

## Appendix 1

### Conditional Waiver of Waste Discharge Requirements Monitoring and Reporting Order No. R1-2012-0003 for Existing Cow Dairies

#### In the North Coast Region Water Quality Plan

##### **Purpose**

Owners and operators of dairies (hereinafter identified as “Discharger”) seeking coverage under the conditional waiver of waste discharge requirements for existing cow dairies in the North Coast Region, Order No. R1-2012-0003 (the Waiver), are required to prepare and implement a Water Quality Plan (WQP). The purpose of the WQP is to help the Discharger ensure that their dairy is designed, constructed, operated, and maintained so that contaminants generated by the dairy are managed to prevent adverse impacts to the quality of surface water and groundwater.

##### **Due Date**

The WQP must be submitted to the Regional Water Board within 6 months after the Board’s adoption of the Waiver (i.e., before July 19, 2012). The Regional Water Board Executive Officer may give special TMDL offset dairy projects an alternative schedule for submittal.

##### **Format**

The WQP is developed by the Discharger by printing and completing the following questionnaire. If the Discharger needs more room for any answers, additional sheets can be attached and responses numbered to correspond to the question.

## Water Quality Plan

### I. General Information :

#### A. Basic Dairy Information:

1. Dairy Name: \_\_\_\_\_
2. Address: \_\_\_\_\_
3. Contact person: \_\_\_\_\_
4. Phone number: \_\_\_\_\_
5. E-mail address: \_\_\_\_\_
6. Current number of mature dairy cows (milking + dry): \_\_\_\_\_
7. Current other cattle: \_\_\_\_\_
8. Maximum number of mature dairy cows the dairy is designed for: \_\_\_\_\_
9. Maximum number of other dairy cows the dairy is designed for: \_\_\_\_\_  
\_\_\_\_\_
10. Acres Owned \_\_\_\_\_ List APNs: \_\_\_\_\_  
\_\_\_\_\_
11. Acres Leased \_\_\_\_\_ List APNs: \_\_\_\_\_  
\_\_\_\_\_
12. Acres that receive manure and/or process water: \_\_\_\_\_
13. Average annual amount of manure applied (indicate pounds, tons, cubic yards, or other units): \_\_\_\_\_
14. Average annual amount of process water applied ((indicate pounds, tons, cubic yards, or other units): \_\_\_\_\_
15. Average amount of manure transferred offsite (show units): \_\_\_\_\_
16. Average amount of process water transferred offsite: (show units): \_\_\_\_\_  
\_\_\_\_\_
17. Describe offsite location(s) that receive manure and/or process water:  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

- B. **Map:** Please attach legible map(s) identifying the following items where applicable. You may need to use a full-page satellite map (e.g. Bing, Google, or similar) and one or more additional maps at appropriate scales:

1. Perimeter of land owned
2. Perimeter of land leased
3. Buildings with use identified
4. Manure ponds with drainage area into pond perimeter outlined
5. Production area perimeter: (areas where livestock feeding and housing areas, feed storage areas, manure and process water storage areas, milk barn, chemical storage areas and manure storage areas are located).
6. Surface watercourses and conveyances (ditches, piping)
7. Extent of subsurface tile drainage system and associated discharge points
8. Pumping facilities
9. Flow meters
10. Underground pipelines used for transporting process water
11. Wells and type (domestic, agricultural, industrial, or monitoring well)
12. Drainage controls (berms, levees, and/or ponds) used for tailwater and stormwater
13. Arrows showing direction of flows
14. Stormwater discharge point(s)
15. Pens / fences
16. Crop fields (identified by name or number)
17. Pastures (identified by name or number)
18. Any septic tanks and leachfields on the property
19. Map legend
20. Perimeter of land leased

C. **Waste Discharge:** The discharge of process water or stormwater containing manure to surface waters or groundwater is prohibited under the Waiver.

Has the dairy had a discharge of manure or process water to surface or groundwater? Yes  No

If yes, describe and provide dates: \_\_\_\_\_

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## II. **Water Quality Requirements**

*Based on Statewide Water Quality Regulations for Confined Animal Facilities (CAFs) California Code of Regulations (CCR) Title 27, Division 2, Subdivision 1:*

**A. General Standards for Surface Water.** *The discharger shall prevent animals at a confined animal facility from entering any surface water within the confined area.*

Do cows have access to any surface water in the production area? Yes  No

Describe all measures (i.e. BMPs) taken to prevent access of cows to surface waters in the production area: \_\_\_\_\_  
 \_\_\_\_\_  
 \_\_\_\_\_

Describe all measures taken to protect water quality at livestock crossings: \_\_\_\_\_  
 \_\_\_\_\_  
 \_\_\_\_\_

**B. Design Storm (for Run-On/Run-Off Control)**-Confined animal facilities shall be designed and constructed to retain all facility wastewater (i.e., process water) generated, together with all precipitation on, and drainage through, manured areas during a 25-year, 24-hour storm.

