

ATTACHMENT C

Nutrient Management Plan Provisions And Technical Standards For Nutrient Management

Individual Waste Discharge Requirements Order No. R5-2010-XXXX For Foster Farms, LLC Ellenwood Hatchery, Stanislaus County

Owners and operators of poultry facilities (Dischargers) who receive individual Waste Discharge Requirements and who apply wastewater to land for nutrient recycling are required to develop and implement management practices that control nutrient losses and that are described in a Nutrient Management Plan (NMP). The purpose of the NMP is to budget and manage the nutrients applied to the land application area(s) considering all sources of nutrients, crop requirements, soil types, climate, and local conditions in order to prevent adverse impacts to surface water and groundwater quality. The NMP must take the site-specific conditions into consideration in identifying steps that will minimize nutrient movement through surface runoff or leaching past the root zone.

The Discharger has submitted a NMP which contains the elements listed below under Contents of a Nutrient Management Plan and is in conformance with the applicable Technical Standards for Nutrient Management (Technical Standards), also listed below. These provisions in the NMP must be updated as necessary in response to changing conditions, monitoring results and other factors. Implementation of the Nutrient Management Plan meets the requirements of Resolution No. 68-16.

Any revisions to the NMP must be developed and signed by a specialist who is certified in developing nutrient management plans. A certified specialist is a Professional Soil Scientist, Professional Agronomist, or Crop Advisor certified by the American Society of Agronomy or a Technical Service Provider certified in nutrient management in California by the Natural Resources Conservation Service (NRCS). The Executive Officer may approve alternative proposed specialists. The NMP will only be considered certified if it is prepared and signed by one of these parties.

The NMP is linked to other sections of the WDRs. The Monitoring and Reporting Program specifies minimum amounts of monitoring that must be conducted at the dairy. As indicated below, this information must be used to make management decisions related to nutrient management and to determine if revisions to the NMP are needed. Likewise, the timing and amounts of wastewater applications to crops must be known to correctly calculate the amount of storage needed in holding ponds.

Wastes and land application areas shall be managed to prevent contamination of crops grown for human consumption. The term “crops grown for human consumption” refers only to crops that will not undergo subsequent processing which adequately removes potential microbial danger to consumers.

Contents of a Nutrient Management Plan

The NMP identifies the name and address of the hatchery, the operator, and legal owner of the property and contains all of the following elements to demonstrate that the Discharger can control nutrient losses that may impact surface water or groundwater quality and comply with the requirements of the Order and the Technical Standards for Nutrient Management (Technical Standards). These elements shall be updated as conditions change at the facility:

- I. Land Application Area Information
 - A. Identification of each land application area (under the Discharger’s control, whether it is owned, rented, or leased, to which wastewater from the production area is or may be applied for nutrient recycling) on a single published base map (topographic map or aerial photo) at an appropriate scale which includes:
 1. A field identification system (Assessor’s Parcel Number); land application area by name or number; total acreage of each land application area; crops grown; indication if each land application area is owned, rented, or leased by the Discharger; indication what type of waste is applied; drainage flow direction in each field, nearby surface waters, and storm water discharge points; tailwater and storm water drainage controls; subsurface (tile) drainage systems (including discharge points and lateral extent) if installed; irrigation supply wells and groundwater monitoring wells; sampling locations for discharges of storm water to surface water from the field; and
 2. Wastewater conveyance structures, discharge points and discharge mixing points with irrigation water supplies; pumping facilities; flow meter locations; drainage ditches and canals, culverts, drainage controls (berms, levees, etc.), and drainage easements.
 - B. Copies of written agreements with third parties that receive wastewater for their own use from the facility.

C. Identification of each field that is both under the control of the Discharger and within five miles of the facility where wastewater is not applied. Each field shall be identified on a single published base map at an appropriate scale by the following:

1. Assessor's Parcel Number.
2. Total acreage.
3. Information on who owns or leases the field.

Note: The NMP must be updated and the Regional Board notified in writing before waste is applied to the lands identified this section.

