
Kern River Watershed Coalition Authority

*A joint powers authority to serve as coordinator and coalition group under the
Irrigated Lands Regulatory Program
in the Kern River Watershed Portion of Kern County*

Business Address:

*c/o Rosedale Rio-Bravo Water Storage District
P.O. Box 20820
Bakersfield, CA 93390-0820
661-589-6045*

Financial Address:

*c/o Wheeler Ridge-Maricopa WSD
12109 Highway 166,
Bakersfield, CA 93313-9630
661-858-2281*

October 18, 2013

Pamela Creedon, Executive Officer
Clay Rodgers, Assistant Executive Officer
Central Valley Regional Water Quality Control Board
11020 Sun Center Drive, Suite 200
Rancho Cordova, CA 95670-6114

Subject: *Application to Serve as a Third-Party Representing Members for General Order R5-2013-0120 for Growers within the Tulare Lake Basin Area*

Dear Ms. Creedon:

The Kern River Watershed Coalition Authority (**KRWCA**) is submitting an Application to Serve as a Third-Party to represent growers located within the KRWCA boundary and fulfill the requirements and conditions pursuant to the Waste Discharge Requirements General Order R5-2013-0120 (**General Order**), and associated Monitoring and Reporting Program Order R5-2013-0120. The proposed KRWCA Boundary Map is provided as **Attachment A**.

Since 2012, the KRWCA has been participating as a sub-watershed under the Southern San Joaquin Valley Water Quality Coalition (**SSJWQC**), the Third-Party group representing growers within this region during the implementation of the Conditional Waiver of Waste Discharge Requirements for Discharge from Irrigated Lands, Order R5-2006-0053 (**Conditional Waiver**). The KRWCA has the ability to carry out the Third-Party responsibilities as listed in the General Order. This is further detailed below:

- 1. Provide the Central Valley Water Board documentation of its organizational or management structure. The documentation shall identify persons responsible for ensuring that program requirements are fulfilled. The documentation shall be made readily available to Members.***

The KRWCA is an established Joint Powers Authority (**JPA**) pursuant to the Joint Exercise of Power Act (Government Code Section 6500, *et seq.*) by and between the public agencies listed in **Attachment B**. In accordance with the KRWCA's Joint Powers Agreement (JPA Agreement) it is governed by a Board of Directors (**BOD**) composed of one representative of each of the General Members, who shall be a director, officer, consultant, or employee dedicated to the purposes of the respective party. KRWCA General Members consist of each of the public agencies involved in the JPA agreement. Pursuant to the JPA Agreement, the KRWCA shall select a Chair from among the BOD who shall be the presiding

officer of all Board meetings and a Vice-Chair from among the BOD who shall serve in absence of the Chair. The Board shall also select a Secretary-Treasurer, who need not be a member of the BOD. The terms of such Officers are to be established by the BOD as decided. The KRWCA BOD is comprised of 10 positions. The BOD has worked conscientiously with the SSJWQC since 2012 to ensure compliance with the Irrigated Lands Regulatory Program (ILRP) terms of the Conditional Waiver within the KRWCA boundary.

The KRWCA BOD has delegated oversight of the day-to-day operations, and its representation to the Regional Water Quality Control Board (RWQCB) to its Chair, Eric Averett. Figure 1, below, presents an organizational chart of the KRWCA and lists the names of current Directors and officer titles of the BOD.

**Kern River Watershed Coalition Authority
Organization Chart**

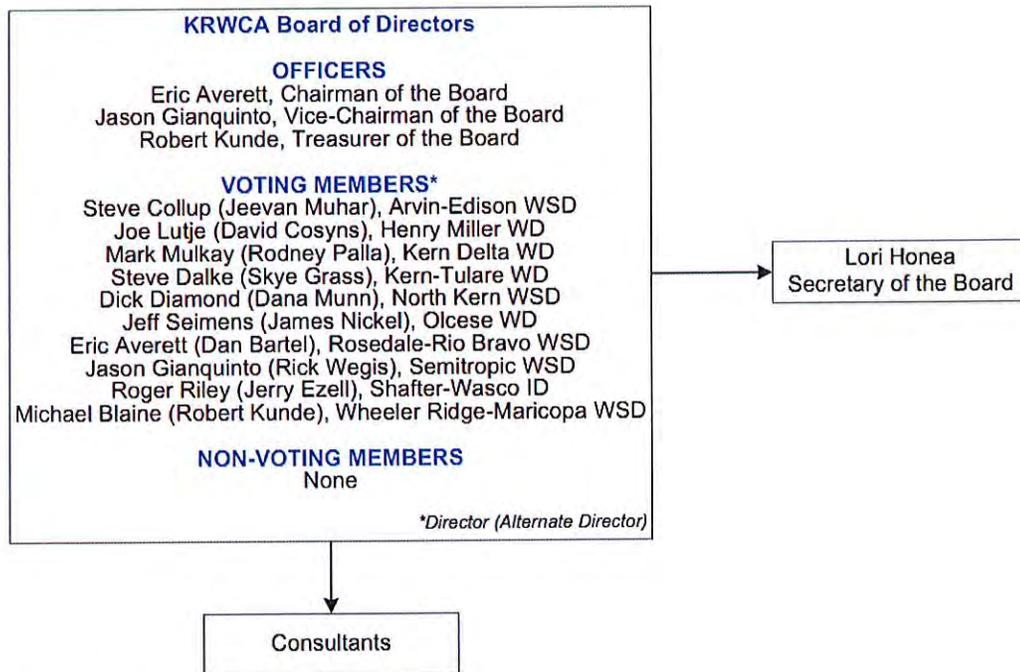


Figure 1: KRWCA Organizational Chart

With respect to member rights, the KRWCA is organized with voting and non-voting members. All General Member Directors have a vote in the KRWCA BOD. Associate Members are non-voting in the KRWCA BOD; there are currently no Associate Members on the BOD. Associate Members include any persons that are interested in the purposes of the KRWCA, and must be approved by the BOD. The KRWCA agrees to provide and make readily available all organization documentation to all Members.

2. *Prepare annual summaries of expenditures of fees and revenue used to comply with this Order. The summaries shall be provided to or made readily available to Members.*

The KRWCA summarizes all monthly expenditures during the monthly Board of Directors meeting and provides a hard copy to all Directors. The BOD approves an annual budget prior to the beginning of the subsequent fiscal year, and an annual fiscal report is provided to all Directors. The KRWCA agrees to provide and make readily available an Annual Summary Report to all Members.

- 3. If the third-party group receives a notice of violation (NOV) from the Central Valley Water Board, the third-party must provide to Members in the area addressed by the NOV appropriate information regarding the reason(s) for the violation. The notification must be provided to all Members within the area affected by the NOV within thirty (30) days of receiving the NOV from the board. The third-party group must provide confirmation to the board of each notification. A summary of all notices of violation received by the third-party group must be provided to all Members annually. The annual NOV summary may be part of a written or electronic communication to Members.*

The KRWCA agrees that it will mail and/or email correspondence to all members within the area affected by the NOV within 30 days of receiving the NOV from the RWQCB. Confirmation of the NOV correspondence will be provided to the RWQCB. Further, an annual summary of all notices will be included in the Annual Summary Report provided to all members.

