

**Water Resources Control Board  
September 19, 2017  
Item 12 - Executive Director's Report**

**DIVISION OF FINANCIAL ASSISTANCE**

**Program Activity:**

**Cleanup and Abatement Account (CAA)**

Completed Significant Events

The 2016 Budget Act, Senate Bill (SB) 826, appropriated \$15 million from CAA to continue addressing drought-related drinking water emergencies and threatened emergencies within the State of California. In addition, on July 19, 2016, by [Resolution No. 2016-0039](#), the State Water Board approved the allocation of up to \$4 million from the CAA to provide interim emergency drinking water to disadvantaged communities with a contaminated water supply, and delegated authority to administer this CAA allocation and the SB 826 drought-related appropriation consistent with the procedures and criteria prescribed in the funding guidelines approved in [Resolution No. 2015-0035](#) until new funding guidelines are adopted. On August 16, 2016, the State Water Board adopted the new funding guidelines for the SB 826 Drought funding and \$4 million contamination set-aside for disadvantaged communities. The encumbrance period for SB 826 ended in June 30, 2017 and the funding is no longer available.

On December 15, 2015, the State Water Board approved the reallocation of \$5 million from the \$19 million Assembly Bill (AB) 91 allocation for the Household & Small Water System Drought Assistance (HSWSDA) Program to assist individual households and small water systems to address drought-related drinking water emergencies.

- **HSWSDA Program Update:** Funding is administered by the following Non-Profits:
  - Self-Help Enterprises (\$3.5 Million)
  - Rural Community Assistance Corporation (\$1 Million)
  - California Rural Water Association (\$500k)

Funding is available as Grants, Loans, or Grant/Loan combination to provide interim or permanent drinking water solutions for households served by domestic wells or by water systems serving fewer than 15 connections experiencing drought-related drinking water emergencies or threatened emergencies.

<b>HSWSDA Program <u>Cumulative</u> Summary Report*: 7/1/16 to 06/30/17</b>				
<b>Non-Profit Organization</b>	<b>Total Grant Allocation</b>	<b>Approved Funding Amount</b>	<b>No. of Applications Received</b>	<b>No. of Applications Approved</b>
Self-Help Enterprises (SHE)	\$3,500,000	\$1,248,154	413	78

Rural Community Assistance Corporation (RCAC)	\$1,000,000	\$763,112	39	36
California Rural Water Association (CRWA)**	\$500,000	\$0	22	0
<b>Totals</b>	<b>\$5,000,000</b>	<b>\$2,011,266</b>	<b>474</b>	<b>114</b>

\*The next quarterly report from the Non-Profits for period between July 2017- Oct. 2017 is due on Nov. 15, 2017.

\*\* CRWA's program documents, necessary to administer the funds, were approved by DFA in Dec 2016.

- **Cleanup and Abatement Account for Urgent Drinking Water Needs – Regular CAA:**  
To date, the State Water Board has approved a total of \$242,365 in grants from the CAA to address urgent drinking water needs. Two projects requesting a total of \$33,800 are currently pending.
- **Cleanup and Abatement Account Interim Emergency Drinking Water Program - \$4 Million Set-Aside for Contamination:** There is currently \$1,673,149 remaining under \$4 million Set-Aside for Contamination funding. If all the pending projects are approved, there will be approximately \$678,352 remaining under \$4 million Set-Aside for Contamination funding.

To date, the SWRCB has approved a total of **\$2,326,851** in grants to contamination related emergency projects.

<b>CAA Approved Projects (August 1, 2017 – August 31, 2017)</b>		
Recipient	Project Purpose	CAA Funding Amount
Stony Creek Joint Unified School District	The funding will provide bottled water to the School District for approximately four months until the CSD's water system is brought up to standard.	\$2,500
Chico Unified School District	The funding will be used to provide bottled water to students and staff at the Nord Country school for approximately 9 month or until the POUs are installed to address the nitrate contamination.	\$10,908
Hope Elementary School	The funding will provide the school with bottled water until 2018. The School is preparing an application to install POUs in order to address the nitrate contamination.	\$9,000
Allensworth Community Services District	The funding will be used to continue supplying bottled water to 112 homes, and the school for up to 30 months. The water supply exceeds the MCL for arsenic.	\$234,304

City of Newman/Mariposa Street Community	This project would build private laterals and abandon wells for 6 homes located along Mariposa Street, just outside the limits of the City of Newman.	\$49,500
Whitethorn School	Oral funding to provide bottled water and replace the filters in the surface water treatment plant to address the Turbidity issue that caused the school to be on Boil Water Order.	\$25,000

<b>Reporting period: (August 1, 2017 – August 31, 2017)</b>	
<b>CAA \$4 million Contamination Set-Aside Funding</b>	
Number of projects approved:	5
Total amount approved:	\$281,712
<b>CAA Funding for Urgent Water Needs</b>	
Number of projects approved:	1
Total amount approved:	\$49,500
TOTAL NO. OF PROJECT FUNDED BY CAA:	6
TOTAL FUNDS APPROVED BY CAA:	\$331,212
<b>Reporting period: July 1, 2016 – Present (OVERALL)</b>	
<b>CAA SB826 Drought Emergency Funding</b>	
Number of projects approved:	13
Total amount approved:	\$4,715,196
<b>CAA \$4 million Contamination Set-Aside Funding</b>	
Number of projects approved:	32
Total amount approved:	\$2,326,851
<b>CAA Funding for Urgent Water Needs</b>	
Number of projects approved:	4
Total amount approved:	\$242,365
TOTAL NO. OF PROJECT FUNDED BY CAA:	49
TOTAL FUNDS APPROVED BY CAA:	\$7,284,412

**Environmental Review**

<b>California Environmental Quality Act (CEQA) Approvals (August 1, 2017 – August 31, 2017)</b>	
Clean Water State Revolving Fund and Proposition 1, Small Community and Water Recycling Grants	
<b>Project #</b>	<b>Entity - Description</b>
C-06-8211-110	City of Santa Monica, Sustainable Water infrastructure Project, CEQA determination on an Initial Study/Mitigated Negative Declaration (MND) was approved on 8/3/2017 and a Notice of Determination (NOD) was filed with the Governor's Office of Planning and Research (OPR) on 8/4/2017.

C-06-8210-210	Lake County, Anderson Springs Septic to Sewer Project, CEQA determination on an MND was approved on 8/11/2017 and an NOD was filed with the OPR on 8/15/2017.
C-06-8220-110	South Tahoe Public Utilities District, Water Meter Installations Phase 3-5 Project, CEQA determination on a Categorical Exemption was approved on 8/24/2017 and a Notice of Exemption (NOE) was filed with the OPR on 8/28/2017.
Drinking Water State Revolving Fund and Proposition 1 Grants	
5810006-001P	North Yuba Water District. Forbestown Ditch. CEQA Determination on the Categorical Exemption was approved on 8/25/2017. An NOE was filed on 8/29/2017. State Board is a responsible agency.
Water Supply Permits	
Water System #	Entity - Description
NOD/NOE & Memo Preparation by Environmental Review Staff for Future Issuance of Permits	
1300572	Valley Mobile Home Park. Surface Water Treatment Plant & 2 5,000-gallon tanks. State Water Board is the Lead Agency. An NOE was prepared by the Environmental Review Staff but not filed.
1510028	Mil Potrero Mutual Water Company, New/Replacement Well 9 and 10. State Water Board is the Lead Agency. A NOE was prepared by the Environmental Review Staff but not filed.
5410006	Lindsay-Strathmore Irrigation District, Perchlorate/Nitrate Treatment Plant & Well Replacement Pump. State Water Board is the responsible agency. An NOE was prepared by the Environmental Review Staff but not filed.
1910155	Golden State Water Company, Southern Well 6 Manganese Treatment. State Water Board is the lead. An NOE was prepared by the Environmental Review Staff but not filed.
NOD/NOE & Memo Preparation & Filing by Environmental Review Staff for Issued Permits	
1504006	Central Valley Eggs Water System. Central Valley Eggs, LLC Egg Production and Processing Facility, (New Water System). State Water Board is the responsible agency. An NOD was prepared by the Environmental Review Staff and Filed at OPR by the Environmental Review staff on 08/22/17. SCH# 2016129014.
3310019	Idyllwild Water District, Oakwood Well, Chlorination, & Calcite Contactor. State Water Board is the responsible agency. An NOE was prepared by the Environmental Review Staff and Filed at OPR by the Environmental Review Staff on 08/07/17. SCH# 2017088125.
3310019	Idyllwild Water District, Toll Gate Tanks and Water Pipeline. State Water Board is the responsible agency. An NOD was prepared by the Environmental Review Staff and Filed at OPR by the Environmental Review Staff on 08/07/17. SCH# 2017089001.

