

9/13/07 Workshop
Irrigated Lands Program
Deadline: 9/4/07 Noon



CALIFORNIA FARM BUREAU FEDERATION

NATURAL RESOURCES AND ENVIRONMENTAL DIVISION
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Comments sent by E-mail to rmaughan@WaterBoards.ca.gov

September 4, 2007

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State Water Resources Control Board
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SUBJECT: Comment Letter – September 13, 2007 Irrigated Lands Program Joint Workshop

The California Farm Bureau Federation ("Farm Bureau") is a non-governmental, non-profit, voluntary membership California corporation whose purpose is to protect and promote agricultural interests throughout the State of California and to find solutions to the problems of the farm, the farm home and the rural community. Farm Bureau is California's largest farm organization, comprised of 53 county Farm Bureaus currently representing over 91,500 farm families and individual members in 56 counties. Farm Bureau strives to protect and improve the ability of farmers and ranchers engaged in production agriculture to provide a reliable supply of food and fiber through responsible stewardship of California's resources. It is through this lens that Farm Bureau submits the following remarks regarding the *Irrigated Lands Program Joint Workshop*.

Farm Bureau has been involved in a variety of capacities with different non-point source water quality programs throughout California and worked with a variety of different state Farm Bureaus and stakeholders across the nation to improve and protect water quality. These experiences have provided a unique perspective by which to evaluate the magnitude of the task undertaken by the Central Valley Regional Water Quality Control Board (Regional Board), developing and implementing the Irrigated Lands Program. By the Regional Board's own estimates the current program covers more than 5.1 million acres and includes more than 28,000 enrollees. The Irrigated Lands Program has some shortcomings and could use some improvements. However, it is our opinion and based on our experiences, any necessary modifications are entirely consistent with the size, structure, and age of the program in conjunction with its diverse geographic, climatic, and agronomic features. The program was adopted with adaptive management as a key attribute and should be allowed to continue making moderate necessary changes to reflect new information and unresolved issues.

MONITORING AND REPORTING PROGRAM

To date, the monitoring and reporting program and the water quality data it has generated provides a good overview of existing water quality conditions, and serves as a guide post directing the implementation of management practices and other water quality improvement efforts. Considerable criticism has been directed towards the components of the Monitoring and Reporting Program, the alleged shortcomings of participants implementing its requirements, as well as other program deliverables. Farm Bureau believes these criticisms are overly harsh, shortsighted, and ignore the level of coordination that has been achieved.

The water quality monitoring data, annual reports, management plans, and other program deliverables have all been implemented and performed with an extremely high level of coordination. In turn, areas of concern are easily identifiable and limited resources are pooled to implement education and source control measures. In contrast, if the Irrigated Lands Program were operating under individual or general waste discharge requirements the water quality monitoring would likely be conducted on an individual basis, in a disjointed fashion across a watershed, and provide little benefit or assistance in identifying or remediating non-point source issues.

MANAGEMENT PLANS

The existing protocol for addressing discharges that cause or contribute to water quality exceedances is sufficient and significant modifications to the Irrigated Lands Program should be avoided. Currently, the Irrigated Lands Program requires Coalition Groups or individual dischargers to perform a number of mandatory tasks when they determine that a discharge is causing or contributing to an exceedance of an applicable water quality standard. The duty to conduct these tasks occurs automatically and generates the preparation and submittal of an exceedance report, a communication report, and an evaluation report. In total these reports notify the Regional Board immediately of the exceedance, establish an action plan to investigate the problem, and require follow-up communications between the discharger and the Regional Board. In addition to these mandatory tasks, the Regional Board has delegated to its Executive Officer the authority to request management plans as necessary. Cumulatively, the mandatory preparation and submittal of the exceedance report, communication report, and evaluation report in conjunction with the Executive Officer's ability to request management plans as necessary are more than sufficient to protect water quality.

DISCHARGER PARTICIPATION

Farm Bureau believes that the Regional Board's efforts should focus on the continued development and implementation of an enforcement process that is consistent and commensurate with the threat to water quality. The imposition of individual or general waste discharge requirements will not improve participation or better protect water quality. Rather, the Irrigated Lands Program needs to continue operating in a consistent and predictable fashion with enforcement serving as a compliance backstop.

COORDINATION WITH OTHER AGENCIES

Farm Bureau strongly supports and urges the continuation of the pilot program between the State Water Resources Control Board, the Regional Board, and the Agricultural Commissioners of Butte and Glenn Counties. In addition, the Regional Board has made considerable strides in their coordination with local, state, and federal agencies. Farm Bureau urges the State Water Resources Control Board to continue to encourage this coordination by providing assistance to expand joint partnerships.

CONCLUSION

In order to maintain the high level of coordination and cooperation in this interim regulatory program Farm Bureau strongly urges the State Water Resources Control Board to not make any specific recommendations or undertake any modifications to the Irrigated Lands Program. If there are any questions regarding this matter, please feel free to contact me either by telephone at (916) 561-5614, or by electronic mail at jhewitt@cfbf.com.

Sincerely,



John Hewitt, Esq.