



UNIVERSITY OF CALIFORNIA	COOPERATIVE EXTENSION
	
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DAIRY NEWS DAIRY NEWS

New Environmental Permitting Requirements Affect ALL California Dairy Producers

The New Year brings important new challenges for California dairy producers. We are writing you today to underscore the importance of new state and federal environmental regulations, and how they relate to your operation.

In December, the Central Valley Regional Water Quality Control Board (CVRWQCB) adopted a new process for all Central Valley dairies to be permitted for “wastewater discharges,” that is, for any situation in which manure nutrient-enriched water is applied to crops or soil. This is a big change from the previous system under which most dairies operated – an automatic conditional waiver. The new process allows a producer to choose from 3 permitting options: 1) A federal NPDES (National Pollutant Discharge Elimination System) permit; 2) A state permit, known as a Waste Discharge Requirement (WDR); or 3) A “conditional waiver” of a WDR, for producers that meet certain conditions, including accomplishing certification under the California Dairy Quality Assurance Program (CDQAP).

Meanwhile, on December 16, the U.S. Environmental Protection Agency announced a final revised rule that will require all large livestock operations, including dairies, to seek federal wastewater permits, known as NPDES permits. The new rule requires dairies with more than 700 mature cows (milking or dry) or 1,000 heifers to apply for these permits. Smaller operations may also be required to have federal permits under certain conditions.

The fact that these new state and federal regulatory processes have overlapping requirements – and deadlines – can make these already complex regulations even more confusing. Many producers are already seeking help. Because both sets of rules come with choices and deadlines, many of you are also asking: When do I have to act?

What's best for my operation? While those answers ultimately lie with each producer, we want you to know that a consortium of dairy industry representatives has been working hard to clarify details on the new rules, so that you can make an informed and timely decision. In the coming weeks, dairy trade associations, University of California Cooperative Extension dairy advisers, and many others from individual companies and cooperatives will be working hard to get comprehensive, yet concise information to you regarding your options. We urge you to pay especially close attention in February and March, as we anticipate a great deal more information becoming available.

With details still being worked out, it is nevertheless clear that every Central Valley dairy producer will soon be required to complete forms detailing a dairy's manure management and herd size. Fees of \$2,000 will be required in most cases for federal NPDES permits, state WDRs, or waivers of WDRs, although the new conditional waivers may be eligible for a partial refund. Those dairies that have paid permit fees in the past, however, may not need to pay additional fees.

There are several steps that you can be working on now to help you respond more quickly once options are better defined. These steps will be helpful no matter which option you pursue under the new plan:

1. Calculate and keep on hand critical details of manure management, such as depth and dimensions of retention ponds, estimated volume of wash/wastewater created on the facility, amount of dry manure/bedding produced and number of animals.
2. Watch closely for news updates from your trade association, milk processor and other trusted sources of news and information.
3. You may wish to budget now for the anticipated fees for a waste discharge permit (state or federal) or a waiver (\$2,000).
4. If you have records of previous fee payments, be sure they are on hand.
5. Watch your mail closely for official regulatory notices.

Finally, we would offer a word of caution. As of this writing, no one – not even state and federal regulatory officials – have all the answers to how the new regulations affect individual producers, nor which options are best for you. Therefore, we would urge producers to use care in considering proposals offering help in meeting your regulatory needs. More detailed information will be available soon. We will work to keep you posted on important developments and deadlines. We plan to provide helpful and timely information as it becomes available.

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