



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 14: Comment Letters

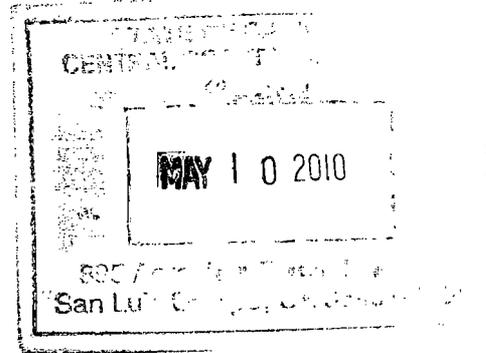
All of these letters were received after the deadline of April 1st, 2010.

Comment ID	Affiliation	Date Received
A31	Grower Shipper Association	05/05/2010
F68	Scott Van Der Kar	05/11/2010
F69	William J Thomas/ BB & K	05/17/2010
M12	Jeff Denham, Senator 12 th District	05/04/2010
M13	CA Department of Food and Agriculture	05/12/2010
M14	Monterey County Board of Supervisors	05/13/2010
M15	Kevin McCarthy, Congressman 22 nd District	5/12/2010
M16	Patricia Matteson, DPR	04/22/2010
P22	Lynne Harkins	05/12/2010
U14	Maricela P. Morales	05/10/2010



Grower-Shipper Association of Central California
"OUR MEMBERS: PARTNERS PRODUCING PROSPERITY"

May 5, 2010



Mr. Jeffrey Young, Chairman
Central Coast Regional Water Quality Control Board
895 Aerovista Dr.
San Luis Obispo CA 93446

Dear Chairman Young:

Thank you for the opportunity to provide additional information regarding the economic impact of the Regional Board Staff's February 1, 2010 proposed Conditional Ag Waiver. We hope this information is useful to the Regional Board as economic calculations are required per Porter Cologne section 13141, which states, "However, prior to implementation of any agricultural water quality control program, an estimate of the total cost of such a program, together with an identification of potential sources of financing, shall be indicated in any regional water quality control plan."

The Grower-Shipper Association of Central California realizes that the proposed Waiver is a draft and we can only hope that it will be modified. However, the proposal is so broad in scope, and so intrusive in terms of the level of grower production information required, that our organization is compelled to provide the Regional Board with some indication of potential lost business revenues as well as impacts to the public infrastructure on the Central Coast.

These data were collected through a series of sequential steps. The first was to review staff's proposed Waiver to identify compliance requirements which might generate costs for the growers. As stated, it is expected that the proposal will be amended. It should also be noted that aspects of the proposed Waiver were ambiguous; and therefore, it was difficult to assess the proposed cost. Every effort was made to be fair about anticipated impacts. For example, few specifics were provided regarding grower monitoring and reporting. Are growers required to monitor on a monthly or quarterly basis? Are they required to monitor in one location per farm or at each discharge point? For the sake of simplicity, we assumed that the growers will only have to sample one time annually and once per operation for a cost of \$1,600 per year.

The next step was to conduct grower interviews of cool season vegetables, avocado and grape growers. We were unable to obtain strawberry grower interviews. Warm season vegetables and stone fruit growers will definitely feel the economic impact of compliance requirements on a localized basis. However, the acreage of these other crops is not significant to the overall Central Coast economy and we could not justify the resources to do grower interviews in these crops. Hence, the costs presented here do not estimate the true extent of the economic impact. They are limited to the commodities for which interviews were conducted.

GSA Economic Impact Letter to Jeffrey Young 5-5-10

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May 12, 2010 Workshop
Preliminary Draft Agricultural Order

Grower interviews concentrated on the costs of compliance in a field of a specific size and with specific parameters rather than for a grower's entire operation. Field sizes in question ranged from 14 to 500 acres. This approach allowed us to calculate a cost per acre and economies of scale are reflected for the larger operations. Often, growers interviewed would provide a cost range. For example, a grower must halt nitrate fertilizer applications three days prior to a forecasted rain and three days after a rain. Cool season vegetable growers estimated that the loss of the crop grown during the rainy season would vary with the amount of rain received. Also, there is the possibility that packers might shift winter grown crops to other areas of the country such as Yuma or Texas or to Mexico. Therefore, the losses for the winter crop might be anywhere from 0 to 100 percent. Consequently, we estimated minimum and maximum costs per acre as shown below.

