



PARAMOUNT

FARMING

May 14, 2014

VIA E-MAIL

Attn: Jeanine Townsend, Clerk to the Board
State Water Resources Control Board
1001 I Street, 24th Floor
Sacramento, CA 95814
commentletters@waterboards.ca.gov

Re: Agricultural Expert Panel Comments

Dear Members of the Agricultural Expert Panel:

On behalf of Paramount Farming Company LLC and its related entities ("Paramount") we would like to thank the Expert Panel and the State Water Resources Control Board ("Water Board") for the opportunity to provide comments on this important process. The role of the Expert Panel and the specific questions posed to the Expert Panel in the *Agricultural Expert Panel Questions, April 24, 2014* ("Expert Panel Questions"), are critical to forming and implementing an effective, efficient and scientifically justified Long-Term Irrigated Lands Regulatory Program (ILRP) and to further grower education and implementation of effective irrigation and nitrogen management practices.

We appreciate the Expert Panel holding the recent public meetings and inviting testimony to help inform its process. The testimony of Paramount Irrigation Manager, Hung Le, is incorporated by reference, and his presentation is attached. Paramount wishes to provide the following additional comments.

General Comments:

- The complexity of California agriculture is immense including, but not limited to diverse crops, soil types, irrigation practices, nutrient needs and irrigation and nitrogen management methods. Implementing recommendations will be costly and, as was discussed by the Expert Panel and stated in the testimony and public comments of many at the recent public meetings, to be effective, cannot be one-size fits all. We encourage the Expert Panel to take a cost benefit approach in addressing its "charge" and to consider prioritization based on vulnerability and risk of current conditions.
- Paramount believes educating growers, and where needed, changing current behavior, is the best way to achieve the overall goal of Recommendation 14 of the Water Board's report to the Legislature to "ensure that ongoing efforts are protective of groundwater quality."
- In drafting recommendations, we encourage the Expert Panel to include clear definitions of terms (i.e. "farm," "field," "crop need," etc...) to ensure consistency of interpretation and implementation. ILRP compliance will come at a significant expense and any subsequent

changes due to a misinterpretation in implementation will result in additional expenditures and sunk costs for growers and aggregators and a delay in useful and comparable information at the grower, aggregator and Water Board level.

Specific Comments Regarding Expert Panel Question Topic Areas:

Vulnerability and Risk Assessment

- Over the past several decades cropping patterns, irrigation systems and nitrogen and irrigation management practices have changed. In many areas of the Central Valley crop shifts, efficient irrigation systems and improved nitrogen management have replaced less efficient processes, resulting in little to no water moving past crop root zones and more effective nitrogen management. Paramount does not believe regulating and tracking nitrogen on a field by field basis is cost effective, efficient or scientifically justified and encourages an analysis and approach that evaluates risk based on analyzing and classifying unique characteristics and focusing regulatory efforts on higher risk areas.
- Existing groundwater quality may be related to legacy practices and not attributable to current practices. Assessing risk based on current conditions and focusing efforts on higher risk areas, both at the grower level and the regulatory level (ILRP reporting requirements), allows for continuation of practices that are protective of groundwater and identification of focal areas to ensure an efficient, cost effective and results oriented program.

Application of Management Practices

- The quantitative approach of tracking and reporting nitrogen using a mass balance approach depends on the accurate measurement or the estimation of numerous components of the nitrogen cycle and is not practical. As recognized by the Expert Panel during its Kick-Off Meeting, these measurements and estimates can be impossible or very difficult for experts in a research environment, but are certainly beyond the scope and practical ability of a grower.
- As stated above grower education is critical. Significant research and tools are available through existing resources such as CDFA, County Agricultural Commissioners, Farm Bureau and the UC Cooperative Extension, among others and should be used as grower tools.

Verification Measures

- Depending on site conditions, such as depth to groundwater, we do not feel a correlation can be made between groundwater monitoring results and the potential impact of existing management practices. We encourage the Expert Panel to pursue alternative verification measures and consider cost of implementation when evaluating the alternatives.

Reporting

- Paramount appreciates the dedication of the California Department of Food and Agriculture (“CDFA”) and its task force members to complete the recently released Nitrogen Tracking and Reporting System Task Force Final Report (“Task Force Report”). Although Recommendation 11 charged the Task Force with identifying, “appropriate nitrogen tracking and reporting systems, and potential alternatives, that would provide meaningful and high quality data to help better protect groundwater quality,” the Task Force Report neglected to substantively review

alternatives or assess practical limitations. The Task Force Report is an important initial, policy-level report addressing tracking and reporting, however the Expert Panel should review and analyze the Task Force Report recommendations focusing on alternatives and practical considerations, including feasibility, scientific justification and economics.

- The evaluation of the Task Force Report should not be limited to "integration" with Expert Panel recommendations, but also make suggestions regarding changes, improvements or specific aspects of the Task Force Report that should be implemented, or not implemented, based on practical, economic or scientific considerations. Although the Task Force Report endorsed a specific tracking and reporting approach, it stated the approach had "many scientific and methodological uncertainties" and did not analyze alternatives or practical limitations, which are properly under the charge of the Expert Panel.

Groundwater quality and protection is a critical statewide issue. Paramount believes educating growers will lead to further changes in current practices and is the most economical and effective way to achieve the overall goal of further protecting groundwater quality. We encourage the Expert Panel to focus on existing conditions and irrigation and nitrogen management in developing its recommendations. Paramount appreciates the efforts of the Expert Panel and looks forward to working with the Water Board, CDFA, the Expert Panel and other interested entities on this critical issue.

Additionally, Paramount hereby joins in and incorporates the comments submitted by the Kern River Watershed Coalition Authority and Mr. John Schaap.

If you have any questions or would like to discuss these comments in greater detail, please contact me at anytime.

Sincerely,



Kimberly M. Brown
Resource Manager

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