

**Late Revisions #2 – Item 9
General Order for Confined Bovine Feeding Operations
8/9 June 2017**

The following additional late revisions are provided for this item:

1. Revisions to the schedule for submittal of reports

The following revisions to Table 1 (Page 36) of the Order are proposed to extend the compliance dates:

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Table 1 – Schedule for Submittal of Reports

Due Date	Document Due
<u>7/1/2018</u>	o Notice of Intent (NOI) for existing Confined Bovine Feeding Operations
<u>12/31/2018</u>	o Operation and Maintenance Plan for Limited Time Operations o Notify Central Valley Water Board of formation of representative groundwater monitoring group
<u>7/1/2019</u>	o Notify Central Valley Water Board of membership in an ILRP coalition. o Request permission of the Executive Officer to form a Joint Monitoring Program for surface water (for all cropland not covered by ILRP and with a potential to discharge to surface water) <u>o Farm Evaluation Form (all cropland not covered by ILRP)</u> <u>o Certification that Nutrient Management Plan has been completed (certification signed by both Discharger and Certified Nutrient Management Specialist) for all cropland not covered by the Irrigated Lands Regulatory Program (ILRP).</u> <u>o Notify Central Valley Water Board of intent to join (groundwater) RMP or to undertake individual groundwater monitoring</u>
<u>12/31/2019</u>	o Workplan for surface water monitoring for Joint Monitoring Program <u>o Demonstration of No Potential to Discharge to Surface Water from land application areas (Full Coverage Operations)</u> <u>o Farm Water Quality Plan (Full Coverage Operations with potential to discharge to surface water)</u>
<u>7/1/2020</u>	<u>o First Annual Report (and annually thereafter)</u> <u>o Waste Management Plan for Full Coverage Operations</u> <u>o Monitoring and Reporting Workplan for representative groundwater monitoring group (Full Coverage Operations)</u> <u>o Workplan for well installation for individual groundwater monitoring network (Full Coverage Operations)</u>
<u>12/31/2020</u>	<u>o Monitoring Well Installation Completion Report and Certification that well installation is complete for representative groundwater monitoring group</u> <u>o Monitoring Well Installation Completion Report and Certification that well installation is complete for individual groundwater monitoring</u>
<u>4/1/2021</u>	<u>o First Representative Monitoring Report for representative groundwater monitoring group</u>
<u>7/1/2021</u>	<u>o Certification that the Nutrient Management Plan has been implemented</u> <u>o First Annual Groundwater Monitoring Report for individual groundwater monitoring</u>
<u>4/1/2026</u>	<u>o Summary Representative Monitoring Report (SRMR) for representative groundwater monitoring group</u>
<u>7/1/2026</u>	<u>o Summary Report for groundwater monitoring for individual groundwater monitoring</u>

Changes to the text of the Order to reflect revised dates in Table 1:

Page 6

19. This Order recognizes that some Dischargers will need to make improvements at their facilities to meet the Order's requirements. The Discharger may be able to make some of these improvements relatively quickly while some improvements may require more time to implement. It is reasonable to allow Dischargers ~~thirty (30) months~~time to phase in elements of the required Waste Management Plan and Nutrient Management Plan in order to adequately design and construct major infrastructure changes needed to comply with the requirements of this Order.

Page 33-34

- c. **Waste Management Plan:** ~~Within 18 months of the adoption of this Order~~By 1 July 2020, a Discharger with an existing Confined Bovine Feeding Operation shall submit a Waste Management Plan, including an Operation and Maintenance Plan, for the production area, prepared in accordance with **Attachment B**.....

- d. **Nutrient Management Plan:** A Discharger who applies manure, bedding, or wastewater to land not covered by the Central Valley Water Board's Irrigated Lands Regulatory Program (ILRP) must develop and implement management practices that control nutrient losses and describe such management practices in a Nutrient Management Plan. For existing Confined Bovine Feeding Operations, the Nutrient Management Plan must be prepared and certification that the Nutrient Management Plan has been completed shall be submitted to the Central Valley Water Board within 18 months of the adoption of this Order by 1 July 2019. New and expanding Confined Bovine Feeding Operations shall submit a Nutrient Management Plan with the NOI. The Nutrient Management Plan must be certified as specified in **Attachment C** of this Order, maintained at the Confined Bovine Feeding Operation, submitted to the Executive Officer upon request, and must ultimately provide for protection of both surface water and groundwater. ~~Certification that the Nutrient Management Plan has been completed shall be included with the first Annual Report following the deadline for preparation of the Nutrient Management Plan.~~ Certification that the Nutrient Management Plan has been implemented shall be submitted to the Executive Officer ~~within 30 months of the adoption of this Order~~by 1 July 2021, as part of the first Annual Report submitted following the deadline for implementation of the Nutrient Management Plan....

- e. **Annual Report:** An annual monitoring report is due by 1 July of each year, beginning with ~~1 July 2018~~1 July 2020....