II. Sampling and Analysis (see Technical Standard I below)

Identify the sampling methods, sampling frequency, and analyses to be conducted for soil, wastewater, irrigation water, and plant tissue analysis (Technical Standard I below).

III. Nutrient Budget (see Technical Standard V below)

The NMP contains a nutrient budget for each land application area. The nutrient budget establishes planned rates of nutrient applications for each crop based on soil test results, wastewater analyses, irrigation water analyses, crop nutrient requirements and patterns, seasonal and climatic conditions, the use and timing of irrigation water, and the nutrient application restrictions listed in Technical Standards V.A through V.D below. The Nutrient Budget includes the following:

- A. The rate of application and the basis for the application rate of wastewater for each crop in each land application area (also considering sources of nutrients other than wastewater) to meet each crop's needs without exceeding the application rates specified in Technical Standard V.B below.
- B. The timing of applications for each crop in each land application area and the basis for the timing (Technical Standard V.C below). The maximum period of time anticipated between land application events (storage period) based on proper timing and compliance with Technical Standard V.C. below. .
- C. The method of wastewater application for each crop in each land application area (Technical Standard V.D below).

- D. If phosphorus and/or potassium applications exceed the amount of these elements removed from the land application area in the harvested portion of the crop, the soil and crop tissue analyses shall be reviewed by an agronomist at least every five years. If this review determines that the buildup of phosphorus or potassium threatens to reduce the long-term productivity of the soil or the yield, quality or use of the crops grown, application rates will be adjusted downward to prevent or correct the problem.

IV. Setbacks, Buffers, and Other Alternatives to Protect Surface Water (see Technical Standard VII below)

- A. Identify all potential surface waters or conduits to surface water that are within 100 feet of any land application area.
- B. For each land application area that is within 100 feet of a surface water or a conduit to surface water, identify the setback, vegetated buffer, or other alternative practice that will be implemented to protect surface water (Technical Standard VII below).

V. Field Risk Assessment (see Technical Standard VIII below)

Evaluate the effectiveness of management practices used to control the discharge of waste constituents from land application areas using the water quality monitoring results.

VI. Record-Keeping (see Technical Standard IX below)

Identify the records that will be maintained for each land application area identified in I.A above.

VII. Nutrient Management Plan Review (see Technical Standard X below)

- A. Identify the schedule for review and revisions to the NMP.
- B. Identify the person who will conduct the NMP review and revisions.

Technical Standards for Nutrient Management

The Discharger shall comply with the following Technical Standards for Nutrient Management in the implementation of the Nutrient Management Plan (NMP).

I. Sampling and Analysis

Soil, wastewater, irrigation water, and plant tissue shall be monitored, sampled, and analyzed as required in Monitoring and Reporting Program No. R5-2010-XXXX, and any future revisions thereto. The results of these analyses shall be used during the implementation of the NMP.

II. Crop Requirements

- A. Realistic yield goals for each crop in each land application area shall be established. For new crops or varieties, industry yield recommendations may be used until documented yield information is available.
- B. Each crop's nutrient requirements for nitrogen, phosphorus, and potassium shall be determined based on recommendations from the University of California, *Western Fertilizer Handbook* (9th Edition), or from historic crop nutrient removal.

III. Available Nutrients

- A. All sources of nutrients (nitrogen, phosphorus, and potassium) available for each crop in each land application area shall be identified prior to land applications. Potential nutrient sources include, but are not limited to, wastewater, irrigation water, commercial fertilizers, soil, and previous crops.
- B. Nutrient values of soil, wastewater, and irrigation water shall be determined based on laboratory analysis. "Book values" for wastewater may be used for planning of waste applications during the first two years during initial implementation of the NMP if necessary. Acceptable book values are those values recognized by American Society of Agricultural and Biological Engineers (ASABE), the NRCS, and/or the University of California that accurately estimate the nutrient content of the material. The nutrient content of commercial fertilizers shall be derived from California Department of Food and Agriculture published values.

