

## Change Sheet

Regional Water Quality Control Board  
North Coast Region

Thursday, August 15, 2019  
Regional Water Board Office  
Santa Rosa, California

**ITEM:** 4

**SUBJECT:** Public Hearing to consider adoption of Order No. R1-2019-0001, General Waste Discharge Requirements for Dairies in the North Coast Region (Cherie Blatt)

Regional Water Board staff identified the need to further clarify the intent of changes to Nutrient Management Plan (NMP) sections of the Order. Text has been added to the Response to Comments to further explain the circumstances under which nutrient management planning information might be requested for submittal on a case by case basis.

The following text shown in red underline is being added to the Response to Comments document, dated July 29, 2019, for the Proposed General Waste Discharge Requirements for Dairies in the North Coast Region Order R1-2019-0001 (Proposed Order).

**6. Nutrient Management Plans Comment:** Dairy representatives commented that NMPs are working documents and become quickly outdated. Rather, as new information (i.e. climate, etc.) are accounted for, nutrient management planning is re-adjusted seasonally. NRCS Comprehensive Nutrient Management Plans (CNMPs) are listed as containing confidential information and subjects unrelated to Regional Water Board requirements so dairy representatives commented that submittal of CNMPs should not be required. Dairy representatives commented that the NMP Worksheet (at the end of Draft GWDR Appendix 2) was not necessary or useful.

RRK and CCKA commented that the public has a right to information to determine whether a dairy is balancing their nutrients properly and possibly discharging excess waste to surface water and groundwater. RRK and CCKA commented that the NMP Worksheet was not helpful. RRK, CCKA, and RCSC representatives recommended the utilization of NPDES permits, that require mandatory NMP submittal, for dairies that discharge to surface waters. These representatives maintained the importance of submittal of a certified nutrient management plan document that contains sound data computing nutrient application at agronomic rates.

**Response:** The Regional Water Board has revised the GWDR and attachments to not require submittal of the NMP unless specifically requested on a case by case basis.

Under certain circumstances, the Regional Water Board may require the submittal of focused NMP information that pertains to water quality protection. Regional Water Board staff may request and review NMP information related to a complaint, discharge, or potential discharge to determine the extent that nutrients have been or will be applied at agronomic rates, and whether best management practices were employed to control discharges. The Regional Water Board may also require submittal of focused NMP information if elevated contaminant concentrations are detected in surface water or groundwater monitoring samples. If required in writing by the Regional Water Board Executive Officer, the Discharger must submit nutrient management planning information as directed. Examples of focused NMP information that dairies may be required to submit includes but is not limited to: current nutrient budget calculations, description of nutrient applications to land, and description of best management practices that apply to nutrient management. Failure to submit requested information or implement nutrient management measures consistent with the NMP is a violation of the Order.

Information that is necessary to evaluate compliance with the Order and is requested and provided to Regional Water Board staff may be subject to disclosure pursuant to a California Public Records Act request. NMP information that is required to be submitted by individual dairies pursuant to requests by Regional Water Board staff does not replace the annual nutrient application information that dairies are required to submit in the Annual Report.

The GWDR and attachments have been edited to require that NMP information required in Appendix 2-Nutrient Management Plan be submitted to the Regional Water Board as requested on a case-by-case basis. If requested, only information required by the Appendix 2-Nutrient Management Plan needs to be submitted; the entire USDA NRCS CNMP does not need to be submitted.

The Annual Report has been revised to request specific NMP information to keep up with changing conditions on the dairy and ensure proper nutrient application and mass balance every year. The Proposed GWDR, MRP, NMP, and Annual Report have been edited as follows...