

**STATE WATER BOARD
RESOLUTION NO. 2005-0052**

**APPROVING THE CALIFORNIA DAIRY QUALITY ASSURANCE PROGRAM
AS A PROGRAM THROUGH WHICH CERTIFIED DAIRIES QUALIFY FOR
A REDUCTION IN ANNUAL PERMIT FEES**

WHEREAS:

1. In its 2003 special session, the Legislature amended Water Code Section 13260(d)(1) to authorize the imposition of fees on Confined Animal Feeding Operations.
2. The State Water Board adopted Resolution 2003-0064 establishing a new fee schedule in the California Code of Regulations, Title 23, Division 3, Chapter 9, Article 1 adding Section 2200(c): Confined Animal Facilities fees.
3. An ambient monitoring program surcharge is added to each individual fee that is billed pursuant to the fee schedule. The surcharge for CAFs is nine percent of the calculated fee.
4. The State Water Board considered the seven factors listed in Section 13260 of the California Water Code in establishing fees for CAFs. Factor seven is “Whether the operation participates in a quality assurance program certified by a regional board, the state board, or a federal water quality control agency.”
5. CAFs that participate in a certified quality assurance program require substantially lower permitting and regulatory efforts.
6. Section 2200(c)(1) states “Facilities that are certified under a quality assurance program approved by the State Board or under a County regulatory program approved by the appropriate Regional Board, will receive a 50 percent fee reduction.”
7. The California Dairy Quality Assurance Program (CDQAP) was developed in 1997 to provide dairy operators with information and assistance to ensure that their dairies operate under principles and procedures designed to assure sustained environmental protection.
8. The State Water Board has supported the CDQAP since its inception and continues to cooperate with other State agencies, federal agencies, and the University of California to maintain the CDQAP as an effective program for environmental compliance. About 10 percent of the dairies in the State are currently certified under the CDQAP.

THEREFORE BE IT RESOLVED THAT:

The State Water Board approves the CDQAP as a quality assurance program that meets the intent of Section 13260 of the California Water Code and Section 2200(c)(1) of Title 23. The annual permit fee for any dairy certified by the CDQAP will be reduced by 50 percent as long as the dairy remains certified and this resolution remains in effect. The ambient monitoring program surcharge is likewise reduced.

CERTIFICATION

The undersigned, Clerk to the Board, does hereby certify that the foregoing is a full, true, and correct copy of a resolution duly and regularly adopted at a meeting of the State Water Resources Control Board held on July 21, 2005.


Debbie Irvin
Clerk to the Board