**Office of Sustainable Water Solutions (OSWS)**

**Completed Significant Events**

**California Financing Coordinating Committee:** State Water Board staff participated in the last two California Financing Coordinating Committee (CFCC) Funding Fairs of 2017. One was held on Tuesday, August 29<sup>th</sup> in San Bernardino and the other was held on Wednesday, August 30<sup>th</sup> in San Diego. The CFCC is comprised of seven member agencies (five state, and two federal agencies). Member agencies conduct funding fairs each year to educate interested parties about the CFCC and the financial and technical resources available for infrastructure projects. Information on the 2017 Funding Fairs and the CFCC is available on the CFCC's webpage at: [www.cfcc.ca.gov](http://www.cfcc.ca.gov).

Drinking Water Projects Funded (August 1, 2017 – August 30, 2017)		
Project #	Recipient – Project Purpose	Funding Amount
1200729-003P	Orleans Community Services District – Filtration and Disinfection Water Treatment Plant Upgrades	\$170,000
2000293-002P	Madera County Maintenance District 46 – Well Replacement and Arsenic Treatment	\$500,000
1500525-001C	Lakeview Ranchos Mutual Water Company – Arsenic Exceedance Compliance Project	\$2,061,546
2610003-005C	Bridgeport Public Utility District – Arsenic Removal Project	\$1,951,201
4600019-001P	Sierra County (Calpine) Waterworks District No. 1 – Calpine Water Quality and Supply Project	\$300,000
1010042-014C	Malaga County Water District – Water Meter Project	\$955,100
1510001-004P	Arvin Community Services District – Arsenic Mitigation Phase III	\$941,000
	Total	\$6,878,847

Wastewater Projects Funded (August 1, 2017 – August 30, 2017)		
Project #	Recipient – Project Purpose	Funding Amount
C-06-7842-120	San Andreas Sanitary District – Wastewater Treatment Plant Digester Upgrade Project	\$5,075,000
C-06-8269-110	Planada Community Services District – Solar Generation System at Wastewater Treatment Plant	\$1,733,240
C-06-8304-110	Franklin County Water District – Improvements for Sewer Collection and Recycled Water Use	\$465,000
	Total	\$ 7,273,240

**Programs Funded by and/or Associated with the Underground Storage Tank Cleanup Fund (USTCF):**

**Completed Significant Events**

- The Site Cleanup Subaccount Program (SCAP) executed 18 grant agreements through September 1, 2017.
- Underground Storage Tank (UST) Cleanup Fund (UST Cleanup Fund) staff reduced the number of Reimbursement Requests (RRs) waiting to be reviewed, reduced the time to process RRs (close to the required processing time of 60 days), and are currently processing RRs submitted within the past few months (compared to several months to a year in the recent past).

**Future Significant Events**

- ECAP staff will publish the Pilot Project Report, required by Health and Safety Code 25299.50.7(d), from SB 445 (Hill, 2014), which will include an analysis of the effectiveness and efficiency of the Expedited Claim Pilot Project.
- The Eligibility Unit has plans to issue 500 Letters of Commitment (LOCs) for Fiscal Year (FY) 2017-18 and committed 20% of the budget for Priority D Claimants, which is a projected total amount of \$37.9 million (M).
- UST Cleanup Fund staff will publish the results of the Bond Study in March 2018, as required by Health and Safety code 25299.51.3 (a) and (b), from SB 445 (Hill 2014); the study will examine the feasibility of issuing a bond that will satisfy all remaining obligations against the UST Cleanup Fund.

**Revenues**

- Total projected revenue for FY 2017-18 is \$341.8M.
- Planned expenditures total \$318.8M

Total allocated for claims is \$185M, see Figure 1 below:

STATE WATER RESOURCES CONTROL BOARD  
Underground Storage Tank Cleanup Program

July 20, 2017

Figure 1	FY 2017/2018 REVENUE/EXPENDITURES PLAN [1]									
	1st Quarter July - September		2nd Quarter October - December		3rd Quarter January - March		4th Quarter April - June		Total	Monthly Average
Available Balance [2]	537,439,442.22									
<b>DRAFT</b>										
<b>Revenue:</b>										
SB 445 Fees to USTCF (0439)	12,750,000.00		12,750,000.00		12,750,000.00		12,750,000.00		51,000,000.00	4,250,000.00
SB 445 Fees to SCAP (3264)	6,375,000.00		6,375,000.00		6,375,000.00		6,375,000.00		25,500,000.00	2,125,000.00
SB 445 Fees to RUST (8026)	6,375,000.00		6,375,000.00		6,375,000.00		6,375,000.00		25,500,000.00	2,125,000.00
Fees	59,500,000.00		59,500,000.00		59,500,000.00		59,500,000.00		238,000,000.00	19,833,333.33
SMIF	300,000.00		300,000.00		300,000.00		300,000.00		1,200,000.00	100,000.00
Misc	152,095.25		152,095.25		152,095.25		152,095.25		608,381.00	50,698.42
<b>Total Revenue</b>	<b>85,452,095.25</b>		<b>85,452,095.25</b>		<b>85,452,095.25</b>		<b>85,452,095.25</b>		<b>341,808,381.00</b>	<b>28,484,031.75</b>
<b>Expenditures:</b>										
<b>Fund Admin [3]</b>										
Admin	6,259,908.46	7%	6,259,908.46	7%	6,259,908.46	7%	6,259,908.46	7%	25,039,633.83	2,086,636.15
<b>Special Accounts [4]</b>										
Commingled Plume	2,500,000.00	3%	2,500,000.00	3%	2,500,000.00	3%	2,500,000.00	3%	10,000,000.00	833,333.33
EAR	1,250,000.00	1%	1,250,000.00	1%	1,250,000.00	1%	1,250,000.00	1%	5,000,000.00	416,666.67
<b>SB 445 Transfers</b>										
Site Cleanup Subaccount (SCAP)	6,375,000.00	7%	6,375,000.00	7%	6,375,000.00	7%	6,375,000.00	7%	25,500,000.00	2,125,000.00
RUST	6,375,000.00	7%	6,375,000.00	7%	6,375,000.00	7%	6,375,000.00	7%	25,500,000.00	2,125,000.00
<b>Water Rights Transfer</b>										
Water Rights	562,500.00	1%	562,500.00	1%	562,500.00	1%	562,500.00	1%	2,250,000.00	187,500.00
<b>Regulatory Oversight</b>										
Oversight	6,506,322.50	8%	6,506,322.50	8%	6,506,322.50	8%	6,506,322.50	8%	26,025,290.00	2,168,774.17
<b>Other Agencies Expenses [5]</b>										
ProRata	2,340,000.00	3%	2,340,000.00	3%	2,340,000.00	3%	2,340,000.00	3%	9,360,000.00	780,000.00
BOE (0860)	883,500.00	1%	883,500.00	1%	883,500.00	1%	883,500.00	1%	3,534,000.00	294,500.00
CalEPA (0555)	328,250.00	0%	328,250.00	0%	328,250.00	0%	328,250.00	0%	1,313,000.00	109,416.67
Fi\$Cal (8880)	89,000.00	0%	89,000.00	0%	89,000.00	0%	89,000.00	0%	356,000.00	29,666.67
<b>Claims</b>										
Claims	46,250,000.00	54%	46,250,000.00	54%	46,250,000.00	54%	46,250,000.00	54%	185,000,000.00	15,416,666.67
<b>Total Expenditures</b>	<b>79,719,480.96</b>		<b>79,719,480.96</b>		<b>79,719,480.96</b>		<b>79,719,480.96</b>		<b>318,877,923.83</b>	<b>26,573,160.32</b>
Net Quarterly Activity	5,732,614.29		5,732,614.29		5,732,614.29		5,732,614.29		22,930,457.17	
<b>Balance</b>	<b>543,172,056.51</b>		<b>548,904,670.81</b>		<b>554,637,285.10</b>		<b>560,369,899.39</b>			<b>Excess Authority 16,625,076.17</b>
									Governor's Budget Authority:	270,296,000