Avocados = \$705.45 - \$2,189.94/acre (Note: the range was largely influenced by whether a creek bordered or ran through an orchard.)

Cool Season vegetables = \$528.11 - 660.74/acre

Wine Grapes = \$469.05 - \$519.05/acre

Next, the cost per acre was multiplied by the number of acres per commodity in Santa Clara, San Benito, Santa Cruz, Monterey, San Luis Obispo and Santa Barbara Counties. These data were based on the County Agricultural Commissioner reports. These calculations **estimated Central Coast lost business revenue to be between \$231,453,102.33 and \$298,707,620.54.**

Finally, an economist inserted the minimum and maximum lost business revenue into a model used to calculate lost indirect tax revenue, lost labor income and lost employment. Lost indirect tax revenue consists of lost property, sales and excise taxes, fees and licenses that would have been paid by businesses. Taxes on profits or income and lost taxes from declining property values are not included in these estimates. Lost labor income includes all forms of employee compensation that would have been paid by employers. Lost employment is straightforward in that it demonstrates the number of jobs lost and is calculated in a full-time equivalent employment value on an annual basis. We expect that lost employment will not be consistent across the region but will be concentrated in Monterey and Santa Barbara Counties. For example, in 2007, in Monterey County 21 percent or 38,000 employees depend directly upon agriculture for employment while 54 percent or approximately 45,000 depend on agriculture for employment.

The model indicates that lost tax revenue is between \$ 19,624,441.00 and \$25,326,816.00. Lost labor income is between \$87,302,937.00 and \$112,670,999.00. It is estimated that 2,572 to 3,320 jobs will be lost.

Total output losses are total revenues lost for a given time period for an industry in dollars. This is the best measure of lost business and economic activity. The model indicates that **total output losses are between \$364,393,461.00 and \$470,277,123.00.**

It is also interesting to compare median sales revenue per farm to the average sales revenue per farm in each county. Fifty percent of the growers have greater sales revenue and 50 percent of the growers has less sales revenue than the ranges presented below. The average sales revenue is

the total sales revenue divided by the number of growers in each county. These data are based upon the 2007 census data.

	Monterey	Santa Cruz	Santa Clara	San Benito	SLO	Santa Barbara
Median Sales Revenue/farm (\$)	\$25K-39,999	\$10K-19,999	\$2,500-\$4,999	\$5K-9,999	\$25K-39,999	\$10K-19,999
Average Sales Revenue/farm (\$)	\$1,816,906	\$656,037	\$220,906	\$356,577	\$201,368	\$595,696

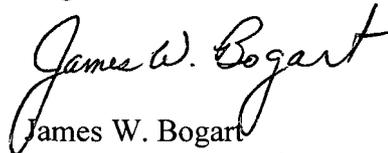
The point of interest here is that the compliance costs for the Conditional Waiver could potentially exceed the median sales revenue of 50 percent of the growers in most counties. This will unfairly target small, family-owned farms, some of which are organic, or owned by disenfranchised growers such as Spanish-speaking growers.

One last calculation notes that a certain percent of commodities might not be able to sustain the costs of the proposed Conditional Ag Waiver. Cool season vegetables, strawberries and nursery crops are considered to be "crops at risk". These three commodities comprise 75.8 percent of all acres grown on the Central Coast.

We hope these data are useful to the Regional Board as it considers the future of the Conditional Ag Waiver on the Central Coast.

Thank you again for your time and attention to this matter. The Grower-Shipper Association will present these data to the Regional Board at the May 12, 2010 meeting.

Regards,



James W. Bogart
President & General Counsel
Grower-Shipper Association of Central California

cc: Vice Chairman Russell Jeffries
John Hayashi
David Hodgins
Monica Hunter
Tom O'Malley
Gary Shallcross
Roger Briggs, Executive Officer
Angela Schroeter, Senior EG
Lisa Horowitz McCann, Watershed Protection Section Manager

>>> "Scott Van Der Kar" <pinehillranch@cox.net> 5/11/2010 11:26 AM >>>

Dear Angela,

I am not able to attend the meeting but would like to share 2 thoughts that I think would be an improvement to the present system.

