



Kings River

WATER QUALITY NEWS

Summer 2006

Coalition's Budget Affected By Fees

The Kings River Conservation District (KRCDD) and the Kings River Water Association (KRWA) have assisted districts and landowners within the Kings River watershed in complying with the set of regulations pertaining to discharges of waste from irrigated agricultural lands into waters of the State. These regulations are more generally referred to as the Irrigated Lands Conditional Waiver Program.

These agencies have now joined together to form the Kings River Water Quality Coalition. Work performed includes water quality monitoring programs, participating in policy meetings with the Regional Board and staff, and enrolling individual landowners and districts into a watershed coalition group. KRCDD and KRWA have been sharing the costs of this program, including the annual fees of \$0.12 per acre of land with the "potential to discharge" assessed for 2005-06 by the State Water Resources Control Board.

The State Board has proposed a fee increase for 2006-07 for the land with the potential to discharge. As a result of the proposed fee increase and the constraints imposed by Proposition 218, some irrigation districts may not be able to pay these fees like they did last year. Therefore, landowners that elect to participate in the Kings River Water Quality Coalition may be directly billed for these fees by the Coalition in October or November. At this time, the water quality monitoring and reporting costs will continue to be paid by KRCDD and KRWA.

Reasons You Should Join A Coalition

The Regional Water Quality Control Board (Regional Board) will continue to aggressively pursue enforcement of the Irrigated Lands Conditional Waiver Program (Waiver Program) by contacting individual landowners using county pesticide use and assessor information.

The Regional Board may notify you in writing of a discharge violation if you own or manage irrigated lands where there is a potential to discharge waste off of these lands that could affect the quality of the waters of the State if you have not filed for either the Irrigated Lands Conditional Waiver or for Waste Discharge Requirements. For each day you knowingly discharge to waters of the State, the Regional Board may administratively impose a civil liability of up to \$1,000 per day. In some cases, the Superior Court can impose civil liability in an amount up to \$5,000 per day.

It is important that you as an owner or operator of irrigated lands assess your operations to determine if you have the potential to discharge waste. If you do, you can decide upon one of three available choices for compliance. You can join a coalition group or chose individual compliance with the Waiver Program. You also have the option outside of the Waiver Program to apply for a Waste Discharge Requirements with the Regional Board.

We urge you to carefully consider your landholdings and whether you are a discharger or your land has the potential to discharge. Even the most remote of risks can effectively and efficiently be managed by joining the Kings River Water Quality Coalition. Alternatively, you may wish to contact the Regional Board staff at (559) 445-5116 directly to determine whether you are in fact a discharger and/or seek a Waste Discharge Requirements or individual waiver specific to your operation. If you have further questions, call the Kings River Water Quality Coalition at (559) 237-5567, extension 310.

Kings River Water Quality Good

The Kings River has shown no significant water quality issues since implementation of a surface water monitoring and data collection program in 2004.

The monitoring results under the Irrigated Lands Conditional Waiver Program show no significant water quality problems in the Kings River system. These results are consistent with KRCDD's independent water quality monitoring conducted for nearly 3 decades at over 137 sites along the river.

Under the Waiver Program, four sites are monitored by KRCDD. The location of the sites are Manning Avenue at the Kings River, Lemoore and James Weirs, and the Jackson Avenue Bridge. Samples are collected during irrigation and storm events. The samples are analyzed for toxicity to test organisms and exceedances of water quality standards.

Results from 63 samples that have been taken since the inception of the program show no reports of invertebrate toxicity. Toxicity to the fathead minnow was found in only two water column tests. Algal growth concerns were identified on numerous occasions; however, the scope of algal growth issues across most coalition groups led to further definition and development of follow-up thresholds by the Irrigated Lands Technical Issues Committee. None of the algal growth concerns identified in the Kings River exceeded these thresholds. There was also one result where dissolved oxygen and pH exceeded objective levels.

In summary, the water quality monitoring program for the Kings River has shown that the river is of very good quality. While there have been the two samples with some toxicity to fathead minnows and growth reduction for algae with about 1/2 of the samples, it appears that these are not directly related to irrigated agricultural land. Samples of the water released from Pine Flat Dam have had the same results.

Monitoring Scope Will Be Expanded

Watershed coalitions were required to begin sampling streams, sloughs and canals on July 1, 2004. This initial phase of sampling included testing for toxicity, physical parameters and drinking water. Starting in July 2006 a required expanded scope of monitoring included testing for pesticides, metals, organic constituents, and nutrients.

Irrigated Lands Waiver Extended

On June 22, the California Regional Water Quality Control Board (Regional Board) extended the Conditional Waiver for discharges from irrigated lands for five years.

This extension through June 30, 2011 allows growers with irrigated lands to continue to participate in the Irrigated Lands Conditional Waiver Program as member of a coalition group or as an individual. Individuals also continue to have the option outside of the Program to apply for a Waste Discharge Requirements with the Regional Board.

Board Requires Membership Lists

While the Kings River Water Quality Coalition has maintained the confidentiality of membership information in the past, the Coalition is currently required to provide membership information to the Regional Board by September 30, 2006, and annually thereafter.

According to the Regional Board, each coalition group shall submit an electronic list of the landowners and/or operators of irrigated lands that discharge waste to waters of the State who are knowingly participating in a coalition group. The list shall include: (a) assessor parcel number(s), (b) parcel size, (c) parcel owner or operator name, and (d) parcel owner or operator mailing address.

Who Is A Discharger?

Many landowners continue to question whether they are at risk of discharge. The Kings River Water Quality Coalition is actively involved in efforts to clarify the definition of a 'discharger' so that individual landowners can assess their situation and make an informed decision on whether to comply with the regulatory program. The Regional Board has defined discharge as any irrigation or storm water runoff from an average storm event leaving your property and directly or indirectly entering a river, tributary, pond, or ditch.

Management Plan Required

As originally envisioned if results from water quality monitoring showed that a discharge was causing exceedance to an applicable water quality standard, a Best Management Practices plan would be developed by the Kings River Water Quality Coalition in conjunction with the local farm bureaus and cooperative extensions to solve the water quality problem.

The Regional Board in their August 3 revision to its June 22 decision stated that if a discharge is found causing exceedance to the standards more than once in three years, a coalition group must submit a Management Plan to the Board to evaluate the effectiveness of existing management practices, identify additional actions, including different or additional management practices, or employ educational outreach to achieve the standards.

The Regional Board Executive Officer may waive the filing requirement of a Management Plan. The Kings River Water Quality Coalition will continue to work with the Regional Board to comply with the requirements while not doing meaningless analysis.

Cut-off Date For Joining A Coalition

The Regional Board set December 31, 2006 as the final date to join a coalition group. No additional members can join a coalition after that date unless:

- The physical conditions of the property changed causing runoff from the property.
- The property owner is transferring membership from another coalition.
- The transfer of property to a new owner.
- Other situations that will be reviewed by a case-by-case basis.

For more information go to:

www.waterboards.ca.gov/centralvalley/programs/irrigated_lands



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