



Draft Groundwater Order Released

The Regional Water Board released on April 13 the first draft of the ESJWQC General Order, the new regulation that will mandate how ground and surface water will be regulated in coming years. The "Administrative Draft" is the first of two drafts that will be available for public comment before a vote by the Regional Water Board. Barring delays, that vote is expected on October 4, 2012.

ESJWQC representatives met with Regional Board staff numerous times since February to provide comments on preliminary versions of the documents, some of which were reflected in the Administrative Draft. The Coalition expects to resubmit comments focusing on sections where our changes were not incorporated. Members are welcome to review the documents or submit comments to us for inclusion and can do so at www.esjcoalition.org/GeneralOrder.asp. The deadline for comments is May 21, 2012.

Fertilizer Past Roots Considered Waste To Groundwater

Most significant change in the General Order is the inclusion of broad groundwater protection requirements. Unlike the current program that covers only potential discharges of farm waste to surface water from irrigation or storm drainage, potential discharges to groundwater are now included. Discharges to groundwater include nutrient movement past the root zone, back flow through irrigation wells of pesticides or fertilizers, and/or farm waste draining into abandoned wells.

Included with the General Order is a map of the ESJWQC region indicating areas where groundwater nitrate levels exceed drinking water limits set by the Department of Public Health. Irrigated cropland within and up gradient of those areas are considered highly vulnerable; other lands are classified as low vulnerability areas. Members who farm in the high vulnerability areas will be required to complete annual nitrogen budget plans that are signed off by a Certified Crop Advisor (CCA). Many Pest Control Advisors (PCAs) working in the San Joaquin Valley hold CCA certification.

Non-Members Can Join Coalition or File Individually

The Regional Water Board says that with the inclusion of groundwater in the program, all owners or operators of irrigated lands will now need coverage through either an individual General Order or by joining a watershed coalition. Called "third-party entities" in the draft document, watershed coalitions such as ESJWQC will again represent landowners

to maintain compliance with the regulations; rules for being a coalition are detailed in the draft document. Existing ESJWQC members will be grandfathered into the new program but will need to sign a document acknowledging that they are accepting coverage provided by the coalition. Members will be notified about any documentation needed after the General Order is adopted in October.

Growers in the region not participating in the existing program will again have the option of filing for an individual permit with the Regional Water Board or joining the ESJWQC. Coalition membership will be opened for a 90 day period after the new order is adopted. Currently, growers must apply to the Regional Water Board and pay a \$50 application fee before being allowed to join a coalition. Suspended during the 90 day period, that practice will be reinstated in January 2013.

Adding Parcels to Existing Membership

Many current members have acreage not currently enrolled in the coalition because it has no potential for irrigation or storm drainage or spray drift into regional waterways. With the addition of groundwater to the program, those members will be able to add this acreage with no back dues penalty. The ESJWQC Board of Directors is discussing whether back dues payments will be required if a parcel with drainage potential is added to the coalition roles, whether it be an existing member or a new member. A Coalition board vote on that issue will occur before October.

2012 Membership Dues Remain Unchanged: 2013 Uncertain

Membership dues in 2012 remain at \$50 per landowner plus \$2.00 an acre for all irrigated lands. Member dues pay for managing the coalition and performing the monitoring and reporting required by the Regional Water Board. The dues also cover the 56 cent per acre fee assessed on irrigated acreage by the State Water Resources Control Board. This is an increase from 12 cents per acre in 2011 and has added substantially to the Coalition's operating expenses. With the groundwater program expected to add considerably to program expenses, the ESJWQC Board is struggling to keep the dues at \$2 an acre. Some estimates place potential new member acreage in the ESJWQC region as high as 500,000 acres. The question remains whether potential new members will voluntarily choose to participate with an individual permit, through the coalition option, or wait for Regional Water Board enforcement to catch up with them and force participation through threats of fines.

2011 Annual Report Mailed in January

The Coalition Annual Member Report was mailed out to members in late January. The annual report includes water and sediment monitoring results from 2011 plus information on the sites monitored since the Coalition began sampling in 2005 or when the site was added to the list. Extra copies can be ordered by contacting us at www.esjcoalition.org. Electronic versions of the current and past reports can be read or downloaded from the Members Only section of the website. The password is ESJwater.

Coalition Board Adds New Members in 2012

The Coalition Board of Directors added new members in 2012: Al Rossini, Rossini Ag and Anja Raudabaugh who replaced Julia Berry at the Madera County Farm Bureau. Also joining the Coalition are the major irrigation districts in the region: Modesto ID, Turlock ID, Merced ID and Oakdale ID. Mike Niemi of Turlock ID sits on the board representing the districts. Currently, the Board Chairman and Executive Director is Parry Klassen, a fruit grower and also Executive Director of the Coalition for Urban/Rural Environmental Stewardship (CURES).

The current Board includes:

- Amanda Carvajal, Merced Co. Farm Bureau
- John Eisenhut, Hilltop Ranch, almonds
- Brian Franzia, West Coast Grape Farming, Inc.
- Richard Gemperle, Gemperle Enterprises, almonds
- Bill McKinney, almond grower
- Mike Niemi, Turlock Irrigation District
- Anja Raudabaugh, Madera County Farm Bureau
- Alan Reynolds, Gallo Vineyards, Inc.
- Al Rossini, Rossini Ag LLC, grape grower
- Jim Wagner, Wilbur-Ellis Co.
- Wayne Zipser, Stanislaus Co. Farm Bureau

Non-Voting members

- Gary Caseri, Stanislaus County Agricultural Commissioner
- David Robinson, Merced County Agricultural Commissioner
- Bob Rolan, Madera County Agricultural Commissioner
- Diana Waller, Natural Resources Conservation Service, Modesto
- Dennis Westcot, San Joaquin River Group Authority

Coalition Membership Responsibility

The individual members of the Coalition are ultimately responsible for the success of the ESJWQC. Failure of the Coalition to meet regulatory deadlines, implement the proper monitoring programs or work to correct water quality problems would mean that individual land owners would be responsible for fulfilling those requirements. While Stanislaus County Farm Bureau and CURES representatives signed the notice of intent for the Coalition, it is the Coalition participants who are ultimately responsible for participating in Coalition activities, paying their fair share of all costs to carry out the Irrigated Lands Regulatory Program and participating in efforts to solve problems identified through water monitoring.

East San Joaquin Water Quality Coalition contacts:

Parry Klassen: 559-288-8125

Wayne Zipser, Stanislaus County Farm Bureau:
209-522-7278



ESJ Water Quality Coalition
1201 L Street
Modesto, CA 95354
www.esjcoalition.org