

**STATE OF CALIFORNIA
REGIONAL WATER QUALITY CONTROL BOARD
CENTRAL COAST REGION**

STAFF REPORT FOR REGULAR MEETING OF DECEMBER 4-5, 2008

Prepared on November 10, 2008

ITEM NUMBER: 20

SUBJECT: Administrative Civil Liability Order No. R3-2008-0030, Agro-Jal Farms, Inc., Santa Barbara County

KEY INFORMATION

Discharger: Agro-Jal Farms, Inc.
Location: Various Farming Operations Near Santa Maria, Santa Barbara County
Discharge Type: Discharge Associated with Irrigated Agriculture
Existing Order: Regional Water Board Order No. R3-2004-0117, *Conditional Waiver of Waste Discharge Requirement for Discharges from Irrigated Lands (Irrigated Ag Order)*
This Action: Consider Administrative Civil Liability Order

SUMMARY

On December 11, 2007, the Assistant Executive Officer, on behalf of the Central Coast Water Board's prosecution team, issued Administrative Civil Liability Complaint No. R3-2007-0099 (Complaint) to Agro-Jal Farms, Inc. (Discharger). The Complaint alleged that the Discharger violated the Irrigated Agriculture Order by failing to submit a report of waste discharge or notice of intent to comply with the Irrigated Ag Order. The Complaint proposed that the Discharger be assessed civil liability in the amount of \$24,100.

On October 22, 2008, the Water Board's advisory team notified the Discharger that it would present an order to the Water Board on December 4-5, 2008, unless the Discharger and the prosecution team reached a settlement agreement. As of the date of this report, the parties have not settled. In a letter to the Discharger dated November 10, 2008, the prosecution team notified the Discharger to provide its written comments, arguments, and evidence by November 21, 2008. The prosecution team will submit its written evidence to the advisory team on the same date. Those materials will be provided to the Water Board in a supplemental mailing.

Attached to this staff report are the Complaint and a draft ACL order.

The advisory staff will present its evaluation and recommendation at the hearing.

ATTACHMENTS

1. ACL Complaint No. R3-2007-0099
2. Draft Administrative Civil Liability Order No. R3-2008-0086