Assumptions

[1] Does not include clearing account or reserve.

[2] As of 3/31/17 Tank Cash Status/Projection Report provided by Accounting.

**Replacing, Removing, or Upgrading Underground Storage Tanks Program (RUST):**

RUST Approvals (March 1, 2017 – August 31, 2017)		
Project #	Recipient	Funding Amount (Loan/Grant)
D16-07003	Leu Soukseum and Syda Sounakhene	L - \$591,168.00
D16-07005	Ali S. A. Alnajjar	L- \$249,891.00
D16-07016	Stohlman and Rogers, Inc.	L - \$199,274.00
D16-07033	Muthana Corp.	G - \$70,000.00
D16-07034	Muthana Corp.	L- \$648,083.00
D16-07038	Lakhbir Hira	G - \$70,000.00
D16-07039	Lakhbir Hira	L - \$230,148.00
D16-07044	Robert Lewis Brown, Inc.	L - \$641,515.00
D16-07047	Gazali Corp	L - \$505,003.00
D16-07048	Harpinder Kaur	G - \$20,000.00
D16-07049	Danube Taeb	G - \$70,000.00
D16-07050	World Auto Service	G - \$70,000.00

D16-07052	Sidhu Brar Investments Inc.	G - \$60,749.00
D16-07053	R. Singh Enterprises, Inc.	G - \$6,342.00
D16-07054	Armn Investments Inc.	G - \$49,750.00
D16-07055	Albert Melkon	G - \$70,000.00
D16-07056	Albert Melkon	L - \$175,603.00
D16-07057	Swarnjit Kaur Grewal	G - \$68,865.00
D16-07058	Yogendra Solanki, Yatendra Solanki and Harkishan Solanki, A General Partnership	G - \$70,000.00
D16-07060	Mohammad Arfan	G - \$43,251.88
D16-07061	Ker's Gas & Lube, Inc.	L - \$53,000.00
D16-07062	Jamee, Inc.	G - \$28,660.00
D16-07063	Raghibir Singh Ghoman	G - \$41,340.00
D16-07064	Sunnyside Handy Market, Inc	G - \$49,758.00
D16-07065	Clean Erok LLC	G - \$65,209.00
D16-07066	Merced River Development, Inc.	G - \$42,444.00
D16-07067	Baljit Kaur	G - \$29,680.00
D16-07073	Hassanain Ahmed Chaibi	G - \$20,000.00
D15-07025-3	S K Corp. dba Douglas Shell	G - \$4,645.00
D16-07013-1	Gateway Gas & Mart LLC	G - \$16,429.00
14-564550-5	Bassi Liquor & Foods, Inc.	G - \$1,139.40
D16-07005-1	Ali S. A. Alnajar	L - \$5,527.00
D17-07001	David S. Hylton & Arlene G. Hylton	G - \$33,600.00
D17-07002	Sanghera Trading Post	G - \$28,204.00
D17-07008	Lam Hong Truong	G - \$70,000.00

### **Underground Storage Tank Cleanup:**

UST Cleanup Fund staff have been focusing on improving the claim reimbursement process. Since January 1, 2017, staff have reduced the time to process reimbursement requests (RRs), and are reviewing more recently-submitted RRs and appeals of denied costs. In other words, Fund staff have cleared the backlog of older RRs and appeals previously waiting several months, to a year, to be processed. For example, on January 1, 2017, there were approximately 400 RRs pending technical staff review. By prioritizing RR reviews and tracking completion of these reviews more closely, all of these RRs were either approved for cost reimbursement, or denied for cause, by March 30, 2017. Technical staff continues to keep up on technical reviews such that RRs have not backed up beyond the month in which the technical review was requested by payments staff. Similarly, payments staff have implemented improvements, such as grouping similar RRs and assigning to same payments staff person and processing multiple pending RRs per claim, instead of just the next priority RR when starting to process the next RR in line. Graph I shows the progress since January 2017 of the month-end balance of RRs by Priority Class.

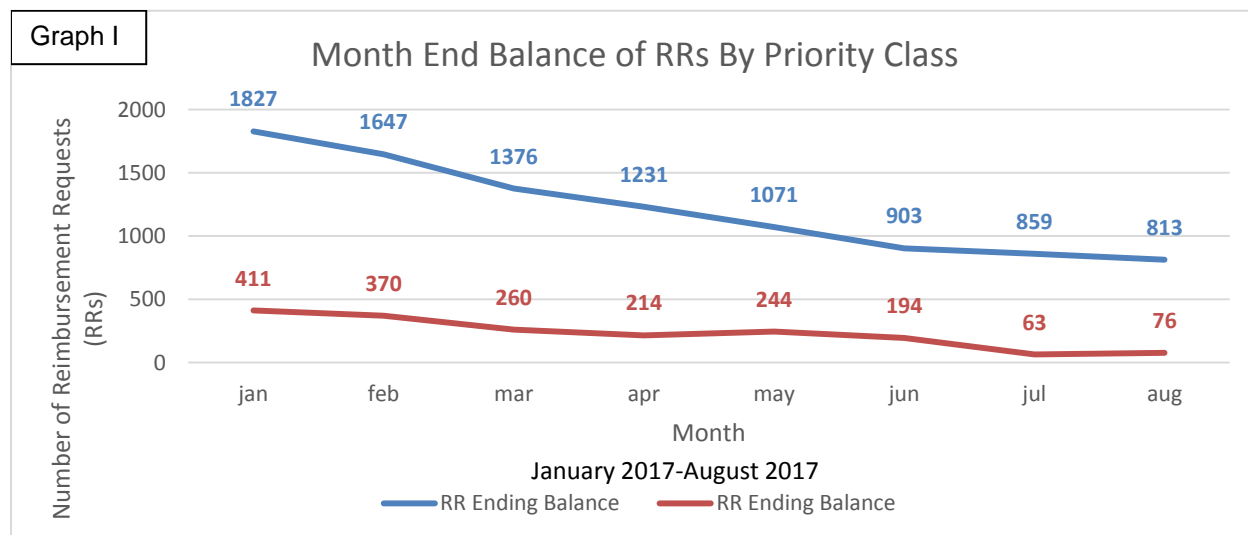
Staff has also been coordinating closely and frequently with a key stakeholder group (including California Independent Oil Marketing Association, Western States Petroleum Association, and consultants for claimants). The Director of the Division of Financial Assistance, the UST Cleanup Fund Manager, and lead UST Cleanup Fund staff have been meeting face-to-face with these stakeholders every two months since February 2017. These stakeholders have provided feedback and recommendations on reimbursement processes and other UST Cleanup Fund activities and Special Programs, such as eligibility, financial management, and the Expedited



Claim Account Pilot Project. This frequent coordination and communication has contributed to the Fund process improvements and provides information that facilitates effective adaptive management of the UST Cleanup Fund activities.