- Recognize the efforts and improvements that growers have made. When my family bought the orchard at 7017 Shepard Mesa Rd in Carpinteria in the late 1960's, it was non-productive, over-grown with weeds, littered with dead and dying trees and highly eroded with deep gullies and wash-outs. Over the past 40 years we have followed a long term plan to correct the many problems and increase the production capacity. This type of improvement is in the interest of the water quality, sustainability and environmental responsibility.

- CCRWQCB needs to make better use of existing information and regulation data that the local Ag Commissioner's office, local water districts and Ag Preserve agencies have. Much of the Farm Plan and other water quality documentation is a duplication or near duplication of reporting that growers are already required to provide.

Thank you,

Scott Van Der Kar

Pinehill Ranch, Carpinteria (805) 684-7900



BEST BEST & KRIEGER
ATTORNEYS AT LAW

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May 17, 2010

SENT VIA EMAIL

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

Re: Central Coast Ag Waiver, Staff Proposal

Dear Mr. Briggs:

I write on behalf of Ocean Mist, Sea Mist and RC Farms concerning the continued workshops relative to the Central Coast ag waiver amendment process. On behalf of these major farm organizations, we submitted comments, and have not yet received responses. I understand by Wednesday's workshop in San Luis Obispo that comments may not necessarily be forthcoming on all issues prior to the Watsonville hearing scheduled for July 8. I also understand that your Regional Board counsel has been instructed to respond to legal issues that have presented, and I wanted to underscore that our submittal (copy attached) contains various comments that would fit in that category, and hopefully those can be addressed in your counsel's response.

I further understand that the Chair instructed staff to a) be responsive to various submittals from the ag community, and b) engage in cooperative discussions, all prior to the July workshop. I write to assert that we would like to be included in whatever discussions will be engaged to fulfill the direction of the Chair, which also seemed consistent with comments by the Chairman of the State Water Board at the workshop.

Lastly, as your staff starts to put the agenda together for the Watsonville workshop, I and my clients would like spots reserved as part of the ag agenda or ag program. They are significant farm operations in the Watsonville area.

Thanks.

Sincerely,

William J. Thomas
for BEST BEST & KRIEGER LLP

WJT:lmg

cc: Ocean Mist
RC Farms

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California State Senate

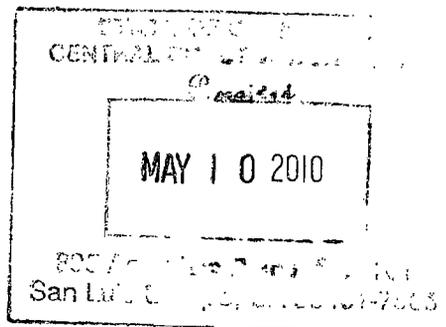
SENATOR
JEFF DENHAM
TWELFTH SENATE DISTRICT



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CALIFORNIA'S WINE INDUSTRY
CLIMATE CHANGE &
A.B. 32 IMPLEMENTATION
INTERNATIONAL BUSINESS TRADE
JOINT COMMITTEE
FAIRS, ALLOCATION &
CLASSIFICATION

May 4, 2010

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



Dear Mr. Briggs:

I have received a number of letters and telephone calls from constituents concerned about the Regional Water Quality Control Board's (RWQCB) decision to essentially abandon the Cooperative Maintenance Program (CMP) and proceed in a direction that would place strict mandates on the ag industry under the RWQCB staff's current proposed agricultural order.

I am requesting that the RWQCB work closely with members of the agricultural industry to develop a program that will be agreeable and viable for everyone involved. There is a great deal of common ground involved in this issue. We all believe that clean water is important and maintaining California's number one industry, agriculture, is a necessity for our region and state to survive economically.

Thank you for your consideration in this matter. I know that with the cooperation of all parties involved an appropriate solution can be obtained.

Sincerely,

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

JEFF DENHAM
Senator, 12th District

Group 14 - M12
May 12, 2010 Workshop
Preliminary Draft Agricultural Order

REPRESENTING MADERA, MERCED, MONTEREY, SAN BENITO AND STANISLAUS COUNTIES

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May 12, 2010

Via U.S. Mail and Email
jeff@jeffreyyounglaw.com
rbriggs@waterboards.ca.gov
aschroeter@waterboards.ca.gov
hkolb@waterboards.ca.gov

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

PRELIMINARY DRAFT OF AGRICULTURAL ORDER NO. R3-2010-00XX

Dear Chairman Young and Executive Officer Briggs:

The Department of Food and Agriculture (Department) appreciates this opportunity to review and comment on the Preliminary Draft of Agricultural Order NO. R3-2010-00XX (Order) to regulate discharges of waste from irrigated agriculture. The Department understands the importance of this Order and appreciates the difficulty in striking a balance between environmental protection and economic prosperity.

