

Plumas-Sierra Cattlemen's Association

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May 16, 2016

Ms. Jeanine Townsend
Clerk of the Board
State Water Quality Control Board
P.O. Box 100
Sacramento, CA 95812

Email: commentletters@waterboard.ca.gov subject line: "Comments to A-2239(a)-(c)"

Re: Opposition to proposed State Order for E. San Joaquin which would affect all water quality coalitions without recognition of the diversity of agriculture across the nine regions.

The Plumas-Sierra Cattlemen's Association (PSC) respectfully submits the following comments for consideration by the State Water Control Board:

Most PSC members are also members of the Upper Feather River Watershed Group (UFRWG) located in Plumas and Sierra Counties. The UFRWG has been in existence since 2005 and is a subwatershed group of the Sacramento Valley Water Quality Coalition (SVWQC). Irrigated agriculture within this largely mountain watershed at 3400- 5200 foot elevation comprises of only 3.5% of the land use in the watershed with predominantly pasture and hay forage ranches (99%). The US Forest Service manages over 80% of the watershed acreage.

The PSC ranching and farming in the mountain valleys and northern fringes of the Sacramento Valley Coalition region have low intensity pasture and forage crops which provide cover on valley floors year round, minimal to zero pesticide use, at least two management practices implemented by each grower and for eleven years have had excellent water quality results from nearly a hundred water sampling & testing events. There have been no toxicity exceedances to trigger watershed management plans and site-specific UCCE research concluded that the pH and dissolved oxygen results were attributable to natural occurring diurnal cycles within the watershed system and not agricultural practices.

For low threat subwatersheds, there becomes a negative cost benefit for increased reporting, certification of individual plans, increased monitoring sites, increased regulations, domestic well testing, release of private information, etc. Low threat subwatersheds continue to ask the State Water Board and Central Valley Regional Water Board to recognize and designate "low threat subwatersheds" based on all the scientific data collected over the course of the current Central Valley Regional Irrigated Lands Regulatory Program which supports this position. UFRWG is applying for a Reduced Monitoring/ Management Practices Verification Plan as allowed through the current Regional Order R5-2014-030.

This Plan recognizes low threat/ low vulnerability subwatersheds which have demonstrated good water quality results, low intensity agriculture and minimal pesticide use and no ILRP toxicities.

The time is long overdue for recognition of differences in farming practices, types of crops, low intensity farming practices, minimal to no pesticide use, soil types, fractured rock groundwater systems, efficient irrigation practices and the thousands of dollars invested implementing good management practices by coalition members. UFRWG is one of the smallest memberships in the Sacramento Valley Coalition and consists of only 103 members. Current program fee allocations are based on acreage alone with no other more relative factors being considered to offer a more equitable tiering of fees. This results in the cost per member for the various program management tasks, consulting firms, and unrelated crop study/research services to be as much as 10 times greater for UFRWG members and other predominantly mountain pasture/forage subwatersheds as it is for valley subcoalition memberships. Agriculture is diverse across the State, and even within the Central Valley, yet the programs continue to burden the diverse subwatersheds for unrelated water quality issues.

Plumas-Sierra farmers and livestock producers have a long history of improving management practices as education and outreach becomes available; especially the good scientific work presented by the academic institutions, UC Cooperative Extension, USDA NRCS, County Agricultural Commissioners and the Resource Conservation Districts as well as using private technical consultants.

The Economic Analysis Report by both the State Water Board and the Central Valley Regional Water Board does not represent the high costs already paid by farmers, let alone the increased costs proposed by this new revision proposed by the State Water Board. The cost of certifying plans, reporting, testing private wells, paying for additional surface water monitoring sites, analysis and reporting increase the cost to grower by a minimum of \$4,000-5,000/ year. This is not only cost prohibitive for most family farms, but also for many small coalitions with good water quality results. Each added layer contributes to a gross decline in program cost/benefit with most funds going to reporting instead of on-the-ground implementation.

The State Water Board's Fact Sheet says, "We find that the additional costs and burden associated with these revisions are not substantial". The waterboards seem to exhibit complete disregard to the costs and financial burden placed on growers especially those with small acreage and/ or in economically disadvantaged communities which are already burdened with low income challenges.

The UFRWG subwatershed has paid over half a million dollars from our small number of framers and ranchers to address water quality issues and cropping practices not even used in our mountain watershed. The water quality has always been good and proactive farming practices have shown to improve with education. Agriculture now has the data to prove what they are doing is safe to the environment and in many cases beneficial to the environment! Where is the cost/ benefit ratio and the economic analysis representing the per grower cost, especially the small growers and mountain pasture and forage farmers?

It is estimated that these new requirements would cost each grower, on average approx. \$5,000 - \$10,000 to comply regardless of the low threat and data developed to date. The

following is list of some of the current and proposed requirements each grower would have to comply with:

- Growers pay membership fees and a per acreage fee that go to the State Water Board already of which they had one million dollars in excess of the growers money last year, and did not reduce the cost to growers. These costs increased 375 % since 2003.
- Certify irrigation plans annually, estimate avg. cost \$1,000
- Certify nitrogen management plans annually, avg. estimate \$1,000
- Certify Sediment and Erosion Control Plans, avg. estimate \$5,000 (\$3-10,000/ grower)
- Submit annual Farm Evaluation Plans per parcel and **have private information made public.**
- Cost for two sample minimum and have private well water analyzed and reported, depends on the scope of what is required to test for, est. \$300
- Pay staff or increase your time to report and coordinate all requirements monthly, seasonally and annually.
- Increased reporting costs growers pay subwatersheds to work with local farmers and ranchers, develop databases to track and report information,
- Increased reporting costs with Sac Valley W.Q. Coalition as this entity then coordinates information for 13 subwatersheds to the waterboards and represents the Sacramento Valley and surrounding areas. The SVWQC coordinates regional reports, hires and coordinates water quality monitoring, analysis and reporting, hires subcontractors/ scientists and develops other major reports on groundwater, water quality trends, management practices effectiveness reporting among just a few that cost approximately \$500,000 to over \$1,000,000 dollars each.
- Waterboard's estimate suggests the need to hire 90 new positions for the new requirements, which in turn would dramatically increase the cost on a per grower basis through acreage fees

A reasonable need for the proposed broad state regulations is not clear for foothill and mountain watershed regions with minimal agriculture and minimal water quality issues related to agriculture. **Plumas and Sierra Counties as well as Lassen, Modoc and other north counties are low threat areas of the state.** Any proposed changes should appropriately reflect actual water quality issues and not be applied broadly to all areas with no correlating problems.

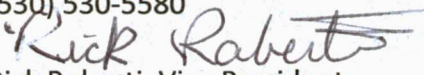
For years the public advocated the message that a "one size fits all" regulations are without merit, costly, cumbersome and without advancing goals other than to regulate. The Central Valley Regional Water Board responded to a small degree by providing program options for low vulnerability and low threat areas within the Central Valley region. The proposed State revision would result in reversal of the long awaited program advancements and further reduce

incentives of subcoalitions and their memberships when good efforts and good results continue to be ignored.

We submit these observations and comments and ask for your full consideration.

Sincerely,

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