Page 37

- i. Summary Report for Individual Groundwater Monitoring: Dischargers conducting an Individual groundwater monitoring program shall submit a summary report within six years of initiating sampling activities (by 1 July 2026)....

Page 38

- i. Summary Representative Monitoring Report for Representative Groundwater Monitoring Programs: Six years following commencement of groundwater monitoring (by 1 April 2026), the RMP must submit a Summary Representative Monitoring Report (SRMR) to the Board's Executive Officer for review and approval....

Page 39

- i. Farm Water Quality Plan – ~~Within 24 months of adoption of the Order By 31 December 2019~~, all Dischargers who have a potential for discharges from their land application areas to reach surface water shall develop a farm-specific Water Quality Plan and submit the Plan to the Executive Officer for review and approval, as outlined in **Attachment B** to MRP R5-2017-0000.....

Changes to the text of the Monitoring and Reporting Program to reflect revised dates in Table 1:

Page MRP-15

B. Annual Reporting

An annual monitoring report is due by **1 July of each year, beginning on 1 July 2020**....

Changes to the text of Monitoring and Reporting Program Attachment A to reflect revised dates in Table 1:

Page MRP-A-1 and MRP-A-2

Individuals conducting groundwater monitoring on their facility shall, ~~within 24 months of the adoption of the Bovine General Order~~ **by 1 July 2019**, notify the Central Valley Water Board of their intent to conduct individual groundwater monitoring and, by 1 July 2020, submit a workplan to the Executive Officer for approval that describes the installation of groundwater monitoring wells and meets the requirements set forth in section B of this attachment. ~~Within 30 months of the adoption of this Order~~ **By 31 December 2020**, the Discharger shall submit a Monitoring Well Installation Completion Report, in accordance with

section E of this attachment, and certify that monitoring well installation is complete.

As an alternative to installing monitoring wells on an individual basis as set out in section B below, Dischargers subject to the Bovine General Order may participate in a Representative Monitoring Program that meets the requirements set forth in section C of this attachment. ~~Within 18 months of the adoption of this Order~~ **By 31 December 2018**, any entity wishing to form a Representative Monitoring Group shall notify the Executive Officer of their intent to do so. ~~Within 24 months of the adoption of this Order~~ **By 1 July 2020**, the Monitoring and Reporting Workplan for the Representative Monitoring Program, prepared in accordance with section C, shall be submitted to the Executive Officer for approval. ~~Within 30 months of the adoption of this Order~~ **By 31 December 2020**, the Representative Monitoring Group shall submit a Monitoring Well Installation Completion Report, in accordance with section E below, and certify that monitoring well installation is complete.

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Dischargers choosing to participate in a Representative Monitoring Program must notify the California Regional Water Quality Control Board, Central Valley Region (Central Valley Water Board) by letter ~~within three months of joining a Representative Monitoring Group~~ **by 1 July 2019**....

Page MRP-A-5

Annual Monitoring Reports: The Discharger shall submit to the Executive Officer an annual assessment of the groundwater monitoring data due 1 July of each year, ~~beginning 1 July 2021~~....

Summary Report: Within 6 years of initiating sampling activities, ~~by 1 July 2026~~, the Discharger shall submit to the Executive Officer a summary report presenting a detailed assessment of the monitoring data to evaluate whether site activities associated with operation of the wastewater management system, production area, or land application areas (if present) have impacted groundwater quality.

Page MRP-A-8

Annual Representative Monitoring Reports: The Representative Monitoring Group shall submit to the Executive Officer Annual Representative Monitoring Reports (ARMR). The ARMR shall be due by 1 April of each year, ~~beginning 1 April 2021~~, and shall include all data (including analytical reports) collected during the previous calendar year.....

Summary Representative Monitoring Report: No later than six years following submittal of the first ARMR, ~~by 1 April 2026~~, the Representative Monitoring Group shall submit a Summary Representative Monitoring Report (SRMR) to the Executive Officer for approval which identifies management practices that are protective of groundwater quality for the range of conditions found at facilities participating in the Representative Monitoring Program.....

Changes to the text of Monitoring and Reporting Program Attachment B to reflect revised dates in Table 1:

Page MRP-B-1

As an alternative to monitoring surface water for pesticides on an individual basis or as a member of a Joint Monitoring Program pursuant to Section F of this **Attachment B**, Dischargers required to monitor surface water for pesticides may participate in an Irrigated Lands Regulatory Program (ILRP) Monitoring Coalition. Dischargers choosing to participate in an ILRP Coalition shall notify the Central Valley Water Board ~~within 24 months of the adoption of the Bovine General Order~~ **by 1 July 2019** and identify the Coalition that the Discharger intends to join.

A. Farm Evaluation Survey Form

All Confined Bovine Feeding Operations that farm land not covered under the Irrigated Lands Regulatory Program shall, ~~within 18 months of adoption of the Order~~ **by 1 July 2019**, complete and submit to the Executive Officer a Farm Evaluation Survey form (**Attachment B-1** to MRP R5-2017-0000). The Farm Evaluation Survey form serves as a summary of farm management practices being used on land application areas to protect surface and groundwater from pesticides and nutrients, including drift. It consists of:.....

