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# California Regional Water Quality Control Board Central Valley Region

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14 October 2009

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## **1 APRIL 2009 MANAGEMENT PLAN UPDATE REPORT - SAN JOAQUIN COUNTY AND DELTA WATER QUALITY COALITION**

The California Regional Water Quality Control Board, Central Valley Region (Central Valley Water Board) received the San Joaquin County and Delta Water Quality Coalition (Coalition) Annual Management Plan Update Report (Annual MPUR) on 1 April 2009 for compliance with Monitoring and Reporting Program (MRP) Order No. R5-2008-0005. The Central Valley Water Board staff (Staff) has reviewed the Annual MPUR. Some of the elements that illustrate the Coalition's efforts and progress, which were summarized in the Annual MPUR, are described as follows:

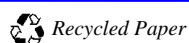
- Included a BMP handbook, which recommends management practice guidance criteria to growers,
- Procured current PUR data from Agricultural Commissioners and arranged for Agricultural Commissioners to frequently provide the Coalition PURs,
- Summarized the Coalition's outreach and education activities to address exceedances,
- Recruited the assistance of PCAs and retailers (e.g. Mid Valley Ag, Helena, Western Farm Services, Wilber -Ellis) to conduct surveys,
- Held approximately 26 meetings in 2008 with growers discussing exceedances and management practices

Staff very much appreciates the Coalition's efforts and progress towards Management Plan implementation since its approval (23 January 2009). Staff did identify some omissions in the Annual MPUR and determined it to be incomplete. These omissions were categorized as: (I) failure to achieve and report on High Priority Performance Measures 2.1, 2.2, 3.1, 3.2, and 3.3 by April 2009 and (II) missing or insufficient information. Detailed descriptions of items (I) and (II) are provided below.

### **I. Failure to Achieve and Report on High Priority Performance Measures by April 2009**

- (1) Performance Measure 2.1 – Failure to contact 100% of identified growers and report ratio of individual contacts versus total growers identified.
- (2) Performance Measure 2.2 – Failure to report ratio of acreage represented by individual contacts versus total subwatershed acreage.

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- (3) Performance Measure 3.1– Failure to obtain current management practice information from 100% of identified growers and record survey checklists in Access database.
- (4) Performance Measure 3.2– Failure to document current management practices of identified growers.
- (5) Performance Measure 3.3– Failure to document management practices that the identified grower were encouraged to implement and provide a summary of management practice evaluations.

## II. Missing or insufficient information

- (1) Exceedance and monitoring information was provided for chlorpyrifos, diazinon, dissolved oxygen, and salinity/boron. However, no discussion was provided on the Coalition's actions for dissolved oxygen, and salinity/boron or with the seven Sacramento San Joaquin Basin Plan Total Maximum Daily Load (TMDL) reporting components for chlorpyrifos/diazinon.
- (2) No information was provided with regard to the Coalition's progress on Performance Goals No.2 and No.3 for Lone Tree Creek at Jack Tone Road and Unnamed Drain to Lone Tree Creek at Jack Tone Road.

We recognize that during the development of the Management Plan, the Coalition was given the impression by staff that the deadlines were flexible. In addition, due to lack of available funds, the State Water Resources Control Board suspended the Coalition's grant funding that was used for the majority of its outreach in December 2008 and the Coalition was unable to make sufficient progress without the funding. However, the deadlines and schedules in the approved Management Plan are commitments by the Coalition on behalf of their growers to correct water quality problems. The Coalition may not change that commitment without prior Executive Officer approval.

The Coalition's failure to include required information in the Annual MPUR and by the deadline approved by the Executive Officer are violations of the Conditional Waiver and the MRP Order. The Update Report constitutes a technical report for which submittal is required under the Orders.

Should the Coalition fail to provide the required information, growers may be individually liable for penalties under Water Code Section 13268 for the Coalition's failure to submit a complete report (see Attachment B of the Conditional Waiver). In addition, the Central Valley Water Board is currently developing the Long-Term Irrigated Lands Program. As part of this process, we are closely examining the performance of the Coalitions, including the timeliness, completeness, and quality of submitted technical reports. The Central Valley Water Board therefore strongly urges the Coalition to ensure that technical reports meet all requirements.

If you have any questions regarding this letter, please contact Chris Jimmerson at (916) 464-4859 or via email at [cjimmerson@waterboards.ca.gov](mailto:cjimmerson@waterboards.ca.gov).

*Original signed by*  
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Acting Assistant Executive Officer