**UST Case Closures (5-Year Review Unit):**

- The five-year Review Unit set a target for FY 2016-17 to complete 450 Review Summary Reports (RSR) for cases and completed a total of 445; reaching 99% of their annual goal.
- The rate of cases being closed under the direction of an RSR will likely decrease in the future as the number of cases remaining have a higher degree of complexity.

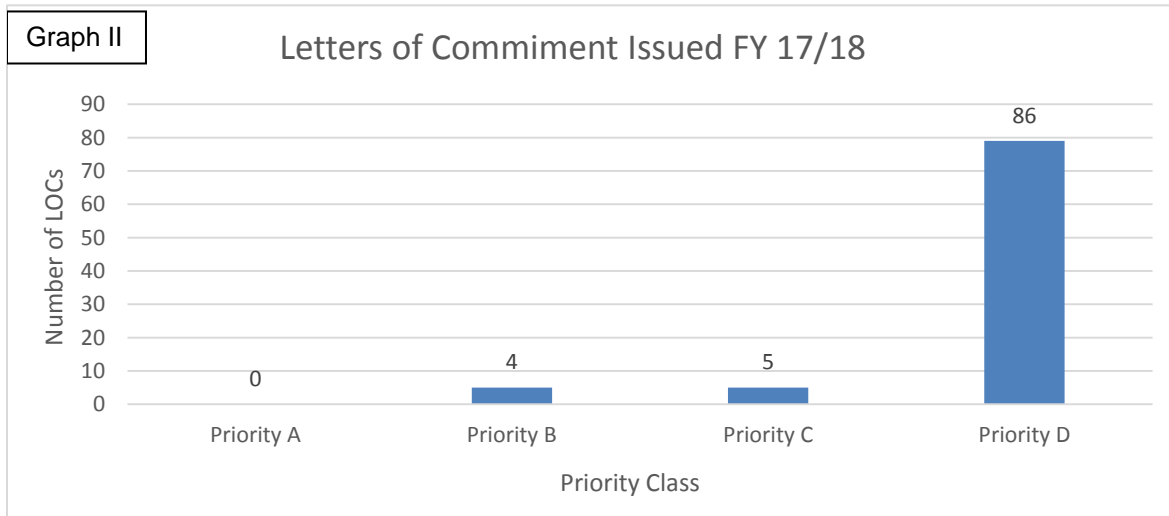


- The RSR is becoming a standardized tool amongst programs in the Fund as they offer guidance for reasonable and necessary work, planning, and a path to closure.
- Cases proposed for closure or closed by the State Water Board can be found on the Fund webpage at: [http://www.waterboards.ca.gov/water\\_issues/programs/ustcf/prop\\_closure\\_cases.shtml](http://www.waterboards.ca.gov/water_issues/programs/ustcf/prop_closure_cases.shtml)

**UST Claims Eligibility:**

Since 1992, 20,314 applications have been submitted to the UST Cleanup Fund. Of the applications received, 15,688 were determined eligible for the UST Cleanup Fund and 4,626 were found ineligible.

Historically, the UST Cleanup Fund routinely reimbursed the statutory minimum of 14% of the total amount of funds allocated to Priority D claims. For FY 2017-18, the UST Cleanup Fund plans to increase the reimbursement allocation for Priority D claims to 20%. The UST Cleanup Fund will activate 500 new claims (issue LOCs), which will increase the amount of costs requested for reimbursement by the newly activated claims. See Graph II for LOC issued through August FY 2017-18.



Currently, the UST Cleanup Fund is issuing about 40 LOCs a month. The ability to issue more LOCs is a result of revising the LOC process. Claimants now submit the required documents with the first RR instead of prior to the LOC issuance. The UST Cleanup Fund anticipates being able to pay for all reasonable and necessary costs requested by the additional RRs resulting from newly activated claims. This is based on evidence that a balance of funds has been left each fiscal year because the UST Cleanup Fund budgeted significantly more than the amount requested by claimants each fiscal year. See Table I below.

	Authority	Budgeted	Expenditures	Balance	Benchmark 100%
Total to Payout RRs	185.0M	123.0M	43.1M	79.9M	35%
Non-Budgeted Cost	9.0M	9.0M	1.4M	7.6M	15.9%

