



Physical Office: 21908 7th Standard Road, McKittrick, CA 93251  
Mailing Address: 5555 California Avenue, Bakersfield, CA 93309  
Phone: 661-633-9022 Ext. 5  
Email: regulatory@westsidewa.org

## Westside Water Quality Coalition Late Payment Policy

### 1. Purpose of the Late Payment Policy

This Policy aims to establish fair and equitable financial practices. It ensures Westside Water Quality Coalition (WWQC) maintains a stable cash flow, which is vital for meeting its operational obligations. Late fees are designed to encourage timely payments and to compensate for the additional administrative efforts and financial constraints caused by the delayed receipt of monies owed to WWQC. **The Irrigated Lands Regulatory Program (ILRP) General Order provides WWQC with the regulatory authority to revoke ILRP coverage from enrolled landowners with delinquent balances.**

### 2. Scope

WWQC provides regulatory coverage under the ILRP to its Members who are commercial landowners of irrigated agriculture<sup>1</sup> within WWQC's boundary (Figure 1). In exchange for regulatory coverage, Members must pay an annual acreage fee to WWQC and submit required regulatory reporting data. This Policy applies to all landowners enrolled for ILRP regulatory coverage with WWQC.

### 3. Standard Fee Setting Process

WWQC has two separate fee categories: (1) Primary Coverage Area (PCA); and (2) Secondary Coverage Area (SCA). By October of each year, the WWQC Board of Directors approves a budget for WWQC's upcoming calendar year. A PCA and SCA Acre Fee are calculated for the forthcoming calendar year based upon WWQC's projected expenditures needed to maintain regulatory compliance with the General Order. WWQC's fees only apply to acreage that will be actively irrigated in the upcoming calendar year; Members with fallowed lands are not required to pay WWQC's acreage fee.

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<sup>1</sup> Commercial irrigated lands are lands that have one or more of the following characteristics: (1) The landowner or operator holds a current Operator Identification Number/ Permit Number for pesticide use reporting; (2) The crop is sold to a Third-Party including, but not limited to, (a) an industry cooperative, (b) harvest crew/company, or (c) a direct marketing location, such as farmers' markets; and/or (3) The landowner or operator files federal taxes using federal Department of Treasury Internal Revenue Service Form 1040, Schedule F Profit or Loss from Farming.

#### 4. Invoice Process

WWQC invoices each Member in the last quarter of each calendar year for the upcoming calendar year (e.g., invoices distributed in November 2024 will cover the enrollment costs for Members for calendar year 2025). Invoices are distributed via email to the regulatory contact on file with WWQC, with a payment term of 30 days. Once a Member pays their invoice, WWQC considers their membership “renewed” for the upcoming calendar year. The invoicing period is the one time a year when a Member can add or remove irrigated acres and APNs from their membership.

#### 5. Late Fees Schedule:

Late Fee Tier	Days Overdue	Late Fee Penalty	Example Fee Amount Calculation*
Tier A	Less Than 30 Days	Grace period – pay base acreage fee	\$5.00/acre
Tier B	30-90 Days	25% of the base acreage fee/acre + base acreage fee + \$100/membership administrative processing fee	\$6.25/acre + \$100/membership administrative fee
Tier C	90+ Days	To reinstate a revoked membership landowner must pay 50% base acreage fee/acre + base acreage fee/acre + \$250/membership administrative processing fee	\$7.50/acre + \$250/membership administrative processing fee

\*Example calculation utilizes a \$5.00/acre base fee. Note that the WWQC base acreage fee changes every year.

#### 6. Notification Procedures

- a. **Initial Notification:** WWQC will provide each Member with a copy of this Policy by email within 5 business days after its initial adoption or after any revision to the Policy. Additionally, this Policy will be posted on WWQC’s website.
- b. **Tier A - Initial Late Payment Notice:** If a Member does not pay their invoice by the due date set forth in said invoice, WWQC will notify the Member by email that their payment is overdue. This notification will include a copy of the original invoice, information regarding how to make payment, and the most current version of this Policy.
- c. **Tier B - Late Payment Notice:** If a Member does not pay their invoice within 30 days of the date set forth in said invoice, WWQC will notify the Member by email and physical mail that their payment is overdue. This notification will include a revised invoice, inclusive of Tier B - Late Fees, information regarding how to make payment, information regarding potential termination of membership in WWQC if fees continued to go unpaid, and the most current version of this Policy.

- d. Revocation and Tier C - Late Payment Notice:** If a Member does not pay their invoice within 90 days of the date set forth in said invoice, WWQC will notify the Member by email and physical mail that their payment is 90 days overdue and that their membership in WWQC has been revoked, terminating their ILRP regulatory coverage. This notification will include a revised invoice, inclusive of Tier C fees, information regarding how to reinstate membership with WWQC, if desired, and the most current version of this Policy.

## **7. Appeal Process:**

A Member may dispute any late fee and/or request a waiver of such fee by submitting a written appeal to WWQC's Board of Directors pursuant to the following process:

- i.** The Member must submit a written appeal to WWQC's Board of Directors in person at the WWQC office (5555 California Avenue, Suite 209 Bakersfield, CA 93309) or by email ([regulatory@westsidewa.org](mailto:regulatory@westsidewa.org)) within 30 days of the Tier A – Initial Late Payment Notice distribution.
- ii.** The appeal must include: (1) a copy of the original invoice; (2) payment of the base fees assessed; and (3) a narrative describing any factual rationale for disputing or requesting a waiver for the late fee assessed.
- iii.** WWQC's Board of Directors shall consider the appeal at its next Board meeting, provided that the appeal is submitted to WWQC at least 72 hours prior to the meeting. The Board reserves the right to call a special meeting to address one or more submitted appeals.
- iv.** The Board may request additional information from the Member prior to making its final determination and delay such final determination until such information is received.

## **8. Member Contact Information**

Members are responsible for maintaining up to date contact information with WWQC to ensure invoices and other WWQC correspondence are received and processed in a timely fashion. If a Member needs to change or update their contact information, they may do so by requesting the change via email at [regulatory@westsidewa.org](mailto:regulatory@westsidewa.org).

## **9. Policy Review and Evaluation**

The WWQC Board of Directors reserves the right to review and revise this Policy.

**Figure 1: WWQC Primary Coverage and Secondary Coverage Area Boundaries**