Is your facility designed and operated to meet this code? Yes  No

Please complete the following table for retention ponds:

Pond name/number	Dimensions (feet) Length x width x depth	Volume, cubic feet (exclude 2 feet freeboard)
Total volume:		

Explain how do you determine compliance with the requirement to retain process water during the 25-year 24-hour storm: \_\_\_\_\_  
 \_\_\_\_\_  
 \_\_\_\_\_

Are the retention ponds emptied by November 1 of each year? Yes  No

**C. Manured Area Run-On /Exclusion** -- All precipitation and surface drainage outside of manured areas, including that collected from roofed areas, and runoff from tributary areas during the storm events described in Section 22562 (a), shall be diverted away from manured areas, unless such drainage is fully retained. RWQCBs can waive application of such requirements only in specific instances where upstream land use changes have altered surface drainage patterns such that retention of flood flows is not feasible.

Please describe how your facility is designed and operated to comply with Section 22562 (a) \_\_\_\_\_  
 \_\_\_\_\_  
 \_\_\_\_\_

**D. Design Storm (for Flood Protection)**

*Retention ponds and manured areas at confined animal facilities in operation on or before November 27, 1984, shall be protected from inundation or washout by overflow from any stream channel during 20-year peak stream flows.*

*Dairies that were in operation on or before November 27 1984, and that are protected against 100-year peak stream flows, must continue to provide such protection. Facilities, or portions thereof, which begin operating after November 27, 1984, shall be protected against 100-year peak stream flows.*

1. For dairies beginning operation after November 27, 1984, please explain how your dairy is designed and operated to protect from inundation or washout from 100-year peak stream flows:

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2. If your dairy is required to have protection from 100-year peak stream flows, have the retention ponds and manured facilities at your dairy ever been inundated from any stream during a 100-year peak stream flow? Yes  No   
 If yes, explain:

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3. Is the dairy production area located within a 100-year floodplain?  
Yes  No   
If yes, please explain how your facility is designed and operated to protect from inundation or washout from 100-year peak stream flows: \_\_\_\_\_

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**E. Contingency Plan:** If pond storage does not meet minimum standards, the dairy facility must have a Contingency Plan that describes how the excess precipitation and runoff that is generated during the higher than normal precipitation will be managed.

Please describe any Contingency Plan in place to manage precipitation and runoff generated during higher than normal precipitation: \_\_\_\_\_

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The determination of peak stream flows shall be from data provided by recognized federal, state, local, or other agency.

Please identify the source of information regarding peak stream flows for your dairy: \_\_\_\_\_

**F. Retention Pond Design** – Retention ponds shall be lined with, or underlain by, soils which contain at least 10 percent clay and not more than 10 percent gravel or artificial materials of equivalent impermeability.

1. Do any retention ponds have a liner made from artificial material? Yes  No   
If so, which pond(s) and what is the material? \_\_\_\_\_

\_\_\_\_\_

1. Are your ponds underlain by soils which contain at least 10 percent clay and not more than 10 percent gravel? Yes  No  if yes, how was this determined? \_\_\_\_\_

2. Have you conducted a permeability test on any retention ponds? Yes  No   
If so, which ponds and what was the result? \_\_\_\_\_

\_\_\_\_\_

**G. Land Application of Process Waters** – This conditional Waiver of WDRs (Order No. R1-2012-0003) authorizes the application of manure and process waters to cropland only if such application is in accordance with the conditions of the Waiver. Absent an NPDES permit for discharge to surface waters, the only other allowable discharge is to wastewater treatment facilities approved by the RWQCB. Process water may not be applied to land at a dairy solely for disposal.

**Reasonable Soil Application Rate** – Application of manure and process water to croplands shall be at rates which are reasonable for the crop, soil, climate, special local situations management systems, and type of manure. Please provide information on application practices as requested in the following sections:

**For facilities with a prepared NMP:**

The purpose of a NMP is to identify the management practices used to minimize adverse impacts to surface water and groundwater from runoff and leaching from land application areas. An NMP is specific for a particular dairy and considers crops, soil types, climate, and local conditions for all nutrients, and non-nutrient salts applied to each field. The NMP must be updated in response to changing conditions and when the NMP is not effective in preventing periodic discharges of manure or process water

Federal regulations identify dairies with 700 or more mature dairy cattle as a “large CAFO” (40 CFR §§ 122.23(e), and 122.42(e)(1)(vi)–(ix)) and require such dairies to implement an NMP if they discharge stormwater from cropland without an NPDES permit. A written NMP is encouraged and recommended for all dairies over 50 milk cows.

