



# SAN LUIS OBISPO COUNTY FARM BUREAU

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December 22, 2016

Chris Rose, Senior Environmental Scientist  
Central Coast Regional Water Quality Control Board  
Suite 101  
895 Aerovista Place  
San Luis Obispo, CA 93401

Re: Draft 2017 Agricultural Order, aka Ag Order Version 3.0 Comments

Dear Mr. Rose:

The San Luis Obispo County Farm Bureau (Farm Bureau) membership would like to address several issues and concerns relating to Ag Order Version 3.0. Following the Ag Order Version 3.0 Draft and the December 8-9, 2016 report to the Regional Board we urge your positive consideration of the following:

- 1) **Total Nitrogen Applied (TNA) Reporting:** We are concerned with the changes to the Nitrogen reporting requirements. The 2012 Nitrate Loading Risk Calculation, Risk Units recognize farm variability conditions and the risk-based reporting represents the actual high-risk operations in Tier 2 and 3. Version 3 instead expands the TNA to those farm areas with crops of high potential but which are not high risk. Under this scenario non-high risk crops that are also being grown on the same farm would fall into the TNA if another area of the farm does have a high-risk crop. Farm Bureau recommends that the 2012 TNA should be continued in Version 3.
- 2) **Surface Water Monitoring and Reporting:** Farm Bureau is very concerned with the increased costs to Central Coast Water Quality Preservation, Inc (Preservation, Inc.) – a 69% increase with the new and revised monitoring and reporting requirements. The 69% increase will be passed on to growers and ranchers enrolled in Preservation, Inc. The expanded constituent sampling (including for the neonicotinoids) and the frequency of the monitoring have created a program where the benefits *do not* “outweigh the burden, including costs, of these additional monitoring requirements”. Farm Bureau recommends that there needs to be more scientific findings demonstrating that the sampling and monitoring increases are truly beneficial.

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3) **Groundwater Monitoring:**

**Monitoring Cooperatives:** As stated on page 5 of the December 8, 2016 staff report, there is only one groundwater cooperative monitoring program submitted thus far for Ag Order Version 3.0. Because of the difficulty of forming a cooperative groundwater monitoring program with the costs and requirements, it is quite possible that there will be few applications. The ability to have cost effective and efficient monitoring cooperative monitoring programs could be truly beneficial to both the grower and the Irrigated ag. program.

**Assessor Parcel Numbers (APN):** As there can be numerous Assessor Parcel Numbers within a single farm/ranch ownership (there are known to be 10 or more APNs within a single farm/ranch ownership), it is not appropriate to require that agricultural wells be sampled for every assessor APN. Farm Bureau recommends language that clearly states that sampling is for the *primary irrigation well per farm or ranch ownership.*

**Groundwater Wells that “may be used for domestic purposes”.** The requirement that reaches out to include “domestic” wells within an APN expands the number of wells requiring testing, as opposed to testing per farm or ranch. Farm Bureau recommends the retention of the ground water monitoring for drinking water wells as written in the 2012 order.

**Definition of domestic wells:** The new definition of drinking water wells that includes groundwater wells that “*may be used* for human consumption, cooking, or sanitary purposes” means in many cases that all wells in an APN would have to be listed as a domestic well. Farm Bureau understands and want healthy water; however, this definition and requirement does not recognize the various provisions that an agriculturalist has implemented (such as alternative water availability). Additionally, if a well has a hose bib, even if there is no domestic use, this could be called “may be used for domestic purposes”. Many small farm wells are constructed this way and they will have the extra cost and requirement of testing extra wells that have no domestic use. This only increases the expense to the grower with no additional water quality benefit.

4) **Irrigation and Nutrient Management Plans and Reporting (INMP):** As reported at the December 8, 2016 hearing, the requirements under the INMP are exceedingly expensive. There are very few professionals that are certified to initiate and implement an INMP. As stated on December 8, this becomes an

extremely costly process costing tens of thousands of dollars throughout the term of the Version 3.0 order. Ag Order Version 3.0 does not resolve ambiguities of the Irrigation and Nutrient Management Plans and reporting and Water Quality Buffer Plan, and cements 2012 determinations, which is exceedingly expensive. Currently and in Ag Order Version 3.0, the initiation and annual reporting requirements are wide open, leaving major subjectivity with the Water Board Executive Officer to determine the need for and requirements of the INMP. Furthermore, Farm Bureau recommends that all MRP's be included in the Ag Orders themselves.

- 5) **eNOI Updates:** It is a positive move that Order 3.0 no longer requires annual updates of the eNOI. However, there is an ongoing concern, with requiring that all updates be electronically submitted. There are older and small growers under the Order who are not computer literate and/or don't have computers. This makes it difficult for them to comply with the Order. Farm Bureau recommends alternative provisions for those growers and ranchers that is clearly noted in Version 3 and in all future orders.

The Farm Bureau and its membership thanks you in advance for your consideration of the concerns that we have listed and work cooperatively with the stakeholders in the final resolution and implementation of the 2017 Agricultural Order Version 3.0.

Respectfully Submitted,



Dan Sutton, President  
San Luis Obispo County Farm Bureau

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