



December 29, 2010

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

Electronically Submitted to: AgOrder@waterboards.ca.gov , with a Hard Copy mailed and postmarked, no later than Jan. 3rd, 2011.

Dear Mr. Young,

We appreciate the opportunity to comment directly to your Board with regard to the Ag Waiver. My firm manages several thousand acres for 20+ property owners in Santa Barbara, San Luis Obispo and Monterey Counties. Additionally, we own a 120 acre property on which our family vineyard, winery and tasting room operates near Templeton, CA. Our family has been farming in this region for eight generations and we have a deep love for the land and are supportive of efforts to maintain its health and viability.

Having farmed many crops beyond winegrapes, I agree with making a distinction between levels of risk posed to waterways. This distinction can come from the crop itself, the irrigation method and the proximity to impacted waterways. Winegrapes are drip irrigated, low users of nitrogen fertilizers and also more recently planted ---- in some cases newer by 75 years or more ---which means that the risk posed is much lower than many other crops. Technology and knowledge has improved greatly in recent years and winegrape acreage, along with its aquifers and fertilization techniques are much more considerate of current pollution concerns as a result.

The prior Waiver provided that those who followed the Central Coast Vineyard Team (CCVT) Positive Points System protocol (PPS) would satisfy some requirements. That should remain for vineyard acreage as it positively encourages change. It is superior to enforcement in terms of effectiveness. Drip irrigated winegrapes participating in the CCVT program should be exempt from further compliance requirements, especially if they are 500 feet or more away from an impaired waterway (impaired from pesticides or fertilizers used on these vineyards).

A single listing of Impaired Waterways as relates to the Ag Waiver process is also needed. Growers should not have to survey multiple listings and figure out which impairments matter and which do not.

Any well water quality monitoring should be of a limited nature and what is to be sampled should be clearly stated. Having to sample for every component that a regulator can think up is not logical.

In the end, having a program that is supported by those who farm the land is critical for its success. Collecting more data than can be interpreted and putting regulations in place that will require enforcement actions to carry out makes no sense and will actually be detrimental to water quality improvements.

Thanks for the chance to comment. The goals of the program we support, it is the mandates to reach the goals that we are concerned about.

Sincerely,

Dana M. Merrill, President and Owner
Mesa Vineyard Management, Inc. and Pomar Junction Vineyard and Winery