

February 21, 2012

*VIA EMAIL*

Elizabeth Thayer  
California Water Quality Control Board  
Central Valley Region  
11020 Sun Center Drive, Suite 200  
Rancho Cordova, CA 95760  
[ethayer@waterboards.ca.gov](mailto:ethayer@waterboards.ca.gov)

SUBJECT: Amendment to Master Reclamation Permit No. R5-2005-0040

Dear Ms. Thayer:

On behalf of the California Rice Commission (CRC), we appreciate the opportunity to provide comments on the proposed amendments to the City of Lincoln's Master Reclamation Permit. In general, the CRC does not oppose removal of the NPDES permit requirements because CRC contends that discharges from irrigated agriculture are not subject to the federal Clean Water Act's NPDES permit requirements. However, the CRC is concerned in general with the use of recycled water on rice, and is also concerned that its members may be held responsible for constituents in the recycled water that would not otherwise be contained in typical tailwater from rice growing operations.

First, with respect to the use of recycled water for irrigating rice, we recognize that such a use is the individual choice of the rice grower. However, from an international marketing standpoint, the CRC is concerned with the marketability of rice grown with recycled water and any comingling of such rice into the normal stream of commerce. Should the City of Lincoln decide to pursue its efforts of using recycled water on rice, the CRC would expect that such rice would need to be completely segregated from the normal streams of commerce available for commercial rice grown in the Sacramento Valley.

Second, rice growers in the Sacramento Valley are currently subject to Resolution No. R5-2006-0053, as subsequently amended by Order Nos. R5-2006-0077, R5-2008-0052, and R5-2011-0032, and the Monitoring and Reporting Program Order No. R5-2010-0805 for California Rice Commission. Further, Sacramento Valley rice growers are automatically enrolled and a member of the CRC's commodity-specific coalition. As members of the CRC's commodity-specific coalition, rice growers are expected to implement water quality-based management practices to ensure compliance

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with applicable water quality standards. CRC's program currently focuses on pesticides and other crop inputs that are specific to and typical of rice production. The CRC is concerned that by deferring to the CRC's program for irrigated agriculture into the Master Reclamation Permit that the CRC and its other members may be forced to expand its current program, or anticipated future program, to account for constituents of concern associated with recycled water that are not typically found in discharges from rice operations. Accordingly, where recycled water is used to irrigate rice, we recommend that the Master Reclamation Permit contain appropriate discharge limitations to control the quality of recycled water used for irrigation of rice, and to control the quality as it is discharged from that specific rice operation. Moreover, if the use of recycled water could result in an expansion of CRC's program to consider constituents not typically associated with rice production, then we would recommend that the City and the rice growers using recycled water reach an agreement to compensate the CRC for any additional costs or burdens that result from the use of recycled water as a water supply. Or, in the alternative, the discharge should be subject to individual waste discharge requirements instead of being allowed to comply with the Water Code through participation in CRC's program.

We appreciate the opportunity to comment. Please let us know if you have any questions or concerns.

Sincerely,



Theresa A. Dunham

cc: Timothy A. Johnson, California Rice Commission

TAD:cr