1. Does your dairy have a written NMP? Yes  No  If so, what specialists helped you prepare the NMP? \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

If your facility has a written NMP, the most current version should be kept at the dairy and available for review by Regional Water Board staff during inspections.

2. Do you implement the written NMP? Yes  No

**For facilities without a prepared NMP:**

1. Is manure and process water generated at your facility applied to cropland at rates that are agronomically sound for the crop, soil, climate, special local situations, management system, and manure and process water characteristics? Yes  No . Please explain: \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

2. If you do nutrient budget calculation for the dairy, please explain below how you complete these calculations: \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

3. Have you ever had your dairy’s manure, process water, or cropland soil tested for nutrient content? Yes  No   
If yes, what were the results and how were they used? \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

***H. Run-Off & Percolation – Discharges of process water to cropland shall not result in surface runoff from the cropland and shall be managed to minimize percolation to ground water.***

1. To reduce the potential for stormwater runoff to transport contaminants to waters of the United States, is nutrient application and associated irrigation

completed by November 1<sup>st</sup> of each year? Yes  No

2. Describe the measures taken to minimize percolation to groundwater and to avoid a discharge of pollutants to groundwater: \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

**I. Management of Manured Areas**

*Manured areas (corrals, manure solids storage areas, etc.) shall be managed to minimize infiltration of water into underlying soils.*

1. Is runoff from manured areas prevented from entering surface waters?  
Yes  No

Are manured areas lined, and if so, how?

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

2. Describe the measures taken to minimize infiltration of manure-laden water into underlying soils within manured areas, corrals, pens, and animal housing areas: \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

3. Describe the measures taken to separate or divert stormwater from contacting manured areas, corrals, pens, and animal housing areas: \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

**II. Best Management Practices**

*Best management practices (BMPs) are any practices or measures used to protect surface and groundwater. Please provide the following information for BMPs used at your dairy:*

- A. Erosion Control: Describe all measures taken to minimize erosion and the discharge of soil particles to surface water: \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

- B. Stream Protection: Please list all stream water quality protection measures at the dairy: \_\_\_\_\_

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- C. Nuisance Control: Describe all measures taken to prevent nuisances. Include odors, breeding of mosquitoes, damage from burrowing animals, damage from equipment during removal of solids, embankment settling, erosion seepage, excess weeds, algae, and other vegetation that could compromise the needed capacity or proper functioning of your facility and/or degrade water quality: \_\_\_\_\_
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- D. Groundwater Protection: What practices are employed at the dairy facility to protect groundwater from contamination at wellheads, sinkholes, and tile drains?
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- E. Dead Animal Disposal: What actions are taken at your dairy to ensure the protection of surface water and groundwater from the disposal of dead animals?
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- F. Chemical Disposal: What BMPs and chemical handling methods do you use to prevent impacts to surface water and groundwater? \_\_\_\_\_
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- G. Petroleum Products: The California Aboveground Petroleum Storage Act requires owners or operators to take specific actions to prevent spills. Daily inspections and secondary containment may be required. Spill reporting to the city, county, and state agencies is required. Are you aware of this Act and is your facility compliant? Yes  No .
- H. Other BMPs: Describe BMPs, not discussed above, as used to:
- 1) Prevent waste discharges to surface waters: \_\_\_\_\_
- 
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- 2) Prevent waste discharges to groundwater: \_\_\_\_\_
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- I. Spill or Noncompliance Reporting: Are you aware of spill and noncompliance reporting requirements in the Monitoring and Reporting Plan? Yes  No .  
Are you in compliance with those reporting requirements? Yes  No .

*"I certify under penalty of law that I have personally examined and am familiar with the information submitted in this report and all attachments and that, based on my inquiry of those individuals immediately responsible for obtaining the information, I believe that the information is true, accurate, and complete. I am aware that there are significant penalties for submitting false information, including the possibility of fine and imprisonment."*

Printed Name: \_\_\_\_\_

Signature: \_\_\_\_\_ Date: \_\_\_\_\_

Reports shall be submitted by July 19, 2012 to:

North Coast Regional Water Quality Control Board  
5550 Skylane Boulevard, Suite A  
Santa Rosa, CA 95403  
Phone (707) 576-2220  
Fax (707) 523-0135