

CALIFORNIA REGIONAL WATER QUALITY CONTROL BOARD
CENTRAL VALLEY REGION

ORDER NO. R5-2015-0056

REVISING ORDER NO. R5-2014-0002
WASTE DISCHARGE REQUIREMENTS GENERAL ORDER
FOR GROWERS WITHIN THE WESTERN SAN JOAQUIN RIVER WATERSHED
THAT ARE MEMBERS OF THE THIRD-PARTY GROUP

WHEREAS, the California Regional Water Quality Control Board, Central Valley Region (hereafter Central Valley Water Board) finds that:

1. On 9 January 2014, the Central Valley Water Board issued Order No. R5-2014-0002 Waste Discharge Requirements General Order for Growers within the Western San Joaquin River Watershed that are Members of the Third-party Group (Western San Joaquin Order).
2. The Central Valley Water Board's authority to regulate waste discharges that could affect the quality of the waters of the state, which includes both surface water and groundwater, is found in the Porter-Cologne Water Quality Control Act (California Water Code Division 7).
3. This Order revises the Western San Joaquin Order to provide the third-party additional time to submit the Comprehensive Groundwater Quality Management Plan (Comprehensive Management Plan) to be due 60 days after Executive Officer approval of the Groundwater Assessment Report (GAR), rather than one-year after the Notice of Applicability. The Comprehensive Management Plan development is dependent on the vulnerability designations yet to be determined in the GAR. Therefore, the Comprehensive Management Plan due date should follow the GAR approval date, and not be due on the same date as the GAR.
4. This Order revises the Monitoring and Reporting Program to allow the third-party to participate in an Executive Officer approved Regional Monitoring Program (RMP) [such as the Delta RMP]. The changes will allow the third-party to submit a proposal for Executive Officer approval to reduce the surface water monitoring requirements and instead provide funding and/or in-kind support to an approved RMP.
5. Adoption of this Order to amend Order No. R5-2014-0002 is exempt from the provisions of Chapter 3 of the California Environmental Quality Act (CEQA) (Public Resources Code Section 21000, et seq.) in accordance with Title 14, California Code of Regulations, Section 15061 (b)(3). The changes to the provisions in the Western San Joaquin Order do not have a potential for causing a significant effect on the environment, since the changes are administrative in nature and do not change the substantive provisions of the Western San Joaquin Order. This Order does not change the original CEQA findings accompanying Order No. R5-2014-0002.
6. The Central Valley Water Board has notified interested agencies and persons of its intent to adopt this Order for discharges of waste from irrigated lands within the Western San Joaquin River Watershed, and has provided them with an opportunity for a public hearing and an opportunity to submit comments.

REVISING WASTE DISCHARGE REQUIREMENTS ORDER NO. R5-2014-0002
FOR GROWERS WITHIN THE WESTERN SAN JOAQUIN RIVER WATERSHED
THAT ARE MEMBERS OF THE THIRD-PARTY GROUP

7. The Central Valley Water Board, in a public meeting, heard and considered all comments pertaining to this Order.
8. Any person affected by this action of the Central Valley Water Board may petition the State Water Board to review this action. The State Water Board must receive the petition within 30 days of the date on which the Central Valley Water Board adopted this Order. Copies of the law and regulations applicable to filing petitions will be provided upon request.

IT IS HEREBY ORDERED that Waste Discharge Requirements Order No. R5-2014-0002 is revised by making the modifications identified in Attachment 1 of this Order.

I, PAMELA C. CREEDON, Executive Officer, do hereby certify the foregoing is a full, true, and correct copy of an Order adopted by the California Regional Water Quality Control Board, Central Valley Region, on 17 April 2015.

Original Signed By

PAMELA C. CREEDON, Executive Officer

ATTACHMENT 1
ORDER NO. R5-2015-0056

**Proposed revisions to Waste Discharge Requirements for
Growers within the Western San Joaquin River Watershed
that are Members of the Third-party Group R5-2014-0002**

Page 37, section VIII.H.4, Comprehensive Groundwater Quality Management Plan due date extended 60 days after the Executive Officers GAR approval.

In lieu of submitting separate groundwater quality management plans in the timeframe identified in section VIII.H.1, the third-party may submit a Comprehensive Groundwater Quality Management Plan ~~along with its Groundwater Quality Assessment Report.~~ Within 60 days of the Executive Officers approval of the Groundwater Quality Assessment Report. With the exception of the timeframe identified in section VIII.H.1, all other provisions applicable to groundwater quality management plans in this Order and the associated MRP apply to the Comprehensive Groundwater Quality Management Plan. The Comprehensive Groundwater Quality Management Plan must be updated at the same time as the Management Plan Status Report (see attached MRP, Appendix MRP-1, section I.F) to address any constituents and areas that would have otherwise required submittal of a Groundwater Quality Management Plan.

