

RECORD OF COMMUNICATION

Phone Call

Other (specify)

Meeting

E-mail _____

PARTIES

Jon Maring and Zach Maring
Del Mar Farms
Westley, Stanislaus County

DATE: 17 August 2011

TIME: 16:30 hrs

* Party Initiating Communication

SUBJECT: Sediment and fertilizer discharges from their cropland, and pending enforcement

Phone Number:

Cell Number:

SUMMARY OF COMMUNICATION:

While concluding the July 19, 2011 discharge event, I contacted and met with Zach Maring at the JT Crow Road property. I discussed the three events while he showed me around the property. I told him that I would like to make arrangements to come back after I get the lab data and reports and meet with them regarding the events. I later made an appointment and met with Jon Maring of Del Mar Farms at their office to discuss the findings from the May, June, and July inspection results. It was also to discuss that our office will be issuing enforcement. I explained that I will present all of the information to management, that I will also include any positive efforts they explain to me that they have done.

I reviewed the 19 May, 01 June, 06 July, and 19 July findings with them using a map and data for each event. I explained that ongoing sediment and pesticide issues on the west side have triggered an increased Water Board staff presence in the area. I discussed that this was information that I had presented during the June 1, 2011 grower meeting in Westley that they had attended.

I also discussed that in addition to the potential turbidity/sediment violation and enforcement, the tomato field near Hwy 33 had a water run fertilizer application with tailwater flowing into the drain system. Jon Maring said that it "CAN 17" (*note: CAN 17 is a calcium ammonium nitrate liquid fertilizer*). He said that their irrigators are instructed to turn off the fertilizer before the water reaches the end of the field. I told him that the fertilizer was metering into the irrigation water, and tailwater was running off of the field into the drain when I first arrived at the site and throughout the inspection. I said that the irrigator came over quickly when he saw us at the site and turned off the tank valve. I told Mr. Maring that the tank was not labeled, so I had asked the irrigator to turn it back on so I could get a sample to find out what was in it, and then to set the valve in whatever position it was supposed to be in. The irrigator left it on (either by intent or by not understanding due to limited communication in English). I said that I don't have the lab sample data back yet on this event. (*Note: One of the slides in the 1 June 2011 Westley presentation specifically mentioned ammonia based fertilizers "Ammonia has a set ppm that is deleterious and strict liability enforced. That includes runoff from anhydrous and other ammonia based fertilizers."*)

He said that he has been using PAM to reduce the sediment in the runoff. I explained that either the rate is not working or the irrigators are not actually using it as needed. He stated that irrigators sometimes don't do everything they are instructed to do.

As we discussed the enforcement options, I was very clear that I can only present my findings (including any comments he would like the give me regarding improvement efforts done and planned). Jon Maring expressed irritation if we went straight to an ACL. He said he feels that he has done a lot compared to many others. I told him that it is not my call, but give me information about what positive stuff he has done, that I'm not here to find only the bad, but to get a total picture.

He said that this is the first year that they have farmed this piece of property and they are going through a learning curve on how it irrigates. He said that he has purchased PAM and it is readily available to his irrigators. He has two basins in the northern fields that some of the tailwater can run into. He has installed drip irrigation to a lot of his cropland already to prevent issues such as this, and to improve irrigation efficiency. He said the cost is about \$1,500/ac for the complete system installation. He has already applied for various funding to install more drip systems. He plans to have these fields (the ones in the inspections) in drip by this spring.

He said that with all of the effort he has put in, that he feels it would not be right for us to go to an ACL, and that he would consider contacting his legislators. I explained that, as I did in the Westley meeting, our office has a number of enforcement options.

I said that I can pass his comments along, but personally can't make the decision or have direct influence on what it will be. I said that it likely will not be anything less than a Cleanup and Abatement Order, but could be an ACL. I explained what a Cleanup and Abatement Order is; that it is a formal order requiring them to submit and follow a plan to fix it, and it must be done. If not, they can be fined for not complying with the order. He said that sounded like something he would be agreeable to (considering the above). I said he can also arrange to meet with management before a decision is made, and/or speak before the Board, that we do provide the opportunity to present their case. He asked me to present his case to management. I said that I will present his comments, and note his described improvements, but it would be more appropriate for him to speak with our office directly.

When discussing improvements, he said that he is aware of the various methods, and that he plans to go to drip to mitigate sediment runoff, and improve irrigation efficiency.

