

**CALIFORNIA REGIONAL WATER QUALITY CONTROL BOARD
CENTRAL VALLEY REGION**

ORDER R5-2014-XXXX – INFORMATION SHEET

**REVISING ORDER R5-2013-0120
WASTE DISCHARGE REQUIREMENTS GENERAL ORDER
FOR GROWERS WITHIN THE TULARE LAKE BASIN AREA THAT ARE
MEMBERS OF A THIRD-PARTY GROUP (TULARE LAKE BASIN AREA OR TLBA
GENERAL ORDER)**

As described in the Findings, the Tentative Order would change deadlines for Members of a Third-Party Group to:

- Submit an initial Farm Evaluation;
- Complete a Farm Evaluation;
- Complete a Nitrogen Management Plan using a template approved by the Board's Executive Officer;
- Certify a Nitrogen Management Plan; and
- Prepare a Nitrogen Management Plan Summary Report.

Board staff are proposing changes to the impending deadlines because the above requirements are dependent on information that will be contained in the Groundwater Quality Assessment Reports (GARs), which have been delayed. The narrative and table below describe the similarities and differences between the Board staff proposal and the reply proposal that was submitted by the Coalitions (Third-party groups) subject to the TLBA General Order.

Small Farming Operations

The TLBA Order has different due dates for Members with small farming operations (less than 60 acres) and all other Members or those with large farming operations (60 acres or greater). The TLBA General Order estimated that Members with small farming operations would constitute about 58 percent of the growers and 4.6% of the irrigated lands.

The staff proposal and the Coalitions' proposal are identical with respect to the deadlines for Members with small farming operations (defined as farming operations less than 60 acres). The tentative Order would change the initial Farm Evaluation Template submittal date for small farming operations in high vulnerability areas from 1 March 2015 to 1 March 2016.

Large Farming Operations

Farm Evaluations – Board staff proposes that Members with large farming operations (greater than 60 acres) submit their first Farm Evaluation by 1 March 2015. The Coalitions' proposal would require that the first Farm Evaluation be submitted by 1 March 2016. The current TLBA General Order has a 1 March 2015 date for large farming operations in high vulnerability areas and a 1 March 2016 date for large farming operations in low vulnerability areas. Based on

written comments received, staff has revised the Tentative Order to require that large farming operations in high vulnerability areas submit a completed Farm Evaluation Template to the third-party group by 1 March 2016.

Nitrogen Management Plan – both the Board staff proposal and the Coalitions' proposal require preparation of the Nitrogen Management Plan within 90 days after the Executive Officer provides the Nitrogen Management Plan Template. However, the Coalitions' proposal would only apply to large farming operations in high vulnerability areas. Board staff anticipate the Nitrogen Management Plan template being provided by the Executive Officer in December 2014/January 2015, which is before the high and low vulnerability areas will be known. Both proposals delay the preparation of a certified Nitrogen Management Plan until 1 March 2016 for large farms. The current TLBA General Order has a 1 March 2015 date for large farming operations in high vulnerability areas and a 1 March 2017 date for large farming operations in low vulnerability areas. The current TLBA General Order requires that the Nitrogen Management Plan prepared in high vulnerability areas be certified starting in 1 March 2015.

Based on written comments received, staff has revised the Tentative Order to require that all large farming operations within high vulnerability areas prepare a Nitrogen Management Plan within 90 days of the date the Executive Officer issues the Nitrogen Management Plan Template. The Tentative Order requires that the third party groups meet with Central Valley Water Board staff by 31 December 2014 to discuss and receive agreement from staff on their proposed process for determining high and low vulnerability areas to be submitted as part of their GAR. If an agreement on the vulnerability designation process is not reached by 1 February 2015, the Executive Officer will make the final determination regarding high and low vulnerability areas.

Nitrogen Management Plan Summary Report – the Board staff proposal does not change the submittal of the first Nitrogen Management Plan Summary Report for large farming operations in high vulnerability areas (1 March 2016 in the current TLBA General Order), since vulnerability designations will be identified in 2015. The Coalitions' proposal would delay the submittal of the first Nitrogen Management Plan Summary Report to 1 March 2017. Based on written comments received, staff has revised the Tentative Order to require the submittal of the first Nitrogen Management Plan Summary Report by 1 March 2017.

Timetable of Adopted and Proposed Member Reporting Deadlines - Tulare Lake Basin Area Order

Order	FARM EVALUATION IMPLEMENTATION DEADLINES				NITROGEN MANAGEMENT PLAN DEADLINES				NITROGEN MANAGEMENT PLAN CERTIFICATION DEADLINES		NITROGEN MANAGEMENT PLAN SUMMARY REPORT DEADLINES	
	High Vulnerability		Low Vulnerability		High Vulnerability		Low Vulnerability		High Vulnerability		High Vulnerability	
	Large Farm	Small Farm	Large Farm	Small Farm	Large Farm	Small Farm	Large Farm	Small Farm	Large Farm	Small Farm	Large Farm	Small Farm
Tulare Lake Basin Area (Adopted)	1-Mar-2015	1-Mar-2015	1-Mar-2016	1-Mar-2018	1-Mar-2015	1-Mar-2017	1-Mar-2017	1-Mar-2017	1-Mar-2015	1-Mar-2017	1-Mar-2016	1-Mar-2018
Tulare Lake Basin Area (Staff Proposal)	1-Mar-2015	1-Mar-2016	1-Mar-2015	1-Mar-2018	90 Days after NMPT* 1 March after	1-Mar-2017	90 Days after NMPT	1-Mar-2017	1-Mar-2016	1-Mar-2017	1-Mar-2017	1-Mar-2018
Tulare Lake Basin Area (Coalition Proposal)	1-Mar-2016	1-Mar-2016	1-Mar-2016	1-Mar-2018	90 Days after NMPT 1 March after	1-Mar-2017	1-Mar-2017	1-Mar-2017	1-Mar-2016	1-Mar-2017	1-Mar-2017	1-Mar-2018

*Nitrogen Management Plan Template (NMPT)