



California Regional Water Quality Control Board Central Coast Region



Linda S. Adams.
*Secretary for
Environmental Protection*

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Arnold Schwarzenegger
Governor

Agricultural Order Renewal Public Comments and Alternatives to 02/01/2010 Preliminary Draft Staff Recommendations

Group 7: Comment Letters

Comment ID	Individual Submitting Letter	Date Received
N1	Jon Beard	3/30/2010
N2	Wayne Yano	3/31/2010
N3	John Rowan Warner	4/1/2010
N4	Andrew McCahon	3/18/2010
N5	Bernard Acquistapace	4/1/2010
N6	Ronald Bongard	3/22/2010
N7	Holger Andersen	4/23/2010
N8	Kim Wilenius	4/1/2010
N9	David Cavanaugh	4/1/2010
N10	Jeff Corey	4/1/2010
N11	Erik Hoppe	3/25/2010
N12	Erin Gil	3/26/2010
N13	James D. May	3/17/2010
N14	Manuel Morales	3/23/2010
N15	Nancy Schramm	3/29/2010
N16	Nathan Krupa	3/29/2010
N17	Paul Madonna	3/28/2010
N18	Randy Baldwin	3/29/2010
N19	Janice Evans	3/23/2010
N20	Russell J. Satake	4/1/2010
N21	Mike Faigle	4/1/2010
N22	Scott Nicholson	3/30/2010
N23	Richard W. Wilson	3/29/2010
N24	Stuart Kitayama	3/29/2010
N25	Thom Crow	3/26/2010
N26	Hendrik G.J. Voge	3/28/2010
N27	David Fross	3/30/2010
N28	Norman C. Groot	3/17/2010
N29	Jeff Rosendale	3/12/2010
N30	Helen E Bage	3/15/2010
N31	Chris Chaney	3/11/2010
N32	Gregory Fields	3/15/2010
N33	Ross Patatore	3/10/2010
N34	June and Rene Van Wingerden	3/3/2010

Tiedemann Nurseries, LLC

PO Box 926
4707 Cherryvale Avenue
Soquel CA 95073

March 30, 2010

Ms. Angela Schroeter
Agricultural Regulatory Program Manager
Mr. Howard Kolb
Agricultural Order Project Lead Staff
Central Coast Regional Water Quality Control Board
895 Aerovista Place, Suite 101
San Luis Obispo, CA. 93401-7906

IN RE: CCRWQCB Request for Public Comments on Preliminary Draft Agriculture Order
dated February 1, 2010

Dear Ms. Schroeter and Mr. Kolb:

I am writing to comment on the Proposed Ag Waiver pending before the board. I understand you have a job to do, and please try to recognize that my nursery business must also be able to continue producing the valuable products our clients expect from us. Hopefully we can meet to talk or communicate by telephone. My phone number is (831) 475-5163.

I am the owner of Tiedemann Nurseries, LLC, which has been located in Soquel (Santa Cruz County) since 1955. We are a small wholesale nursery, employing 12 full-time employees, on approximately 8 acres in Region 3. It is an independently run family business.

I am hoping you will reconsider your Preliminary Draft Ag Order as I have great concerns regarding the proposal as of Feb 1, 2010. Here are some thoughts I have about the proposal:

1. The past 3 years have been tough on the nursery business, many are struggling to stay open. As you know the nurseries of Region 3 contribute nearly \$1 billion of the state total nursery and flower crops. Some of the requirements proposed seem both physically and financially difficult, if not impossible, for me to meet.
2. I have been using best management practices – that I know work for me and other nurseries, green houses and bvcx field flower operations. NRCS has visited my nursery and approved of our implemented practices. I have fulfilled the educational requirements of the conditional waiver and have implemented a farm plan to deal with run-off water, as have many of the nurseries in Region 3.
3. Much of what staff is proposing is under the jurisdiction of Fish and Game as well as local water agencies. We have been under their scrutiny for many years.
4. There is no normal winter rain event here in Santa Cruz County. We may experience events of 15 inches in 24 hours and then go days without another storm. All nurseries are not the same – consideration could be given to tailoring the proposal depending on the different conditions found within Region 3.
5. I have been testing the waters of Soquel Creek along with our well water over the last 30 years and have yet to show any unfavorable readings. (These records are available for your viewing.)

z Page 2

March 30, 2010

6. Financially we have had to make changes to how we farm. Over-watering and over-fertilizing are no longer sound business practices. We use our water prudently and incorporate only the necessary amounts of slow release fertilizers as needed.

I believe the best possible outcome would be to sit down and talk more about what you need to accomplish, then work together to get the best possible job done while preserving my business, my way of life, and my employees' livelihoods. Let's work together to develop appropriate systems approaches for nursery run-off water quality that would protect both the environment and my business on a sustainable basis.

Thank you again for your consideration of these critical matters.

Sincerely,

Jon Beard, Owner
Tiedemann Nurseries, LLC
4707 Cherryvale Avenue
Soquel CA 95073
831-475-5163
jb.beard@gmail.com

From: Yanofarms <yanofarms@aol.com>
To: <aschroeter@waterboards.ca.gov>, <hkolb@waterboards.ca.gov>
Date: 3/31/2010 10:09 AM
Subject: CCRWQCB Preliminary Draft Agricultural Order

Dear Ms. Schroeter and Mr. Kolb,

I am Wayne Yano, of Yano Farms, I am located in Carpinteria, Santa Barbara county. I am a grower of Avocados and Palm trees. I previously was a cut flower and changed to palms for economic survival. I am a small grower of 3 1/2 acres of palms. I grow larger palm specimens mostly which are grown in the ground and in boxes of various sizes. My irrigation systems consist of drip and low volume emitters.

In these difficult economic times, covering large boxes with structures to keep them from natural precipitation is another costly addition I can not afford. I am a conscience grower. I hope we can find compliable solutions.

Thank you,

Wayne Yano
Yano Farms, Inc. AW0157
1640 Santa Monica Rd.
Carpinteria, Ca 93013

From: "John Warner" <jw@sbnatives.com>
To: <aschroeter@waterboards.ca.gov>, <hkolb@waterboards.ca.gov>
Date: 3/20/2010 4:24 PM
Subject: CCRWQCB Request for Public Comments on Preliminary Draft Agricultural Order dated February 1, 2010

3/20/10

Ms. Angela Schroeter, aschroeter@waterboards.ca.gov

Agricultural Regulatory Program Manager

Mr. Howard Kolb, hkolb@waterboards.ca.gov

Agricultural Order Project Lead Staff

Central Coast Regional Water Quality Control Board

895 Aerovista Place, Suite 101

San Luis Obispo, CA. 93401-7906

IN RE: CCRWQCB Request for Public Comments on Preliminary Draft Agricultural Order dated February 1, 2010

Dear Ms. Schroeter and Mr. Kolb:

I'm writing to comment on the above matter pending before the Board. Before I begin, please know that I understand that you have a job to do, and try equally hard to recognize that my nursery business must also be able to continue delivering the valuable services my customers expect from me.

Briefly, I am the President of Santa Barbara Natives, Inc. which has been located in Santa Barbara County since 2003. We are a wholesale nursery specializing in genetically local contract growing of California native plants. We provide jobs to 3 families, and cultivate .5 acres located in Region 3. As you can see, I am an independent family grower business.

I hope that you will open the process up to all of the nurseries in Region 3 and consider a fresh start that takes my needs and those of my fellow nurseries into account. Here are some general thoughts I have about your proposal:

1. Your proposal as is would put our small business out of business. These are difficult economic times, as you know, and some of the requirements proposed seem physically or financially difficult—even impossible—for me to meet.
2. The reason we have a business is to provide plants to our community and local city and county government to keep our creeks and oceans clean. We provide plants for improvement of creeks, wetlands, and make it possible to use genetically local plants for the city and county of Santa Barbara to use in bio-swale projects. California native plants that grow naturally in Santa Barbara reduce water use and do not need to be fertilized, resulting in a huge decrease in water and fertilizer use in Santa Barbara and Goleta, Ca.. We are one of only two businesses in Santa Barbara and Goleta that do this work. Your proposal as is bankrupt our business, and nurseries outside of our area would bring in non genetically local plants that may hurt our local ecosystem.
3. We use compost and very little organic fertilizer.
4. We have restored the area down-slope from our nursery with native plants and a bio-swale to use up what little if any residual fertilizer's we use out of our waterways.
5. We use no insecticides.
6. Please consider implementing controls based on each nurseries addition of nutrients and fertilizer's into creeks and streams, not based on a generic umbrella policy which discriminates against small businesses in particular. Please enforce a policy based on the volume of water used, types of chemicals used, and based on water testing of runoff at each nursery. If there are negligible nutrients or chemicals then there should be no additional requirements imposed on small businesses such as our own.
7. Covering our growing area from rain fall would result in poor plant health, pest problems, new plant diseases, and chemicals needed where none were needed before.
8. A public process with board staff, university, county agriculture, nurseries, and other stakeholders can figure out appropriate regional and local methods that would take into account our businesses, operating practices, and physical layouts as well as estimate how hard and costly they might be to use.
9. Another suggestion: Watershed problems differ from place to place. Consider tailoring the approach depending on the many different conditions found in Region 3. Little solid data is available for my area and I'm concerned about using data from other areas of our state. Region 3 differs not just from warm season/year-round growing areas found in other areas of the state, it changes from north to south and from the ocean to the valleys of our interior coastal mountains.
10. Winters in our location have frequent storms that overwhelm even robust municipal and area wastewater treatment systems. Please consider the difficulties we all face from such events as you draft your order. Build your order for the norm, not for the exception.

In addition to these general comments, I would like to comment specifically on several individual aspects of the proposed Agricultural Order:

1. Several aspects of the proposed management practices are already in areas managed by complying with other agencies regulations. For example all pesticide applications I do are reported to county agriculture, including specific product, amount, and application date. These products are registered by U.S.-EPA and by CA-EPA/DPR, and I use them exactly as their label says we should. The proposal would impose new, off-label requirements for using and reporting these FIFRA-registered products. Such conflicts of law could make the board open to legal disputes.

2. I also have concerns about managing aquatic habitat through management practices. To me, it seems like you want me to control things outside my property boundaries and responsibility. It's fair to ask me to control and manage runoff from my business but I don't see how I could manage entire habitats to which I am just one of many contributors. Soils in natural areas and cultivated land both are subject to erosion and runoff, contributing to sediment found in waterways or the ocean. How would this work? Will the board sample sediment plume deposits and trace them back to each of their sources?

3. Another concern is managing irrigation practices. Water is a costly and precious resource, and I already practice efforts to reduce the amount we use and limit its waste. California native plants use very little water. If your goal is to curb excessive watering that produces polluting runoff, that's something that's not an issue for my business.

4. When you say I have to comply with all applicable storm water permits, it causes concern. Would storm water permits addressing areas tens or scores of miles away from me in another watershed be relevant to my area?

5. My crops provide natural water filtration, are part of my efforts to control erosion and prevent sediment from leaving the property, and help to recharge our area's ground water aquifers. Preventing precipitation from reaching my crop means we will have to add more water by irrigation. This in turn will increase runoff from my property, degrade the water quality, reduce natural groundwater reserves, and add costs and demand to my water suppliers.

6. I grow all of our crops in containers exposed to natural precipitation. Covering them with hoop houses, greenhouses, or other structures will change growing conditions on my site and make it necessary to use additional fungicides, herbicides, algacides, and pesticides. Permanent structures are very costly, with supplier estimates that range from \$6-12 per square foot for the construction alone, an investment my competitors do not face and for which my customers will not pay higher prices. I can't pass along these costs to them.

7. My crops are grown using certified organic methods and do not

contribute greater salinity, pesticides, or nutrients than natural vegetation areas in our watershed.

8. The discharge temperature standard of 68°F or less for tail water in our climate would require cooling towers that would be expensive to build, reduce my cultivation area, are unsightly and certain to raise concerns from neighbors and planners, and are subject to an uncertain permitting process that makes compliance doubtful.

Based on these general and specific comments, the best possible outcome would be to sit down and talk more about what you need to accomplish, then work together to get the best possible job done while preserving my business, my way of life, and my employee's livelihoods. Let's work together to develop appropriate systems approaches for nursery runoff water quality that would protect both the environment and my business on a fully sustainable basis.

Respectfully submitted,

John Rowan Warner

President

Santa Barbara Natives Inc.

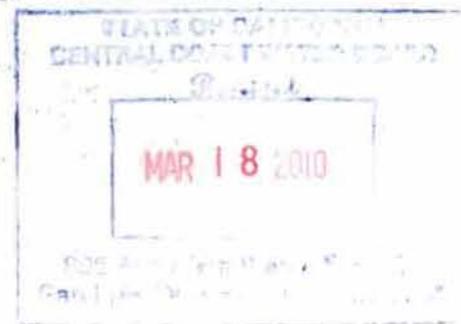
14900 Calle Real

Goleta, California 93117

John Warner (805) 729-3855



McCahon Floral



March 15, 2010

Please enter into the public record

Board of Directors - Central Coast Regional Water Quality Control Board
895 Aerovista Place, Suite 101
San Luis Obispo, CA. 93401-7906

Re: Preliminary Draft Agricultural Order – February 1, 2010 = Commercial Nursery,
Nursery Stock Production and Greenhouse Requirements – Proposed Changes/
ADDITIONS

Dear Region 3 Board of Directors,

I am writing to comment on the above matter pending before the Board. Before I begin, please know that I understand that you have a job to do, and try equally hard to recognize that my nursery business must also be able to continue delivering the valuable services my customers expect from me.

Briefly, I am the owner of McCahon Floral, which has been located in Watsonville, Monterey County, for over 10 years. We are a flower nursery cultivating 30 acres located in Region 3. As you can see, I am an independent family grower business.

The proposed additions have created great concern within the nursery industry. Region 3 spans different latitudes that include distinctly different USDA growing zones; this is a diverse growing area. There are growers of large trees and shrubs, with plants over 20 feet tall, there are small operations that grow organic herbs in small containers. Many nurseries use slow release, temperature sensitive fertilizer, of which the nutrients are not available during the cold rainy season (well below 68 degrees F). There are nurseries that have installed collection and recirculation systems to deal with runoff and initial seasonal storm events. In some areas of Region 3 rainfall is generally light during initial storms and any nutrients that may leach out of containers have ample opportunity to be absorbed/assimilated by grassy areas or collected in recirculation ponds. Large rain events historically take place in January – February, 2-3 months after initial seasonal rains begin. Most importantly there are many nurseries within Region 3 that have adopted NRCS (Natural Resource Conservation Service) and Ag Extension guidelines to be proactive in dealing with any potential runoff concerns.

As an industry we understand the serious nature of dealing with downstream non point problems. As an industry we have shown our concern by fulfilling the educational requirements of the conditional waiver by implementing farm plans. We have built and maintained water management systems to eliminate or greatly reduce our impact on surrounding watersheds. We have done much to mitigate any potential or perceived problem and because of this the proposed additions give us great concern as to the appropriate empirical data used to support the additional changes. Region 3 is not only different than warm season/year round growing areas, it is diverse within its boundaries. Data collected from outside this area is not specific nor does it reliably represent this unique and diverse region.

