

COUNTY OF EL DORADO

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May 3, 2016

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

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

Re: Opposition to proposed Order for E. San Joaquin and all other water quality coalitions in CA

The California State Water Board issued a proposed order (SWRCB/OCC Files A-2239(a)-(c)), better known as the "Eastern San Joaquin River Watershed Agricultural Order" (Order) on February 8, 2016. The Order would generally require irrigated agricultural operations to meet waste discharge requirements. These requirements include additional reporting, a Nitrogen Management Plan, on-site monitoring of drinking water wells, sustained outreach plans, and annually updated farm evaluations.

El Dorado County opposes the requirements included in this Order as they would put undue financial and resource intensive burdens on our local agriculture operations. Current estimates for implementing the Order ranges from \$5,000-10,000 per farm. The additional costs include certifying nitrogen plans, reporting, testing private wells, paying for additional surface water monitoring sites, and analysis. El Dorado County has a significant agricultural based presence, especially smaller "family" farming, and implementation of such requirements included in the Order could greatly harm the local economy and availability of locally grown crop goods.

Farming in El Dorado County is generally small acreage (less than 5 acres), low intensity, cover crops on slopes year round, minimal to no pesticide use, at least two management practices implemented by each grower, and for over one decade have had excellent water quality results. Irrigation practices use small quantities of water and typically via drip or micro-jet irrigation resulting in no run-off.

This proposed Order should not apply to our foothill farming community and small acreage farms. The State Water Board's Fact Sheet says, "We find that the additional costs and burden associated with these revisions are not substantial". This statement disregards 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.

There are many sections of the California Water Code which concern and protect the economic impact to a person and/or entity. For instance, Water Code section 13267 states that "...[t]he burden, including costs, of [monitoring and reporting] shall bear a reasonable relationship to the need for the report and the benefits to be obtained from the reports." As such, we are requesting that the State Water Board provide supporting analysis indicating that a reasonable relationship exists between the Order and the burden in implementing such an order. Additional consideration is requested and should be included for small acreage irrigated agriculture lands and/or low intensity farmers/producers. A simple cost-benefit ratio analysis should be performed to meet this requirement of the Water Code and further explain the need for the proposed Order requirements.

We sincerely hope you record our comments and provide your full consideration.

Sincerely,

Ron Mikulaco, Chair, Board of Supervisor's