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December 21, 2017

Ms. Jeanine Townsend
Clerk to the Board
State Water Resources Control Board
1001 I Street
Sacramento, CA 95812



RE: Comments to A-2239(a)-(c)

Dear Ms. Townsend,

My name is Chris McGlothlin with the California Cotton Ginners and Growers Association (CCGGA). Our Association represents nearly 300,000 acres of cotton grown in the state of California. We thank you for the opportunity to comment on the second draft of the Second Staff-Proposed Order of the East San Joaquin Water Quality Coalition General Order. I have bolded our specific concerns, and included the bullet points with more detailed explanation for the various areas in which we see as problematic.

Confidentiality

- As part of the first round of comments and workshops that were organized by State Water Board (SWB) Staff, CCGGA voiced our concerns over the lack of protection to growers that this Order would provide in terms of confidentiality. Our Association fears that the public display of this information could lead down the same path that several growers have experienced within the Central Coast Region. The information that they submitted was then turned around and has been used against them in ongoing legal battles with Environmental Justice advocates within that area. These growers were targeted simply due to the size of their operation, and their fertilizer use on the various crops that they grow in that area. We know that the Office of Enforcement has had their eye on conducting the same practice in the Central Valley, and by displaying grower specific data online, their intentions become much more realistic.
- Our Association is concerned over the language included in the draft that points towards revoking any confidentiality as a means of compliance. While many that participate in a 3rd party coalition have built a level of confidence with their growing practices and their ability

to avoid becoming an “outlier”, this trust could easily be eroded with a blanket threat made by staff within this order.

Irrigation Nitrogen Management Plan

- The newly added requirement for certification for all submitted Irrigation Nitrogen Management Plans (INMP) is something that CCGGA feels is an unnecessary addition. What is the necessity of requiring low vulnerability areas to require an additional certification for submitted data? Staff will already have the data available for submission, upon which any outliers or change in overall water quality occurs they are allowed to change designation. The increase in demand for CCA’s will undoubtedly raise the cost for growers who have not typically dealt with CCA’s prior to this date. The number of CCA’s available throughout the state is lacking for the surge in demand that will occur. CCGGA would ask that certification requirements be kept for only High Vulnerability areas and for growers as deemed outliers through the research of their actual practices.

Nitrogen Removal Values

- CCGGA also feels that the coefficients utilized in the INMP’s are lacking in accuracy for the multitude of commodities cultivated in the State of California, including cotton. If Dr. Geisseler’s report, “*Nitrogen Concentrations in Harvested Plant Parts*”, is the benchmark for N-removed in crops, then there needs to be serious consideration to his admission that more studies need to be conducted, within the state, in order to accurately represent the removed values amongst numerous crops. CCGGA is currently working with Dr. Geisseler to accurately measure the removal of nitrogen through the harvesting of cotton.
- CCGGA also sees a potential issue with N-removed partnered with a requirement mandated by the state to combat a potentially devastating pest infestation that specifically targets cotton. After cotton is harvested, growers are required to plow down the remaining cotton stalks into the ground to eliminate the potential for Pink Bollworm over-wintering in their fields. California is close to declaring eradication thanks to management practices such as mandatory plow down, coupled with other strategies. However, the value for N-removed could be spiked for the cotton industry due to this pest management requirement.

Cost

- As stated before, the Association believes that these increased requirements for monitoring and testing will undoubtedly increase costs on the stakeholder’s end. The Irrigated Lands Regulatory Program (ILRP) has seen a significant increase in cost to comply over the past 6 years, with a 22% increase in fees to stakeholders alone in the 2017-2018 fiscal year. This all occurring prior to all acreage in California becoming incorporated into the ILRP.
- The newly required domestic well sampling for contaminants is another additional cost to growers that provide water to homes on their property. This cost could be circumvented by allowing for other programs to come into effect, specifically the CV SALTS process.

- With these newly added requirements, 3rd party coalitions will need to increase their cost associated with training growers in their specific areas, educating them on the newly added requirements and program development.

In summary, the association asks that you take into account the Central Valley Regional Water Quality Control Board's panel discussion as part of your December 6th, 2017 workshop, in regards to their opinion on the oncoming changes to the order. We ask that you reconsider your cost analysis for compliance with the multitude of newly added requirements, we ask that you eliminate the requirement for certification in all areas throughout the state, and we ask that you reevaluate your stance on confidentiality as well as the coefficients utilized through Dr. Geissler's report as being accurate for the varietal nature of growing conditions throughout the state. Should you have any questions, please feel free to contact me at (559) 252-0684, or by email at chris@ccgga.org.

Thank you,



Chris McGlothlin

Director of Technical Services, California Cotton Ginners and Growers Association