Covering:

Besides being impossible to implement, the notion of covering field grown container stock to prevent them from coming in contact with rainwater has its inherent flaws: (1) Covering would create channelization and sediment movement where there isn't any, (2) Covering would create water flow rates that would not allow water to percolate and would not allow grassed areas to remove sediment; (3) Covering would be physically impossible for nurseries that grow large trees and shrubs; (4) Covering would reduce plant quality by allowing high humidity and increased fungal activity (primarily botrytis), which would increase the need for chemical applications; (5) Covering would obstruct the recharge of groundwater and would contribute negatively to drought impacted aquifers; (6) Covering would reduce the natural ability of the sun to strengthen plants and increase their resistance to pests (water proof films, plastic or glass-reduce light transmission); (7) Winds are strongest during rain events and would create hazardous conditions for employees and plants, i.e., poly sheeting collects wind and will "whip damage" plants so they are not saleable. **This is a bad idea that is unmanageable.**

Separation of irrigation and storm waters:

In regards to separation of storm water from irrigation water: Most nurseries have systems in place to handle small amounts of storm runoff to remove sediment and/or recycle water. If the intent of the regulation is to prevent runoff from coming into contact with irrigation water, then diversion could possibly be accomplished through NRCS suggested solutions explored during farm plan development workshop that many nurseries participated in. Finally, Industry will rebuff attempts based on staff's recommendations when they are based on what is perceived as irrelevant or non existing science. Again, concerns should be addressed through individual farm plans, rather than blanket assumptions

Economics: The nursery industry has been especially hard hit in these difficult times. We employ an extraordinary amount of workers to manage our crops and our industry is the third largest contributor to California's farm gate, Last year's economy forced some nurseries into bankruptcy or out of business. The RWQCB needs to be cognizant of the impact of developing costly regulations on our industry for obvious reasons. Many small

businesses (Mom and Pops) are barely holding on to their livelihood. There are a lot of us that cannot imagine how we could manage one more thing. If the paperwork burden is high, many of us will fail. If record keeping for all water related activities were required, i.e., irrigation, fertilizer, on-sight daily monitoring, poly covering of plants that can come in contact with rainwater(not possible), separating storm water from irrigation water, etc., the costs would be phenomenal. With storm events occurring more than 30 times per year, it is estimated that costs would exceed \$1800/event/acre.
(30x1800=\$54,000.00/acre/year).

Solutions:

Involve NRCS to help in developing Best Management Practice plans that are relative to individual nurseries to address specific needs rather than basing the proposed draft language on assumed problems. Since the mission of the NRCS is to base its recommendations on science, involving them would be a better way to address water concerns and ultimately offer solutions that are both workable and fine tuned to individual nursery concerns.

We look forward to a science based dialog that will allow industry to act as a partner in responding to perceptions and resolving concerns.

Sincerely,

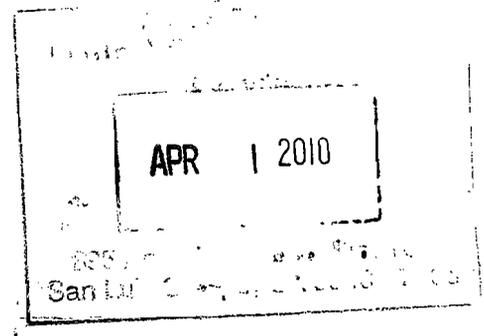


Andrew McCahon
McCahon Floral

cc: Directors-State Water Resources Control Board
cc: Assemblymember William W. Monning

March 28th, 2010

Chairman Jeffrey S. Young
Central Coast Regional Water Quality Control Board
895 Aerovista Place, Suite 101
San Luis Obispo, CA 93401-7906



Dear Sir,

My name is Bernard Acquistapace, and I own Pianta Bella Nursery located at 5154 Foothill Road in Carpinteria. Ours is a wholesale container nursery selling to retailers, landscapers, and other wholesale growers. We have been in business for almost thirty years and in this location for the last thirteen years. There are six employees working for the nursery at this time. I am writing this letter to you regarding the RWQCB Preliminary Recommendations for Renewal of the Agricultural Waiver and its implications for our business.

Needless to say, being in agriculture at this time is not an easy task. The current state of the economy for more than a year now has made every month an experience in making ends meet so that our business can stay in business. At this time, I don't see things getting better to any large degree for some time to come. Spending dollars on plants is something that can be described as "optional" for most people when times are hard.

When I was taking classes to meet the conditions of the expiring Waiver, it seemed to me that the intent was to start getting everyone organized, signed up and aware of the issues. I always figured that when the farm plans were in place and monitoring had begun, we would get together collaboratively to figure out what the next steps would be and come up with proposals for those next steps. Well, I guess naïve is a word to which I should pay more attention. Suddenly, we are being presented with a massive set of proposals - of great number, complexity, cost, and impossibility. These set of proposals will drive many out of business for they were not designed to both help solve the problem and keep the businesses in agriculture in business; their intent seems to be that the safest way to achieve better water quality is to make it so hard on farmers that they simply cannot keep it going: no farms and nurseries means no spraying and no run off problems. Thousands of people will be adversely affected by the nature of this proposal: workers, their families, and those other businesses that rely upon these people working to spend money to keep going.

I have tried to keep this letter brief. I end it with a hope that you will consider adopting the alternative proposals developed by the agricultural community and not initiating review of staff's proposals. I am still naïve enough to think that we can work on this problem together and come up with proposals and solutions that can solve the issues at hand and at the same time keep the vital of business of agriculture, at least that's a phrase I keep hearing a lot of state politicians use, healthy and well. It should not be "us against them" with us being the "bad guys".

Sincerely Yours,


Bernard Acquistapace
5154 Foothill Road
Carpinteria, CA 93013

march 18, 2010

MAR 22 2010

Ms. Angela Schroeter
Agricultural Regulatory Program Manager
Mr. Howard Kolb
Agricultural Order Project Lead Staff
Central Coast Regional Water Quality Control Board
895 Aerovista Place, Suite 101
San Luis Obispo, Ca. 93401-7906

Re: CCRWQCB Request for Public Comments on Preliminary
Draft Agricultural Order dated February 1, 2010.

Ms. Schroeter and Mr. Kolb:

I am the owner of Bongard's Treescape Nursery, which has been located in Half Moon Bay, San Mateo County since the mid 1960's. I grow container nursery stock for landscaping, provide jobs to seven employees, and cultivate about 12 acres in Region 3.

I have been following the progress of this Board's renewal of the Conditional Waivers of Waste Discharge Requirements for Discharges from Irrigated Lands ("Ag Order") and am concerned with staff's draft Ag Order.

The draft Ag Order will negatively impact my ability to continue producing containerized nursery stock. The draft Ag Order contains many undefined and potentially highly impractical requirements for nursery operations. Of particular concern to my nursery operation is:

1. Regulation of non-storm water discharge that must have no toxicity, drinking water standards for nitrates, low turbidity and temperatures below 68°F;
2. Keeping rainwater and/or stormwater separated from wastewater and irrigation runoff;
3. Having to prevent all rainwater from coming into contact with containerized plants. This is of extreme concern to me because, in order to achieve this, I would have to build some sort of cover such as a greenhouse structure over the entire nursery. The costs would be prohibitive and the profits generated do not justify the investment for this outdoor crop.

At our nursery we already implement numerous best management practices to reduce runoff and minimize the use of pesticides.

With regard to reducing our water runoff, we have found over the years water to be more and more of a premium resource. By utilizing drip irrigation and hand watering we have been able to conserve water and bring our runoff down to almost nothing. We have been able to be more precise about where we want the water to be directed, something you cannot easily do with overhead sprinklers.

By reducing our runoff we have been able to better control erosion, sediment and nutrients, all the meanwhile benefiting the aquatic habitat.

Regarding my pesticide use, due to their high cost I have used them only as a last resort. Fortunately due to our location, we do not have a large pest problem. Many times when we detect pests, instead of using a pesticide will prune off the infected foliage to rid the plants of their pests. For me this has proved to be a more cost effective way of dealing with my pest problem.

With due respect, the proposed rules are unrealistic and unworkable for the nursery industry. The standards would require the installation of water treatment systems at very high costs, which may never be recoverable. As we are all facing difficult economic times, these proposed standards would definitely force many of us out of business.

Respectfully submitted,

Ronald Bongard

Owner

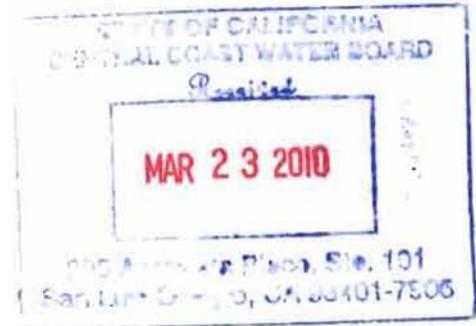
Bongard's Treescape Nursery

BRASSICA WHLSE. NURSERY, INC.
675 GRANDE AVE,
NIPOMO, CA 93444

bus. phone: (805)929-1550 ~ fax: (805)929-1002

03/19/10

Ms. Angela Schroeter
Ag. Regulatory Program Manager
Mr. Howard Kolb
Ag. Order Project Lead Staff
CCRWQCB,
895 Aerovista Place, Suite 101
San Luis Obispo, CA. 93401-7906



Re: CCRWQCB Request for Public Comments on Preliminary Draft Agricultural Order dated February 1, 2010

Ms. Schroeter and Mr. Kolb:

I am the owner and president of Brassica Whlse. Nur. Inc., which has been located in Nipomo, S.L.O. County, since 1973. We are the growers and shippers of cut flowers, provide jobs to 20 employees, and cultivate 4 acres of greenhouses, 15 acres of field crops located in Region 3.

I have been following the progress of this Board's renewal of the Conditional Waiver of Waste Discharge Requirements for Discharge from Irrigated Lands ("AG. Order") and I am very concerned with staff's draft Ag. Order. The draft AG Order will negatively impact my ability to continue producing our products; which again means – "No income, No Tax money". The draft Ag Order contains many undefined and potentially highly impractical requirements for nursery operations. Of particular concern to our operation is:

1. Regulation of non-storm water discharge that must have no toxicity, drinking water standards for nitrates, low turbidity, and temp below 68 degree F.
2. Keeping rainwater and/or stormwater discharge separated from wastewater and irrigation runoff:
3. Having to prevent all rainwater from coming into contact with containerized plants. We do not at our establishment, grow any containerized plants, **BUT! – Please explain in ordinary common English, how you would do that! Shall a person run out with an umbrella and hold it over each plant, whenever a rain shower occur? Insane!**

At our Nursery, we already impliment numerous best management practices to reduce any of the following environmental problems, such as: reduce runoff, apply pesticides in compliance with label requirements and requirement set by our Ag Commissioner, and have practices in place to control erosion, sediment, and nutrients, etc.

Water is a costly and precious resource, and we have implemented a variety of practices to reduce the amount of water that we use, and limit its waste, by using 100% drip irrigation and reusing run off water, as much as we can.

Talking about precious water, and that little/small amount water the purveyors claims are left in our waterbasin, here on the Nipomo Mesa. I think it would be a good idea, if the honorable CCRWQCB, would look into the ways, the water purveyors are dreaming of practicing, to get rid of their effluent waste water. We own a 10 acre parcel, nabouring two other 10 acre parcels on one of the highest spot on the mesa. We was approached by the water purveyor company in regards to a possible negotiation about selling our land to the water company. They needed 30 acres of land, and found that ours and my nabours was well situated for their need.

They were going to pump millions og gallons of effluent waste water from their sewerplant to our property, a 4 mile distance, to release the over pressured system they have created at the plant. They were goint to use a open basin system with ponds, where the effluent water would be pumped into, which by gravity, would then seep into the ground, and eventually reach groundwater level,

If this is not a 100% pollution of first degree, then I don't knowwhat is! We are talking of Escherichia coli bacteria as well of any pharmaceutical residues, which can't be screened away, by just filtering through the sand it bypasses, before it enters the waterbasin.

For goodness sake, - before you folks, at the CCRWQCB deside to enforce, in my opinion, your stupid Ag. Order, then request the bigger and more concentrated polluters, such as the waste water treatment plants, to do their final disinfection of the effluent waste water, by going through a chlorination unit and a UV sanitizer process, before it hits the groundwater basin.

Respectfully submitted,



.....

Holger Andersen
(Owner/President,)
"Brassica Whlse. Nursery" Inc.



C & M NURSERY

195 N. THOMPSON AVENUE, SUITE 1
NIPOMO, CALIFORNIA 93444
TELEPHONE 805-929-1941 • FAX 805-929-5588

March 30, 2010



Ms. Angela Schroeter
Agricultural Regulatory Program Manager
Mr. Howard Kolb
Agricultural Order Project Lead Staff
Central Coast regional Water quality control Board
895 Aerovista Place, Suite 101
San Luis Obispo, CA 93401-7906

Ms. Schroeter and Mr. Kolb

I am the nursery manager of C&M Nursery, which has been located in Nipomo, San Luis Obispo County since 1972. We are the growers of citrus and avocado nursery stock, provide jobs to 24 employees, and cultivate 23 acres in Region 3.

I have been following the progress of this Board's renewal of the Conditional Waiver of Waste Discharge Requirements for Dischargers from Irrigated Lands, and am concerned with staff's draft Ag Order. The draft Ag Order will negatively impact our ability to continue producing nursery stock. The draft Ag Order is very concerning to us because contains many undefined and potentially highly impractical requirements for nursery operations. Of particular concern to my operation is:

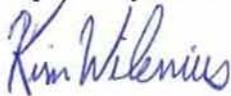
1. Having to prevent all rainwater from coming into contact with containerized plants. This is of great concern to us because the cost to build greenhouse type structures over our 15 acres of outdoor nursery stock would be cost prohibitive. Our business simply couldn't afford it.
2. Keeping rain water/stormwater separated from wastewater and irrigation runoff. We contain our irrigation runoff (tailwater) from our greenhouses by sumps and a large lined reservoir. We blend that runoff with rainwater and reuse that water for irrigation of our nursery crops. If we had to keep that separated, we couldn't reuse our irrigation tailwater because of elevated salts. The recycling of our irrigation water is an important part of our program, and healthier to the environment, and we do not want to lose that.
3. Reporting all of our pesticide, water and fertilizer use to the board. We already report all of our pesticide use to the county Ag Commissioner, who reports it to the Department of Pesticide Regulation. That is public information, and our use could be accessed that way. Fertilizer and water use is proprietary; we do not want our competitors obtaining details of our growing operation, since that would become public record. Nursery profits are down across the board within the whole industry, we cannot afford to lose our trade secrets. Extensive record

keeping that the draft waiver would require, would be extremely time consuming and costly.

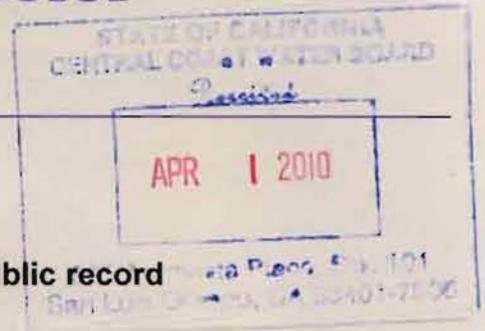
At our nursery, we already implement best management practices that have eliminated irrigation tailwater runoff from our property, through the use of a lined reservoir, concrete sumps, and outdoor drip irrigation systems. With our drip system, the fertilizer is injected directly into the water and only applied to the container in which the trees are grown in, (not broad cast all over the ground,) which is very efficient use. Our nursery well, which has been in the same location for over thirty years, and downhill from the nursery, has always tested 0 nitrates (undetectable). This shows that we are not contaminating the groundwater with nitrates. Water is a costly and precious resource, and fertilizer is also very costly. We have implemented a variety of practices, (drip irrigation, lined reservoir, time clocks on booster pumps, recycling of irrigation runoff from greenhouses). It doesn't make sense to waste those resources.

