

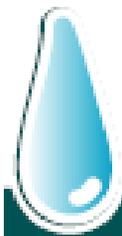


East San Joaquin Water Quality Coalition

Parry Klassen
Executive Director

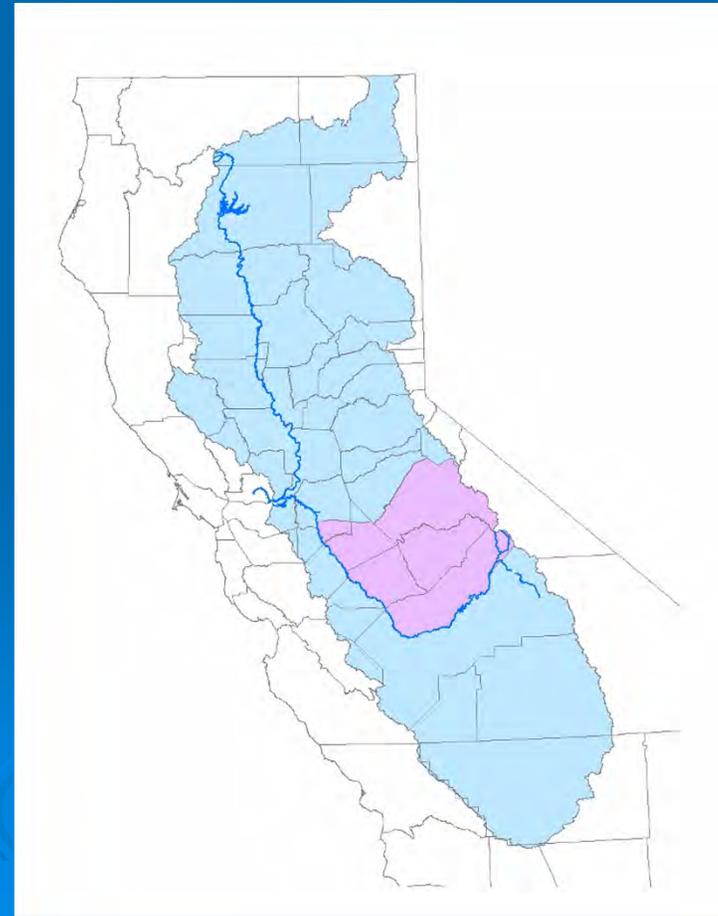
Tess Dunham
Legal Counsel

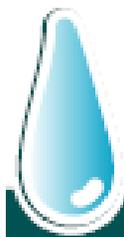
Merced River



East San Joaquin WATER QUALITY COALITION

- Coalition Overview
- Surface water successes
- WDR Comments
- Questions for us?

