

Salinas Valley Water Coalition



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Transmitted via Email

Central Coast Regional Water Quality Control Board
Atten: Alison Jones
895 Aerovista Place
San Luis Obispo, CA 93401

2 August, 2005

Re: Annual Ag Waiver Fees

Dear Alison;

This letter is a follow-up to our telephone conversations earlier today and yesterday regarding the possibility of the Salinas Valley Water Coalition (SVWC) willingness to consider paying the annual ag waiver fee in behalf of their members. As we discussed, the actual language adopted by the State Water Resources Control Board regarding the annual ag waiver fee is unclear and doesn't make sense. Specifically, the adopted language states:

“Article 1. Fees

Section 2200.6 Annual Waiver Fee Schedules

.....(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. 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.”

You informed me this morning that you would like to get clarification on the definitions for the different “groups” identified for different levels of collection of the fee. We agree that clarification and definitions need to be made, specifically as to the following:

1. What “fee” is the approved group managing collection and payment for—is this the annual ag waiver fee or some other fee?
2. What type of group can be “approved” to manage fee collection and payment? How do you become such an approved group?

3. What type of group would an individual be associated with that does not manage fee collection and payment that would allow them to pay a 'reduced' per acre fee? How would an individual's association with such a group be identified and documented?
4. How does the SWRCB intend to bill every landowner for the annual ag waiver fee and how will the landowners understand their choices of payment?

We believe that any clarification and/or definition to adopted language should be approved by the SWRCB as they are the ones who adopted the original language and any clarification or definitions must be consistent with their intent.

The Salinas Valley Water Coalition is a not-for-profit organization whose members have supported, and continues to support, the Regional Water Quality Control Board in its development and implementation of a monitoring and report program for the Ag Waiver. Representatives of the Salinas Valley Water Coalition have participated with representatives of other agricultural organizations in forming an Ag Committee to develop an alternative monitoring program and a fair and equitable cost allocation for the associated monitoring costs. This is one example of the proactive approach the agricultural community within Region 3 has taken to work with and assist the RWQCB and its staff with the implementation of the Ag Waiver program.

We appreciate your consideration of our concerns and suggestions for clarification and definition of language. Please let me know if you have any questions.

Sincerely,



Nancy Isakson
Government Affairs Consultant
Salinas Valley Water Coalition