

# *Dragon Spring Farm*

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California Regional Water Quality Control Board, Central Coast Region  
895 Aerovista Place, Suite 101  
San Luis Obispo, CA 93401-7906  
Attn: Howard Kolb, Agricultural Order Project Lead Staff

Dear Mr. Kolb,

My wife and I own and operate Dragon Spring Farm, a small farm approximately 5 miles east of Cambria. We make our living farming about twenty acres and selling directly to the public or restaurants.

I therefore read the proposed Ag Order R3-2011-0006 (the Order) with interest and have a number of specific comments.

As a general summary of these comments, the proposed Order unfairly penalizes small growers by adding inappropriate cost without basis – re: staff's inexplicable contention that cost should not be a consideration. Guilt is assumed without the possibility of proving innocence, i.e. all farmers are dischargers with many notorious allegations. Smaller operations in general will not be able to pass on these costs, because food companies will simply move on to lower cost growers, many of these offshore. Furthermore, the basis for requiring more information already adequately available in the public domain, such as groundwater sampling and analysis, is equivocal, even deceptive, with results that will be of no practical use in the majority of cases. I'm sure that the proposals in the Order, if implemented, will lead to testing in the courts, a poor use of government resources.

If you want to drive away what remains of traditional agriculture in this state, just keep going on this tack.

## Specific Comments:

- Your intent in publishing such an overpowering draft for comment during the holidays is questionable at best.
- The step of introducing tiers to represent the relative risk associated with different operations is positive. Though Santa Rosa Creek, not listed in the report tables, flows through our property, we drip irrigate, and do not use pesticides, so I assume our farm will likely be listed as Tier 1. However, the report is very ambiguous on the precise requirements for each tier. Specific examples rather than generalities would be helpful.
- Nonetheless, tier 1 status still requires growers to go to considerable expense to meet the requirements of the Order. With two wells on my property, I can estimate out of pocket expenses of \$2,000 – 3,000 in the first year, based solely on groundwater sampling requirements proposed for the Order, using the figures presented in Appendix F. In addition, there are extensive paperwork requirements, requiring many hours of time not spent farming, to mention only some of the requirements for a group of non-polluters.
- The requirement for third party sampling of wells adds considerable cost, while much more cost effective methods to allow farmer sampling could be made available.
- There are six farms of similar size to mine within a one-mile radius, all of which use well water pumped from the same aquifer. Therefore, the total bill to this group of farmers will be approximately \$10,000 to generate data for well water that will no doubt be identical from well to well. This considerable expense for duplicate data generated on a non-impacted waterbody will end up in a file cabinet, because no one will question the water quality in Santa Rosa Creek nor have the time to analyze the information, when staff should be concentrating on

problem areas. Besides, information on the water quality of Santa Rosa Creek is a matter of public record. Several new wells have been drilled in recent years in our valley alone. The county Health Department has records of analyses of the water from these wells.

- In addition, the monitoring data requirements found in the Order appear excessive. Requiring analyses for pH, calcium, magnesium and potassium, for instance, data and elements not even found on the lists of primary or secondary drinking water standards, appear to add cost without value. Perhaps staff would like to explain.
- My evaluation of cost also assumes that Preservation, Inc. will continue to manage the information required for receiving water to minimize cost. The assumption aside, their cost to growers will no doubt rise because of additional requirements.
- I also question the Order's one-size fits all approach to farmers. Why should I, a small farmer who practices state of the art drip irrigation and has no runoff to the adjacent creek known for the high quality of its water, be required to meet many of the same requirements as growers who flood irrigate in areas with water quality issues? Small growers are already an endangered species in the SLO County farming community. The proposed regulations will certainly impact us more than larger operations and put yet more out of business.
- The requirements of the existing Ag Waiver, though demanding, were also educational, and as a consequence we have put in place several practices that have improved the way we farm. I believe this demonstrates the effectiveness of a more cooperative approach and that tier 1 farmers should be allowed to continue to operate under the existing waiver.
- I further question why the Board's staff singles out farmers for water quality problems. Yes, nitrate in most cases comes from fertilizer, but are the fertilizer manufacturers also culpable? How about the dealer that sells the chemicals? And the list could go on, finally ending with the people that benefit from the food that is grown? There is no way for most small growers to pass on additional cost associated with the Orders new requirements. Big food companies only worry about profit and will just go somewhere else to purchase the produce you find in supermarkets. But then, staff probably shops at supermarkets and are very well aware of industrial food's offering.
- The vast majority of us who farm know that groundwater quality is important and take extensive and costly measures to ensure we don't contaminate it. The considerable knowledge in the agricultural community and their trust has been lost because of staff's indifference. But then...

I have kept this letter short in the interest of getting it read and am happy to provide more detail behind any of these comments, should there be interest.

Sincerely yours,

Michael Broadhurst  
Owner, Dragon Spring Farm

cc: Bruce Gibson, District 2 Supervisor