I urge the Board to listen to growers' feedback and suggestions, and incorporate that feedback into the draft Ag Order. Any future Ag Order must be designed with achievable objectives and must be a transparent and collaborative process that utilizes agricultural stakeholders. Loss of grower cooperation will be counterproductive to improving water quality.

Respectfully submitted,



Kim Wilenius
Nursery manager
C&M Nursery



March 3, 2010

Please enter into the public record

Board of Directors - Central Coast Regional Water Quality Control Board
895 Aerovista Place, Suite 101
San Luis Obispo, CA. 93401-7906

Re: Preliminary Draft Agricultural Order – February 1, 2010 - Commercial Nursery,
Nursery Stock Production and Greenhouse Requirements – Proposed Changes
<ADDITIONS>

Dear Region 3 Board of Directors,

The proposed additions have created great concern within the nursery industry. Region 3 spans different latitudes that include distinctly different USDA growing zones; this is a diverse growing area. There are growers of large trees and shrubs, with plants over 20 feet tall, there are small operations that grow organic herbs in small containers. Many nurseries use slow release, temperature sensitive fertilizer, of which the nutrients are not available during the cold rainy season (well below 68 degrees F). There are nurseries that have installed collection and recirculation systems to deal with runoff and initial seasonal storm events. In some areas of Region 3 rainfall is generally light during initial storms and any nutrients that may leach out of containers have ample opportunity to be absorbed/assimilated by grassy areas or collected in recirculation ponds. Large rain events historically take place in January – February, 2-3 months after initial seasonal rains begin. Most importantly there are many nurseries within Region 3 that have adopted NRCS (Natural Resource Conservation Service) and Ag Extension guidelines to be proactive in dealing with any potential runoff concerns.

As an industry we understand the serious nature of dealing with downstream non point problems. As an industry we have shown our concern by fulfilling the educational requirements of the conditional waiver by implementing farm plans. We have built and maintained water management systems to eliminate or greatly reduce our impact on surrounding watersheds. We have done much to mitigate any potential or perceived problem and because of this the proposed additions give us great concern as to the appropriate empirical data used to support the additional changes. Region 3 is not only different than warm season/year round growing areas, it is diverse within its boundaries. Data collected from outside this area is not specific nor does it reliably represent this unique and diverse region.

Covering:

Besides being impossible to implement, the notion of covering field grown container stock to prevent them from coming in contact with rainwater has its inherent flaws: (1) Covering would create channelization and sediment movement where there isn't any, (2) Covering would create water flow rates that would not allow water to percolate and would not allow grassed areas to remove sediment; (3) Covering would be physically impossible for nurseries that grow large trees and shrubs; (4) Covering would reduce plant quality by allowing high humidity and increased fungal activity (primarily botrytis), which would increase the need for chemical applications; (5) Covering would obstruct the recharge of groundwater and would contribute negatively to drought impacted aquifers; (6) Covering would reduce the natural ability of the sun to strengthen plants and increase their resistance to pests (water proof films, plastic or glass-reduce light transmission); (7) Winds are strongest during rain events and would create hazardous conditions for employees and plants, i.e., poly sheeting collects wind and will "whip damage" plants so they are not saleable. **This is a bad idea that is unmanageable.**

Separation of irrigation and storm waters:

In regards to separation of storm water from irrigation water: Most nurseries have systems in place to handle small amounts of storm runoff to remove sediment and/or recycle water. If the intent of the regulation is to prevent runoff from coming into contact with irrigation water, then diversion could possibly be accomplished through NRCS suggested solutions explored during farm plan development workshop that many nurseries participated in. Finally, Industry will rebuff attempts based on staff's recommendations when they are based on what is perceived as irrelevant or non existing science. Again, concerns should be addressed through individual farm plans, rather than blanket assumptions

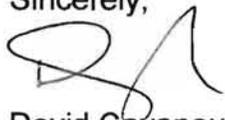
Economics: The nursery industry has been especially hard hit in these difficult times. We employ an extraordinary amount of workers to manage our crops and our industry is the third largest contributor to California's farm gate, Last year's economy forced some nurseries into bankruptcy and/or out of business. The RWQCB needs to be cognizant of the impact of developing costly regulations on our industry for obvious reasons. Many small businesses (Mom and Pops) are barely holding on to their livelihood. There are a lot of us that cannot imagine how we could manage one more thing. If the paperwork burden is high, many of us will fail. If record keeping for all water related activities were required, i.e., irrigation, fertilizer, on-sight daily monitoring, poly covering of plants that can come in contact with rainwater(not possible), separating storm water from irrigation water, etc., the costs would be phenomenal. With storm events occurring more than 30 times per year, it is estimated that costs would exceed \$1800/event/acre. (30x1800=\$54,000.00/acre/year).

Solutions:

Involve NRCS to help in developing Best Management Practice plans that are relative to individual nurseries to address specific needs rather than basing the proposed draft language on assumed problems. Since the mission of the NRCS is to base its recommendations on science, involving them would be a better way to address water concerns and ultimately offer solutions that are both workable and fine tuned to individual nursery concerns.

We look forward to a science based dialog that will allow industry to act as a partner in responding to perceptions and resolving concerns.

Sincerely,

A handwritten signature in black ink, appearing to read 'David Cavanaugh', with a stylized flourish at the end.

David Cavanaugh
Cavanaugh Color Nursery

cc: Directors-State Water Resources Control Board
cc: Assemblymember William W. Monning



1650 MONTE VISTA AVENUE • P.O. BOX 609 • CLAREMONT, CALIFORNIA 91711
(909) 621-6886 • FAX (909) 621-6889



Chairman Jeffrey S. Young
Central Coast Regional Water Quality Control Board
895 Aerovista Place, Suite 101
San Luis Obispo, CA 93401-7906

Re: CCRWQCB Request for Public Comments on Preliminary Draft Agricultural Order dated February 1, 2010

Mr. Young:

I am the president of Corey Nursery Company Inc, which has been located in the city of Nipomo, in SLO County since 1996. We are a wholesale grower of indoor and Tropical plants, and provide jobs to 14 full time employees in Region 3.

I have been following the progress of this Board's renewal of the Conditional Waiver of Waste Discharge Requirements for Discharges from Irrigated Lands ("Ag Order") and am concerned with staff's draft Ag Order. The draft Ag Order will negatively impact my ability to continue producing Tropical plants in a competitive environment. The draft Ag Order contains many undefined and potentially highly impractical requirements for nursery operations. Of particular concern to my operation is:

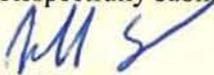
1. Regulation of non-storm water discharge that must have no toxicity, drinking water standards for nitrates, low turbidity, and temperatures below 68°F;
2. Keeping rainwater and/or storm water separated from wastewater and irrigation runoff;
3. Having to prevent all rainwater from coming into contact with containerized plants. This is very concerning to me as would require the installation of some kind of retractable rain cover over plants which otherwise need a full sun exposure.

At our nursery we already implement numerous best management practices to limit the application, use and discharge of salts and pesticides. We currently use advanced drip irrigation techniques, have a current IPM program and use all chemicals and pesticides in compliance with label requirements set by the SLO County Ag Commissioner. The vast majority of storm water run-off is collected and remains on our property.

Water, fertilizer and pesticides are extremely costly, we have implemented the aforementioned practices to reduce the amount we use and limit its waste while remaining competitive in today's global market.

I urge the Board to listen to growers' feedback and suggestions, including mine, and incorporate that feedback into the draft Ag Order. Any future Ag Order must be designed with achievable objectives and must be a transparent and collaborative process that utilizes agricultural stakeholders. Loss of grower cooperation will be counterproductive to improving water quality.

Respectfully submitted,

A handwritten signature in blue ink, appearing to read "Jeff Corey", with a checkmark-like flourish at the end.

Jeff Corey
President, Corey Nursery Co.

Sunset Nursery
160 Palm View Lane
Watsonville, Ca. 95076

March 18, 2010

Ms. Angela Schroeter,
Agricultural Regulatory Program Manager
Mr. Howard Kolb,
Agricultural Order Project Lead Staff

Central Coast Regional Water Quality Control Board
895 Aerovista Place, Suite 101
San Luis Obispo, Ca. 93401-7906

In RE: CCRWQCB Request for Public Comments on Preliminary Draft Agricultural Order dated February 1, 2010

Dear Ms. Schroeter and Mr. Kolb:

I am writing to comment on the above matter pending before the Board. I recognize you have a job to do. Please, recognize I have a nursery business that must be able to survive and continue to deliver the valuable services my customers expect from me.

My wife and I are the owners of Sunset Nursery located in Santa Cruz County. We have been in business since 1968. We are a wholesale nursery producing ornamental plants and shrubs. We have a small nursery with three employees. We are located in Region 3.

I hope that you will open the process up to all nurseries in Region 3 and consider a plan that takes my needs and those of my fellow nurseries into account. Here are some thoughts I have about the proposal.

The crops we grow add to the economy and are a job engine for our area. It's becoming harder to make a living. We are struggling to survive. The proposal as written would break our business, force us to let employees go. Some of the requirements proposed seem physically or financially impossible to meet. We would probably be forced to close our business

I use a number of systems and quality controls that I know work for me and other nurseries. The best ones that have been scientifically validated at actual nursery sites and are appropriate to my area. Each nursery in each county is different and should not be considered the same. There is not enough data from my area and I don't want to be governed by another county's restrictions.



Our operation already has in place significant runoff pollution preventive measures. Including plastic, cement, and asphalt ground coverings and recycling ponds. I would like some credit for what we already do right.

I have fulfilled the educational requirements of the conditional waiver by implanting a farm plan to deal with runoff water. Let's build on our existing plans instead of going back to the beginning.

I hope the Board will consider what their action will do to the businesses and the economy in the regions, counties and the state. The proposal will have far-reaching and wide spread effect. Let's make it be positive.

Respectfully submitted,
Sunset Nursery

Owner Erik Hoppe

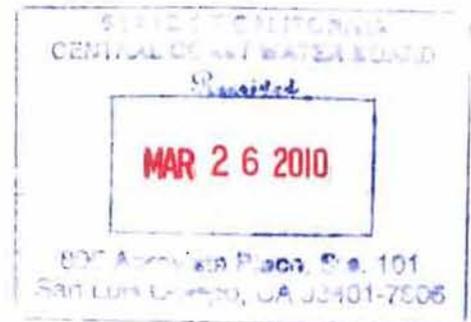
A handwritten signature in cursive script that reads "Erik Hoppe".



NORTHERN CALIFORNIA'S FINEST VALUE
IN TURFLAWN

March 23, 2010

Mr. Jeffrey S. Young,
Chairman of the Board
Mr. Roger Briggs
Executive Officer
Central Coast Regional Water Quality Control Board
895 Aerovista Place, Suite 101
San Luis Obispo, CA 93401



Re: CCRWQCB Request for Public Comments on Preliminary Draft Agricultural Order
February 1, 2010.

Mr. Young and Mr. Briggs:

I am the co-owner of Grass Farm & Grass Farm's Garden Accents, which has been located in the Santa Clara County of California since 1969. We are second generation farmers, in an area where farming is close to extinction, producing turf (sod) for the San Francisco Bay Area and providing jobs to 29 employees and cultivate 113 acres of farm ground.

I have been following the progress of the Board's renewal of the Conditional Waiver of Waste Discharge from Irrigated Lands (Ag Order") and am concerned with staff's draft Ag Order. The draft Ag Order will negatively impact my ability to continue producing turf for the tempering of climate change within our urban areas, sequestering carbon from our air, providing safe recreation areas, easing psychological stress in our living and work environments and protecting property values. The draft Ag Order contains many undefined and potentially highly impractical requirements for agricultural operations. Of particular concern to my operation is:

1. Require minimum riparian buffer widths of 50 to 100 feet for perennial and intermittent streams.
2. Require dischargers to conduct sampling of private domestic wells in agricultural areas with high nitrates and provide alternative water supplies to affected well owners.
3. Eliminate irrigation runoff from farming operations.
4. Require installation and maintenance of irrigation systems to minimize or eliminate irrigation runoff and percolation to groundwater beyond the root zone.
5. Prevent rainwater from coming into contact with production areas.

Within our farming practices, we already employ numerous Best Management Practices to minimize our environmental impact: (a) apply pesticides in compliance with label requirements and requirements set by my Ag Commissioner, (b) employ laser leveling

Group 7 - N12
May 12, 2010 Workshop
Preliminary Draft Agricultural Order



NORTHERN CALIFORNIA'S FINEST VALUE
IN TURFLAWN

techniques protect and control soil erosion and sedimentation of water ways, (c) test tail water to monitor nitrate levels of any irrigational waters that may depart our fields, (d) have developed and use our Farm Plan to protect our growing environment as well as the surrounding environment, (e) implementation of new irrigation materials to reduce agricultural runoff.

I urge the Board to listen to grower's feedback and suggestions, including mine, and incorporate such feedback into the draft Ag Order. Any future Ag Order must be designed with achievable objectives and must be a transparent and collaborative process that utilizes agricultural stakeholders. Loss of growers or growers' cooperation will be counterproductive to improving water quality.

Respectfully submitted,

A handwritten signature in black ink, appearing to read "Erin Gil", is written over the text "Respectfully submitted,".

Erin Gil
Co-Owner
Grass Farm



MAY GREENHOUSES, INC.

SAN LUIS OBISPO, CALIFORNIA

SHIPPING

241 Andrew Avenue
Encinitas, CA 92024
(760) 753-1302

MAILING

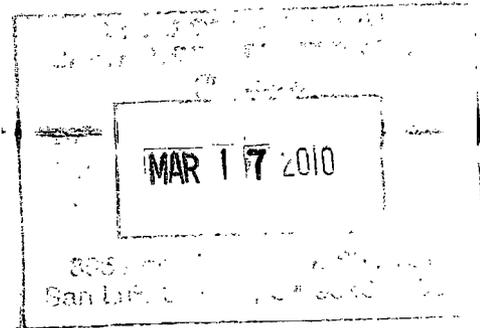
114 Fel Mar Drive
San Luis Obispo, CA 93405
(805) 549-9164

Finest Quality Potted Plants

FAX (805) 549-9165

March 14, 2010

Ms. Angela Schroeter
Agricultural Regulatory Program Manager
Mr. Howard Kolb
Agricultural Order Project Lead Staff
Central Coast Regional Water Quality Control Board
895 Aerovista Place, Suite 101
San Luis Obispo, CA 93401-7906



Re: CCRWQCB Request for Public Comments on Preliminary Draft Agricultural Order dated February 1, 2010

Ms Schroeter and Mr. Kolb:

I am the President of May Greenhouses, Inc., which has been located in the City of San Luis Obispo since January, 1999. We have been in the flower business since 1955. We have 100,000 square feet of greenhouse space where we grow potted chrysanthemums and other indoor decorative flowering plants providing jobs to 12 full time employees.

