

DRAFT

STAFF PROPOSAL FOR AGRICULTURAL WAIVERS

California Code of Regulations, Title 23, Division 3, Chapter 9

Waste Discharge Reports and Requirements

Article 1. Fees

Section 2200.6 Annual Waiver Fee Schedules

(a) Any person for whom waste discharge requirements have been waived pursuant to section 13269 of the Water Code shall submit to the State Water Board, an annual fee, if a fee is specified for the waiver in this section.

No Ambient Water Monitoring surcharge shall apply to annual fees for waivers as specified in this section.

(b) Annual fees for waivers for discharges from agricultural land adopted by the Regional Water Quality Control Boards for the Central Coast, Central Valley, or Los Angeles Regions shall be \$100 per farm plus \$0.30 per acre of land.¹ If a discharger is a member of a group that has been approved by the State Water Resources Control Board to manage fee collection and payment, then the fee shall be \$100 per group plus \$0.12 per acre of land. If a discharger is a member of a group that has been approved by the State Water Resources Control Board but that does not manage fee collection and payment, then the fee shall be \$100 per farm plus \$0.20 per acre of land.

(c) For purposes of this section, the word “farm” and the word “discharger” refer to any person who is subject to Order No. R3-2004-0117 issued by the Central Coast Regional Water Quality Control Board, Order No. R4-2005-xxxx issued by the Los Angeles Regional Water Quality Control Board,² or Order No. R5-2003-0105 issued by the Central Valley Regional Water Quality Control Board.

¹ As used in this section, the acreage on which the fee is based refers to the area that has been irrigated by the farmer or discharger at any time in the previous five years.

² The Los Angeles Regional Water Board has not adopted its Order as of the date this regulation was adopted. This section shall apply to the proposed Conditional Waiver of Waste Discharge Requirements for Discharges from Irrigated Land, now proposed for adoption in Summer 2005. This fee schedule will apply to those farms and dischargers as soon as the Regional Water Board approves its order.

DRAFT

COALITION PROPOSAL FOR AGRICULTURAL WAIVERS

California Code of Regulations, Title 23, Division 3, Chapter 9

Waste Discharge Reports and Requirements

Article 1. Fees

Section 2200.6 Annual Waiver Fee Schedules

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No Ambient Water Monitoring surcharge shall apply to annual fees for waivers as specified in this section.

(b) Annual fees for waivers for discharges from agricultural land adopted by the Regional Water Quality Control Boards for the Central Coast, Central Valley, or Los Angeles Regions shall be \$100 per farm plus \$0.30 per acre of land.¹ If a discharger is a member of a group that has been approved by the State Water Resources Control Board to manage fee collection and payment, then the fee shall be \$100 per group plus \$0.12 per acre of land. If a discharger is a member of a group that has been approved by the State Water Resources Control Board but that does not manage fee collection and payment, then the fee shall be \$100 per farm plus \$0.20 per acre of land.

(c) In lieu of formula in subsection (b), the following fees may be paid:

(1) The Sacramento Valley Water Quality Coalition (SVWQC) may pay an annual fee of \$190,320. Of this amount, \$85,020 shall be paid directly to the State Water Board to fund the activities of the State and Regional Water Boards, and \$105,300 shall be paid directly by the SVWQC to the County Agricultural Commissioner(s) to fund field work activities as approved by the Central Valley and/or State Water Board.

(2) The California Rice Commission (CRC) may pay an annual fee of \$53,680. Of this amount, \$23,980 shall be paid directly to the State Water Board to fund the activities of the State and Regional Water Boards, and \$29,700 shall be paid directly by the CRC to the County Agricultural Commissioner(s) to fund field work activities as approved by the Central Valley and/or State Water Board.

(3) In the event that the SVWQC or CRC do not pay the annual fee described in subsection (c), the provisions of subsections (b) apply to their respective areas.

¹ [As used in this section, the acreage on which the fee is based refers to the area that has been irrigated by the farmer or discharger at any time in the previous five years.](#)

(d) For purposes of this section, the word “farm” and the word “discharger” refer to any person who is subject to Order No. R3-2004-0117 issued by the Central Coast Regional Water Quality Control Board, Order No. R4-2005-xxxx issued by the Los Angeles Regional Water Quality Control Board,² or Order No. R5-2003-0105 issued by the Central Valley Water Quality Control Board.

(e) Annual review of the fee schedule will provide other coalition groups the opportunity to submit individual funding proposals for consideration.

² [The Los Angeles Regional Water Board has not adopted its Order as of the date this regulation was adopted. This section shall apply to the proposed Conditional Waiver of Waste Discharge Requirements for Discharges from Irrigated Land, now proposed for adoption in Summer 2005. This fee schedule will apply to those farms and dischargers as soon as the Regional Water Board approves its order.](#)