



# California Regional Water Quality Control Board Central Valley Region

Katherine Hart, Chair



**Linda S. Adams**  
Secretary for  
Environmental  
Protection

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**Arnold  
Schwarzenegger**  
Governor

29 November 2010

«Name»  
«Address»  
«City», «State» «Zip\_»

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## NOTICE OF VIOLATION

### **FAILURE TO OBTAIN IRRIGATED LANDS REGULATORY COVERAGE UNDER CALIFORNIA WATER CODE SECTION 13260**

On 5 October 2010 the California Regional Water Quality Control Board, Central Valley Region's (Central Valley Water Board) Executive Officer issued you a directive to obtain irrigated lands regulatory coverage pursuant to California Water Code section 13260 (Directive Letter). The Directive Letter required you to either join a coalition group, file as an individual under the Individual Discharger Conditional Waiver, or submit a report of waste discharge for irrigated agricultural lands that you may own or operate which discharge waste to waters of the State. Central Valley Water Board records indicate that (1) you received the Directive Letter by certified mail, and (2) you have not enrolled your irrigated lands in one of the three aforementioned options within the 30 calendar days as required. This letter serves as notice that you are in violation of the Directive Letter.

Pursuant to the Directive Letter, you were required to determine which option was appropriate for your situation and submit the appropriate documents to:

**Central Valley Regional Water Quality Control Board  
ATTN: Wesley Ouimette  
Irrigated Lands Regulatory Program  
11020 Sun Center Dr., Suite 200  
Rancho Cordova, CA 95670**

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...

(b) No report of waste discharge need be filed pursuant to subdivision (a) if the requirement is waived pursuant to Section 13269.

**California Environmental Protection Agency**

Irrigating agricultural lands such as yours result in discharges that could affect the quality of waters of the state. However, the Central Valley Water Board has adopted waivers for these types of discharges under Water Code section 13269; it has adopted a Coalition Group Conditional Waiver and an Individual Discharger Conditional Waiver. If you obtain coverage under either of these waivers (for example, by joining your local watershed coalition), you will not need to submit a report of waste discharge to this office.

If you do not obtain coverage under the Coalition Group Conditional Waiver or the Individual Discharger Conditional Waiver within **30 calendar days of receiving this letter**, you must submit a report of waste discharge to the Central Valley Water Board. If you fail to do so, the Central Valley Water Board may impose penalties of up to *\$1,000 per day* pursuant to Water Code section 13261.

Water Code section 13261 states, in relevant part:

(a) Any person failing to furnish a report or pay a fee under Section 13260 when so requested by a regional board is guilty of a misdemeanor and may be liable civilly in accordance with subdivision (b).

(b) (1) Civil liability may be administratively imposed by a regional board ... in an amount that may not exceed one thousand dollars (\$1,000) for each day in which the violation occurs.

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

If you have any further questions, please contact Wes Ouimette at (916) 464-4667 or via email at [wouimette@waterboards.ca.gov](mailto:wouimette@waterboards.ca.gov).

**Para obtener más información en español por favor contáctenos al teléfono (916) 464 - 4611 o vía email a: [IrrLands@waterboards.ca.gov](mailto:IrrLands@waterboards.ca.gov)**

JOE KARKOSKI, Chief, Irrigated Lands Regulatory Program