I have read the board's renewal of the Conditional Waiver of Waste Discharge Requirements for Discharges from Irrigated Lands ("Ag Order") and I am deeply concerned with the Staff's draft Ag Order. The draft Ag Order as presently written will essentially dictate the terms for my ability to continue to operate as a greenhouse grower. The order is so overreaching that, frankly, I don't know where to start, but here goes:

Notice of Intent requirements, Farm Plan requirements, Irrigations Management requirements, Pesticide Runoff/Toxicity Elimination requirements, Nutrient and Salt Management requirements, Sediment Management/ Erosion Control/Stormwater Management requirements, Aquatic Habitat Protection requirements, Commercial Nursery, Nursery Stock Production and Greenhouse requirements, Groundwater Protection requirements.

As just a small sampling of the regulatory burden for a "discharger" within this draft Ag Order,

any non-storm discharge water from my property must have no toxicity, have drinking water standards for nitrates, low turbidity, and temperatures below 68 degrees F. Rainwater and storm water must be kept separate from irrigation runoff; additional surface water and ground water sampling must be initiated and recorded; pesticide applications, timing, techniques, decisions must all be made under the board's direct scrutiny.

This is very concerning to me because my wife and I and all of our employees have put forth an incredible amount of effort in trying to comply with all the regulatory burden that is currently forced upon our business (having nothing to do with water quality).

We are in business to turn a profit, and in doing so, we must be as efficient and cognizant of the nuances of our daily operations as possible. In that regard with respect to water quality, we have computer controlled irrigation practices that monitor the timing and application of water to maximize the benefit for the plants and minimize runoff; we apply all our pesticides in compliance with CDFA standards, label requirements, and our local Ag Commissioner; we have practices in place to control erosion, reduce turbidity and minimize sediment.

Water is essential to our business and since we have a very limited supply, we try to do everything we can to preserve what little water we do have.

The ideas put forth by the board are ideas that I'm sure every agriculturist would like to aspire to, but there is a vast difference between aspirations and economic realities. I feel that the current draft order if implemented as proposed would be the end of many small farms in a state that is already besieged by high unemployment numbers and near bankruptcy.

I have dedicated thirty years of my life to the horticulture industry. I urge the Board to listen to growers' feedback and suggestion, including mine, and incorporate all of this feedback in the draft Ag Order. Any future Ag Order must be designed with achievable objective and must be a transparent and collaborative process that utilizes agricultural stakeholders. Loss of grower cooperation will be counterproductive to improving water quality.

Sincerely,

James D. May
President
May Greenhouses, Inc.

RECEIVED

MAR 23 2010

MONTEREY BAY NURSERY DIVISION OF WATER QUALITY

March 17, 2010

California State Water Resources Control Board
Mr. Johnny Gonzales
P.O. Box 100
Sacramento, CA 95812-0100

Re: CCRWQCB Request for Public Comments on Preliminary Draft Agricultural Order dated February 1, 2010

Mr. Gonzales:

I am the Vice President of Monterey Bay Nursery, Inc., which has been located in Royal Oaks since 1988. We are Wholesale Growers of California, Australian Natives, Perennials, Shrubs, Trees, provide jobs to 60 employees, and cultivate 45 acres located in Region 3.

We have been following the progress of this Board's renewal of the Conditional Waiver of Waste Discharge Requirements for Discharges from Irrigated Lands ("Ag Order") and our concerned with staff's draft Ag Order. The draft Ag Order will negatively impact our ability to continue producing plant material. The draft Ag Order contains many undefined and potentially highly impractical requirements for nursery operations. Of particular concern to our operation are a few other items:

1. Regulation of non-storm water discharge that must have no toxicity, drinking water standards for nitrates, low turbidity, and temperatures below 68°F;
2. Keeping rainwater and/or storm water separated from wastewater and irrigation runoff;
3. Having to prevent all rainwater from coming into contact with containerized plants. This is very concerning to us because the acreage necessary to create a holding pond and the cost of purchasing greenhouses would be cost prohibitive. As a result we would have to increase our prices and would be priced out of business!

At our nursery we already implement numerous pest management practices to reduce runoff, apply pesticides in compliance with label requirements. We have volunteered and have complied and completed the Farm Water Quality Planning Short Course. Water is a costly and precious resource, and we have implemented a variety of practices to reduce the amount we use and limit its waste, including drip irrigation, water collecting recycle reservoir since 1992, boom watering with water meter control and hand watering. We minimize pesticides by implementing a biological pest control program and herbicides by controlling weeds with ground cloth and other methods that do not require us to use chemicals.

If we were able to afford and build the structural cover, we'd be using more water from the aquifer and have to increase the pesticide usage. This effect would be more damaging to the environment!

PO Box 1296

Watsonville, CA 95077

(831) 724-6361

fax (831) 724-8903

montereybaynsy.com

Group 7 - N14
May 12, 2010 Workshop
Preliminary Draft Agricultural Order

I urge the Board to listen to growers' feedback and suggestions, including ours, and incorporate that feedback into the draft Ag Order. Any future Ag Order must be designed with achievable objectives and must be a transparent and collaborative process that utilizes agricultural stakeholders. Loss of grower cooperation will be counterproductive to improving water quality.

Respectfully submitted,



Manuel Morales

Vice President

Monterey Bay Nursery, Inc.

PO Box 1296

Watsonville, CA 95077

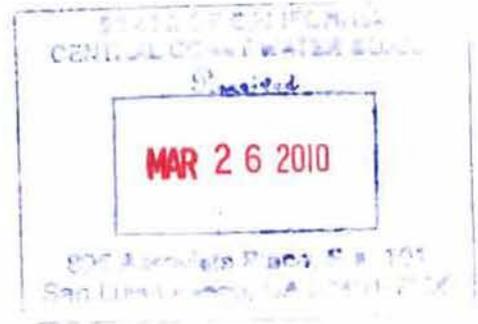
(831) 724-6361

fax (831) 724-8903

montereybaynsy.com

Group 7 - N14
May 12, 2010 Workshop
Preliminary Draft Agricultural Order

Ms. Angela Schroeter
Agricultural Regulatory Program Manager
Mr. Howard Kolb
Agricultural Order Project Lead Staff
Central Coast Regional Water Quality Control Board
895 Aerovista Place, Suite 101
San Luis Obispo, CA 93401-7906



RE: CCRWQCB Request for Public Comments on Preliminary Draft Agricultural Order dated February 1, 2010

Dear Ms. Schroeter and Mr. Kolb,

I am writing because I am so deeply concerned about the draft Ag Order that has been proposed.

I am the third generation owner of Carman's Nursery, a small nursery that has been known for growing rare and unusual plants for over 70 years. The nursery has been located on the outskirts of Gilroy (Region 3) since 2005. My father was forced to relocate the nursery in 1970 when rezoning and property taxes made it impossible for him to continue the operation in the original location where my grandfather founded the nursery in 1937. When I inherited the nursery I was just able to fit it onto a corner of the land where I had been living for 25 years. If the proposed draft Ag Order becomes the rule of the land, I sincerely believe that I would be forced to close the nursery and quit business.

1. My nursery is on the side of a hill, and it would be physically impossible in the ½ acre footprint of the nursery to separate rainwater and irrigation runoff.
2. I have seen some cost estimates for "Individual Discharge Characterization Monitoring" that would simply be prohibitive for my small business.
3. Preventing all rainwater from coming into contact with containerized plants is especially troublesome. I would have to irrigate during the winter and use more of a precious and costly resource. I would not be able to afford or even get a building permit for any more permanent structures. And any temporary hoop houses would be unsightly and unwelcome in this rural residential neighborhood. Moving the nursery is not an option. Here at the nursery I have been implementing best management practices as I learn about them. I use extremely few pesticides or herbicides, and report all uses as required by my Ag Commissioner. I am extremely careful about not wasting water, using drip irrigation and hand watering, regulating use by observing the plants' need. It seems to me that this draft Ag Order is focused on regulations that are onerous, prohibitively costly, and highly impractical for a business that is so vital to California. Where will our citizens purchase plants if all the nurseries are driven out of business by regulations that are impossible to obey?

I ask the Board to rethink the substance of this draft Ag Order and work through a public process that includes growers, nurseries, university experts, county agriculture and other stakeholders to create a workable plan for improving water quality.

Respectfully submitted,

Nancy Schramm
Carman's Nursery



Crescent Hill Nursery

Nathan Krupa
Proprietor

(831) 246-1128

crescenthill888@yahoo.com

MAR 29 2010

3/24/10

Ms. Angela Schroeter,
Agricultural Regulatory Program Manager

Mr. Howard Kolb
Agricultural Order Project Lead Staff

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

IN RE: CCRWQCB Request for Public Comment on Preliminary Draft Ag. Order dated Feb 1, 2010.

Dear Ms Schroeter and Mr. Kolb,

I'm writing to comment on the above matter pending before the Board. Before I begin, please know that I understand that you have a job to do, and try equally hard to recognize that my nursery business must also be able to continue delivering the valuable services my customers expect from me. I hope that we can sit down together to talk about your proposal, or at least speak on the phone. My number is 831-246-1128.

Briefly, I am the proprietor of Crescent Hill Nursery, which has been located in Watsonville, Santa Cruz County since April of 2001. We are rare and exotic perennial plant producers, who provide local jobs, and cultivate 2 acres located in Region 3. As you can see I am an independent family grower business.

I hope that you will open up the process to all of the nurseries in Region 3 and consider a fresh start that takes my needs and those of my fellow nurseries into account. Here are a few thoughts/concerns I have about your proposal.

① As I operated in a ^{be} "specialty" or ^{or} "niche" industry, it is increasingly tough to make a living. We're just hanging on. The crops we grow add to the economy and are a job engine for our area. The Coastal Counties of San Mateo, Santa Barbara, Santa Clara, and Santa Cruz combine to produce nearly \$1 billion, or 24.5% of the over \$4.0 billion state-farm gate total for nursery and flower crops. In all, our many small businesses employ over 54,000 workers in Region 3. We're all struggling to survive.

② The proposal as written would break our business, force us to let employees go, and turn our meager profits into devastating losses. These are difficult economic times, as you know, and some of the requirements proposed seem physically or financially difficult - even impossible - for me to meet. As a relatively new and small business owner, already fighting to survive amongst the local industry giants, this proposal would cripple my business, maybe even force it to close!!

③ I use a number of systems and quality controls - best management practices - that I know work for me and other nurseries, greenhouse growers, and cut flower producers. The best ones have been scientifically validated at actual nursery sites and are appropriate to my area.

④ When you say I have to comply with all applicable stormwater permits, it causes concern. Would stormwater permits addressing areas tens of miles away from me in another watershed be relevant to my area?

⑤ I grow some of our crops in containers exposed to natural conditions, i.e. precipitation. Covering them



Crescent Hill Nursery

Nathan Krupa
Proprietor

(831) 246-1128

crescenthill888@yahoo.com

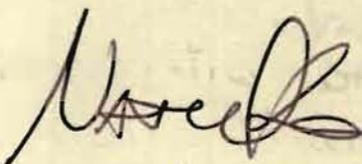
greenhouses, or other structures will change growing conditions on my site and make it necessary to use additional fungicides, herbicides, algacides, and pesticides. As my background is in organic agriculture, and we use an efficient and in-depth IPM program to manage the nursery (and limit chemical inputs), this is one area of my greatest concern. Permanent structures are also very costly, with supplier estimates that range from \$6-12 per square ft. for the construction alone. This huge financial input is an investment my competitors do not face, and for which my customers will not pay higher prices. I can't pass these costs along to them, as my small size already has my costs at a ceiling. To keep my prices on par with established local industry giants, my limited production already puts me at a disadvantage. How can I offset these costs, and still be expected to grow my business? Agricultural loans are hard to get right now. Assuming the best scenario (that the money is available), the base price does interest on the construction loan. All of these uncertainties make good faith compliance with a schedule for implementation uncertain and perhaps impossible. There are better, less expensive, and more certain ways to avoid runoff from plant containers.

6 The proposed standards set for non-stormwater discharge seem

3
difficult if not impossible to achieve. There is no such thing as water without toxicity. I remind the Board of the unfortunate woman who drank too much bottled water during a radio station stunt in Sacramento and died of acute water poisoning that caused her brain to swell - that was "pure" drinking water. The other purity standards would require high-tech filtration, chemical additives, and tertiary treatment to obtain, adding prohibitive costs to my business.

Based on these general and specific comments, the best possible outcome would be to sit down and talk more about what you need to accomplish, then work together to get the possible jobs done while preserving my business, my way of life, and my employee's livelihoods. Let's work together to develop appropriate systems for nursery runoff water-quality that would protect both the environment and my business on a fully sustainable basis. I love what I do, and would hate to have to abandon my dream and the last 10 years of labor, just as the business is beginning to grow.

Respectfully submitted,



proprietor

Crescent Hill Nursery,

From: PAUL MADONNA <paulmadonna@directv.net>
To: "aschroeter@waterboards.ca.gov" <hkolb@waterboards.ca.gov>
Date: 3/28/2010 9:10 PM
Subject: Ag waiver changes

**

<hkolb@waterboards.ca.gov>

Sunday, March 28 2010
Angela Schroeter
Agricultural Regulatory Program Manager
Howard Kolb
Agricultural Order Project Lead Staff
Central Coast Regional Water Quality Control Board
895 Aerovista Place, Suite 101
San Luis Obispo, CA. 93401-7906

Re: CCRWQCB Request for Public Comments on Preliminary Draft
Agricultural Order dated February 1, 2010

Ms. Schroeter and Mr. Kolb:**

I am a producer of avocados in Cayucos, San Luis Obispo County, and have been in business here since 1962. My wife and I farm with the help of one son.

I have been following the progress of this Board's renewal of the Conditional Waiver of Waste Discharge Requirements for Discharges from Irrigated Lands ("Ag Order") and am concerned with Staff's draft Ag Order. The draft Ag Order will negatively impact my ability to continue producing avocados. The draft Ag Order contains many undefined and potentially highly impractical requirements for all agricultural operations.

I have attended nearly every one of the workshops dealing with the Farm Water Quality Management Plan. We follow all the best practices on our farmland. We endeavor to use no pesticides, fertilize only when leaf analysis indicates a need and use hoeing/mowing as our preferred practice in taking care of our orchards. Most of the proposed requirements would prohibit my ability to continue in farming due to the costs of the proposed procedures for measuring, sampling and etc. I work the land with my son. We spend all of our time now in trying to keep ahead of the work needed to maintain the orchard from the constant weed mowing/hoeing, fence repair and maintaining equipment/buildings, etc.

I question why if you feel this is a necessary step to protect

water quality when you do not also set up countywide workshops for all homeowners who buy any fertilizer, pesticide, etc. at the local home stores, farm stores and even Rite aid stores. Uninformed homeowners contribute more to the degrading of the water quality than farmers who do their best to keep the highest quality practices in place to ensure that the water we have is safe for our families to drink, our livestock to drink and our orchards to receive. What homeowner thinks about where the runoff from his or her garden is going when they use the multitude of Miracle-gro products on the market. I don't allow them at my home. They kill worms so what does that tell you about what is in the product. Are you planning on holding educational forums and requiring homeowners to have their pesticide licenses up to date when they spray their lawns for whitefly and other bugs? I don't use those products on my own lawn.