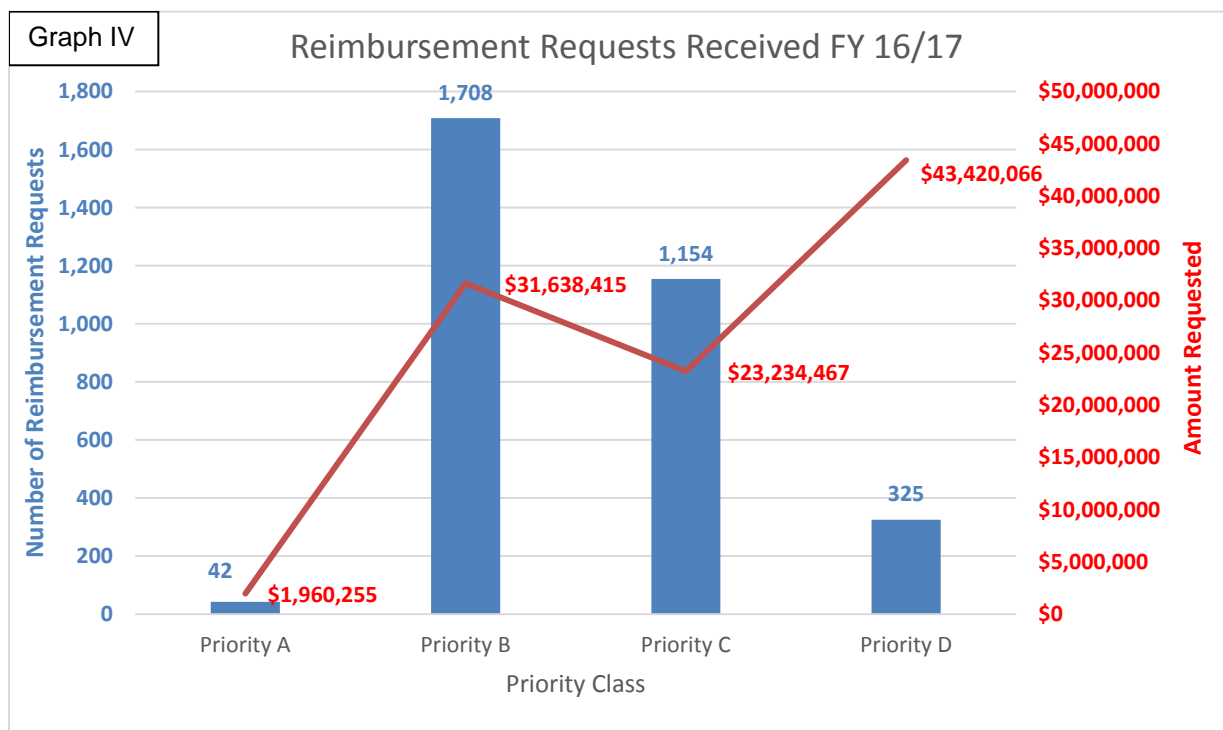
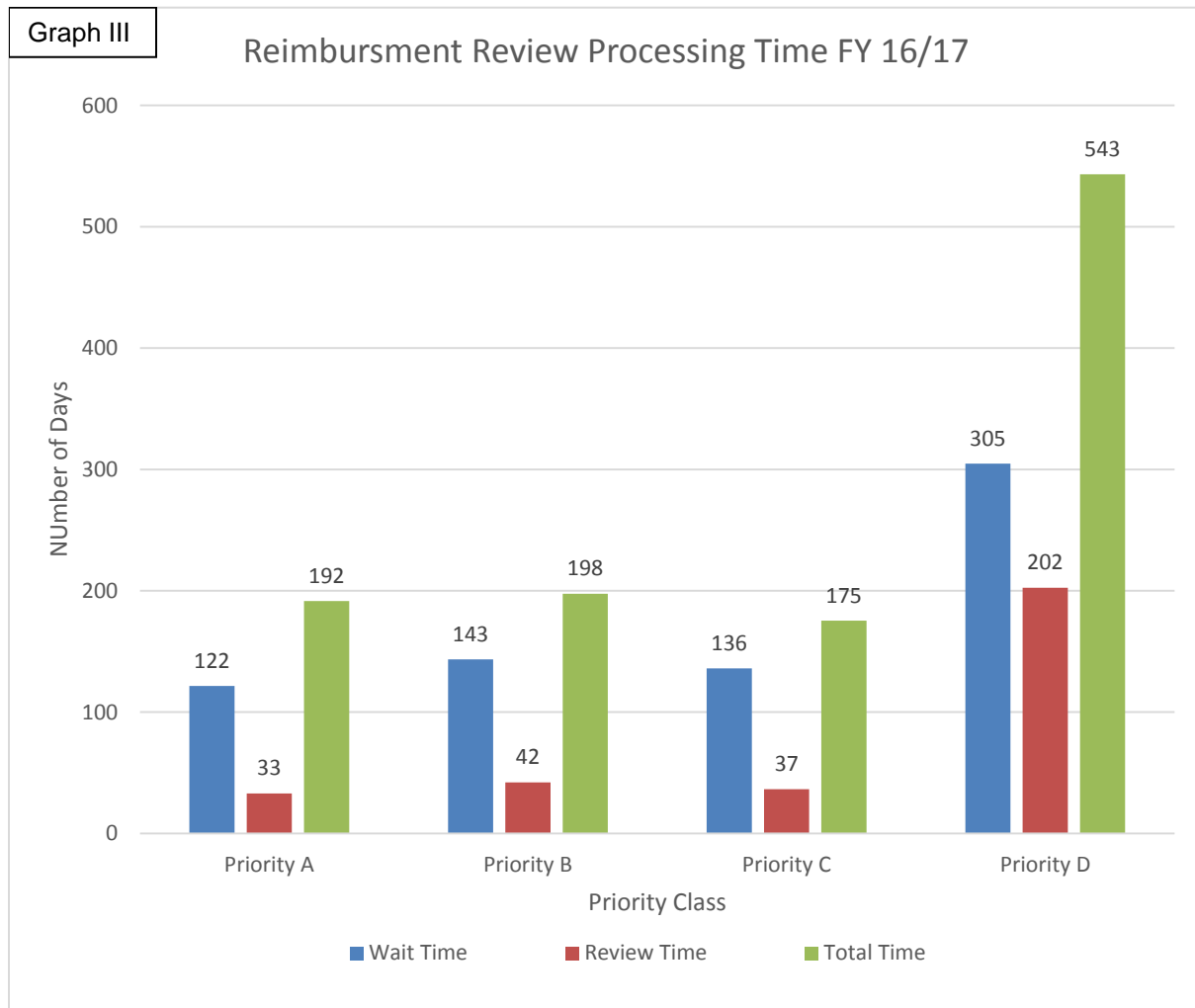
In FY 2017-18, and for the first time, LOC issuance may be restricted by a shortage of staffing and not a lack of funds available. The upcoming Bond Study will analyze the obligations against the fund along with staffing concerns. The current Claims Priority List is posted to the UST Cleanup Fund webpage at:

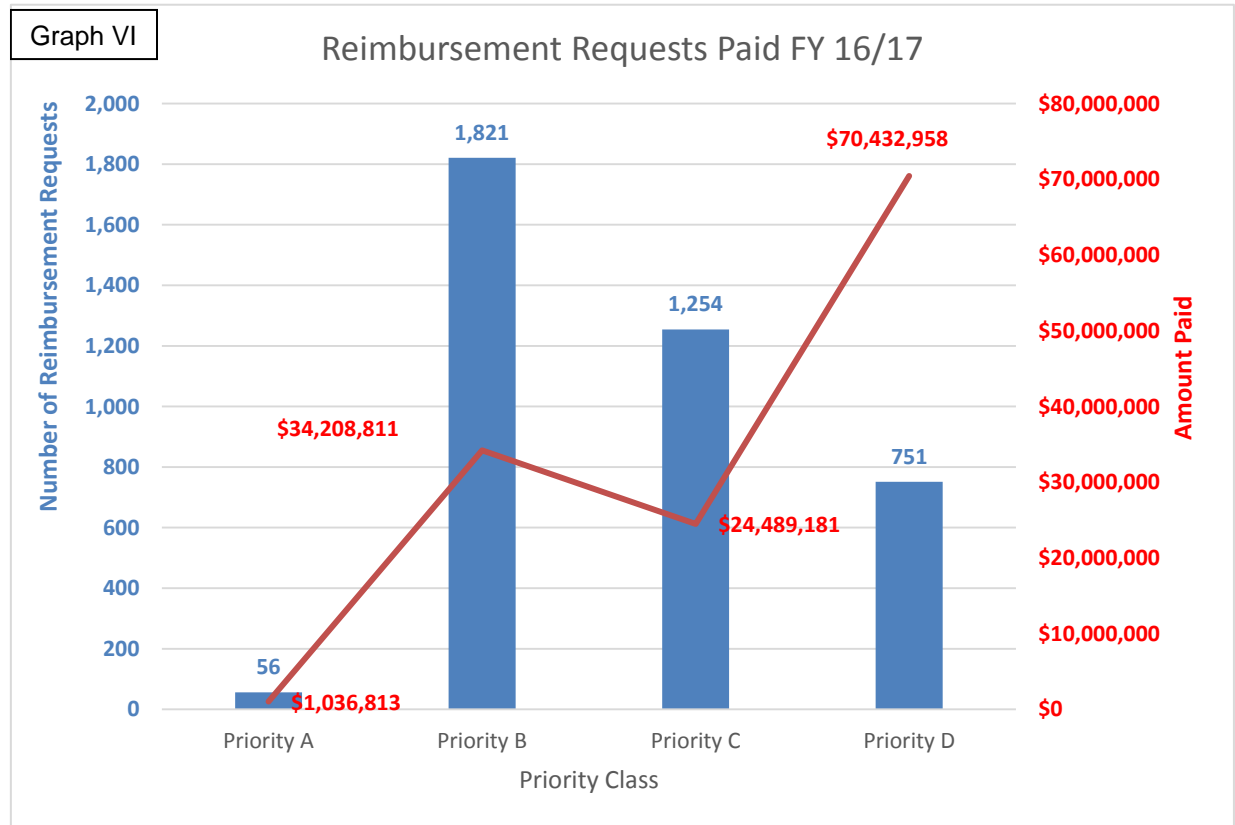
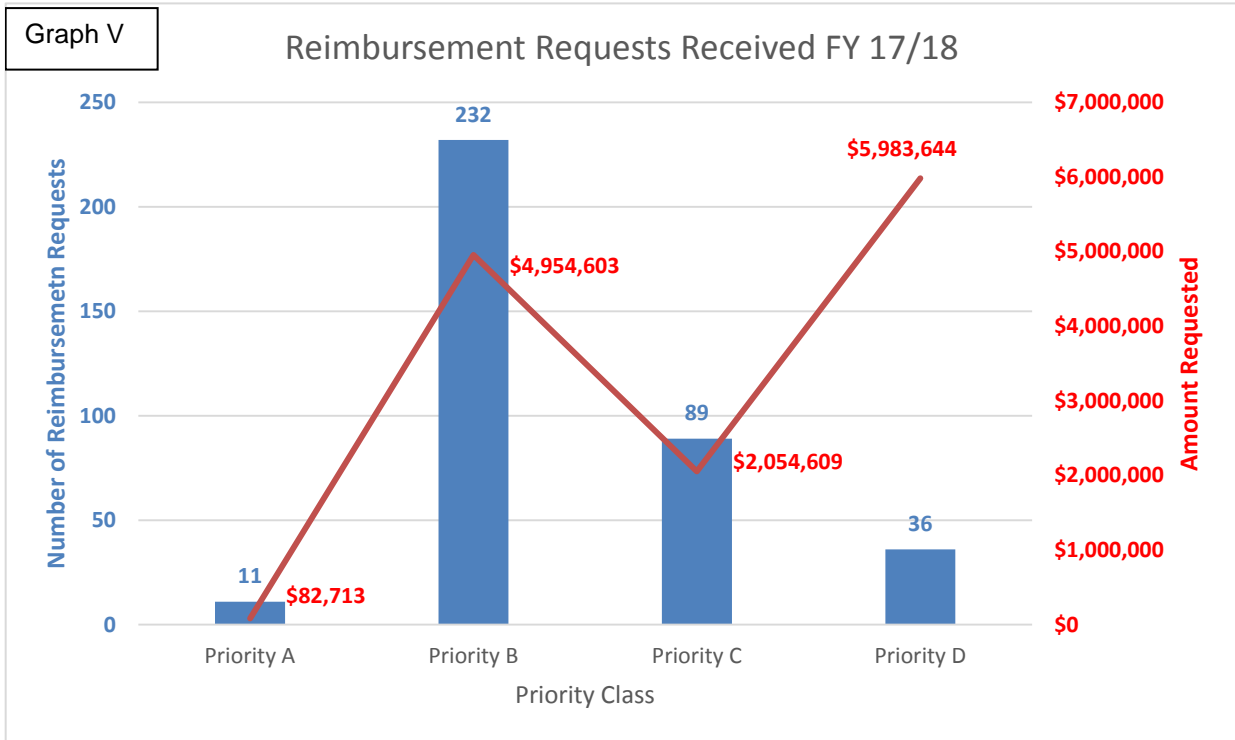
[http://www.waterboards.ca.gov/water\\_issues/programs/ustcf/prioritylist.shtml](http://www.waterboards.ca.gov/water_issues/programs/ustcf/prioritylist.shtml).