- C. Nutrient credit from previous legume crops shall be determined by methods acceptable to the University of California Cooperative Extension, the Natural Resources Conservation Service (NRCS), or a specialist certified in developing nutrient management plans.

IV. Overall Nutrient Balance

If the NMP shows that the nutrients generated by the dairy exceed the amount needed for crop production in the land application area, the Discharger must implement management practices (such as offsite removal of the excess nutrients, treatment, or storage) that will prevent impacts to surface water or groundwater quality due to excess nutrients.

V. Nutrient Budget

The NMP's nutrient budget includes planned rates of nutrient applications for each crop that do not exceed the crop's requirements for total nitrogen considering the stage of crop growth and that also considers all nutrient sources, climatic conditions, the irrigation schedule, and the application limitations in the Order, and A through D below.

A. General Standards for Nutrient Applications

1. Plans for nutrient management shall specify the form, source, amount, timing, and method of application of nutrients on each land application area to minimize nitrogen and/or phosphorus movement to surface and/or ground waters to the extent necessary to meet the provisions of the Order.
2. Where crop material is not removed from the land application area, waste applications are not allowed. For example, if a pasture is not grazed or mowed (and cuttings removed from the land application area), waste shall not be applied to the pasture.
3. Wastewater will be applied to the land application area for use by the first crop covered by the NMP only to the extent that soil tests indicate a need for nitrogen application.
4. Supplementary commercial fertilizer(s) and/or soil amendments may be added when the application of nutrients contained in wastewater alone is not sufficient to meet the crop needs, as long as these applications do not exceed provisions of the Order.

5. Nutrient applications to a crop shall not be made prior to the harvest of the previous crop except where the reason for such applications is provided in the NMP.
6. Water applications shall not exceed the amount needed for efficient crop production.
7. Nutrients shall be applied in such a manner as not to degrade the soil's structure, chemical properties, or biological condition.

B. Nutrient Application Rates

1. General

- a. Planned rates of nutrient application shall be determined based on soil test results, crop tissue test results, nutrient credits, and wastewater analysis, crop requirements and growth stage, seasonal and climatic conditions, and use and timing of irrigation water. Actual applications of nitrogen to any crop shall be limited to the amounts specified below.
- b. Nutrient application rates shall not attempt to approach a site's maximum ability to contain one or more nutrients through soil adsorption. Excess applications or applications that cause soil imbalances should be avoided. Excess nutrients generated by the Discharger must be handled by export to a good steward of the nutrients, or the development of alternative uses.

2. Nitrogen

- a. Total nitrogen applications to a land application area prior to and during the growing of a crop will be based on pre-plant or pre-side dress soil analysis to establish residual nitrogen remaining in the field from the previous crop to establish early season nitrogen applications. Pre-plant or side dress nitrogen applications will not exceed the estimated total crop use as established by the nutrient management plan. Except as allowed below, application rates shall not result in total nitrogen applied to the land application areas exceeding 1.4 times the nitrogen that will be removed from the field in the harvested portion of the crop. At no time will application rates result in total nitrogen applied to the land application areas exceeding 1.65 times the nitrogen that will be removed from the field in the harvested portion of the crop.

Additional applications of nitrogen, up to the 1.65 figure, are allowable if the following conditions are met:

- i. Plant tissue testing has been conducted and it indicates that additional nitrogen is required to obtain a crop yield typical for the soils and other local conditions;
- ii. The amount of additional nitrogen applied is based on the plant tissue testing and is consistent with University of California Cooperative Extension written guidelines or written recommendations from a professional agronomist;
- iii. The form, timing, and method of application facilitates timely nitrogen availability to the crop; and
- iv. Records are maintained documenting the need for additional applications.

