

Regional Water Quality Control Board
North Coast Region

Executive Officer's Summary Report
Thursday, August 11, 2016
Regional Water Board Office
Santa Rosa, California

ITEM: 2

SUBJECT: Public Hearing on Proposed Waste Discharge Requirements Order No. R1-2016-0011 for McClelland Dairy West, Santa Rosa, Sonoma County (Cherie Blatt)

BOARD ACTION: Consider adoption of Waste Discharge Requirements (WDRs) Order No. R1-2016-0011 and the Mitigated Negative Declaration

BACKGROUND: On January 12, 2012, the North Coast Regional Water Quality Control Board (Regional Water Board) adopted the regulatory program for waste discharges from existing dairies and concentrated animal feeding operations:

Order No. R1-2012-0001, General NPDES No. CAG011001;
Order No. R1-2012-0002, General Waste Discharge Requirements; and
Order No. R1-2012-0003, Conditional Waiver of Waste Discharge Requirements.

This program was prepared to cover existing dairies in the Region. New dairies are required to obtain a separate permit and conduct a separate California Environmental Quality Act (CEQA) review process. The McClelland family has requested an individual dairy permit to open the McClelland Dairy West, the second new dairy in the North Coast Region to seek an individual permit since January 2012.

The McClelland family owns and operates another dairy located in west Petaluma, which is regulated by the Region's 2012 Conditional Waiver of Waste Discharge Requirements for Existing Dairies. The McClelland Dairy West project site, located at 5000 Llano Road, Santa Rosa, was a dairy from the 1940s until about 1999 and contains existing dairy infrastructure in good condition; however, some barns will need to be rebuilt on the existing footprint. The McClelland family purchased the new proposed dairy property in 2012, for raising approximately 200 heifers and dry cows during the winter season and up to 300 heifers and dry cows during the summer. The new dairy project proposes to house up to a maximum of 370 cows (milking plus dry). Also, up to a maximum of 287 other dairy cattle (such as bulls, heifers, and calves) will be raised onsite to replace existing milking cows. These maximum cattle numbers are due to seasonal fluctuations. The total number of dairy cattle (milking cows, dry cows, calves, heifers, and bulls) will not exceed 400 at any time.

Regional Water Board staff developed waste discharge requirements in the proposed Order No. R1-2016-0011 for McClelland Dairy West to permit discharges associated with operations of the dairy and developed the Initial Study/Mitigated Negative Declaration to comply with the California Environmental Quality Act (CEQA). The 30-day public comment and CEQA review period for the draft WDRs and Initial Study/Mitigated Negative

Declaration for McClelland Dairy West began on May 27, 2016. Staff received no written comments from the public or agencies during the public comment period. Pursuant to Public Resources Code section 21080.3.1 and 21080.3.2, consultation with the Federated Indians of Graton Rancheria regarding tribal cultural resources resulted in numerous correspondences, several meetings, a joint visit to the project site, and the McClellands hiring a private archaeologist to perform a survey and produce an archaeology report. The archaeology/tribal cultural resources mitigation measures were incorporated in the draft WDRs and the Initial Study/Mitigated Negative Declaration.

DISCUSSION: The proposed Order for McClelland Dairy West is consistent with the dairy regulatory program currently in place. The primary elements of the proposed Order are consistent with the General Waste Discharge Requirements Order No. R1-2012-0002 and the Conditional Waiver of Waste Discharge Requirements Order No. R1-2012-0003. In addition, a monitoring and reporting program for annual assessment of riparian protections and cultural resources was added, and new and updated information on nutrient offset project crediting for the Laguna de Santa Rosa watershed was included as well.

RECOMMENDATION: Adopt proposed Order R1-2016-0011 and the Mitigated Negative Declaration

SUPPORTING DOCUMENTS:

1. Proposed Waste Discharge Requirements for Dairy Operations at the McClelland Dairy West, Order No. R1-2016-0011 with:
 - Attachment A - Statewide Water Quality Regulations for Confined Animal Facilities
 - Attachment B - Definitions
 - Attachment C - Water Quality Plan
 - Attachment D - Nutrient Management Plan
 - Monitoring and Reporting Program
 - Appendix 1 - Annual Report
2. Proposed Mitigated Negative Declaration for the Waste Discharge Requirements for McClelland Dairy West
3. CEQA Initial Study Supporting the Preparation of a Mitigated Negative Declaration, Waste Discharge Requirements for Dairy Operations at the McClelland Dairy West
4. Regional Water Board Notice of Public Comment Period, Public Hearing, and Notice of Intent to adopt