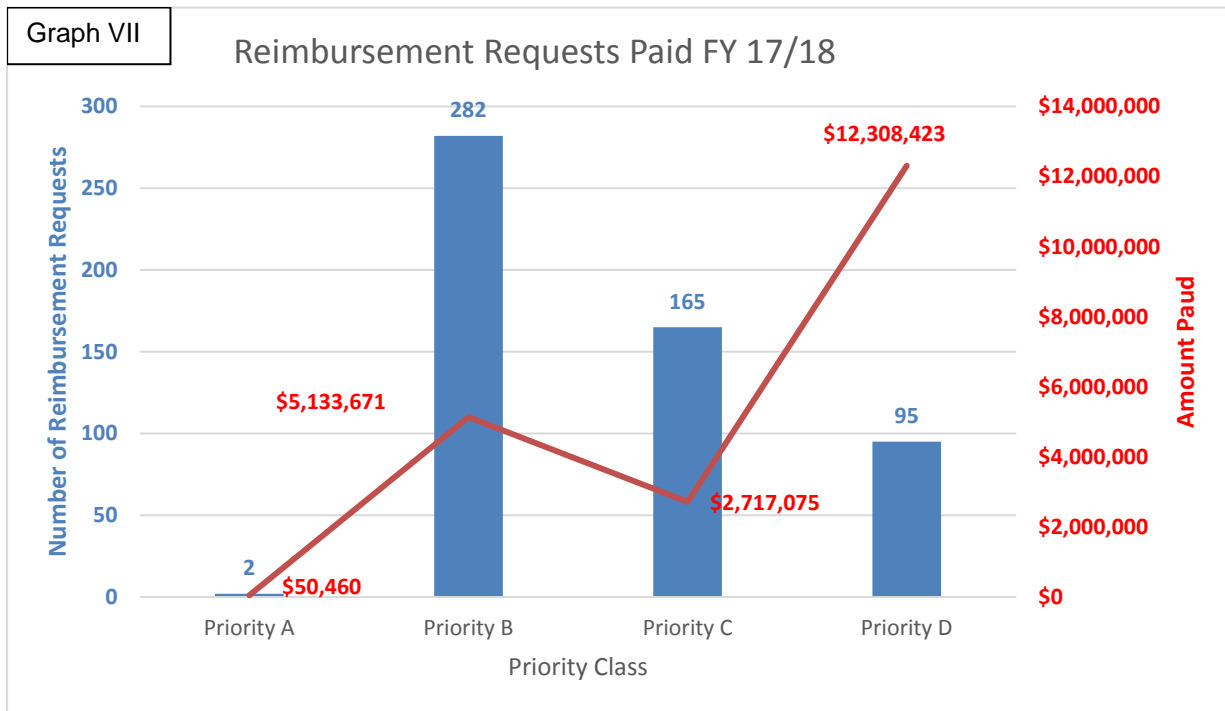
**Claims Reimbursement Requests:**

- Graph III explains the breakdown of RR review processing time for FY 2016-17.
- Looking at Graph III, *Wait Time* is calculated from the day a reimbursement request is received to when the review starts. *Review Time* considers the days from the start of the review to when the approved reimbursement request is sent to accounting. *Total Time* includes all days from when a reimbursement request is received to when a check is produced for the approved reimbursement request.
- The average Total Time ranges from 90 days to 300 days depending on the method of submittal and the month in which the reimbursement request is submitted. The Review Time is under the statutorily required time of 60 days for Priority A-C Claims and about six months for Priority D Claims. See Graph IV and Graph V for RRs received in FY 2016-17 and as if August in FY 2017-18. Graph VI and Graph VII show RRs paid for FY 2016-17 and RRs paid through August of FY 2017-18.

- Status of reimbursement requests can be found on the Fund webpage at: [http://www.waterboards.ca.gov/water\\_issues/programs/ustcf/payments\\_status.shtml#waiting](http://www.waterboards.ca.gov/water_issues/programs/ustcf/payments_status.shtml#waiting)







**Expedited Claim Account Program (ECAP):**

- There are currently 112 claimants participating in ECAP (as of August 2017).
- Of the original \$100M authorized for ECAP, about \$626,000 has been reimbursed. See Table II for ECAP dollars spent through September 1, 2017 by Priority Class.

