

From: Bill DuBois
To: [commentletters](#)
Subject: Comments to A-2239(a)-(c)
Date: Monday, December 11, 2017 10:30:04 AM



Dear Clerk to the Board Townsend,

I have been following your Draft Order revising the East San Joaquin Water Quality Coalition's General Waste Discharge Requirements. As a farmer in California, know this Draft Order will negatively impact me.

The proposed revisions to the East San Joaquin Waste Discharge Requirements and the impact the changes will have on the currently successful cooperative Irrigated Lands Regulatory Program, which has been in place for over a decade, are significant and costly. Given the precedential nature of the Draft Order, it will have a severe impact on all irrigated agricultural operations throughout the state.

These are the problems with your draft order:

The Draft Order includes requirements that will disrupt the existing successful irrigated lands regulatory program which has been effective in addressing surface water quality concerns and protecting water quality for years.

The cost of compliance for administration and reporting will significantly increase if the Draft Order is adopted. Under the new Order, reporting requirements will uniformly apply to all growers, whereas currently, reporting requirements vary due to vulnerability designations. In addition to higher costs for individual growers, coalition/third-party costs as well as regional water board costs, will increase due to the new requirements to collect and compile all raw data.

Given the vast regional differences in California, one-size-fits-all requirements applicable to all areas of the state are NOT appropriate. The Draft Order gives direction to the Central Valley Water Board and all other regional water boards to update or develop their irrigated lands regulatory programs to be consistent. Different areas of the state have different issues and not everyone grows the same crop every year, which will make this Order extremely difficult to implement, especially the nitrogen management requirements, the multi-year nitrogen applied over removed ratios, and the ratio comparisons to calculated target values.

The Draft Order requires each farm to annually monitor all drinking water supply wells on the property. This is problematic, especially because growers may not have legal authority to access landowner or tenant wells.

I also have concerns with the amount of raw data, including field-specific farm evaluation and management practice data and all nitrogen application data by field, that will be submitted to the regional water boards. Not only is the amount of data reported unnecessary, the data, although tied to anonymous identifiers, will now also become publicly available. Currently, third-parties submit data aggregated at the township level and maintain the raw data which is accessible to the regional water board if needed. This system works and doesn't expose my farming practices to competitors or potentially cause privacy concerns.

The result of these requirements will inevitably lead to increased coalition/third-party costs and state regulatory fees, and the Draft Order does not contain any meaningful cost analysis to justify these new requirements.

You people have some kind of inner compulsion to regulate where no regulation is necessary, and is in fact counter-productive. You are a perfect example of why employers are fleeing the state. You will not rest until no one is left to hire people except the government. Then you will find out that the private sector is something you wish you had back, and is actually the source of your income, not the state government. By then it will be too late. California will be a mini-Venezuela, and you will be proud to have made it so.

Thank you for considering my views.

Sincerely,

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