

April 10, 2007

Ms. Polly Lowry
Central Valley Regional Water Quality Control Board
11020 Sun Center Drive, Suite 200
Rancho Cordova, CA 95670-6114

Dear Ms. Lowry:

The San Joaquin County and Delta Water Quality Coalition has received a copy of your Dairy Regulatory Program News of December 22, 2006, and have been reviewing the Existing Milk Cow Dairies, Waste Discharge Requirements General Order Draft released March 30th.

Our first review of the Draft Order has raised some serious concerns for our Coalition and could affect the very viability of our Coalition's water quality monitoring program. While we do not know the exact number of dairy acres in our Coalition, dairy parcels do comprise a significant amount of the Coalition's acreage. If these parcels were removed from our Coalition, it would denigrate the integrity of our monitoring program and the ability of the Coalition to monitor and improve water quality in our region.

Several sections of the Draft Order have us especially concerned. They are as follows:

1. Section 3, Land Application Specification, number 3 & Page C-3 of Attachment C. Section I letter D

This is of great concern to us and really does not make any logical sense to make the statement that all lands that are part of the dairy or owned by the dairy will be covered under the Order, even those lands that do not receive any type of discharge from the dairy operation. Attachment C takes the lands definition out even further to include all lands owned by the dairy operator within a five-mile radius. The lands that do not receive any waste discharges from the dairy operation are typically farmed and managed as any other farm in the area. Why would they be required to come under a different waiver than the rest of the irrigated lands? Lands that do not receive any type of waste from a dairy, no matter who owns them, should be allowed to be covered under the Irrigated Lands Program

2. Throughout the Order, the application of dry manure is restricted to the same requirements as processed water. Most farms use the dry manure as a soil amendment rather than a fertilizer. In fact, many farms, other than dairies, purchase and use dairy and other dry manure for their crops. It is applied dry and disked into the soil. To start regulating dry manure application the same as

processed water application will cause both dairy farmers and non-dairy farmers unnecessary hardship, without any actual gain in water quality. Processed water applications and dry manure applications should be separated and treated as different applications. The use of dry manure is critical for many operations, such as organic farming, and the proposed restrictions on the use of such dry manure affects the viability of those operations.

Many of the dairy lands and lands that receive dairy dry manure are within our coalition. This Draft Order jeopardizes the continuous participation of those lands in the Irrigated Land Program, thus jeopardizing the ILP itself.

These are just a couple of items we have determined to have an impact on our Coalition and its members. We are continuing to review the documentation and may be submitting further comments in the near future.

Regards,

Bill Koster
Chairman, San Joaquin Resource Conservation District
San Joaquin County & Delta Water Quality Coalition