- 4. Develop and implement plans to track and evaluate the effectiveness of water quality management practices, pursuant to approved Surface Water Quality Management Plans and Groundwater Quality Management Plans.*

The SSJVWQC, in association with the KRWCA, developed and implemented between 2006 and the present, Management Plans designed to track and evaluate the implementation of management practices whose goal is reducing discharges that impair surface water quality. The SSJVWQC/KRWCA has been effectively implementing Management Plans since 2006 in compliance with the ILRP Conditional Waiver, which include: the Main Drain Management Plan with the Buena Vista Water Storage District.

The KRWCA plans to develop a Comprehensive Groundwater Quality Management Plan (**GQMP**) pursuant to the conditions in the General Order. The GQMP will utilize information developed in the Groundwater Quality Assessment Report (**GAR**) and will meet GQMP requirements as listed in Appendix MRP-1 of the General Order.

- 5. Provide timely and complete submittal of any plans or reports required by this Order.*

The KRWCA has been representing members in the region under the Conditional Waiver since 2012, and has a record of producing timely, complete, and technically sound plans and reports. Provost & Pritchard Consulting Group has been retained to assist the KRWCA with the development of reports. The

KRWCA and its consultant will be responsible for the reporting requirements in Attachment B of the General Order.

6. *Conduct required water quality monitoring and assessments in conformance with quality assurance/quality control requirements and provide timely and complete submittal of any reports required by this Order.*

The SSJWQC/KRWCA has relied on the technical services of Fruit Growers Laboratory, Inc (**FGL**) since 2006 to prepare plans and conduct scientifically defensible surface water monitoring and assessments to evaluate the impact on beneficial uses of surface water discharges from irrigated agriculture. Monitoring reports submitted by the SSJWQC/KRWCA have conformed to quality assurance/quality control requirements pursuant to the Conditional Waiver, have been complete, and have been submitted in a timely manner. The KRWCA will seek assistance from qualified technical experts to assist with the newly adopted groundwater components of the General Order, and will continue to conduct water quality monitoring and assessments in accordance with an approved Quality Assurance Project Plan (**QAPP**); meeting the monitoring requirements for both surface and groundwater monitoring pursuant to Appendix B of the General Order.

7. *Within 30 days of receiving an NOA from the Central Valley Water Board (as described in Section VIII.A) inform Members of this Order's requirements by providing a notice of confirmation form to be completed by each Member.*

The KRWCA will inform Members of the Order's requirements and will provide a Notice of Confirmation (**NOC**) form. The NOC form will be mailed to all current Members and any additional Members requesting to join the KRWCA during the 180 days after the issuance of a NOA to the KRWCA by the RWQCB. Included with the NOC form will be a fact sheet with Member and Third-Party responsibilities, as well as information on how to access the approved General Order and supporting documentation.

8. *Conduct education and outreach activities to inform Members of program requirements and water quality problems, including exceedances of water quality objectives or degradation of water quality, identified by the third-party or Central Valley Water Board. The third-party shall:*
 - a. *Maintain attendance lists for outreach events, provide Members with information on water quality management practices that will address water quality problems and minimize the discharge of wastes from irrigated lands, and provide informational materials on potential environmental impacts of water quality management practices to the extent known by the third-party group.*
 - b. *Provide an annual summary of education and outreach activities to the Central Valley Water Board. The annual summary shall include copies of the educational and management practice information provided to the growers. The annual summary must report the total*

number of growers who attended the outreach events and describe how growers can obtain copies of the materials presented at these events.

The KRWCA agrees that it will conduct education and outreach to growers through grower meetings. The KRWCA will document Member attendance at meetings, supplied material, and outreach and education events in the annual report to the RWQCB. The KRWCA will work with interested parties in developing material (e.g. presentations, handouts, etc) to inform Members on water quality management practices and potential environmental impacts of water quality management practices. The KRWCA maintains a website for Members that will allow readily available access to management practice and water quality management practices information; the information will also be presented at annual grower meetings. The KRWCA will post meeting agendas, presentations, handouts, and other applicable material on the website for Members to review and download. Members will be asked to sign in at each education and outreach event and the information will be incorporated in the Member Database maintained by the KRWCA.

- 9. Work cooperatively with the Central Valley Water Board to ensure all Members are providing required information and taking necessary steps to address exceedances or degradation identified by the third-party or board. As part of the Membership List submittal, identify the growers known by the third-party who have: (1) failed to implement improved water quality management practices within the timeframe specified by an applicable SWMP/GQMP; (2) failed to respond to an information request from the third-party associated with any applicable SQMP/GQMP or other provisions of this Order; (3) failed to participate as requested in third-party studies for which the third-party is the lead; (4) failed to provide confirmation of participation in an outreach event (per section IV.B.4 of this Order); or (5) otherwise failed to maintain good standing of their membership in the third-party group.*

The KRWCA agrees to work cooperatively with the RWQCB to assist all Members in providing the required information. The KRWCA will develop and maintain a Member Database(s) that will incorporate the necessary information to comply with the aforementioned items. The KRWCA will provide Members with copies of all required forms via mail or electronic means.

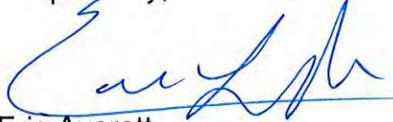
- 10. Ensure that any activities conducted on behalf of the third-party by other groups meet the requirements of this Order. The third-party is responsible for any activities conducted on its behalf.*

The KRWCA will engage consultants to prepare and complete required technical reports and documents on behalf of the Members, which at least through 2014 will be coordinated and lead by Provost & Pritchard Consulting Group. The KRWCA will also likely engage local water district staff to conduct some activities on the KRWCA's behalf, where expedient. The KRWCA will accept responsibility for actions conducted on its behalf.

11. Collect any fees from Members required by the State Water Board pursuant to the fee schedule contained in Title 23 CCR. Such fees shall then be submitted to the State Water Board. The fees invoiced by the State Water Board will be based on the Membership List submitted by the third-party group. The third-party group is responsible for ensuring the Members identified in the Membership List have provided their required portion of the State Water Board fees.

