

CALIFORNIA REGIONAL WATER QUALITY CONTROL BOARD
CENTRAL VALLEY REGION

ORDER NO. R5-2014-0031

REVISING ORDER NO. R5-2012-0116-R1
WASTE DISCHARGE REQUIREMENTS GENERAL ORDER
FOR GROWERS WITHIN THE EASTERN SAN JOAQUIN RIVER WATERSHED
THAT ARE MEMBERS OF THE THIRD-PARTY GROUP

WHEREAS, the California Regional Water Quality Control Board, Central Valley Region (hereafter Central Valley Water Board) finds that:

1. On 7 December 2012, the Central Valley Water Board issued Order No. R5-2012-0116 Waste Discharge Requirements General Order for Growers within the Eastern San Joaquin River Watershed that are Members of the Third-party Group (Eastern San Joaquin Order). The Central Valley Water Board adopted revisions to the Eastern San Joaquin Order (Order No. R5-2012-0116-R1) on 3 October 2013.
2. The Central Valley Water Board's authority to regulate waste discharges that could affect the quality of the waters of the state, which includes both surface water and groundwater, is found in the Porter-Cologne Water Quality Control Act (California Water Code Division 7).
3. The Eastern San Joaquin Order requires the third-party Members in High Vulnerability areas to submit the first Farm Evaluation on 1 March 2014, and for the third-party to report by 1 May 2014 a summary of management practice information collected as part of Farm Evaluations. The third-party suspended its development of an electronic web-based reporting system in September 2013 due to potential patent infringement issues. The patent issues related to the web-based reporting system were resolved and the third-party is now able to establish a web-based system. The 2014 due dates for preparation and submission of Farm Evaluations and associated reporting for Members and the third-party are revised by this Order to allow a two-month extension for the development of the web-based system for Members. The extension is expected to increase the likelihood of compliance, increase the accuracy of the information provided, and enhance the ability of the board and the third-party to readily evaluate and assess the data submitted.
4. This Order revises the Eastern San Joaquin Order to provide the third-party additional time to establish an electronic web-based submission system for its Members, and additional time to report a summary of information to the board. The first Farm Evaluation is now due on 1 May 2014. The third-party must prepare and report a summary of management practice information collected as part of Farm Evaluations by 1 July 2014.
5. Adoption of this Order to amend Order No. R5-2012-0116-R1 is exempt from the provisions of Chapter 3 of the California Environmental Quality Act (CEQA) (Public Resources Code Section 21000, et seq.) in accordance with Title 14, California Code of Regulations, Section 15061 (b)(3). The changes to the provisions in the Eastern San Joaquin Order do not have a potential for causing a significant effect on the environment, since the changes are administrative in nature and do not change the substantive provisions of the Eastern San

Joaquin Order. This Order does not change the original CEQA findings accompanying Order No. R5-2012-0116.

6. The Central Valley Water Board has notified interested agencies and persons of its intent to adopt this Order for discharges of waste from irrigated lands within the Eastern San Joaquin River Watershed, and has provided them with an opportunity for a public hearing and an opportunity to submit comments.
7. The Central Valley Water Board, in a public meeting, heard and considered all comments pertaining to this Order.
8. Any person affected by this action of the Central Valley Water Board may petition the State Water Board to review this action. The State Water Board must receive the petition within 30 days of the date on which the Central Valley Water Board adopted this Order. Copies of the law and regulations applicable to filing petitions will be provided upon request.

IT IS HEREBY ORDERED that Waste Discharge Requirements Order No. R5-2012-0116-R1 is revised by making the modifications identified in Attachment 1 of this Order.

I, PAMELA C. CREEDON, Executive Officer, do hereby certify the foregoing is a full, true, and correct copy of an Order adopted by the California Regional Water Quality Control Board, Central Valley Region, on 27 March 2014.

Original signed by

PAMELA C. CREEDON, Executive Officer

Attachment 1: Revisions to Waste Discharge Requirements R5-2012-0116-R1

ATTACHMENT 1

ORDER NO. R5-2014-0031

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WASTE DISCHARGE REQUIREMENTS

Page 24, first sentence in section VII.B.2. *All Members in High Vulnerability Areas (Surface/Groundwater)*, revise as follows:

By 1 ~~March~~ May 2014, all Members within a high vulnerability area must prepare their Farm Evaluation and submit it to the third-party. An updated Farm Evaluation must be prepared and submitted to the third-party by 1 March annually thereafter. ...

ATTACHMENT B – MONITORING AND REPORTING PLAN

Page 20, section V.C. Monitoring Report, additional explanation to the end of the first paragraph in the section:

The Monitoring Report shall be submitted by 1 May every year, with the first report due 1 May 2014. The report shall cover the monitoring periods from the previous hydrologic water year. A hydrologic water year is defined as 1 October through 30 September. The report shall include the following components [the monitoring report components for the first report does not include Report Component (18), which shall be due by 1 July 2014]:

Page 21, section V.C. Monitoring Report, add an additional sentence to the end of the paragraph of Report Component (18) as follows:

For management practice information provided in Farm Evaluations by Members in their 1 May 2014 submittal to the third-party [per section VII.B.2. of the Waste Discharge Requirements], this Report Component must be submitted to the Central Valley Water Board as an addendum to the Monitoring Report by 1 July 2014.