



KINGS RIVER WATER QUALITY COALITION

June 1, 2016

Ms. Jeanine Townsend
Clerk to the Board
State Water Resources Control Board
P. O. Box 100
Sacramento, CA 95812-0100
Via email: commentletters@waterbords.ca.gov



Subject: Eastern San Joaquin River Watershed Agricultural Order
SWRCB/OCC Files A-2239(a)-(c)

Dear Ms. Townsend:

The Kings River Water Quality Coalition (Kings River Coalition) is a member of the Southern San Joaquin Water Quality Coalition and supports the comments prepared by our counsel, Mr. William Thomas. We would like to offer these additional comments as they relate specifically to the Kings River Coalition.

The Kings River Coalition represents nearly 5,000 grower members covering roughly 770,000 irrigated acres in implementing the WDR General Order for Growers within the Tulare Lake Basin. Most of our members and roughly 50% of the irrigated acreage within the coalition service area were only recently regulated under Irrigated Lands Regulatory Program due to the expansion to groundwater quality in September of 2013. Since the Tulare Lake Basin WDR adoption, there has been a tremendous amount of outreach and education conducted by the Coalition, which has brought awareness and understanding of the current requirements as well as the importance of good nutrient management to protect groundwater quality. Substantial changes to the program would be a huge setback to those ongoing efforts. Any changes proposed through this petition process should be evaluated for their necessity and for the potential that they could cause detriment to the significant progress that has been made by all involved.

Key Issues

1. Data Aggregation

The most significant issue for the Kings River Coalition and its members is the requirement to provide individual farm information for submittal into the State's public database. One of the coalitions' key functions is to aggregate member data at a township and crop scale. If this aggregation process is significantly diminished through direct submittal of member information, many will question the role and viability of the coalition. None of the alternatives identified in the proposal would be seen as a viable option and the current processes of data aggregation in the current WDR's should be allowed to continue. Technical experts testified at the Fresno Workshop that the current program is scientifically valid and that township and crop reporting is sufficient. We however do agree that

Regional Water Board audit and compliance inspections should occur to provide transparency. We are committed to an audit process conducted by the Regional Board as outlined in the SSJWQC comments.

2. Domestic Well Testing

Another significant concern of the Kings River Coalition is the requirement that member or the coalition test all domestic wells on member's property and to provide replacement water to residents when results are above the standard. We concur that testing of drinking water wells is an important consideration for public health, but we disagree with its limited inclusion in this source control program. In order to protect public health from all contaminants, including naturally occurring arsenic, a broader central valley or statewide effort is more appropriate to monitor groundwater in domestic wells and should be advanced through other avenues. Without a broader effort outside of nitrates, the burdens are only placed on one discharger group and furthermore may give residents a false impression that their water is safe to drink.

The Kings River Coalition is and has been an active participant in several stakeholder efforts to advance the concerns of disadvantaged community drinking water issues and remains committed to efforts to bring viable near and long-term solutions for these communities.

3. Irrigation and Nitrogen Management Plan (INMP)

The Kings River Coalition along with the other coalition groups have worked extensively with much public input on the development of the current Nitrogen Management Plan (NMP) template and the NMP Summary Report. Much consideration was given to the complexities of the farming landscape in developing a NMP that forced good nitrogen management practices met the reporting requirements for the regulating entities. As a result of that process, we have an NMP and an NMP Summary report that accomplishes the goals of the program and does it in a way that improves data quality. We recognized that Nitrogen Removed was an important part of the regulatory program, but scientifically valid estimates of removal are not currently available for all crops in the California. We advanced the Applied Nitrogen over Yield (A/Y) as a way to inform growers of their nitrogen use efficiency for all crops immediately. While nitrogen removal studies are developed, and updated over time the A/Y metric and its trends over time can show substantial progress. Coalitions can then improve data quality by providing a single source to the Regional Board on nitrogen removal and by providing a feedback loop to our grower members, instead of thousands of these calculations occurring independently.

4. Removal of Low Vulnerability Areas

Under the current WDR, high and low vulnerability areas were developed in order to prioritize limited resources. Increasing member requirements on growers in currently defined low vulnerability areas will significantly increase their costs without substantial benefits to water quality. This will also significantly increase coalition costs and diminish resources currently devoted to areas of higher concern. Modifications that significantly increase costs should be carefully vetted before proceeding and a thorough economic analysis is warranted.

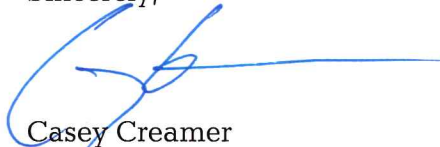
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5. Management Practices Evaluation Program (MPEP)

The Kings River Coalition has been working diligently and proactively with the Southern San Joaquin MPEP Committee in developing a Management Practices Evaluation Program Workplan. The proposed approach emphasizes early efforts in outreach to increase implementation of known protective practices while prioritizing near and longer term efforts needed to improve the scientific knowledge base as it relates to groundwater quality impacts. We have recently released a Discussion Draft and have made that draft a part of the official record through the SSJWQC official comments. We believe that the proposed approach provides an alternative to several of the suggested modifications in the petition and at the very least provides an opportunity to have more thoughtful discussion on this important, but yet still unchartered component of the current Central Valley WDR's.

In closing, the Kings River Coalition and its 5,000 members appreciate the opportunity to provide comments and look forward to continuing a constructive dialogue on these important issues.

Sincerely,



Casey Creamer
Coordinator

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