



Innovative Ag Services, LLC
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May 17, 2016

Ms. Jeanine Townsend
Clerk to the Board
State Water Resources Control Board
P.O. Box 100
Sacramento, CA 95812-0100
(Sent Via Email: Commentletters@waterboards.ca.gov)

RE: **Public Comment regarding Proposed Waste Discharge Requirements General Order No. R5-2012-0116**

Dear Ms. Townsend,

Innovative Ag Services, LLC is an agricultural consulting firm that provides agronomic services throughout California. We are a team of Certified Professional Agronomists, Certified Crop Advisors, and NRCS Technical Services Providers who are trained and experienced in the nutrient management of crop production. We have reviewed the proposed Waste Discharge Requirements General Order No. R5-2012-0116 for the East San Joaquin Watershed that are members of the Third-Party Group that have been prepared and presented by the State Board.

While our team of agronomists and specialists have compiled a comprehensive list of questions and concerns in regards to the proposed General Order. We would like to address four key points:

1. Additional time is needed

The proposed Waste Discharge Requirements, (WDR), from the State Board is significantly different than the existing WDR established by the Regional Board. As such, more time is needed to carefully evaluate these changes. Allowing more time to operate under the existing waste discharge requirements established by the regional boards will give the state, the regional boards, the growers, the service providers, and the special interest groups more time to evaluate the different WDRs in place. The proposed order has statewide implications and additional time is needed for outreach and communication with all parties throughout the state.

2. Wells should not be monitored for drinking water standards

Other Federal, State and Local agencies are charged with drinking water standards and the RWQCB and Irrigated Lands Regulatory Program should not overlap the efforts made by these other agencies. The Federal Environmental Protection Agency carefully and judiciously established drinking water standards while the proposed WDR set new drinking water standards without proper science or public process. Similarly, the



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proposed monitoring, reporting and supply of drinking water are not an established method to ensure safe drinking water. This may give false sense security that can increase health risks to society. Additionally, the production wells should not be used for to monitor land use within irrigated lands.

3. Nutrient Management Plans and grower records are proprietary

A nutrient management plan is a significant investment for a grower and the information is critical to the sustainability of the land owner/operator. Innovative Ag Services works diligently with many growers to customize their nutrient management plans and this investment should not be publicized to other entities that have not paid for the nutrient management plan. Similarly, growers invest into the marketing and selling of their crop based on yield information. Publicizing yield records will allow other entities to produce and market crops based off this information. Most of the crops produced in California are exported and the RWQCB should not publicize yield data that will place California agriculture at risk.

4. The role of the Third Party Group needs to be defined

The proposed WDR do not clarify the role of the Third Party Group. The proposed WDR should clarify that Third Party Groups do not have regulatory responsibilities. Third Party Groups should not be charged with identifying individual growers or their data to the RWQCB. Similarly, Third Party Groups should not be charged with responsibilities that are also charge to the RWQCB that is the responsibility of the RWQCB. Clarifying the roll of Third Party Groups will provide consistency between the multiple Third Party Groups and RWQCBs affected by the proposed WDR.

Thank you for soliciting and allowing public comment. We hope that our knowledge and experience in the industry will be beneficial to all parties involved. Please feel free to contact us with any questions.

Sincerely,

Warren Hutchings

Nathan Heeringa