

The Bottom Line What will it Cost?





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LWA



Overview of Waiver

- May apply as individual or group
- NOI's are due on August 3, 2006
- First annual report due (i.e. first year of monitoring complete) 1 year after NOA
- WQMPs due 6 months after AMR
- Each grower required to receive 8 hours of training

Primary Elements of the Program

-  Development and Implementation of a Monitoring Program
-  8 hours of Training
-  Submittal of Annual Reports
-  Preparation of Water Quality Management Plans when benchmarks are exceeded

How does it compare to other waiver programs?

Central Coast

- Individual NOI
- Group Monitoring +
- Individual Farm Plan
- No Receiving Water limits
- Educational Requirement +

Central Valley

- Group or Individual NOI +
- Group or Individual Monitoring +
- No Educational Requirement
- Receiving Water Limits +
- More Monitoring
- Frequent Communication Reports

Last Minute Changes

- Requires one (3) species toxicity test
- Adds an additional toxicity test
- Adds TDS
- Adds Phosphate
- Adds Sulfate

Failed Last Minute Changes

- Groundwater Monitoring

Monitoring Cost Estimate Before 11/3/05 Changes

EPA Method/Constituent	# of Samples	Cost
Toxicity	1	\$ 925 - \$2500
pH	4	\$ 88
Temperature	4	\$ 24
Dissolved Oxygen	4	\$ 88
Turbidity	4	\$ 84
TSS	4	\$ 96
Chloride	4	\$ 104
Ammonia	4	\$ 144
Nitrate	4	\$ 104
E-Coli	4	\$ 160
Fecal Coliform	4	\$ 200
Pesticides	4	\$ 1500
Sampling Charge		\$ 600
Total Cost (Per Site)		\$ 4117 - 5692

Total Cost for 30 sites \$123,510 – 170,760

Monitoring Costs Estimate After 11/3/05 Changes

EPA Method/Constituent	# of Samples	Estimated Cost
Toxicity	2	\$ 1850 - \$ 5000
pH	4	\$ 88
Temperature	4	\$ 24
Dissolved Oxygen	4	\$ 88
Turbidity	4	\$ 84
TSS	4	\$ 96
Chloride	4	\$ 104
Ammonia	4	\$ 144
Nitrate	4	\$ 104
E-Coli	4	\$ 160
Fecal Coliform	4	\$ 200
Pesticides	4	\$ 1500
TDS	4	\$ 24
Phosphate	4	\$ 26
Sulfate	4	\$ 26
Sampling Charge		\$ 600
Total Cost		\$ 5118 - 8268

Total Estimated Cost for 30 Sites \$ 153,540 – 248,040

Cost Comparison

- Before 11/3/05 Changes

\$123,510 – 170,760

- After 11/3/05 Changes

\$ 153,540 – 248,040

Contingent Monitoring Costs Not Included in above Estimates

Waiver requires additional toxicity monitoring for two months if first toxicity sample exceeds 1.0 TUc. If toxicity exceedances persist, group required to conduct a Toxicity Identification Evaluation (TIE).

Contingency Costs for Toxicity Identification Evaluations (TIEs)

Phase 1 TIE \$ 2,500 – 5,000 per species

Assuming 30% of the sites require TIEs

Assuming 30 sites

Two Toxicity Tests per year

9 sites per event = \$ 22,500 – 45,000

Two events per year = \$ 45,000 – 90,000

Other Program Costs

- Development of Group (1st Year)
- Development of Monitoring Plan w/QAPP (1st Year)
- Preparation of Notice of Intent (1st Year)
- Development of Training Course (1st Year)
- Management of Monitoring Program & Data (Ongoing)
- Preparation of Annual Monitoring Reports (Ongoing)
- Preparation of WQMPs (Ongoing)
- Grower Outreach (Ongoing)
- Project Management & Administration (Ongoing)

Estimated First Year Costs for Ventura County Program

Program Element	Estimated Cost
Develop Groups	\$ 68,000
Develop Monitoring Plan w/QAPP	\$ 86,000
Prepare Notice of Intent	\$ 85, 000
Develop & Conduct Training Course	\$ 62,000
Manage Monitoring Program & Data	\$ 45,000
Prepare Annual Report	\$ 43,000
Prepare WQMPs	\$ 56,000
Grower Outreach	\$ 60,000
Program Administration	\$ 55,000
Estimated Other Costs	\$ 560,000
Estimated Sampling	\$ 153,540 – 248,040
Estimated Total Costs	\$ 713,540 – 808,040

Costs Not Included in Estimate

- Additional Toxicity Samples
- TIE Contingency Cost
- State Board Fees, \$100 for Group and .12 cents per acre

Estimated Per Acre Cost (excluding State fees)

- Assuming 95,000 acres of irrigated lands countywide
- Assuming Total Program Cost of \$ 713,540 – 808,040
- Assuming TIE Contingency \$ 45,000 – 90,000

Estimated Cost of \$ 8.00 – 9.50 Per Acre

Options for Challenging Adoption

- Appeal to State Water Resources Control Board
 - Must be filed by December 3, 2005
 - Could argue substantive changes without review
 - Changes violate Water Code Section 13267
 - Increased Costs not considered part of the record

State Board's Options on Appeal

- Dismiss Appeal
- Review on Own Motion
- Review Appeal
 - Amend Resolutions
 - Remand Back to Regional Board with instructions

Challenges With an Appeal

- Regional Board has discretion regarding monitoring requirements
- Monitoring added is no more stringent than other programs
- Remand to correct process will not change substance
- Appeal may put strain on relations with RB
- Waiver must still be complied with in the interim
- Others may intervene

Anticipated Questions?

- How do I sign-up?
- By when do I need to sign-up?
- When will I be expected to pay?
- What happens if I don't join the group?
- What happens if I don't do anything?
- Others?