General Comments

The Department recognizes that with any first generation regulation, such as the Central Coast Water Regional Water Quality Control Board's (Board) 2004 waiver, new information and fresh approaches may be necessary to adaptively manage long-term regulatory goals. To date, the waiver is operating in a geographically diverse, dynamic, economically critical and environmentally sensitive part of the state. Without the broad based support to date, the current process might not have been so successful at extending prior environmental protection endeavors such as the Monterey Bay National Marine Sanctuary program.

However, the Board's current Order needs to take a more balanced and phased approach towards sustaining the agricultural resource and environmental conditions without jeopardizing the broad support and successes of the past.

The Department understands that the information learned from the last five years has made the Board recognize several key elements it believes are necessary to increase

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May 12, 2010 Workshop
Preliminary Draft Agricultural Order



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the effectiveness of the long-term regulatory approach. Some of these elements include:

- ✓ Clarification of water quality requirements under their Porter Cologne authorities,
- ✓ Addition of time schedules/milestones to achieve compliance with water quality standards,
- ✓ Increase the verification monitoring and reporting to ensure marked progress on water quality improvements within the region.

To resolve existing and possible emerging water quality impairments in your region The Department urges the Board to adopt, as a primary approach, the choice for growers to consult guidance on best management practices to prevent, reduce and protect surface waters to avoid violations of water quality objectives.

Specific Comments on Preliminary Draft Order Process

Buffers to Protect Aquatic Habitat

Agriculture is part of the existing and historical environment along the Central Coast and will continue to be into the future. In assessing regulatory impacts from your Board, impacts on agricultural resources must be evaluated and mitigated as described and required under CEQA.

The Board should recognize that any attempt to require buffers and setbacks must take into account the aggregate effect of some 3,000 family farms and ranches and the risk associated with taking viable lands out of production and impacting the local and statewide economy.

The Department appreciates the value of riparian habitat. However, a more strategic approach for the Board should be to target land application areas that are within a reasonable and practicable buffer to surface water. To curb any potential water quality impairment, the Board should first require growers to work collaboratively with the University of California Cooperative Extension (UCCE) and the Natural Resources Conservation Service (NRCS) as a first response. Identifying alternative practices or implementation methods that will protect waters of the state without prescribing buffers that remove arable and valuable agricultural land should be a critical first option.

Fertilizer Applications to Minimize Nitrate Discharges

Restricting the timing of foliar fertilizer applications to within a 72-hour window might appear rational as an easily measurable requirement. However, has the Board considered that fertilizer applications are an input cost and growers are economically mindful of the expense of wasted fertilizer applications? The Department would like to better understand the Board's rationale behind a 72-hour prohibition. Are there

May 12, 2010

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documented instances of foliar fertilizer applications occurring within 72-hours of a rain that contributed to exceedances of water quality objectives? The Department has significant staff expertise in fertilizing materials and performed a variety of research over the years and look forward to assisting the Board in this area.

Given the diversity of crops grown, soils, and microclimates, there is a distinct range of variability of plant requirements across the Central Coast region. This variability plays a significant role in the quantity and quality of agricultural products originating from this area. As such, there are several benefits to leaching nutrients through the soil column that could otherwise impair the soil health and plant physiology. The order must be designed to reflect the variability of soil types and necessary leaching requirements of such representative soil types which support the economy and strive to enhance environmental quality.

Food Quality and Water Quality

The Department recognizes the current regulatory conflicts involving both food and water quality across the state, but more specifically along the Central Coast. The Department has been and will continue to be a valuable participant and contributor towards cost effective and meaningful solutions that further the goals of both safe food and environmental protection.

