



California Regional Water Quality Control Board Central Coast Region



Linda S. Adams.
*Secretary for
Environmental Protection*

895 Aerovista Place, Suite 101, San Luis Obispo, California 93401-7906
(805) 549-3147 • Fax (805) 543-0397
<http://www.waterboards.ca.gov/centralcoast>

Edmund G. Brown Jr.
Governor

Public Comments to

Draft Agricultural Order, released 11/19/2010

12: Form Letter - this letter was received from the following 52 individuals:

Name	Date Received
Becky Barlogio	2/23/2010
Bernard Horton	2/29/2010
Brian Driscoll	1/03/2011
Bryan Gresser	1/03/2011
Caitlin Lewis-Soto	2/30/2010
Colby Rubbo	2/27/2010
Cynthia Mathiesen	2/28/2010
Dane Scurich	2/30/2010
Dee Anna Schrefler	2/20/2010
Dennis Lebow	1/03/2011
Dirk Giannini	1/03/2011
Ed Van Wingerden	2/30/2010
Gary Black	1/03/2011
Gordon Bennett	1/03/2011
Jackie Crabb	1/03/2011
Jeff Lundberg	1/03/2011
Jennifer Clarke	2/27/2010
John Eiskamp	2/29/2010
John Falcone	2/31/2010
June Van Wingerden	2/29/2010
La Hacienda Farms	1/03/2011
Lawrence Ricca	1/03/2011
Los Altos Farms	1/03/2011
Lynn Miller	1/02/2011
Manuel Mercado	2/30/2010
Mark Teixeira	2/31/2010
Mistie Bainer	2/29/3010
Mitchella Winery	1/03/2011
Nancy Kawaguchi	1/03/2011
Neil Panziera	1/03/2011
Nick Guriel	1/01/2011
Norm Groot	2/22/2010
Olivia Gonzales	2/30/2010
Paul Van Leer	2/22/2010
Ptarmigan Berry	1/03/2011
Rancho Paraiso	1/03/2011
Ric Fuller	2/29/2011

Robdon Properties, LLC.	1/03/2011
Robert Silva	2/30/2010
Robert Wegis	1/03/2011
Ryan Hoffman	1/03/2011
Sam Frye	2/22/2010
Sandy Jekel	2/29/2010
Steve Arnold	2/29/2010
Steve Garrett	2/31/2010
Steve Gill	2/29/2010
Teri Bontrager	2/23/2010
Thomas Gibbons	2.23.2010
Tim Borel	2/31/2010
Tim Frahm	2/29/2010
Tom Ikeda	1/02/2011
Tom Nunes	12/31/2010

From: <tng2155@aol.com>
To: <aschroeter@waterboards.ca.gov>
Date: 12/23/2010 9:18 AM
Subject: CCRWQB Request for Public Comments on Draft Agricultural Order dated November 19, 2010

Thomas Gibbons
Production Manager
3918 Silver Leaf Drive
Santa Maria, CA 93455-3245

December 23, 2010

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

Dear Ms Schroeter:

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. The draft Ag Order contains many undefined and potentially highly impractical requirements for agricultural operations.

The threshold of 1,000 acres for inclusion in the Tier 3 level is too generic and does not provide enough flexibility for situations unique to agricultural tenant practices.

The appeal process to be removed from Tier 2 or Tier 3 is undefined and has no clear time frame for decision. For example, a farmer who has no discharge into any 303(d) waterbody and does not apply the chemicals listed in the order would be classified as Tier 3 if their land is within the 1,000 feet setback specified from that waterbody.

There is no science developed to support the assertion that nitrate levels can be reduced to a compliance level within a 4 year time frame. Most tile drains were installed decades ago and many current landowners and tenants may not be aware of their exact location and flow rates; unless specific science is developed to confirm that nitrate loads can be reduced through a best management practice, this time frame is arbitrary.

There is no mention of any geology or soil types related to well nitrate loads or groundwater percolation. Water tables are generally fluid in nature and water percolating from one farm may not directly attribute to the underlying water table nitrate load.

Baseline legacy nitrates are not defined or known. Baseline legacy nitrate loads are necessary prior to measuring possible nitrate loads from farming practices. Further, differing soil types, percolate rates, water table levels, and manner of surface nitrate irrigation application must be

considered prior to determining possible nitrate loads due to farming practices.

The draft Ag Order does not include any incentives for growers to participate in water quality best management practices; the language seems punitive towards growers and does not provide incentives to participate in additional BMP, monitoring, or load reduction activities.

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.

Thank you for considering my views.

Sincerely,

Thomas N. Gibbons
805-331-4398
Production Manager