



# CALIFORNIA FARM BUREAU FEDERATION

OFFICE OF THE GENERAL COUNSEL

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Sent via E-Mail

Jessica.Bean@waterboards.ca.gov

April 22, 2015

Jessica Bean  
State Water Resources Control Board  
P.O. Box 100  
Sacramento, CA 95812-0100

**Re: Draft Emergency Regulation for Urban Water Conservation**

Dear Ms. Bean:

The California Farm Bureau Federation (“Farm Bureau”) is a non-governmental, non-profit, voluntary membership California corporation whose purpose is to protect and promote agricultural interests throughout the state of California and to find solutions to the problems of the farm, the farm home and the rural community. Farm Bureau is California's largest farm organization, comprised of 53 county Farm Bureaus currently representing more than 57,000 agricultural, associate and collegiate members in 56 counties. Farm Bureau strives to protect and improve the ability of farmers and ranchers engaged in production agriculture to provide a reliable supply of food and fiber through responsible stewardship of California's resources.

Farm Bureau and many others recently commented on the Board's April 7, 2015 Conservation Framework. (See comments dated April 13, 2014.) As noted in our April 13, 2014 comments, Farm Bureau's primary concern was in regard to the potential improper application of the Board's originally proposed Conservation Framework to agricultural users receiving all or a portion of their water from an urban water supplier in Southern California.

Farm Bureau appreciates the changes that were made to the Board's original Conservation Strategy and appreciates the spirit in which those changes were made. Unfortunately, from an agricultural perspective, we fear that the Board's revised approach may *still* improperly apply to an undetermined, but likely significant segment of Southern California agricultural users within districts falling below the Board's proposed 20 percent or one-fifth agricultural-service threshold.

NANCY N. McDONOUGH, GENERAL COUNSEL

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To rectify this oversight, we feel that the only way to fairly and faithfully implement the express intent of the 25-percent statewide urban water use reduction in Executive Order B-29-15 is to again revise the Board's approach to its proposed emergency regulation, and replace the current proposed 20-percent-ag-water-use cutoff with a general exclusion of *all* agriculture water use as demonstrated by each urban water supplier.

Importantly, we would like to emphasize that, with this approach, what we are advocating for is not a "free pass" for agriculture. Since at least 2009, if not earlier, local water agencies and, by extension, Southern California agricultural water users have seen a steady tightening in the available water supply. This has been partly the result of heightened regulatory constraints and partly the result of general water scarcity and a multi-year drought. Additionally, extensive local investment in alternative water supplies has led to sharply increased water rates during the same period.

Under the extreme pressure created by such combining factors, large numbers of former Southern California farmers have in recent years been forced to exit farming outright. Yet, even in the face of severe challenges, Southern California agriculture continues to occupy an important and irreplaceable niche in the California's substantial agricultural economy generally.

Southern California agricultural users have invested in, and dramatically increased their water use efficiency, even as they have shared in the burden of climbing water rates. Some Southern California agricultural users take non-potable, non-recycled water, thus proportionately reducing the corresponding demand for potable water service. In other areas, where the needs of certain plants and crops make the use of recycled water impossible or inadvisable, agricultural users share generally in the cost of developing such supplies.

Even where, as is not uncommon in Southern California, agricultural users supplement expensive imported municipal supplies with critically important local sources including local surface and groundwater, alternative supplies are severely constrained or nonexistent in the current punishing four-year drought.

Discretionary residential and commercial water use can be reduced without permanent loss. In contrast, after adoption of economically and technically feasible water efficiency technologies, the consumptive water use of an agricultural crop—and especially of a permanent tree or vine crop—leaves little or no room for further reduction. Whereas a slight incremental increase in an urban residential user's water bill might amount to dollars or cents a month, the agricultural user may be simply unable to absorb a jump of hundreds or thousands of dollars in his water and still remain in business.

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Southern California agriculture is not always, or even typically a large farm in a remote, bucolic setting. On the contrary, much of Southern California agriculture is today found in floriculture, horticulture, berries, nuts, or fruits grown in greenhouses or on small parcels interspersed with surrounding urbanization. Provided that these users and their local suppliers are able to demonstrate that the underlying use is commercial and agricultural in nature, there is no reason why the agricultural users in an area that is less than 20-percent agricultural water supply should not be excluded from the Executive Order's urban water reduction directive, the same as the agricultural (i.e., non-urban) users in an another area above the 20-percent mark.

In closing, Farm Bureau applauds the Board's sensible recognition of the difference between urban municipal and industrial use and commercial agricultural use with its first revision of the Conservation Framework. We now call upon the Board to make its approach complete fair and consistent with the clear intent of Executive Order B-29-15, by completely excluded from the 25-percent statewide reduction all locally verified commercial and agricultural uses of water.

Very truly yours,



Justin E. Fredrickson  
Environmental Policy Analyst

JEF/pkh