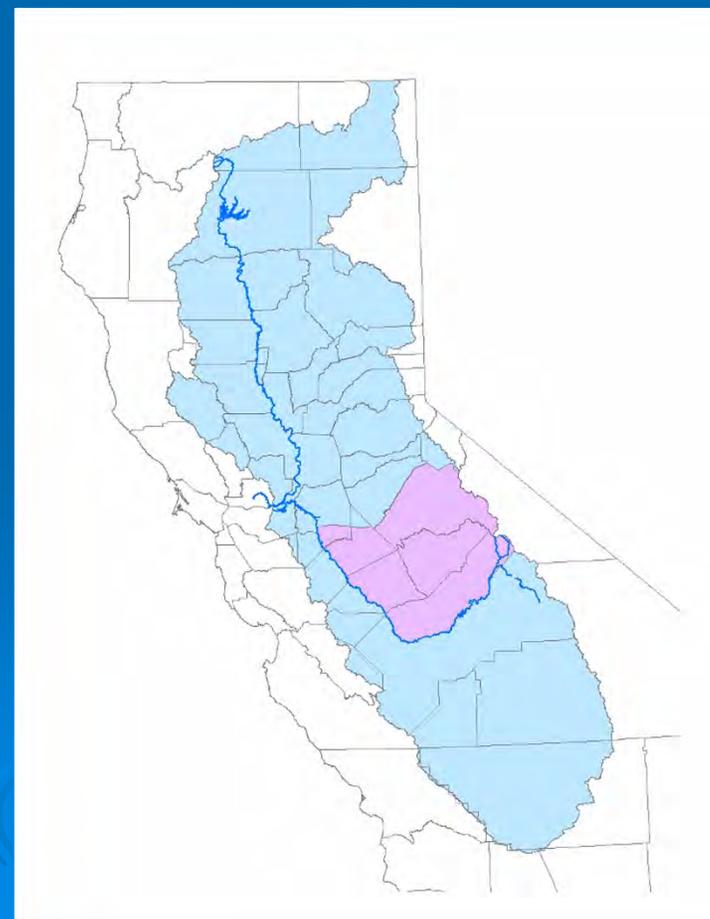




East San Joaquin
WATER QUALITY COALITION

Coalition Overview

- In operation since 2003
- **2,297 Landowner / operators**
- **540,782 irrigated acres**
 - Madera, Merced, Stanislaus, Tuolumne, Mariposa counties





Board of Directors

Board Officers

- Parry Klassen, Board Chairman
- Wayne Zipser, Vice-Chairman
- Bill McKinney, Treasurer

Coalition for Urban Rural
Environmental Stewardship; fruit grower
Stanislaus Co. Farm Bureau; almond grower
almond grower

Board Members

- Amanda Carvajal
- John Eisenhut
- Brian Franzia
- Richard Gemperle
- Anja K. Raudabaugh
- Alan Reynolds
- Albert Rossini
- Jim Wagner
- Mike Neimi

Merced Co. Farm Bureau
Hilltop Ranch, almond grower
West Coast Vineyards
Gemperle Enterprises, almond grower
Madera Co. Farm Bureau
Gallo Vineyards, Inc.
Rossini Ag, grape grower
Wilbur Ellis Co.
Turlock Irrigation District

