

ITEM: 13

SUBJECT: Status Report on the Confined Animal Program and Groundwater Monitoring

BOARD ACTION: *No Board Action, Information Item Only*

RECOMMENDATION: This is an information item to provide an update on the confined animal program and groundwater monitoring at dairies. The program not only oversees operation of approximately 1,500 dairies, but also about 100 feedlots and heifer facilities, approximately 200 poultry facilities, and a handful of hog and equine facilities. Currently, most dairies are covered under General Order R5-2007-0035 for Existing Milk Cow Dairies. A small number of individual waste discharge requirements have been adopted for new or expanding dairies and there is a backlog for permitting of these facilities. In addition, Order R5-2010-0118 (General Waste Discharge Requirements and General NPDES Permit for Existing Milk Cow Dairies) and Order R5-2010-0130 (Waste Discharge Requirements General Order for Dairies with Manure Anaerobic Digester and Co-Digester Facilities) were adopted in December 2010. Staff are assessing permitting options including the use of general orders for new and expanding dairies along with the other types of confined animal facilities.

Adopted orders for dairies have required submittal of annual reports and a waste management plan. In addition, each dairy has been required to prepare a nutrient management plan that is kept on site and available to staff upon request. Implementation of these items is to be complete for dairies covered by Order R5-2007-0035 by 1 July 2012. In addition, Order R5-2010-0118 requires submittal of the nutrient management plan and posting of the nutrient management and waste management plans for 30-day public review and comment.

Staff has assisted the Dairy Quality Assurance Program to prepare educational materials for workshops and has attended workshops to answer questions from producers and their consultants. These educational efforts have resulted in a high rate of compliance for required submittals. The Monitoring and Reporting Program for Order R5-2007-0035 was recently modified to allow alternatives to individual groundwater monitoring at each dairy. Monitoring and Reporting Programs for Orders R5-2010-0118 and R5-2010-0130 allow alternatives to individual groundwater monitoring. Dairies are currently required to monitor their water supply wells and report the data in their annual reports. These data are useful for tracking long-term trends for the groundwater actually being used and have been used to help rank the order that dairies are requested to implement individual monitoring. However, these data are not typically suitable to identify whether a specific dairy is impacting groundwater quality. The establishment of a representative monitoring program requires submittal of a work plan, 30-day public review and comment, and approval of the Executive Officer. The Dairy Community Alliance for Responsible Environmental Stewardship is overseeing the preparation of a work plan to establish a representative monitoring program for dairies in the Sacramento and San Joaquin Valleys. Staff has reviewed preliminary work plans and provided verbal comments. A work plan for public review and Executive Officer consideration has not yet been submitted. Staff was recently informed that over 800 dairies have agreed to join the representative monitoring program. In

addition, staff have been informed that two smaller groups, each consisting of about 20 dairies, will be submitting work plans to establish alternative programs.

Mgmt. Review

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Legal Review  
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11020 Sun Center Dr.  
#200  
Rancho Cordova, CA  
95670