

California Regional Water Quality Control Board North Coast
5550 Skylane Boulevard, Suite A
Santa Rosa, CA 95403
(707) 576-2220

**Revised Notice of Public Review,
Public Stakeholder Meetings, and
Public Hearing**

**Draft General Waste Discharge Requirements for Dairies
In the North Coast Region**

Order No. R1-2019-0001

Please note one revision in red below changing the time and location of the second public stakeholder meeting June 5 in Fortuna.

NOTICE IS HEREBY GIVEN that the California North Coast Regional Water Quality Control Board (Regional Water Board) will conduct additional public review, public stakeholder meetings, and a public hearing on General Waste Discharge Requirements for Dairies in the North Coast Region, Order No. R1-2019-0001 (Draft Order).

The Draft Order package is being distributed for additional public review starting May 14, 2019 and ending at 5:00 PM on June 14, 2019. The Regional Water Board is only accepting comments on revisions made to the November 1, 2018 Draft Order as shown in redline/strikeout.

Public stakeholder meetings on the Draft Order are scheduled for:

10:30 AM till 12:00 Noon, Friday, May 31, 2019
Regional Water Board, DCJ Room
5550 Skylane Boulevard, Suite A
Santa Rosa, California

and

2:00 till 3:30 PM, Wednesday, June 5, 2019
River Lodge (Steelhead Room)
1800 Riverwalk Drive
Fortuna, California

A public hearing to consider adoption of Order No. R1-2019-0001 is scheduled for:

8:30 AM, August 14 or 15, 2019
Regional Water Board Hearing Room
5550 Skylane Boulevard, Suite A
Santa Rosa, California

The specific day of this hearing item will be posted on the Regional Water Board agenda website at least 10 days before the hearing.

I. Overview

The Draft Order proposes General Waste Discharge Requirements on dairy operations and related land management activities in the North Coast Region. Existing dairies, new and expanding dairies, and goat, sheep, and water buffalo dairies, are proposed to be covered.

The original draft Order was circulated for public review from November 1, 2018 to January 3, 2019. Regional Water Board staff reviewed the public comments, prepared written responses to all comments, then made revisions to the draft Order. The Proposed Order R1-2019-0001 was developed and contained redline/strikeout changes based on public comments as well as additional internal staff deliberations. The Proposed Order was posted on the Regional Water Board website on April 4, 2019. On April 16, 2019, Regional Water Board staff posted additional changes to the Proposed Order, which were distributed as a "Change Sheet." The Regional Water Board hearing was held on April 18, 2019, to consider adoption of the Proposed Order and Change Sheet. At the close of the hearing, the Board decided to postpone a decision on the Proposed Order to allow for additional stakeholder review and input on proposed modifications made since November 1, 2018. The Board directed staff to recirculate the Order incorporating the revisions in the Change Sheet for an additional 30-day public review.

The *new* Draft Order R1-2019-0001 now includes revisions made to the November 1, 2018 draft Order as reflected in the April 4, 2019 Proposed Order as well as subsequent revisions included in the Change Sheet. All revisions made to the November 1, 2018 draft Order are shown in redline/strikeout.

Modifications reflected in redline/strikeout in the new Draft Order include editorial changes, changes intended to improve clarity but do not change requirements, and substantive changes. Substantive changes include:

- Added language regarding water quality objectives, Basin Plan compliance, antidegradation findings, and compliance with the Nonpoint Source Enforcement and Implementation Policy (NPS Policy);
- An added Work Plan to address nitrates in groundwater;
- Corrected or clarified information in response to agency comments (e.g., California Department of Fish and Wildlife and California Coastal Commission);
- Clarified riparian protection requirements;
- A modified section discussing dairy odors;
- Revised dates in the Notice of Intent (NOI) and Water Quality Plan (WQP) due to the extension of the comment period and a request from the University of California Cooperative Extension (UCCE);

- An added Nutrient Management Plan (NMP) work sheet questionnaire and reporting requirements to help meet NMP requirements, NPS Policy and Antidegradation Policy requirements, and to facilitate public requests for information;
- Added parameters for surface water monitoring to ensure compliance with the NPS Policy and Antidegradation Policy requirements, and to obtain information for basin planning efforts on bacteria in surface waters;
- Added reporting requirement notification for any discharges that may affect human health; and
- Added allowances for group monitoring to be considered by the Executive Officer under certain conditions.