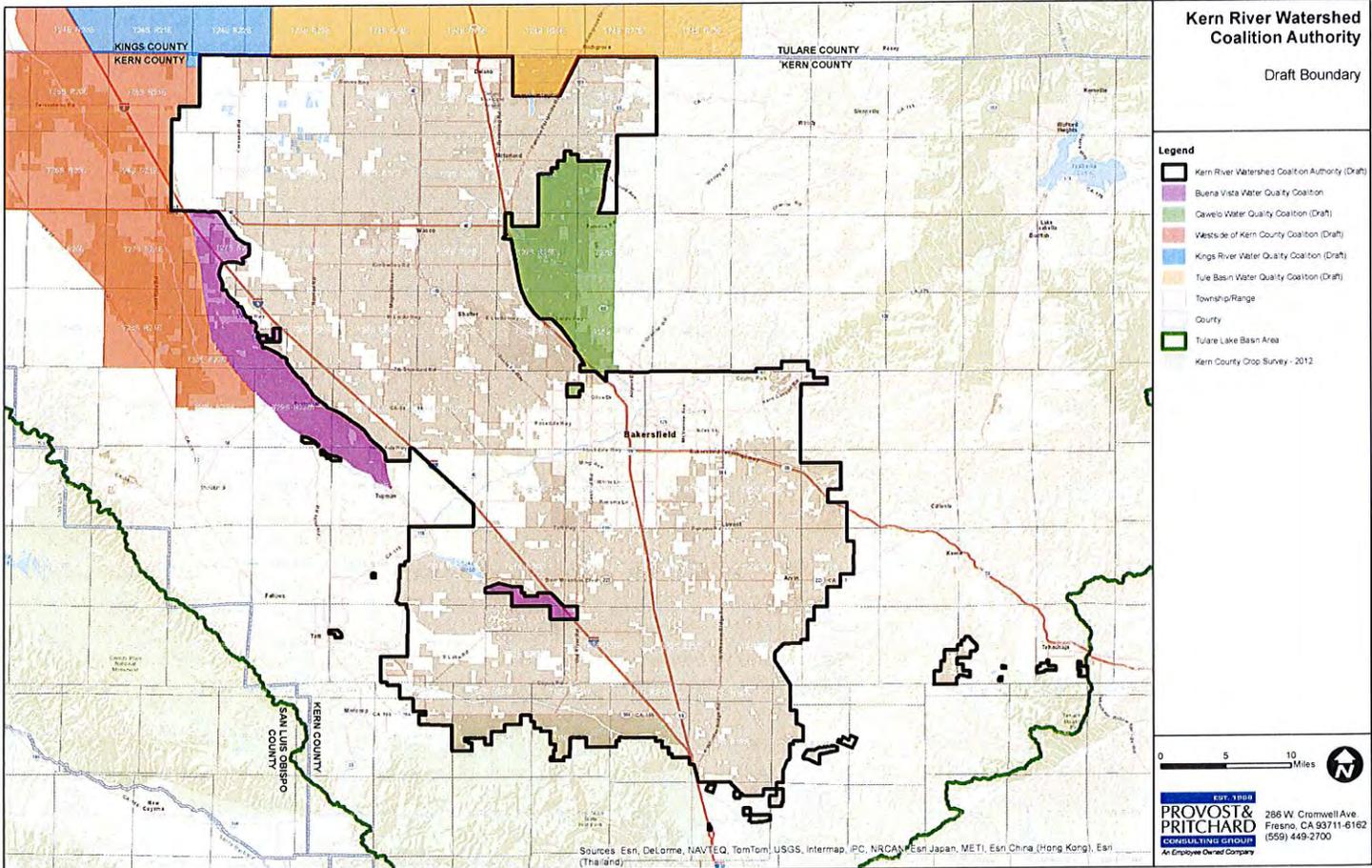
The KRWCA will collect member dues from enrolled Members that include a per grower administrative fee, fees as required by the RWQCB, and fees assessed on a per acre basis that are required to conduct the Third-Party activities as required by the General Order. The KRWCA BOD will establish the Member fee assessment before each fiscal year.

Respectfully,



Eric Averett
Chairman

**Attachments: A – Proposed KRWCA Boundary Map
B – KRWCA Member Agency List**



10/16/2013 V:\Clients\Kern River Watershed Coalition Authority\3484348412\1-ILRP 2012\GIS\Map\BoundaryReview\KRWCA_submit.mxd

Application to Serve as a Third-Party
Attachment B

Kern River Watershed Coalition Authority
List of General Members

10/18/13

General Member	Director	Alternate Director	Board Officer (if applicable)
Arvin-Edison Water Storage District	Steve Collup	Jeevan Muhar	
Henry Miller Water District	Joe Lutje	David Cosyns	
Kern Delta Water District	Mark Mulkay	Rodney Palla	
Kern-Tulare Water District	Steve Dalke	Skye Grass	
North Kern Water Storage District	Dick Diamond	Dana Munn	
Olcese Water District	Jeff Seimens	James Nickel	
Rosedale-Rio Bravo Water Storage District	Eric Averett	Dan Bartel	Eric Averett, Chairman
Semitropic Water Storage District	Jason Gianquinto	Rick Wegis	Jason Gianquinto, Vice-Chair
Shafter-Wasco Irrigation District	Roger Riley	Jerry Ezell	
Wheeler Ridge-Maricopa Water Storage District	Michael Blaine	Robert Kunde	Robert Kunde, Treasurer



Post Office Box 151
Bakersfield, CA 93302
Tel: (661) 616-6500
Fax: (661) 616-6550

November 18, 2013

Pamela Creedon, Executive Officer
Clay Rodgers, Assistant Executive Officer
Central Valley Regional Water Quality Control Board
11020 Sun Center Drive, Suite 200
Rancho Cordova, CA 95670-6114

RE: *Revision to Kern River Watershed Coalition Authority Application to Serve as a Third-Party Representing Members for General Order R5-2013-0120 for Growers within the Tulare Lake Basin Area*

Dear Ms. Creedon:

The Kern River Watershed Coalition Authority (**KRWCA**) is submitting an amendment to the *Application to Serve as a Third-Party Representing Members for General Order R5-2013-0120 for Growers within the Tulare Lake Basin Area*, dated and submitted to the Regional Water Quality Control Board (**RWQCB**) October 18, 2013, and provided as **Attachment A**. The amendment to the KRWCA Application to Serve is in regards to Requirement Item 7:

7. Within 30 days of receiving the NOA from the Central Valley Water Board (as described in section VIII.A), inform Members of this Order's requirements by providing a notice of confirmation form to be completed by each Member.

The KRWCA is amending the Requirement Item 7 response to:

The KRWCA will inform Members of the Order's requirements and will provide a Notice of Confirmation (**NOC**) form. The NOC form will be mailed to all existing Members within 30 days of receipt of the Notice of Applicability (**NOA**) from the RWQCB (section V.II.A.1). The NOC form will also be mailed to any additional Members requesting to join the KRWCA during the 180 days after the issuance of a NOA to the KRWCA. Included with the NOC form will be a fact sheet with Member and Third-Party responsibilities, as well as information on how to access the approved General Order and supporting documentation.

Please adopt this amendment to the KRWCA Application to Serve as a Third-Party.



11/18/2013

Page 2 of 2

Respectfully,

Eric Averett

Attachments: A – Application to Serve as a Third-Party Representing Members for General Order R5-2013-0120 for Growers within the Tulare Lake Basin Area

CC: David Sholes
Brent Vanderburgh



**Kern River
Watershed**
Coalition Authority

Post Office Box 151
Bakersfield, CA 93302
Tel: (661) 616-6500
Fax: (661) 616-6550