Recommendations

- Board to establish a flexible and practicable series of timelines for compliance or allow for phased-in implementation of practicable requirements.
- Board to establish a menu-driven approach towards compliance with Water Code requirements that is cost effective and promotes valuable outcomes for both agriculture and water quality.
- Board to establish a choice of management practices that allow growers flexibility to work with NRCS, UCCE, or other technical experts to balance applicable elements of the Order yet still provide economic vitality to the region.
- Department and Board to identify how the Fertilizer Research and Education Program at the Department could provide answers to technical data gaps on fertilizer issues within the Central Coast region and potentially assist growers with education and compliance.
- Board to review and take a look at the valuable lesson experienced from the Central Valley Dairy General Order R5-2007-0035. To date, the successful approach unites dairy producers, allied industry, regulators, resource agencies and academia to work and strive towards cost effective measures and a phased

Jeffrey S. Young and Roger Briggs
May 12, 2010
Page 4 of 4

approach aimed at implementing environmental enhancements and sustaining economic vitality.

Sincerely,



Asif Maan, Branch Chief II

cc: John Hewitt, General Counsel
Nirmal Saini, Acting Director, Inspection Services
Amadou Ba, Branch Chief I
Edward Hard, FREP Program Lead

Group 14 - M13
May 12, 2010 Workshop
Preliminary Draft Agricultural Order



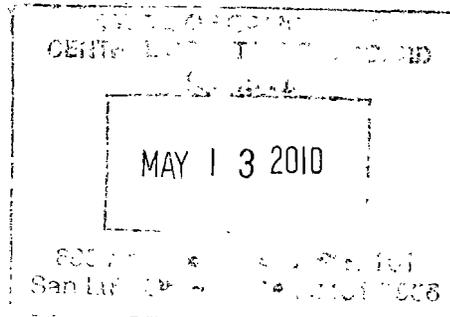
MONTEREY COUNTY



THE BOARD OF SUPERVISORS

LOUIS R. CALCAGNO, SUPERVISOR - SECOND DISTRICT

May 10, 2010



Mr. Charles Hoppin, Chair
California State Water Resources Control Board
PO Box 100
Sacramento, CA 95812-0100

Dear Mr. Chairman,

I am writing to support Salinas Valley farmers in their efforts to renew the Central Coast Regional Water Quality Control Board's agricultural waiver for discharge permits; and, I oppose the staff recommendation.

The people of Monterey County are heavily dependent upon agriculture for stability in the local economy. Implementation of the staff's recommendation will cause loss of revenue, loss of jobs, and hurt the local economy at a time when governmental efforts should be supportive rather than punitive to business enterprise.

Please consider that Monterey County boasts some of the State's most beautiful coastline, scenic rivers, the Elkhorn Slough, and the Monterey Bay Sanctuary. I appreciate the good work that the Board is doing to protect these natural resources; however, I do not perceive agricultural operations to be a threat to their prolonged existence. In fact, I feel that over-regulation of the agricultural industry will result in irreversible loss of farmland and open space as farmers, who have been regulated out of business, convert their land to other uses.

I urge the Board the restart the process and direct the staff to temper their enthusiasm for regulating Salinas Valley farmers, who have proven to be the best stewards of the land and waterways in the State.

Respectfully yours,

Louis R. Calcagno
Supervisor, 2nd District
County of Monterey, Board of Supervisors

CC: Jeffrey Young, Chair, California Regional Water Quality Control Board, Central Coast Region

LRC: hg

Group 14 - M14
May 12, 2010 Workshop
Preliminary Draft Agricultural Order

05/12/2010 WED 13:03 FAX

002/003

KEVIN MCCARTHY
22ND DISTRICT, CALIFORNIA

CHIEF DEPUTY
REPUBLICAN WHIP

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www.kevinmccarthy.house.gov

May 11, 2010

The Honorable Charles Hoppin
Chair
California State Water Resources Control Board
P.O. Box 100
Sacramento, CA 95812

Dear Chairman Hoppin:

I write to share with you the concerns I have heard from my constituents about the Preliminary Draft Agricultural Order proposed by the staff of the Central Coast Regional Water Quality Control Board, and to express my hope that the Board will very carefully consider the views of all those who would be impacted by this Order. The agricultural sector is a key economic driver of San Luis Obispo County's economy, producing over \$600 million in crops annually and supporting countless other businesses, and it is important for the Board to work collaboratively with those who will be impacted by the Board's decisions in order to find workable and practical solutions to water quality preservation.

As a Representative of large amounts of farmland in San Luis Obispo County, I appreciate the need to protect water quality for all and support that goal. However, I would be remiss if I did not share with you the significant concerns I have heard from my constituents that the proposed Order has unclear definitions, confusing monitoring requirements, impracticable farm plan requirements, and a high likelihood of significant economic impact. Hearing concerns about this breadth of issues with the draft leads me to believe a more collaborative effort is needed between the Board and those who will be impacted by its regulatory decisions to ensure that any new requirements are workable.

