

CALIFORNIA REGIONAL WATER QUALITY CONTROL BOARD
CENTRAL VALLEY REGION

ORDER NO. R5-2016-0014

AMENDING ORDER NO. R5-2014-0030-R1
WASTE DISCHARGE REQUIREMENTS GENERAL ORDER
FOR GROWERS WITHIN THE SACRAMENTO RIVER WATERSHED
THAT ARE MEMBERS OF A THIRD-PARTY GROUP

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

1. On 12 March 2014, the Central Valley Water Board issued Order No. R5-2014-0030 Waste Discharge Requirements General Order for Growers within the Sacramento River Watershed that are Members of a Third-Party Group (Sacramento River Watershed Order). The Central Valley Water Board adopted revisions to the Sacramento River Watershed Order (Order No. R5-2014-0030-R1) on 5 June 2015.
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. The Sacramento River Watershed Order R5-2014-0030-R1 requires all members to prepare and implement a Nitrogen Management Plan in advance of the crop year.
4. The Sacramento River Watershed Order requires members in high vulnerability groundwater areas to prepare and implement a certified Nitrogen Management Plan and to submit a Nitrogen Management Plan Summary Report for the 2015 growing season to the third-party by 1 March 2016. The 2016 due date for the certification of the Nitrogen Management Plan and submittal of the Nitrogen Management Plan Summary Report is amended by this Order to allow a one-year extension to 1 March 2017. The extension allows additional time for the California Department of Food and Agriculture grower certification program to be available to members and for additional Third-Party education and outreach regarding the Nitrogen Management Plan Summary Report. The Nitrogen Management Plan preparation and implementation will not be delayed. Only the certification and Summary Report submittal requirements will be postponed.
5. An underline/strikeout document that indicates the alterations that this Order will make to Order R5-2014-0030-R1 is attached hereto as Attachment 1 and incorporated herein by reference.
6. Adoption of this Order to amend Order No. R5-2014-0030-R1 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 Sacramento River Watershed 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 Sacramento

River Watershed Order. This Order does not change the original CEQA findings accompanying Order No. R5-2014-0030.

7. 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 Sacramento River Watershed, and has provided them with an opportunity for a public hearing and an opportunity to submit comments.
8. The Central Valley Water Board, in a public meeting, heard and considered all comments pertaining to this Order.

Any person aggrieved by this action of the Central Valley Water Board may petition the State Water Board to review the action in accordance with Water Code section 13320 and California Code of Regulations, title 23, section 2050 and following. The State Water Board must receive the petition by 5:00 p.m., 30 days after the date of this Order, except that if the thirtieth day following the date of this Order falls on a Saturday, Sunday, or state holiday, the petition must be received by the State Water Board by 5:00 p.m. on the next business day. Copies of the law and regulations applicable to filling petitions may be found on the Internet at:

http://www.waterboards.ca.gov/public_notices/petitions/water_quality/

or will be provided upon request.

IT IS HEREBY ORDERED that Waste Discharge Requirements Order No. R5-2014-0030-R1 is amended 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 19 February 2016.

Original signed by

PAMELA C. CREEDON, Executive Officer

ATTACHMENT 1

ORDER R5-2016-0014

AMENDING ORDER R5-2014-0030-R1
WASTE DISCHARGE REQUIREMENTS FOR
GROWERS WITHIN THE SACRAMENTO RIVER WATERSHED
THAT ARE MEMBERS OF THE THIRD-PARTY GROUP

WASTE DISCHARGE REQUIREMENTS

Page 29, provision VII.D.1.a, *Deadlines for all Members, revise as follows:*

By 1 March 2015, all Members shall prepare, and update by 1 March annually thereafter, a Nitrogen Management Plan. Notwithstanding the provisions of section VII.D.1, members in High Vulnerability Areas are not required to prepare a certified NMP until 1 March ~~2016~~2017. By 1 March ~~2016~~2017 and by 1 March annually, thereafter, all Members shall submit to the third-party the Nitrogen Management Plan Summary Report for the previous year.

Table 1. Summary of third-party member deliverables, required timelines, and approximate due date based on the anticipated adoption of the Waste Discharge Requirements for growers within the Sacramento River Watershed on 11 March 2014.

Grower Requirements		Relative Date	Approximate Due Date
Enrollment	Non-members (sign up)	120 days after NOA	15-Aug-2014
	Members (complete Notice of Confirmation)		30-Jun-2015
Farm Evaluations	Low Vulnerability Areas	1-Mar-2015, updated every 5 years thereafter	1-Mar-2015
	High Vulnerability Areas	1-Mar-2015, updated annually thereafter	1-Mar-2015
Nitrogen Management Plan	High Vulnerability Areas	1-Mar-2015 and annually thereafter	1-Mar-2015
	Low Vulnerability Areas	1-Mar-2015 and annually thereafter	1-Mar-2015
NMP Summary Report	High Vulnerability Areas	1-Mar- 2016 <u>2017</u> and annually thereafter	1-Mar- 2016 <u>2017</u>
	Low Vulnerability Areas	not required	-
Individual Sediment Plans	High Vulnerability Areas	180 days from Sediment Report approval	15-Dec-2015
	Low Vulnerability Areas	not required	-
Collective Sediment Plans	Notify third-party of intent to participate	60 days Sediment Report Approval	15-Aug-2015

Attachment A - INFORMATION SHEET

Pages 34 and 35, provision VII.B. *Nitrogen Management Plans*, revise as follows:

The first nitrogen management plan summary report must be submitted one year after the first nitrogen management plan must be developed, unless a deadline extension is approved by the Central Valley Water Board.