November 20, 2013

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11/20/2013

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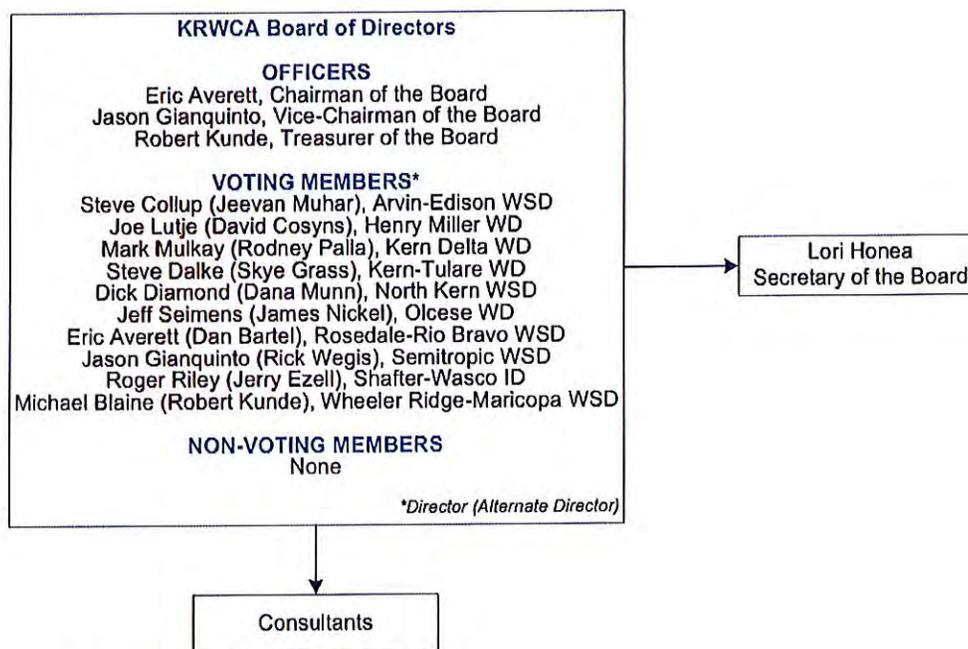


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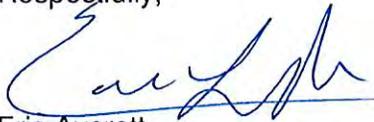
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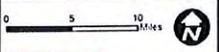
A handwritten signature in blue ink, appearing to read "Eric Averett", written over a horizontal line.

Eric Averett
Chairman

**Attachments: A – Proposed KRWCA Boundary Map
B – KRWCA Member Agency List**

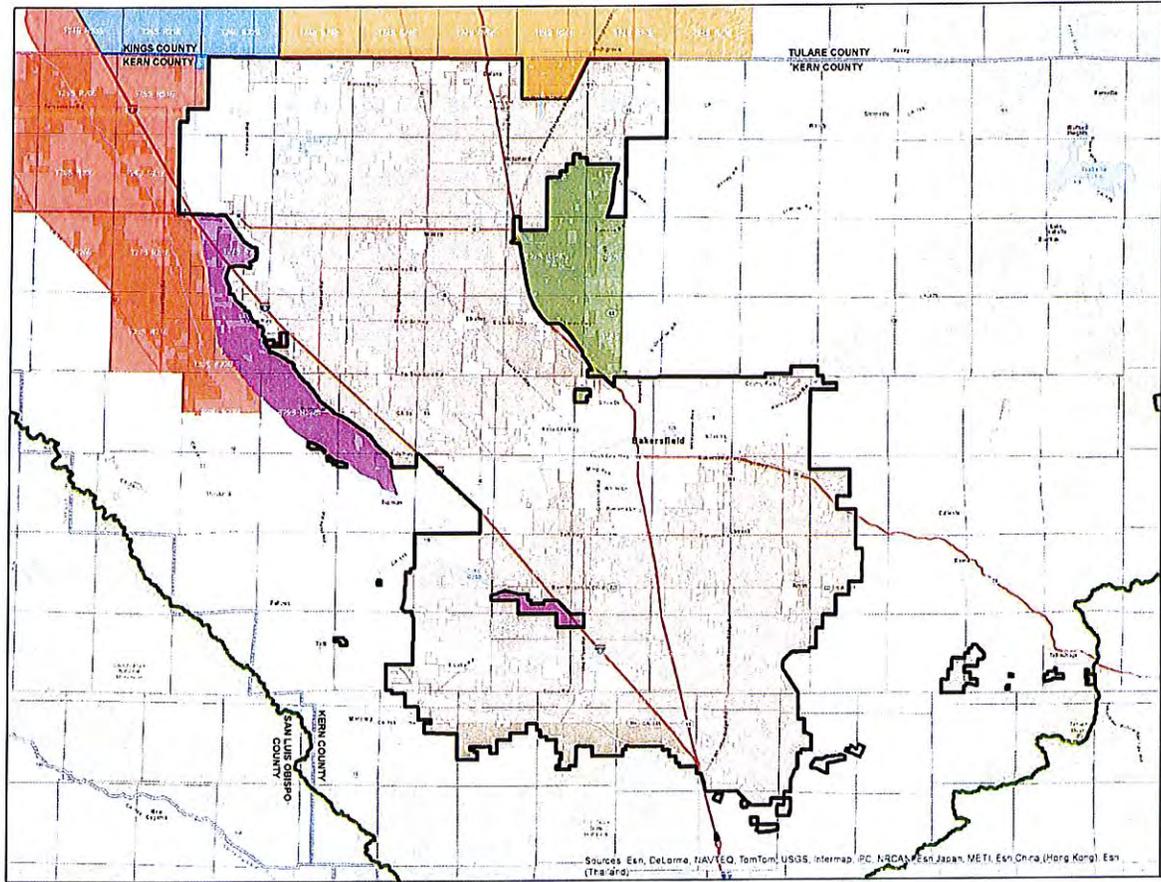
**Kern River Watershed
Coalition Authority**
Draft Boundary

- Legend**
- Kern River Watershed Coalition Authority (Draft)
 - Buena Vista Water Quality Coalition (Draft)
 - General Water Quality Coalition (Draft)
 - Westside of Kern County Coalition (Draft)
 - Kings River Water Quality Coalition (Draft)
 - Tule Basin Water Quality Coalition (Draft)
 - Township Range
 - County
 - Tulare Lake Basin Area
 - Kern County Crop Survey - 2012



401-1008
PROVOST & PRITCHARD
ECONOMIC CONSULTING GROUP
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285 W. Cromwell Ave
Fresno, CA 93711-6162
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Sources: Esri, DeLorme, NAVTEQ, TomTom, USGS, Intermap, iPC, NRCAN, Esri, Japan, METI, Esri, China (Hong Kong), Esri (Taiwan)

General Member	Director	Alternate Director	Board Officer (if applicable)
Arvin-Edison Water Storage District	Steve Collup	Jeevan Muhar	
Henry Miller Water District	Joe Lutje	David Cosyns	
Kern Delta Water District	Mark Mulkay	Rodney Palla	
Kern-Tulare Water District	Steve Dalke	Skye Grass	
North Kern Water Storage District	Dick Diamond	Dana Munn	
Olcese Water District	Jeff Seimens	James Nickel	
Rosedale-Rio Bravo Water Storage District	Eric Averett	Dan Bartel	Eric Averett, Chairman
Semitropic Water Storage District	Jason Gianquinto	Rick Wegis	Jason Gianquinto, Vice-Chair
Shafter-Wasco Irrigation District	Roger Riley	Jerry Ezell	
Wheeler Ridge-Maricopa Water Storage District	Michael Blaine	Robert Kunde	Robert Kunde, Treasurer



**Kern River
Watershed**
Coalition Authority

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Bakersfield, CA 93302
Tel: (661) 616-6500
Fax: (661) 616-6550

January 13, 2014

Pamela Creedon, Executive Officer
Clay Rodgers, Assistant Executive Officer
Central Valley Regional Water Quality Control Board
11020 Sun Center Drive, Suite 200
Rancho Cordova, CA 95670-6114

RE: *Revision to Kern River Watershed Coalition Authority Application to Serve as a Third-Party Representing Members for General Order R5-2013-0120 for Growers within the Tulare Lake Basin Area*

Dear Ms. Creedon:

The Kern River Watershed Coalition Authority (**KRWCA**) is submitting an amendment to the *Application to Serve as a Third-Party Representing Members for General Order R5-2013-0120 for Growers within the Tulare Lake Basin Area*. Our original application was dated and submitted to the Regional Water Quality Control Board (**RWQCB**) on October 18, 2013, and is provided as **Attachment A**. The following amendment to the Application to Serve is in regards to the KRWCA proposed boundary area.