3. Phosphorus and Potassium

Phosphorus and potassium may be applied in excess of crop uptake rates. If, however, monitoring indicates that levels of these elements are causing adverse impacts, corrective action must be taken. Cessation of applications may be necessary until crop uptake and harvest has reduced the concentration in the soil.

C. Nutrient Application Timing

1. Wastewater application is not the same as irrigation. Wastewater application scheduling should be based on the nutrient needs of the crop, the daily water use of the crop, the water holding capacity of the soil, and the lower limit of soil moisture for each crop and soil.
2. Wastewater shall not be applied when soils are saturated. During the rainy season rainfall can exceed crop water demand. However, the application of wastewater is allowable if tests show that there is an agronomic need and current conditions indicate that threat of nitrate leaching is minimal.
3. The timing of nutrient application must correspond as closely as possible with plant nutrient uptake characteristics, while considering cropping system limitations, weather and climatic conditions, and land application area accessibility.

4. Nutrient applications for spring-seeded crops shall be timed to avoid surface runoff and leaching by winter rainfall.
5. Except for orchards and vineyards, nutrients shall not be applied during periods when a crop is dormant.

D. Nutrient Application Methods

The Discharger shall apply nutrient materials uniformly to application areas or as prescribed by precision agricultural techniques.

VI. Wastewater Management on Land Application Areas

Control of water and wastewater applications and runoff is a part of proper nutrient management since water transports nutrients, salts, and other constituents from cropland to groundwater and surface water. The Discharger shall comply with the provisions of the Order which place requirements on applications of wastewater to, and runoff from, cropland.

VII. Setbacks and Vegetated Buffer

- A. A setback is a specified distance from surface waters or potential conduits to surface waters where wastewater may not be land applied, but where crops may continue to be grown.
- B. A vegetated buffer is a narrow, permanent strip of dense perennial vegetation where no crops are grown and which is established parallel to the contours of and perpendicular to the dominant slope of the land application area for the purposes of slowing water runoff, enhancing water infiltration, trapping pollutants bound to sediment, and minimizing the risk of any potential nutrients or pollutants from leaving the land application area and reaching surface waters.
- C. Practices and management activities for vegetated buffers include the following:
 1. Removal of vegetation in vegetated buffers will be in accordance with site production limitations, rate of plant growth, and the physiological needs of the plants.
 2. Do not mow below the recommended height for the plant species.

3. Maintain adequate ground cover and plant density to maintain or improve filtering capacity of the vegetation
4. Maintain adequate ground cover, litter, and canopy to maintain or improve infiltration and soil condition.
5. Periodic rest from mechanical harvesting may be needed to maintain or restore the desired plant community following episodic events such as drought.
6. When weeds are a significant problem, implement pest management to protect the desired plant communities.
7. Prevent channels from forming.

VIII. Field Risk Assessment

The results of the Storm Water Monitoring for each land application area required by Monitoring and Reporting Program No. R5-2010-XXXX shall be used by the Discharger to assess the movement of nitrogen and phosphorus from each land application area where wastewater is applied. The Discharger will follow guidelines provided by the Regional Board in conducting these assessments.

IX. Record-Keeping

The Discharger shall maintain records for each land application area as required in the Record-Keeping Requirements of Monitoring and Reporting Program No. R5-2010-XXXX.

X. Nutrient Management Plan Review

- A. The NMP shall be updated when discharges from any land application area exceed water quality objectives, a nutrient source has changed, site-specific information has become available to replace default values used in the overall nutrient balance or the nutrient budget, or nitrogen application rates in any land application area exceed the rates specified in Technical Standard V.B.
- B. The NMP shall be updated prior to any anticipated changes that would affect the overall nutrient balance or the nutrient budget such as, but not limited to, a crop rotation change, changes in the available cropland, or the changes in the volume of wastewater generated.

- C. The Discharger shall review the NMP at least once every five years and notify the Regional Board in the annual report of any proposed changes that would affect the NMP.