



California Regional Water Quality Control Board Central Coast Region



Linda S. Adams.
*Secretary for
Environmental Protection*

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Edmund G. Brown Jr.
Governor

Public Comments to

Draft Agricultural Order, released 11/19/2010

71: Form Letter - this letter was received from the following entities:

Name	Date Received
Wittsrom Vineyard	01/03/2011
F & T Vineyard	01/03/2011
San Juan Vineyard	01/03/2011
Ancient Peaks Winery	01/03/2011

WITTSTROM VINEYARD

42 WELLSONA RD, PASO ROBLES CA

1.3.11

Electronically Submitted to: AgOrder@waterboards.ca.gov
Hard Copy to Follow

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

Re: California Regional Water Quality Control Board, Central Coast Region Draft Order No. R3-2011-0006 ("Draft Ag Order"), dated November 2010 Conditional Waiver of Waste Discharge Requirements for Discharges from Irrigated Lands

Dear Chairman Young:

For several generations my family has farmed and lived in San Luis Obispo County. Preserving our precious resources is of the utmost importance to me as well as my family. The future of our vineyard depends on healthy land. I appreciate the protective steps the California Regional Water Quality Control Board is attempting to make, however I feel that there are several oversights in the California Regional Water Quality Control Board, Central Coast Region Draft Order No. R3-2011-0006 ("Draft Ag Order"), dated November 2010 Conditional Waiver of Waste Discharge Requirements for Discharges from Irrigated Lands. Below are my concerns:

- A successful program is performance-based and provides incentives and opportunities to improve water quality. Arbitrary factors such as operational size and location; burdensome paperwork; unnecessary requirements; and limited resources to manage and enforce does not provide any benefits towards improving water quality.
- Additional written comments should be accepted for submittal to your Board beyond Jan. 3rd to accommodate an open and deliberative dialogue throughout the decision-making process.
- The Ag Order and the associated documents represent an enormous amount of material for anyone to review within the available timeframe. The lack of comments by many growers should not be considered by the Water Board as an indication of approval or disinterest.
- The tone and much of the language of the Draft Ag Order conveys a distrust of farmers that is without basis. The Regional Water Quality Control Board (Water Board) staff did not act in the spirit of cooperation as particularly demonstrated by the unreasonable timeframe for public comment, compressing the schedule over the holidays.

- Vineyards utilize deficit irrigation practices, drip tubing, water to root technology, drip irrigation and soil moisture calibrations. These practices should be encouraged and incentives given to maximize practices that serve to minimize water quality degradation.
- An exemption from additional monitoring and requirements should be available for farming practices and operations that are not contributing to water quality degradation.
- Basing the tiers on location and size has no practical bearing on potential contribution to poor water quality. The tiers should be based upon whether there is probable cause for pollution to be transported. Farming operations that do not result in tailwater (i.e. drip irrigated vineyard operations) and are closely monitored for input requirements to the specific plant needs, should be exempt from a tiered approach.
- The Ag Order should be based upon practices that have the potential to degrade water quality and provide incentives and performance-measures to improve water quality, not based upon arbitrary characteristics such as size or location.
- Dischargers who do not cause tail water, as is the case for vineyards, should not be subject to receiving water monitoring.
- The requirements for well water monitoring go beyond what is necessary to carry out the order to address pesticides, sediment, and nutrients associated with agricultural discharges.
- Depth to groundwater monitoring should be eliminated from the order.
- Any well testing should be associated specifically to the constituents in question. Additionally, this information should remain proprietary and not be submitted to the Control Board for public record. Particularly, if you are not contributing to the concerns meant to be addressed through this order. The groundwater reporting requirements are over-burdensome and unnecessary.
- The 2010 Section 303(d) list of impaired water bodies is referenced in the Ag Order. The reference needs to be to a single list that is based upon the constituents/ impairments the order is meant to address. A grower should be able to know clearly what list is referenced and be assured that the tier classification for their operation does not change within the term of the Order.
- There needs to be a mechanism for data submission in a non-electronic form for those farmers who do not use, or do not have, internet access.
- The November 2010 staff report starts with the statement that “discharges of waste associated with agricultural discharges (e.g., pesticides, sediment, nutrients) are a major cause of water pollution in the Central Coast region. The water quality impairments are well documented, severe, and widespread. Nearly all beneficial uses of water are impacted, and agricultural discharges continue to contribute to already significantly impaired water quality and impose certain risks and significant costs to public health, drinking water supplies, aquatic life, and valued water resources.” This language is inflammatory, does not accurately represent the

situation, and does not acknowledge that relatively few farmers contribute to water quality problems.

- In order to gain popular support for the necessary programs, it would be helpful for the Water Board staff to adopt a tone that reflects an interest in working with the regulated community rather than treating farmers as adversaries. The Water Board should also offer incentives for participation.

Sincerely,

Amanda Wittstrom- Higgins