



October 2013

Nitrogen Use Reporting Delayed One Year

The new requirement for reporting nitrogen fertilizer applications to cropland has been delayed one year, a result of developments stemming from a report to the legislature about nitrate contamination in groundwater. The original deadline for ESJWQC members to turn in nitrogen reports to the coalition, March 1, 2014, has been extended to March 1, 2015, a date approved at the October 3 meeting of the Regional Water Board.

The extension was prompted by recommendations contained in what is being called the "Harter Report," a University of California study sponsored by the State Water Board. The report resulted in recommendations to the legislature on steps to address increasing nitrate levels in groundwater in the San Joaquin and Salinas Valleys. Two of 15 recommendations in the report focus on agricultural uses of nitrogen fertilizers. The first charged the California Department of Food and Agriculture to create a "Task Force" to develop a nitrogen "tracking and reporting system" for high risk agricultural areas of the state. The second recommendation charged the State Water Board to convene an "Expert Panel" to advise the state on several technical issues including identifying methodologies for determining nitrate movement into groundwater.

The CDFA Task Force held four day-long meetings in August and September and a draft report was being finalized at press time. The 30 member task force was made up of several coalition managers, including ESJWQC Executive Director Parry Klassen, representatives from the Central Valley and Central Coast Regional Water Boards, the University of California, the environmental justice community and agricultural trade organizations, among others.

Regional Water Board Begins Enforcement Against Growers Not Covered by Waste Discharge Requirements

The Regional Water Board was preparing in mid-October to send the first Administrative Civil Liability (ACL) notices to growers who did not sign up to participate in the ESJWQC or pursue an individual WDR. The ACL indicates a fine of up to \$8,600 could be levied against

the growers for not choosing one of the WDR coverage options.

The ACL notices are sent to growers in the ESJWQC region who have not responded to a Regional Water Board request for a technical report (13267 order) and ignored a subsequent Notice of Violation. An estimated 1500 landowners or growers with 100,000+ acres of irrigated land in the region have not joined ESJWQC or sought an individual permit and will eventually be contacted by the Regional Water Board to begin the enforcement process. As of mid-October, 84 landowners with 8,490 acres have been contacted and subsequently joined ESJWQC to gain coverage under the coalition's WDR since the deadline.

Membership Continues Increasing: Now at 709,403 Acres

Since the end of the "membership holiday" on May 13, ESJWQC has added more growers and acres to its member roles, a direct result of Regional Water Board enforcement activities. As members know, Assessors Parcel Numbers (APNs) must be included when signing up for the coalition. ESJWQC was required to submit its member list to the Regional Water Board on July 1, 2013 after the effort to add growers ended on May 13. The agency then mapped all the parcels using GIS technology and came up with a list of growers and parcels that did not show up on the coalition roles. Drive-by inspections by Water Board staff were then made of those parcels to confirm the land was irrigated cropland. This follow-up and subsequent response by growers, plus existing members adding more parcels, brings the ESJWQC membership to 3971 members and 709,403 acres.

State Hikes Acreage Fees

The State Water Board again raised acreage fees it charges landowners and growers who participate in water quality coalitions throughout California. The vote on September 24th increased the fees to 75 cents per acre from the current level of 56 cents per acre. Dairies covered by an individual WDR also saw a dramatic increase in fees. Acreage fees collected by the State Water Board are distributed to the Regional Water Boards to cover costs to staff the irrigated lands programs. The fee increase was attributed to adding staff for basin planning and other programs related to agriculture. ESJWQC is not raising membership dues as a result of the State fee increase.



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Farm Evaluation Survey Template Nearing Completion

The first new requirement of ESJWQC members resulting from the WDR adopted in December 2012 is completion of a farm evaluation survey. The Regional Water Board directed ESJWQC and other Central Valley coalition and agriculture groups to develop a template farm evaluation in part to ensure that all coalition members throughout the Central Valley submitted consistent information on management practices used to protect surface and groundwater. A draft template was developed and submitted to the Regional Water Board in April, which in turn circulated the draft for public comments. The template was revised and will get one last review by the Regional Water Board in a meeting with agricultural groups and staff in late October. Once approved, the final version will be sent to members to complete and submit before the deadline of March 31, 2014. ESJWQC is currently developing a web-based system for members with the capability to complete the survey online. Depending on the outcome of the late October meeting, the survey could be sent to members (or posted online) in mid to late November. Electronic notification will be sent to members who have email addresses on file with ESJWQC. To add or update an email address for your membership please email us at: contactesj@esjcoalition.org.

WDR Approved for Southern San Joaquin Valley

The Regional Water Board approved the second Waste Discharge Requirements (WDR) for Central Valley coalitions when it passed the South San Joaquin Water Quality Coalition WDR on September 13. The existing coalition in the region and other interested parties have 30 days to apply to the Regional Water Board to represent growers in the region bounded by the San Joaquin River and Fresno County on the north to the Tehachapi Mountains and Kern County in the south. There are three or possibly more regional entities that may emerge as coalitions that encompass the watersheds of the Kings, Tule, Kaweah and Kern Rivers. The SSJWQC is the second of seven Central Valley water quality coalitions to receive

a WDR for potential discharges into surface and groundwater. The regulations adopted for the south valley have only minor changes compared to the order adopted for the ESJWQC in December 2012, primarily deadlines for growers to submit farm evaluations, nitrogen management plans and sediment and erosion control plans. Other dates expected for adoption of WDRs for the remaining coalitions:

Westside San Joaquin River Water Quality Coalition: March 2014

Westlands Water District: January 2014

California Rice Commission: March 2014

San Joaquin County and Delta Coalition: March 2014

Sacramento River Water Quality Coalition: March 2014

ESJWQC 2013 Annual Report

The 2013 ESJWQC Annual Report will be arriving in member mailboxes in November. The report will be a self-mailer similar to how farm magazines are delivered. Also watch for a postcard in November announcing the annual member meeting dates and locations, to be held in December in Madera, Merced and Modesto. We encourage members to attend one of these meetings to fulfill the new WDR requirement for members to attend at least one coalition outreach event per year. Additional meetings will be scheduled in the March through May timeframe for those who cannot make the December events.

2013 ESJWQC Board of Directors

Parry Klassen, Executive Director

Bill Brush, B&B Consulting

Amanda Carvajal, Merced Co. Farm Bureau

Gary Caseri, grower

Bill McKinney, almond grower

Mike Niemi, Turlock Irrigation District

Anja Raudabaugh, Madera County Farm Bureau

Alan Reynolds, Gallo Vineyards, Inc.

Al Rossini, Albertoni Land Co Ltd., grape grower

Jim Wagner, Wilbur-Ellis Co.

Wayne Zipser, Stanislaus Co. Farm Bureau

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