

ITEM: 16

SUBJECT: Existing Milk Cow Dairies

BOARD ACTION: *Consideration of Adoption of General Waste Discharge Requirements and General National Pollutant Discharge Elimination System (NPDES) Permit for Concentrated Animal Feeding Operations (CAFOs)*

BACKGROUND: The United States Environmental Protection Agency (EPA) has issued regulations on surface water discharges from concentrated animal feeding operations (CAFOs), using its authority under the federal Clean Water Act. CAFOs include all types of animal feeding operations, provided that the operations meeting specific requirements based on the number and type of animals, and the operation of the animal facility.

There are currently approximately 1440 existing milk cow dairies in the Central Valley. While a small number of these facilities are regulated under individual Waste Discharge Requirements, the majority are regulated under Waste Discharge Requirements General Order for Existing Milk Cow Dairies, Order No. R5-2007-0035 (General Order). The General Order, adopted by the Central Valley Water Board on 3 May 2007 required dairies to submit information on their nutrient management and waste management practices according to a schedule, with all submittals and implementation to be complete by July 2012. The General Order does not serve as a federal NPDES permit, and thus derives its authority solely from California law.

This Order will serve as General Waste Discharge Requirements and General NPDES Permit for those existing milk cow dairies that are classified as CAFOs under the Federal NPDES CAFO rule.

ISSUES: A draft of this Order was sent out for public review on 6 October 2010. Four comment letters were received; responses to those letters have been prepared and are contained in the Response to Comments document.

RECOMMENDATION: Adopt the proposed general waste discharge requirements and general NPDES permit for CAFOs.

Mgmt. Review \_\_\_\_\_  
Legal Review \_\_\_APM\_\_\_

10 December 2010  
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