On December 13, 2013, we met with RWQCB staff and were informed that the KRWCA boundary must extend to the boundary of the Tulare Lake Basin area, and that the KRWCA Application to Serve would not be approved until the issue is resolved. We had a productive discussion regarding the expectations that would accompany an expanded coalition area. Based on our meeting, the amended KRWCA boundary area, provided as **Attachment C**, is submitted to the RWQCB with the following understandings:

- The KRWCA is not obligated to do anything for areas that are not irrigated or participating financially. Technical reports and monitoring to comply with the General Order are not expected to address non-irrigated lands, lands not participating financially, or have not specifically requested coverage by the KRWCA. For example, the Groundwater Assessment Report (**GAR**) shall not cover non-irrigated land(s).
- The KRWCA boundary will consist of a Primary and Secondary Boundary Area. The Primary Boundary Area will consist of irrigated agriculture located principally on the San Joaquin Valley Floor, as submitted on October 18, 2013. The primary boundary will be the focus of our efforts. The Secondary Boundary Area will cover the rest of the Kern River watershed area, up to the Tulare Lake Basin boundary, as shown in Attachment B. The KRWCA will extend the opportunity for coverage to those growers who request KRWCA membership in the secondary area; however, the KRWCA outreach efforts will focus on the primary area. We assume reasonable efforts and costs in the secondary area if those

www.krwca.org



landowners choose to participate in the KRWCA, in proportion to the amount of irrigated acres present there. Any growers within the secondary area will pay their share of compliance costs, which may differ significantly from what growers in the primary area will pay. Growers in the primary area will not subsidize costs for growers in the secondary area.

- We understand that the secondary area, not having much irrigated agriculture, and having much different geology, is not the RWQCB's highest priority, and thus is not expected to be addressed to any significant degree in the GAR or other aspects of compliance unless landowners within the secondary area request coverage by the KRWCA and agree to provide funding for the work associated with their participation.
- The KRWCA shall not be required to cover federal and state owned lands, including but not limited to United States Department of Agriculture (**USDA**) Forest Service, National Park Service (**NPS**), and Bureau of Land Management (**BLM**) lands, unless there is active irrigated agriculture within those lands. Under such circumstances, the KRWCA, if requested by the landowner(s), shall cover those areas, provided the landowner agrees to participate financially.
- The KRWCA anticipates continuing much the same surface water monitoring program as before, based on assurances made by RWQCB staff.
- It is important to note that the KRWCA has had little or no contact with landowners within the secondary area, and additional issues may arise that the KRWCA will need to address at a later point.

Please accept the amended KRWCA boundary area and Application to Serve as a Third-Party, with the aforementioned understandings.

Respectfully,

Eric Averett
Chairman

Attachments: A – Original Application to Serve as a Third-Party Representing Members for General Order R5-2013-0120 for Growers within the Tulare Lake Basin Area
B – Revision to Kern River Watershed Coalition Authority Application to Serve as a Third-Party Representing Members for General Order R5-2013-0120 for Growers within the Tulare Lake Basin Area
C – Amended KRWCA boundary area map

CC: Clay Rodgers
David Sholes
Brent Vanderburgh

Kern River Watershed Coalition Authority

*A joint powers authority to serve as coordinator and coalition group under the
Irrigated Lands Regulatory Program
in the Kern River Watershed Portion of Kern County*

*Business Address:
c/o Rosedale Rio-Bravo Water Storage District
P.O. Box 20820
Bakersfield, CA 93390-0820
661-589-6045*

*Financial Address:
c/o Wheeler Ridge-Maricopa WSD
12109 Highway 166,
Bakersfield, CA 93313-9630
661-858-2281*

October 18, 2013

Pamela Creedon, Executive Officer
Clay Rodgers, Assistant Executive Officer
Central Valley Regional Water Quality Control Board
11020 Sun Center Drive, Suite 200
Rancho Cordova, CA 95670-6114

Subject: *Application to Serve as a Third-Party Representing Members for General Order R5-2013-0120 for Growers within the Tulare Lake Basin Area*

Dear Ms. Creedon:

The Kern River Watershed Coalition Authority (**KRWCA**) is submitting an Application to Serve as a Third-Party to represent growers located within the KRWCA boundary and fulfill the requirements and conditions pursuant to the Waste Discharge Requirements General Order R5-2013-0120 (**General Order**), and associated Monitoring and Reporting Program Order R5-2013-0120. The proposed KRWCA Boundary Map is provided as **Attachment A**.

Since 2012, the KRWCA has been participating as a sub-watershed under the Southern San Joaquin Valley Water Quality Coalition (**SSJWQC**), the Third-Party group representing growers within this region during the implementation of the Conditional Waiver of Waste Discharge Requirements for Discharge from Irrigated Lands, Order R5-2006-0053 (**Conditional Waiver**). The KRWCA has the ability to carry out the Third-Party responsibilities as listed in the General Order. This is further detailed below:

- 1. Provide the Central Valley Water Board documentation of its organizational or management structure. The documentation shall identify persons responsible for ensuring that program requirements are fulfilled. The documentation shall be made readily available to Members.***

The KRWCA is an established Joint Powers Authority (**JPA**) pursuant to the Joint Exercise of Power Act (Government Code Section 6500, *et seq.*) by and between the public agencies listed in **Attachment B**. In accordance with the KRWCA's Joint Powers Agreement (JPA Agreement) it is governed by a Board of Directors (**BOD**) composed of one representative of each of the General Members, who shall be a director, officer, consultant, or employee dedicated to the purposes of the respective party. KRWCA General Members consist of each of the public agencies involved in the JPA agreement. Pursuant to the JPA Agreement, the KRWCA shall select a Chair from among the BOD who shall be the presiding

officer of all Board meetings and a Vice-Chair from among the BOD who shall serve in absence of the Chair. The Board shall also select a Secretary-Treasurer, who need not be a member of the BOD. The terms of such Officers are to be established by the BOD as decided. The KRWCA BOD is comprised of 10 positions. The BOD has worked conscientiously with the SSJWQC since 2012 to ensure compliance with the Irrigated Lands Regulatory Program (**ILRP**) terms of the Conditional Waiver within the KRWCA boundary.

The KRWCA BOD has delegated oversight of the day-to-day operations, and its representation to the Regional Water Quality Control Board (**RWQCB**) to its Chair, Eric Averett. Figure 1, below, presents an organizational chart of the KRWCA and lists the names of current Directors and officer titles of the BOD.

