

**African-American Farmers of California
California Citrus Mutual
California Cotton Ginners & Growers Association
California Farm Bureau Federation
California Fresh Fruit Association
East San Joaquin Water Quality Coalition
Kern River Watershed Coalition Authority
Nisei Farmers League
Western Agriculture Processors Association
Western Growers Association
Western Plant Health Association
Westside San Joaquin River Watershed Coalition**

March 24, 2017

Via Electronic Mail Only

Tessa L. Fojut, Ph.D.
Central Valley Regional Water Quality Control Board
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Rancho Cordova, CA 95670
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Re: Proposed Amendments to the Water Quality Control Plan for the Sacramento River and San Joaquin River Basins for the Control of Pyrethroid Pesticides Discharges

Dear Dr. Fojut:

The above-listed agricultural organizations appreciate the opportunity to provide comments on the Proposed Amendments to the Water Quality Control Plan for the Sacramento River and San Joaquin River Basins for the Control of Pyrethroid Pesticides Discharges (Draft Amendments) and the associated Draft Staff Report. We have followed the Central Valley Regional Water Quality Control Board's (Central Valley Water Board) process closely, and appreciate the open and transparent way in which the Draft Amendments were developed.

As a preliminary matter, we find it necessary to explain the importance of the pyrethroid insecticides to agriculture. These insecticides play a key role in controlling insects on many Central Valley crops, and provide multiple benefits. The pyrethroids are broad-spectrum materials that control a wide range of insects, and for some insects there are no other registered alternatives. They also meet national and international quarantine standards that allow for the export of valuable Central Valley crops, which ultimately helps to sustain the Central Valley's economic viability. Loss of the pyrethroid insecticides would significantly impact the Central Valley agriculture, and would likely result in the increase usage of more insecticides to make up for their loss. Considering their importance, and their many benefits, we encourage the Central

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Valley Water Board to carefully balance their alleged impacts on aquatic life beneficial uses as compared to their many benefits.

In general, we agree with comments submitted by the Pyrethroid Working Group that there is insufficient information available to adopt water quality objectives at this time, and thus generally support a program that looks to implementation of management practices rather than the application of strict water quality criteria to receiving waters. We further appreciate that the control program for agricultural discharges looks to the Central Valley Water Board's other regulatory programs, such as the Irrigated Lands Regulatory Program, to develop and implement such plans. However, as currently proposed, the language suggests that each individual grower within a coalition, or an area represented by that receiving water location, would need its own individual management plan. This language is not consistent with the current Irrigated Lands Program and should be revised as follows:

“If the prohibition trigger is exceeded in a receiving water after [3 years from OAL approval date], all dischargers in the areas represented by that receiving water monitoring location shall implement a management plan for pyrethroids. Management plans may be developed for the area rather on an individual basis, and may be developed under a Water Board regulatory program, such as the Irrigated Lands Regulatory Program or the Dairy Order.”

With respect to the Surveillance and Monitoring Provisions, we are concerned with the potential impact that additional monitoring requirements may have on costs for surface water monitoring within the coalitions. The Draft Amendments will likely result in increased monitoring, and therefore increased costs. We are particularly concerned with the additional requirement to determine whether alternatives to pyrethroid insecticides are causing exceedances of water quality objectives. This is an open-ended requirement that could result in significant increased monitoring costs to agriculture in the Sacramento and San Joaquin River Basins. Accordingly, we recommend that this provision be deleted. Further, this provision is not necessary, as the Irrigated Lands Regulatory Program already has a process in place to determine when and what additional insecticides should be monitored for as part of the program.

Next, in the Surveillance and Monitoring Provisions, there is continual reference to agricultural dischargers “causing or contributing to exceedances of Acute and Chronic Triggers.” These references imply that the triggers act as receiving water limits, which is not the case. To avoid this implication, the language should be consistent with Table IV-Z, which speaks in terms of exceedances, rather than using causing or contributing language.

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We support a phased approach, as is contained within the Draft Amendments. Pyrethroids are extremely beneficial products for agriculture, and their beneficial uses must be weighed against their impacts to the environment. At this time, we understand that pyrethroids may cause toxicity to laboratory-reared *Hyalella Azteca*; however, it is not known if impacts to laboratory *Hyalella* actually create an unreasonable impact to aquatic life beneficial uses. Until additional data and information is available, the Central Valley Water Board should avoid the premature adoption of water quality objectives, and avoid the adoption of an implementation program that would negatively impact agriculture by causing the pyrethroids to no longer be available products. We believe that the Draft Amendments strike this appropriate balance.

Thank you for your consideration.

Sincerely,

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