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September 9, 2012

Ms. Pamela C Creedon, Executive Officer
California Regional Water Quality Control Board
Central Valley Region
11020 Sun Center Drive, Suite 200
Rancho Cordova, California 95670-3291

Re: Long-Term Irrigated Lands Regulatory Program

Dear Ms. Creedon:

Due to time constraints I was unable to ask questions or voice concerns during the August 21st meeting in Tulare regarding the above subject. I will take this opportunity to do so now via mail.

I have not studied the long-term consequences of nitrate ingestion on humans or animals, or the impact on the environment in general. But in the meeting I noted the points made by farmers impacted by the proposed regulatory program and the experts that will implement it.

I believe the farmers were concerned because of letters they received which read that the cost per acre could be approximately $121 per year to get the Program started and to keep it in place. I also believe they were relieved when the numbers were recalculated so that the cost was reduced to $17 - $21 annually per acre.

Many numbers were tossed around that day.

During the meeting, the experts said the initial start-up costs to implement a regulatory program for dairy farmers was two million dollars – half paid by the farmers and half paid in government subsidies. Because the number of acres is greater for crop farmers (*750 million acres*), the experts estimated a higher start-up cost for the new proposed regulatory program of between two and five million dollars. Not once during the meeting was a cost higher than five million dollars mentioned.

I am not a mathematician or an engineer, but something here does not add up. Seven hundred and fifty million acres multiplied by twenty-one dollars per acre is fifteen billion, seven hundred and fifty million dollars. Annually. If the start-up cost is $5 million, where does the other $15,745,000,000 go?

Even if farmers were charged a dollar per acre, the total is still $750 million, which is considerably more than needed according to the experts.

Once the initial start-up cost of the program has been paid, will the cost be lower to continue monitoring it? Will the annual cost to farmers be lowered as well? If not, why not?

Proponents of the program said the money will be used only for the benefit of the farmers, but that is a vague statement when specifics that make sense are needed. How will they benefit? Who will control the money? Who can show the farmers that the money is going for their benefit and not into a general fund? Who will audit spending to ensure it is being used for the farmers benefit? How will that auditor be paid? If the auditor is paid out of the cash paid by farmers, isn't that directly benefitting the auditor instead of the farmer?

Much of the initial start-up cost of the program will be in drilling the monitoring wells. There are ways to defray that cost, which I will address in a moment. We were told a number of monitoring wells will be needed. How many monitoring wells – five? ten? two hundred? How was the number arrived at? How much does it cost to drill each of them? Were any bids taken from well-drillers to arrive at the drilling cost?

How did they arrive at the $5 million figure as the initial amount required to start the program? Is it based on the cost to start the program for the dairy farmers? Because it cost $2 million to start the program for the dairies and because the crop farmers have more acres, they know it will cost more to start the program for the crop farmers.

Five million dollars only holds true if the number of acres for the dairy farmers is 300,000,000. (*300,000,000 acres times 2.5 equals 750 million acres, which is the number of acres the experts said, will be in the new program*). And if the experts plan to drill exactly 2.5 times the number of monitoring wells for the crop farmers as was drilled for the dairy farmers and then only if the cost of drilling has remained exactly the same as it was when the drilling was done for the dairy farmers. There are a lot of ifs in the calculation.

How can the cost of the program be calculated with such a large number of unknown contingencies in the calculation? If the cost of the program cannot be calculated, how can the associated cost to farmers be calculated?

Is anyone on the Board asking these questions?

As to lowering the cost of the initial start-up of the program, nearly every home owner who is a farmer has a well for personal use. Not all of these wells are deep agriculture wells, but are relatively shallow. Is there a reason why some of the existing wells cannot be used for monitoring wells, rather than incurring the cost to drill new ones?

Wheeler Ridge-Maricopa Water Storage District already has a number of shallow wells they use for monitoring purposes. By working with the water storage districts and farmers who have shallow wells on their property, a large amount of the initial cost of the program can be deferred. Is anyone trying to save money here?

I look forward to the next meeting and hope some specific answers can be given to these questions as well as others I will not bring up here.

Thank you.

Sincerely,

Robin Siepel
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