He said that written communication can be addressed to his attention at:

Del Mar Farms
P.O. Box 97
Westley, CA 95387

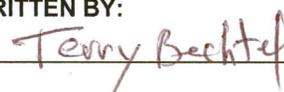
CONCLUSIONS, ACTION TAKEN OR REQUIRED:

I met with Jon and Zach Maring of Del Mar Farm to discuss the sediment and fertilizer discharge events and pending Water Board enforcement.

REVIEWED BY:



WRITTEN BY:



Central Valley Regional Water Quality Control Board

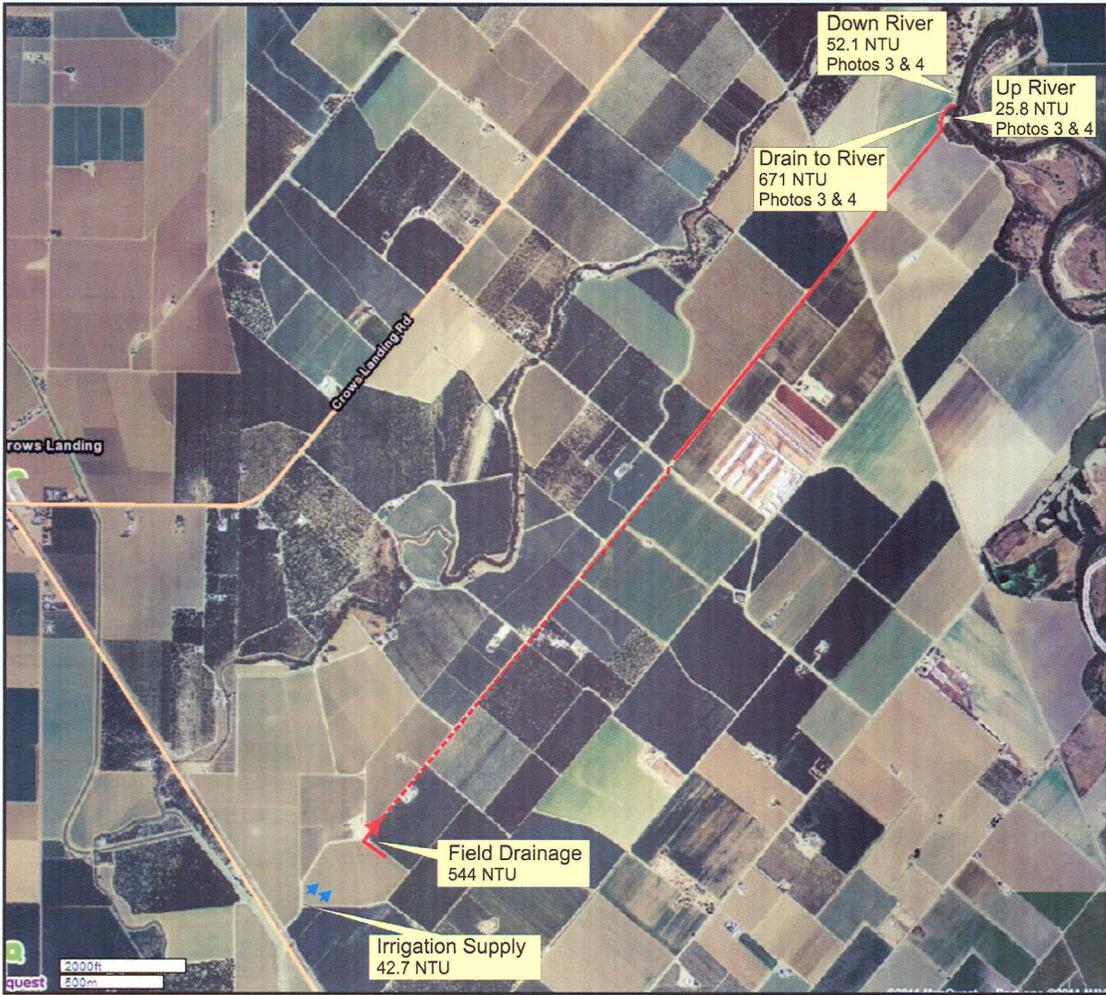
29 June 2012

17 August, 2011 Record of Communication Supplemental Information

Attached are the maps used during the 17 August 2011 meeting with Del Mar Farms (Jon Maring and Zach Maring) to discuss the May 19, July 6, and July 19, 2011 discharge events. These maps were not included in the original Record of Communication.

