



October 31, 2016

Jeanine Townsend  
Clerk to the State Water Board  
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Subject: Comment Letter – Central Coastal Basin Plan Amendment

Dear Sir/Madam:

Thank you for the opportunity to make comment on the Central Coast Basin Plan Amendment that is under consideration by the State Water Resources Control Board. I am making the following comments on behalf of my grower clients.

The proposed amendment to the Central Coastal Basin Plan is to revise beneficial use designations and to make editorial changes. Grower Shipper Association (GSA) submitted a letter of comment to the Central Coast Water board on June 17, 2016 on this issue. Overall, the Central Coast Water Board was responsive to comments made by GSA.

My comments of the proposed language are confined to the section of the Basin Plan titled "*Agricultural Supply (AGR), Chemical Constituents*"

In the June 17, 2016, comment letter, GSA expressed concern about the proposed language inserted in the Basin Plan

*"In addition, water used for irrigation and livestock watering shall not exceed the concentrations for those chemicals listed in Table 3-2. No controllable water quality factor shall degrade the quality of any groundwater resource." With respect to the application of the primary drinking water standard to ground water, it is imperative to note that drinking water standards should only be applicable to those groundwaters that had a designated municipal beneficial use. Secondly, with respect to degradation of groundwater resources, it is inappropriate to prohibit degradation because degradation is allowed as long as it is consistent with the state's Anti-Degradation Policy.*

In response, Central Coast Water Board proposed the following alternative language:

***Agricultural Supply (AGR), Chemical Constituents***

*...In addition, waters used for irrigation and livestock watering shall not exceed concentrations for those chemicals listed in Table 3-4. Salt concentrations for irrigation waters shall be controlled through implementation of the anti-degradation policy to the effect that mineral constituents of currently or potentially usable waters shall not be increased. It is emphasized that no*

*controllable water quality factor shall degrade the quality of any ground water resource or adversely affect long-term soil productivity. **Where wastewater effluents are returned to land for irrigation uses, regulatory controls shall be consistent with Title 22 of the California Code of Regulations and with relevant controls for local irrigation sources.***

The alternative language is concerning for my clients, particularly the text that is in bold font. Concerns are:

1) Landowners, growers and cattlemen may be required to sample/monitor in order to verify that “waters used for irrigation and livestock watering” do not exceed concentrations for chemicals listed in Table 3-4.” This could potentially place an arduous burden if such sampling required Surface Water Ambient Monitoring Program requirements (SWAMP) Quality Assurance/Quality Control (QA/QC) Requirements. As has been learned on Central Coast, Tier 3 Growers, who must do surface water and containment pond monitoring, do not have the capability of meeting SWAMP sampling protocols. Therefore, growers must contract sampling services. Central Coast Tier 3 Growers have not been able to find local sampling services; consequently, they are utilizing sampling services provided by a laboratory located in Davis, California. Of course, the travel from Davis to the Salinas Valley increases sampling costs substantially.

2) The use of the anti-degradation requirement in this context is too broad and not consistent with other regulatory program requirements. There is no doubt that as growers attempt to comply with Irrigated Lands Regulatory Program and the ensuing Sustainable Groundwater Management Plans, which will require minimal and precise placement of irrigation water, there will be an increase in salts in soils and containment basins. This is a function of farming in a semi-arid to arid environment. The proposed language is roughly equivalent to prohibiting farming in this environment. Granted, there may be areas of highly leachable soils or land that is subject to direct runoff into receiving waters, where practices may need to be modified. However, this language is so broad, that it would prohibit the type of site-specific, precise farming that is going to be required on a wide-scale basis in the future to meet the regulatory program requirements. The proposed Basin Plan language and regulatory program mandates are out of sync.

3) The language in bold text is concerning to my clients because it could potentially eliminate future efforts to mitigate nitrates and salts by recycling tailwater. For example, my clients have been developing systems, which allow them to eliminate or substantially reduce surface water discharges by using containment basins. But, containment of tailwater is not the endpoint. Growers have begun to experiment with recycling contained tailwater as irrigation water for cover crops and/or forage crops in the hope that, over time, growers might be able to close the nitrate waste loop and use this type of containment/ recycled water system to actually treat nitrates and salts, as well as produce an economically viable, albeit less valuable, crop. Several research questions need to be answered regarding this type of system in order to determine its widespread utility and the Central Coast agricultural community is communicating their research needs to FREP at this time. Research questions are:

- 1) Does the settlement of fine sediment effectively “seal” an unlined containment basin so that percolation is eliminated or minimized?
- 2) Does the layer of fine sediment in the bottom of a basin create an anaerobic

zone for denitrifying bacteria so that the containment basins are actually mitigating nitrate concentrations?

- 3) What plant species are most appropriate as cover crops/forage crops in this type of containment/recycled tailwater system?

If the research results are positive, this type of containment/recycled water system could be an elegant solution to tailwater management. Inserting the language, as written, at this time, would require containment basins to be regulated as individual units, rather than as a part of a treatment system. This would effectively eliminate efforts to move forward with further investigation and the development of a potentially simple and elegant on-farm system for mitigating tailwater nitrates and salts.

In summary, this language, as proposed, could be detrimental, rather than helpful, to future efforts to protect agricultural water quality.

Thank you for considering my comments.

Most Sincerely,

A handwritten signature in black ink, appearing to be 'Kay Mercer', followed by a horizontal line extending to the right.

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