

From: Lue Miller <lue@montereybaynursery.com>
To: Ag Order Project Lead Howard Kolb <AgOrder@waterboards.ca.gov>
Date: 1/3/2011 2:14 PM
Subject: Ag Order Comment

Ag Order Project Lead Kolb

As a wholesale nursery operator in the Central Coast region, I am concerned about the Discharge Waiver that is about to be implemented.

This is going to be extremely costly and of little benefit for its trouble and expense. It has already caused us to consider whether or not we can afford to stay in business, and provide the 75 full time jobs for those who depend on us for a paycheck.

We instituted runoff recovery and reuse twenty years ago, on our own initiative and at our own expense. This draft Ag Order, if adopted without important changes, will greatly impact our nursery, reduce the value of our land and make questionable the financial survival of our company.

We are committed to working to improve water quality in the region but we firmly believe that any new regulations need to be grounded in science, provide flexibility for different approaches, prioritized to address the most significant concerns first and achievable for growers in reasonable timeframes.

Most importantly, technologies that would make the stated runoff targets achievable are simply not mature enough yet to make those target numbers economically realistic.

I fear the current proposed draft Ag Order is unclear and difficult to understand, is not science or risk based in its assignment of priorities and will be highly impractical if not impossible for agricultural operations like mine.

I would strongly encourage the Central Coast Regional Water Quality Control Board and staff to consider the proposed agricultural alternative as a more pragmatic solution to improving water quality in the region. The "Ag Alternative" encourages growers to work in concert to reduce the discharge of waste in reasonable time frames using practical and proven solutions. The Ag Alternative enjoys broad consensus amongst agriculturalists in the region and if viewed as a baseline could provide a strong starting point for continued or expanded collaboration between the CCRWQB and growers to collaborate on the common goal of improved regional water quality.

The staff draft Ag Order does not foster collaboration, provides no incentives for growers to participate in water quality best management practices and will be difficult to comply with and enforce. It is a punitive proposal that stifles collaboration and innovation. In fact, the "tiering" proposal embodied in the staff draft Ag Order is an example of an arbitrary and punitive approach in that it assigns select operations to high risk Tiers based on size, proximity to surface water and/or crops grown regardless of the actual risk those operations may present. Once in a higher Tier the requirements for an owner/operator are much more stringent and there is no clear path out of that Tier despite the best practices, mitigation measures or improvements present or made by the owner/operator.

I urge you to listen to growers' feedback and suggestions, including mine, and incorporate that feedback into the draft Ag Order. An Ag Order must be designed with achievable objectives and must be a transparent and collaborative process that encourages agricultural stakeholders - as they are uniquely positioned to provide innovative solutions to enhance the regions water quality. The failure to constructively engage growers and landowners will be counterproductive to short and long term efforts to improve water quality.

Thank you for considering my views.

Sincerely,

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