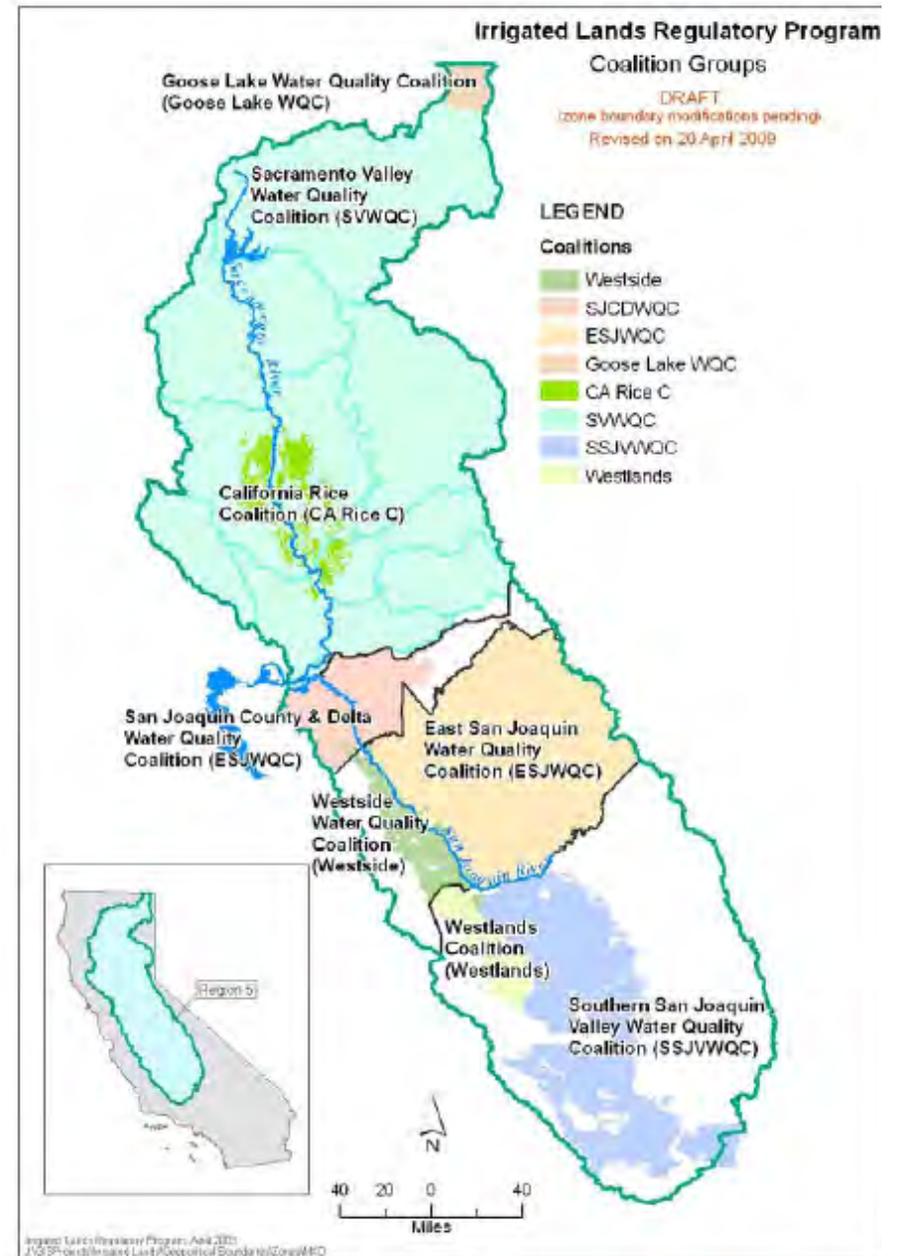
Non-voting

- Gary Caseri
- David Robinson
- Bob Rolan
- Dianna Waller
- Dennis Wescot

Stanislaus County Agricultural Commissioner
Merced County Agricultural Commissioner
Madera County Agricultural Commissioner
Natural Resources Conservation Service
San Joaquin River Group Authority

Central Valley Agriculture Water Quality Coalitions

*Organized in 2003 to
improve water quality in
region*



Monitoring Program Requirements (Requires approved QAPP)

Water Column Toxicity

Water flea (*c. dubia*)

