

CALIFORNIA REGIONAL WATER QUALITY CONTROL BOARD
CENTRAL VALLEY REGION

TENTATIVE ORDER NO. R5-2026-XXXX – ATTACHMENT E

WATER CODE SECTION 13267 **ORDER R5-2026-XXXX-NRP4-XX**
MODEL MONITORING AND REPORTING PROGRAM
ENACTING THE MODESTO MANAGEMENT ZONE IMPLEMENTATION PLAN
FOR NON-15 DISCHARGERS

On **[DATE]**, the Central Valley Regional Water Quality Control Board (“**Central Valley Water Board**”) adopted Order R5-**202X-XXXX** (“**MZIP Approval Order**”), which formally approved the Modesto Management Zone Implementation Plan (“**MZIP**”) and granted an exception from the implementation of the water quality objectives (“**WQOs**”) for nitrate and other forms of nitrogen speciation (“**nitrate exception**”) to dischargers participating in the Modesto Management Zone. The MZIP Approval Order contains additional findings in support of this associated Monitoring and Reporting Program Order (“**MRP**”).

In its MZIP, the Modesto Management Zone proposed sector-based Nitrate Reduction Plans (“**NRPs**”) that describe interim milestones that certain dischargers, groups of dischargers, and/or the Management Zone or other 3rd party representative groups must achieve to satisfy the requirements of the Nitrate Control Program (“**NCP**”) and justify the continuation of nitrate exceptions for participating dischargers. In approving the MZIP Approval Order, the Central Valley Water Board issued MRPs, like this one, to create enforceable requirements for participating dischargers to implement their respective NRPs.

This MRP

This Model MRP contains requirements that incorporate interim milestones and deadlines proposed in Modesto MZIP NRP-4 as enforceable requirements for each recipient (“**Discharger**”).¹ The requirements of this MRP are in addition to those dischargers’ requirements under their existing waste discharge requirements orders and associated MRPs, as listed in Appendix I, Table 1.

This MRP is issued pursuant to Water Code section 13267. The activities required by this MRP are necessary for the Central Valley Water Board to assess dischargers’ compliance with and implementation of the NCP and to gather data to support development of future phases of the NCP. The burden, including costs, of these

¹ Each Non-15 permitted facility that is participating in the Modesto Management Zone has been issued a unique copy of this MRP **R5-2026-XXXX-NRP4** (as indicated by number(s) following “NRP4” in each discharger’s MRP order number (e.g., **R5-2026-XXXX-NRP4-01**)). The requirements of each of these MRPs are identical.

requirements are reasonable in relation to the need therefore and the benefits to be obtained thereby. Dischargers named in this MRP must comply with the requirements below to maintain good standing in the Modesto Management Zone and maintain granted nitrate exceptions.

IT IS HEREBY ORDERED, pursuant to Water Code section 13267, that the Discharger shall comply with the following:

1. **Within 5 years** of adoption of the MZIP Approval Order, submit a **Nitrate Delineation Report** including, at minimum, the following:
 - a. Delineation of the Facility's Area of Contribution (AOC).
 - b. Quantification of the Facility's nitrate loading to the Upper Zone of groundwater underlying the Facility's AOC.
2. **Within 7 years** of adoption of the MZIP Approval Order, submit a **Nitrate Reduction Workplan**, as described in the Modesto MZIP, Appendix NRP-4, including, at minimum, the following:
 - a. Estimation of the Facility's required minimum nitrogen load reduction and improvement in Facility's discharge quality to comply with the Management Zone's Groundwater Protection Target(s) (or alternative individual groundwater protection target applicable to the Facility).
 - b. A detailed time schedule for meeting the following interim milestones and milestones to ensure compliance with the Nitrate Control Program:
 - i. Interim Milestone #1: Complete Facility Planning Process
 - ii. Interim Milestone #2: Select Compliance Project and Initiate Project
 - iii. Interim Milestone #3: Complete Compliance Project
 - iv. Interim Milestone #4: Demonstrate Facility Compliance

The time schedule shall be as short as practicable and include estimated initiation and completion dates for each interim milestone. If a particular milestone is unnecessary, the Report shall document this finding and the reasoning.

 - c. Documentation of why compliance with the water quality objectives for nitrate cannot be achieved in less time than the term of the Discharger's nitrate exception (see MZIP Approval Order, § XXX).

3. The Discharger shall collect and report to the Modesto Management Zone any and all nitrate discharge-related data required by the Management Zone to effectuate the Modesto MZIP and the requirements of the MZIP Approval Order.
4. All monitoring reports that involve planning, investigation, evaluation or design, or other work requiring interpretation and proper application of engineering or geologic sciences, shall be prepared by or under the direction of persons registered to practice in California pursuant to Business and Professions Code sections 6735, 7835, and 7835.1.

Enforcement

Failure to comply with this Order may result in the assessment of administrative civil liability of up to \$1,000 per violation per day, depending on the violation, pursuant to Water Code section 13268. The Central Valley Water Board reserves its right to take any additional enforcement actions authorized by law.

Administrative Review

Any person aggrieved by this action of the Central Valley Water Board may petition the State Water Resources Control Board to review the action in accordance with California Water Code section 13320 and California Code of Regulations, title 23, sections 2050 and following. The State Water Resources Control Board must receive the petition by 5:00 p.m., 30 days after the date of this MRP, except that if the thirtieth day following the date of this Order falls on a Saturday, Sunday, or state holiday, the petition must be received by the State Water Resources Control Board by 5:00 p.m. on the next business day. [Copies of the law and regulations applicable to filing petitions](#) may be found on the internet (http://www.waterboards.ca.gov/public_notices/petitions/water_quality) or will be provided on request.

If you have any questions about this Order please contact Robert Ditto at robert.ditto@waterboards.ca.gov or by phone at 916-464-4642..

This Order is effective upon the date of signature.

For the Central Valley Regional Water Quality Control Board

APPENDIX I

TABLE 1

NRP-4 #	Facility	Permit(s)	Group
01	City of Modesto Facilities	R5-2025-0059	1
02	City of Salida WWTP	92-036	1
03	Conagra Oakdale Facility	R5-2002-0098	1
04	Del Rio CSD	97-010-DWQ-R5010	2
05	Del Rio East HOA	97-010-DWQ-R5042	2
06	Del Rio Lago Wastewater Systems	2014-0153-DWQ-R5347	2
07	Modesto Reservoir WWTP	94-360	2
08	Ratto Brothers	R5-2024-0066	2
09	Waterford WWTP	94-273	3