



January 9, 2017

Jean-Pierre Wolff
Chair
California Regional Water Quality Control Board
Central Coast Region
895 Aerovista Place, Suite 101
San Luis Obispo, CA 93401

SUBJECT: Draft Order No. R3-2017-0002, Conditional Waiver of Waste Discharge Requirements for Discharges from irrigated Lands

Dear Chair Wolff:

The Central Coast Groundwater Coalition (CCGC) appreciates the opportunity to provide comments on Draft Order No. R3-2017-0002 Conditional Waiver of Waste Discharge Requirements from Irrigated Lands (Draft Order), Draft Attachment A, and Draft Monitoring and Reporting Program Order Nos. R3-2017-0002-01, R3-2017-0002-02, and R3-2017-0002-03 (Draft MRPs). The CCGC is a non-profit organization that assists its members with meeting and complying with groundwater monitoring requirements associated with irrigated agricultural programs on the Central Coast. The organization was initially formed as an in lieu third party groundwater monitoring program under Order R3-2012-0011 (as modified by Order WQ 2013-0101), and it hopes to continue to be able to assist its members in meeting new monitoring requirements contained in the Draft Order and associated Draft MRPs.

Because the CCGC's purpose and focus is on groundwater monitoring requirements, our comments here are focused on such requirements in the Draft Order and Draft MRPs, and specifically, we seek clarification regarding the intent and purpose of certain groundwater monitoring language in the Draft MRPs. The Draft MRPs include the following newly proposed language:

Groundwater monitoring may be conducted through a cooperative monitoring and reporting program on behalf of its growers, or Dischargers may choose to conduct groundwater monitoring and reporting individually. Qualifying cooperative groundwater monitoring and reporting programs must implement the groundwater monitoring and reporting requirements described in this Order, unless otherwise approved by the Executive Officer. An interested person may seek review by the Central Coast Water Board of the Executive Officer's approval or denial of a cooperative groundwater monitoring and reporting program.

Jean-Pierre Wolff
Re: Draft Order No. R3-2017-0002
January 9, 2017
Page 2

This is prefatory language that precedes the groundwater monitoring requirements in all three of the Draft MRPs. As a cooperative groundwater monitoring program, the CCGC appreciates and supports this language. However, the CCGC seeks clarification regarding the Central Coast Regional Water Quality Control Board's (Central Coast Water Board) intent and purpose with respect to this language, and how it is intended to interact with Provisions 10 and 11 of the Draft Order.

Provision 10 allows dischargers to comply with provisions in the order by participating in third-party groups, including for meeting required monitoring and reporting programs. Alternative monitoring and reporting programs are subject to the terms and conditions of Provision 11, unless the third party program is allowed elsewhere in the Order. ("Third party projects or programs specifically allowed elsewhere in this Order, such as cooperative receiving water monitoring and cooperative groundwater monitoring, are subject to the specific provisions authorizing such third party projects and programs, rather than the requirements of Provision 11.")

The CCGC understands that the newly proposed groundwater monitoring language in Part 2 of the Draft MRPs is intended to allow modified groundwater monitoring and reporting programs as compared to what is specifically required in the Draft MRPs. Further, these modified programs would be not subject to Provisions 10 and 11 of the Draft Order. The CCGC further understands that such modifications are at the Executive Officers discretion, subject to potential review by the Central Coast Water Board of the Executive Officers action if challenged by an interested person. To ensure that this interpretation of the newly proposed language is correct, and that it is abundantly clear to all interested persons, the CCGC recommends that the newly proposed language in Part 2 of the MRPs be slightly modified as follows: "..... Qualifying cooperative groundwater monitoring and reporting programs must implement the groundwater monitoring and reporting requirements described in this Order, unless otherwise approved by the Executive Officer. Cooperative groundwater monitoring and reporting programs approved by the Executive Officer under this provision are not subject to Provisions 10 and 11 of Order R3-2017-0002."

In summary, with the proposed revision, the Central Coast Water Board's intent and purpose with respect to the newly proposed groundwater monitoring language will be clear to all. Thank you for your consideration. Please contact me at (559) 288-8125 if you have any questions with respect to the comments above.

Sincerely,



Parry Klassen
Executive Director

Jean-Pierre Wolff

Re: Draft Order No. R3-2017-0002

January 9, 2017

Page 3

cc: John Robertson, Executive Officer
Chris Rose
Angela Schroeter