BG Algae

Fathead minnow

Sediment Toxicity

Hyallolella azteca

***Sediment chemistry**

➤ Pesticides

- Organochlorines, carbamates, organophosphates, pyrethroids, herbicides

➤ Nutrients

- Organic nitrogen, phosphate, potassium

Metals

- Cadmium, copper, lead, nickel, zinc, selenium, arsenic, boron

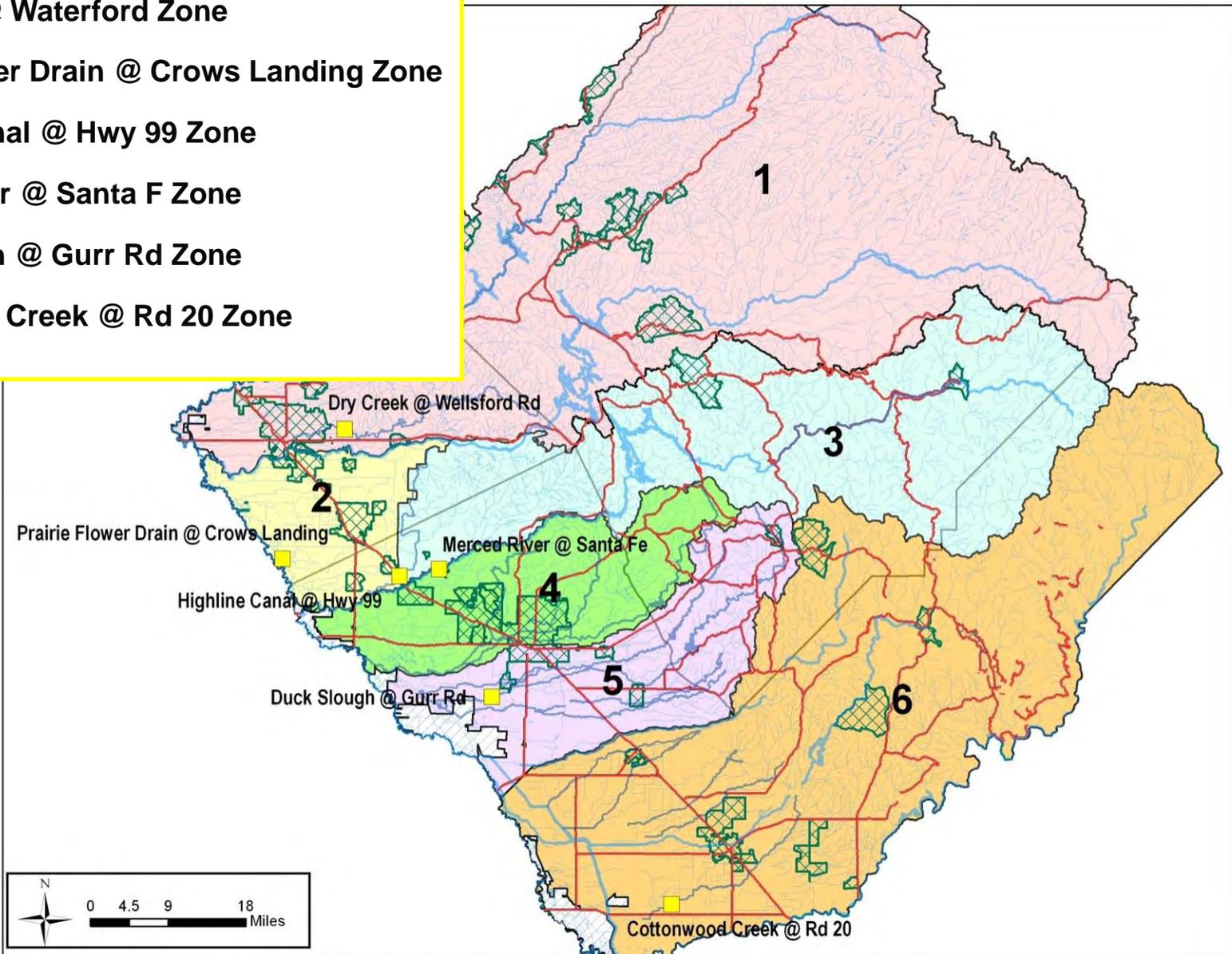
Pathogens, Ambients

- *E Coli*, Flow, Temperature, pH, EC, Turbidity, Dissolved Oxygen, Total Organic Carbon



➤ Coalition Zones 1-6

- 1: Dry Creek @ Waterford Zone
- 2: Prairie Flower Drain @ Crows Landing Zone
- 3: Highline Canal @ Hwy 99 Zone
- 4: Merced River @ Santa F Zone
- 5: Duck Slough @ Gurr Rd Zone
- 6: Cottonwood Creek @ Rd 20 Zone

