

Kern River Watershed Coalition Authority (KRWCA)

Grower Enrollment Workshop

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www.krwca.org

Kern River Watershed Coalition Authority

- The Kern River Watershed Coalition Authority (KRWCA) is a **joint powers authority, established to serve as the coordinator and coalition (third-party) group** under the **Irrigated Lands Regulatory Program (ILRP)** in the Kern River watershed portion of Kern County.



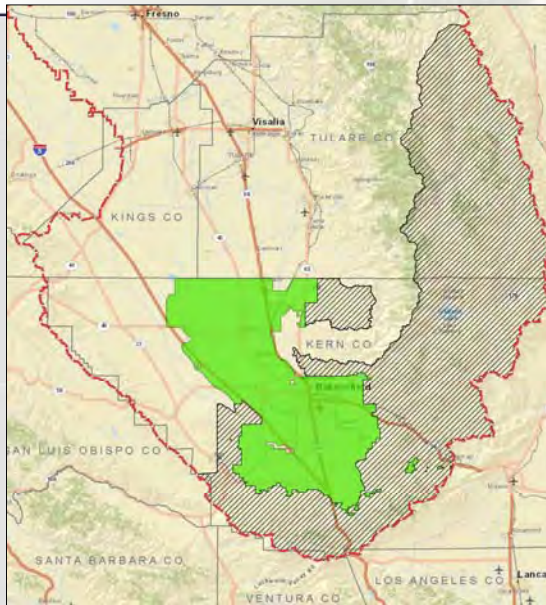
Joint Powers Authority

Joint Powers Authority between:

- Arvin-Edison Water Storage District
- Henry Miller Water District
- Kern Delta Water District
- Kern-Tulare Water District
- North Kern Water Storage District
- Olcese Water District
- Rosedale-Rio Bravo Water Storage District
- Semitropic Water Storage District
- Shafter-Wasco Irrigation District
- Southern San Joaquin Municipal Utilities District
- Wheeler Ridge-Maricopa Water Storage District



Coalition Boundaries



KRWCA Statistics:

- ~645,000 irrigated acres
- ~900 growers registered with Ag Commissioner



Enrollment Notification



- **KRWCA** mailed an informational letter, membership application & corresponding instructions to all Members in the Conditional Waiver Program (GO Requirement)
- KRWCA participating **Water Districts and other Ag Organizations** are providing information to their respective members



Enrollment Notification, Con't.

- Regional Water Quality Control Board (**RWQCB**) will send a letter to all landowners that were not enrolled in the Conditional Waiver Program (GO Requirement)
- **Landowners may receive multiple letters**



General Order Overview



- Tulare Lake Basin **General Order** was **adopted** by the RWQCB on **September 19, 2013**
- Newest General Order applies to both **groundwater and surface water**
- Regional Board considers **all irrigators as potential dischargers to groundwater**



General Order Overview, Con't.

- Primary objective is to **determine effectiveness of ag management practices in protecting surface and groundwater quality**
- **Requires all irrigators who are producing crops for commercial purposes to comply either as a Coalition Member or under an Individual Order**



Role of KRWCA

What is the role of the Third-Party/Coalition?

The Third-Party (Coalition/KRWCA) will work directly with member growers to assist them in complying with Central Valley Water Board requirements.



Role of KRWCA, Con't.

We will:

- **Conduct education and outreach** activities to inform growers of requirements and practices to protect water quality
- **Prepare and implement regional water quality management plans** and **water quality monitoring plans**
- **Report to the Regional Board** on the results of the monitoring efforts and the effectiveness of the plans
- Assess fees to cover our costs and State Water Board fees



Benefits of KRWCA

Benefit of a Coalition:

- Provides the ability for growers to **work together as a group** and to **share resources to minimize redundant efforts** and **reduce costs**
- **Eliminates member** (landowner/operator) from **working directly with the Regional Board**
- **Eliminates member** having to **file reports directly to the Regional Board**



Benefits of KRWCA, Con't.

- **Protects growers** from having their **personal farming operation information available to the public**
- **Cost effective** and **efficient** approach



Coalition Actions

KRWCA is working for our members:

- **Facilitate regulatory compliance** for the General Order for Coalition Members
- **Continued advocacy for growers** on water quality issues in various forums
- **Develop and implement** economical and scientifically valid **water quality monitoring programs** for surface and groundwater in the region



Coalition Actions, Con't.

