

BUTTE-YUBA-SUTTER WATER QUALITY COALITION

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General Order Link:

www.waterboards.ca.gov/centralvalley/board_decisions/adopted_orders/general_orders/r5-2014-0030.pdf

December 20, 2017

Felicia Marcus, Chair
State Water Resources Control Board
1001 "I" Street
Sacramento, California 95812-0100



RE: "Comments to A -2239(a) -(c)." Second Staff Proposed Order Revising the Eastern San Joaquin General Order R5-2012-0116

Dear Chair Marcus:

We are writing to express concern about the changes you are considering to the irrigated lands program. The precedential direction by the State Water Resources Control Board fails to recognize the regional differences in California agriculture and groundwater quality conditions. The "one size fits all" approach that is in the Second Staff Proposed Order will result in disproportionate burden and cost to agricultural operations in our area.

In the Frequently Asked Questions (FAQ) the response to Question 5 – *How does the Proposed Order differ from the draft order released in February 2016?* -, states the Proposed Order is intended "to minimize increased in the reporting burden for growers and the coalition." However it does the exact opposite, by requiring the land owners in low vulnerability areas to 1) have the same reporting requirement, 2) complete a new and expansive Irrigation and Nitrogen Management Plan (INMP), and to certify it, and 3) complete a newly created form, the Management Practices Implementation Report (MPIR).

As the State Water Board recognizes in the Proposed Order (Page 2), a vast majority of landowners plan for the long term, and are "naturally motivated to protect natural resources, through the stewardship of the land." This extends to water quality as well.

In Butte-Yuba-Sutter Water Quality Coalition, the surface water quality results since 2005 have shown little to no exceedances of water quality objectives for many registered pesticides and even less toxicity. Yet the Second Proposed Order is recommending the establishment of a Surface Water Expert Panel. We oppose that.

The Proposed Order acknowledges on Page 25, "the expanded reporting obligations will result in increased costs to the growers in low vulnerability areas." If what is being proposed in the Second Proposed Order yielded meaningful results the phasing in of the expanded reporting obligations **might** be understandable. What is being proposed will threaten the third-party Coalition approach that the Second Proposed Order recommends be implemented in other regions of California.

The State Water Board's reliance on the recommendations of the Agricultural Expert Panel (Expert Panel) formed by the California Department of Food and Agriculture (CDFA) is understandable given the knowledge of groundwater quality at the time. However, in 2016 *High Resolution Mapping the Central Valley* was completed as a foundational element of the Central Valley Salinity Alternatives for Long-Term Sustainability (CV-SALTS) Basin Plan Amendment to manage nitrates and salts. Additionally, Dr. Thomas Harter, Chair of Water Management and Policy, UC Davis Department of Land, Air, and Water Resources, recently completed a long-term assessment of past and current potential loading to groundwater on irrigated and natural lands across the entire Central Valley of California using a nitrogen mass balance approach.

The results of both these technical studies show the Sacramento Valley, with limited exception, has excellent groundwater quality and will so for decades to come. Localize impacts from nitrate on groundwater quality and naturally occurring sources of groundwater salinity may require additional management actions, but the long term ambient groundwater quality is projected to remain well above any levels of impairment.

The Second Proposed Order fails to recognize or account for this. It should.

We urge you to take the time to get this right, not rush to get it done.

Sincerely,

Butte-Yuba-Sutter Water Quality Coalition

Cc:	Vice-Chair Steven Moore E. Joaquin Esquivel	Tam M. Doduc	Dorene D'Adamo
	Darrin Pohlemus	Emel Wadhwani	
	Dr. Karl Longely, Chair, Central Valley Regional Water Quality Control Board Pamela Creedon	Adam Laputz	Sue McConnell