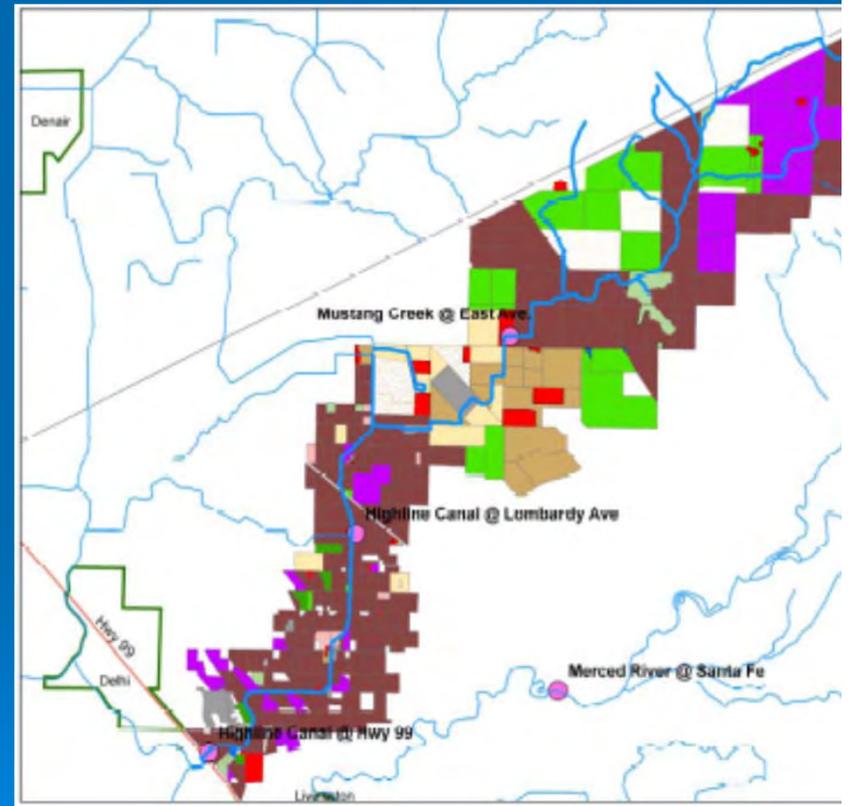


ESJ Management Plan Process

- Over 25 waterways with MPs in the ESJ region
- “Priority” Subwatersheds
 - 2 year focused approach
 - Outreach and monitoring
- 65 grower visits by ESJ staff

Focused Outreach Approach

- Identify members with parcels adjacent to waterways
- ESJ – individual member meetings
 - Management practices survey
- Monitoring
- Follow up
 - Document changes in management practices
- Evaluate progress



Progress in Priority Management Plan Waterways

East San Joaquin Water Quality Coalition

1st and 2nd Priority Watersheds (2008-2012)

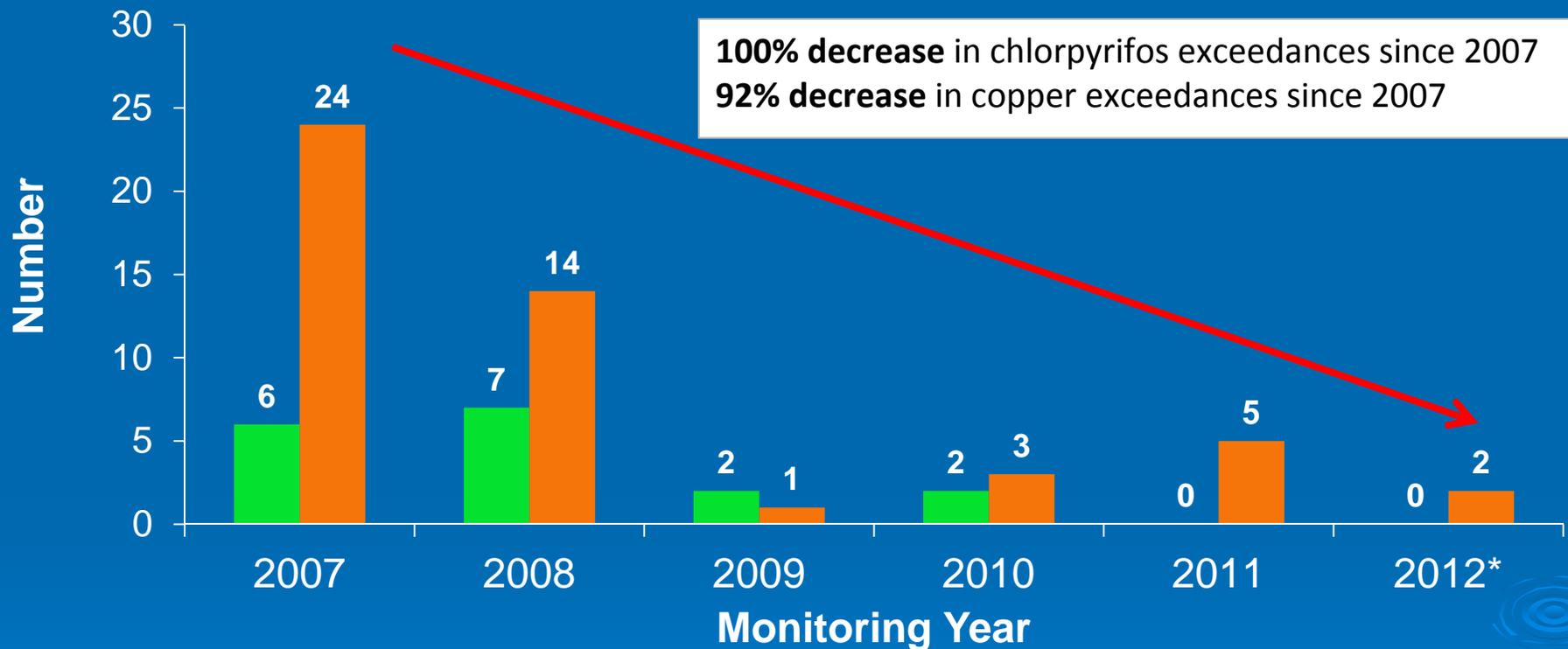
- Completed focused outreach strategy
- Several new management practices implemented
- Large decrease in exceedances following outreach

