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San Diego Regional Water Quality Control Board

TO: Ms. Jeanine Townsend
Clerk to the Board
STATE WATER RESOURCES CONTROL BOARD

FROM: *for* *Samuel Smith, AEO*
David W. Gibson
Executive Officer
SAN DIEGO REGIONAL WATER QUALITY CONTROL BOARD

DATE: May 27, 2016

SUBJECT: Comments to A-2239(a)-(c)
Draft Order in the Matter of Review of Waste Discharge Requirements
General Order No. R5-2012-0116 for Growers Within the Eastern San
Joaquin River Watershed that are Members of the Third-Party Group



The California Regional Water Quality Control Board, San Diego Region (San Diego Water Board) appreciates the opportunity to provide comments on the *Draft Order in the Matter of Review of Waste Discharge Requirements General Order No. R5-2012-0116 for Growers Within the Eastern San Joaquin River Watershed that are Members of the Third-Party Group* (Draft Order) released by the State Water Resources Control Board (State Water Board) for public comment on February 8, 2016.

In general, the San Diego Water Board supports the guidance that the Draft Order provides to the Regional Water Boards with regards to establishing requirements for agricultural waste discharges to waters of the State. The San Diego Water Board also supports the recognition that based on region-specific conditions, the Regional Water Boards should have sufficient flexibility to apply the recommendations and conclusions presented in the Draft Order. This is especially important to regions, such as the San Diego Region, which have significantly different water quality concerns, hydrogeology, and agricultural characteristics than the Eastern San Joaquin River Watershed, the area which the Draft Order addresses. With that in mind, the San Diego Water Board understands that the Draft Order gives full discretion to the Regional Water Boards to require Nutrient Management Plans and development of crop-specific A/R ratios (the multi-year ratio of nitrogen applied to the field to nitrogen removed from the field) as appropriate based on region-specific or permittee-specific considerations.

The basis for these requirements in the Draft Order appears to be findings in the *Conclusions of the Agricultural Expert Panel, Recommendations to the State Water Resources Control Board Pertaining to the Irrigated Lands Regulatory Program*, dated September 9, 2014, (Expert Panel Report) relating to the "universal" nature of nitrate contamination in groundwater (Expert Panel Report, page 26, "deep percolation of nitrates is universal within irrigated agriculture"). However, this finding only applies to limited areas of the San Diego Region. As reported by the State Water Board's Groundwater Ambient Monitoring and Assessment (GAMA) Program¹, only a small number of the domestic wells tested in San Diego County were reported to have nitrate

¹ *Gama Domestic Well Project, Groundwater Quality Data Report, San Diego County Focus Area*, dated March 2010.

concentrations in excess of the nitrate maximum contaminant level (MCL) of 45 mg/L. In general, these wells were limited to alluvial basin areas, which comprise a small percentage of the agricultural areas in the San Diego Region, with multiple nitrate sources where agriculture, confined animal feeding operations, and onsite wastewater treatment systems are currently or historically located.

The San Diego Water Board agrees that groundwater in alluvial basin areas can be vulnerable to agricultural nitrate impacts, regardless of the time it takes for those impacts to appear in groundwater, due to soil conditions, geologic conditions, and depth to groundwater. However San Diego Region-specific conditions including the types of crops grown, the typical irrigation methods used, and the soil types typically found in agricultural areas present a reduced risk of nitrate contamination of groundwater as compared to the conditions encountered in the Central Valley Region. Some of these differences are as follows:

- Wine grapes, avocados, and citrus fruits are the most prevalent crops grown in the San Diego Region. According to California Institute for Water Resources², production of wine grapes has a nitrate hazard rating of 1 (low), and production of avocados and citrus fruits has a nitrate hazard rating of 2 (low to moderate).
- Most of the agricultural operations in the region use drip or micro sprinkler irrigation, not flood or overhead spray irrigation, significantly limiting the amount of irrigation water that reaches groundwater aquifers.
- The soil type typically found in agricultural areas in the San Diego Region is developed on Cretaceous-aged granitic and gabbroic rock. The terrains tend to be moderately to steeply sloping, and the soils generally overlying them are thin and have a rocky to sandy loam texture (e.g. Fallbrook soil series).

Given that specific conditions warrant a modified approach to the groundwater protection and monitoring requirements recommended in the Expert Panel Report, the San Diego Water Board would prefer to require Nutrient Management Plans and A/R ratios for only those areas of the region that warrant a greater degree of groundwater protection. The Draft Order should make clear that Regional Water Boards remain free to not impose such provisions based on region-specific or permittee-specific considerations.

Should you have any questions or concerns regarding this request, please feel free to contact Mr. Barry Pulver at 619-521-3381, or barry.pulver@waterboards.ca.gov.

² <http://ciwr.ucanr.edu/>

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