

Draft Ag Order Workshop Community Perspective



PRESENTED BY:

**ENVIRONMENTAL JUSTICE
COALITION FOR WATER**

**CALIFORNIA RURAL LEGAL
ASSISTANCE**

CLEAN WATER ACTION

**SAN JERARDO
COOPERATIVE**

7/23/13

SB 685: Human Right to Water



“It is hereby declared to be the established policy of the state that every human being has the **right to safe, clean, affordable, and accessible water** adequate for human consumption, cooking, and sanitary purposes.

All relevant state agencies...shall consider this state policy when revising, adopting or establishing policies, regulations, and grant criteria...”

Public Health is High Priority for Ag Order



“Hundreds of drinking water wells serving thousands of people throughout the region have **nitrate levels exceeding the drinking water standard**. This presents a **significant threat to human health** as **pollution gets substantially worse each year**, and the actual numbers of polluted wells and people affected are unknown. Protecting public health and ensuring safe drinking water is among the highest priorities of this Order (Finding 6, Central Coast Order).”

(emphasis added)

Central Coast Regional Board has Authority to require...



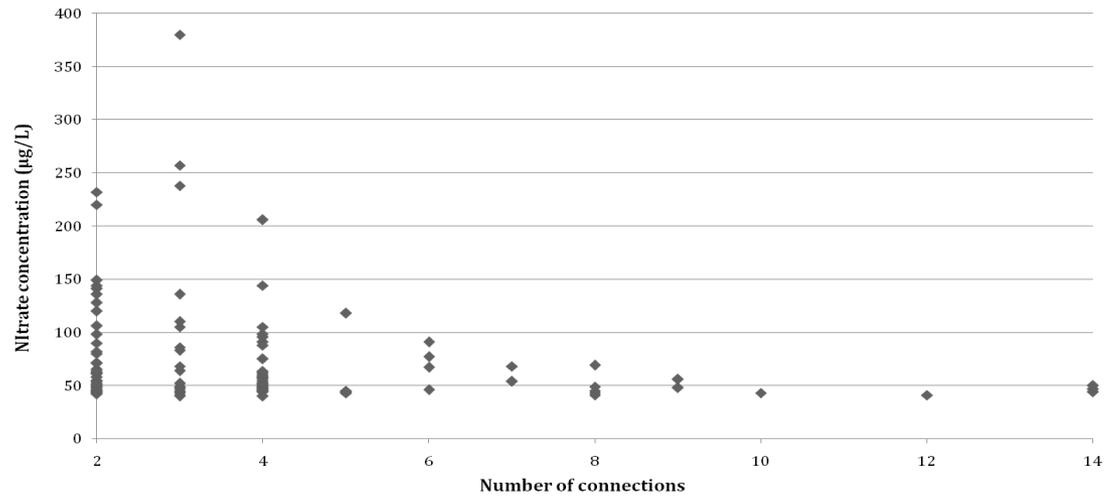
- “Dischargers to locate (inventory) and **conduct monitoring of private domestic wells** in or near agricultural areas with high nitrate in groundwater”
- “Dischargers to **provide alternative water supplies** or replacement water services, including wellhead treatment, to affected public water suppliers or private domestic well owners (Finding 21, CC Ag Order).”



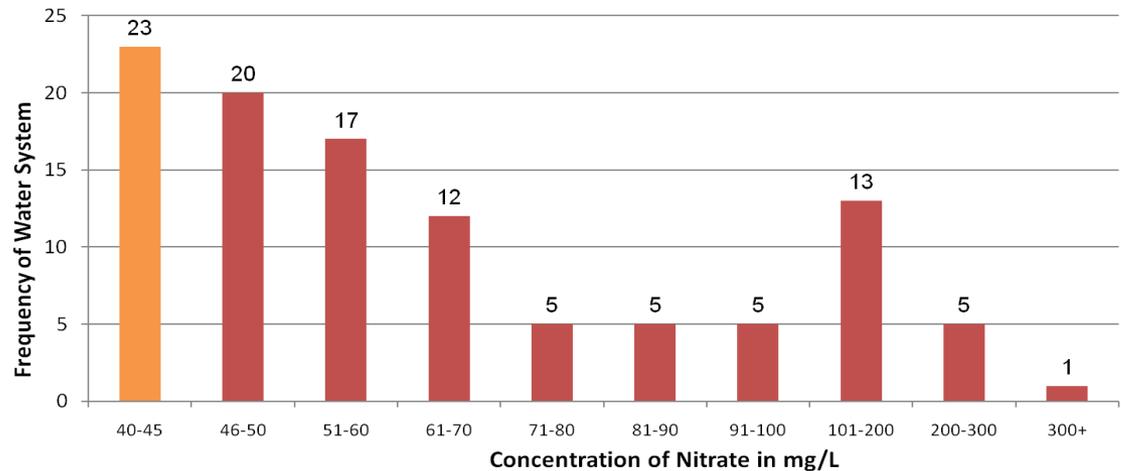
The smallest systems are more vulnerable to higher concentrations.

As of 2013 reporting, 26 systems in Monterey County exceed 120 mg/L nitrate.

