



Post Office Box 2840  
Visalia, CA 93279  
Tel: (559) 302-1620  
Fax: (559) 636-1177

March 19, 2014

## **New Member Information**

**Re: California Regional Water Quality Control Board's Irrigated Lands Regulatory Program (ILRP)**

Dear Kaweah Basin Grower:

### **Introduction:**

On September 19, 2013 the State of California Central Valley Regional Water Quality Control Board (**Water Board**) adopted the "Waste Discharge Requirements General Order for Growers within the Tulare Lake Basin Area that are Members of a Third-Party Group", Order R5-2013-0120 (**General Order**). This new General Order rescinded the previous Kaweah River Sub-Watershed (coalition group) Conditional Waiver of Waste Discharge Requirements for Discharges from Irrigated Lands, Order R5-2005-0833 (**Conditional Waiver**). Regardless of your past enrollment status under the rescinded Conditional Waiver, all landowners/operators must take affirmative action (described further below) to enroll their parcels under the new General Order.

The Kaweah Basin Water Quality Association (**Kaweah Basin/KBWQA**) submitted an application to serve as a Third-Party Group representing grower members under the General Order R5-2013-0120 and on February 7, 2014 received a Notice of Applicability (**NOA**) from the Board, confirming the KBWQA as an approved Third-Party.

### **Why My Land?**

If you currently own and/or operate irrigated lands within the approved KBWQA boundaries, then your land is regulated under the new General Order. The new General Order requires any irrigated lands having the potential to discharge to surface water or groundwater to comply with the requirements of the General Order. The Water Board defines irrigated land as "land irrigated to produce crops or pasture used for commercial purposes including lands that are planted to commercial crops that are not yet marketable (e.g. vineyards and tree crops). Irrigated lands also include nurseries, and privately and publicly managed wetlands". Parcels that are exempt from this Order are those that operate under a different waste discharge requirement order, such as land associated with dairies, food processors, and potentially feedlots (a feedlot order is planned to be issued this summer).

### **From Waiver to General Order:**

In the past the Kaweah River Sub-Watershed (Kaweah and St. Johns Rivers Association) administered the program complying with the requirements of the Conditional Waiver. Under the new General Order, KBWQA is the administrator (the Third-Party Group). The KBWQA will now be collecting required fees from participating owner and/or grower members. The KBWQA is administering the General Order for the benefit of landowners within the KBWQA Boundary so that they can comply with the new General

**[www.kaweahbasin.org](http://www.kaweahbasin.org)**

Order, rather than seeking coverage under the more onerous Individual Order, which requires significantly more reporting and is projected to cost more than the group option.

**Membership:**

To comply with the new General Order, one must complete a membership application to become a member of the KBWQA. Any landowner or operator within the boundaries of the KBWQA can join and enroll their irrigated parcels for coverage. It is important that all parcels (not just those affected by surface waters as before) are covered by either the owner or operator; only one party needs to enroll. Either the owner or operator will assume responsibility to fulfill the requirements of the General Order as the Member with the KBWQA.

**Enrollment Due Dates & Fees:**

The Water Board requires that owners/operators have until August 6, 2014 to enroll their irrigated parcels in the KBWQA for group regulatory coverage. After this date, additional fees plus possible penalties and forms are required by the Water Board to enroll parcels for regulatory coverage.

KBWQA has adopted a fee schedule for the period of January 1, 2014 through December 31, 2014 (which covers KBWQA costs to prepare numerous studies that must be submitted to the Water Board, administration of this program to enroll farmers, outreach workshops, fees to the State for its administration of the General Order, and other costs) as indicated in the following table. For new members, a \$100 per applicant program management fee plus a \$9.90 per irrigated acre fee is due.

As a new member, KBWQA late fees do apply after August 6, 2014, and additional fees plus possible penalties by the Water Board can be required for any whom enroll after the State Board's August 6, 2014 due date.

Management Fee	Fee per Acre	Received by Date	Note
\$100	\$9.90/ac	August 6, 2014	Must be postmarked <sup>1</sup> or hand delivered <sup>2</sup> by this date
\$100	\$14.85/ac	August 7, 2014 & After	Sign-up allowed only with approval from the Water Board

<sup>1</sup> **Mail to:** Kaweah Basin Water Quality Association, P.O. Box 2840, Visalia, CA 93279

<sup>2</sup> **Hand Deliver to:** 130 N. Garden Street, Visalia, CA 93291 (shared office with Provost & Pritchard)

Enclosed with this letter are the New Membership Application to enroll your irrigated parcels with the KBWQA, accompanying irrigated acreage worksheet, Consent to Electronic Transmission and a general overview of Member requirements. It is important that the Member **enroll all irrigated parcels;** including parcels that were not enrolled under the rescinded Conditional Waiver.

**Risk of Penalties:**

You should be aware that the Water Board takes the position that if the owners or operators of irrigated lands do not obtain regulatory coverage through a Third Party or individual arrangement with the Water

Board; the property owners could be subject to penalties of up to \$1,000 per day pursuant to Water Code section 13261.

**Enrollment Workshops:**

Enrollment Workshops are scheduled to aid and facilitate Member enrollment in the KBWQA and to answer any questions you may have. It is highly recommended that you participate in one of these enrollment workshops. The Workshops will be held:

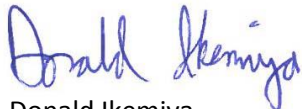
**April 8, 2014 at 10:00 am** - Exeter Veteran's Memorial Hall, 324 N. Kaweah Avenue, Exeter 93221

**June or July** – Date and location to be determined.

**Additional Information:**

Additional information on the General Order, the KBWQA, KBWQA boundary map, frequently asked questions (FAQs), and membership application can be found on the KBWQA's website at [www.kaweahbasin.org](http://www.kaweahbasin.org); or by contacting us at (559) 302-1620 or [admin@kaweahbasin.org](mailto:admin@kaweahbasin.org).

Respectfully,



Donald Ikemiya  
KBWQA Executive Director

- Enclosures:**
- 1 –2014 New Membership Application
  - 2 – New Member – Irrigated Acreage Worksheet
  - 3 – Consent to Electronic Transmission Form
  - 4 – Summary of Member Requirements

**Member Completion Checklist:**

No.	Task	Due Date	Completed
1	Submit – 2014 New Membership Application Form	August 6, 2014*	
2	Calculate and Submit - Membership Fees	August 6, 2014*	
3	Submit - Consent to Electronic Transmission Form	August 6, 2014*	
4	Obtain – A Hard or Electronic Copy of the General Order	Immediately	
5	Provide – Written Notice to Others of Your Membership	Immediately	
6	Attend – April 8, 2014 Workshop - Exeter	April 8, 2014	

\* August 6, 2014 is the final day to directly join the Kaweah Basin Water Quality Association. After this date, sign-ups are allowed only with approval from the Water Board (not assured), and with additional and substantially higher fees.