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February 18, 2011

The Honorable Jeffrey Young, Chair
California Regional Water Quality Control Board
Central Coast Region
896 Aerovista Place, Suite 101
San Luis Obispo, CA 93401

Dear Mr. Chairman:

I am writing to share with the Central Coast Regional Water Quality Control Board (RWQCB) my deep concerns regarding the direction taken by the RWQCB staff as part of the ongoing renewal of the Central Coast Ag Waiver. For reasons that I will outline below, I believe that the heavily prescriptive and regulatory approach to non point source agricultural water quality so far advanced by the RWQCB staff will cause long term environmental harm on the Central Coast. Furthermore, I fear that it will impede the ability of water quality champions to improve rural water quality both here in California and across the nation.

In April 2010, I expressed by letter to the State Water Resources Control Board the same concerns regarding this same process. In light of the pending March 2011 decision by the RWQCB on how to renew the Ag Waiver based on the RWQCB staff proposal, the ag alternative proposal recommended by various agricultural interests, or some combination of these two or other recommendations, I felt it important to reiterate my concerns.

As you may know, I have long worked to improve the quality of the Central Coast's waters. During the 1980s and early 1990s while serving in the California State Assembly, I worked with other elected officials and community activists to establish the Monterey Bay National Marine Sanctuary. The water quality impacts to the Sanctuary from upland agriculture prompted Sanctuary staff to engage in a dialogue with farmers that resulted in the Monterey Bay National Marine Sanctuary's Agricultural and Rural Lands Plan. That plan in turn spurred the formation of the Agricultural Water Quality Alliance. The Alliance has brought numerous agricultural organizations, including the farm bureaus and resource conservation districts from eight Central Coast Counties, the Grower Shipper Association, the Central Coast Vineyard Team, and the Vintners and Growers Association together in a partnership with USDA's Natural Resources Conservation Service, the Monterey Bay National Marine Sanctuary, and several other

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water quality actors to develop and implement water quality practices. I have helped support this work through an annual appropriation that I have been able to help fund the Sanctuary and USDA's support of the coalition. Since 2000 that federal funding has totaled over \$5 million.

The water quality work on the Central Coast that sprang from this collaboration has been exemplary. Over the course of the last decade, the groups I have noted above made tangible progress in improving agricultural management practices to reduce chemical use and keep water and sediment on the farm and out of waterways. They have provided farmers with funding and technical assistance to help them prepare and develop water quality plans, construct conservation improvements such as settling ponds and vegetative buffers, and promote such efforts to their peers. These efforts drew attention from other regions looking to emulate a model of success. Indeed, the RWQCB based its 2004 Ag Waiver on this collaborative approach with the strong support of environmental and agricultural stake holders. With the leadership of the RWQCB staff at that time, the RWQCB became a vital partner in this collaborative effort. The key to this overall success was the trust between the stakeholders that allowed for innovation and proactive leadership. Progress may not have always been fast, but it was steady.

Each passing year strengthened the trust and collaboration among the Central Coast's water quality stake holders that formed the basis for further progress. Most significantly, this era of partnership fostered the development of a new water quality culture within the agriculture community. Given the broad spread of agriculture across the landscape, the hundreds of ranches and other agriculture production sites, and the many thousands of individuals involved in farming, the only way to ensure meaningful long term water quality improvements is to grow and solidify this cultural change. That is, I believe, the most effecting tool that the partners in this effort can bring to bear on the problem.

In light of this past record of success, I am deeply troubled by the way that RWQCB staff have approached the renewal of the current Ag waiver over the course of the last year. I have heard a steady chorus of frustration regarding the substance and tone of the RWQCB staff proposals. I deeply respect the individual and collective work of the water quality stakeholders who have approached me, and give their concerns great weight. Many of them have a long history of working to improve Ag water quality. What I have heard over and over again is that the RWQCB staff have repudiated the collaboration of the last decade; that they continue to insist on a highly prescriptive regulatory program of specific actions and timelines in place of partnership; and that they have consistently belittled or altogether ignored the practical water quality knowledge and experience of growers, local and federal resource agency professionals, and agriculture conservation advocates.

So far, this hostile environment has curtailed, if not altogether stalled, the previous progress on agricultural water quality on the Central Coast. I fear that if the RWQCB implements its staff's current Ag Waiver proposal, much of the time, energy, and resources that previously went into implementing water quality measures, will instead be channeled into further conflict over the practical viability, economic impact, and scientific validity of the new Ag Waiver itself. The very cultural changes that I believe are so crucial for the long term progress on water quality will likely be frozen. That would be a tragedy. Water quality will suffer and the nation will lose the example of a model collaboration between agricultural and conservation interests. I have always measured the value of leadership by the practical results it achieves. By that measure the current Ag Waiver process is a stunning failure of leadership.

I also believe that the staff proposal and the process leading up to it represent a failure of imagination. Keeping agriculture viable has obvious social and economic benefits that are thoroughly outlined by many of the participants in this process. But it also has tremendous environmental benefits. This debate is not taking place in a vacuum. The "central" in Central Coast refers to our region's rock and a hard place position between San Francisco and Los Angeles. It is no accident that the Central Coast has retained so much of its rural character, its open valleys and rolling hills, in the face of the explosion of urban sprawl that has defined the regions to our north and south over the course of the last century. Agriculture in all its many forms has played, and continues to play, a key role in protecting open space. To be sure, land use planning, conservation assistance, tax incentives, and other environmental policies play central roles. But the paramount link between the economic viability of agriculture and the landscape of the Central Coast cannot be ignored.

In light of all these concerns, I urge the RWQCB to base its Ag Waiver on the collaborative success of the past decade with the goal of achieving steady, consistent, and demonstrable water quality improvements on the Central Coast. Accordingly, I believe that the ideal Ag Waiver will:

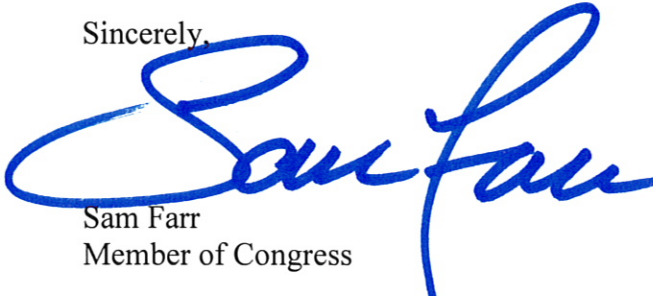
- Utilize sound science;
- Require accountability based on water quality results, not process;
- Foster trust and collaboration, not third party litigation;
- Acknowledge the capabilities and limitations of the technologies currently available to farmers; and

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- Look past the immediate debate to establish a long term commitment to both sustained water quality gains and agriculture's continued economic and environmental viability.

Thank you for your time and attention to my concerns. Please direct any correspondence related to this matter to Alec Arago in my Salinas District Office.

Sincerely,

A handwritten signature in blue ink that reads "Sam Farr". The signature is fluid and cursive, with a large initial "S" and a long, sweeping underline.

Sam Farr
Member of Congress

SF/aa