

Court rebuffs farm pollution waiver

By Geoffrey
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A state court has struck down rules governing runoff from farms along the Central Coast, a decision that could have broader implications for the state's \$43-billion agriculture industry.

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The Sacramento County Superior Court sided with environmentalists who opposed a blanket waiver for growers in the Salinas Valley and other areas of the Central Coast, saying the conditions of an “ag order” failed to protect the public from dangerously high nitrate levels in drinking water and from chemicals linked to the deaths of sea otters and other animals.

[Slowing a tide of pollutants](#)

The preliminary decision, expected to be finalized over the next few months, lends support to a stricter set of draft waiver conditions that were opposed by agricultural interests, including Western Growers, a trade association whose members produce roughly half the nation's produce.

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That earlier plan, penned by the Central Coast Regional Water Quality Control Board, would have required tighter farm-by-farm monitoring of irrigation runoff and forced growers to adopt a minimalist approach to applying fertilizers and chemicals. It also included a timetable for reducing soil erosion that can carry particles laced with legacy traces of the banned chemical DDT.

The state Water Resources Control Board modified the local ag order after appeals by agricultural interests, which said the measures were unreasonable and contrary to state water quality law.

[Supreme Court blocks EPA's air pollution rules for power plants](#)

The modified order “no longer passed the straight-face test,” said Steve Shimek, executive director of Monterey Coastkeeper, a water quality advocacy group that sued the state board. “We ended up with water bodies that not only don't pass the toxicity test, but literally killed every organism that was introduced into them.”



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