



## CALIFORNIA WOMEN *for* AGRICULTURE

December 30, 2010

*Sent Via U.S. Mail and Email*

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 Central Cost Conditional Ag Waiver/Ag Order***

Dear Mr. Young,

Thank you for the additional opportunity to comment on the staff's draft Order relating to water discharge from irrigated agricultural lands. The San Luis Obispo County Chapter of the California Women for Agriculture ("CWA")<sup>1</sup> appreciates the time, effort, and consideration the Board has given to those most affected by the Order. CWA hopes the Board will continue to develop an Order that will be scientifically based and include sound policy and achievable objectives.

CWA remains very concerned with the proposed agricultural order and specifically the ambiguous, arbitrary, and undefined requirements, which will undoubtedly result in unintended and detrimental consequences to agriculture and even more importantly, not serve the ultimate purpose of the Order; to improve and protect water quality.

CWA is particularly concerned with the undefined and impractical requirements for agricultural operations identified below:

- The 1,000 acre threshold is arbitrary and generic. The size of the agricultural operation should be of less consequence than soil type, percolation rates, and cultural practices. The inclusion of 1,000 acres in Tier 3 will not serve the Order's objective and does not provide flexibility for situations especially unique to agriculture.

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<sup>1</sup> CWA is a non-partisan, non-sectarian, non-profit, all volunteer organization committed to improving the quality and sustainability of the agriculture industry.

- The appeal process for producers, to be removed from Tier 2 and Tier 3, is undefined and does not provide a deadline/time frame for a decision to be rendered. For example, a grower who has no discharge into a 303(d) waterbody and who does not apply chemicals set forth in the Order would still be classified as Tier 3 and would be required to file an appeal if their land is within the 1,000 foot set back from a specified body of water. A distinct time line for appeals is a must.
- Baseline legacy nitrates are not defined, or known. Baseline legacy nitrate loads are required to properly measure potential nitrate loads from farming practices.
- A one-size fits all approach does not work. Differing soil types, percolation rates, water table levels and manner of surface nitrate irrigation application must be considered prior to determining nitrate loads due to particular farming practices.

In addition to the foregoing, CWA is concerned about the punitive nature of the Ag Order. The Ag Order punishes growers and does not provide incentives to participate in additional BMP, monitoring, or load reduction activities. CWA hopes the Board will continue to develop an Order that will be scientifically based and include sound policy and achievable objectives. Accordingly, CWA continues to encourage the Board to carefully examine each provision and revision and its causal relationship to improve water quality.

Very Truly Yours,



Krista Kodl  
SLO County CWA, President

CC: Angela Schroeter, Ag. Regulatory Program Manager, by email only  
SLO County CWA Executive Board, by email only