



June 14, 2019

Jeanine Townsend, Clerk to the Board
State Water Resources Control Board
1001 I Street
Sacramento, CA 95814



Comment Letter – CEQA - Composting General Order NOP

Dear Ms. Thompson:

Sustainable Conservation appreciates the opportunity to comment on the scope of the Supplemental Environmental Impact Report (SEIR) for proposed amendments to the State Water Board's Compost General Order (GO). Our comments focus on two aspects of the proposed amendments of the Compost GO's Agricultural Composting exemption (agricultural exemption): 1) the revision of the amount of compost permitted for export as it pertains to dairies, and 2) the import of manure feedstock onto non-dairy agricultural sites.

Export limits. The State Water Board is proposing to amend the Compost GO to increase the amount of compost that can be exported under the agricultural exemption from 1000 cubic yards/year to 5000 cy/yr. The stated reason for choosing 5000 cy/yr as a limit is "to be consistent with the small-volume conditional exemption." We question whether the small-volume exemption, which makes no reference to export, is the correct standard to be applied in determining the amount of compost that can be exported from a site operating under the agricultural exemption. We believe that the decision on the amount of compost that can be exported from such a site should be based solely on an assessment of potential water quality impacts and risks.

In the case of dairies covered by and in compliance with the requirements of the Central Valley Dairy General Order (Dairy GO), we question whether any formal limit on the amount of compost that can be exported is necessary. Dairies are required by the Dairy GO to maintain nutrient balance, which includes exporting whatever quantity of manure nutrients that exceed crop demands. Economic and agronomic factors create de facto limits on the amount of compost a dairy will produce or export. Dairies are concerned with removing only the quantity of manure that is in excess of what they need to achieve and maintain nutrient balance. A dairy will want to keep as much manure on site as is agronomically beneficial to the production of feed crops rather than pay for synthetic fertilizers. Dairies that choose to compost manure should be assessed by the CV Regional Board based on existing conditions and the dairies' compliance with the Dairy GO as it relates to storage and handling of the manure feedstock and export to maintain nutrient balance.

If the State Water Board believes that formal export limits are required, they should be based on what allows for the greatest reductions in water quality risks and impacts to groundwater and the achievement of dairies' mandated nutrient balance compared to the environmental impacts of keeping the manure on the dairy and avoiding transport elsewhere. The CEQA alternatives analysis of the proposed amendments should evaluate the potential impacts and benefits of a range of cy/yr limits – 5K, 10K, 15K, etc. – as well as no formal limits. We also recommend that the State Water Board consider the judgment of the CV Regional Board in setting any limit on compost exports from dairies.



Sustainable Conservation

Import of manure feedstock onto non-dairy agricultural sites. The State Water Board is proposing to amend the Compost GO to allow sites covered by the agricultural exemption to compost materials generated both on site and off site. Sustainable Conservation is generally in favor of this amendment, since we have been concerned that dairies that wish to compost under the current agricultural exemption would be unable to import sources of the carbon required to achieve the carbon/nitrogen balance needed for successful composting to reduce water quality risks. We are, however, concerned about the potential for water quality impacts from the importation of manure onto non-dairy agricultural sites that currently don't have protections in place for storage and handling of manure, which is a feedstock that poses risks to water quality. Farms, unlike dairies in compliance with the Dairy GO (which already have specific, enforceable requirements on how to manage, handle, and store manure), have no mandated water quality protections for the storage and handling of manure feedstocks on the farm site itself. The Irrigated Lands Regulatory Program (ILRP) does address water quality protection, but it applies to the field application of nutrients, not storage/composting sites. We know that best management practices (BMPs) to be followed by farms importing manure for composting are being discussed, but we are concerned about what enforceability, if any, would attach to those BMPs.

Sustainable Conservation considers small and medium-sized farms to be an essential part of California's agricultural landscape, and we support their ability to produce and use compost in their operations. However, our primary concern, and the reason for our engagement in the larger issue of manure management in the Central Valley, is the improvement and protection of water quality. In order to reduce the risk created by the import of manure onto non-dairy sites, we recommend that the State Water Board create enforceable basic mandated practices for the storage and handling of manure feedstocks for sites not already covered by an existing GO/WDR. In order not to overburden truly small operations, the State Water Board should create an exemption to these requirements for small farms and should use the CEQA process to assess the water quality risks of different thresholds of manure imported and handled on site.

Sustainable Conservation has been engaged with State Water Board members and staff on the issue of composting dairy manure for a number of years. We are very grateful for the open, receptive nature of that engagement, and we look forward to continuing it through this process of amending the Compost GO. Please let us know if we can provide any further information, and thank you again for the opportunity to comment.

Sincerely,

J Stacey Sullivan
Policy Director