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**To:** <wchiu@waterboards.ca.gov>  
**Date:** 7/31/2007 2:09:45 PM  
**Subject:** Waiver comments

Wayne,

Thank you for your work and the inclusionary process in getting this draft waiver prepared for the Regional Board. After our final review we do have a few comments to offer and the comment letter is attached.

Please acknowledge receipt and let me know if you have any questions.

Regards,

Eric Larson

Executive Director

San Diego County Farm Bureau

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## FARM BUREAU SAN DIEGO COUNTY

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July 31, 2007

Mr. Wayne Chiu  
California Regional Water Quality Control Board  
San Diego Region  
9174 Sky Park Court, Suite 100  
San Diego, CA 92123-4340

Re: *Amendment to the Water Quality Control Plan for the San Diego Region to Incorporate the Revised Conditional Waivers of Waste Discharge Requirements for Specific Types of Discharge Within the San Diego Region*

Dear Mr. Chiu:

Thank you for this opportunity to comment on the proposed Basin Plan Amendment that will renew and revise the conditional waivers of waste discharge in the San Diego Region. On behalf of the members of the San Diego County Farm Bureau I would like to express appreciation for the Regional Board's efforts to include previously discussed comments and concerns of the farm community in the draft document.

We offer the following comments:

Page 28, 3.I.A. 3

This item discusses the need to protect surface waters from direct contact with domestic animals. Our concern stems from the comment that "...fencing should be installed to eliminate direct exposure of animals to surface water bodies." While this may be appropriate for Animal Feeding Operations, the section applies to grazing lands as well. The requirement to build fences separating cattle from all surface water bodies would necessitate the construction of literally hundreds of miles of fencing throughout San Diego County's back country, disrupt the management of rangeland, and create a hazard for migrating wildlife.

It is our suggestion that this section be rewritten to exclude grazing lands from a fencing requirement. The disbursement of cattle over rangeland reduces impacts and a requirement to provide watering troughs or basins will eliminate the need for cattle to approach water bodies. Preferably, reliance on Section 3.II.C. 1, which states, "*Grazing operations must prevent the direct or indirect discharge of animal wastes (i.e., manure, urine) to any surface waters of the*

*state*” gives sufficient regulatory authority without dictating the management practices for specific grazing sites.

Page 30, 3.1.D. 1

In this condition the term “fresh” manure lacks definition. If fresh is deemed to also mean dried but uncomposted, then it will create a significant problem for manure generating sites as well as the off-site farms that depend on dried or processed manures. Not all manure generating sites have the capacity or authority for composting and rely on drying or processing as the means to create safely transportable manure.

It is our suggestion that this condition be rewritten as: *“Only dried, processed, or composted manure may be applied as a fertilizer, amendment, or mulch to soil on sites other than the same property where the manure was generated.”*

Page 38, 4.I.B. 5(c)

Agricultural and farm operators create green wastes and trash constantly throughout the workday. The prescribed keeping requirement would be an onerous daily task and add nothing to the effort to prevent discharges.

It is our suggestion that (c) be eliminated. The application of Best Management Practices clearly covers this issue and 4.I.B. 5(h) will ensure a means of record keeping.

Page 38, 4.I.B. 5(d)

The requirement to maintain pesticide use reports and records is already regulated by the California Department of Pesticide Regulation and the San Diego County Department of Agriculture, Weights and Measures. There is no need for a duplicative regulatory requirement.

It is our suggestion that (d) be eliminated or replaced by a statement requiring compliance with applicable state law for pesticide use record keeping.

Page 38, 4.I.B. 5(e)

The application of fertilizers, the additions of soil amendments, and the use of mulches occurs on farms regularly. A record keeping requirement would be an onerous daily task and add nothing to the effort to prevent discharges.

It is our suggestion that (e) be eliminated. The application of Best Management Practices clearly covers this issue and 4.I.B. 5(h) will ensure a means of record keeping.

Page 38, 4.I.B. 5(f)

Irrigation is a daily management issue on all farms and changes dramatically with the weather, seasons, and cropping patterns. Keeping records of water use and irrigation schedules would be an onerous daily task and add nothing to the effort to prevent discharges.

It is our suggestion that (f) be eliminated. The application of Best Management Practices clearly covers this issue and 4.I.B. 5(h) will ensure a means of record keeping.

Page 38, 4.I.B. 5(g)

In and of themselves, equipment and maintenance records will not afford any improvement in water quality.

It is our suggestion that (g) be eliminated. The application of Best Management Practices clearly covers this issue and 4.I.B. 5(h) will ensure a means of record keeping.

Page 39, 4.I.B. 6, 7, and 8

This section initiates the proposal of creating coalitions for agricultural and nursery operators. While we accept that course of action, we feel it is important to point out that the success of this idea will hinge entirely on the Regional Board's willingness to create sufficient incentives for entering the coalition. If there is no clearly understood benefit in joining a coalition, then coalition organizers will be hard-pressed to organize and meet the prescribed deadlines.

Page 42, 4.II.B. 1

Nursery operators throughout the region are making great strides in eliminating the discharge of irrigation return water. In addition to the application of Best Management Practices to manage the application of irrigation water and reduce the use of chemicals, one popular strategy is to construct containment basins to capture and then reuse irrigation water. These basins can be constructed to handle rainfall inflows from normal and occasional heavy storm events. However, the total prohibition for discharges is a standard that cannot be met when extreme rainfall events occur. Sizing containment to handle 100-year events when irrigation return water and rainfall are commingled would be prohibitive.

It is our suggestion that this condition be rewritten to recognize the inevitability of extreme storm events as they would affect irrigation water containment basins and their limited capacity.

Again, thank you for this opportunity to comment. We look forward to an issuance of waivers that will help accomplish the mutual goal of clean water. Please feel free to contact me at your convenience if you have any questions.

Sincerely,



Eric Larson  
Executive Director \_\_\_\_\_