

June 1, 2016

State Water Resources Control Board
P.O. Box 100
Sacramento, CA 95812



Dear Chairwoman Felicia Marcus,

Madera County Farm Bureau, Merced County Farm Bureau and Stanislaus County Farm Bureau hereby submit comments to the official record regarding the State Water Board's proposed revisions to the Waste Discharge Requirements General Order No. R5-2012-0116 for Growers Within the Eastern San Joaquin River Watershed. Farm Bureau is a non-profit organization that represents farmers and ranchers on a variety of issues throughout our respective counties, and united together, our organizations encompass 3,600 Farm Bureau families. As representatives, our staffs are highly involved with the East San Joaquin Water Quality Coalition (ESJWCQ) and therefore represent a combined total of 706,095.32 enrolled acres.

Upon review of the proposed revisions, our first and foremost concern is the requirement that ESJWCQ will be required to report site specific data regarding nitrogen application and on farm practices directly to the Central Valley Regional Water Board (RWB). RWB will in turn make these documents available to the public. Currently, our farmers and ranchers have trusted that their proprietary information is held within the ESJWCQ database and reported to the RWB on an aggregated township. The RWB has the ability to review and audit township level data when it has been deemed necessary. Allowing this information to become public record is of grave concern as records can be obtained by individuals who are inclined by malicious and litigious motives. All the while, we would be no closer to understanding, protecting or improving groundwater quality. By publicizing the data, transparency and accountability of agriculture practices would not be obtained, as the information does not detail unforeseen circumstances such as water availability, increased costs of regulations, etc. Growers have consistently placed their trust in the coalitions, yet if you require information to be reported directly, all parties will greatly lose. Members will lose the protection of the coalition and the help in completing documents, coalitions will lose membership from the developing program, and the RWB will lose the ease of gaining information from growers.

Under the proposed revisions, designation of high and low vulnerability areas will be removed, requiring all growers to report on a yearly basis. Many of the growers enrolled in ESJWCQ are small farms and would be burdened under the mandatory requirement to hire an individual to properly certify the Nitrogen Management Plan. In addition, growers who are not applying nitrogen will be required to complete a Nitrogen Summary Report. How does this not seem repetitive as their Farm Evaluation indicates their non-use of nitrogen?

ESJWCQ completed the first round of Nitrogen Summary Reports this past March, and as you are aware, leads reporting deadlines among coalitions throughout the state. Growers have become comfortable with the current and straightforward A/Y Ratio. Again, we have only collected one year of data, yet the proposed revisions will alter this calculation to be an A/R (A over R) and A-R (A minus R). By providing them with a new method, you will be creating an unreliable data source with vast errors. In addition, there is not enough reputable data on nitrogen

removal by crops to require our growers to report in an A/R or A-R ratio. The collection of more data points is needed before dispersing a new form of calculation.

Coalitions currently collect information regarding irrigation wells. The revision would require all on-farm wells to be tested on a regular basis. If this is going to be a reoccurring requirement, it should be a blanket requirement for all landowners and not solely on those who produce our food and fiber. It should also not be placed on the backs of the coaitions to complete.

Before proposing changes to a general order that is still in its infancy, we urge you to mandate all irrigated properties be in compliance with enrollment and remain in good standing with their respective coalitions. Although it is a mandatory program for all irrigated acres to be enrolled, many have selected to ignore the coalition's work and are not concerned with the monetary threats by the State and Regional Water Boards. It would seem that the values obtained through the revised order would provide the state with insufficient and inaccurate data, as 100% participation has not been achieved. Obtaining complete enrollment is the responsibility of the water board and not ESJWQC. Punishing individuals who have remained in compliance since implementation of this program is unacceptable.

We strongly recommend reviewing the current proposal carefully as this would be detrimental to many family farms that have been in good standing with the Irrigated Lands Program. We appreciate the opportunity to comment on the proposed revisions and look forward to the outcome of this monumental alteration.

Sincerely,



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