



January 3, 2011

Jeffrey S. Young, Chairman of the Board
Roger Briggs, Executive Officer
California Regional Water Quality Control Board
Central Coast Region
895 Aerovista Place, Suite 101
San Luis Obispo, California 93401

RE: Regional Water Quality Control Board Central Coast Region
Recommendations for Water Code Waiver for Agricultural Discharges

Dear Mr. Young and Mr. Briggs,

On behalf of the Western Plant Health Association (WPHA), I am submitting the following comments to the Central Coast Regional Water Quality Control Board's (CCRWQCB) "Recommendations for Water Code Waiver for Agricultural Discharges," specifically, the Board's Preliminary "Recommendations for an Agricultural Order." WPHA represents the interests of fertilizer and crop protection manufacturers, distributors, agricultural biotechnology providers, and agricultural retailers in California, Arizona, and Hawaii.

The Department of Pesticide Regulation (DPR) has maintained for more than 20 years a monitoring program identifying vulnerable agricultural production areas that are classified as potential pesticide runoff or leaching areas. These areas are referred to as *Pesticide Management Zones (PMZs)* and now encompass approximately 1 million acres of Region 3.* Additionally, DPR has, and is planning to intensify ongoing surface water monitoring. DPR staff scientists meticulously review physical and chemical properties of all licensed pesticide chemistries for indications that the labeled use of these products may have the potential for soil surface run-off and or soil column leaching. WPHA recommends that the CCRWQCB utilize DPR's monitoring program for pesticide exceedances in the Central Coast region. Additionally, the list of chemistries identified on page 17, Part A, 67, of the CCRWQCB Draft Order Number R3-2011-0006, "Conditional Waiver of Waste Discharge Requirements for Discharges from Irrigation Lands," includes some chemistries that are no longer licensed by DPR or classified as "Restricted Use Pesticides" and are monitored under the auspices of the existing Groundwater Protection Program. WPHA recommends that the CCRWQCB staff consult with DPR, and where appropriate remove those listed chemistries from the draft order that are no longer applicable. WPHA believes such consultation and use of already existing monitoring programs will avoid unnecessary duplication of costly monitoring and reporting efforts.

The intrinsic characteristics of the Central Coast Region are many: There are approximately 2,360 miles of streams; 99 lakes; 53 groundwater basins with an additional

100+ sub-basins; 378 miles of Pacific coastline; 59 wetlands and estuaries; and nine areas of special biological concern. Based on the complexity of the region's geography and historical surface and groundwater systems, growers will need to be able to utilize flexible options within their farm management programs. Initially, growers should be able to submit to the CCRWQCB for review a Farm Water Quality Survey. Once reviewed and the necessity for inclusion in the Ag waiver program is established the grower can then be given the choice to report monitoring results within a region-wide monitoring program, such as a coalition.

WPHA agrees that results of farm monitoring should be submitted in a timely fashion; however, the scope of monitoring to be undertaken by the grower community is not only financially burdensome, but the compliance deadlines are unrealistic. We are concerned that the availability of laboratories accredited by the EPA or the State of California for quality assurance / quality control (QAQC) that are capable of both quantitative analysis for one part per billion or less and very species specific bioassays are quite limited, which could result in unpreventable delays in monitoring.

It is WPHA's recommendation that once the laboratory availability and capability to perform the required analyses have been established, growers should be able to participate in region-wide coalition monitoring programs. Coalitions could conduct the required monitoring, and annually report the results to the CCRWQCB. The grower, in symphony with the coalition or a board approved third-party consultant or adviser will then assess the effectiveness of implemented agricultural management practices in attaining water quality benchmarks or, when necessary, alter the farm water quality management plan in order to attain water quality benchmarks and identify, implement, or upgrade management practices. The monitoring results should remain in the control of the grower coalitions and would be submitted to the CCRWQCB by those coalitions. The individual farm management plans should remain onsite, but available to the CCRWQCB staff for review.

WPHA recognizes that the CCRWQCB is concerned about water quality and the related impacts from agricultural practices. We appreciate the Board's desire to improve water quality, while maintaining a strong agricultural economy on the Central Coast. We urge the CCRWQCB to develop an order that minimizes the economic impact and enhances compliance for the agricultural community and improves overall water quality through a cooperative process that engages the grower community. WPHA thanks you for your consideration of our comments, and looks forward to continuing to work with the Board staff. If you have any questions, please feel free to call upon me.

* DPR publication EH00-07, appendix 2

Sincerely,



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