From: John Crowe
To: commentletters
Subject: Comments to A-2239(a)-(c)
Date: Monday, December 11, 2017 9:10:04 PM

Dear Clerk to the Board Townsend,

I have a small farming operation (135 acres of citrus), and am concerned that the Draft Order will have a markedly detrimental effect upon my operations, as well as those of my many neighbors and friends who also farm in Tulare County. Specifically, the proposed changes will increase my costs and require more time to comply with the increased regulatory burden on my operations, without providing any meaningful benefit to me or to others, whether engaged in farming or simply members of the public.

The proposed revisions to the East San Joaquin Waste Discharge Requirements and the impact the changes will have on the currently successful cooperative Irrigated Lands Regulatory Program, which has been in place for over a decade, are significant and costly. Given the precedential nature of the Draft Order, it will not only have a severe impact on agricultural operations within the Central Valley, but on all irrigated agricultural operations throughout the state.

I am particularly concerned about the following:

The Draft Order includes requirements that will disrupt the existing successful irrigated lands regulatory program which has been effective in addressing surface water quality concerns and protecting water quality for years.

The cost of compliance for administration and reporting will significantly increase if the Draft Order is adopted. Under the new Order, reporting requirements will uniformly apply to all growers, whereas currently, reporting requirements vary due to vulnerability designations. In addition to higher costs for individual growers, coalition/third-party costs as well as regional water board costs, will increase due to the new requirements to collect and compile all raw data.

Given the vast regional differences in California, one-size-fits-all requirements applicable to all areas of the state are not appropriate. The Draft Order gives direction to the Central Valley Water Board and all other regional water boards to update or develop their irrigated lands regulatory programs to be consistent. Different areas of the state have different issues and not everyone grows the same crop every year, which will make this Order extremely difficult to implement, especially the nitrogen management requirements, the multi-year nitrogen applied over removed ratios, and the ratio comparisons to calculated target values.

There is one old residence on my property, and it is currently occupied by one elderly gentleman. I expect that to continue for his lifetime, after which the building will be razed and not replaced. I already test the water in that well, but requiring me to report that insignificant amount or water and the test results will drive up the costs of recording and maintaining records for the State, which all taxpayers will bear, for no useful reason.

I also have concerns with the amount of raw data, including field-specific farm evaluation and management practice data and all nitrogen application data by field, that will be submitted to the regional water boards. Not only is the amount of data reported unnecessary, the data, although tied to anonymous identifiers, will now also become publicly available. Currently, third-parties submit data aggregated at the township level and maintain the raw data which is accessible to the regional water board if needed. This system works and doesn't expose my farming practices to competitors or potentially cause privacy concerns.

The result of these requirements will inevitably lead to increased coalition/third-party costs and state regulatory fees, and the Draft Order does not contain any meaningful cost analysis to justify these new requirements.

Thank you for considering my views.

Sincerely,

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