3rd Priority Watersheds (2011-2013)

- Completed individual meetings; follow up meetings ongoing
- 1 Chlorpyrifos exceedance in 2011; address during outreach
- 20 Copper exceedances in 2011; factors besides ag?
- No toxicity, no other pesticide exceedances in 2011

Continue until cover all 26 management plan waterways

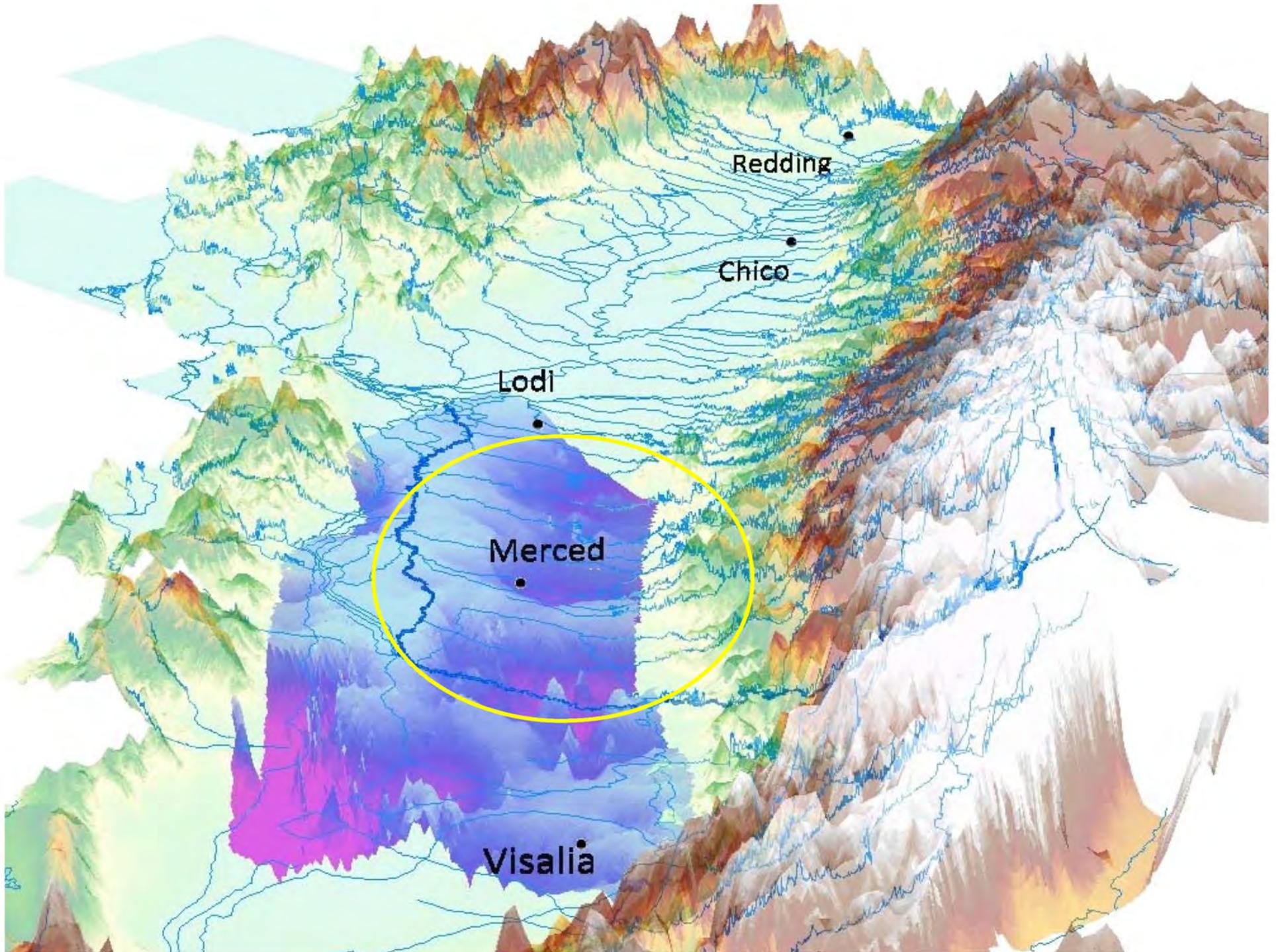
Exceedances In 1st and 2nd Priority Subwatersheds



