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May 31st, 2016

Ms. Jeanine Townsend
Clerk to the Board
State Water Resources Control Board
1001 I Street, 24th Floor (95814)
P.O. Box 100
Sacramento, CA 95812-0100

RE: Opposition to Proposed East San Joaquin Ag WDR Petition

Dear Ms. Townsend;

We are writing this letter to you on behalf of the California Cotton Ginners and Growers Associations (**CCGGA**). CCGGA represents the entire grower and ginning community of California Cotton Production. We have nearly 800 growers producing close to 200,000 acres of cotton annually, with close to 30 gins processing every acre of harvested cotton within the state of California. We are writing to you today to discuss the recently proposed changes to the East San Joaquin Water Quality Coalition's Ag WDR Petition.

Over three years ago, the collective agricultural industry began formulating a plan with coordination of the Central Valley Regional Water Quality Control Board (Regional Board). This plan was the foundation of the Irrigated Lands Regulatory Program (ILRP) that we see in practice today. Through the implementation of the plan, grower input was minimalized. Upon initial reaction, the plan was not well received by landowners, and many fought the incoming regulation as being overbearing. Throughout this three year process, we have seen a shift in attitude with the requirements of this plan. We are seeing growers working together, and in the rare occasion in agriculture, helping their neighbors submit the correct documentation.

Growers are also interactive and engaged when training is held on this specific regulation. The important message to take home from this is that many of these government-agency directed programs succeed with the help of farmer cooperation. Growers, coalition groups, and the Regional Board have all worked, tirelessly, to produce a program that is relatively easy to navigate and execute, while keeping regulation goals in the crosshairs.

To relate the precedential nature of the Irrigated Lands Regulatory Program, and the success these programs experience with grower participation, the San Joaquin Valley Air Pollution Control District looked to develop rules to curb PM emissions. Through research and input from a multitude of government agencies, including the California Air Resources Board, California Environmental Protection Agency, as well as the local San Joaquin Valley Air Pollution Control Districts, a "Tractor Rule" was established. To this date, farmers have exceeded the predicted emissions reductions, and are still utilizing the funding source that was established to help achieve these reductions. Another example of landowner cooperation ultimately helping the success of a program would be the development of the Diesel Engine Rule currently in place. With the coordination of the previously listed government agencies, as well as the California Public Utilities Commission and the California Energy Commission, the Ag Internal Combustion Engine (Ag ICE) program was developed. These two programs are living proof of the success rate of government designed programs addressing major issues within the state when there is buy-in from industry stakeholders.

A secondary concern our Associations have, revolve around the release of site specific information onto the *GeoTracker* website. It was shown during the Technical Panel that requiring this information be submitted and published electronically would provide no actual benefit to cleaning up groundwater. Through actions taken by the Enforcement Department of the State Water Board in the Central Coast as well as the City of Corcoran, it is apparent that this information will only be utilized in the form of third-party litigation. The only result we see in posting this information on the web would be in the form of punishing landowners to clean up an aquifer that has the potential to have been polluted for possibly, decades and from sources outside of agriculture. We feel that this is an unnecessary step that will further alienate landowners from willingly participating in this program. The secondary concern that our Associations has regarding the release of public information is an issue that is close to the cotton industry. Not long ago, one driving through the Central Valley used to see placards next to fields and gins that had a code written on them from the seed manufacturer. These placards indicated the variety of seed that was being grown, or processed in the field/facility. On February 20th, 2001, members of the Earth Liberation Front (ELF) targeted a cotton gin in Visalia, CA. This gin was set on fire, and burned to the ground. The cotton gin was owned and operated by Delta Pine Land Company, who is one of the largest developer and seller of transgenic cotton seed in the United States. The gin was targeted, large in part, to their

identification placard of being a processor of GMO seed. A secondary arson attack was carried out at the University of California Davis, with crop studies on GMO's conducted by graduate students being the target. While the fear of financial attacks is a major concern for our industry, we would also like to present the possibility of extremist attacks as a major concern of our membership as well.

The Associations feel that the role that the Regional Board will be forced to adhere to will have adverse effects on both sides of this regulation. As stated by Executive Officer, **Pamela Creedon**, the Regional Board is not currently staffed properly in order to handle the influx of reporting that these changes aim to implement. It was estimated at the Fresno Workshop that the Regional Board would be required to hire on an additional 90+ staff members in order to meet the newly incorporated demand of processing and studying the Irrigation and Nitrogen Management Plans that will be submitted. The only way to mitigate this large gap between staffing and meeting assigned responsibilities imposed by the State Water Board is to increase the contributions of cooperating stakeholders (i.e. WDR fee payers).

Over the span of program implementation under Waste Discharge Requirements, our Associations have seen a rapid increase of fee, and in some cases, our membership fees exceeding a 130% increase. The State Water Resources Control Board has given no explanation of the sudden increase, other than negotiated wage and retirement increases for state employees and General Fund contributions decreasing. Over the past decade, over-impeding regulation by state agencies have helped contribute to compliance costs within California being reaching the highest levels throughout the country. These newly incurred costs under the proposed order will further diminish profit and reduce any economic advantage that growers within this state currently have.

The final point that we would like to touch on is in regards to utilizing the science and programs that are currently working to find an effective solution to this issue. During the Technical Panel presentation, Dr. Harter presented a slide that showed four (4) Central Valley programs currently working towards the goal of addressing groundwater cleanup, and monitoring the additives that are making their way into that source: (i) the 2007 Dairy WDR Program; (ii), ILRP trend monitoring; (iii), SWB GAMA Program; and (iv) the CV SALTS Draft Network Proposal. The Associations would like to see synergy between these programs, specifically, the implementation of new Sustainable Groundwater Management Act Groundwater Sustainability Plan regulations which automatically require groundwater monitoring within the next couple of years. By utilizing these other programs in coordination with the ILRP, the State Water Board will be able to direct funding more accurately at the regulations goal.

Thank you for taking the time to listen to our concerns at the workshop in Fresno, and we also appreciate the opportunity to submit our comments. If you have any questions or concerns, please feel free to contact me at (559)-252-0684, or by email at chris@ccgga.org.

Sincerely,

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

Chris McGlothlin

Director of Technical Services