

Regional Water Quality Control Board
North Coast Region

Executive Officer's Summary Report
Thursday, November 19, 2015
Regional Water Board Office
Santa Rosa, California

ITEM: 7

SUBJECT: Public Hearing on Proposed Conditional Waiver of Waste Discharge Requirements Order No. R1-2015-0051 for Mello 3/Llano Oaks Dairy (*Cherie Blatt*)

BOARD ACTION: Consider adoption of Conditional Waiver of Waste Discharge Requirements (Waiver) Order R1-2015-0051

BACKGROUND: On January 12, 2012, the North Coast Regional Water Quality Control Board (Regional Water Board) adopted the regulatory program for waste discharges from existing dairies and concentrated animal feeding operations:

Order No. R1-2012-0001, General NPDES No. CAG011001;
Order No. R1-2012-0002, General Waste Discharge Requirements;
and
Order No. R1-2012-0003, Conditional Waiver of Waste Discharge Requirements.

This program was prepared to cover existing dairies in the Region. New dairies are required to obtain a separate permit and conduct a separate California Environmental Quality Act (CEQA) review process. The Mello 3/Llano Oaks Dairy is the first new dairy to seek an individual permit since January 2012.

The Mello family currently has two other dairies regulated by the 2012 Conditional Waiver located near the new facility. The new project site, located at 3915 Llano Road, Santa Rosa, was a dairy from 1977 until 2005 and contains existing dairy infrastructure in good condition. The Mello family has leased the new proposed dairy property since 2008, for raising a constant population of approximately 200 heifers and dry cows. The new project proposes to house up to a maximum of 370 cows (milking plus dry). Also, up to a maximum of 287 other dairy cattle (such as bulls, heifers, and calves) will be raised onsite to replace existing milking cows. These maximum cattle numbers are due to seasonal fluctuations. The total dairy cattle (milking cows, dry cows, calves, heifers, and bulls) will not exceed 400 dairy cattle at any time.

The 30 day public comment and CEQA review period for the draft Waiver, Mitigated Negative Declaration, and Initial Study for Mello 3/Llano Oaks Dairy began on September 28, 2015 and ended on October 27, 2015. Staff received no written comments during the public comment period.

DISCUSSION: Regional Water Board staff developed the proposed Order No. R1-2015-0051 Conditional Waiver of Waste Discharge Requirements for Mello 3/Llano Oaks Dairy and Mitigated Negative Declaration to comply with CEQA. Under the 2012 Regional Water Board Dairy Program, Conditional Waivers of Waste Discharge Requirements apply to dairies that pose a low or insignificant risk to surface water or to groundwater. This proposed Conditional Waiver is consistent with the dairy regulatory program currently in place. The primary elements of the proposed Conditional Waiver include all elements currently included in the existing Conditional Waiver R1-2012-0003. In addition, a monitoring and reporting program requirement for annual assessment of riparian protections was added, and information was updated on the Water Quality Control Plan for the North Coast Basin (Basin Plan), Total Maximum Daily Loads (TMDLs), and Nutrient Offset project crediting for the Laguna de Santa Rosa watershed.

RECOMMENDATION: Adopt proposed Order R1-2015-0051, the Mitigated Negative Declaration, and the Initial Study.

**SUPPORTING
DOCUMENTS:**

1. Proposed Conditional Waiver of Waste Discharge Requirements for Dairy Operations at the Mello 3/Llano Oaks Dairy, Order No. R1-2015-0051 with Attachments, Monitoring and Reporting Program, and Appendix
2. Regional Water Board Proposed Mitigated Negative Declaration for the Conditional Waiver of Waste Discharge Requirements for Mello 3/Llano Oaks Dairy
3. CEQA Initial Study Supporting the Preparation of a Mitigated Negative Declaration, Conditional Waiver of Waste Discharge Requirements for Dairy Operations at the Mello 3/Llano Oaks Dairy, Order No. R1-2015-0051
4. Regional Water Board Notice of Public Comment Period, Public Hearing, and Notice of Intent to adopt