■ Chlorpyrifos Detections Above Water Quality Standards

■ Copper Detections Above Water Quality Standards

* Exceedance data only available through April 2012



Comments on our WDR

Irrigated Lands Regulatory Program

New Groundwater program will

- Increase costs by 50% - 70%
- Massive paperwork increase
 - New members: 1000-2000
 - Farm Evaluation
 - Nitrogen budget
- Comments directed to make the program doable



Tess Dunham
Legal Counsel

Comments on our WDR

Irrigated Lands Regulatory Program

- Member sign up: owner vs operator
- Determination of member compliance
- Surface Water
 - Adding chronic toxicity to surface water testing
 - New surface water pesticide monitoring process
- Groundwater
 - Reporting of member nitrogen budget information
 - Representative monitoring expectations

Owner v. Operator

- Draft WDR would require both to be members of the Third-Party
- Not necessary – Should be either/or
 - Operator has primary responsibility
 - Many owners not in California
- When Third-Party member is not the owner, require member to provide notice to landowner and certify that notification was given

Member Compliance

- Draft WDR would require Third Party to inspect & monitor individual Member discharges
- Draft WDR would require Third Party to conduct individual site-specific monitoring of a member's operation
- Draft WDR would require Third Party to determine if individual is in compliance with water quality objectives

ESJWQC's Concerns

- Role of Third-Party is to assist Members – not inspect & monitor individuals
- Third-Party is not a *discharger* subject to 13267 – except as agreed upon by Third-Party
- Third-Party *may* conduct site-specific monitoring to determine effectiveness of management practices – but only at Third-Party's discretion

Surface Water Concerns: Toxicity Testing

- Draft WDR would require chronic toxicity testing
- Current requirement is acute toxicity testing
- No technical justification for the change
- Would increase cost of toxicity testing
 - From \$381,000 to \$690,000 annually
- Defer to Technical Issues Committee

Surface Water: New Pesticides

- Draft WDR would require monitoring of all – unless exemption warranted
- Would cost estimated \$128,000 for ESJWQC in first year to comply with requirement
- DPR has extensive information through registration process
- Regional Board needs to work with and defer to DPR to develop process and appropriate list for consideration

Surface Water: Trigger Limits

- Draft WDR would require ESJWQC to interpret narrative objective & provide technical justification
- Legal responsibility belongs to Regional Board
- For pesticides, DPR & U.S. EPA has extensive product information of *significant adverse effects*
- Regional Board should coordinate with DPR

Groundwater: Reporting of Annual Nitrogen Budget

- Draft WDR would require reporting *to at least the square-mile level*
- Would result in public reporting of individual nitrogen use: ESJWQC opposes
- ESJWQC proposes aggregate reporting of nitrogen use
- Individual information available to Regional Board staff at farm, or ESJWQC offices

Groundwater: Representative Monitoring

- Draft WDR allows for collaboration with other coalitions/commodities – but ESJWQC would be required regardless of future collaboration
- Staff expectations are unrealistic!
- Valley-wide approach needs thorough vetting

Needed Changes

- Owner or Operator – not both
- Remove Third-Party inspection role
- Remove Chronic Toxicity Testing
- Remove New Pesticide Monitoring & Trigger requirements - replace with process to coordinate with DPR
- Remove one-square mile reporting – replace with aggregate reporting
- Remove Groundwater Representative Monitoring – develop separate Central Valley wide MRP



Questions?

Parry Klassen

559-288-8125

www.esjcoalition.org