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December 29, 2010

Jeffery Young
Chairman of the Board
Central Coast Regional Water Quality Control Board
895 Aerovista Place, Suite 101
San Luis Obispo, CA 93401-7906

Re: CCRWQB Request for Public Comments on Draft Agricultural Order dated November 19, 2010

Dear Mr. Young:

I have serious concerns regarding the proposed Staff Draft of the Ag. Waiver. The proposed changes will have a major impact on the future of my farming operation as well as that of many other growers in the region.

I am a raspberry and blackberry grower in the Pajaro Valley with an operation of approximately 225 acres. I grow on 8 different ranches, some of those within 1000 feet of either the Pajaro River or Corralitos Creek, both 303(d) listed waterways. I don't use chlorpyrifos and, although have used diazinon in the past, I can farm without it. But because one of my landlords owns more than 1000 acres throughout the region and although it is only one of my ranches, as the proposed order is written, I would find my total operation forced to operate under the Tier 3 requirements, even though the crops I grow are considered in the proposed order to be lower risk for nitrate loading of ground and surface water. I also use drip irrigation exclusively in my operation and have no irrigation tailwater, a factor the proposed order does not take into account. There are many other growers who are in the same situation as I would be under the proposed standards.

The 1000 acre standard appears to be totally arbitrary and has nothing to do with the risk to water quality a growing operation may pose. In addition, many ranches adjacent to waterways do not discharge surface water into those waterways as they are graded to drain away from it. Growers long ago realized to potential problems associated with discharging into rivers and streams and leveled their ranches to avoid direct discharge into them. Thus, the 1000 acre and 1000 feet from an impaired waterway standards appear to have nothing to do with the risk a growing operation poses to water quality. Growers who find themselves in Tier 3 with no hope of improving their position will not be motivated to making changes that result in true improvements to water quality.

The Staff Draft of the Ag Waiver does not take into account baseline levels of both nutrient and toxicity levels in either ground or surface water. These levels have been reached due to decades of inputs, both agricultural and otherwise. The impact of practices long ago abandoned by the agricultural industry because of their impact on water quality are still being manifested in background levels in both ground and surface water. Undoubtedly, some of these levels are due to agriculture and these is certainly room for growers to improve practices that impact water quality, but to set timelines and milestones for improvement in a matter of a few years to problems that were caused many years ago is unrealistic and impossible for the industry to achieve. Nobody who I have worked with in trying to understand these issues and create a workable alternative deny that changes need to be made in the years to come, and that some growers do a better job than others, but achieving real improvements to water quality in our region required standards have realistic goals and focus on where the problems truly lie.

Because of these and other problems and inconsistencies in the Staff Draft, I would suggest that the Board consider postponing the adoption of a new Ag Waiver until workable solutions can be adopted. Better yet, I would suggest that the Board consider adoption of the Ag Alternative to the new Ag Waiver as submitted. I was involved in the process to develop the Ag Alternative and feel it, if adopted, will result in true improvements to water quality in the region. The concept of a coalition based approach has value and I believe is the best way to involve growers to make meaningful changes. As a berry grower associated with Driscoll's, I have seen first hand the benefits of growers sharing ideas and technologies on the ranch and feel this is one of the reasons Driscoll's is the largest berry supplier in the world. New ideas and practices need to be cultivated to achieve meaningful long-term improvements to water quality and by adopting a system where growers can, through the coalition, share advances made on each ranch and those that are successful can be available to those in the coalition. I realize, many details of the proposed coalition have yet to be worked out, but the concept is sound. True improvements must be shown and reported to the Board by the coalition in order for it to prove its value. Growers will be held accountable to the coalition and, through it, to each other, otherwise the validity of the coalition is at risk. Growers that continue to pose true risks to water quality and refuse to make changes and improvements put the whole coalition at risk and therefore will be removed from the coalition and reported to the Board. Individual accountability is, therefore, assured as those that do not cooperate will not be allowed to operate within the coalition.

The proposed Ag Alternative is designed to focus on those growers who, through their types of practices, crops and other aspects of their operations pose the greatest risk to water quality. Efforts will be directed to address those problems which can result in the greatest improvements. It is my sincere belief that our industry can address problems associated with water quality in a cooperative and effective way and the proposed Ag Alternative offers the best chance of achieving that.

Thank you for considering my views.

Sincerely,

John Eiskamp
J. E. Farms, Inc.