

ATTACHMENT A

ORDER R5-2015-XXXX

REVISING ORDER R5-2014-0001
 WASTE DISCHARGE REQUIREMENTS GENERAL ORDER
 FOR GROWERS WITHIN THE WESTERN TULARE LAKE BASIN AREA THAT ARE
 MEMBERS OF A THIRD-PARTY GROUP

WASTE DISCHARGE REQUIREMENTS

Page 38, Table 1, modify due dates

Table 1 Member due dates for required reports

Report	Vulnerability	Farm Size	Due Date
Farm Evaluations	High	All	1 March 2015 2016
	Low	Large (≥60 ac)	1 March 2016
		Small (<60 ac)	1 March 2018
Sediment and Erosion Control Plans	All farms identified in the SDEAR	Large	180 days from approval of SDEAR
		Small	1 year from approval of SDEAR
Nitrogen Management Plans	High	Large	1 March 2015 90 Days after the EO provides template to third-party
		Small	1 March 2017
	Low	All	1 March 2017

Page 25, section VII. B.2 All Members in High Vulnerability Areas (Surface/ Groundwater), modify submittal date

2. All Members in High Vulnerability Areas (Surface/Groundwater)

By 1 March ~~2015~~[2016](#), all Members within a high vulnerability area must prepare their Farm Evaluation and submit it to the third-party. An updated Farm Evaluation must be prepared and submitted to the third-party by 1 March annually thereafter. As part of the Farm Evaluation, the Member shall provide information on any outreach events attended in accordance with section

IV.B.4 of this Order. After 1 March 2018, the Executive Officer may approve reduction in the frequency of updates and submission of Farm Evaluations, if the third-party demonstrates that year to year changes in Farm Evaluation updates are minimal and the Executive Officer concurs that the practices identified in the Farm Evaluations are consistent with practices that, when properly implemented, will achieve receiving water limitations and, where applicable, achieve or best practicable treatment or control.

Page 27, section VII.D.1.b Nitrogen Management Plan, All Member within a High Vulnerability Groundwater Area, add additional paragraph to the end of the provision

b. Deadlines for all other Members²³

~~By 1 March 2015~~ Within 90 days of the Executive Officer providing the Third-party with the Nitrogen Management Plan Template (see section VIII.C below), all other Member shall prepare, and update by 1 March annually thereafter a Nitrogen Management Plan. By 1 March ~~2016~~2017, and by 1 March annually, thereafter, all other Members shall submit to the third-party the Nitrogen management Plan Summary Report for the previous year.

Determination of high and low vulnerability areas is a key step in ensuring that nitrogen management practices are implemented as soon as practicable within areas of high vulnerability. Vulnerability will be determined as part of the GAR development process. This Order requires development of nitrogen management plans for high vulnerability areas within 90 days of the date the Executive Officer issues the Nitrogen Management Plan Template. This may be as early as March 2015, which allows little time after GAR submittal to review vulnerability areas. Because of this, the third-party met with Central Valley Water Board staff to discuss their proposed process for determining high and low vulnerability areas to be submitted as part of their GAR. If an agreement on the vulnerability designation process is not reached by 16 February 2015, the Executive Officer will make the final determination regarding high and low vulnerability areas.

Members are not required to certify their Nitrogen Management Plan until 1 March 2016.

²³ Members with parcels that do not meet the Small Farming Operation definition (see Attachment E).

ATTACHMENT B TO – MONITORING AND REPORTING PROGRAM

Page 14, section IV.A.4 Groundwater Quality Assessment Report, add additional paragraph to the end of the section

1. *Groundwater vulnerability designations.* The GAR shall designate high/low vulnerability areas for groundwater in consideration of high and low vulnerability definitions provided in Attachment E of the Order. Vulnerability designations may be refined/ updated periodically during the Monitoring Report process. The third-party must review and confirm or modify vulnerability designations every five (5) years after Executive Officer approval of the GAR. The vulnerability designations will be made by the third-party using a combination of physical properties (soil type, depth to groundwater, known agricultural impacts to beneficial uses, etc.) and management practices (irrigation method, crop type, nitrogen application and removal rates, extent of implementation). If the third-party intends to develop a Basin Plan Amendment Workplan (section VIII.M of the Order), the third-party must identify the areas where a high vulnerability designation results from exceedances due to naturally elevated levels of a constituent. The third-party shall provide the rationale for proposed vulnerability determinations. The Executive Officer will make the final determination regarding vulnerability designations.

If the GAR is not submitted to the board by the required deadline, the Executive Officer will designate default high/low vulnerability groundwater areas using such information as: 1) published scientific studies, 2) hydrogeologic models, and 3) data from areas with exceedances of water quality objectives for which irrigated agriculture waste discharges may cause or contribute to the exceedance.

[At a minimum, high vulnerability areas described in the GAR shall include all areas with underlying groundwater that is polluted by nitrates or other constituents associated with irrigated agriculture. The Executive Officer may revise GAR high and low vulnerability areas that do not meet the above requirements. As groundwater and other data are made available to the Central Valley Water Board subsequent to the submittal of the initial GAR, high and low vulnerability designations may be revised based on this new information.](#)