

ATTACHMENT B

30 January 2015 California Water Code section 13260 Directive and Certified Mail Card



Central Valley Regional Water Quality Control Board

30 January 2015

Magdic, Joseph Jr
22482 Ave 13 1/2
Madera, CA 93637

Certified Mail Number
7013 1710 0002 3644 6993

DIRECTIVE TO OBTAIN IRRIGATED LANDS REGULATORY COVERAGE

This Letter Contains Legal Directives That Must Be Followed
Please Read This Letter Carefully
Failure To Respond May Result In Fines

You are receiving this letter because, based on information available to the California Regional Water Quality Control Board, Central Valley Region (Central Valley Water Board or board), you own the following parcels with irrigated cropland, which are subject to new regulations:

Table with 3 columns and 4 rows. Row 1: County: Madera. Row 2: 045-122-007. Rows 3 and 4 are empty.

Please note that this Directive letter applies to all commercial irrigated cropland parcels that are owned or operated by you. Failure to respond to this Directive letter for any commercial irrigated cropland parcel that is owned or operated by you, in addition to those parcels specifically identified in this Directive letter, may subject you to significant fines.

On 12 March 2014, the Regional Water Quality Control Board, Central Valley Region (Central Valley Water Board or board), approved the Waste Discharge Requirements General Order (Order R5-2014-0030 or General Order) for Growers within the Sacramento River Watershed that are Members of the Third-Party Group. All commercial irrigated cropland within the Sacramento River Watershed are now required to get regulatory coverage through one of the options described below. The General Order addresses the discharge of waste from irrigated lands to groundwater and surface water. Wastes discharged from irrigated lands include, but are not limited to pesticides, fertilizers, pathogens, and sediment.

The Central Valley Water Board is requiring you to obtain regulatory coverage for your irrigated lands within 15 calendar days of receiving this letter. To obtain regulatory coverage either:

- 1. Join the Sacramento Valley Water Quality Coalition (Coalition), Lake County Subwatershed by submitting (a) a completed Notice of Intent (NOI) to the Central Valley Water Board to comply with the conditions of the General Order, (b) a State Water Board administrative processing fee of \$200 for the NOI, and (c) a membership application to the Coalition.

KARL E. LONGLEY ScD, P.E., CHAIR | PAMELA C. CREEDON P.E., BCEE, EXECUTIVE OFFICER

11020 Sun Center Drive #200, Rancho Cordova, CA 95670 | www.waterboards.ca.gov/centralvalley

The NOI is available online at <https://geotracker.waterboards.ca.gov/region5enoi/>

Upon submittal of a complete NOI, and after receiving confirmation from the Coalition that you are now a member, the Central Valley Water Board Executive Officer will then issue a Notice of Applicability (NOA), after which you will be considered covered under the General Order.

If you require a hard copy NOI or have questions, please contact Terry Bechtel with the Central Valley Water Board at terry.becht@waterboards.ca.gov or (916) 464-4720.

You can obtain a Coalition membership application by contacting Jennifer with the Coalition at (209) 846-6112, or at www.esjcoalition.org.

Or

2. Enroll as an Individual Discharger under the Waste Discharge Requirements for Dischargers from Irrigated Lands within the Central Valley Region for Dischargers not Participating in a Third-party Group (Order R5-2013-0100 or Individual Order). If choosing this option you must submit a completed Notice of Intent⁶⁶ (NOI) with the first year's annual fee to the Central Valley Water Board. The fee schedule for the Individual Order can be found at:
http://www.waterboards.ca.gov/resources/fees/docs/fy13_14_fee_schedule_ilrp.pdf

When regulated individually, you also must conduct your own monitoring and report directly to the Central Valley Water Board. Depending on the specific site conditions, you may be required to monitor runoff from your property, install monitoring wells, and submit technical reports regarding your actions to comply with the Individual Order. If you intend to select this option, please contact Terry Bechtel with the Central Valley Water Board at terry.becht@waterboards.ca.gov or (916) 464-4720.

Please determine which form of regulatory coverage is best for you and submit the appropriate documents to:

**Central Valley Water Board
Attn: Terry Bechtel
Irrigated Lands Regulatory Program
11020 Sun Center Drive, Suite 200
Rancho Cordova, CA 95670**

Grounds for Issuing the Directive Order

Discharge from irrigated lands may be considered a "waste" under the California Water Code. Irrigating agricultural lands such as yours may result in discharges of waste to land/groundwater or to surface water that could affect the quality of waters of the state.

⁶⁶ The required information for submitting a Notice Intent to enroll under the Individual Order can be found in Attachment B section IV.B of the Individual Order (Order R5-2013-0100).

Board staff's review of the parcel listed above indicates that it appears to be commercial irrigated cropland. Accordingly, regulatory coverage is required for this land use. You must choose between the regulatory options presented above.

Exemptions to the Program

If you no longer own or operate the parcel, or the parcel is not being used for commercial irrigated agriculture, you still need to respond to this Directive Letter. Please provide a response explaining your exemption (with any supporting documents) to terry.bechtel@waterboards.ca.gov, (916) 464-4720, or to the aforementioned address. Please be aware that board staff will verify your exemption claim.

If you are a current coalition member and have received this notice, contact the coalition to add the above parcels to your membership (or to correct any parcel number issues). You must also notify the Water Board of the parcels you have enrolled, or you may be subject to fines. As stated above, if you no longer own or operate the parcel(s), you still need to respond to this Directive Letter.

Legal Authority

Water Code section 13260 states, in relevant part:

(a) All of the following persons shall file with the appropriate regional board a report of the discharge, containing the information which may be required by the regional board:

(1) Any person discharging waste, or proposing to discharge waste, within any region that could affect the quality of the waters of the state, other than into a community sewer system.

You must respond to this Directive Letter within **15 calendar days of receiving it**. Under California Water Code section 13261, failing to submit a report of waste discharge when requested by the Board may result in the Central Valley Water Board assessing an administrative civil liability against you. Administrative civil liability can run as high as \$1,000 per day for every day the report is late.

For general information about the Central Valley Water Board's Irrigated Lands Regulatory Program, please visit:

http://www.waterboards.ca.gov/centralvalley/water_issues/irrigated_lands/index.shtml

If you have any further questions about what is required of you, please contact Terry Bechtel at (916) 464-4720 or via email at terry.bechtel@waterboards.ca.gov

Para obtener más información en español (formularios u otra información), por favor contáctenos al telefono (916) 464-4611 o vía email a: Irrlands@waterboards.ca.gov.



ANDREW ALTEVOGT
Assistant Executive Officer

SENDER: COMPLETE THIS SECTION

- Complete items 1, 2, and 3. Also complete item 4 if Restricted Delivery is desired.
- Print your name and address on the reverse so that we can return the card to you.
- Attach this card to the back of the mailpiece, or on the front if space permits.

1. Article Addressed to:

Magdic, Joseph Jr
22482 Ave 13 1/2
Madera, CA 93637

2. Article Number
(Transfer from service label)

7013 1710 0002 3644 6993

PS Form 3811, July 2013

COMPLETE THIS SECTION ON DELIVERY

A. Signature

X *[Handwritten Signature]*

- Agent
 Addressee

B. Received by (Printed Name)

C. Date of Delivery

2/2/2015

D. Is delivery address different from item 1? Yes
If YES, enter delivery address below: No

ENTERED

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3. Service Type

- Certified Mail® Priority Mail Express™
 Registered Return Receipt for Merchandise
 Insured Mail Collect on Delivery

4. Restricted Delivery? (Extra Fee) Yes

Domestic Return Receipt