Kern River Watershed Coalition Authority Organization Chart

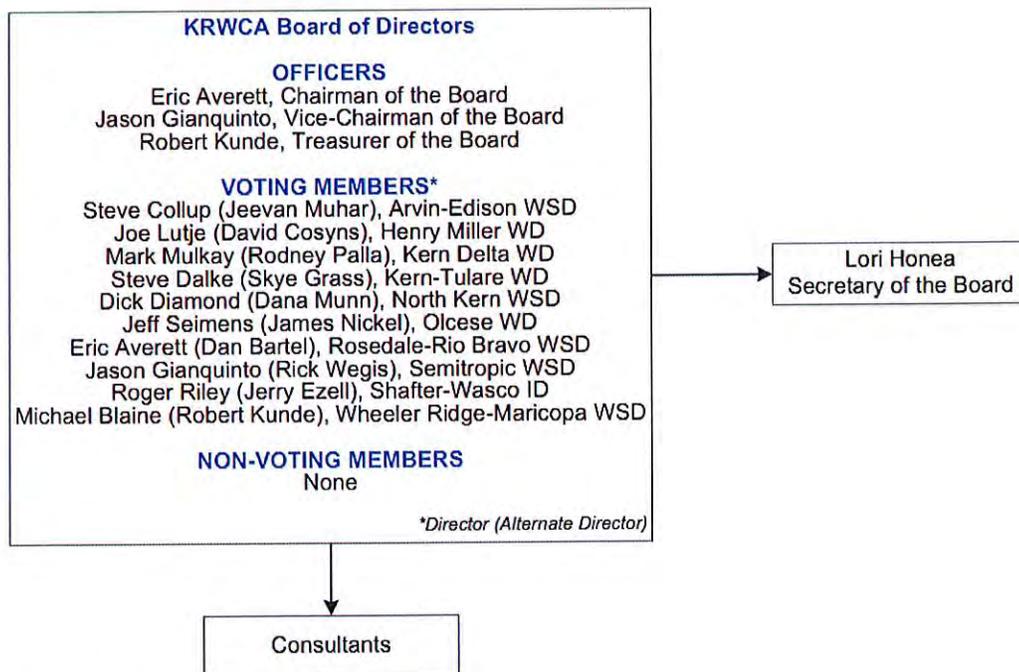


Figure 1: KRWCA Organizational Chart

With respect to member rights, the KRWCA is organized with voting and non-voting members. All General Member Directors have a vote in the KRWCA BOD. Associate Members are non-voting in the KRWCA BOD; there are currently no Associate Members on the BOD. Associate Members include any persons that are interested in the purposes of the KRWCA, and must be approved by the BOD. The KRWCA agrees to provide and make readily available all organization documentation to all Members.

2. *Prepare annual summaries of expenditures of fees and revenue used to comply with this Order. The summaries shall be provided to or made readily available to Members.*

The KRWCA summarizes all monthly expenditures during the monthly Board of Directors meeting and provides a hard copy to all Directors. The BOD approves an annual budget prior to the beginning of the subsequent fiscal year, and an annual fiscal report is provided to all Directors. The KRWCA agrees to provide and make readily available an Annual Summary Report to all Members.

- 3. If the third-party group receives a notice of violation (NOV) from the Central Valley Water Board, the third-party must provide to Members in the area addressed by the NOV appropriate information regarding the reason(s) for the violation. The notification must be provided to all Members within the area affected by the NOV within thirty (30) days of receiving the NOV from the board. The third-party group must provide confirmation to the board of each notification. A summary of all notices of violation received by the third-party group must be provided to all Members annually. The annual NOV summary may be part of a written or electronic communication to Members.*

The KRWCA agrees that it will mail and/or email correspondence to all members within the area affected by the NOV within 30 days of receiving the NOV from the RWQCB. Confirmation of the NOV correspondence will be provided to the RWQCB. Further, an annual summary of all notices will be included in the Annual Summary Report provided to all members.

- 4. Develop and implement plans to track and evaluate the effectiveness of water quality management practices, pursuant to approved Surface Water Quality Management Plans and Groundwater Quality Management Plans.*

The SSJVWQC, in association with the KRWCA, developed and implemented between 2006 and the present, Management Plans designed to track and evaluate the implementation of management practices whose goal is reducing discharges that impair surface water quality. The SSJVWQC/KRWCA has been effectively implementing Management Plans since 2006 in compliance with the ILRP Conditional Waiver, which include: the Main Drain Management Plan with the Buena Vista Water Storage District.

The KRWCA plans to develop a Comprehensive Groundwater Quality Management Plan (**GQMP**) pursuant to the conditions in the General Order. The GQMP will utilize information developed in the Groundwater Quality Assessment Report (**GAR**) and will meet GQMP requirements as listed in Appendix MRP-1 of the General Order.

- 5. Provide timely and complete submittal of any plans or reports required by this Order.*

The KRWCA has been representing members in the region under the Conditional Waiver since 2012, and has a record of producing timely, complete, and technically sound plans and reports. Provost & Pritchard Consulting Group has been retained to assist the KRWCA with the development of reports. The

KRWCA and its consultant will be responsible for the reporting requirements in Attachment B of the General Order.

- 6. Conduct required water quality monitoring and assessments in conformance with quality assurance/quality control requirements and provide timely and complete submittal of any reports required by this Order.*

The SSJWQC/KRWCA has relied on the technical services of Fruit Growers Laboratory, Inc (**FGL**) since 2006 to prepare plans and conduct scientifically defensible surface water monitoring and assessments to evaluate the impact on beneficial uses of surface water discharges from irrigated agriculture. Monitoring reports submitted by the SSJWQC/KRWCA have conformed to quality assurance/quality control requirements pursuant to the Conditional Waiver, have been complete, and have been submitted in a timely manner. The KRWCA will seek assistance from qualified technical experts to assist with the newly adopted groundwater components of the General Order, and will continue to conduct water quality monitoring and assessments in accordance with an approved Quality Assurance Project Plan (**QAPP**); meeting the monitoring requirements for both surface and groundwater monitoring pursuant to Appendix B of the General Order.

- 7. Within 30 days of receiving an NOA from the Central Valley Water Board (as described in Section VIII.A) inform Members of this Order's requirements by providing a notice of confirmation form to be completed by each Member.*

The KRWCA will inform Members of the Order's requirements and will provide a Notice of Confirmation (**NOC**) form. The NOC form will be mailed to all current Members and any additional Members requesting to join the KRWCA during the 180 days after the issuance of a NOA to the KRWCA by the RWQCB. Included with the NOC form will be a fact sheet with Member and Third-Party responsibilities, as well as information on how to access the approved General Order and supporting documentation.

- 8. Conduct education and outreach activities to inform Members of program requirements and water quality problems, including exceedances of water quality objectives or degradation of water quality, identified by the third-party or Central Valley Water Board. The third-party shall:*
 - a. Maintain attendance lists for outreach events, provide Members with information on water quality management practices that will address water quality problems and minimize the discharge of wastes from irrigated lands, and provide informational materials on potential environmental impacts of water quality management practices to the extent known by the third-party group.*
 - b. Provide an annual summary of education and outreach activities to the Central Valley Water Board. The annual summary shall include copies of the educational and management practice information provided to the growers. The annual summary must report the total*

number of growers who attended the outreach events and describe how growers can obtain copies of the materials presented at these events.