The Farm Water Quality courses I attended really provided a good education on best practices to follow in my orchard, but I already was practicing most of the recommendations. We also are in the process of being GAP (Good Ag Practices) certified in the growing of our avocados. What you are proposing is not in the best interests of any farmer who is already trying to do the best job he can. The fees we have to pay now, plus the utilities, cost of gasoline/diesel/taxes, in short everything costs us and keeps cutting into the bottom line. Profit--first you have to have a crop, bring it to fruition and then hope the market will pay you enough to go another year. What you are proposing will help turn the rest of the farmland in the county into houses. Is that your goal?

I urge the Board to listen to growers' feedback and suggestions, including mine, and incorporate all of this feedback into the draft Ag Order. Any future Ag Order must be designed with achievable objectives and must be a transparent and collaborative process that utilizes agricultural stakeholders. Loss of grower cooperation will be counterproductive to improving water quality and will create an untenable situation for most growers. We are not big corporations. We are small family farms that do all in our power to preserve the land for our children and grandchildren.

Sincerely,

Paul Madonna
owner/operator
13150 Santa Rita Road
Cayucos. CA 93430

From: "Randy Baldwin" <RBaldwin@smgrowers.com>
To: <aschroeter@waterboards.ca.gov>, <hkolb@waterboards.ca.gov>
CC: <senator.maldonado@sen.ca.gov>, <senator.strickland@sen.ca.gov>, <assemb...>
Date: 3/29/2010 3:50 PM
Subject: Central Coast Regional Water Quality Control Board Draft Agricultural Order

March 29, 2010

Ms. Angela Schroeter, aschroeter@waterboards.ca.gov
Agricultural Regulatory Program Manager
Mr. Howard Kolb, hkolb@waterboards.ca.gov
Agricultural Order Project Lead Staff

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

RE: CCRWQCB Request for Public Comments on Preliminary Draft
Agricultural Order dated February 1, 2010

Dear Ms. Schroeter and Mr. Kolb:

I'm writing to comment on the Preliminary Draft Agricultural Order pending before the Central Coast Regional Water Quality Control Board. I do believe that safe and clean water quality is an important goal for all of us work to achieve and I am hopeful that this can be achieved without adversely harming businesses such as ours who have been good stewards to the land and are not doing damage to our environment. I am the General Manager and part owner of San Marcos Growers, a wholesale nursery located in the eastern end of the Goleta Valley in Santa Barbara County. We have operated our nursery here since 1979 and provide jobs for 47 employees on 23 acres. I am worried about how we will be able to continue in operation as a viable business, given what I have heard being proposed by your board.

As you are likely aware, nursery stock produced by nurseries in the central coast adds to the economic strength of our area. The coastal counties of Monterey, San Luis Obispo, San Mateo, Santa Barbara, Santa Clara, and Santa Cruz combine to produce nearly \$1 billion, or 24.5% of the over \$4.0 billion state farm-gate total for nursery and flower crops. In total, our many small businesses employ over 54,000 workers in Region 3 but we are all struggling just to survive. It's been particularly rough recently because of the current economy and while we are still able to have a viable business, it has been increasingly difficult these last few years. We, like most businesses have had to make changes in the way we operate but one area we have never compromised on is our care for the health of our employees, neighbors and our environment. To this end we have steadfastly maintained policies to limit runoff of irrigation water and limit pesticide and other chemical use to a minimum.

The draft proposal as written would create impossible restrictions on our ability to continue in business. Some of the requirements proposed would be impossible for us to meet and should they be approved would likely force us to cease operation. Please consider the difficulties we all face from such events as you draft your order, particularly regarding requirements that crops be covered to prevent rainfall from

contacting them. We grow most of our crops in containers exposed to natural precipitation. Covering them with hoop houses, greenhouses, or other structures will change growing conditions at our nursery and this provision would make it necessary cover our plants which would mean a far inferior product and require us to use additional fungicides, herbicides, algacides, and pesticides to cope with warmer more humid conditions within a covered structure. In addition the building of permanent structures is very costly and require building permits which likely would not be granted in our county.

We would also like some credit for what we already do right. Our nursery is known throughout California for growing plants appropriate to our mediterranean climate. Many of our plants are native to California or come from similar or even drier climates in other parts of the world. These types of plants are an integral component in the sustainable landscape and, while we need to irrigate these plants regularly in their containers, they will go into gardens that will require minimal irrigation long into the future. In addition our operation already have in place significant runoff pollution preventive measures, including drip, hand irrigation and carefully controlled repeated short intervals on all overhead irrigation, all to minimize runoff. We have fulfilled the educational requirements of the California Environmental Protection Agencies Agricultural Regulatory Program under the conditional waiver by implementing a farm plan to deal with runoff water and last year we received a certificate of recognition by the County of Santa Barbara Clean Water Business Inspection program for "exhibiting excellence in protecting water quality". We are also constantly monitored of our chemical use by our county's Agricultural Commissioner's office, with whom we worked closely and cooperatively.

Please let's work together to develop appropriate systems approaches for nursery runoff water quality that would protect both the environment and businesses such as ours on a fully sustainable basis.

Sincerely,

Randy Baldwin

General Manager

San Marcos Growers

125 S. San Marcos Rd.

Santa Barbara, CA 93111

805.683.1561

rbaldwin@smgrowers.com

cc: State Senator Tony Strickland, 19th Senate District
State Senator Abel Maldonado, 15th Senate District
State Assemblymember Pedro Nava, 35 District

March 16, 2010



Santa Barbara County
Flower & Nursery Growers Association

Jeffrey S. Young, Chairman
Central Coast Water Board
895 Aerovista Place – Suite 101
San Luis Obispo, CA 93401

RECEIVED
MAR 23 2010
DIVISION OF WATER QUALITY

RE: Conditional Ag Waiver Draft Proposal – Greenhouses and Nurseries

Dear Chairman Young and Members of the Board:

Again, I am writing on behalf of the Santa Barbara County Flower and Nursery Growers Association.

Upon further review of the Ag Waiver Draft Proposal, it's evident that staff is proposing that **Farm Plans** be required for all commercial nurseries, nursery stock producers and greenhouse operations that do not have point-source type discharges, with pervious floors. This Plan shall include management practices to protect and improve water quality by managing irrigation, pesticides, nutrients, salinity, sediment, and aquatic habitat. **This is a totally new layer of regulation that will add significant time and costs to any operation.** The culmination of all of these new regulations represents a massive burden on the owner/operator, which will require a full time employee just to keep up with the paper work. **This translates into a situation whereby the owner is forced to pay for an employee who has to be dedicated to complying with a mandated government program. This is a total violation of principles of justice!**

A significant disturbing requirement is that **non-storm water runoff must have no toxicity, must meet drinking water standards for nitrates, and have low turbidity with temperatures below a certain range.**

Another alarming requirement mandates that rainwater and/or storm water must be separated from wastewater and irrigation runoff. What has not been specifically mentioned by staff, but has been inferred, is that the **Farm Plan and the separation of waters will apply to plant protection devices, shade structures, hoop houses, and any other type of tool that the producer uses to produce product.** This will be a virtual nightmare for all agricultural greenhouse and nursery stock producers. Further, this will be impossible to implement.

A further requirement in the Preliminary Draft Plan specifies that should any of these operators raise product in pots or containers, they **shall prevent rainwater from coming into contact with any containerized product.** How in the world is this going to be accomplished? Is there some type of technology in existence that can meet this requirement?

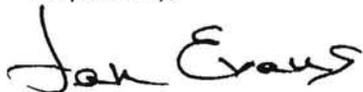
The reality that your Board must confront is that the **standards proposed by your staff are unrealistic and totally impractical.** Every single agricultural operation deals with the costs of water on a daily basis and more than appreciates the costs related to this precious commodity. Agricultural growers do not squander water, nor do they use it unwisely.

Page 2

Conditional Ag Waiver Draft Proposal – Greenhouse and Nurseries
March 16, 2010

I again urgently recommend that your Board return the proposed Draft Ag Waiver to staff with the implicit and clear direction that a more reasonable and practical program be developed, with sensitivity given to the rights of the property owners, and the costs versus benefits of any regulation. ***It is imperative that your staff genuinely listen to growers' feedback and suggestions, and incorporate that feedback into the development of any Draft Ag Waiver.*** Any future Ag Waiver must be designed with achievable objectives that are realistic and practical, utilizing agricultural stakeholder input.

Respectfully,



Janice Evans, Executive Director
For

June Van Wingerden, President
SANTA BARBARA COUNTY FLOWER & NURSERY GROWERS ASSOCIATION

Janice Evans
1305 Flora Vista Drive
Santa Barbara, CA 93109
Phone/Fax: 805-966-0720
E-mail: janicevans@verizon.net

GreenhouseNurseryAgWaiver032010

cc: Governor Arnold Schwarzenegger
Tony Strickland, California State Senate
A. G. Kawamura, Secretary, Department of Food and Agriculture
Charles R. Hoppin, Chairman, State Water Resources Control Board (SWRCB)
Frances Spivy-Weber, Vice Chairwoman, SWRCB
Arthur Baggett, Jr., SWRCB
Tam Doduc, SWRCB
Walter Petitt, SWRCB
Dorothy Rice, Exec. Dir., SWRCB
Mr. Johnny Gonzales, SWRCB
Janet Wolf, Chairwoman, Santa Barbara County Board of Supervisors
Salud Carbajal, Santa Barbara County Board of Supervisors
Doreen Farr, Santa Barbara County Board of Supervisors
Joni Gray, Santa Barbara County Board of Supervisors
Joe Centeno, Santa Barbara County Board of Supervisors
Michael Brown, CEO, County of Santa Barbara
Rich Matteis, Administrator, California Farm Bureau Federation
Kevin Merrill, President, Santa Barbara County Farm Bureau
Richard Quandt, Grower-Shipper Association

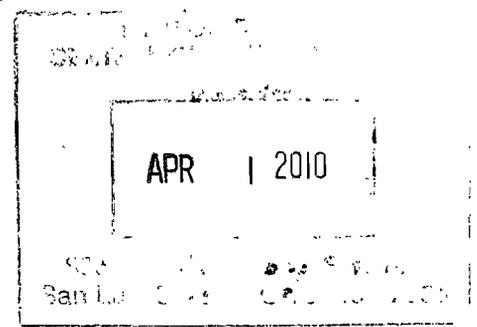
Page 3

Conditional Ag Waiver Draft Proposal – Greenhouses and Nurseries

March 16, 2010

Abby Taylor-Silva, VP Policy and Communications, Grower-Shipper Association
Roger Briggs, Exec. Director, Central Coast Regional Water Quality Control Board
Angela Schroeter, Agricultural Regulatory Program Manager, Region 3 Water Board
Howard Kolb, Agricultural Order Project Lead Staff, Region 3 Water Board

3/29/10



Jeffrey S. Young, Chairman of the Board
Central Coast Regional Water Quality Control Board
895 Aerovista Place, Suite 101
San Luis Obispo, CA. 93401-7906

Re: CCRWQCB Request for Public Comments on Preliminary Draft Agricultural Order dated February 1, 2010

Dear Mr. Young:

My name is Russell Satake and I am the President of Satake Nursery, Inc. My family has been in the nursery business since 1947. Currently, we are leasing our growing grounds at 315 Kirby Avenue, Morgan Hill, Cal., to a group of former employees. Their company is called Coyote Valley Nursery, Inc. They are wholesale growers of bedding plants. They service local retailers and landscapers.

I have been following the progress of this Board's renewal of the Conditional Waiver of Waste Discharge Requirements for Discharges from Irrigated Lands ("Ag Order") and am concerned with Staff's draft Ag Order. Specifically, it is totally impractical to require nursery operations to prevent rainwater from coming into contact with plant containers. Almost 100% of containerized nursery operations have outdoor or shadehouse areas of production. This requirement alone would create enormous logistical problems for the nursery operators. Additionally, the ability to keep rainwater or stormwater from irrigation runoff is virtually impossible. These requirements along with some of the other facets of the proposal, if actually implemented and enforced, will definitely put many nurseries out of business. For the most part, we in the nursery business try hard to implement best management practices in all areas of concern including water and pesticides.

I urge the Board to listen to growers' feedback and suggestions, including mine, and incorporate all of this feedback into the draft Ag Order. Any future Ag Order must be designed with achievable objectives and must be a transparent and collaborative process that utilizes agricultural stakeholders. Loss of grower cooperation will be counterproductive to improving water quality.

Respectfully submitted,

Russell J. Satake
President, Satake Nursery, Inc
Treasurer, California Association of Nurseries and Garden Centers

cc: Mr. Roger Briggs, Executive Officer
Ms. Angela Schroeter, Agricultural Regulatory Program Manager
Mr. Howard Kolb, Agricultural Order Project Lead Staff

March 18, 2010

Ms. Dorothy Rice
Executive Director
Mr. Johnny Gonzales

RECEIVED
MAR 23 2010
DIVISION OF WATER QUALITY

California State Water Resources Control Board
PO Box 100
Sacramento, CA 95812-0100

IN RE: CCRWQCB Request for Public Comments on Preliminary Draft Agricultural Order dated February 1, 2010

Dear Ms. Rice and Mr. Gonzales:

I'm writing to comment on the above matter pending before the Board. Before I begin, please know that I understand that you have a job to do, and try equally hard to recognize that my nursery business must also be able to continue delivering the valuable products services my customers expect from me.

Briefly, I am the President of Schubert Nursery which has been located in Salinas, Monterey County since 1990. We are a greenhouse-grown potted plant producer, provide jobs to about sixty employees, and cultivate approximately eleven acres located in Region 3. As you can see, I am an independent family grower business.

I hope that you will open the process up to all of the nurseries in Region 3 and consider a fresh start that takes my needs and those of my fellow nurseries into account. Here are some general thoughts I have about your proposal:

1. It's increasingly tough to make a living. We're just hanging on. The crops we grow add to the economy and are a job engine for our area. The coastal counties of Monterey, San Luis Obispo, San Mateo, Santa Barbara, Santa Clara, and Santa Cruz combine to produce nearly \$1 billion, or 24.5% of the over \$4.0 billion state farm-gate total for nursery and flower crops. In all, our many small businesses employ over 54,000 workers in Region 3. We're all struggling to survive.
2. The proposal as written would break our business, force us to let employees go, and turn our meager profits into devastating losses. These are difficult economic times, as you know, and some of the requirements proposed seem physically or financially difficult—even impossible—for me to meet.
3. I use a number of systems and quality controls—best management practices—that I know work for me and other nurseries, greenhouse growers, and cut flower producers. The best ones have been scientifically validated at actual nursery sites and are appropriate to my area. A public process with board staff, university, county agriculture, nurseries, and other stakeholders can figure out appropriate regional and local methods that would take into account our businesses, operating practices, and physical layouts as well as estimate how hard and costly they might be to use.
4. Another suggestion: Watershed problems differ from place to place. Consider tailoring the approach depending on the many different conditions found in Region 3. Little solid data is available for my area and I'm concerned about using data from other areas of our state. Region 3 differs not just from warm season/year-round growing areas found in other areas of

the state; it changes from north to south and from the ocean to the valleys of our interior coastal mountains.

5. Winters in our location have frequent storms that overwhelm even robust municipal and area wastewater treatment systems. Please consider the difficulties we all face from such events as you draft your order. Build your order for the norm, not for the exception.