The aerial photos, data, and lines showing the discharges were on the version I used during our meeting. The maps have been updated since for use in subsequent reports. The updates consist of the addition of the title bars at the bottom of the pages. The background map, data, and discharge path lines are as they were

Terry Bechtel
Environmental Scientist
Central Valley Regional Water Quality Control Board



19 May 2011
Expanded View
Del Mar Farms
JT Crow Road - Amaral Line
to the San Joaquin River



Field Drain Water
544 NTU
Photo 2

Tomatoes

APN 027-018-055
31.12 ac

APN 049-014-001
17.483 ac

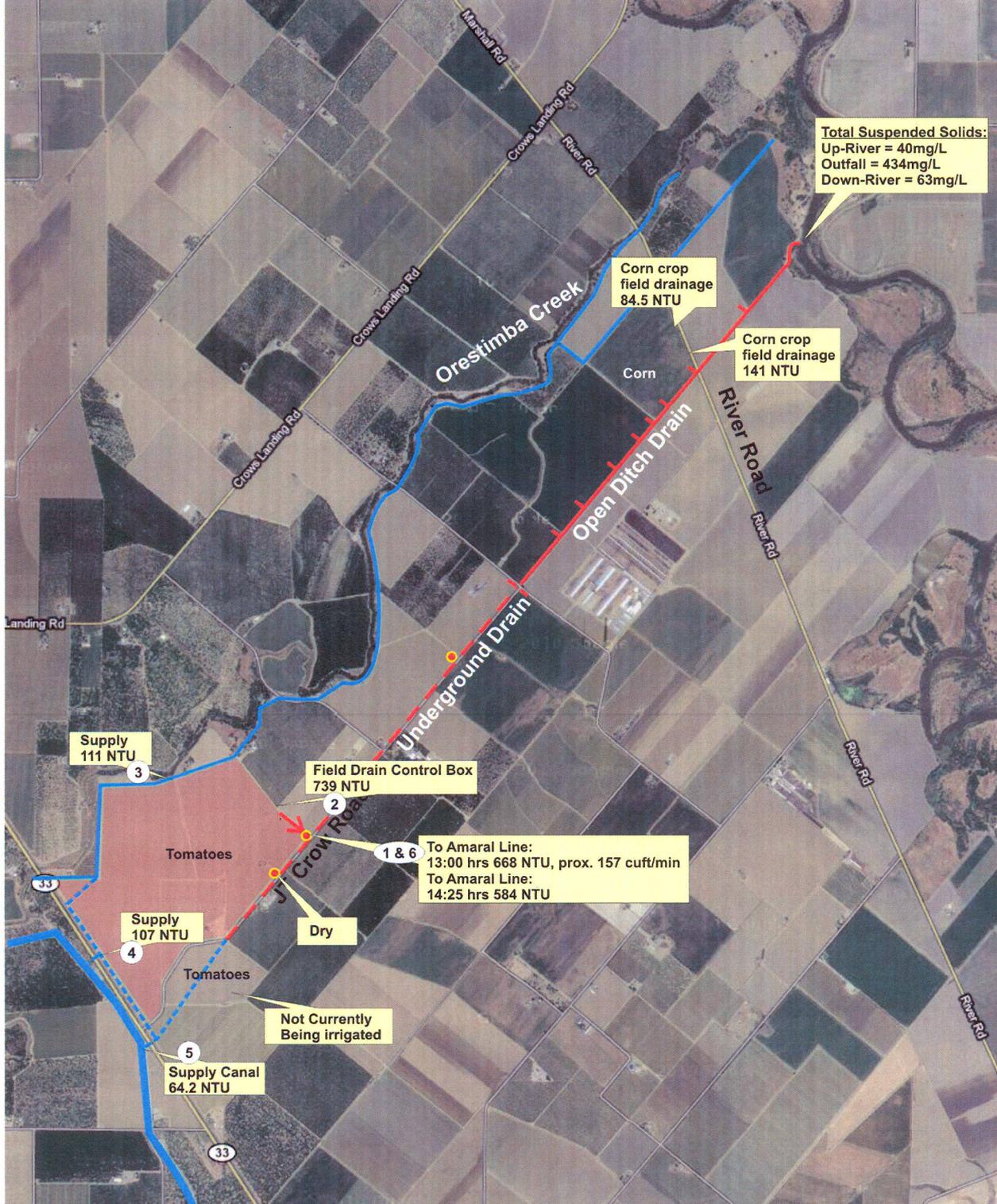
Irrigation Supply Water
42.7 NTU
Photo 1

