



June 12, 2019

Jeanine Townsend, Clerk to the Board
State Water Resources Control Board
P.O. Box 100
Sacramento, CA 95812-2000

Comment Letter – CEQA - Composting General Order NOP

Dear Staff and Members of the State Water Resources Control Board:

The Community Alliance with Family Farmers (CAFF) is a non-profit organization that advocates for sustainable agricultural practices. Many of our farmer members are organic family farms that utilize compost. For the past ten years we have worked with CalCAN and CDFG to develop a Healthy Soils program that incentivizes the use of compost in order to build soil organic matter on farms and ranches. The success of the Healthy Soils program depends on the distributed production of compost in California, and in particular encouraging farmers to make compost on their farms, which will have great social and environmental benefits.

We thank you for this opportunity to comment on the scope of the Supplemental EIR for the Compost General Order. We are including information that we have gathered on the effects on farmers and our suggestions for a regulatory framework.

Agricultural Materials

The Board instructed staff to create more flexibility for farmers engaged in on-farm composting. In particular, we support allowing farmers to bring feedstocks onto their farm in order to balance C:N ratios and efficiently compost materials that they have available on their farm. This should include herbivore manure without triggering costly infrastructure as envisioned in Tier II facilities. CalRecycle considers herbivore manure an agricultural material and it will be important that the Water Board's definition of allowable feedstocks lines up with CalRecycle's.

The USDA National Organic Program has approved the following feedstocks for composting:

- Animal bedding and manure: Must meet requirements for raw manure. *USDA Organic Regulations: § 205.203(c)(1)*
- Crop residues
- Yard wastes

- Fish wastes and by-products
- Seaweed by-products
- Paper (must be newspaper or other recycled paper without glossy surface or colored ink)
- Green waste that has not been exposed to pesticides
- Guano—Bat or Bird (allowed with restrictions): Must be decomposed and dried deposits and must meet requirements for raw manure. *USDA Organic Regulations: § 205.203(c)(1)*
- Other nonsynthetic substances

Specific feedstocks that we know farmers are using in California:

1. Manure, including bedding
2. Fruit and vegetable packing house culls
3. Pomace from wine grapes
3. Rice hulls
4. Almond shells
5. Cotton gin trash (many fewer cotton gins now than in the past)
6. Chipped tree trimmings
7. Farmers Market produce residue
8. Cleaned and ground up green waste

We recognize that the use of green waste presents challenges. We are not interested in generic food waste or anything that has plastic in it. But several farmers told us that they buy cleaned and ground up yard waste that has had plastic and other materials removed to add to their compost piles to balance the C:N ratio.¹ We note that this is allowed under the National Organic Program. We ask that the Water Board examine this material as we would very much like to see it included.

We work with many farmers' markets and they are concerned that they will become responsible under SB 1383 for disposing of produce residue from the markets and they believe that allowing farmers to compost this material would be a good solution. We have encountered a number of farmers who use this material.

All of the crop farms that are making compost bring feedstocks onto their farms, especially herbivore manure, so allowing this in the rules will be essential. The percentage of manure used varies widely, but it usually exceeds 10% and may be as high as 50%. If the Water Board believes a higher percentage than 10% is problematic, then it should test the groundwater under existing composting operations on crop farms rather than requiring test wells, which would be prohibitively expensive for most farms and would discourage composting.

Best Management Practices

We believe that the best approach to on-farm composting regulation by the Water Board is to regulate crop farmers under the Irrigated Lands program and regulate the dairies under the

¹ One source of such material was Vision Recycling, Andrew Tuckman, 510-385-0255. It is termed "green fines" and is filtered after being ground with a tub grinder.

dairy order. We are concerned here with crop farmers. Crop farmers under Irrigated Lands must create a nutrient management plan and on-farm composting could be noted as part of this. This would create an inventory of on-farm composting operations for possible inspection for compliance with Best Management Practices (BMPs). The agricultural exemption in the compost general order should allow crop farmers to assemble the feedstocks from their farm, other farms, and other sources as allowed, and to compost for their own use at unlimited volume, subject to implementing BMPs in their compost operation. We have worked with some experienced composters to recommend the following BMPs, which we have also vetted with dozens of farmers who make compost:

Siting

- Pad – compacted soil, not concrete. Avoid porous soils for pad.
- 100 foot set back from surface water or well
- Prohibit run-on of storm water onto the composting area. This can be accomplished by uphill berming or grading to divert storm water from the site.
- Assure positive grade of the compost surface to avoid standing water on the compost pad.
- Place a filter sock, hay bales, or berm downhill from the compost pile to allow sediments to settle out and filter runoff from the compost pad.

Operation

- Keep the compost area surface clear of compostables, practice clean operations.
- Create piles on a bed of dry, bulking material like straw or wood chips.
- Mix high nitrogen and or wet feedstocks within 24 hours with a bulking material to create a compost mix that has a C:N ratio of >30:1 and a moisture content not to exceed 55%.
- Minimize organics stockpiles during the rainy season. Land apply finished compost and maximize compost feedstock to be placed into the compost system before the start of the rainy season or consider seasonal operations, avoiding processing during the rainy season (typically defined as October 1 – April 1)
- Create compost feedstock piles and compost piles that are peaked rather than having a flat surface to promote rain water to shed off. This will prevent water from penetrating the pile when the moisture content reaches 55% or higher.
- Use tarps, temporary covers or roof structures to shed rainfall from feedstock receiving areas for compost operations located in high rainfall areas.
- Do not operate equipment on the compost pad when it will create rutting or pumping of the soil.

We note that both the USDA National Organic Program and the FDA's Food Safety Modernization Act requirements are aligned in their specifications for making compost.

NOP and FSMA requirements

- Initial C: N ratio of between 25:1 and 40:1
- For an in-vessel or static aerated pile, compost should maintain a temperature of between 131°F (55°C) and 170°F (77°C) for three days.
- For a windrow system, this temperature must be maintained for 15 days and the pile turned a minimum of five times within that time period. Accurate temperature records are needed to satisfy the NOP standards.
- Incorporates acceptable feedstocks (see above)

The compost pile is mixed or managed to ensure that all of the feedstock heats to the minimum of 131° F (55° C) for a minimum of three days. The active composting process is finished when the pile returns to ambient temperature levels. The monitoring of the above parameters must be documented in the OSP in accordance with § 205.203(c) and verified during the organic inspector's site visit.

Volumes

With assistance from CCOF, we estimate that there are fewer than 300 farms in California that make some form of compost. Of these, we estimate that only about 50 farms make more than 500 cubic yards of compost.

At this time we are unable to say what quantities of feedstocks or amounts of compost California farmers may require. We are seeking estimates from some of the larger on-farm composting operations and we will convey this information to the staff once we have it. Farmers should certainly be allowed to make any quantity of compost that they are going to use on their farms.

Almost none of the crop farms are selling or giving away any compost, so the 1,000 cubic yard limit on this is not a problem for the crop farms, although we find it arbitrarily low. The dairy situation is different and requires its own rules.

Sincerely,

A handwritten signature in black ink, appearing to read "David Runsten". The signature is fluid and cursive, with a long horizontal stroke at the end.

David Runsten
Policy Director