



7 March 2008

Notice of Availability of Proposed Modifications to the Irrigated Lands Regulatory Program Conditional Waiver for Coalition Groups and Opportunity for Public Comment

What changes are being proposed?

In August 2006, the California Regional Water Quality Control Board, Central Valley Region (Central Valley Water Board) created a deadline for growers to join Coalition Groups (Coalitions) to increase participation and accountability in the Irrigated Lands Regulatory Program (ILRP). After 31 December 2006, growers are required to obtain approval from the Water Board Executive Officer to join a Coalition and need to meet one or more conditions.¹ The deadline resulted in a 30% increase in grower participation in Coalitions – over 5,000 growers and 1,000,000 acres.

The limited conditions under which growers can join Coalitions are creating unintended program impacts. Recommendations to modify the conditions under which a grower can join a Coalition will go to the Water Board for consideration at its 24/25 April 2008 meeting. Proposed changes to the conditions are reflected in the accompanying document (Amended Attachment B of the Conditional Waiver for Coalitions (Order No. R5-2006-0053)). Additionally, staff will propose modifications to the fee schedules to the State Water Resources Control Board later this year. A fee for most growers joining Coalitions after June 30, 2008 will be recommended.

Why are we making changes?

After the December 2006 deadline, growers began submitting applications to the Central Valley Water Board to join Coalitions. Many do not qualify to join a Coalition under the current conditions.² Based on current estimates, annual costs to oversee a discharger enrolled under the individual waiver have ranged from about \$8,000 to \$17,000. Many growers not currently qualifying to join a Coalition are willing to comply and can be effectively regulated under the Coalition Group waiver. Staff is proposing to modify the conditions so these growers can join Coalitions. Recalcitrant dischargers and those not working cooperatively with Coalitions would be regulated under the waiver for individuals. Requiring a fee with applications will help maintain (and enhance) the increased accountability created with the deadline. In addition, a grower joining a Coalition would need to pay any back dues owed to the Coalition, and pay annual fees after enrolling under the Coalition Group waiver.

Why is this notice being sent?

This notice and current proposed modifications to the waiver language are being circulated to the public now to provide notice of the coming April agenda item and an opportunity for public comment. Comments and responses will be summarized in the April agenda package. The complete agenda package for the 24/25 April 2008 Board meeting will be available on 11 April 2008.

What happens next?

Written comments to the proposed language modifications are due by 5:00 p.m. on **28 March 2008**. Comments will be accepted via the U.S. Mail and email, and must be sent to:

Central Valley Regional Water Quality Control Board
Attn: Lisa Wilson
11020 Sun Center Drive, Suite 200
Rancho Cordova, CA 95670

Or IrrLands@waterboards.ca.gov

¹ Examples of conditions include, but are not limited to: the grower was not a discharger prior to the deadline, Coalition boundaries change, transfers to a different Coalition Group, and the land was obtained after the deadline.

² As of March 2008, 245 applications have been submitted, encompassing over 55,000 acres; 159 applications are outstanding, the majority of which do not currently qualify to join a Coalition Group.