500ft
200m

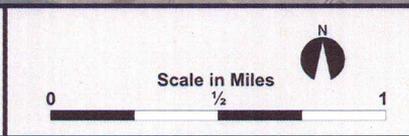
- Above Ground Supply Water
- Above Ground Drain Water
- - - Underground Drain Water



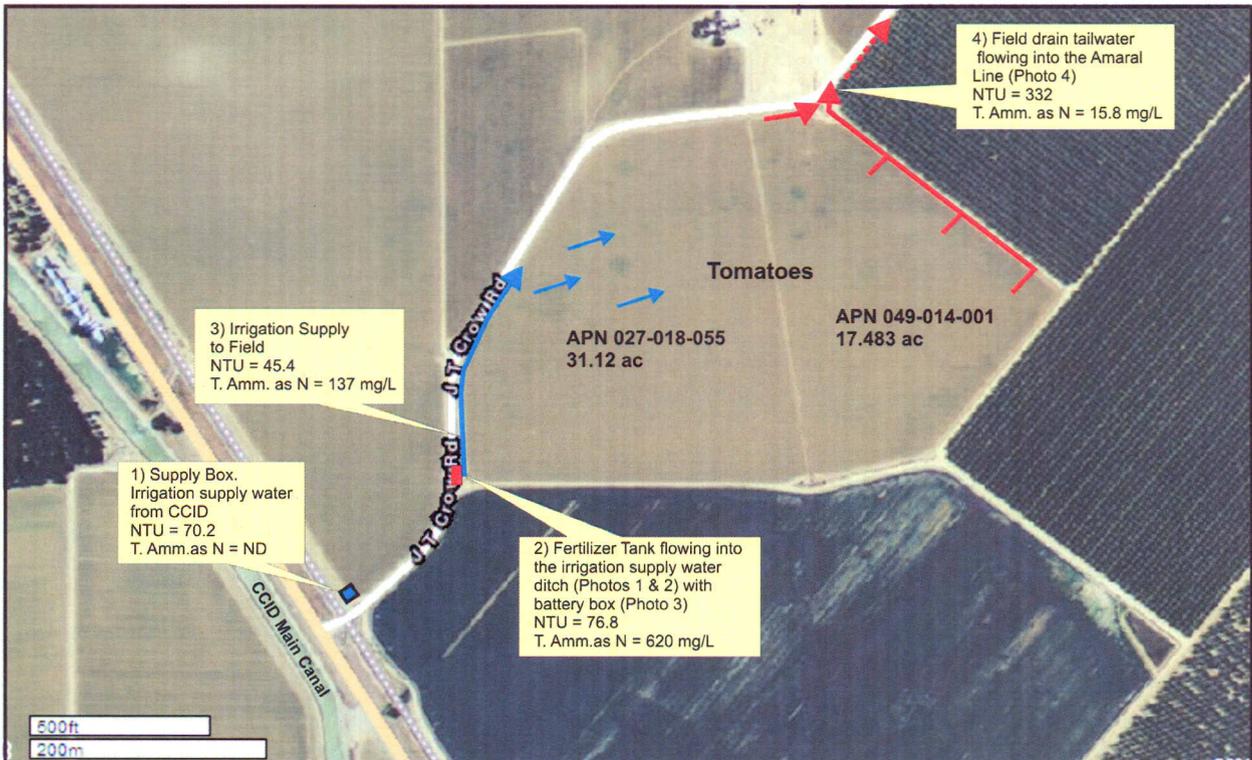
19 May 2011
Del Mar Farms
JT Crow Road - Amaral Line
to the San Joaquin River



- Drain Inlet
- Irrigation Supply, Open Ditch
- - - Irrigation Supply, Underground
- Drainage, Open Ditch
- - - Drainage, Underground



06 July 2011
 Del Mar Farms
 JT Crow Road - Amaral Line
 to the San Joaquin River



3) Irrigation Supply to Field
 NTU = 45.4
 T. Amm. as N = 137 mg/L

1) Supply Box.
 Irrigation supply water from CCID
 NTU = 70.2
 T. Amm.as N = ND

2) Fertilizer Tank flowing into the irrigation supply water ditch (Photos 1 & 2) with battery box (Photo 3)
 NTU = 76.8
 T. Amm.as N = 620 mg/L

4) Field drain tailwater flowing into the Amaral Line (Photo 4)
 NTU = 332
 T. Amm. as N = 15.8 mg/L

500ft
 200m

— Above Ground Supply Water
 — Above Ground Drain Water
 - - - Underground Drain Water

N

19 July 2011
 Del Mar Farms
 JT Crow Road - Amaral Line to the San Joaquin River