



Via email to [charlene.herbst@waterboards.ca.gov](mailto:charlene.herbst@waterboards.ca.gov)

April 7, 2017

Charlene Herbst  
Central Valley Regional Water Quality Control Board  
11020 Sun Center Drive, Suite 200  
Rancho Cordova, CA 95670-6114

Re: Comments on [Tentative] "Waste Discharge Requirements General Order for Confined Bovine Feeding Operations" (hereafter "Tentative Order")

Dear Ms. Herbst:

Innovative Ag Services, (hereafter "IAS"), works with many Confined Animal Feeding Operation (CAFO) facilities, therefore, we are providing comments on the above-referenced Tentative Order. IAS is a professional agriculture service company that provides agronomic services to help growers maximize crop production while complying with local, state, and federal regulation. We have worked extensively with dairy producers since the adoption of the Dairy General Order Waste Discharge Requirements as well as a vast variety of growers who are enrolled in the Irrigated Lands Regulatory Program General Order. We hope that you will consider our comments to improve Tentative Order for benefit of the Confined Animal Feed Operations, the RWQCB, the environmental concerns, and for service providers - who work with many parties to maximize production while complying with regulations. We have determined the following three major areas of concern and/or comment:

IAS 1

I. **Economic Impact:** Our primary concern is the economic burden that this will place on the CAFO facilities. Unlike many dairies in the State of California, many of these CAFO are much smaller in both economical cost and returns. The cost of complying with the Tentative Order, as it is written, will result in the closure of most CAFO facilities within a very short time frame. We ask the RWQCB to take extensive steps to reduce the economic burden the Tentative Order will have on these CAFO facilities.

IAS 2

II. **Excessive Wastewater Storage Requirements:** Most CAFOs in the State will not be able to comply with the Waste Management Plan requirements as they are currently written. The CAFO facilities, unlike dairy facilities, do not generate wastewater as part of their daily operations. As such, current federal, state, and local requirements for wastewater storage have been limited to storm water containment and management. The Tentative Order greatly exceeds these current requirements and will place insurmountable costs to each CAFO to comply with wastewater storage. The Tentative Order should be amended to reduce the wastewater storage requirements that are economically feasible



while meeting current local, state, and federal regulations to manage storm water from the CAFO facilities.

IAS 3

III. **Excessive Agronomic Requirements:** The Tentative Order's requirement for CAFO facilities to meet a 1.4 Nitrogen Ratio based on the nutrients applied and the nutrients removed is not a reasonable or practical requirement that is proven to protect water quality. While an Agronomist can budget nutrients at required efficiencies, growers complying with the Tentative Order are faced with many variables that make it unrealistic to consistently meet a 1.4 Nitrogen Ratio. While growers will strive to regularly produce high yielding crop, lower crop yields are a fact of farming that will now result in a Notice of Violation under the current Tentative Order. Similarly, a laboratory analysis of the crops harvest will only represent a minute portion of what is harvested. A laboratory analysis may have lower nitrogen levels which will result in a high nitrogen ratio, as well as a resulting Notice of Violation under the Tentative Order. From IAS' years of experience while using thousands of laboratory analyses of crops harvested, we recommend that growers use University and/or Industry standard nitrogen content of crops harvested and not laboratory analysis from each field each year.

IAS 4

In conclusion, we would like to thank you again for the opportunity to provide these comments and for considering agronomic service providers input on this Tentative Order. We urge the Regional Board to make every effort to minimize costs and maximize the time and flexibility available for implementation of this Tentative Order. Please feel free to contact us with any questions regarding these comments.

Sincerely,

Warren Hutchings

Nathan Heeringa

CC: J.P. Cativiela, Dairy Cares