

Frequently Asked Questions About VCAILG and the Conditional Waiver

Q. How does VCAILG work?

A. Members pay annual assessments, which are used to cover program expenses. These expenses include hiring consultants to establish water-monitoring sites, collect samples, submit the samples to labs for analysis and report the results to state regulators.

Q. Who handles the money?

A. The Farm Bureau of Ventura County collects and manages the money on behalf of VCAILG. Those funds are kept separate from Farm Bureau funds, and may be spent only on Conditional Waiver program activities and administration. At the end of each fiscal year, 75% of the total cash on hand in VCAILG accounts is carried over to be applied to subsequent program expenses. Cash not needed to pay additional anticipated expenses is rebated to program participants in the form of reduced assessments.

Q. How much does the program cost?

A. It varies from year to year, depending on the scope of work being performed. The cost, which varies by watershed, is divided among growers on the basis of acreage. Differences in cost between watersheds are due to variation in enrolled acreage and the necessary number of monitoring sites. Since the program began in 2006, VCAILG members collectively have spent \$1.3 million to comply with the waiver — an average of \$14.59 per acre.

Q. How is VCAILG managed?

A. The Farm Bureau of Ventura County administers the program, providing staff support, maintaining records, overseeing the work of the primary program consultant, and handling correspondence with group members and the Regional Board. A seven-member VCAILG Executive Committee develops the proposed program budget each year and recommends policy. Budget and policy recommendations are reviewed and approved by a 20-member Steering Committee consisting primarily of growers. Final approval of program expenditures and assessments rests with the Farm Bureau Board of Directors.

Q. Who are VCAILG's members?

A. Owners of land used for production of agricultural crops to which irrigation water is applied are required to comply with the Conditional Waiver and may do so by joining VCAILG.

Q. Is membership mandatory?

A. No. Membership in VCAILG is voluntary. Landowners who do not wish to join must comply with the Conditional Waiver as individuals, which means they have to take the same steps that VCAILG members are taking as a group: developing their own monitoring, assessment and mitigation plans, and filing reports directly to the Regional Board.

Q. How many VCAILG members are there?

A. So far, 1,486 of Ventura County's 1,646 agricultural landowners have enrolled in VCAILG. That figure represents 92 percent of the county's irrigated agricultural acreage.

Q. Who are the Executive Committee members?

A. The VCAILG Executive Committee Members are Steve Bachman (representing the United Water Conservation District), Richard Hajas (Camrosa Water District), John Krist (Farm Bureau), John Matthews (Arnold, Bleuel, LaRochelle, et al), Dave Souza (Pleasant Valley County Water Agency), Kelle Pistone (Association of Water Agencies of Ventura County) and Rob Roy (Ventura County Agricultural Association).

Q. What gives the Regional Board the authority to regulate runoff from farms and ranches?

A. The federal Clean Water Act and the state's version of that law, the Porter-Cologne Water Quality Control Act, authorize regulators to control polluting discharges into surface water and groundwater. The laws also authorize regulators to charge fees to pay for program costs, and to levy fines on violators or refer them for criminal prosecution.

Q. But those laws have been in effect for decades. Why are farms and ranches being targeted now?

A. The Regional Water Quality Control Boards in charge of enforcing state and federal anti-pollution standards historically waived the waste-discharge requirements for irrigated farms, deeming it in the public interest to do so. A 1999 state law banned that practice, however, requiring that all such blanket waivers expire on Jan. 1, 2003, and directing the state's nine regional boards to come up with an alternative. The boards governing the Central Valley, San Diego and the Central Coast went first; the Los Angeles Regional Board, which oversees Ventura County, adopted its Conditional Waiver program on Nov. 3, 2005.

Q. Has VCAILG's monitoring detected pollution coming from agriculture?

A. Yes. Samples collected in 2007 showed levels of certain contaminants that exceed regulatory limits. Those contaminants include pesticides that are no longer in use, such as DDT, chlordane and dieldrin; organophosphorus pesticides, specifically chlorpyrifos and diazinon; salts; and nitrogen.

Q. If some of the detected pesticides are no longer in use, why are they showing up in runoff?

A. The chemicals persist for a long time in the environment and may still be found in the soil on farms and ranches where they were applied decades ago. When irrigation water or storm runoff carries the soil into nearby streams, the pesticides travel with it. This means controlling erosion is the most practicable way to protect waterways.

Q. How can we be certain that agriculture is the source?

A. Monitoring sites were carefully chosen to capture runoff coming only from irrigated agricultural land rather than urban areas, parks, or golf courses. Where this was not

possible, background sites were monitored to establish the pollutant levels from these other sources.

Q. What happens next?

A. Because the initial sampling showed several violations of water-quality standards, landowners will now have to participate in the implementation of a Water Quality Management Plan. This plan outlines the process and strategies that will be employed to make sure agricultural discharges meet water quality standards. On a farm level, landowners and growers will be asked to provide VCAILG with information on their management practices, participate in education efforts, and implement Best Management Practices to reduce or eliminate contaminated discharges.

Q. What if a landowner ignores the Conditional Waiver program?

A. State law provides for penalties of up to \$5,000 per day for each day a landowner is in violation of the Conditional Waiver requirements, up to a cumulative total of \$500,000.