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Roger Briggs, Executive Officer  
Central Coast Regional Water Quality Control Board  
895 Aerovista Place, Suite 101  
San Luis Obispo, CA 93401-7906

Dear Roger Briggs:

I am writing to you today to comment on the Preliminary Staff Recommendations of the Central Coast Regional Water Quality Control Board for the Conditional Waiver of Discharges from Irrigated Agricultural Lands. I am a member of a farming family in the Salinas Valley; our farm supports the families of the five owners and over 500 employees.

I have had the opportunity to speak before the Regional Board and also to submit written comments this past year. It appears to me, with regards to staff at least, that the points I tried to make fell on deaf ears. In particular, the complexity of Central Coast agriculture is still not understood with regards to typical ranch sizes, block sizes within the ranch, and the number of individual plantings that go on in a year's time. When I look at the reporting requirements for my operation, especially as it pertains to nutrient applications, I see almost 1400 individual plantings that will have 3 to 4 nutrient applications to be reported in addition to chemical use. I have not seen any answers or proposals from staff with regards to whom, and how, this is going to be managed once this information is received from a grower like myself, and there are 3,000 growers in Region 3.

As I start to look through this most recent draft, the first thing that jumps out is the assignment of Tiers. Only basic questions are asked in this process: "Do you apply chlorpyrifos or diazinon, is your operation located within 1000 feet of an impaired surface water body, do you grow crops with a high potential to discharge nitrogen, and is your operation more or less than 1000 acres?" Nowhere do I see the question, "Do you have irrigation runoff that leaves your ranch?" Staff continues to define runoff as water that leaves your field rather than water that leaves your ranch. Both in written comments this past spring and public comment on May 12th I shared with you details of a \$200,000 project on one of our ranches. This project is dependent on taking water from each of the individual fields on the ranch and moving it through an underground pipeline to a consolidation point at the lower end of the ranch. However, although no irrigation water

\_\_\_\_\_, I am still lumped into Tier III because my operation is greater than 1000 acres and I apply chlorpyrifos and diazinon. Isn't the main question whether you have irrigation runoff or not? Where is the logic when two growers with similar chemical use and irrigation practices are placed into two different tiers merely because one is larger than the other, even if he has no irrigation runoff? Generally speaking, I believe the size of our operation gives us resources to accomplish things that small growers may not be able to accomplish. Instead, this draft penalizes us for that. Not to mention the fact that there are substantial differences in monitoring and reporting requirements between Tier II and III. It shouldn't take a request to the Executive Officer to approve transfer to a lower Tier for something that appears so basic. In addition, there is no mention of a deadline for response from the Executive Officer to that request.

In addition, with regards to our location within 1000 feet of an impaired surface water body, there still are no detailed questions asked. How come nobody asks whether you drain any irrigation runoff, or storm water runoff for that matter, into that impaired surface water body, or does your ground even slope towards that surface water body? To me, these are the important questions.

Anybody who thinks this plan is going to be accomplished for a cost of a few dollars per acre is sadly mistaken. Enrollment fees; a Farm Water Management Plan (Farm Plan) which must be updated annually and include Irrigation Management, Pesticide Management, Nutrient Management, Sediment and Erosion Control (to include storm water), and Aquatic Habitat Protection; sampling requirements; certified laboratory requirements; Annual Compliance Documents; Irrigation and Nutrient Management Plans; progress reports; third-party evaluations of the effectiveness of management practices implemented; Quality Assurance Protection Plans; Water Quality Buffer Plans; photo monitoring; Nitrogen Application Reporting; Individual Discharge Reporting; Groundwater Well Sampling (both irrigation and domestic); a Sampling and Analysis Plan; Irrigation and Nutrient Management Plan Effectiveness Reports; the requirements of "demonstrations that discharge is not causing or contributing to exceedances of water quality standards in waters of the State or United States"..... I'm sure I could find more if I kept looking. What about the requirement that "groundwater samples must be collected by a state registered professional engineer, professional geologist, or third-party approved by the Executive Officer using proper sampling methods, chain of custody, and quality assurance/quality control protocols?" I shudder at the thought of the costs involved for compliance; yet, we haven't even begun to talk about management plan implementation costs!

I'd like to take a moment and talk about Appendix F, the draft technical memorandum. In their memorandum I find it interesting that our \$200,000 project mentioned above was used as an example in the cost considerations. My only mention of this project came in the written and public comments which I mentioned earlier, so I believe that was about all that staff knew about our project, especially since the only staff member who I believe saw our project firsthand had been reassigned to another department some time ago. There has been no verification of the costs involved, no questions asked regarding any engineering involved, no questions asked regarding any liner or seal of the pond, nor any questions asked regarding the adequacy of the size of the structure which was built. I believe its inclusion in this draft document was wrong, especially considering the lack of confirmations mentioned above. In addition, the comment that "consumers share the costs of production by paying higher prices and that the effect on total revenue of increased costs of production is substantially attenuated" tells me that somebody has no clue at all about the realities of the marketplace.

I believe the goals of the draft proposal, the timelines regarding the elimination of irrigation runoff, the meeting of water quality toxicity standards, sediment and turbidity standards, and nutrient and salt water quality standards are in many cases physically impossible. I firmly believe that, and I believe that there has to be a middle ground which shows satisfactory progress towards achieving water quality goals with more reasonable timelines. I just don't see how we can get to where staff thinks we should be on the timeline they are giving us to get there. If the board passes a plan which is not achievable, they will have only set us up for failure while not solving the water quality problem.

Sincerely,

*David Costa*

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