



Enforcement News

**CALIFORNIA REGIONAL WATER QUALITY CONTROL BOARD
CENTRAL VALLEY REGION**

<http://www.waterboards.ca.gov/centralvalley>

\$50,600 Penalty Imposed on Farming Operation for Waste Discharge Violations In Stanislaus County

FOR IMMEDIATE RELEASE
August 8, 2012

Contact: Joe Karkoski, (916) 464-4668

The Central Valley Water Quality Control Board (Central Valley Water Board) has issued an Administrative Civil Liability Order to Del Mar Farms, Jon Maring, and Lee Del Don in the amount of \$50,600 for failure to implement adequate and effective management practices to protect water quality.

Failure to do this resulted in sediment laden discharges from a 375-acre farm operation which contributed to or threatened to violate water quality objectives in the San Joaquin River. Del Mar Farms operates on more than 7,500 acres of land on the west side of the San Joaquin Valley.

Central Valley Water Board staff conducted three investigations during the 2011 crop season and found significant volumes of sediment-laden irrigation water discharging from the farmland to a local tributary to the San Joaquin River. The San Joaquin River has been identified by the State as impaired by toxicity and various pesticides that can be associated with sediment.

In its tenth year of implementation, the regulation of agricultural runoff is not new to the Central Valley. Ten years ago, the Central Valley Water Board allowed growers to form coalitions to address water quality problems in rivers and creeks. The growers on the west side of the San Joaquin River had identified sediment runoff as a high priority to address a number of water quality concerns. The coalition acknowledged agricultural runoff was a significant contributor to the water quality problems. The Central Valley Water Board required the growers to develop a management plan to address the concerns, which included commitments to implement practices that would reduce sediment discharges from all fields within the management plan area. The Board found that Del Mar Farms had the resources and ability to put in effective practices, but failed to do so.

Central Valley Water Board Executive Officer Pamela Creedon said, "The agriculture regulatory program has been a high priority program for the Board. We are now in the

tenth year of its implementation and the Board is increasing its compliance and enforcement activities to address water quality impacts. Del Mar farms is a large farming operation and is aware of the requirements of the Board. Delaying implementation of protective practices for a year or more is not acceptable, especially because the area was subject to an approved Management Plan and discharges to an impaired water body.”

The maximum penalty allowed under the California Water Code for these violations was \$1.7 million. Staff proposed a penalty of \$123,191. The Central Valley Water Board ultimately agreed unanimously to a penalty of \$50,600, taking in to consideration Del Mar Farms’ installation of subsurface drip irrigation systems in 2012.

Creedon said the Central Valley Water Board’s decision to reduce the recommended penalty shows the Board’s willingness to exercise leniency when the farmer has made long-term improvements. The Order is available on the Central Valley Water Board’s website at

http://www.waterboards.ca.gov/centralvalley/board_decisions/adopted_orders/

(See adopted orders under Stanislaus County).

The Irrigated Lands Regulatory Program regulates commercial irrigated agricultural operations within the Central Valley Water Board’s boundaries, which extend from the Oregon border south to portions of Los Angeles County.

The Central Valley Water Board is a California state agency responsible for the preservation and enhancement of quality in water resources. For more information on the Central Valley Water Board, please visit the home page at:

<http://www.waterboards.ca.gov/centralvalley/>