Page MRP-B-2

B. Demonstration of No Potential to Discharge

After completion of a Farm Evaluation Survey form, a Confined Bovine Feeding Operation may be exempted from the surface water monitoring requirements of the Bovine General Order if it can be demonstrated that any discharge from the land application areas associated with the operation, including drift, have no potential to reach surface water. The written demonstration is ~~due within 24 months of adoption of the Order~~ **by 31 December 2019**, shall be submitted....

Page MRP-B-3

....Monitoring of surface water shall begin ~~within 36 months of the adoption of the Order~~ **by 1 July 2020** or, for new or expanding facilities, within 6 months of receipt of the Notice of Applicability.

Page MRP-B-6

a. ***Farm Water Quality Plan (FWQP)***

~~Within 24 months of adoption of the Order~~**By 31 December 2019**, the Discharger shall develop a farm-specific water quality plan and submit the plan to the Central Valley Water Board....

Page MRP-B-8

b. ***Annual Surface Water Monitoring Report***

The Discharger shall submit to the Executive Officer an annual assessment of the surface water monitoring data due 1 July of each year, **with the first report due** ~~12 months after monitoring begins~~**by 1 July 2021**....

Page MRP-B-9

G. Joint Monitoring Program Requirements

As an alternative to conducting individual surface water monitoring as detailed in Section F of this attachment, a group of Dischargers whose discharges of storm water or irrigation tailwater have the potential to reach surface water and which grow similar crops and have similar pesticide use can join together to monitor a representative portion of their combined land application areas. The group of Dischargers shall, ~~within 24 months of the adoption of the Bovine General Order~~**by 1 July 2019**, request approval from the Executive Officer to conduct such representative monitoring. The request shall include, at a minimum, the names of the Dischargers in the group; list of crops grown and pesticides used; and a map showing the location of all of their land application areas, and indicating which crops are grown and which pesticides are used on which land application areas. The map shall also show the location of the proposed monitoring points and the crops and pesticides to be monitored by each point. Such joint monitoring shall not commence until written approval is issued by the Executive Officer. ~~Within 30 months of the adoption of the Bovine General Order~~**By 31 December 2019**, a Joint Monitoring Program shall submit a workplan for surface water monitoring to the Executive Officer for approval.

Change to the text of Monitoring and Reporting Program Attachment B-1 to reflect revised dates in Table 1:

Page MRP-B1-1

Answer questions based on practices used in ~~2016~~**2018**.

2. Revisions to the Response to Comments

Pages 11-12

Topic: Timelines/Schedules

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After reviewing and considering the comments regarding the timelines for reporting requirements, staff has has extended the deadline for submittal of major documents by six to eighteen months, depending on the complexity of the document.~~not proposed any change to the existing timelines, which~~The extensions reflect anticipated challenges in identifying bovine operations subject to the Order and reviewing documents submitted by the operations. The implementation timelines and submittal deadlines, as extended, have been established to allow the regulated community time to comply and to spread out the cost of compliance. The timeline is designed to accommodate the difficulty of implementing monitoring and reporting requirements within a previously unregulated industry. The first submittal, the Notice of Intent (NOI), is due 12 months after the adoption of the Order. No changes to the submittal date for the NOI have been proposed because the NOI information is critical to identifying the characteristics of facilities subject to the Order.

For example, b~~B~~Because many bovine operations either have no cropland or only apply manure to cropland already enrolled under the Irrigated Lands Regulatory Program, it is estimated that fewer bovine operations will need to develop Nutrient Management Plans (NMPs) as compared to dairies, the majority of which have cropland and generate wastewater from flushing operations that is land applied. However, bovine operations having cropland and needing to prepare an NMP are not obligated to commence preparation of the NMP until after filing an NOI and receiving a NOA confirming that their facility is covered by the Bovine General Order. This would effectively reduce the amount of time available to prepare the NMP to six months. Therefore, the deadline for submittal of certification that a NMP has been completed has been extended by six months. ~~no changes to the timelines for the development of a Nutrient Management Plan (NMP) and submittal of certification that the NMP has been completed have been proposed.~~

Dairies have several industry groups as well as outreach groups such as the California Dairy Quality Assurance Program to educate dairy owners and operators and assist them in complying with the Dairy General Order. Such efforts are funded out of the monthly milk checks issued to dairies. Bovine operations do not have a similar support network, nor do they have a similar reliable funding source to pay for needed assistance, and it is anticipated that additional efforts will be necessary to ensure that deadlines in the Bovine Order are met by bovine operations.

Topic: Reporting Forms and Record Keeping

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At this time, funding is not available to pay for the development of forms like the California Central Valley Dairy Waste and Nutrient Management Application (Merced County tool). The Board is committed to pursuing funding for the development of such forms for use by bovine operations. Meanwhile, Board staff is available to review and provide feedback on applications and tools, such as modifications of the Merced County tool, if developed by other entities.