The Regional Water Board is only accepting comments on revisions made to the November 1, 2018 draft Order as shown in redline/strikeout in the new Draft Order.

II. Document Availability

The new Draft Order is available and can be downloaded from the Regional Water Board's website at:

https://www.waterboards.ca.gov/northcoast/board_decisions/tentative_orders/

These files can also be viewed or copied by contacting or visiting the Regional Water Board's office, 5550 Skylane Boulevard, Suite A, Santa Rosa, California, weekdays between 8:00 A.M. and 5:00 P.M. Appointments are recommended for document review. Appointments can be made by calling (707) 576-2220.

III. Public Comments

Oral comments will be heard at the Regional Water Board stakeholder meetings to take place from 10:30 AM till 12:00 noon on Friday, May 31, 2019 at 5550 Skylane Blvd. Suite A, Santa Rosa, CA and from 10:00 AM till 12:00 noon on Wednesday, June 5, 2019, at Fortuna City Hall, 621 11th Street, Fortuna, CA. Note: these will be staff workshops, a quorum of Board members will not be present. Individuals providing oral comments are encouraged to also provide written comments. Regional Water Board staff will provide written responses to comments submitted in writing. Written comments sent to the attention of Cherie Blatt will be accepted from May 14, 2019 until 5:00 PM, June 14, 2019, at 5550 Skylane Blvd. Suite A, Santa Rosa, CA 95403, by FAX at 707-523-0135, or electronically at: NorthCoast@waterboards.ca.gov

IV. Public Hearing Procedures

A public hearing to consider adoption of the Order is scheduled at **8:30 A.M. on August 14 or 15, 2019**, in Santa Rosa, California, or as announced in the Regional Water Board's agenda. The meeting will be held at the Regional Water Board Hearing Room, 5550 Skylane Boulevard, Suite A, Santa Rosa, California 95403. Please be aware that dates and

venues may change. Our Web address is <http://www.waterboards.ca.gov/northcoast/> where you can access the current agenda for changes in dates and locations.

The procedures governing the Regional Water Board meetings may be found at California Code of Regulations, title 23, section 647 et seq. and are available upon request. The Discharger and interested persons must submit to the Regional Water Board office written copies of all legal argument, technical reports, testimony, and other evidentiary material concerning this issue by the deadline listed above under III. Public Comments.

During the pendency of this proceeding, ex parte communications between interested persons and Regional Water Board members must be disclosed. (Wat. Code §13287.) Disclosure of such communications can be made using the form available at: https://www.waterboards.ca.gov/northcoast/public_notices/pdf/2019/190513_NorthCoast_disclosure.pdf This includes communications on substantive or controversial procedural matters.

The time limits for oral testimony or comments at the public hearing will be set by the Regional Water Board Chair and are subject to change. All speakers are expected to honor these time limits. A timer may be used, and speakers are expected to honor the time limits. Where speakers can be grouped by affiliation or interest, it is requested that such groups select a spokesperson to represent the group.

Written material received after June 14, 2019 will not be accepted except at the discretion of the Regional Water Board Chair. Untimely written material will not be accepted or incorporated into the administrative record if doing so would prejudice the Dischargers or the Regional Water Board staff. The Chair may choose to modify this rule upon a showing of severe hardship (Cal. Code Regs., tit. 23, §§ 648.1 & 648.4).

Changes to the Order consistent with the general purpose of the Order may be considered by the Regional Water Board during the hearing.

V. Accessibility

Anyone requiring reasonable accommodation to participate in the public meeting should contact Patti Corsie at 707-576-2220 at least five days prior to the scheduled meeting. The meeting location is accessible to persons with disabilities. TTY users may contact the California Relay Service at 800-735-2929 or voice line at 800-735-2922.

VI. Program and Email Subscription

Information on the Regional Water Board's Dairy Program can be found at: https://www.waterboards.ca.gov/northcoast/water_issues/programs/dairies/

Persons wishing to receive notices related to the Dairy Program should subscribe to the Dairies email list, under Subscribe, on the top right side of the Regional Water Board's main web page at <https://www.waterboards.ca.gov/northcoast/>

VII. Regional Water Board Staff Contact

Questions regarding the draft Order should be directed to Cherie Blatt, North Coast Regional Water Quality Control Board, 5550 Skylane Blvd., Suite A, Santa Rosa, CA, 95403, by telephone (707) 576-2755, or email at Cherie.Blatt@waterboards.ca.gov

Matthias St. John
Executive Officer
May 14, 2019