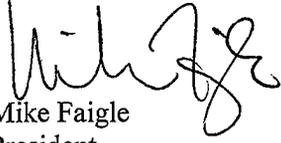
In addition to these general comments, I would like to comment specifically on several individual aspects of the proposed Agricultural Order:

1. Several aspects of the proposed management practices are already in areas managed by complying with other agency's regulations. For example all pesticide applications I do are reported to county agriculture, including specific product, amount, and application date. These products are registered by U.S.-EPA and by CA-EPA/DPR, and I use them exactly as their label says we should. The proposal would impose new, off-label requirements for using and reporting these FIFRA-registered products. Such conflicts of law could make the board open to legal disputes.
2. I also have concerns about managing aquatic habitat through management practices. To me, it seems like you want me to control things outside my property boundaries and responsibility. It's fair to ask me to control and manage runoff from my business but I don't see how I could manage entire habitats to which I am just one of many contributors. Soils in natural areas and cultivated land both are subject to erosion and runoff, contributing to sediment found in waterways or the ocean. How would this work? Will the board sample sediment plume deposits and trace them back to each of their sources?
3. Another concern is managing irrigation practices. Water is a costly and precious resource, and I already practice efforts to reduce the amount we use and limit its waste, including reducing watering frequency and volume and reducing fertilizer concentration in the irrigation water. If your goal is to curb excessive watering that produces polluting runoff, that's something that's not an issue for my business or those of most of my fellow nurseries. I catch and reuse a lot of water on my property as they do on theirs. I use drip irrigation on the vast majority of our production. My water reduction efforts require us to maintain low salinity, pesticide load, and nutrients. Being careful about these things means growing healthy plants and protecting our crops and our livelihood.
4. When you say I have to comply with all applicable stormwater permits, it causes concern. Would stormwater permits addressing areas tens or scores of miles away from me in another watershed be relevant to my area?
5. Division of my wastewater and irrigation drain system is simply too costly to implement due to the various sizes and nature of my greenhouses and the sheer scope of such a project.
6. My crops are grown under glass and runoff from my growing areas is extremely limited since I irrigate based on plant needs. If for some reason water flows out of a greenhouse it flows to a catch basin and never leaves my property.
7. The proposed standards set for non-stormwater discharge seem difficult if not impossible to achieve. There is no such thing as water without toxicity. I remind the Board of the unfortunate woman who drank too much bottled drinking water during a radio station stunt in Sacramento and died of acute water poisoning that caused her brain to swell—that was with "pure" drinking water. The other purity standards would require high-tech filtration, chemical additives, and tertiary treatment to obtain, adding prohibitive costs to my business.

Based on these general and specific comments, the best possible outcome would be to sit down and talk more about what you need to accomplish, then work together to get the best possible job done while preserving my business, my way of life, and my employee's livelihoods. Let's work

together to develop appropriate systems approaches for nursery runoff water quality that would protect both the environment and my business on a fully sustainable basis.

Respectfully submitted,

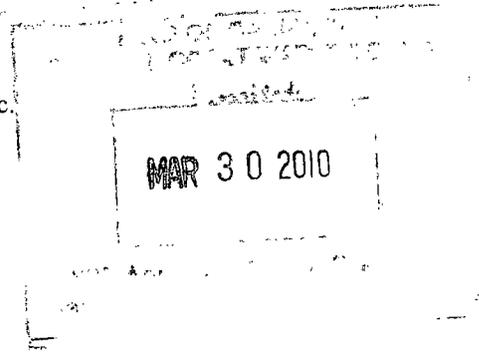


Mike Faigle
President
Schubert Nursery
PO Box 1451
Salinas, CA 93902



PLANTEL

Nurseries, Inc.



March 26, 2010

Chairman Jeffrey S. Young
Central Coast Regional Water Quality Control Board
895 Aerovista Place, Suite 101
San Luis Obispo, CA 93401-7906

Dear Chairman Young;

I am writing to express my opposition to the proposed Conditional Waiver of Discharge from Irrigated Agricultural Land.

Plantel Nurseries, Inc. is in the business of growing vegetable transplants for farmers in the vicinity of the Santa Maria Valley. The waiver would affect our business on two levels. The first being on our production of the vegetable transplants in the nursery, the second and more important impact is on the viability of our customers. The waiver as written would likely devastate our customer base and put us out of business. Since my expertise is in the nursery, I will leave specific comments on the reasons the regulations are unattainable for farmers to others, but I will address some of the issues regarding nursery production of transplants.

To begin with, I would like to point out the great savings to water and the overall environment that vegetable transplants have on the farming community in general. By starting with transplants the farmer saves considerable time, water, fertilizer and crop protection chemicals in the field while germinating crops. A typical crop of broccoli spaced at 9 inches yields about 36,700 plants per acre or about .84 plants per square foot. In the nursery we have well over 100 plants per square foot. We in essence get a 100:1 increase in the efficiency of our water, fertilizer and crop protection inputs. The farmers in the Santa Maria Valley have saved countless gallons of water and other input by adopting the use of transplants over the past 20 years.

Specific to your proposed "Commercial Nursery, Nursery Stock Production and Greenhouse Requirements" section, these requirements are overly broad and unworkable. Requirement #70 to prevent rainwater from coming into contact with containerized plants is totally unrealistic and in our case detrimental to the production of our plants. We keep some of our crops outside on purpose to "harden them off" in preparation for going to the field. Failure to put our plants out due to a fear of rain would severely affect the quality and survivability of our plants in the field

You cannot compare our production method with that of a landscape container operation that may grow 5-10 gallon plant stock. Our deepest "container" is 2 ½ inches deep. We do not put granular fertilizers in the soil mix and liquid feed our crops with very low levels of fertilizer. Since our production areas are virtually covered with trays we have very little overspray of water, fertilizer or crop protection chemical. In the "Nutrient and Salt Management" section, #62, this section is directly counter productive to what we are trying to do in using small amounts of fertilizer on a consistent basis. By using low amounts of fertilizer there is no "reserve" in the soil or plant, as a result rain events rapidly deplete the plant of nutrition. It is essential that we fertilize immediately after a rain event or we lose growth of the plant and have more problems with disease setting in. If we do not fertilize right away we end up having to use more crop protection chemicals to battle problems that the plant could battle themselves if it were sufficiently healthy.

This brings us back to my earlier statement that the regulations are too broad. You end up hurting someone like me who has already implemented many best management practices by trying to make all encompassing regulations. It should not be Regional Water Quality Control Boards place to dictate specific practices to industry, but instead to work with industry to set goals and help industry obtain them. Each farm and nursery is unique and unique practices must be implemented to meet the specific goals of that entity. It is clear that RWQCB staff either doesn't understand the complexities of Agriculture or just doesn't care about the livelihood of this very important sector of the economy.

The proposed regulations should be immediately retracted and any new attempt at a regulation of this scope should elicit more flexibility and input from the stakeholders.

Sincerely,



Scott Nicholson
President



"...Growing tomorrow's Rainbow of Color, Today!"

1025 North Todd Avenue • Azusa, California 91702 • (626) 969-3585

March 5, 2010

Ms. Angela Schroeter, Agricultural Regulatory Program Manager
Mr. Howard Kolb, Agricultural Order Project Lead Staff
Central Coast Regional Water Quality Control Board
895 Aerovista Place, Suite 101
San Luis Obispo, CA 93401-7906

IN RE: CCRWEQCB Request for Public Comments on Preliminary Draft
Agricultural Order dated February 1, 2010.

Dear Ms. Schroeter and Mr. Kolb,

I'm writing to comment on the above matter pending before the Board. I am keenly aware that you have a job to do, but you must be keenly aware to recognize that my nursery business must also be able to continue delivering the valuable services and goods to my customers (nations largest retailers down to the one store nursery) have become to expect from me.

A brief background: I am the owner of Colorama Wholesale Nursery, which has been located in Carpinteria, California, Santa Barbara County since 1992. Our company also has three other locations outside of Region 3. We produce bedding plants, perennials, fruit trees and employ in excess of 300 personnel and cultivate more than 175 acres of open space and greenhouses. As you can see, I am an independent family grower business.

I hope that you will open the process up to all of the nurseries in Region 3 and consider a fresh start that takes my needs and the needs of my fellow nurseries into account. My thoughts are as follows:

1. We are having a very tough time making a living. We have not given our employees raises in three years – needless to say no bonuses either. The crops we grow add to the economy and are a job engine

for our area. The coastal counties of Monterey, San Luis Obispo, San Mateo, Santa Barbara, Santa Clara, and Santa Cruz combine to produce nearly \$1 billion or 24.5% of the over \$4.0 billion state farm-gate total for nursery and flower crops. In all, our many small businesses employ over 54,000 workers in Region 3. We're all struggling to survive. Today, I heard of another local nursery getting its water shut off because he could not afford to pay the bill – he will be out of business shortly.

2. The proposal as written would break our business, force us to let employees go, and turn our meager profits into devastating losses. These are truly difficult times, as you know, and some of the requirements proposed seem physically or financially difficult, even impossible, for me to meet. Some are just ludicrous.
3. I use a number of systems and quality controls – best management practices – that I know work for me and other nurseries, greenhouse growers, and cut flower producers. The best ones have been scientifically validated to actual nursery sites and are appropriate to my area. Within six weeks we will be certified sustainable. A public process with board staff, university, county agriculture, nurseries and other stakeholders can figure out appropriate regional and local methods that would take into account our businesses, operating practices, and physical layouts as well as estimate how hard and costly they might be to use.
4. Another suggestion: Watershed conditions differ from place to place. Consider tailoring the approach depending on the many different conditions found in Region 3. Little solid data is available for my area and I am concerned about using data from other areas in our state. Region 3 differs not just from warm season/year-round growing areas found in other areas of the state, it changes from north to south and from the ocean to the valleys of our interior coastal mountains.
5. Winters in our location have frequent storms that overwhelm even robust municipal and area wastewater treatment systems. Please consider the difficulties we all face from such events as you draft your order. Consider building your order for the norm, not the exception.
6. Our facility already has in place significant runoff pollution preventative measures, including capturing our irrigation run-off and recycling it. We'd like some credit for what we already have in place.
7. We have already adopted guidelines from our local sanitation district and the NRCS to protect our waterways, terrestrial and aquatic

habitats, and the marine environments. They should be stakeholders as well.

In addition to these general comments, I would like to comment specifically on several individual aspects of the proposed Agricultural Order:

1. Several aspects of the proposed management practices are already in areas managed by complying with other agencies regulations. For example, all pesticide applications we do are reported to county agriculture, including specific product, amount and application date. These products are registered by US.-EPA and the CA-EPA/DPR, and we use them exactly as their label say we should. The proposal would impose new, off-label requirements for using and reporting these FIFRA registered products. Such conflicts of law could make the board open to legal disputes.
2. I also have concerns about managing aquatic habitat through management practices. To us, it seems like you want us to control things outside of our property boundaries and responsibility. It's fair to ask me to control and manage runoff from my business but I do not see how I could manage entire habitats to which I am just one of many contributors. Soils in natural areas and cultivated land both are subject to erosion and runoff, contributing to sediment found in waterways or the ocean. How would this work? Will the board sample sediment plume deposits and trace them back to each of their sources?
3. Another concern is managing irrigation practices. Water is a costly and precious resource and I already practice efforts to reduce the amount we use and limit its waste, including capturing my irrigation leachate and recycling it.
4. When you say I have to comply with all applicable stormwater permits, it causes concern. Would stormwater permits addressing areas tens or scores of miles away from me in another watershed be relevant to my area.
5. The proposed standards set for non-stormwater discharge seem difficult if not impossible to achieve. There is no such thing as water without toxicity. The other purity standards would require high-tech filtration, chemical additives and tertiary treatment to obtain, adding prohibitive costs to my business.
6. The proposed discharge temperature standard of 68 degrees or less for tailwater in our climate would require cooling towers that would be

**Colorama Nursery
Jumbo pack cost breakout**

Component	cost
Packaging	
includes:	
sheet	
tray	
Content	
includes:	
seed/plug	
soil mix	
Greenhouse	
includes:	
heat	
water	
spray	
Distribution	
includes:	
labor	
fuel	
racking	
Merchandising	
includes:	
ordering	
stocking	
culling product	

Total:

Weighted Cost to OSH This is the actual cost based on the discounts given for promotions & credits on goods

expensive to build, reduce my cultivation area, are unsightly and certain to raise concerns from neighbors and planners and are subject to an uncertain permitting process that makes compliance very doubtful.

Based on these general and specific comments, the best possible outcomes would be to sit down and talk more about what you need to accomplish, then work together to get the best possible job done while preserving my business, my way of life and my employee's livelihoods. Let us work together to develop appropriate systems approaches to nursery runoff water quality that would protect both the environment and my business.

As a last note, there is only so much money a business has to put towards regulations – when there is no more, you get the keys, you get to have all of the fun of running a business, employing personnel, dealing with health care reforms and the other multitude of items we deal with daily. Try to wear my shoes for a period of time when developing standards that we all can survive with.

Respectfully submitted,


Richard W. Wilson – Owner
Colorama wholesale Nursery

From: "Stuart Kitayama" <skitayama@kbflowers.com>
To: <aschroeter@waterboards.ca.gov>, <hkolb@waterboards.ca.gov>
Date: 3/29/2010 4:18 PM
Subject: CCRWQCB Request for Public Comments on Preliminary draft Agricultural Order dated February 1, 2010

Ms Schroeter and Mr Kolb,

Our Greenhouse is located at 481 San Andreas Road, Watsonville, CA. We've been in business here since 1970, we grow cut flowers, and employ 90 year around. We grow on 70 acres in Region 3.

I don't like the proposed requirements for the conditional Waiver of Waste Discharge Requirements for Discharges from Irrigated Lands. It is unrealistic and too onerous.

The requirement for non-storm water discharge to have no toxicity, drinking water standard for nitrates, and low turbidity, is unrealistic. Our well water doesn't even reach drinking water standards for nitrates.

We cannot keep rainwater and stormwater separated from irrigation runoff. It can rain at any time.

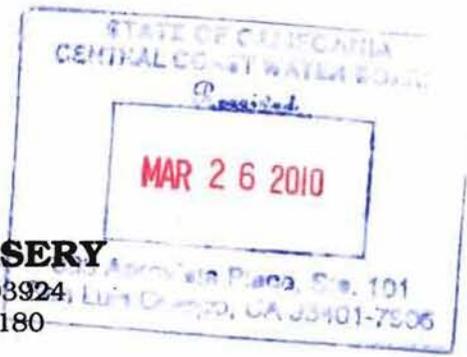
We cannot prevent rainwater from coming in contact with our containerized plants.

We retain rain water on our property, control erosion, and follow the stringent regulations for pesticides in California. We use drip irrigation and are building a irrigation recycling system. We are good business citizens, but these new rules are excessive.

I urge the Board to listen to growers' feedback and suggestions, including mine. and incorporae that feedback into the draft Ag Order.

Sincerely,

Stuart Kitayama
Production Manager
Kitayama Bros. Inc.



DROUGHT RESISTANT NURSERY

P.O.BX. 1471 CARMEL VALLEY, CA. 93924
PH. 831/624-6226 FAX 831/624-5180

March 24, 2010

Ms. Angela Schroeter
Agricultural Regulatory Program Manager
Mr. Howard Kolb
Agricultural Order Project Lead Staff
Central Coast Regional Water Quality Control Board
895 Aerovista Place, Suite 101
San Luis Obispo, Ca. 93401-7906

IN RE: CCRWQCB Request for Public Comments on Preliminary Draft
Agricultural Order dated February 1, 2010

Dear Ms. Schroeter and Mr. Kolb:

I'm writing to comment on the above matter pending before the Board. I understand that you have a job to do and hope that you also understand that we have families and need our jobs. I have been unable to figure out how to keep our business open in the current economic climate if the Order is adopted as written.

