



PARAMOUNT

FARMING

February 14, 2014

VIA E-MAIL

Attn: Pam Buford
Central Valley Regional Water Quality Control Board
1685 "E" Street
Fresno, CA 93706-2007
pbuford@waterboards.ca.gov

RE: Amendments to the Water Quality Control Plan for the Tulare Lake Basin to Edit and Update Language – Draft Staff Report (December 2013)

Dear Ms. Buford:

The Central Valley Regional Water Quality Control Board ("Regional Board") recently released for comment Amendments to the Water Quality Control Plan for the Tulare Lake Basin To Edit and Update Language – Draft Staff Report (December 2013) ("Draft 2013 WQCP Amendments"). The below comments on the Draft 2013 WQCP Amendments are submitted on behalf of Paramount Farming Company and Paramount Citrus and their related entities ("Paramount").

Although the Draft 2013 TLB WQCP Amendments states the purpose of the document and associated amendments are to "to correct errors and update language in the Basin Plan," it in fact, reaches far beyond corrections and changes the character of the Basin Plan and improperly limits public comment and participation on future changes and amendments. If adopted by the Regional Board, Draft 2013 TLB WQCP Amendments will reduce the importance of future amendments and reviews, incorrectly incorporate future State Board policies without a proper review and generally deny stakeholders a meaningful public comment and input process on several critical components of the Basin Plan.

Paramount is a grower and processor of almonds, pistachios, pomegranates, and citrus. Agriculture is a critical component of the economy of the Central Valley. In order to grow crops and contribute to the economy, Paramount relies on, and is a steward of, our local groundwater and surface water supplies. It has a significant interest in participating in the regulatory processes of the State Board and Regional Board, such as the Basin Plan amendment process, and is concerned with the Draft 2013 TLB WQCP Amendments.

The Tulare Lake Basin Water Quality Control Plan ("Basin Plan") is a critically important document designating beneficial uses, establishing water quality objectives to ensure the reasonable protection of beneficial uses and guiding Regional Board actions. The Draft 2013 WQCP Amendments states the proposed amendments are to, "to correct errors and update

language in the Basin Plan. For instance, these amendments include correcting the description of the boundary between the San Joaquin River Basin and the Tulare Lake Basin; correcting footnote b correlated with Table II-2 of the Basin Plan; updating name references to the California Department of Public Health, the California Department of Resources Recycling and Recovery, and the California Department of Fish and Wildlife; incorporating State Water Resources Control Board (State Board) policies that are pertinent to the Basin Plan; and other corrections of typographic errors and updating of Basin Plan language. Section 2 of the Staff Report provides further discussion and specifics of Basin Plan amendments being proposed.”

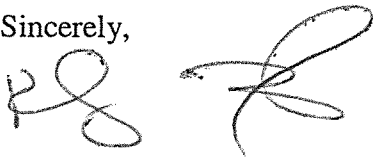
Notwithstanding the characterization of the Draft 2013 WQCP Amendments as corrective and incidental, many amendments, such as Amendments 2.13 and 2.15, state that critical and impactful State Board policies and procedures, such as the Resolution No. 68-16 (“Anti-Degradation Policy”) and Non-Point Source Policy, “including future revisions, are specifically incorporated into this Basin Plan.”

As the regulatory document, the Basin Plan must be amended to include new or changed policy at the State Board and Regional Board level. Current language providing for automatic updates to the Basin Plan wrongfully eliminates the required, and proper, Basin Plan amendment process, including the public comment and stakeholder process for key policies.

Basin Plan language should not provide for automatic updates, but should follow the intent of the amendment process to properly include stakeholder comments and provide stakeholders with an opportunity to comment on proposed amendments and changes. Members of the public should be afforded the ability to comment on all proposed changes, especially on such foundational document as the Basin Plan, the Anti-Degradation Policy and the Nonpoint Source Implementation and Enforcement Policy. Paramount respectfully requests the Regional Board to reject all language in the Draft 2013 WQCP Amendments which suggests automatic incorporation of changes into the Basin Plan. The Draft 2013 TLB WQCP Amendments reach far beyond the documents stated purpose, “to correct errors and update language in the Basin Plan,” changing the intent of future Basin Plan amendment processes and denying the public and stakeholders a meaningful public comment and input process on future, critical components of the Basin Plan.

Paramount appreciates the opportunity to submit comments and hereby joins in and incorporates those comments submitted by the Southern San Joaquin Valley Water Quality Coalition and the Kern River Watershed Coalition Authority. If you have any questions, please do not hesitate to contact me at the contact information listed above.

Sincerely,

A handwritten signature in black ink, appearing to be 'KB' followed by a stylized flourish.

Kimberly Brown
Resource Manager