

## LATE REVISIONS – 26 March 2014

### Agenda Item 8. Consideration of Adoption of Waste Discharge Requirements General Order for Rice Growers in the Sacramento Valley

#### WASTE DISCHARGE REQUIREMENTS

##### Page 21, revised Section VII to add the following paragraph after the first paragraph as follows:

If there are fewer than 300,000-350,000 acres of rice planted in the Order area in the 2014 crop year, the Executive Officer may no later than 31 August 2014 delay by one year the requirements for the Grower to prepare the Farm Evaluation (section VII.B) and Nitrogen Management Plan (section VII.C.). An Executive Officer decision to delay the initial Farm Evaluation submittal date also delays by one year the following associated deadlines: the date for the update of the Farm Evaluation; the date by which the Executive Officer can approve a reduction in the frequency of updates and submission of Farm Evaluations; and the date for the California Rice Commission to submit the initial Summary of Management Practice Information (Attachment B, section V.A., Report Component (23)).

##### Page 22, added new language to section VII.A as follows:

###### A. Coverage Under the Order

Producers, and by extension landowners that lease, rent or otherwise own land that is used by a producer of rice that, as of the effective date of this Order, are enrolled under Order R5-2006-0053 as members of the California Rice Commission Coalition will be considered to be covered under this Order. Producers that are not also landowners must provide written notice of the requirements of this Order to any responsible landowner who is not also a producer.

Producers ~~must also provide notice shall submit the approved notification form (see section VIII.J.) to the California Rice Commission that notification to non-producer landowners has occurred. Notice to the California Rice Commission may be accomplished via the rice-specific Farm Evaluation template requirement discussed below~~ by 1 March 2015. In lieu of submitting the approved form (per section VIII.J.), the information may be provided as part of the Farm Evaluation submittal (see section VII.B.) if the Farm Evaluation will be submitted by 1 March 2015.

By 1 March annually, thereafter, the Producer shall submit the updated form to the California Rice Commission, if there is a change in landowners that are non-producers of the parcels farmed by the Producer. In lieu of submitting the approved form (per section VIII.J.), the information may be provided as part of the Farm Evaluation submittal (see section VII.B.).

##### Page 23, revised Section VIII to add the following paragraph after the first paragraph as follows:

If there are fewer than 300,000-350,000 acres of rice planted in the 2014 crop year in the Order area, the Executive Officer may decide by 31 August 2014 to delay by one year the requirements for the California Rice Commission to prepare the Farm Evaluation (section VIII.B.1) template, to prepare the Nitrogen Management Plan template (section VIII.B.2), and make available the Nitrogen Management Plan template (section VIII.B.2.) to Growers.

##### Page 23, revise Section VIII.B.1., second paragraph modified as follows:

The Farm Evaluation template must include confirmation by the Grower that the landowner has received notice of the Order and its provisions, if the producer is not also the landowner. Upon receiving approval of the template by the Central Valley Water Board's Executive Officer, the

California Rice Commission shall then make the Farm Evaluation Template available to Growers within 30 days. The requirements for reporting of the Farm Evaluation data are specified in MRP Section [V.DV.A., Report Component 23](#).

**Page 23 and 24, revised deadline in section VIII.B.2 as follows:**

**1. Nitrogen Management Plan Template**

The California Rice Commission shall submit a rice-specific Nitrogen Management Plan Template to the Central Valley Water Board's Executive Officer by 30 November 2014.

Upon receiving approval of the template by the Central Valley Water Board's Executive Officer, the California Rice Commission shall then make the Nitrogen Management Plan template available to Growers ~~within 30 days~~ [by 31 December 2015](#). Requirements for the Nitrogen Management Plan Template are described in MRP Section VI.B.

**Page 24, revised deadline in section VIII.C.3 as follows:**

**3. Groundwater Quality Trend Monitoring Workplan**

A Groundwater Quality Trend Monitoring Workplan must be submitted for Executive Officer approval by 1 October ~~2014~~ [2015](#). The Workplan must meet the goals, objectives, and other requirements described in Section IV.C of the attached MRP. The initial monitoring sites and parameters for the trend monitoring network are identified in the MRP. The initial sites and parameters may be modified by the Executive Officer, if necessary, to meet the goals, objectives, and requirements described in the MRP. The overall objectives of groundwater trend monitoring are to determine current water quality conditions of groundwater relevant to rice operations and develop long-term groundwater quality information that can be used to evaluate the regional effects of rice practices.