I am the owner of Drought Resistant Nursery Inc., which has been located on the Monterey Peninsula since 1986. We are a nursery stock producer and employ between 40 and 50 people, and cultivate about 12 acres located in region 3.

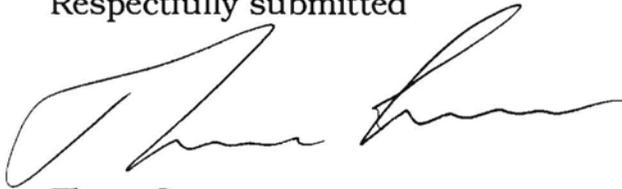
It is no exaggeration to say that we would be forced to close our nurseries and layoff our workers if the Order is adopted as written. In the current economic climate the retrofitting of our fields would be fiscally impossible as well as competitively infeasible. In short, the Order would be a death sentence for most of the nurseries in region 3.

The goal of the Order is commendable, and could be furthered by the elimination of non-public turf with its attendant "weed & feed" programs

applied by untrained and unregulated individuals. Many agencies in California are currently trying to reduce or eliminate non-public turf in their districts, and as our name implies we are part of that solution. This approach would not kill off established nursery businesses nor create a huge surge in unemployment.

I respectfully submit my comments and again state that they are no exaggeration. I look forward to an opportunity to attend a workshop and discussion of methods of attaining the goal of cleaner water and livelihoods at the same time.

Respectfully submitted

A handwritten signature in black ink, appearing to read 'Thom Crow', with a large, sweeping initial 'T' and a long, horizontal flourish at the end.

Thom Crow
Owner
Drought Resistant Nursery Inc.

Ms. Angela Schroeter
Agricultural Regulatory Program Manager
Mr. Howard Kolb
Agricultural Order Project Lead Staff
Central Coast Regional Water Quality Control Board
895 Aerovista Place, Suite 101
San Luis Obispo, CA. 93401-7906

Re: CCRWQCB Request for Public Comments on Preliminary Draft Agricultural Order dated February 1, 2010

Ms. Schroeter and Mr. Kolb:

I am the Gerard Vöge of Vreeland Nursery Int'l Inc which has been located in Salinas ,Monterey County since Sept,1/2001 We are Houseplants Growers of Tropical Flowering Plants provide jobs to 5 employees, and cultivate 88000 sf located in Region 3.

I have been following the progress of this Board's renewal of the Conditional Waiver of Waste Discharge Requirements for Discharges from Irrigated Lands ("Ag Order") and am concerned with staff's draft Ag Order. The draft Ag Order will negatively impact my ability to continue producing Potted plants The draft Ag Order contains many undefined and potentially highly impractical requirements for nursery operations. Of particular concern to my operation is:

1. Regulation of non-storm water discharge that must have no toxicity, drinking water standards for nitrates, low turbidity, and temperatures below 68°F; For us impossible there the Well water that we use has a EC 1.58 to make this as Rainwater means we have to use R.O. Systems and were do we go with the waste water there is no sewer system line on the road
2. Keeping rainwater and/or storm water separated from wastewater and irrigation runoff; Please provide us with a system and advice for all plants that are growing in the ground and containers and what will we do with all the produce farmers
3. Having to prevent all rainwater from coming into contact with containerized plants. This is very concerning to me because for the outside growing area this regulation means going out of business an more un employment and no tax money

At our nursery we already implement numerous best management practices to reduce the runoff like a special run off point that collect al the water that comes from the property and stays on the property and we use lesser and lesser restricted pesticide and more OMRI approved pesticides. Water is a costly and precious resource, and we have implemented a variety of practices to reduce the amount we use and limit its waste, including drip systems and wetting agent in the soil .

I urge the Board to listen to growers' feedback and suggestions, including mine, and incorporate that feedback into the draft Ag Order. Any future Ag Order must be designed with achievable objectives and

must be a transparent and collaborative process that utilizes agricultural stakeholders. Loss of grower cooperation will be counterproductive to improving water quality.

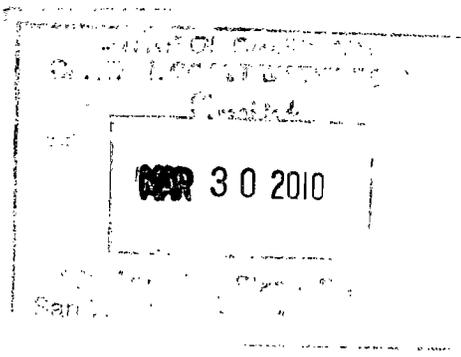
We can make the water as clean as rainwater if we start to use expensive Filtering machine as R.O. or Nano Machines but what do we do with the waste water as the county has no sewer line on the road or in the county to bring the water to a Treatment plan.(like in some countries in Europe.)

We can work with Central Coast Regional Water Quality Control Board to make a plan but not overnight There the water quality of our well water is al very bad and it will take years to get good water or close all the farmers and businesses in Monterey and we have no water problems and no more work and very expensive food and other agriculture products.

Respectfully submitted,

Hendrik G.J.Vöge
Owner/President

Vreeland Nursery Int'l In26950 Encinal Road
Salinas CA 93908-9575
Phone 831-772-0188



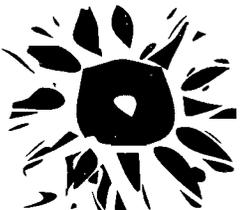
March 30, 2010

Ms. Angela Schroeter
Agricultural Regulatory Program Manager

Mr. Howard Kolb
Agricultural Order Project Lead Staff
Central Coast Regional Water Quality Control Board
895 Aerovista Place, Suite 101
San Luis Obispo, California 93401-7906

Re: CCRWQCB Request for Public Comments on Preliminary
Draft order dated February 1, 2010

Dear Ms. Schroeter and Mr. Kolb,



NATIVE SONS
WHOLESALE NURSERY, INC
379 WEST EL CAMPO ROAD
ARROYO GRANDE, CA 93420
TELEPHONE: 805/481.5996
FACSIMILE: 805/489.1991

I am the owner of Native Sons Wholesale Nursery and write to express my alarm after reading your staff recommendations outlined in the February 1, 2010 Draft Agricultural Order. Native Sons operates on eight acres in Arroyo Grande and specializes in California native plants and other species suitable for California's mediterranean climate. We have been in business for 31 years and employ 37 people.

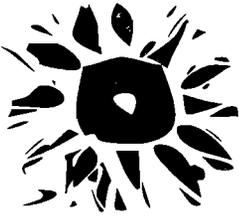
Native Sons is currently in compliance with most of the proposed regulations and we could manage many of the newer requirements given sufficient time. We are a 'low risk' discharger with no tail water and are not in close proximity to a creek. We have used integrated pest management techniques for 30 years, implement storm water control measures to minimize erosion and produce no sediment deposit. However, it would be impossible to comply with a requirement to cover our crops during rain events and "prevent rainwater from coming into contact with containerized plants."

As written, the regulation would put an end to our business. The cost required to cover eight acres is beyond the reach of our business and if we could manage to raise the capital necessary for compliance our products would no longer be competitive in the market. This rainwater requirement is unreasonable and would be completely ineffective at providing any meaningful improvement of water quality at Native Sons.

Our respect for water quality regulation is obvious by virtue of our very business model, having participated in providing solutions to water quality issues for many years. We have grown plants for

bioremediation application and riparian restoration efforts and are actively involved in the promotion of lawn replacement in an effort to reduce water use as well as pesticide, fungicide, and nitrogen applications in the urban and suburban environment. Long-term water quality can best be achieved through education and cooperation with your board and the greater agricultural and residential community.

I ask that you reconsider the staff's proposals and open the process to all the nurseries in Region 3. As currently written you policies would do irreparable harm to the nursery industry in Region 3 with dire consequences to my business and the greater agricultural community. The arbitrary process that has developed these proposals is not conducive to an equitable resolution and we ask that you rewrite the Draft Agricultural Order with nursery industry cooperation.



NATIVE SONS

WHOLESALE NURSERY, INC

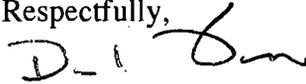
379 WEST EL CAMPO ROAD

ARROYO GRANDE, CA 93420

TELEPHONE: 805/481.5996

FACSIMILE: 805/489.1991

Respectfully,

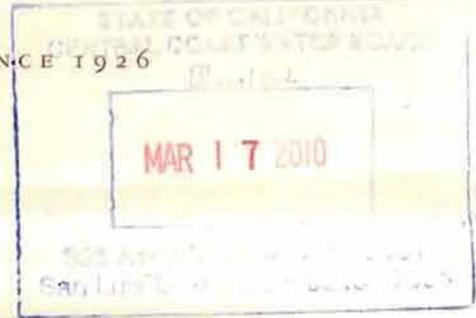


David Fross
President



MONROVIA® GROWERS

HORTICULTURAL CRAFTSMEN SINCE 1926



AZUSA, CA
18331 E. Foothill Boulevard
P.O. Box 1385
Azusa, CA 91702-1385
Tel: 800-999-9321

CAIRO, GA
1579 GA Highway 111 South
P.O. Box 390
Cairo, GA 39828-0390
Tel: 800-342-6012

DAYTON, OR
13455 S.E. Lafayette Highway
Dayton, OR 97114-8416
Tel: 800-666-9321

LA GRANGE, NC
4588 Brothers Road
P.O. Box 478
La Grange, NC 28551
Tel: 800-790-9194

SPRINGFIELD, OH
4001 Moorefield Road
Springfield, OH 45502
Tel: 800-995-4001

VISALIA, CA
32643 Road 196
P.O. Box 489
Woodlake, CA 93286-0489
Tel: 800-449-9321

March 12, 2010

Ms. Angela Schroeter
Agricultural Regulatory Program Manager,
Central Coast Regional Water Quality Control Board
895 Aerovista Place, Suite 101
San Luis Obispo, CA 93401-7906

**RE: CCRWQCB Request for Public Comments
Preliminary Draft Agricultural Order dated February 1, 2010**

Ms. Schroeter:

Monrovia Growers operates nursery growing grounds in four states, including 750 acres in Tulare County, California. We produce approximately 1200 varieties of plants in containers for the retail garden center segment, employing 1400 on a year-round basis.

I have been made aware of the draft for the renewal of the Conditional Waiver of Waste Discharge Requirements for Discharges from Irrigated Lands, referred to as the Ag Order, and am very concerned with the direction indicated in the draft. The new proposed regulations contain many unworkable and highly impractical requirements for the nursery operations of the Central Coast region. Points that are concerning to all nursery operations include:

- Regulation of non-storm water discharge to drinking water standards, with no toxicity, low turbidity, extremely low nitrate levels, and temperature requirements below 68°F;
- Maintaining rainwater separate from wastewater and irrigation runoff;
- Requiring that rainwater never come in contact with container plants.

These points demonstrate that there is a lack of understanding of what nursery operations do and how plants are grown. For example, plants require sunlight to thrive; requiring rainwater to never come in contact with container plants would essentially mandate that all plants must be grown under cover, either in a greenhouse or some other structure. This is not only costly to implement from the standpoint of the grower, but will add huge amounts of structures on what is often considered open space lands.

Group 7 - N28
May 12, 2010 Workshop
Preliminary Draft Agricultural Order



MONROVIA® GROWERS

HORTICULTURAL CRAFTSMEN SINCE 1926

AZUSA, CA

18331 E. Foothill Boulevard
P.O. Box 1385
Azusa, CA 91702-1385
Tel: 800-999-9321

CAIRO, GA

1579 GA Highway 111 South
P.O. Box 390
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Tel: 800-995-4001

VISALIA, CA

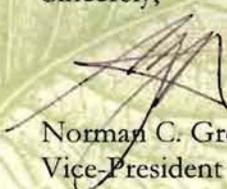
32643 Road 196
P.O. Box 489
Woodlake, CA 93286-0489
Tel: 800-449-9321

Our nursery operations have implemented numerous best management practices since the 1960's, and indeed we have led the way with water recycling and management of wastewater discharge. We are a model nursery operation participating in the U.S. Nursery Certification Program with the United States Department of Agriculture. In the practical world, there is no reasonable way to keep rainwater separate from irrigation water; if you were to visit a typical nursery operation, it is evident that there is no practical possibility for this to occur. Water is a costly and precious resource to all Ag producers including nurseries, and to implement new regulations that do not allow for the use of rainwater in our operations will add substantial financial burden to many nursery operations.

I request the CCRWQCB visit nursery operations in your region, listen to the producers' suggestions and feedback, and include practical solutions into a revised draft of the Ag Order. In order for any Ag Order to be successful, it must be realistic with achievable objectives and workable solutions. A collaborative process that utilizes the expertise of the nursery operations will lead to improved water quality in your region.

Thank you for your consideration.

Sincerely,


Norman C. Groot
Vice-President of Production Planning

Group 7 - N28
May 12, 2010 Workshop
Preliminary Draft Agricultural Order

Jeff Rosendale
Rosendale Nursery
2660 E. Lake Ave.
Watsonville, CA 95076-1420

March 12, 2010

Board of Directors
Central Coast Regional Water Quality Control Board
895 AeroVista Place, Suite 101
San Luis Obispo, CA. 93401-7906

Re: Preliminary Draft Agricultural Order – February 1, 2010 = Commercial Nursery,
Nursery Stock Production and Greenhouse Requirements – Proposed Changes

Dear Region 3 Board of Directors,

The proposed additions have created great concern within the nursery industry. Region 3 spans different latitudes that include distinctly different USDA growing zones; this is a diverse growing area. Many are growers of large trees and shrubs with plants over 30 feet tall, while there are small operations that grow organic herbs in 4” containers. Most nurseries use slow release, temperature sensitive fertilizer, of which the nutrients are not available during the cold rainy season (soil temps 50 degrees F). There are nurseries that have installed collection and recirculation systems to deal with runoff and initial seasonal storm events. In some areas of Region 3 rainfall is generally light during initial storms and any nutrients that may leach out of containers have ample opportunity to be absorbed/assimilated by grassy areas or collected in recirculation ponds. Large rain events historically take place in January – February, 2-3 months after initial seasonal rains begin. Most importantly there are many nurseries within Region 3 that have adopted NRCS (Natural Resource Conservation Service) and Ag Extension guidelines to be proactive in dealing with any potential runoff concerns.

As an industry we understand the serious nature of dealing with downstream non point problems. As an industry we have shown our concern by fulfilling the educational requirements of the conditional waiver by implementing farm plans. We have built and maintained water management systems to eliminate or greatly reduce our impact on surrounding watersheds. We have done much to mitigate any potential or perceived problem and because of this the proposed additions give us great concern as to the appropriate empirical data used to support the additional changes.

Region 3 is not only different than warm season/year round growing areas; it is complex environmentally within its boundaries. Data collected from outside this area is not specific nor does it reliably represent this unique and diverse region.