Table II ECAP Dollars Spent to Date Against \$100M (Inception to September 1, 2017)					
	Priority A	Priority B	Priority C	Priority D	Total
Amount Reimbursed	0	\$1,097,727	\$772,406	0	\$625,945

**School District Account (SDA):**

- As of June 30, 2017, the remaining balance was \$6,975,280 million of the \$30 million authorized for school district claims. There is a sufficient remaining balance to cover the current demand.

**Emergency, Abandoned, and Recalcitrant (EAR) Account:**

- There are currently 184 sites approved for the EAR Account; the account is allocated an annual appropriation of \$5,000,000. See Table III for a summary on EAR sites.

Table III EAR Summary (From Inception 1992 to September 1, 2017)			
Sites Approved	Amount Reimbursed	Open Sites	Closed Sites
184	\$19,624,810	92	92

**Orphan Site Cleanup Fund (OSCF):**

- There are currently 25 active projects in OSCF and 17 OSCF sites approved during the last FY.

**Site Cleanup Subaccount Program (SCAP):**

- SCAP projects are continuously being prepared for approval and funding. See Table IV to see a summary of SCAP project activity as of September 1, 2017. Approved projects will be posted on the web.  
[http://www.waterboards.ca.gov/water\\_issues/programs/grants\\_loans/scap/docs/projects\\_list.pdf](http://www.waterboards.ca.gov/water_issues/programs/grants_loans/scap/docs/projects_list.pdf)

Table IV		SCAP Summary (From Inception 2015 to September 1, 2017)				
Number of Applications	\$ Requested	Applications Reviewed	Projects Approved	Grants	Total Grant \$	\$ Spent to Date
152	\$81,994,232	44	28	18	\$11,945,994	\$698,185
				DGS Contracts	Total Contract \$	\$ Spent to Date
				9	\$7,014,139	\$0*

\*Current Regional Board Contracts are still in the process of being executed by DGS.

**DIVISION OF WATER QUALITY**

**Once-Through Cooling Policy Interim Mitigation Payments:** The Once-Through Cooling Policy requires owners or operators of existing power plants to implement measures to mitigate the interim impingement and entrainment impacts resulting from their cooling water intake structures. Staff reviewed the information provided by the power plants owners and operators to calculate the first annual interim mitigation payments for the following eight power plants: Alamitos, Harbor, Haynes, Huntington Beach, Mandalay, Ormond, Redondo Beach, and Scattergood. Staff wrote and posted the draft determinations for public comments. The public comment period for the draft determinations closed on August 29, 2017. The Executive Director will consider public comments prior to issuing final determinations, which is expected in early October. For more information, please see:  
[https://www.waterboards.ca.gov/water\\_issues/programs/ocean/cwa316/interim\\_mitigation.shtml](https://www.waterboards.ca.gov/water_issues/programs/ocean/cwa316/interim_mitigation.shtml)

**Once-Through Cooling Policy Amendment for the Encina Power Station:** The Once-Through Cooling Policy established compliance dates for power plants’ retirement and replacement of capacity using then-current electricity planning and procurement processes. The Statewide Advisory Committee on Cooling Water Intake Structures (SACCWIS) conducted an interim study that demonstrated the need of the Encina Power Station to maintain grid reliability in the San Diego area during 2018. On August 15, 2017, the State Water Board adopted the Once-Through Cooling Policy Amendment for the Encina Power Station to extend the compliance date of the Encina Power Station from December 31, 2017, to December 31, 2018. For more information, please see:  
[https://www.waterboards.ca.gov/water\\_issues/programs/ocean/cwa316/.](https://www.waterboards.ca.gov/water_issues/programs/ocean/cwa316/)

**Bacteria Provisions:** State Water Board is proposing to establish statewide numeric bacteria objectives for the water contact recreation (REC-1) beneficial use, implementing provisions, and a water quality standards variance policy (Bacteria Provisions). The combined proposals will be included in a statewide water quality control plan titled, “Part 3 of the Water Quality Control Plan for Inland Surface Waters, Enclosed Bays, and Estuaries of California—Establishing Bacteria Provisions and a Water Quality Standards Variance Policy” and as an amendment to the “Water Quality Control Plan for Ocean Waters of California.” The public comment period closed on

August 16, 2017. Thirty-three comment letters were received. Staff will respond to public comments and the State Water Board is scheduled to consider adoption of the provisions on December 5, 2017. For more information, please see: <http://www.waterboards.ca.gov/bacterialobjectives>

**State Water Board Irrigated Lands Regulatory Program (ILRP):** The ILRP reports are included in Appendix A of this report.

**Statewide Policies/Significant General Permits:** This month's Policy and Permits Table is included in Appendix B of this report.

## **DIVISION OF WATER RIGHTS**

### **Douglas and Heidi Cole and Marble Mountain Ranch Waste and Unreasonable Use**

**Hearing:** By letter dated August 30, 2016, the Division of Water Rights' (Division) Enforcement Branch notified Douglas and Heidi Cole and Marble Mountain Ranch (collectively Marble Mountain Ranch) that the Division was requesting a hearing, and attached to the letter a draft order containing findings of: 1) waste, unreasonable use, unreasonable method of use, and unreasonable method of diversion of water; 2) unreasonable harm to public trust resources; and 3) corrective actions with interim and final implementation deadlines. Marble Mountain Ranch diverts surface water from Stanshaw Creek, a tributary to the Klamath River in Siskiyou County, under a pre-1914 claim of right. If Marble Mountain Ranch complied with the corrective actions specified in the draft order by the first interim deadline, October 15, 2016, the letter recommended that the parties request that the State Water Board postpone the hearing. In the absence of a postponement request, the State Water Board issued a Notice of Public Hearing on June 9, 2017. Prior to the August 22, 2017 commencement of the hearing, Marble Mountain Ranch requested postponement of the hearing. Some parties, including the Division's prosecution team, supported a limited postponement of the hearing. On July 19, 2017, Vice-Chair and Hearing Officer Steven Moore postponed the hearing. On August 16, 2017, the State Water Board provided notice that the hearing is rescheduled to begin on November 13, 2017.

Additional information regarding this matter is available on the State Water Board's website at: [http://www.waterboards.ca.gov/waterrights/water\\_issues/programs/hearings/marblemountain/index.shtml](http://www.waterboards.ca.gov/waterrights/water_issues/programs/hearings/marblemountain/index.shtml)

**Delbert Lehr and Jeff Lehr draft Cease and Desist Order Hearing:** The State Water Board has temporarily postponed a hearing that was scheduled to begin on September 27, 2017, to determine whether to adopt, with or without revision, the March 16, 2016 draft cease and desist order (draft CDO) against Delbert Lehr and Jeff Lehr (collectively Lehr). The Assistant Deputy Director for the Division of Water Rights (Division) issued the draft CDO against Lehr for the alleged violation and threatened violation of the prohibition against unauthorized diversion or use of water from the East Branch of the North Fork of the Feather River within the Sacramento River Watershed in Plumas County. Delbert Lehr holds water right Licenses 217 and 3421 to appropriate water from sources that are ultimately tributary to the Sacramento River. By letter dated April 5, 2016, Lehr requested a hearing on the draft CDO. By notice dated July 8, 2017, the State Water Board scheduled the hearing to begin on September 27, 2017. On August 28, 2017, the Division's prosecution team and Lehr requested a 60-day postponement of the hearing and associated deadlines to finalize and formalize an agreement to resolve the draft CDO. The request was approved by Vice-Chair and Hearing Officer Steven Moore. The State Water Board will provide notice when the hearing is rescheduled or canceled.

