

Dear Sirs,

12-30-2010

I want to react to the newest Ag Waiver being proposed by the staff of the CCWQCB. I appreciate the opportunity to have further input into the process whereby you are considering the adoption of a new Ag Waiver. I realize that there are concerns pertaining to water quality that are valid and need to be addressed. I also wish to assert that there are concerns from the nursery industry that also need to be addressed.

I am a native Californian. I was raised in Orange County and later came to Cal Poly SLO where I graduated with a B.Sc. in Horticulture in 1984. I moved back to the central coast in 1990 and have been here ever since. I currently own and operate Mesa Ranch nursery. We are a wholesale nursery that primarily raises rare South African and Australian native plants. Because of the nature of what we raise, we already use minimal fertilizer and sprays. Most nitrogen used in our nursery is applied in the form of organic cottonseed meal directly into each container. Our current nitrogen water footprint is negligible. We do not use organophosphates. The future water footprint of our plants in gardens and landscapes around the state will also be greatly reduced as compared to typical plantings in California. It could be said that what we raise is very environmentally friendly.

The newest waiver, as it is being proposed, will greatly hinder and hamper farming and nurseries for several reasons. Why? It seems to me that the Water Board staff is reaching far too far. In effect, your passage of the waiver as it is will criminalize the usage of fertilizer and pesticides, thereby throwing the agribusiness industry in California into disarray. In addition, the rules proposed are vague and contradictory. Why should the Water Board consider limiting the size and scope of farming operations? Isn't the real question, who is farming in a responsible and environmentally sensitive way, and who is not? What if a large farm over 10,000 acres is farming exactly the way the Water Board wants? Why should that farm be forced into down sizing? This request seems to be a gross and unconstitutional intrusion of government into the private sector. Also, I do not see in the proposal a proper focus on the real problem: How to monitor and reduce ongoing pollution (loading) from agriculture in to the environment. This might surprise you that I say this. Here is what I mean.

What the staff proposes does not seem to consider that farming must continue in California. We feed the nation. By insisting that the water footprint must cease to exceed drinking water standards within the 3-5 year time frame, you are thereby forcing a radical and sudden shift in the way things are done. This shows the impatience and intolerance of the environmentalists within the water board toward agriculture within the state. A more reasonable and realistic approach should do several things. First, it should work with existing operations, not against them. Do not assume that all farmers are polluters. Second, real science and improved farming techniques should be implemented and rewarded whenever possible. Your approach is punitive. Third, higher accountability as required by the water board should be clearly outlined and equally applied. No special deals for certain groups! Fourth, all human activity will leave a footprint in water. It is the size and scope of that footprint that should be agreed upon using reasonable and

mutually beneficial criteria. Your criteria is not realistic. Lastly, the ground water requirements in the newest ag waiver are ridiculous. No outdoor farm or nursery can guarantee the ground water quality standards you propose.

No one can live without affecting water quality. No one can farm without affecting water quality. The degree to which it is affected should be addressed. It is certain that there are individuals and operations that are polluting the environment in an unacceptable way. But what you are proposing calls for such draconian changes that all farming and all human activity will be in violation of the law. I believe that farming is not the enemy of the people of California. In fact it is the life's blood of our economy and our way of life.

To have water of drinking quality or better for everyone is a worthy goal that everyone can get behind. But in reality, to require farmers and nurseries to have a footprint equal to drinking water quality is not a reasonable goal. It is a radical one. A better goal would and should be to improve water quality over time, in effect to move toward having cleaner water. The goal of pure water as the CCWQCB is framing it is an unattainable goal unless the activities of large sectors are shut down, not just altered. California will be thrown into disarray.

The lives of millions of Californians will be negatively affected by adopting the measure you are considering. I ask that you would reconsider what you are doing and take into account the needs of Californians' to make a living. Everyone wants clean water to drink. Everyone wants a cleaner environment. Let's work together in order to achieve cleaner water both in our glasses and in our streams, lakes, and ocean. But working together means affecting change over time that is based on knowledge and empirical data. Becoming impatient because progress has not been seen in certain areas and ramming through a new law that will destroy farming in California is not the way to change our course. That is the way to drastically alter millions of lives and countless businesses. The consequences of those changes cannot be foreseen by anyone. And if farming is shut down, where will our food and plants come from? In addition, if land is suddenly left fallow, what will be done with the land? Isn't more development the inevitable consequence of barren land? And that will lead to more cities and more pollution? Is that going to fix the problem? I don't think so.

Let's pursue cleaner water, not pure water. Do you really expect to be able to walk to the nearest stream or well and dip your glass for a safe drink? Cleaner water is a workable and worthy goal. Pure water is a radical and potentially catastrophic goal.

Thank you,

Chris Chaney
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