Besides being virtually impossible to implement, the notion of covering field grown container stock to prevent them from coming in contact with rainwater has its inherent flaws: (1) Covering would create channelization and sediment movement where there isn't any, (2) Covering would create water flow rates that would not allow water to percolate and would not allow grassed areas to remove sediment; (3) Covering would be physically impossible for nurseries that grow large trees and shrubs; (4) Covering would reduce plant quality by allowing high humidity and increased fungal activity (primarily botrytis), which would increase the need for chemical applications; (5) Covering would obstruct the recharge of groundwater and would contribute negatively to drought impacted aquifers; (6) Covering would reduce the natural ability of the sun to strengthen plants and increase their resistance to pests (water proof films, plastic or glass-reduce light transmission); (7) Winds are strongest during rain events and would create hazardous conditions for employees and plants, i.e., poly sheeting collects wind and will "whip damage" plants so they are not saleable.

In regards to separation of storm water from irrigation water: Most nurseries have systems in place to handle small amounts of storm runoff to remove sediment and/or recycle water. If the intent of the regulation is to prevent runoff from coming into contact with irrigation water, then diversion could possibly be accomplished through NRCS suggested solutions explored during farm plan development workshop that many nurseries participated in. Finally, Industry will rebuff attempts based on staff's recommendations when they are based on what is perceived as irrelevant or non existing science. Again, concerns should be addressed through individual farm plans, rather than blanket requirements and regulations.

The nursery industry has been especially hard hit in these difficult times. We employ an extraordinary amount of workers to manage our crops and our industry is the third largest contributor to California's farm gate; last year's economy forced some nurseries into bankruptcy or out of business. The RWQCB needs to be cognizant of the impact of developing costly regulations on our industry for obvious reasons. Many small businesses are barely holding on to their livelihood. There are a lot of us that cannot imagine how we could manage insurmountable regulations. If the paperwork burden is high, many of us will fail. If record keeping for all water related activities were required, i.e., irrigation, fertilizer, on-sight daily monitoring, poly covering of plants that can come in contact with rainwater(not possible), separating storm water from irrigation water, etc., the costs would be phenomenal. With storm events occurring more than 30 times per year, it is estimated that costs of regulatory compliance as written would put most of us out of business.

NRCS should be involved to help in developing Best Management Practice plans that are relative to individual nurseries to address specific needs rather than basing the proposed draft language on assumed problems or specific location problems. Since the mission of the NRCS is to base its recommendations on workable science, involving them would be a better way to address water concerns and ultimately offer solutions that are both practical and tuned to individual or more specific regional nursery concerns.

We look forward to an interactive and cooperative science based dialog that will allow industry to act as a partner in responding to perceptions and resolving concerns in a manner that create solutions and not more problems.

Sincerely,

A handwritten signature in black ink, appearing to read "Rosendale".

Jeff Rosendale
Rosendale Nursery

Cc: Directors State Water Resource Control Board

Cc: Assemblymember Bill Monning, Dist. 27

Cc: Senator Abel Maldonado, Dist.15

March 10, 2010

Ms. Angela Schroeter
Agricultural Regulatory Program Manager
Mr. Howard Kolb
Agricultural Order Project Lead Staff
Central Coast Regional Water Quality Control Board
895 Aerovista Place, Suite 101
San Luis Obispo, CA. 93401-7906



Re: CCRWQCB Request for Public Comments on Preliminary Draft Agricultural Order dated February 1, 2010

Ms. Schroeter and Mr. Kolb:

I am an employee of Monterey Bay Nursery, Inc., which has been located in Royal Oaks, Monterey County since 1988. My employer is a wholesale grower of Californian/Australian natives, trees and shrubs located in Region 3.

I have been following the progress of this Board's renewal of the Conditional Waiver of Waste Discharge Requirements for Discharges from Irrigated Lands ("Ag Order") and am concerned with staff's draft Ag Order. The draft Ag Order will negatively impact the ability of Monterey Bay Nursery, Inc. to continue producing nursery plants. The draft Ag Order contains many undefined and potentially highly impractical requirements for nursery operations. Of particular concern to me is:

Having to prevent all rainwater from coming into contact with containerized plants. This is very concerning to me because the cost and acreage needed to implement this is impractical and if it is imposed the nursery will close. That would place 60 people, including myself on the unemployment line and like the rainwater it would continue to run downhill as other companies that supply or depend on the Nursery downsize with the decrease in their business. With the present economic condition in California we can not afford to lose the jobs and income that are generated by the nursery industry.

At our nursery we already implement numerous best management practices to reduce runoff and the amount of water used by implementing drip irrigation and reuse.

I urge the Board to listen to growers' feedback and suggestions, including mine, and incorporate that feedback into the draft Ag Order. Any future Ag Order must be designed with achievable objectives and must be a transparent and collaborative process that utilizes agricultural stakeholders. Loss of grower cooperation will be counterproductive to improving water quality.

Respectfully submitted,

Helen E Bage
Bookkeeper,
Monterey Bay Nursery, Inc.

From: Christopher Chaney <plantmaker@gmail.com>
To: <aschroeter@waterboards.ca.gov>
Date: 3/11/2010 6:26 PM
Subject: newly rewritten ag waiver

Dear Angela,

My name is Chris Chaney. I am the owner of a small wholesale nursery on the Nipomo Mesa called Mesa Ranch Nursery. I have looked at the new waiver and am alarmed and highly concerned. I believe that the WQCB has over stepped their authority and have written a new waiver outside legislative review that will cause a total collapse of the nursery industry in the central coast region. No one can possibly comply with the order. Not only is it draconian, but it also runs contrary to other government agency requirements.

The Dept. of agriculture requires us to spray for pests and diseases. They require us to fertilize our crops to meet certain quality standards. They require us to have weed free nursery stock. In addition, if we are to cover the entire nursery to prohibit rain from passing through any pot and are to create an impervious base to collect all water, the set up costs and the continuing energy costs to becoming a greenhouse grower will immediately price us out of business. In addition, only certain crops do well under cover. Most ornamentals need to be raised outside. This order is uninformed and too drastic. It does not take into consideration the realities on the ground nor the requirements of other regulatory agencies.

I humbly ask you to set aside the new ag waiver that is under review. Please continue to operate under the existing ag waiver that every nursery and farmer in the central coast region is already abiding by. If there are growers that are failing to clean up their operation, then by all means take every step necessary to bring them into compliance. But do not draft the new order. It will put us all out of business. I am not exaggerating. I understand that the Grower/Shippers Association of the central coast has already asked you to do the same thing--to set aside the newly written ag waiver.

What the WQCB is considering will be so disruptive to the Ca. farming/nursery industry that it will create massive layoffs and job losses that cannot be recovered. Surely, there is a better way to continue the pursuit of cleaner water for all of us. Farming is the life's blood of California. Please work with us, not against us.

Sincerely,

Chris Chaney

From: Gregory Fields <tuscanfieldsnursery@gmail.com>
To: <aschroeter@waterboards.ca.gov>, <hkolb@waterboards.ca.gov>
Date: 3/15/2010 6:10 PM
Subject: CCRWQCB Request for Public Comments on Preliminary Draft Agricultural Order dated 2/1/2010

Dear Ms. Schroeter and Mr. Kolb:

I'm writing to provide a public comment on the preliminary draft Agricultural Order CCRWQCB dated 2/1/2010.

I am the owner of Tuscan Fields Nursery, which was recently launched in Arroyo Grande, CA on 3/25/09. My business is a very small, backyard nursery business (less than 1000 sq/ft) and was started as a venture to augment my family's income.

I am sure you have received numerous letters based on a template sent out from the California Association of Nurseries and Garden Centers, I am not a member of this association and while I believe the comments in their template are valid, I do not feel they adequately addressed the specific issues of the backyard nursery business. Therefore, I respectfully request your consideration of the following comments on the draft:

My backyard nursery business plan forecasts an annual revenue of \$20,000 and a profit margin of 15%. This business model is used by many backyard nurseries and is intended to augment incomes, not be a single source of income. The estimated costs for implementing the requirements specified in this regulation (i.e. the requirements to develop and execute a Farm Management plan and monitor wastewater and irrigation discharge) would impose an excessive cost burden for backyard nursery businesses. The cost for monitoring alone would consume the entire profit margin.

I recognize the serious and potentially negative impact of fertilizers and waste water on California's fresh water sources and the ocean. I also believe industries that contribute to this condition should be required to install preventative measure. However, I strongly believe that this regulation should be based on a criteria commensurate with the amount of irrigation and/or fertilizers discharged.

Therefore, I request the California Water Board consider including some verbage that would exempt backyard nurseries and other small operations from this burden (e.g. nursery operations that produce less than XX plants year, nursery operations that consume more than XXX gallons of water per month for irrigation, etc) Without this practical and fair exemption criteria, the result would be the closure of hundreds and perhaps thousands of family owned backyard nurseries.

v/r

Gregory Fields
Owner and Operator
Tuscan Fields Nursery

March 10, 2010

Ms. Angela Schroeter, aschroeter@waterboards.ca.gov
Agricultural Regulatory Program Manager
Mr. Howard Kolb, hkolb@waterboards.ca.gov
Agricultural Order Project Lead Staff
Central Coast Regional Water Quality Control Board
895 Aerovista Place, Suite 101
San Luis Obispo, CA. 93401-7906



IN RE: CCRWQCB Request for Public Comments on Preliminary Draft Agricultural Order dated February 1, 2010

Dear Ms. Schroeter and Mr. Kolb:

I'm writing in reference to on the above matter pending before the Board. Before I begin, please know that I understand that you have a job to do, and try equally hard to recognize that my nursery business must also be able to continue delivering the valuable services my customers expect from me.

Briefly, I am the Owner of Garden Haven Nursery____, which has been located in Soquel, Santa Cruz since 1968. We are nursery producers, provide jobs to 10 employees, and cultivate 12 acres located in Region 3. As you can see, I am an independent family grower business. Before the economic slump we are in, I have employed 20 people full time, this alone has been a disaster.

I hope that you will open the process up to all of the nurseries in Region 3 and consider a fresh start that takes my needs and those of my fellow nurseries into account. Here are some general thoughts I have about your proposal:

1. It's increasingly tough to make a living. We're just hanging on. The crops we grow add to the economy and are a job engine for our area. The coastal counties of Monterey, San Luis Obispo, San Mateo, Santa Barbara, Santa Clara, and Santa Cruz combine to produce nearly \$1 billion, or 24.5% of the over \$4.0 billion state farm-gate total for nursery and flower crops. In all, our many small businesses employ over 54,000 workers in Region 3. We're all struggling to survive.
2. The proposal as written would break our business, force us to let employees go, and turn our meager profits into devastating losses. These are difficult economic times, as you know, and some of the requirements proposed seem physically or financially difficult—even impossible—for me to meet. This may cause me to just close my business completely
3. I use a number of systems and quality controls—best management practices—that I know work for me and other nurseries. The best ones have been scientifically valid. A public process with board staff, university, county agriculture, nurseries, and other stakeholders can figure out appropriate regional and local methods that would take into account our businesses, operating practices, and physical layouts as well as estimate how hard and costly they might be to use.
4. Another suggestion: Watershed problems differ from place to place. Consider tailoring the approach depending on the many different conditions found in Region 3. Little solid data is available for my area and I'm concerned about using data from other areas of our state. Region 3 differs not just from warm season/year-round growing areas found in other areas of the state, it changes from north to south and from the ocean to the valleys of our interior coastal mountains.

5. Winters in our location have frequent storms that overwhelm even robust municipal and area wastewater treatment systems. Please consider the difficulties we all face from such events as you draft your order. Build your order for the norm, not for the exception.
6. Our operations already have in place significant runoff pollution preventive measures, including a catch basin for excessive run off. We'd like some credit for what we already do right.
7. Besides all of these measures, I have fulfilled the educational requirements of the conditional waiver by implementing a farm plan to deal with runoff water, as have many of our neighbors. Let's build on our existing plans instead of going back to the starting gate.

In addition to these general comments, I would like to comment specifically on several individual aspects of the proposed Agricultural Order:

1. Several aspects of the proposed management practices are already in areas managed by complying with other agencies regulations. For example all pesticide applications I do are reported to county agriculture, including specific product, amount, and application date. These products are registered by U.S.-EPA and by CA-EPA/DPR, and I use them exactly as their label says we should. The proposal would impose new, off-label requirements for using and reporting these FIFRA-registered products. Such conflicts of law could make the board open to legal disputes.
2. I also have concerns about managing aquatic habitat through management practices. To me, it seems like you want me to control things outside my property boundaries and responsibility. It's fair to ask me to control and manage runoff from my business but I don't see how I could manage entire habitats to which I am just one of many contributors. Soils in natural areas and cultivated land both are subject to erosion and runoff, contributing to sediment found in waterways or the ocean. How would this work? Will the board sample sediment plume deposits and trace them back to each of their sources?
3. Another concern is managing irrigation practices. Water is a costly and precious resource, and I already practice efforts to reduce the amount we use and limit its waste, to avoid excess run of we hand water 90% of our nursery stock by hand. If your goal is to curb excessive watering that produces polluting runoff, that's something that's not an issue for my business.
4. When you say I have to comply with all applicable stormwater permits, it causes concern. Would stormwater permits addressing areas tens or scores of miles away from me in another watershed be relevant to my area?

I grow all of our crops in containers exposed to natural precipitation. Covering them with hoop houses, greenhouses, or other structures will change growing conditions. Items we grow are specimens' size trees and shrubs and cannot be grown under glass or plastic structures. protect both the environment and my business on a fully sustainable basis.

Based on these general and specific comments, the best possible outcome would be to sit down and talk more about what you need to accomplish, then work together to get the best possible job done while preserving my business, my way of life, and my employee's livelihoods. Let's work together to develop appropriate systems approaches for nursery runoff water quality that would protect both the environment and my business on a fully sustainable basis.

Respectfully submitted,
Ross Paratore



March 3, 2010
3910 No Via Real
Carpinteria CA 93013

Ms. Angela Schroeter
Ag Regulatory Program Manager
Mr. Howard Kolb
Ag Regulatory Project Lead Staff
Central Coast Regional Water Quality Control Board
895 Aerovista Place, Suite 101
San Luis Obispo, CA 93401-7906

Dear Ms Schroeter and Mr. Kolb:

I am writing to comment on the Preliminary Draft Agricultural Order dated February 1, 2010. My husband and I own Ocean Breeze Nursery, a cut-flower nursery, located in Santa Barbara and San Luis Obispo counties. We farm a total of about 100 acres of greenhouses and open field avocado orchards in those counties. We have been farming in California for almost 40 years. Every year we have improved our irrigation techniques because it improves our efficiency, produces a better product and helps us with the high cost of water in our area. We work with UC Davis to improve our growing techniques. We practice best management practices.

The proposed draft document is overwhelming. Even if we already comply with the proposed regulations(which most nurseries probably do), the documentation is so expensive that the process alone will be very detrimental to our ag operation. The nursery business used to be quite profitable in California. That is no longer so. Most of us are already operating at a loss to keep employees working. Most nursery owners have borrowed heavily against their properties to keep in business until the economic times are better. We get less money for our products than we did a year ago, and that was less than the previous year. We do not set a price for our product, it is determined by the open market. We cannot pass along costs to the consumer. We compete directly with Columbia and Ecuador where operations are subsidized by the US government and yet have none of the regulatory costs. We hope to survive if we have no more costs. Your proposed water waiver is just one more cost to us with no benefit to our customers. Please put together a suitable group of knowledgeable growers to outline a more reasonable plan. "California grown" anything is in jeopardy.

Respectfully submitted,

June and Rene Van Wingerden
Ocean Breeze International