KRWCA has already:

- **Formed an organization** with a Board of Directors and Executive Committee
- **Performed required surface water monitoring and reporting** under the previous Conditional Waiver within the Kern River, Poso Creek, White River, Chanac Creek, and El Paso Creek watersheds
- **Participated in the General Order development** process, preparing technical work illustrating the temporal and spatial disconnect between surface activities and groundwater quality



Coalition Actions, Con't.

- **Proposed the Nitrogen Hazard Index (NHI) as an alternate approach** to designate vulnerability areas and to assess priority for monitoring
- **Analyzed General Order compliance cost** and submitted a detailed report/testimony to the RWQCB
- On behalf of growers, **have challenged the General Order through applicable administrative and judicial processes**
- Coalition (through the water districts) **has spent Millions in the development of technical studies and legal action.**



Coalition Actions, Con't.

- **Filed an "Application to Serve"** to the Regional Board on October 18, 2013
- On February 4, 2014, The Regional Board **Approved KRWCA as a Third-Party/Coalition.**



Coalition Objectives

- **Conduct membership enrollment** activities
- **Prepare grower templates:**
 - Nitrogen Management Plan
 - Farm Evaluation Plan
 - Sediment & Erosion Control Plan
- **Prepare and submit annual reports to RWQCB**



Coalition Objectives, Con't.

- **Prepare Groundwater Quality Assessment Report (GAR)**
 - Identify **high vulnerability** areas
 - Determine grower reporting obligations
(i.e. growers in high vulnerable areas will **have to submit a Nitrogen Management Plan**)
- **Conduct Monitoring**
 - Monthly
 - Quarterly
 - Yearly



Who Must Comply?

- The Tulare Lake Basin **General Order requires** that any **irrigated land having the potential to discharge** to surface or groundwater **must comply** with the requirements set forth by the Regional Board
 - Regional Board considers **all irrigators as potential dischargers to groundwater**



Who Must Comply?, Con't.

- **Requires all irrigators** who are producing crops for commercial purposes to comply
- **Land irrigated to produce crops or pasture used for commercial purposes**
 - Includes lands **planted to commercial crops** that are **not yet marketable** (i.e. vineyards and tree crops)
 - Includes **nurseries**, and **privately and publicly-managed wetlands**



Parcels Not Required to Comply

- Doesn't apply to non-irrigated rangelands or other non-irrigated lands
- Does not apply to lands covered by other Waste Discharge Requirements or General Order, such as existing dairies or food processors



Who Can Join a Coalition?

- **Any** irrigated lands **landowner or operator** within the boundaries of the coalition can join and enroll parcels for coverage under the General Order.
 - Important that **all irrigated acres be covered**
 - **Either** the **landowner** or the **operator must enroll** the irrigated parcels, but **not both**.



Who Can Join a Coalition?, Con't.

- The **enrolling person** will be **designated as the “Member”** and be the **contact person** for compliance with the General Order
- The **other associated entities** (landowners and/or operators) **will also be responsible for compliance** with the General Order, but will not be the contact person

www.krwca.org



Member Responsibilities

- **Complete a Membership Application** and pay fees
- **Maintain a copy of General Order at place of business** (digital copy saved on computer is acceptable)
- **Provide written notice** to all responsible non-member parties of the **GO requirements, Certification is required** (NOC template)



Member Responsibilities, Con't.

- **Assist in the development of management plans**
- **Cooperate** in requested assistance for surface and groundwater quality monitoring (testing from ag wells)
- **Implement best management practices** that are protective of surface and groundwater quality
- **Participate in grower outreach events**
- **Summary of Member Requirements Letter/Chart**



Landowner/Operator Reports

Grower reports that will be submitted to the Coalition will include:

- **Farm Evaluation Plan (2015)**
- **Sediment and Erosion Control Plan (2015)**
- **Nitrogen Management Plan (2015)**



Landowner/Operator Reports, Con't.

- **Nitrogen Management Plan (2015)**
 - If in a **high vulnerability area, must be certified** by Professional Soil Scientist, Professional Agronomist, Crop Advisor certified by the American Society of Agronomy or Technical Service Provider certified in nutrient management by the NRCS, or self-certified by attending CDFA-approved training program for nitrogen plan certification



Due Dates for Required Reports

Report	Vulnerability	Farm Size	First Due Date	Renewal Frequency
Farm Evaluation	High	All	March 1, 2015	Annually
	Low	Large (≥ 60 ac)	March 1, 2016	Five Years
		Small (< 60 ac)	March 1, 2018	Five Years
Sediment and Erosion Control Plans	All locations identified in the Sediment Discharge and Erosion Assessment Report (SDEAR)	Large (≥ 60 ac)	180 days from approval of SDEAR	As conditions change
		Small (< 60 ac)	1 year from approval of SDEAR	As conditions change
Nitrogen Management Plans	High	Large (≥ 60 ac)	March 1, 2015	Annually
		Small (< 60 ac)	March 1, 2017	Annually
	Low	All	March 1, 2017	Annually



