



# California Regional Water Quality Control Board Central Valley Region

Katherine Hart, Chair



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5 October 2010

<<Name>>  
<<Address>>  
<<City>>, <<State>> <<Zip>>

CERTIFIED MAIL NUMBER  
<<Cert\_No.>>

## DIRECTIVE TO OBTAIN IRRIGATED LANDS REGULATORY COVERAGE

THIS LETTER CONTAINS LEGAL DIRECTIVES THAT MUST BE FOLLOWED  
PLEASE READ THIS LETTER CAREFULLY

You are receiving this letter because the Central Valley Regional Water Quality Control Board, Central Valley Regional (Central Valley Water Board) has approved your application to join your local watershed coalition, but our records indicate that you have not yet joined a coalition. The Central Valley Water Board hereby requests that you obtain regulatory coverage for your irrigated lands within **30 calendar days of receiving this letter**. You may obtain regulatory coverage by doing one of the following:

1. Joining your local watershed coalition, and providing proof of membership to the Central Valley Water Board;
2. Filing as an individual under the Individual Discharger Conditional Waiver<sup>1</sup> by submitting a Notice of Intent (NOI) to the Central Valley Water Board, with the appropriate filing fee specified in the Fee Regulations. The NOI is available as Attachment B to the Individual Discharger Conditional Waiver; or
3. Submitting a report of waste discharge<sup>2</sup> to the Central Valley Water Board, along with the appropriate filing fee.

Please determine which form of regulatory coverage is best for you 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**

<sup>1</sup> Individual Discharger Conditional Waiver of Waste Discharge Requirements for Discharges from Irrigated Lands:  
[http://www.waterboards.ca.gov/centralvalley/board\\_decisions/adopted\\_orders/waivers/r5-2006-0054.pdf](http://www.waterboards.ca.gov/centralvalley/board_decisions/adopted_orders/waivers/r5-2006-0054.pdf)

<sup>2</sup> The form for completing the RoWD can be found online at: <http://www.waterboards.ca.gov/sbforms/form200pdf>

**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...

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

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).



PAMELA C. CREEDON  
Executive Office