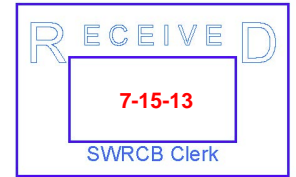




July 15, 2013

Ms. Jeanine Townsend  
Clerk to the Board  
State Water Resources Control Board  
1001 I Street, 24th Floor [95814]  
P.O. Box 100  
Sacramento, CA 95812-0100  
Via email to: [commentletters@waterboards.ca.gov](mailto:commentletters@waterboards.ca.gov)



Re: Comments to A-2209(a)-(e)- July 23 Board Item [Own Motion Order]

Dear Chair Marcus, Board Members, Staff, and Counsel:

Santa Barbara Channelkeeper, San Luis Obispo Coastkeeper, and Monterey Coastkeeper (a program of The Otter Project) agree to the own motion order to decide the merits of the petitions and to decide how to best protect the public and the environment from agricultural pollution.

We would be most comfortable with this motion if it contained an outside date-certain of October 1, 2013. This date is consistent with State Board written and verbal comments and with Judge Frawley's comments on our request for preliminary injunction.

We believe the State must move quickly to address the severe and chronic nitrate pollution of our ground and surface water and toxicity of our surface waters. We must bring the State's attention to the fact that the inadequate 2004 Central Coast Ag Order was to expire in July 2009 but was extended repeatedly until a new order was finally passed by the Central Coast Board in March 2012. Instead of leaving the Central Coast decision in place while deciding the merits of the petitions, the State stayed key components of the Order while making its decision. Now, the State is asking for more time. The record is very clear that public health and the environment are being compromised by the delays. The science and record are also clear that the pollution emanates from agriculture. And finally, Judge Frawley was very clear that the State must complete its work quickly. Please note our disapproval of these repeated delays. But to be clear, we do not oppose the Order.

These comments are consistent with our verbal comments approving the previous request for a 60-day delay.

Sincerely,

A handwritten signature in blue ink, appearing to read "S. Shimek".

Steve Shimek  
The Otter Project

Cc: Debbie Sivas, Stanford Environmental Law Clinic; Kira Redmond, Santa Barbara Channelkeeper;  
Gordon Hensley, San Luis Obispo Coastkeeper