**Page 28, add section VIII.J. as follows:**

**J. Non-producer Landowner Notification Form**

[By 30 September 2014, the California Rice Commission shall submit for Executive Officer approval a form that Producers will use to certify that any landowner who is not also a producer has been notified of the Order's requirements. The form must allow the Producer to identify the parcel number and county of the parcel\(s\) owned by the non-producer landowner\(s\) and include a signed certification by the Producer that the non-producer landowner\(s\) has been provided written notice of the requirements of this Order.](#)

[The requirement for the Non-producer Landowner Notification Form only applies if the Executive Officer delays the Farm Evaluation submittal requirements by one year \(see section VII\).](#)

Page 31, revised due dates in Table 1 as follows:

**Table 1 – Grower due dates for reports**

Report	Date	Update
Notification of landowner	<del>As part of Farm Evaluation</del> <u>1 March 2015</u>	Initial notification and when change in ownership for rice land
Farm Evaluation	<u>1 March 2015, or 1 March 2016 upon Executive Officer Determination per Section VII.</u>	Annually
Nitrogen Management Plan	<u>1 March 2016, or 1 March 2017 upon Executive Officer Determination per Section VII.</u>	Annually
Nitrogen Management Plan Summary Report	If identified within a high vulnerability area triggered by nitrates	Specified in GQMP
Mitigation Monitoring Report	By 1 October when mitigation measures are implemented	Annually

Page 31, revised due dates in Table 2 as follows:

**Table 2 – California Rice Commission due dates for reports**

Report	Date	Updates
<u><a href="#">Notification of Non-producer Landowner Form</a></u>	<u><a href="#">30 September 2014 upon Executive Officer Determination per Section VIII.</a></u>	
Submittal of templates for Farm Evaluation and Nitrogen Management Plan	<u><a href="#">30 November 2014, or 30 November 2015 upon Executive Officer Determination per Section VIII.</a></u>	As needed
Groundwater Trend Monitoring Workplan	1 October <del>2014</del> <u>2015</u>	As needed
Farm Evaluation Management Practice Summary	<u><a href="#">31 <del>July-December</del> 2015, or 31 December 2016 upon Executive Officer Determination per Section VIII.</a></u>	Every three years
Annual Monitoring Report	31 December	Annually
<del>Surface Water Trend Monitoring</del> <u><a href="#">Evaluation of Monitoring Data</a></u>	31 December <del>2017</del> <u>2018</u> ( <del>2017-2018</del> AMR)	Every three years

## ATTACHMENT A – INFORMATION SHEET

### Page 37, section VI.E, eighth paragraph, revised deadline and modified as follows:

The MRP requires that a Groundwater Trend Monitoring Workplan be submitted to the Executive Officer for approval by October ~~2014~~2015. As part of the Groundwater Quality Trend Monitoring Workplan, the CRC is required to include a plan to address the Yuba County and fringe areas data gaps and include the proposed elements to resolve the data gaps, as identified in their GAR, in Section 7.2.3. The Workplan will provide more details of the wells to be monitored and the schedule for monitoring. The USGS shallow rice wells identified in Table 5 of Attachment B to Order R5-2014-XXXX shall be monitored annually, with all wells monitored the first year, then half of the wells monitored the second year and the remaining wells the next. The rotational monitoring of wells in the second and third years will continue unless the CRC requests, and receives an Executive Officer approval, for a modification.

### Page 39, section VII, revised second paragraph as follows:

The Order requires all Growers to complete the Farm Evaluation and submit it to the California Rice Commission ~~no later than~~by 1 March 2015. However, the 2014 drought may significantly impact the amount of rice acreage planted and the California Rice Commission's ability to prepare templates for its Growers. Therefore, the Order provides the Executive Officer with the discretion to delay by one year the requirement for Growers to prepare their first Farm Evaluation (to 1 March 2016), if there are fewer than 300,000-350,000 acres of rice planted in 2014.

