

# **Summary of Comments to SWRCB Draft Order Revising WDR R5-2012-0116**

**May 17, 2016**

**Presentation to the State Water Resources Control Board**

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# Qualifications

- 20 years providing technical services to various entities related to nutrient management
- BS, MS, PhD – in Soil, Water, and Nutrient Management in agronomic systems – specifically N management
- Provide ILRP technical services from Kern to Shasta counties
- Member of CDFA Task Force
- Member of NMP TAWG
- Raised on a diversified family farm in the Central Valley and still maintain a participatory level of activity within that farm today



# “Precedential” Nature of Order

- Board and Staff are encouraged to more fully recognize the need for balance between the regulatory process and the system they are regulating
- No easy task – however flexibility is critical for success
- Systems begin regulated are Natural Systems inherent with variability
- Final Order should try to recognize this variability and integrate more flexibility in the regulatory process
- Too rigid of an Order can actually have the opposite of the intended effect and may not allow for unique solutions that create success



# Importance of the Coalitions

- Comparing the two Orders, it appears as if the roles and responsibilities of the Coalitions have been diminished
- This is the exact opposite of what should be the goal of the eventual Order
- It is clearly important to recognize, establish, and encourage active Coalition involvement
- Roles and Responsibilities of the Coalitions should be clearly stated in the Order



# Importance of the Coalitions

- Local knowledge is the best knowledge
- Other regulatory programs are built on this foundation
- Empower the Coalitions more to avoid erosion of trust and animosity – but rather collaboration
- Coalitions provide the most efficient mechanisms of:
  - Data management & summarization
  - Reporting
  - Education and Outreach
  - Board/Coalition Communication (ultimately, the voice of the grower)



# Importance of the Coalitions

- Put the burden on the Coalitions and hold them accountable through an auditing process of some kind
- Board should absolutely have the authority to request individual grower information if necessary – Through the Coalition – In a private manner
- No one entity in this room can overcome this monumental task. It will require key partnerships and the Coalitions are critical and should be used aggressively



# Data Interpretation

- Misinterpretation of data is arguably more detrimental than no interpretation
- Data should be interpreted and summarized only by qualified professionals (Expert Panel Stressed This)
- Preferably those qualified professionals understand the local conditions best
- Coalitions and their staff are best suited
- Allowing the data to become public and allowing anyone to “interpret” the data is concerning at a minimum
- Misinterpretation is one of the worst things that can happen



# Data Interpretation/Reporting

- “There is a lot of uncertainty and gaps in the data, but we need to act anyway.”
- “Set a number and work towards it – even if its wrong we’ll figure it out later”
- This approach is the exact opposite of any classical science based approach and may result in completely erroneous conclusions, delaying ultimate success and not focusing on key areas



# High and Low Prioritization

- Coalitions have conducted and completed enormous amounts of work for the purpose to prioritizing areas of most significant importance (e.g GARs)
- Why would we not use this information to optimize and focus our efforts?
- These summaries are the best information on risk and current conditions that exist
- The size and complexity of the area demands a prioritized approach
- Most timely, efficient, and most importantly successful way to achieve regulatory compliance



# Field vs Township

- Both are needed
- Field Level - Achieves the balance of granularity for action at the grower, coalition and regulatory levels, while
- Providing the power of summarization (Township) for understanding trends and comparisons
- Completely allows for using the information in a meaningful and effective way
- Many Coalitions are managing near or at the field level already as growers are reporting out at essentially this level in most cases



# Integration with Other Regulatory Programs

- Important to recognize and integrate with CVSALTS, SGMA, and other work being done to realize efficiencies in:
  - Data collection
  - Data interpretation
  - Reporting efficiencies
  - Cost savings
  - Agency collaboration
  - Overall success