Enforcement Action by RWQCB

- Likely to **increase enforcement actions** against **landowners and operators that do not:**
 - **Obtain regulatory coverage**, either through the Coalition or an Individual Order
 - **Effectively implement management practices** to **protect the quality** of both surface **water** and groundwater
- **Enforcement action for non-compliance** related to an enrolled irrigated lands parcel **may be taken against both the owner and operator**



Enforcement Action by RWQCB

- **Failure to participate in the Irrigated Lands Regulatory Program**, either as a member of a Coalition or under the Individual Order **can subject the landowner to administrative penalties** by the Regional Board of **up to \$1,000 per day** pursuant to California Water Code section 13267



Next Steps

Growers will need to **enroll irrigated lands** in the KRWCA for coverage under the General Order **by August 4, 2014** (180 days from NOA)

- The following will be required for membership:
 - **Complete Membership Application**, to include:
 - Member contact information
 - Irrigated acres, APN, and landowner contact information for all APNs to be enrolled
 - **A membership fee and acreage fee**
 - **Certification that NOC has been provided** to non-members responsible parties



Next Steps, Con't.

If the August 4, 2014 (After 180 days from NOA) deadline is missed, additional fees and forms are required by the Regional Water Board to enroll parcels for regulatory coverage.

- **Note:** The Regional **Water Board may require an applicant to obtain an Individual Order** rather than participate as a member of a Coalition.

~All Growers MUST take action~



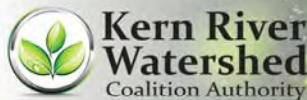
Membership Application

KRWCA Membership Application and corresponding instructions are downloadable on the KRWCA website at:

<http://krwca.org/join.aspx>



Membership Application



Home About Us News & Updates Information & Background General Order Join the Coalition Best Management Practices Employment Contact Us

Join the Coalition

How to Become a Member

Download, complete, and submit the [Membership Application \(PDF\)](#) with a check made payable to the Kern River Watershed Coalition Authority. Supporting Membership Application documents are provided below under "Become a Member." After August 4, 2014, all landowners or operators requesting to join the KRWCA will be required to first submit a Notice of Intent (NOI) to the Regional Water Quality Control Board, incurring additional fees.

The adopted KRWCA fee rate for the July 2014, June 2013 membership period is as follows:

2014 Coalition Member Fees

Within Existing Participating Districts	
Members who sign up by May 31, 2014, per acre	\$5.50
Members who sign up after May 31 and by August 4, 2014, per acre	\$6.30
Members who sign up after August 4, 2014, per acre	\$18.30
Administration Fee, annual	\$25.00
Outside of Existing Participating Districts	
Members who sign up by May 31, 2014, per acre	\$6.30
Members who sign up after May 31 and by August 4, 2014, per acre	\$7.30
Members who sign up after August 4, 2014, per acre	\$11.30
Administration Fee, annual	\$20.00

Become a Member

- [Membership Application \(PDF\)](#)
- [Membership Application Instructions \(PDF\)](#)
- [Informational Letter \(PDF\)](#)
- [Member Registration Form \(PDF\)](#)
- [Participating Water Districts \(PDF\)](#)
- [Locating Property APN Numbers \(PDF\)](#) - Step-by-step guide to identifying APN numbers per parcel
- [Notice of Confirmation \(PDF\)](#)



Application Instructions

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2014 Membership Application (July 1, 2014 through June 30, 2015)

1 Member Name: _____

Business Name: _____

Email Address: _____ Telephone: _____

Mailing Address: _____

City: _____ State: _____ Zip: _____

Physical Address: _____

City: _____ State: _____ Zip: _____

(1) Enter the Member's name, business name, email address, phone number, mailing address, and physical address

The physical address listed should be the location of the main operation for reporting purposes



Application Instructions

PAGE 1

2 According to the new regulations, you are required to maintain a hard- or electronic-copy of the General Order at your farm headquarters and be familiar with its contents. Please select the option you are choosing to comply with this requirement:

I will download the General Order from www.krwca.org/general_order.aspx.

Please send me a copy of the General Order via mail. (Add \$25.00 to Membership Dues for mailing)

3 I certify that I have provided written notice to all landowner(s) and/or lessee(s) of my land of my election to participate in the Coalition under the General Order and notified them of the requirements of the General Order.
(A notification letter template is provided at www.krwca.org/join.aspx)

(2) Check the applicable box if the Member will download a copy of the General Order or if the Member wants the General Order to be mailed.