The KRWCA agrees that it will conduct education and outreach to growers through grower meetings. The KRWCA will document Member attendance at meetings, supplied material, and outreach and education events in the annual report to the RWQCB. The KRWCA will work with interested parties in developing material (e.g. presentations, handouts, etc) to inform Members on water quality management practices and potential environmental impacts of water quality management practices. The KRWCA maintains a website for Members that will allow readily available access to management practice and water quality management practices information; the information will also be presented at annual grower meetings. The KRWCA will post meeting agendas, presentations, handouts, and other applicable material on the website for Members to review and download. Members will be asked to sign in at each education and outreach event and the information will be incorporated in the Member Database maintained by the KRWCA.

- 9. Work cooperatively with the Central Valley Water Board to ensure all Members are providing required information and taking necessary steps to address exceedances or degradation identified by the third-party or board. As part of the Membership List submittal, identify the growers known by the third-party who have: (1) failed to implement improved water quality management practices within the timeframe specified by an applicable SWMP/GQMP; (2) failed to respond to an information request from the third-party associated with any applicable SQMP/GQMP or other provisions of this Order; (3) failed to participate as requested in third-party studies for which the third-party is the lead; (4) failed to provide confirmation of participation in an outreach event (per section IV.B.4 of this Order); or (5) otherwise failed to maintain good standing of their membership in the third-party group.*

The KRWCA agrees to work cooperatively with the RWQCB to assist all Members in providing the required information. The KRWCA will develop and maintain a Member Database(s) that will incorporate the necessary information to comply with the aforementioned items. The KRWCA will provide Members with copies of all required forms via mail or electronic means.

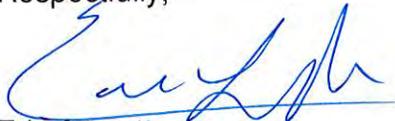
- 10. Ensure that any activities conducted on behalf of the third-party by other groups meet the requirements of this Order. The third-party is responsible for any activities conducted on its behalf.*

The KRWCA will engage consultants to prepare and complete required technical reports and documents on behalf of the Members, which at least through 2014 will be coordinated and lead by Provost & Pritchard Consulting Group. The KRWCA will also likely engage local water district staff to conduct some activities on the KRWCA's behalf, where expedient. The KRWCA will accept responsibility for actions conducted on its behalf.

11. Collect any fees from Members required by the State Water Board pursuant to the fee schedule contained in Title 23 CCR. Such fees shall then be submitted to the State Water Board. The fees invoiced by the State Water Board will be based on the Membership List submitted by the third-party group. The third-party group is responsible for ensuring the Members identified in the Membership List have provided their required portion of the State Water Board fees.

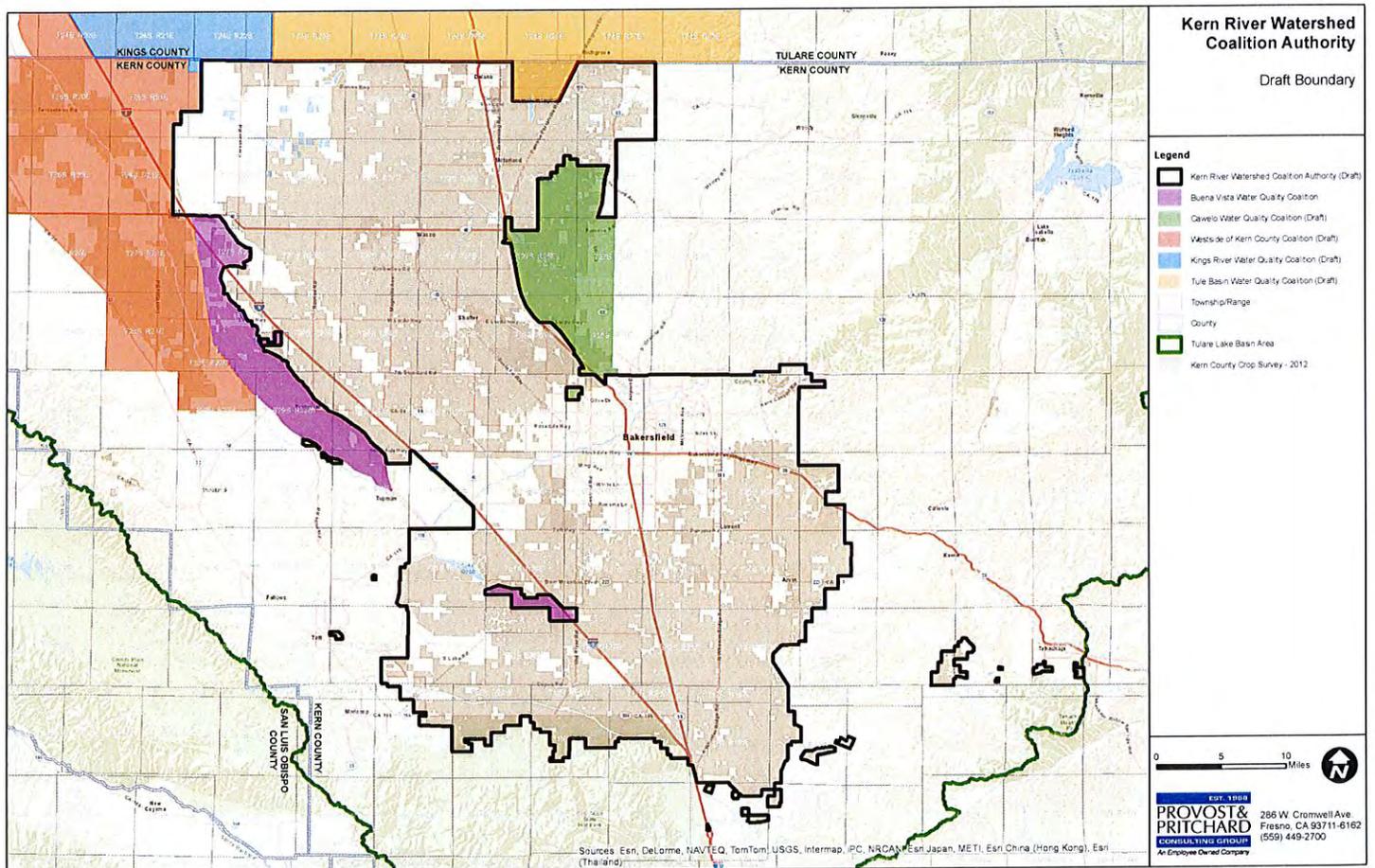
The KRWCA will collect member dues from enrolled Members that include a per grower administrative fee, fees as required by the RWQCB, and fees assessed on a per acre basis that are required to conduct the Third-Party activities as required by the General Order. The KRWCA BOD will establish the Member fee assessment before each fiscal year.