To elaborate, in meetings with constituents, I have heard confusion over a basic definition of "discharge," including concerns that, as currently drafted, the definition is different from other regulatory requirements and significantly broader. In talking to constituent farmers, they are already conducting monitoring on individual farms, but the draft Order would put in place new monitoring requirements, and it is unclear how the monitoring would be done and at what level. As businessmen and women, farmers have farm practices they engage in to try and continuously improve their businesses. The draft Order's requirement that Farm Plans be made

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05/12/2010 WED 13:04 FAX

003/003

publicly available could result in the public dissemination of proprietary farming practices that are unrelated to the goal of improved water quality.

These specific concerns are on top of the broader expectation that should this draft Order be accepted as proposed by staff, the economic impacts will be so significant that it would simply drive some farms out of business. I urge the Board to consider the agricultural alternative proposal as the foundation for a collaborative approach with the farmers in San Luis Obispo and other areas, to, as it has done in the past, find workable solutions that help protect water quality and also ensure a vibrant future for farming in our communities.

Thank you for your attention to my concerns and those of my constituents.

Sincerely,



KEVIN McCARTHY
Member of Congress

KOM/slh

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

>>> "Patricia Matteson" <pmatteson@cdpr.ca.gov> 4/22/2010 4:03 PM >>>
Hi Angela,

It was good to see you, and benefit from your participation, when we met with Kris O'Connor last month.

This is to compliment you and your colleagues on an unusually well- and carefully-written document. Nan S incorporated my remarks into DPR's official comments, which I just had a chance to read. Which reminded me--

This is probably silly, but... Since I read the doc closely, I marked the few typos I spotted. Here is the list, just in case it might be helpful (most reviewers don't read closely enough, or don't bother). Impressively few and minor:

Attachment 3

- p. 4, I.14. "...of private domestic WELLS.."
- p. 27, VII. 135., need space after 2009

Attachment B

- p. 63, Part B.51, delete extra periods at end of paragraph
- p. 67 68, Part E.68, need period at end of paragraph
- p. 68, Part F.72, line 1 delete duplication of "Dischargers"

We had a good MAA meeting yesterday here in Sacto--constructive, positive. I hope it will give impetus to the increasing collaboration between DPR and the water boards.

Best regards, sincerely
Pat

Patricia Matteson, Ph.D.
Staff Environmental Scientist
Pest Management Analysis and Planning
Department of Pesticide Regulation
California Environmental Protection Agency
1001 I Street/P.O. Box 4015
Sacramento, CA 95812-4015 USA
Tel. (916) 445-4239
Fax (916) 324-9006
pmatteson@cdpr.ca.gov

>>> Lynne Harkins <L.Harkins@charter.net> 5/12/2010 1:00 AM >>>
To All Whom It May Concern:

Ecologically and ethically, it just makes sense that agriculture must take responsibility for toxic discharges from their operations. There's reason for concern in this regard because ag discharges are involved in the polluting of groundwater and that situation can not be allowed to go unchecked. If it has taken decades for this groundwater pollution to occur, it will take commitment to effective actions in order to clean up the contribution that irrigated agriculture has made to the problem.

Some of the specifics in the proposed Draft Ag Order which are a move in a better direction include:

Water Quality: Numeric standards replace narrative goals.

Irrigated ag tailwater: Required to be eliminated within 2 years if near impaired waterbody.

Toxicity: Required to be eliminated within 3 years.

Sediment runoff: Required to be eliminated within 3 years.

Nitrate and salt in runoff above water quality standards: To be eliminated within 4 years.

Discharge of nitrate & salt to groundwater: Required to be eliminated within 6 years.

Therefore, I write in support of Water Board staff recommendations for regulating agricultural discharge to improve the water quality of our rivers and creeks. This would reasonably include that all dischargers should have individual waste discharge requirements (WDR's).

Thank you for the opportunity to comment on this issue of great concern to all.

Sincerely,

Lynne Harkins
Cambria, CA



Central Coast Alliance United for a Sustainable Economy

CAUSE

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Regional Civic Engagement Organizer
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Eduardo "Lalo" Castro
Executive Admin. Asst.