Growers must update the Farm Evaluation and submit it to the California Rice Commission by 1 March 2016 and annually thereafter, unless a reduced frequency is approved by the Executive Officer after 1 March 2017. If the Executive Officer approves the aforementioned delay in preparation of the Farm Evaluation, the first update of the Farm Evaluation would be due by 1 March 2017 and the Executive Officer would have the discretion to reduce reporting frequency after 1 March 2018.

### Page 40, section VIII, modified as follows:

The Order requires Growers to prepare and implement a rice-specific nitrogen management plan ~~no later than~~by 1 March 2016, and update by 1 March annually thereafter. However, the 2014 drought may significantly impact the amount of rice acreage planted and the California Rice Commission's ability to prepare templates for its Growers. Therefore, the Order provides the Executive Officer with the discretion to delay by one year (to 1 March 2017) the requirement for Growers to prepare the first Nitrogen Management Plan, if there are fewer than 300,000-350,000 acres of rice planted in 2014.

The Grower must use the rice-specific Nitrogen Management Plan template approved by the Executive Officer. The Nitrogen Management Plan shall be maintained or be available electronically at the Grower's farming operations headquarters or primary place of business. A copy of the plan must be made available for inspection, upon request, to Central Valley Water Board staff.

## ATTACHMENT B -- MONITORING AND REPORTING PROGRAM

### Page 11, section IV.A modified as follows:

#### A. Groundwater Assessment Report

The purpose of the Groundwater Quality Assessment Report (GAR) is to provide the technical basis informing the scope and level of effort for implementation of the Order's groundwater monitoring and implementation provisions. The CRC submitted a draft Groundwater Assessment Report (GAR) in April 2012 for staff review and comment. The final GAR, dated July 2013, was submitted to the board and satisfies the requirements described in this section. ~~Within 90 days of adoption of the Order, the CRC~~

~~must submit a workplan to address the Yuba County and fringe areas data gaps and proposed elements to resolve them, identified in their GAR, in Section 7.2.3.~~

**Page 14, section IV.C., add the following to the end of the section:**

As part of the Groundwater Quality Trend Monitoring Workplan, the CRC shall include a plan to address the Yuba County and fringe areas data gaps and include the proposed elements to resolve the data gaps, as identified in their GAR, in Section 7.2.3.

**Page 21, section V.A, Report Component (18) revised deadline as follows:**

**Report Component (18) -- Evaluation of Monitoring Data**

Starting with the 2017-2018 AMR and every three years thereafter, the CRC shall evaluate its monitoring data in the previous years in order to identify potential trends and patterns in surface and groundwater quality that may be associated with waste discharge from irrigated lands. The CRC must specifically determine whether there are any trends in degradation that may threaten applicable beneficial uses. As part of this evaluation, the CRC shall analyze all readily available monitoring data that meet program quality assurance requirements to determine deficiencies in monitoring for discharges from rice lands and whether additional sampling locations or sampling events are needed or if additional constituents should be monitored. If deficiencies are identified, the CRC must propose a schedule for additional monitoring or source studies.

**Page 21, section V.A., Report Component (23) revised as follows:**

**Report Components (23) – Summary of Management Practice Information**

~~As specified in section V.D below, t~~The CRC will aggregate and summarize information collected from Farm Evaluations once every three years beginning with the 2015 AMR. The summary of management practice data must include a quality assessment of the collected information by township (e.g. missing data, potentially incorrect/inaccurate reporting), and a description of corrective actions to be taken, if necessary. In addition to summarizing and aggregating the information collected, the CRC will provide the individual data records used to develop this summary in an electronic format, compatible with ArcGIS, identified to at least the Township (TRS) level.<sup>14</sup>

**Page 21, section V.A., change Report Component (24) heading as follows:**

**Report Components (24) -- Mitigation Monitoring**

**Page 22, delete section V.D:**

**~~D. Farm Evaluation~~**

~~The CRC shall develop a form or web-based information system to gather farm evaluation information from Growers. The form or web-based information system must be provided to the Central Valley Water Board by 30 November 2014. Upon receiving approval of the farm Evaluation template from the Executive Officer, the CRC shall make the form or web-based information system available to Growers after 30 days.~~

~~Starting 31 July 2015 and every three years thereafter, the CRC shall summarize implemented water quality management practices in rice growing regions gathered from the Farm Evaluation report. The practices shall be summarized at the township level as the proportion or acres of land planted to rice within each township that applies the practice.~~