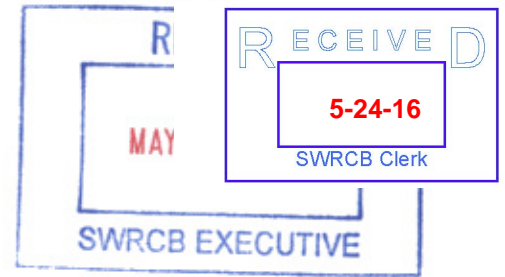


April 29, 2016

Ms. Fellicia Marcus,  
Chair State Water Resources Control Board  
c/o Jeanine Townsend  
Clerk to the Board  
State Water Resources Control Board  
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Sacramento, CA 95812-0100



Email: [commentletters@waterboard.ca.gov](mailto:commentletters@waterboard.ca.gov)

RE: East San Joaquin Water Quality Coalition Proposed Order

Dear Felicia,

I am a lifelong resident of San Joaquin County; my family has been farming in the Linden area east of Stockton since 1906. We have been a member of the San Joaquin County and Delta Water Quality Coalition since its inception and have worked to adapt our farming and management practices to reflect the objective of the current State Board Order on the East San Joaquin Water Quality Coalition Waste Discharge Permit.

The current Proposed State Board Order on East San Joaquin Water Quality Coalition Waste Discharge Permit, though it has admirable objectives seems to go beyond goal of achieving beneficial results. Farming in the East San Joaquin Water Quality Coalition is still very much “family farms” where farms have been passed from one generation to the next. In today’s society, the natural openness of agriculture, invites intrusion, property damage, theft and vandalism, to require specific information rather than aggregated data through a third party will further aggravate the above, increasing costs to farmers. Farm property is not like a factory site that can be protected by fences, lighting and cameras!

There appears to be a disconnect between what is being required and current farm practices, compared to past practices that may be the root cause to the problems we are experiencing today with respect to nitrogen contamination of ground water in highly vulnerable areas and in domestic water wells.

Historically flood irrigation/furrow irrigation were the primary irrigation methods used in the Central Valley, especially in the production of row crops (tomatoes, beans, sugar beets, etc.) and field crops (alfalfa and grains), and pasture crops. Flood irrigation/furrow irrigation is still used for pasture, rice and some row crops and in smaller orchard plantings. With the markets favoring permanent crops (walnuts, almonds, peaches, cherries, etc.) much of the land is currently irrigated by drip, micro sprinklers, or sprinklers. Where flood irrigation/furrow irrigation tended to saturate the root zone and

move nutrients below the root zone and in some cases into the ground water, the use of current irrigation technology (because of costs and increase efficiency of water use by the crop) does not have the same impact as previous practices.

How does this relate to the proposed order? With the current order a farmer is required to file a farm evaluation plan which states the crops, cultural practices used including irrigation practices. Nitrogen management plans are required for identified high vulnerable areas and next year nitrogen management plans are required on all parcels along with nitrogen summary reports (reports utilization ratio between nitrogen applied and nitrogen used as expressed in production). All of these are good management practices that should over time be beneficial for individual growers in their farming practices. Additionally, where soils are subject to erosion and sediment runoff into a water stream, an erosion and sediment control plan must also be developed.

These reports have only been in existence for two years, growers are now adjusting to completing these reports and the expenses associated with doing them, both a per acre assessment by the coalition and any consulting fees that may be necessary for compliance and certification.

The proposed order is asking for all reports to be submitted, be site specific and made part of public data base. This will increase the paperwork handled by the Coalition resulting increased fees charged by the Coalition, it will also increase the paperwork to the Board. But, will this result in better farming practices? Better water quality? Probably not, it may cause family farms to just quit! But it may provide more opportunity for enforcement and penalties...is this what we want or is better management practices less violations and a better environment?

Rather, to accomplish what petitioners to the Water Board want, why not target those who continued to use dated cultural practices? Why not focus on education and spot review by either Coalition or Board personal? This is done by those in charge of pesticide regulation...where growers are required to have continuing education hours, records on hand at their respective headquarters and like Cal-Osha, have a courtesy inspection before penalties.

I want to make it clear, I am not objecting to the current reporting and record keeping requirements, but I am not in favor of increasing the record keeping requirement or disclosing same on a public accessible data base. The increasing scrutiny I do not believe is necessary for all parties because of the current farming cultural practices employed...but where there is reluctance to adopt these practices, those involved should be held accountable...or given the opportunity to learn and change practices before heavy enforcement.

During my tenure in the legislature, I fought for education and change before heavy handed government intervention...always cognizant that pendulum swings both ways!

I think trying to achieve better water quality and the implementation of practices that will lessen the likelihood of further contamination, if not work to improve water quality, more can be accomplished with education and accountability...in that order.

I encourage the Board to let the current Orders be implemented without proposed changes. Growers are becoming more educated by taking Nitrogen Self Certification Classes and more research on nitrogen efficiencies are being conducted. The Coalition is analyzing information to help determine areas of concern that are impacting water quality and taking action to inform those suspected of contributing to the problem to take corrective action and in some cases working with local ag commissioners to establish safe buffer areas to protect water quality.

The proposed changes will be costly and burdensome to family farmers cause resentment to enforcers and will not necessarily not improve water quality.

Thank you for the opportunity to express my concerns.

Sincerely,

A handwritten signature in blue ink, appearing to read "Michael Machado", written in a cursive style.

Senator Michael Machado (Ret)  
President, P & M Farms  
209 601-5277