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January 3, 2011

Regional Water Quality Control Board  
Central Coast Region  
895 Aerovista Place, Suite 101  
San Luis Obispo, CA 93401

**Re: Conditional Waiver of WDRs for Discharges from Irrigated Lands**

Dear Board Members,

Thank you for the opportunity to comment on the Conditional Ag Waiver. Monterey Coastkeeper (MCK) serves Monterey and Santa Cruz Counties as a program of The Otter Project, and protects the water, watersheds and coastal ocean for the benefit of wildlife and human populations alike. In addition to these comments, MCK has submitted comments together with the Environmental Defense Center, Santa Barbara Channelkeeper, and San Luis Obispo Coastkeeper. These comments are submitted solely on behalf of MCK.

Over the past year MCK has consistently and repeatedly reached out to agricultural stakeholders including the California Strawberry Commission, Western Growers, Grower-Shipper, Monterey County Supervisors, county Agriculture Commissioners and various Farm Bureaus. Our message has been consistent: We feel the new ag order must do much more than the old order, but will not be able to do everything overnight. We acknowledge that some problems, such as nitrates in groundwater, will take many years to correct. We acknowledge that one size does not fit all. We have asked these organizations to sit down with us and talk about water quality standards and monitoring, and a timeline that will work for growers and will still meet our concerns. In nearly every case we were told that our offer to find compromise was welcomed and someone would get back to us. Only the Monterey County Agriculture Commissioner has ever responded and that response was limited to sharing of views and not finding compromise.

On various occasions, some agricultural stakeholders have represented that they are offering a compromise position or that they "have come a long way." We ask that the Board realize that they have compromised WITHIN their own stakeholder group, but they have not compromised with other VALUES and viewpoints. MCK has tried to reach out to the ag community and we feel entirely rebuffed.

A second point this letter is meant to address is the management of the Cooperative Monitoring Program and Water Quality Preservation Inc. The old order gave management of the Cooperative Monitoring Program (CMP) to a closed group of growers. The CMP must be transparent and credibly managed and implemented. By placing the management of the program along with a very sizable budget entirely in the hands of the growers, the RWQCB has essentially created a grower's advocacy organization that controls and interprets much of the Region's water quality data. The new Draft Order is silent on this issue. Although it pains us to write such harsh words, we have no faith in Preservation Inc.. Preservation Inc has been unwilling to interpret data or release follow-up monitoring results that would reflect badly on individual growers. Consistently, Preservation Inc portrays itself as being about collecting data and improving water quality; yet time after time we see Preservation Inc. advocating a grower's point of view. Change is needed.

Thank you for allowing Monterey Coastkeeper the opportunity to comment on the Conditional Waiver of Waste Discharge Requirements for Discharges from Irrigated Lands.

Sincerely,

A handwritten signature in blue ink, appearing to read "S. Shimek", written in a cursive style.

Steve Shimek  
Executive Director