ATTACHMENT C

May 2014 Water Code section 13260 Directive

9 May 2014

Rushing, Brooks J TRS & Rushing Arlene J
2030 N Washington Rd
Turlock CA 95380,

Certified Mail Number
7013 1090 0001 3130 1543

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:

County: Stanislaus			
088-009-014			
088-009-029			
088-009-024			
088-009-025			

On 7 December 2012, the Regional Water Quality Control Board, Central Valley Region (Central Valley Water Board or board), approved the Waste Discharge Requirements General Order (Order R5-2012-0116 or General Order) for Growers within the Eastern San Joaquin River Watershed that are Members of the Third-Party Group. All commercial irrigated lands within the Eastern San Joaquin 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 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 East San Joaquin Water Quality Coalition (Coalition) 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.

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 Lisa Wilson with the Central Valley Water Board at (916) 464-4844.

You can obtain a Coalition membership application by contacting the Coalition at (209) 846-6112, or at www.esjcoalition.org. You should ask to speak with Katy Khatami.

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 Intent[78] (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 please contact Lisa Wilson with the Central Valley Water Board at (916) 464-4844.

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

Central Valley Water Board
Attn: Lisa Wilson
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.

[78] 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 recently inspected the parcel or parcels listed in the table above and found 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(s), you still need to respond to this Directive Letter. Please provide a written response explaining your exemption (with any supporting documents) to the aforementioned address. Please be aware that board staff may contact you to 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. 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 RoWD 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 Lisa Wilson at (916) 464-4844 or via email at Lisa.Wilson@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

Enclosure(s): Inspection Report(s)

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:

Rushing, Brooks J TRS & Rushing Arlene J
2030 N Washington Rd
Turlock CA 95380

COMPLETE THIS SECTION ON DELIVERY

A. Signature

X [signature]

☐ Agent
☐ Addressee

B. Received by *(Printed Name)*

C. Date of Delivery

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

3. Service Type

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

4. Restricted Delivery? *(Extra Fee)* ☐ Yes

2. Article Number *(Transfer from service* 7013 1090 0001 3130 1543

PS Form 3811, July 2013 Domestic Return Receipt

UNITED STATES POSTAL SERVICE

First-Class Mail
Postage & Fees Paid
USPS
Permit No. G-10

• Sender: Please print your name, address, and ZIP+4® in this box•

California Regional Water
Quality Control Board
11020 Sun Center Drive, #200
Rancho Cordova, CA 95670-6114

delivered
5/14/14
checked USPS
online