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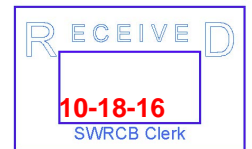
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October 18, 2016

Via Email (commentletters@waterboards.ca.gov)



Jeanine Townsend
Clerk to the Board
State Water Resources Control Board
1001 I Street, 24th Floor
Sacramento, CA 95814

Re: Comment Letter – Water Quality Enforcement Policy (Supplemental)

Dear Ms. Townsend:

On behalf of the Kings River Water Quality Coalition, I submit these supplemental comments as to the recently distributed extensive new 42-page Enforcement Policy (July 2016). We provided initial comments in early September (copy attached).

The differences between point and non-point discharges are extreme. Enforcement has been a relative new focus as to agricultural non-point source drainage. There is therefore a significant need for meaningful review of applying or developing enforcement penalties and procedures for agricultural irrigation. Drainage from agricultural fields or an interlinked series of fields representing thousands of acres and dozens of acre feet of water, which may contain a fertilizer residue or sediment load is entirely disparate from a point source discharge where per gallon penalties are assessed. This is also true of post rainstorm sheet flow from foothill rangelands, which may pick up pathogen or sediment loads. Per acre assessments and ranking these situations as high level episodes is highly improper.

Attempting to force fit these point source enforcement criteria on agricultural irrigation and storm water drainage is wrong-headed and most improper to do in the absence of thoughtful deliberations with the agricultural water community, which has not yet been afforded.

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We also join with the collective more detailed comments from the agricultural parties and coalitions.

Sincerely,



William J. Thomas
for BEST BEST & KRIEGER LLP

WJT:lmg
attachment

Cc: Board Chair Felicia Marcus
Board Members
Casey Creamer
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