



General Order Vote Postponed Until December

The scheduled October 2012 vote for the new ESJWQC General Order has been delayed until December. The announcement came in late August presumably as a result of severe criticism the Regional Water Board received from farmers in Tulare at an August 21 workshop on the draft General Order or Waste Discharge Requirements (WDR) for the South San Joaquin Water Quality Coalition. Much of the angst at the Tulare workshop was in response to estimated costs of \$120 per acre for farmers to implement the new program, a number cited in the Environmental Impact Report (EIR) adopted by the Regional Board in June. Although Regional Water Board said at the workshop that potential costs were closer to \$21 dollars per acre, the audience of more than 400 was not satisfied. Testimony by farmers and ag representatives, often heated and critical of the Regional Board, continued until 7 pm (The Regional Board later stated that the figure was an estimated cost for implementation, not a new fee).

Even though the vote date is delayed until December, Regional Water Board staff said the public comment period will not be re-opened for the ESJWQC draft WDR. August 6 was the deadline for public comments. The coalitions, commodity and ag groups and the public are given the chance to suggest changes or criticize the draft order during the public comment period. The public comment period for the South San Joaquin Coalition draft WDR was originally scheduled for October 2012; it too may now be delayed.

ESJWQC staff was told in late August that some of its demands for changes outlined in our public comment letter, in particular the requirement for a licensed engineer to sign off on sediment and erosion control plans, would be removed from the draft WDR. Also reportedly removed was the potential addition of chronic toxicity testing for surface waters, a requirement that would have increased coalition costs by hundreds of thousands of dollars annually. The ESJWQC comment letter is posted at <http://www.esjcoalition.org/GeneralOrder.asp>

Membership Dues Set To Increase to \$4/acre

Anticipated cost increases for implementing the new groundwater regulations prompted the ESJWQC Board of

Directors in August to approve a membership dues increase from \$2 per acre to \$4 per acre. Another factor was the dramatic increase in acreage fees paid by the coalition for its members to the State Water Resources Control Board. In 2012, those fees increased from 12 cents per acre to 56 cents per acre. The fees are used to pay for Regional Water Board staff to implement the Irrigated Lands Regulatory Program.

Also contributing to the need for a dues increase was the loss of more than 100,000 acres to the dairy program. Before the passage of the dairy order in 2007, dairymen in the Central Valley enrolled their irrigated acreage in coalitions for coverage of potential surface water discharges. Since dairy permits cover both facilities and irrigated acreage, there is no longer the need for coalition membership. Reserves built up from the early years of coalition operation were depleted over the last three years, leaving ESJWQC board members with little option but to raise dues to cover the lost acreage and increased operational costs. The dues increase will go into effect for the 2013 membership period.

While the exact cost for implementing the new WDR won't be known until the final language is adopted, one requirement is sure to remain intact: the groundwater assessment report. Each Central Valley coalition will be required to complete this report as part of their WDR. It is a compilation of all existing groundwater data from multiple sources, an assessment of the data to identify low and high vulnerable areas and a proposal for a network of wells to use as part of the groundwater trend monitoring. Estimates provided to the board put the cost of preparing the assessment report in the hundreds of thousands of dollars.

New-Member "Holiday" Expected January 2013

Delay of the Regional Water Board vote on the ESJWQC General Order pushes back to January 2013 the date for opening the coalition rolls to new members. During the first 6 months of 2013, new members won't have to apply to the Regional Water Board and pay a \$50 application fee before joining a coalition, as is now the case. If the timelines being proposed in the WDR are adopted, the fee requirement will be reinstated to new memberships in July 2013. Existing ESJWQC members will be grandfathered into the new program.

Voting for Board Members Begins in 2013

Voting for Board members will soon be part of Coalition activities beginning in 2013. Since its inception in 2004, ESJWQC has relied on volunteers to fill the organization's board of director positions. New requirements in the draft General Order for third party entities mandate that a coalition provide members accountability for their actions. Making board seats an openly elected position gives coalition members the opportunity to replace board members who a majority believe are not performing their duties. Changes being made to ESJWQC's bylaws spell out how the board will be structured after 2013: 11 members total, five appointed by the current board and six voted on by coalition members. Terms are three years with no term limits. The first ballot to be voted on in December 2013 will contain the existing board members with the possibility of vacant positions on the board. Due to changes in State laws governing non-profit organizations, Parry Klassen will resign from the board and his position as Board chairman and retain the title of Executive Director, a paid position with the coalition. Board members can no longer work as paid agents of a non-profit in California. ESJWQC operates as a 501c-5 non-profit entity.

2012 ESJWQC Membership

2,227 members; 535,790 acres. 18 new members in 2012; 4,857 new acres.

2012 Coalition Board of Directors

- Parry Klassen, Executive Director
- 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 Vineyards, 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 ESJWQC. Failure of the Coalition to meet 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.

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