

Eastern San Joaquin River Watershed Tentative WDRs
 Summary of Potential Late Revisions
 30 November 2012

No.	Potential Change	Discussion
<i>Potentially Controversial Changes</i>		
1	Provision IV.B.16, design and operation of settling ponds, basis and tailwater recovery systems – Revision to require that construction and operation of such features must be in accordance with the specifications of Natural Resources Conservation Service (NRCS), University of California, or equivalent	Concerns regarding potential impacts to groundwater quality, pond integrity and potential nuisance due to mosquitoes
2	Nitrogen management plans – Revision to require nitrogen management plans for all Members in low vulnerability areas without “certification” and reporting already described for Members in high vulnerability areas	Tentative Order will allow degradation of high quality waters within low vulnerability areas. Nitrogen management plans needed for all members to document that best practicable treatment or control is implemented anywhere there may be degradation of high quality waters
3	Farm evaluations – Additional time for Members in low vulnerability areas to complete a farm evaluation, by 2015 instead of 2014 (except small farms in low vulnerability areas, which would remain unchanged – by 2017)	Focus on high vulnerability areas and concerns regarding the burden of tentative Order’s reporting requirements
4	Clarifications – vulnerability - Revision of definitions in Attachment E to include information scattered throughout the tentative Order and attachments regarding determination of high/low vulnerability - Clarification of finding 14 that DPR and State Water Board vulnerability zones should be considered by the third-party in designating high/low vulnerability areas	Help to clarify the definitions for vulnerability and make finding 14 consistent with the high/low vulnerability designation requirements given in section IV.A.4 of the tentative MRP
5	Sediment and erosion control plans – Inclusion of a requirement that Members use the sediment and erosion control plan template or equivalent, when developing the plan	Help to ensure that implementation of plans will achieve the performance goals of the tentative Order
6	Finding 5 – inclusion of text to clarify regulatory intent of the tentative Order. <i>“This Order is not intended to regulate... the water quality of soil pore liquid within the root zone.”</i>	Clarify that water quality in the vadose zone, below the root zone, may be considered to assess the threat to groundwater quality under the tentative Order

Eastern San Joaquin River Watershed Tentative WDRs
Summary of Potential Late Revisions
30 November 2012

No.	Potential Change	Discussion
7	Provisions VII.B and VII.D, farm evaluations and nitrogen management plans – Revision of text allowing Executive Officer to reduce frequency of Member reporting, <i>“...the Executive Officer may approve reduction in frequency...if the third-party demonstrates that year to year changes are minimal and adequate progress is being made in achieving this Order’s water quality goals.”</i>	Clarify that reductions in reporting frequencies for farm evaluations and nitrogen management plan summary reports may only be allowed where Members are making adequate progress in achieving the water quality requirements of the tentative Order.
Clarifications and Background Changes		
8	Finding 17 –Clarifications regarding impacts to groundwater quality	Clarification
9	Finding 23 – Clarification regarding limitations of regional monitoring and that management practice effectiveness will be evaluated under the tentative Order	Clarification
10	Finding 49 – Clarification of enforcement priorities to indicate that Members participating in management practice effectiveness program studies would not be high priority for enforcement	Clarification
11	Provisions IV.A.3 and IV.B.20, requirements to comply with water quality objectives – Point to existing time schedule provisions	Clarify that Members under the tentative Order’s time schedule provisions will not be in immediate violation of these provisions
12	Provision IV.B.7, sediment and erosion performance standard – Deletion of “natural” from the performance standard <i>“...minimize or eliminate the discharge of sediment above natural background levels.”</i>	Clarify that the standard applies to conditions unaffected by the Member’s discharge, generally directly upstream of the discharge
13	MRP, IV.B, Management Practices Evaluation Program (MPEP) – Textual modifications to clarify goals and objectives of the MPEP	Clarification
14	Information sheet – Include background information on the Central Valley Water Board’s irrigated agricultural regulatory program	Provide background that the program has been in place for surface water since the 1980s
15	Revision to antidegradation findings and discussion in the Information Sheet	Provide additional background and clarification on the tentative Order’s implementation of the State Antidegradation Policy