(3) Check the box certifying that the Member has provided written notice to all non-member affiliated parties (an informational and notice letter template is provided on the KRWCA website)

The undersigned Owner and/or Operator (the Coalition Member) of irrigated ~~land~~ located within the geographic boundaries of the Coalition Authority (KRWCA/Coalition) understands that the Central Valley Regional Water Quality Control Board (Water Board) has recently issued (NOA) to the KRWCA as an approved Third-Party for administering the terms and conditions for the Water Discharge Requirements for the Tulare Lake Basin Area that are Members of a Third-Party Group (Order R5-2013-0120) (General Order).

The undersigned Coalition Member also understands that it is his/her responsibility to know and understand the terms and conditions of the General Order and that failure to comply with the General Order terms and conditions may subject the Coalition Member to removal from the KRWCA and the Coalition Member to enforcement action taken by the Water Board.

With these understandings, the undersigned Coalition Member hereby elects to participate in the KRWCA, and hereby elects to comply with the General Order, and as implemented by KRWCA. The Coalition Member understands that membership dues are charged to cover the cost of administering the Coalition activities required to fulfill obligations contained in the General Order. A detailed accounting of activities covered by these Membership Dues will be made available to Coalition Members periodically, and are available to all Coalition Members upon request.

The Coalition Member acknowledges that: i) KRWCA's ability to provide Third-Party coverage under the General Order is subject to the ongoing discretion of the Water Board, and therefore coverage cannot be guaranteed; ii) the Water Board may under certain circumstances terminate or suspend KRWCA's Third-Party status and coverage for the participating Members of the KRWCA. By submitting this application and participating in the Program, Coalition Member is not waiving any of its rights to assert it is not subject to the General Order and is not a "discharger of waste." The Coalition Member further acknowledges the fees and dues paid through this application are made to comply with the Water Board's mandates, are being paid voluntarily to comply with the General Order, and are not imposed by the Coalition or its Members.

The Coalition Member may withdraw its election to participate in the KRWCA by submitting a ten (10) day prior written notice to the Coalition. Upon withdrawal, the Coalition Member will no longer be entitled to coverage as a member of the KRWCA Third-Party group.

(4) Sign and date the bottom of Page 1

4 Member Signature: _____ Date: _____



Cost to Join

2014 Coalition Member Fees	
Within Existing Participating Districts	
Members who sign up by May 31, 2014, per acre	\$5.50
Members who sign up after May 31 and by August 4, 2014, per acre	\$6.50
Members who sign up after August 4, 2014, per acre	\$10.50
Administration Fee, annual	\$25.00
Outside of Existing Participating Districts	
Members who sign up by May 31, 2014, per acre	\$6.50
Members who sign up after May 31 and by August 4, 2014, per acre	\$7.50
Members who sign up after August 4, 2014, per acre	\$11.50
Administration Fee, annual	\$25.00



Application Instructions

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<input type="text"/>	Sum of Irrigated Acreage (Use worksheet on last page and provide required information.)	(12) Enter the Sum of Irrigated Acres , Step 10
<input type="text"/> \$	Total Acreage Fee (Total Acreage Fee calculated on last page.)	(13) Enter the Total Acreage Fee , Step 11
+		
<input type="text"/> \$	General Order Mailing Fee <small>(Add \$25.00 for mailing costs if you want a copy of the General Order mailed to the Member)</small>	(14) Enter \$25 for publishing and mailing costs if you want a copy of the General Order mailed to the Member
+		
\$25.00	Annual Membership Dues (Membership Dues are \$25 per member and are due annually.)	
=		
<input type="text"/> \$	Total Due	(15) Enter the sum of Total Acreage Fee , plus General Order Mailing Fee , plus Annual Membership Dues

Please make check payable to **KRWCA** and mail with completed membership form to:
Kern River Watershed Coalition Authority, P.O. Box 151, Bakersfield, CA 93302



Steps for Application Approval

Once an application with payment is received, KRWCA will:

- **Verify** application is **complete**
- **Verify** the **APN(s)**, **acreage** and **payment**
- **Issue a Notice of Approval** Letter to the member.

www.krwca.org



Questions?

Kern River Watershed Coalition Authority
P.O. Box 151
Bakersfield, CA 93302

Tel: (661) 616-6500

Fax: (661) 616-6550

E-mail: admin@krwca.org

Website: www.krwca.org



**Kern River
Watershed**
Coalition Authority