Respectfully,



Eric Averett
Chairman

**Attachments: A – Proposed KRWCA Boundary Map
B – KRWCA Member Agency List**



**Application to Serve as a Third-Party
Attachment B**

Kern River Watershed Coalition Authority
List of General Members

10/18/13

General Member	Director	Alternate Director	Board Officer (if applicable)
Arvin-Edison Water Storage District	Steve Collup	Jeevan Muhar	
Henry Miller Water District	Joe Lutje	David Cosyns	
Kern Delta Water District	Mark Mulkay	Rodney Palla	
Kern-Tulare Water District	Steve Dalke	Skye Grass	
North Kern Water Storage District	Dick Diamond	Dana Munn	
Olcese Water District	Jeff Seimens	James Nickel	
Rosedale-Rio Bravo Water Storage District	Eric Averett	Dan Bartel	Eric Averett, Chairman
Semitropic Water Storage District	Jason Gianquinto	Rick Wegis	Jason Gianquinto, Vice-Chair
Shafter-Wasco Irrigation District	Roger Riley	Jerry Ezell	
Wheeler Ridge-Maricopa Water Storage District	Michael Blaine	Robert Kunde	Robert Kunde, Treasurer



**Kern River
Watershed**
Coalition Authority

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November 20, 2013

Pamela Creedon, Executive Officer
Clay Rodgers, Assistant Executive Officer
Central Valley Regional Water Quality Control Board
11020 Sun Center Drive, Suite 200
Rancho Cordova, CA 95670-6114

RE: *Revision to Kern River Watershed Coalition Authority Application to Serve as a Third-Party Representing Members for General Order R5-2013-0120 for Growers within the Tulare Lake Basin Area*

Dear Ms. Creedon:

The Kern River Watershed Coalition Authority (**KRWCA**) is submitting an amendment to the *Application to Serve as a Third-Party Representing Members for General Order R5-2013-0120 for Growers within the Tulare Lake Basin Area*, dated and submitted to the Regional Water Quality Control Board (**RWQCB**) October 18, 2013, and provided as **Attachment A**. The amendment to the KRWCA Application to Serve is in regards to Requirement Item 7:

7. Within 30 days of receiving the NOA from the Central Valley Water Board (as described in section VIII.A), inform Members of this Order's requirements by providing a notice of confirmation form to be completed by each Member.

The KRWCA is amending the Requirement Item 7 response to:

The KRWCA will inform Members of the Order's requirements and will provide a Notice of Confirmation (**NOC**) form. The NOC form will be mailed to all existing Members within 30 days of receipt of the Notice of Applicability (**NOA**) from the RWQCB (section V.II.A.1). The NOC form will also be mailed to any additional Members requesting to join the KRWCA during the 180 days after the issuance of a NOA to the KRWCA. Included with the NOC form will be a fact sheet with Member and Third-Party responsibilities, as well as information on how to access the approved General Order and supporting documentation.

Please adopt this amendment to the KRWCA Application to Serve as a Third-Party.



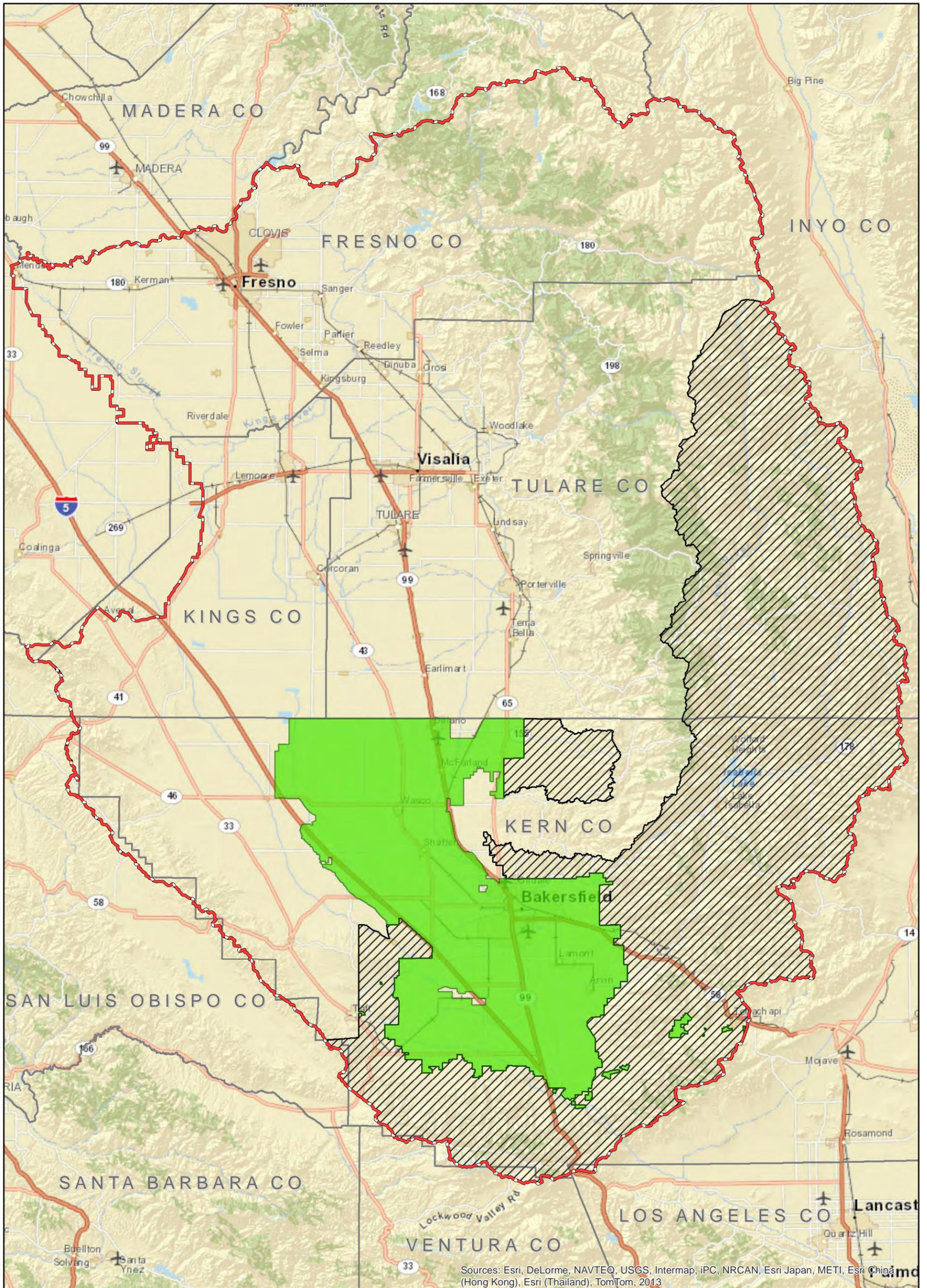
Respectfully,

A handwritten signature in blue ink, appearing to read 'Eric Averett', written over a horizontal line.

Eric Averett
Chairman

Attachments: A – Application to Serve as a Third-Party Representing Members for General Order R5-2013-0120 for Growers within the Tulare Lake Basin Area

CC: David Sholes
Brent Vanderburgh



Sources: Esri, DeLorme, NAVTEQ, USGS, Intermap, iPC, NRCAN, Esri Japan, METI, Esri China (Hong Kong), Esri (Thailand), TomTom, 2013

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(559) 449-2700

Legend

- Tulare Lake Basin Area
- Kern River Watershed Coalition Authority (Primary)
- Kern River Watershed Coalition Authority (Secondary)

Kern River Watershed Coalition Authority

Boundary Map