

Frequently asked Questions on the Long-term Irrigated Lands Regulatory Program Implemented as Waste Discharge Requirements Order for Rice

1. Is this a permanent regulation, or something that will go away in three to five years?

It is permanent regulation that may evolve to include additional requirements. The process for developing permanent regulation began when this was the conditional Irrigated Lands Regulatory Program in 2004. The ECR, EIR and CEQA¹ regulatory process resulted in the Long-term Irrigated Lands Regulatory Program implemented as Rice Waste Discharge Requirements (Rice WDR) Order with approval in March 2014. Other WDR Order approvals preceded the Rice WDR.

2. What is a coalition?

The Central Valley Regional Water Board does not have the staff to implement the WDR Orders, so coalitions were formed to assist in grower sign-up and compliance. The CRC leadership determined our industry would maintain a commodity specific WDR Order utilizing the structure of the Rice Pesticide Program for thiobencarb.

3. Why does rice have a commodity specific WDR Order?

We utilized our industry's history of water monitoring to create a technically and scientifically defensible program building on the structure of the Rice Pesticide Program for surface water. Our groundwater program was designed from research and monitoring to demonstrate rice has no negative impacts to beneficial uses. The result is, rice has the least restrictive and less costly WDR Order.

4. I grow other crops, so can I just sign-up my rice acres with another coalition's WDR?

Only if you grow rice outside of Butte, Colusa, Glenn, Placer, Sacramento, Sutter, Tehama, Yolo and Yuba Counties. Or, if you are a member of the Dairy WDR and farmed acres are included. You need to let us know if you are a member of the Dairy WDR. It is actually illegal for another coalition to include rice acres farmed in the Sacramento Valley. In addition, a grower would pay twice for those acres to be in both the Rice WDR and another WDR Order.

5. How do we handle a grower rotating rice from one field to another as part of a planned crop rotation program?

If the fields remain in rice, the Rice WDR will automatically cover that acreage. If the acreage is planted to a different crop, then the grower signs up those acres with another coalition. You do not need to inform the CRC of the rotation. However, you may want to let the other coalition know you rotated back to rice so that they do not consider you out of compliance.

6. What is the Farm Evaluation, and does it need to be done?

The Farm Evaluation certifies that all growers are aware of the regulation, and provides information regarding grower implementation of the WDR requirements. The Farm Evaluation is a regulatory requirement with the Central Valley Water Board implementing strict fines for non-compliance. You keep a copy of the Farm Evaluation on the farm, or your office. The rice Farm Evaluation will be reevaluated to determine a reduction in reporting frequency in 2019. The web-based reporting from the previous year crop is due annually through calricenews.org by March 1.

7. What is the Nitrogen Management Plan, and does it need to be done?

The Nitrogen Management Plan is a reporting of the nitrogen use on the farm. The web-based reporting from the previous year crop is due annually through calricenews.org by March 1.

8. Who receives our Farm Evaluations and Nitrogen Management Plans?

The Farm Evaluation and the Nitrogen Management Plan are kept on the farm, or your office and presented if inspected by the Central Valley Water Board staff. The Farm Evaluations are

¹ ECR = Existing Conditions Report; EIR = Environmental Impact Report; CEQA = California Environmental Quality Act – all components for developing permanent regulation.

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summarized for the entire Coalition and provided to the Central Valley Water Board every three years with the reporting by township. The Nitrogen Management Plan is a report kept on the farm, or in your office. We do not have access to your Nitrogen Management Plan and it is not submitted to the Central Valley Water Board.

9. Why is the reporting by township? We use the APN numbers for crops in other WDR coalitions.

The statute for the CRC prohibits the sharing of your names and addresses. As a result, we cannot use APN numbers and never had to provide a membership list. We use the CalAgPermits data, the same database the county agricultural commissioner offices use for pesticide use reporting. The Farm Evaluation data are summarized by township to show general compliance with the WDR Order.

10. What if my fields are wrong in the Farm Evaluation and the Nitrogen Management Plan web-template?

The Farm Evaluation and the Nitrogen Management Plan databases are populated with a download from CalAgPermits. We have no ability to manipulate the data, or make corrections. If incorrect, please correct your permit at the county agricultural commissioner's office for reporting the next year. We request the data in September.

11. Do I get in trouble if my information is incorrect?

No. Only you know what is correct, or incorrect, because the Central Valley Water Board inspectors have no measurement for comparison. You will get into trouble if you do not do the reporting, and the Central Valley Water Board can research the past records for verification.

12. Why do I have to report electronically? I do not own a computer, nor am I good at it.

We have to submit your Farm Evaluation Summary electronically, and all coalitions are transitioning to electronic data reporting – rice just happened to be first. By using the CalAgPermits database, we know your pesticides are reported electronically. While we cannot recommend you have another person do your reporting, that seems to be an option people choose.

13. Who is responsible for meeting the requirements?

Both the landowner and the grower are responsible for compliance with the Rice WDR. The person responsible for reporting is the grower, or the entity actually farming the land. Both the Farm Evaluation and the Nitrogen Management Plan are due March 1.

14. What if I also manage wetlands on my property?

Treat wetlands as a separate crop and sign up those acres with another coalition.

15. Who is the regulatory agency responsible for this regulation?

The California Environmental Protection Agency is comprised of several boards, departments and offices including the State Water Resources Control Board. Implementation of water quality programs is through the nine regional water boards throughout the state. The Rice Coalition falls under the Central Valley Regional Water Quality Control Board. Changes could impact the Rice WDR as a result of the State Water Resources Control Board responding to a petition filed against the East San Joaquin Coalition's WDR. We will know whether changes will impact the Rice WDR by the end of January 2018.

16. What else do I have to report in addition to the Farm Evaluation and the Nitrogen Management Plan?

Nothing – no certification, no sediment plan, no erosion control plan, nitrogen management summary report, etc. because rice is considered low vulnerability.