member growers. You may also seek [assistance directly from ILRP staff](#).  
<[www.waterboards.ca.gov/centralvalley/water\\_issues/irrigated\\_lands/program\\_contacts/](http://www.waterboards.ca.gov/centralvalley/water_issues/irrigated_lands/program_contacts/)>

## How can I find out more information?

- Visit us online at the [ILRP homepage](#)  
<[www.waterboards.ca.gov/centralvalley/water\\_issues/irrigated\\_lands/](http://www.waterboards.ca.gov/centralvalley/water_issues/irrigated_lands/)>, **and/or**
- You can receive ILRP-related notifications, updates and other correspondence by email. Just subscribe on-line to [our electronic mailing list](#) by selecting the “Irrigated Lands Regulatory Program” option  
<[www.waterboards.ca.gov/resources/email\\_subscriptions/reg5\\_subscribe.shtml](http://www.waterboards.ca.gov/resources/email_subscriptions/reg5_subscribe.shtml)>.

### *ILRP Staff can also be reached at*

**Sacramento Office:**    *Phone #:* (916) 464-4611  
                                  *Email:* [irrlands@waterboards.ca.gov](mailto:irrlands@waterboards.ca.gov)

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