May 10, 2010

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

RE: Conditional Waiver of Waste Discharge Requirements for Discharges from Irrigated Lands

Dear Chair and Members of the Board:

The Central Coast Alliance United for a Sustainable Economy (CAUSE) is a nonprofit organization with the mission to realize social, economic and environmental justice for the people of the California central coast. CAUSE is concerned about the following impacts documented in the Preliminary Draft Report Staff Recommendations for Agricultural Order (Attachment 1):

- 82% of the worst water quality sites are in the Salinas and Santa Maria Areas. (p. 5)
- ALL of the most toxic water sites are in the Santa Maria and Salinas areas. (p. 6 and 10)
- All but three of the most toxic sediment sites are in the Santa Maria and Salinas Areas (p. 10)
- Of the impaired water listings: (p. 6)
- 17% are in the Salinas area, including 11 different pollutants
- 12% are in the Santa Maria area, including 15 different pollutants
- 68% of the polluted drinking water bodies are in the Salinas, Santa Maria and Pajaro River areas (p. 6)
- Compared to 5 years ago, nitrate concentrations in Salinas and Santa Maria "appear to be getting worse" (p.19)

Of the 300 miles under the jurisdiction of the Central Coast Regional Water Quality Control Board, the Salinas and Santa Maria are by far amongst the most populated and have the highest concentrations of people of color and low income working families, including farm workers. This nexus of concentrated pollution and concentrated communities of color and low wage working families, makes the issue of water quality a serious issue of environmental injustice. Following is a comparison of Salinas and Santa Maria communities in relation to far more affluent and white communities with respect to economic indicators and nitrate levels according to annual city water quality reports:

County Unemployment	Concentrated Unemployment in Communities of Color	Low Unemployment in White Communities
MONTEREY - 16.8%	Salinas - 23% 58% people of color	Monterey City - 7.8% 22% people of color
SANTA BARBARA - 10.1%	Santa Maria - 15.6% 68% people of color	Santa Barbara - 7.2% 41% people of color

Sources: CA EDD, March 2010 and US Census, 2006 or 2009 est.

Santa Maria Nitrate Level Comparison¹

“During 2008 there was a surge of nitrate levels at City well 7, well 9, well 10, and well 14. Well 7 was not activated into the system.”²

	RANGE of Nitrate Levels	AVERAGE Nitrate Level
Santa Maria	2 – 78 ppm	35 ppm
Santa Barbara	ND – 2.0 ppm	

Salinas Water Nitrate Level Comparison

	RANGE of Nitrate Levels	AVERAGE Nitrate Level
Bishop		2.2 ppm
Ryan Ranch		3.9 ppm
Salinas Hills	2 – 11 ppm	6 ppm
Las Lomas	ND – 16 ppm	8 ppm
Country Meadows	4 – 12 ppm	8 ppm
Toro	8.4 – 10.2 pmm	9.3 ppm
Hidden Hills		11 ppm
Monterey		13 ppm
Foothill Estates	13-16 ppm	14 ppm
Oak Hills	4 -23 ppm	19 ppm
Salinas	ND – 35 ppm	22 ppm

Not only are low-income and people of color are concentrated in the Salinas, and Santa Maria but these vulnerable populations are also the most impacted by the worst and most toxic water quality.

Given the se severity of the disproportionate impact to minorities and low wage workers,
CAUSE:

RECOMMENDS the addition of the definition of “Environmental Justice” as “about equal and fair access to a healthy environment for communities of color and poor communities including equal enforcement of environmental regulations; and proactive efforts to protect from environmental hazards and inequitable environmental burdens;”

¹ All listed nitrate levels obtained from the most recent annual water quality report available on-line. The City of Santa Barbara nitrate level is not listed on-line. Information was obtained via telephone.

² City of Salinas 2008 Water Quality Report

SUPPORTS a strict time schedule for compliance for the elimination of pollutants; including targeted efforts to the most polluted waters impacting Santa Maria and Salinas

SUPPORTS on-going collaboration with growers, and environmental advocates as referenced by both sectors in their letters to the Board

RECOMMENDS inclusion of environmental justice representatives from this point forward to ensure that the disproportionate negative impact to low income and communities of color are also addressed

CAUSE looks forward to participating in the May 12 workshop of the Central Coast Regional Water Quality Board.

Sincerely,

Maricela P. Morales M.A.
Associate Executive Director