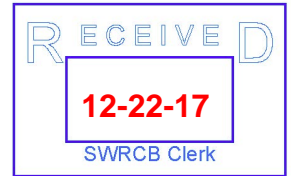


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December 20, 2017

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:

I am writing to express my 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 my agricultural operation.

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 1) requiring uniform reporting for landowners like me who don't apply nitrogen to my irrigated pasture operation, 2) requiring me to complete a new and expansive Irrigation and Nitrogen Management Plan (INMP), and 3) requiring me to complete a Management Practices Implementation Report (MPIR).

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.

This one cost should not be viewed in isolation. Agriculture must pay numerous fees – water master, fire tax, permit fees, all of which come from the same "pocket".

Like all things in my agricultural operation, I conscientiously complete my Farm Evaluation and Nitrogen Management Plan, even though my agricultural operation *does not overlie a groundwater basin/overlies a basin that is shown not to be impacted by nitrogen. Futhermore, I don't apply nitrogen in my agricultural operations.*

Rather than require the Sacramento Valley Water Quality Coalition to make a demonstration

"allow a category of growers to be exempted from the nitrogen applied and removed reporting requirements " (Page 26, Second Proposed Order) why not use localized information about groundwater quality conditions similar to the approach being taken in the Sustainable Groundwater Management Act (SGMA). Again this and many of the precedential requirements will **not yield meaningful and high quality data to help better protect groundwater quality** and are a burden without benefit to protect surface or groundwater quality.

In fact, the precedential recommendations is the Second Proposed Order will have unintended consequences and costs for the environment. Because of the added cost pressure on irrigated pasture, orchard grass and other low value commodities that will have to be borne by me and other growers, there will be conversion of this land to orchards. The result will be a loss of habitat for wildlife and waterfowl.

Groundwater quality in the Sacramento Valley's upper watersheds and foothills has been documented in numerous technical studies to be excellent. These studies show that for decades to come the groundwater quality conditions will remain unimpaired. Agriculture throughout the Sacramento Valley and the Central Valley has begun to take further actions to ensure stewardship of this important resource for agriculture, the environment and drinking water.

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

These new laws are another reason to sell my 15,000 acres to subdividers and retire to a farming state in the mid west.

Sincerely,



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