



RCD of Santa Cruz County
Capitola, California

RCD of Monterey County
Salinas, California

Monday, January 3, 2011

Mr. Jeffrey Young (Chair) and Members of the
Central Coast Regional Water Quality Control Board (CCRWQCB)
895 Aerovista Place, Suite #101
San Luis Obispo, CA 939401-7906

RE: November 19, 2010 Staff Recommendations for a new Agricultural Order

Dear Mr. Young and Colleagues,

The Resource Conservation Districts of Santa Cruz and Monterey Counties (RCDSCC and RCDMC) appreciate the opportunity to comment on the CCRWQCB staff recommendations released on November 19, 2010 regarding regulation of waste discharges associated with agriculture. We appreciate the extensive work your staff and board has put into addressing the very complex and controversial questions that must be considered in crafting strong policy to protect water quality on the Central Coast. The following comments are meant to summarize some key points that RCDs see as critical to the success of that policy.

First, we would like to highlight the importance of an adaptive management approach to solving water quality pollution problems on agricultural lands. Adaptive management entails the application of scientific methodology to management, including design, planning, implementation and evaluation.¹ Through iterative and well-defined cycles of revision, it allows us to improve our effectiveness in implementing environmental management practices. Of special note, this approach continually seeks “to understand the impact of incomplete knowledge.”² Adaptive management is especially important given the uniquely diverse and dynamic nature of the working landscapes of Central Coast agriculture. Research literature is frequently specific to very different conditions than those we face. We need the support of a regulatory policy that is flexible enough to allow for a wide variety of land management practices and treatments to adapt as new research emerges and on-the-ground trials and observations enable us to refine our approach to agricultural water quality pollution.

Second, the order should not preclude the use of practices to capture and recharge stormwater for the benefit of increased groundwater storage. This approach is being pursued in the Pajaro Valley as a key element of a strategy to reduce groundwater overdraft and saltwater intrusion. The effect of the proposed order on such practices is unclear. On the one hand, Table 1 of the staff report indicates that the order requires that “All dischargers must implement stormwater management practices to minimize stormwater runoff” immediately (although we

¹ Moir W.H. and Block W.M. (2001) Adaptive management on public lands in the United States: Commitment or rhetoric? *Environmental Management*

² Schreiber E. S. G., Bearlin A. R., Nicol S. J., Todd C.R. (2004) Adaptive management: a synthesis of current understanding and effective application.

couldn't find this provision in the draft order itself). On the other hand, Paragraph 34 of the draft order requires that retention basins be constructed and maintained to prevent the percolation of waste to groundwater that contributes to exceedences of water quality standards. A strict application of this provision could preclude the use of percolation ponds in areas where nitrate levels exceed drinking water standards, even though the intent would be to manage the ponds in a way that nitrate in excess of drinking water standards would not percolate. Research conducted under the Harkins Slough percolation pond for the Pajaro Valley Water Management Agency has shown that significant denitrification occurs in the bottom of the pond and the underlying strata. Again, it is critical that the Order not preclude the use of such practices that will benefit the groundwater basin.

Third, we would like to urge the Board to recognize the inadequate supply of technical assistance providers currently available to support growers in implementation of the waiver's requirements. Along with many other agencies that provide technical assistance, RCDs have seen significant reductions in staff levels and decreased availability of up-to-date staff training in the wake of multiple economic setbacks in recent years. Such shortages are a source of concern to us as we anticipate growing demand for technical support to growers seeking to make improvements to their management of water quality. Consultants in the private sector (CCA's and PCA's, etc.) are rarely trained to deal with the range of 'output'-related (as opposed to input) issues that growers will need to address under the proposed revised waiver, and there will be a necessary lag-time as private sector supply catches up with demand for services beyond the levels RCDs and NRCS can provide. We ask the Regional Board to track and respond to the impact this reality will have on growers' ability to meet the requirements of the waiver, particularly in regards to the timelines proposed.

We look to the Regional Board to adopt a regulatory approach that will foster flexibility, creativity and widespread application of diverse resource management practices as we work together to solve Region 3's complex nonpoint source pollution problems.

We thank you in advance for your consideration of these points. Please don't hesitate to contact us with any further questions.

Best regards,

Marti Johnson
RCD Coordinator for the Agriculture Water Quality Alliance (AWQA)
awqa.rcd@gmail.com
(805) 610-1044

Karen Christensen
Executive Director, RCD of Santa Cruz County
kchristensen@rcdsantacruz.org
(831) 464-2950 x17

Paul Robins
Executive Director, RCD of Monterey County
paul.robins@rcdmonterey.org
(831) 424-1036 x124

CC: Roger Briggs, Regional Water Quality Control Board
CC: Howard Kolb, Regional Water Quality Control Board
CC: Rich Casale, NRCS District Conservationist in Capitola
CC: Robert LaFleur, NRCS District Conservationist in Salinas
CC: Daniel Mountjoy, NRCS Assistant State Conservationist