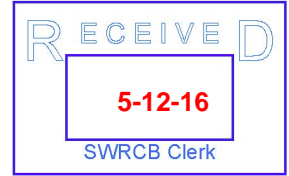


Dan Andrews Farms, LLC

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May 12, 2016



SENT VIA EMAIL TO: Commentletters@waterboards.ca.gov

Ms. Jeanine Townsend
Clerk to the Board
State Water Resources Control Board
1001 I Street, 24th Floor [95814]
P.O. Box 100
Sacramento, CA 95812-0100

RE: "Comments to A-2239(a)-(c)" – State Water Board Review of WDRs General Order [No. R5-2012-0116] for Growers within the Eastern San Joaquin River Watershed that Are Members of the Third-Party Group (the Eastern San Joaquin Water Quality Coalition)

Ms. Townsend and State Water Board Members:

Dan Andrews Farms LLC is a grower-packer-shipper of fruits and vegetables on 520 acres in Kern County. Our goal is to manage our farm properties professionally, implementing good agricultural practices while increasing efficiencies, in order to sustain these properties for generations to come.

I am writing to express my objection to the State Water Resources Control Board (State Water Board) considering significant proposed changes to the above-referenced Eastern San Joaquin Order applicable to growers who are members of the East San Joaquin Water Quality Coalition (Draft Revised Order). I understand that these changes may be precedent setting and will, if approved, significantly change and increase costs of the Central Valley Irrigated Lands Regulatory Program (ILRP). My farm is within the Kern River Watershed Coalition Authority (Coalition) and I incorporate their comments on the Draft Revised Order. Although I disagreed with the scientific basis of, and need for, several requirements in the existing General Order being implemented by the Central Valley Regional Water Quality Control Board (CVRWQCB) and am currently experiencing the financial, regulatory and administrative burden of the existing program, I respect the willingness of the CVRWQCB to engage in a thoughtful and systematic process to ensure the program put in place was protective of water quality requirements and existing state law. I do not believe the proposed changes in the Draft Revised

Order are appropriate for our area or reasonable, nor will they be effective in achieving the desired outcome of protecting groundwater quality.

In addition, work and progress in good faith to forward the existing program would be lost, including the financial investment made by Coalitions and growers and the administrative framework growers, Coalitions and the CVRWQCB have worked on for years. The agricultural stakeholders literally devoted thousands of hours in concert with staff at the CVRWQCB, Region 5, in developing the current Order. The State Water Board is summarily ignoring all of that time and effort and dismissing the collaborative working relationship that was initiated. Changing the ILRP at this time is not only unnecessary but will be counterproductive.

I specifically object to the following:

- Expansion of reporting to include having to provide to the state, for deposit into a public website, field-level data and location information regarding my farming operation. I believe mandating the disclosure of sensitive farming data at a field level for deposit into a public database is unnecessary, unreasonable and potentially unlawful. I also believe that the Coalition plays an important role in the ILRP, and the proposed changes fail to encourage and may discourage grower participation in the Coalition.
- Requiring growers to sample all domestic wells on lands covered by the ILRP, reporting results to users and on a public website: Although I do not have or use domestic wells on my farmland, this is a domestic well issue, and an inappropriate requirement for an “irrigated lands” regulatory program. This is an important issue, but it should be addressed in a more comprehensive program specifically designed to address domestic well issues, which includes funding mechanisms.
- Elimination of vulnerability designations, expanding certification and reporting requirements to all growers in all areas. I currently work diligently to meet the extensive regulatory requirements (Pesticide certification/Food Safety/etc.) for my farming operation. I had to hire one full time employee dedicated to all the compliance requirements of the food industry. These are regulatory burdens that are already broadly applied to many or all growers. The addition of significantly more and costly reporting across all growers is an undue burden. Growers and their coalitions should be able to focus their efforts in the highest priority areas, as outlined in technical work that has already been accomplished and paid for by the Coalition.
- Expansion of Nitrogen Management Plan to Include Irrigation Information & N Removed Calculations within 3 years. I reject the use of a ratio (A/R) where R has not been adequately researched and which will cost far more than we are able to provide with grower fees to research and develop in the short time provided for crops that cover 95% of all acres by 2019 and 99% of all acres by 2021.

These proposed changes will add direct costs to my operation and will also inevitably lead to substantially increased coalition costs and state regulatory fees, resulting in significant financial

burden which would not allow me to farm as efficiently or effectively. I do not believe the information requested is necessary for the ILRP and believe it will only put my operation in jeopardy (including subjecting my farm to environmental nuisance lawsuits). Overburdening farms with unnecessary regulatory costs and obstacles is particularly problematic and may cause me to fallow ground stop the legacy that has been passed down to me from my parents and grandparents. Growers compete on a worldwide market and cannot simply pass on increased costs to consumers of farm products.

As a grower in Kern County, I focus my attention everyday on sustainable practices seeking to protect employees and the environment while maintaining efficient operations. Over the years I have converted my watermelon acres to buried drip irrigation to conserve the use of water, and fertilizer required to grow a crop. In addition I have used greenhouses to propagate both watermelon and cabbage seedlings to transplants in order to save input cost of seed and fertilizer as well as savings of germination water on the ranch. It is frustrating to see additional financial burden associated with unreasonable regulatory oversight and compliance further compromising agriculture's ability to compete in a global marketplace.

While the Draft Revised Order emphasizes the importance of preserving the viability of Central Valley agriculture, the proposed far-reaching, costly, unreasonable and unnecessary proposed changes in the Order actually threaten the continued viability of agriculture. I don't believe the Draft Revised Order is reasonable and ask that you **NOT** adopt the Order as structured. Instead, an alternative needs to be developed, in cooperation with representatives from the Kern River Watershed Coalition Authority that appropriately addresses our area, in light of the extensive record unique to our area which was developed over the course of many years by the Coalition before the Regional Water Board, to achieve the goals of the State Water Board.

Sincerely,

A handwritten signature in black ink, appearing to read "Daniel Andrews", with a horizontal line underneath.

Daniel Andrews
Owner