Exhibit 1 – Concerns about information in the R4-2023 WDR.

We agree with the requirements of the Monitoring and Reporting Plan (MRP) to

- Assess the impacts of waste discharges from irrigated agricultural lands on waters of the state,
- Evaluate the effectiveness of management practices to control waste discharges,
- Track progress in reducing the amount of waste discharged to waters of the state to improve water quality and protect beneficial uses, and
- Assess compliance with water quality limitations, where applicable.
- Region-by-Region approaches should reflect local conditions.
- We support the Region's incorporation of nitrogen application and discharge limits to protect impaired groundwater basins.
- We believe it is essential that the renewed Order upholds the existing compliance schedule and enforceable effluent limit provisions.

We are very concerned that the proposed Water Quality Management Plan (WQMP) and R4-2023-xxxx Waste Discharge Requirements (WDR) plans contain conflicting statements, missing information and lacks incentives or consequences for non-compliance.

A. The proposed WDR lacks definition of contributor responsibilities.

Farmers and ranchers must be identified as **contributors** to the remediation solutions for Oxnard Coastal and Channel Islands Harbor Subwatershed Responsibility Areas.

B. The proposed WDR lacks compelling incentives or penalties for non-compliance.

- Incentives and Consequences – Enforcement?
  - Good goals: to continue water quality monitoring until Water Quality Objectives are achieved.
- **Consequences:** Appendix 3 Paragraph 3.4 Individual Farm-Level Management Practice Plan (MPP). Paragraph 3.4.5 Farm-Level MPP Enforcement. "If inspections show that the farm-level MPP is not being implemented as approved, **Members may be subject to enforcement**."
- Enforceable consequences offer several advantages:
  - Deterrence: Clearly outlined consequences act as a powerful deterrent against violations, discouraging individuals from deviating from established guidelines.
  - Consistency: Enforceable consequences ensure consistency in the application of the policy, thereby fostering fairness and impartiality across the board.
  - Credibility: Commitment to upholding policies gains credibility when supported by a system of enforceable consequences, demonstrating a dedication to maintaining high standards.
  - Efficiency: The presence of consequences minimizes the need for reactive measures, as individuals are more likely to comply proactively, leading to a more streamlined and efficient operational environment.
  - To move forward, we recommend that the **WDR** incorporates a section specifically addressing enforceable consequences. The lack of consequences within a policy

framework can lead to a breakdown in compliance, accountability, consistency, and overall organizational effectiveness. To mitigate these potential outcomes, it is crucial to incorporate clear and enforceable consequences that align with the Waterboard's mission, vision, goals, and purpose for the **WDR.**

C: The proposed WDR plan has conflicting statements:

The following monitoring sites are NOT included in the proposed WDR R4-2023-xxxx

1.1.1 Monitoring Sites: "Monitoring sites must be selected to adequately characterize the majority of the discharge…"

1.1.1a The only monitoring site for the Oxnard Coastal Watershed/ Channel Islands Harbor subwatershed is **CIHD_VICT** specified in the 2017 QAPP. It is NOT mentioned in the MRP or the WQMP, but it is reported in the ***2022 Annual Monitoring Report***.

1.1.1b L.B.Nye responded to a request about the omission of **CIHD_VICT** monitoring site on June 15, 2021, and stated "The Ag Order that staff will recommend to the Board will include requirements for a new monitoring site for better characterization of the Ag discharge. VCAILG does continue to monitor **CIHD_VICT** monitoring site." We can NOT find **CIHD_VICT** mentioned in this proposed R4-2023_WDR.

1.1.1c The current location of **CIHD_VICT** is 1.5 miles from the discharge point into Edison Canal. The location has reported "Not Sampled" due to lack of flow 50% of the times in the last 3 years. The new monitoring site should characterize the 2,400 acres of VCAILG land discharging into Edison Canal.

D: The following information is incomplete in R4-2023_WDR plan:

- Table 3 Water Quality Benchmark Compliance Deadlines for TMDL
  - McGrath Lake OC Pesticides and PCBs TMDL — June 30, 2021
  - Harbor Beaches of Ventura Co Bacteria TMDL — Dec 18, 2018

The ***2016 VCAILG QAPP*** states:

6. Project Description "Two TMDLs cover areas of the Oxnard Plain. The ***Channel Islands Harbor Bacteria TMDL*** (aka ***Harbor Beaches of Ventura County Bacteria TMDL*** Resolution No. R2007-017) includes a requirement for agricultural dischargers to perform monitoring at **CIHD_VICT**."

There are no TMDL Benchmarks for Oxnard Coastal/ Channel Islands Harbor subwatershed in **R4_2023_WDR**.

Not on WQMP or WDR PLEASE ADD.

E: Staff Report page 107 incorrectly states:

"The situation has since improved after the City of Oxnard installed aerators in the harbor (Leung. 2018b)" CEDEN data collected in 2021 show the aerators had little effect on Dissolved Oxygen or other constituents. Ask *Aquatic Bioassay Consulting* to explain the intended and actual effect of the aerators. Aerators are a band-aide, NOT a solution.