Monterey County 2009-2010
Local Small Water System Nitrate Sampling



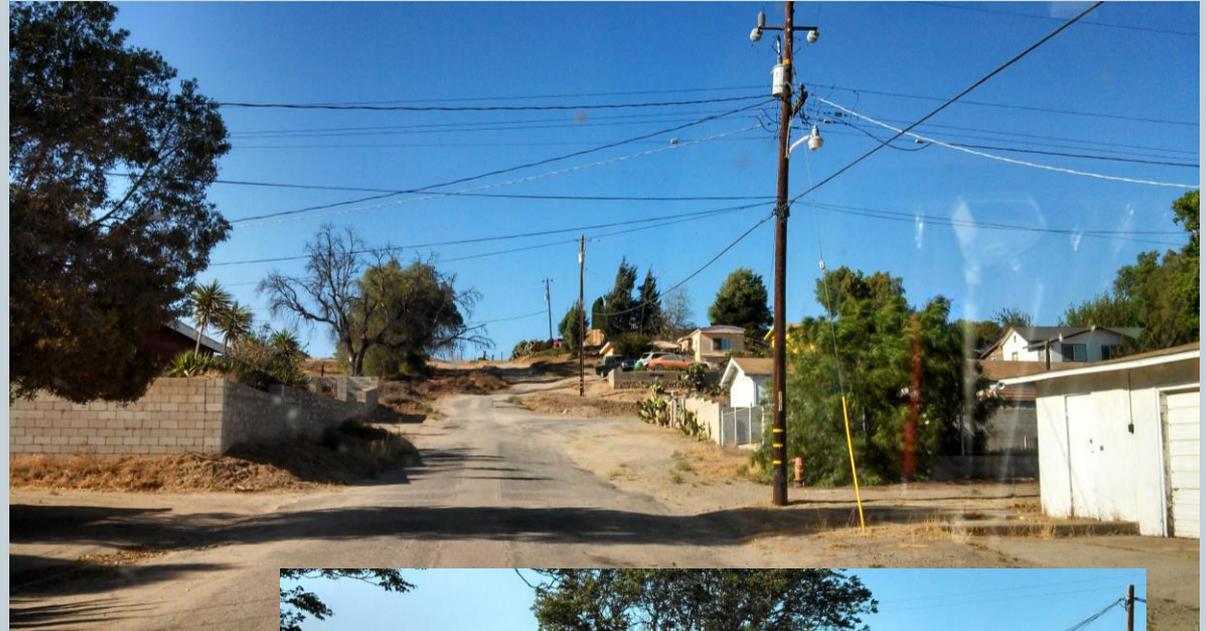
Monterey County 2009-2010
Local Small Water System Nitrate Sampling



San Lucas



- ~300 residents, mostly farmworkers
- Drinking water in violation of nitrate MCL since March 2011
- Supplied interim drinking water via Clean Up and Abatement Order
- In need of quality housing, but freeze on development until drinking water back in compliance



Springfield Terrace



- 160 to 300+ residents in harvest months
- Drinking water exceeds **300 mg/L** nitrate with violations as far back as 1986
- Received P84 Emergency Grant for interim bottled water but not not enough to meet need



Photos by Amy Quinton

Camp 21 (Iverson & Jacks)



- Community 165 residents
- Undergoing feasibility study, but few viable options available – community isolated, contamination widespread



Alpine Court Labor Camp



Community of 60 residents with 165 mg/L nitrate level.

San Jerardo



- 250 year-round residents and 100+ daycare 8 months of year
- Fight for clean water took 10 years and over \$6 million
- Rates now average of \$125 per month



Nitrate Health Impacts

Acute (Short-term)

- Methemoglobinemia (Blue Baby Syndrome)
- Severe gastroenteritis

Chronic (Long-term)

- Cancer (thyroid, colon, stomach, others)
- Impaired in utero growth, pre-term birth
- Birth Defects
- Pancreatitis
- Nervous system defects

State and Local Small System Data



- 25% of Monterey County residents rely on a water system with 14 or fewer connections
- Monterey County monitors state and local small systems (2-14 connections)



Photo by Danielle Vinton

As the Regional Board delays implementation, contamination increases...

- The number of systems exceeding the nitrate MCL increased from 145 to 187 between 2011 to 2013 – **a 29% increase in two years!**
- In other words, ~19% of these systems are serving nitrate contaminated drinking water.

Domestic Wells



- More than 40,000 permitted private wells in Central Coast Region according to 1990 census. Monterey County has roughly 15,000.
- GAMA Domestic Well Project indicated that **20% of wells sampled in Central Coast region exceeded the nitrate MCL.**
- **942** on farm domestic wells under Ag Order regulatory program
- “...The number of domestic wells that exceed the nitrate drinking water standard is likely in the range of hundreds or thousands...rural residents are likely drinking water from these impaired sources without treatment and without knowing the quality of their drinking water (Ag Order p. 48).”



We Support/Oppose



- “Existing and potential water quality impairment from agricultural waste discharges takes on added significance and **urgency, given the impacts on public health**, limited sources of drinking water supplies and proximity of the region’s agricultural lands to critical habitat for species of concern. (Finding 8, CC Ag Order)”



Requirements of an Effective Program



- Best Practices that will reduce polluted runoff;
- Sufficient data to determine effectiveness of practices and their impact on groundwater quality
- Clear standards for compliance to guide enforcement, ensure that timelines are followed and water quality objectives are met;
- Cleanup and abatement of water quality impairments that impact low-income residents

Agreement with proposed Board findings



Support

- Tiering Criteria in order to prioritize oversight and enforcement
- Annual groundwater monitoring (Tier 3 growers)
- Determining Nitrate Loading Risk Level
- Right to appeal Executive Officer decisions to regional board
- Total Nitrogen application reporting

Changes need to be made



- Provision 11: Third party water quality projects
- Provision 33: Containment Structures
- Provision 44.g: Management practice effectiveness
- Provision 76 & 77, and Section B.1 of Part 6 of the Tier 3 MRP: Nutrient reporting
- Provision 78
- Provision 82: Effective Control of Pollutant Discharges

Changes need to be made



Changes

- Expert Panel
- Cooperative groundwater monitoring

Conclusion



San Jerardo Cooperative, Inc.