Page 42, Table 1. Summary of deliverables and timelines.

Table 1. Summary of third-party and grower deliverables, required timelines, and approximate due date based on the anticipated adoption of the Waster Discharge Requirements for growers within the Western San Joaquin River Watershed on 9 January 2014.

Third-party Requirements		Approximate Due Date	
Notice of Intent to serve as Third-Party		30 days after adoption of WDR's	10-Feb-2014
<i>EO will issue Notice of Applicability (NOA) to the third-party(ies)</i>			
Provide Order requirements and describe confirmation process to members		30 days after NOA	19-Mar-2014
Comment on templates provided by the Executive Officer		30 days after NOA	19-Mar-2014
Propose templates for managed wetland reporting		60 days after NOA	18-Apr-2014
Groundwater Quality Assessment Report (GAR) outline		90 days after NOA	19-May-2014
Comprehensive Groundwater Quality Management Plan		1-year after NOA	17-Feb-2015
Groundwater Quality Assessment Report (GAR)		60 days after GAR approval	17 July 2015
Management Practices Evaluation Program (MPEP) Group Agreement		1 year after NOA	17-Feb-2015
Sediment Discharge and Erosion Assessment Report		1 year after NOA	17-Feb-2015
<i>EO will review Groundwater Assessment Report (GAR) and Sediment Assessment Report</i>			
Inform members required to prepare Sediment Plans		30 days from Sediment Report approval	16-Apr-2015
Basin Plan Amendment Workplan		120 days from GAR approval	15-Jul-2015
Trend Monitoring Workplan		1 year from GAR approval	17-Mar-2016
Management Practices Evaluation Program (MPEP) Group Workplan		1 year from GAR approval	17-Mar-2016
Groundwater QAPP		1 year from GAR approval	17-Mar-2016
Monitoring Plan Update		each year	15-January
Semi-Annual Report (with summary of grower reports)		each year	15-June
Semi-Annual Report		each year	15-November
Membership List		each year	31-July
Grower Requirements			
Enrollment	Non-members (sign up)		30-Jun-2014
	Members (complete Notice of Confirmation)		15-Dec-2014
Farm Evaluations (submit to third-party)	All Farming Operations, Low Vulnerability Areas	updated 1-Mar-2020, every 5 years thereafter	15-Dec-2014
	All others, High Vulnerability Areas	updated 1-Mar-2016 and annually thereafter	15-Dec-2014
Nitrogen Management Plan (keep on farm)	Large Farming Operations, High Vulnerability Areas	each year	15-Apr-2015
	Small Farming Operations, High Vulnerability Areas	each year	15-Apr-2017
	All others, Low Vulnerability Areas	each year	15-Apr-2017
NMP Summary Report (submit to third-party)	Large Farming Operations, High Vulnerability Areas	each year	1-Mar-2016
	Small Farming Operations, High Vulnerability Areas	each year	1-Mar-2018
	All in Low Vulnerability Areas	not required	-
Sediment Plans (keep on farm)	Small Farming Operations, High Vulnerability Areas	1 year from Sediment Report approval	17-Mar-2016
	Large Farming Operations, High Vulnerability Areas	180 days from Sediment Report approval	15-Sep-2015
	All in Low Vulnerability Areas	not required	-

ATTACHMENT B – MONITORING AND REPORTING PROGRAM

Page 3, Section III. Surface Water Quality Monitoring Requirements

The third-party may elect to participate in an Executive Officer approved Regional Monitoring Program (RMP) [such as the Delta RMP]. If the third-party elects to participate in a RMP, the third-party may submit a proposal to the Executive Officer for approval to reduce some elements of the surface water monitoring requirements described below and instead provide funding and/or in-kind support to an approved RMP. Participation in a Regional Monitoring Program by a third-party shall consist of providing funds and/or in-kind services to the Regional Monitoring Program at least equivalent to discontinued individual monitoring and study efforts. Written approval of the third-party's request, by the Executive Officer, is required prior to discontinuing any monitoring. Approval by the Executive Officer is not required prior to participating in a Regional Monitoring Program.

If the third-party participates in an Executive Officer approved Regional Monitoring Program in lieu of conducting individual surface water monitoring, the third-party shall continue to participate in the Regional Monitoring Program until such time as the third-party informs the Board that participation in the Regional Monitoring Program will cease and the monitoring prior to approved reductions is reinstated. Executive Officer approved reduced monitoring may continue so long as the third-party adequately supports the Regional Monitoring Program. If the Discharger fails to adequately support the Regional Monitoring Program, as defined by the Regional Monitoring Program, the third-party shall reinstate monitoring required prior to approved reductions upon written notice from the Executive Officer.