

Ms. Courtney Tyler  
Clerk of the Board  
State Water Resources Control Board  
1001 I Street, 24 Floor  
P.O. Box 100  
Sacramento, CA 95812-0100

June 27, 2023

<Submitted electronically to [commentletters@waterboards.ca.gov](mailto:commentletters@waterboards.ca.gov)>

**RE: REQUEST FOR EXTENSION OF PUBLIC COMMENT PERIOD AND INFORMATIONAL HEARING ON 8/15/23 ON A-2751(A-B) PROPOSED ORDER**

Dear Chair Esquivel and Members of the State Water Resources Control Board (“Board”):

We appreciate this opportunity to comment on A-2751(a-b) Proposed Order (“Proposed Order”). The undersigned organizations<sup>1</sup> plan to submit substantive comments on the Proposed Order. As an initial matter, we respectfully request that the Board:

- 1) Extend the deadline for written comments on the Proposed Order to August 14, 2023, at 5pm;
- 2) Hold an informational public hearing on August 15, 2023, and consider the adoption of the Proposed Order later after holding a second public hearing; and
- 3) Provide live Spanish-English interpretation during all public hearings on this matter.

The Proposed Order would significantly change the Central Coast Regional Water Quality Control Board’s 2021 Agricultural Order, R3-2021-0040 (“Ag 4.0”). Ag 4.0 requires growers to reduce nitrate discharges into surface waters and groundwater in the Central Coast region. Ag 4.0 is the lynchpin policy for restoring safe drinking water for tens of thousands of people in this region and throughout California. We make these requests to ensure that communities and residents, in particular those who face groundwater nitrate contamination, have the opportunity to meaningfully participate in this important decision-making process.

Our organizations collaborate with and represent residents who experience or are threatened by nitrate contamination across the Central Coast and the state. Many residents work long hours, do not speak English or speak limited English, and/or have not previously been actively engaged on agricultural orders. It would take significant time, effort, and resources to provide translated materials and inform residents on Ag 4.0 and the Proposed Order. We respectfully request that the Board extend the written comment period until August 14, 2023, at 5pm so that affected communities have more time to engage on this matter.

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<sup>1</sup> The undersigned organizations include Petitioners California Coastkeeper Alliance, Santa Barbara Channelkeeper, Monterey Coastkeeper (DBA Monterey Waterkeeper), San Jerardo Cooperative, Inc., California Sportfishing Protection Alliance, Pacific Coast Federation of Fishermen’s Associations, Institute for Fisheries Resources (“CCKA Petitioners”), Clean Water Action, California Rural Legal Assistance, Inc, and Community Water Center.

We also request that the Board hold an informational public hearing on August 15, instead of considering the adoption of the Proposed Order during this hearing. Additionally, we recommend that the Board hold a second public hearing prior to its adoption of the Final Order.

The Board must ensure the fair treatment and meaningful involvement of all people regarding the development and adoption of environmental policies, and meaningfully engage and consider recommendations from communities most impacted by pollution in its decisions.<sup>2</sup> As you know, the personal health impacts and social costs of drinking water contamination cannot be adequately captured on paper. And given the time, language, and technical barriers that community members face, an informational public hearing will provide the necessary space for residents to meaningfully participate in this decision-making process and feel that they are being heard. Holding at least two public hearings will allow the Board to receive and meaningfully consider comments from diverse communities from the Central Coast region and statewide.

Finally, we request that the Board provide live Spanish and English interpretation at all public hearings on the Order so that Board Members and community residents can have meaningful dialogue during these hearings.

Thank you for considering our requests. Please do not hesitate to reach out to us with any questions.

*Sincerely,*

Chelsea Hsin-Feng Tu  
*Executive Director*  
*Monterey Waterkeeper*

Ted Morton  
*Executive Director*  
*Santa Barbara Channelkeeper*

Sean Bothwell  
*Executive Director*  
*California Coastkeeper Alliance*

Ileana Miranda  
*General Manager*  
*San Jerardo Cooperative, Inc.*

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<sup>2</sup> See Govt. Code §§ 65040.12(e)(1), (e)(2)(C) & (D).

Chris Shutes  
*Executive Director*  
*California Sportfishing Protection Alliance*

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*Acting Executive Director and General Legal Counsel*  
*Pacific Coast Federation of Fishermen's Associations*  
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