

# Dairy Cares Key Issues with SWRCB Proposed Order

Manure is a vital resource – not a “waste”

Central Valley Water Board has necessary expertise, authority and experience to lead and oversee development of nitrogen limits

Central Valley Water Board needs flexibility to prioritize and address ponds

Uncertain authority for requiring drinking water programs outside Central Valley Management Zones

Order should be limited to Central Valley dairies

# Manure is a vital resource

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Manure is an excellent, natural, organic fertilizer that builds healthy soils

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Growing forage crops for cows is a fundamental and central part of the dairy business that requires nitrogen, phosphorus and potassium and healthy soils

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Use of manure is not disposal; only surplus manure is an issue

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Industry is actively working to determine better uses for surplus manure

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SWRCB Proposed Order needs to be revised to remove mischaracterization

## Process for identifying nitrogen loading limits and land application rate formulas needs to be part of Dairy General Order

- Central Valley Water Board has expertise and staff resources to lead and oversee process for identifying nitrogen loading limits and land application rate formulas
- SWRCB Proposed Order results in delays for adoption of Dairy General Order until ~2032 or beyond
- SWRCB Proposed Order ‘reinvents wheel’ instead of using existing tools developed in CV SALTS process and ILRPs
- Dairy General Order needs to incorporate process for setting N limits
  - Avoids delay in adoption of Dairy General Order
  - Allows for collection of critical data
  - Draws on Central Valley Water Board expertise and experience
  - Maintains Central Valley Water Board leadership and oversight
  - Timeframes for setting limits can be incorporated into Dairy General Order

# Central Valley Water Board in best position to prioritize and address ponds of concern

- Central Valley Water Board needs flexibility and discretion to prioritize ponds that may have hydraulic continuity to groundwater
- Central Valley Water Board has expertise to identify dairies that may be a greater threat to water quality and thus be prioritized for 13267 orders
- Central Valley Water Board needs flexibility to direct staff resources to address those ponds that potentially pose greatest threats to water quality
- SWRCB Proposed Order requiring lining of all ponds within three years that have hydraulic continuity with groundwater is an unrealistic time frame
  - Central Valley Water Board staff must review and approve all proposed workplans and pond completions
  - Availability of qualified consultants and engineers to design and build ponds is limited
  - Criteria can be established to address highest priority areas first

Central Valley Water Board in best position to develop appropriate interim and final requirements for existing earthen ponds

SWRCB Proposed Order interim requirements are impractical to implement

SWRCB Proposed Order should defer development of interim and final requirements to Central Valley Water Board as part of Dairy General Order

SWRCB does not have authority for mandating drinking water programs outside of Central Valley Management Zones through SWRCB Proposed Order or Dairy General Order

- Management Zones provide a structure where all contributors to nitrogen pollution provide financial support
- Drinking water provisions through Management Zones are an alternative compliance pathway and part of the Basin Plan
- No evidence of wide-spread nitrate exceedances in non-prioritized areas

# SWRCB Proposed Order should be limited to the Central Valley

- Data and information from 2019 CVDRMP Report is from the Central Valley
- Nitrate impacts in other regions from dairies has not been assessed or evaluated
- Without data and information for other regions - blanket policy based merely on manure to land is an inappropriate threshold
- Inclusion of other regions creates confusion and may dilute focus on Central Valley Water Board's need to adopt a revised Dairy General Order as soon as possible