Additional information related to this hearing is available on the State Water Board's website at: [http://www.waterboards.ca.gov/waterrights/water\\_issues/programs/hearings/lehr\\_cdo/index.shtml](http://www.waterboards.ca.gov/waterrights/water_issues/programs/hearings/lehr_cdo/index.shtml)

**California WaterFix Water Right Petition and Hearing:** The State Water Board is in the midst of a hearing to consider whether and under what conditions to approve a water right change petition to add authorized points of diversion of water to the water right permits for the Department of Water Resources' (DWR) State Water Project and the U.S. Bureau of Reclamation's (Reclamation) Central Valley Project (collectively petitioners) for the California WaterFix Project. The hearing is subdivided into two parts with Part 1 focusing on impacts to other users of water and Part 2 focusing on fish and wildlife. Part 1 of the hearing concluded on July 11, 2017.

On August 31, 2017, the State Water Board hearing officers issued a ruling granting a request from DWR to establish a schedule for Part 2 of the hearing. The ruling also addresses the scope of Part 2, limits on evidentiary objections, and other requests by hearing parties. Part 2 of the hearing is scheduled to begin on January 18, 2018, with a pre-hearing conference tentatively planned for October 19, 2017.

The ruling and hearing schedule, including due dates for various submittals, is available at: [http://www.waterboards.ca.gov/waterrights/water\\_issues/programs/bay\\_delta/california\\_waterfix/ruling\\_notices/docs/20170831\\_cwf\\_ruling.pdf](http://www.waterboards.ca.gov/waterrights/water_issues/programs/bay_delta/california_waterfix/ruling_notices/docs/20170831_cwf_ruling.pdf).

A number of protestants called for the indefinite delay of Part 2 pending the issuance of a Record of Decision (ROD) by Reclamation pursuant to the National Environmental Policy Act, and further consultation between Reclamation and the U.S. Fish and Wildlife Service and National Marine Fisheries Service pursuant to section 7 of the federal Endangered Species Act (ESA). The ruling finds that a continuation of the hearing is not legally required, and that the public interest weighs in favor of proceeding with the hearing, taking into consideration: (1) the substantial information available concerning the potential effects of the project, (2) petitioners have the burden of demonstrating that each element necessary for approval of their petition has been met, (3) the risks and costs of postponing for an indefinite period the conclusion of the evidentiary hearing, and (4) either the hearing or the State Water Board's decision on the petition can be re-opened if necessary and appropriate to consider new information. The ruling also concludes that the project description is adequate to allow the parties to participate meaningfully in Part 2, but directs the petitioners to clarify whether any proposed operating criteria have changed through the section 7 consultation process.

Additional information regarding this matter is available on the State Water Board's WaterFix change petition website at: [http://www.waterboards.ca.gov/waterrights/water\\_issues/programs/bay\\_delta/california\\_waterfix](http://www.waterboards.ca.gov/waterrights/water_issues/programs/bay_delta/california_waterfix)

**Phase II Update to the Bay-Delta Plan:** In September, State Water Board staff plans to post the final Scientific Basis Report (Science Report) in support of the Phase II update of the Bay-Delta Water Quality Control Plan (Bay-Delta Plan), the latest version of the Sacramento Water Allocation Model (SacWAM) that will be used to evaluate the hydrologic effects of potential changes to the Bay-Delta Plan, and responses to peer reviews on the Science Report and SacWAM. At the same time, State Water Board staff plans to provide the public with an opportunity to provide written input on the further development of potential changes to the Bay-Delta Plan. State Water Board staff plans to provide excerpts from the Science Report that describe the proposed approach for changes to the Bay-Delta Plan, along with questions regarding implementation of those changes for a 30-day public comment period.



### Background:

In September of 2016, State Water Board staff released an initial version of SacWAM for public comment and peer review by an independent panel organized by the Delta Science Program (DSP). A public review workshop was held as well as trainings on the model. The DSP peer review panel comments were received this winter. Based on the peer review comments and other comments, SacWAM has been updated and responses to the peer review comments have been prepared. In October of 2016, the State Water Board released a working draft Science Report for public comment and review by the Delta Independent Science Board (DISB). In December 2016, the State Water Board held a public workshop and received written comments from the public on the Report, and in February the State Water Board received final written comments from the DISB. Based on public and agency input, the working draft Science Report was revised and submitted for independent peer review pursuant to the Public Health and Safety Code. Peer review responses received this summer determined that the Science Report is based on sound science, and indicated that no changes are needed to the report. While not required, responses to questions and comments raised by the peer reviewers have been prepared for clarity.

Additional information regarding the Phase II update of the Bay-Delta Plan is available on the State Water Board's website at:

[http://www.waterboards.ca.gov/waterrights/water\\_issues/programs/bay\\_delta/comp\\_review.shtml](http://www.waterboards.ca.gov/waterrights/water_issues/programs/bay_delta/comp_review.shtml)

### **Merced Irrigation District Temporary Change in Place of Use and Transfer:** On

August 25, 2017, an Order was issued by the Division of Water Rights approving a temporary change in place of use and transfer petition by the Merced Irrigation District (MID) pursuant to Water Code sections 1725 through 1732. The Order allows a one-year modification of MID License 2685 to transfer up to 20,000 acre-feet (af) of water previously stored in Lake McClure on the Merced River for use upon lands within Merced County near the boundaries of MID's authorized place of use. The water will be transferred to Le Grand-Athlone Water District, Lone Tree Mutual Water Company, East Side Water District, Chowchilla Water District, and the lands within Merced County in an area known as Merced's Sphere of Influence Lands. This transfer of previously stored surface water will involve the delivery of water to transferees and refill of Lake McClure, which normally occurs during periods of high runoff. An amended Order was issued on August 31, 2017 correcting Term 7 of the Order to remove an incorrect reference.

### **Updates Related to the Klamath Hydroelectric Project (Federal Energy Regulatory Commission Project No. 2082) and Lower Klamath Project (Federal Energy Regulatory Commission Project No. 14803):**

There are four updates related to the Klamath Hydroelectric Project and Lower Klamath Project: 1) Tribal Consultation; 2) Water Quality Certification Process; 3) Federal Energy Regulatory Commission (FERC) License Transfer; and 4) Ongoing Coordination. These items are discussed further below:

1. **Tribal Consultation:** The State Water Board is in the process of consulting with Native American tribes regarding the Lower Klamath Project. State Water Board staff met with the Shasta Nation (August 16) and Shasta Indian Nation (September 1) to discuss tribal cultural resources that could be affected by the Lower Klamath Project. State Water Board staff has regularly met with the Shasta Indian Nation and Shasta Nation since February 2017. Additional consultation meetings are scheduled into September 2017.
2. **Water Quality Certification Process:** On August 25, 2017, State Water Board staff submitted a letter to the Klamath River Renewal Corporation (KRRC) requesting additional information related to the Lower Klamath Project. The requested information is needed to process the water quality certification application and includes clarification on components of the project description, permitting, and studies the KRRC is

conducting to verify Lower Klamath Project details such as disposal sites, access roads, and reservoir drawdown rates during dam removal. State Water Board staff requested the KRRC respond by September 30, 2017. State Water Board staff's letter can be found on the Lower Klamath Project webpage at:

[https://www.waterboards.ca.gov/waterrights/water\\_issues/programs/water\\_quality\\_cert/lower\\_klamath\\_ferc14803.shtml](https://www.waterboards.ca.gov/waterrights/water_issues/programs/water_quality_cert/lower_klamath_ferc14803.shtml)

3. **FERC License Transfer:** On July 14, 2017, FERC sent a [letter](#) to PacifiCorp and KRRC requesting additional information regarding the decommissioning of the four dam developments (Lower Klamath Project: J.C. Boyle, Copco No. 1, Copco No. 2, and Iron Gate dam developments). FERC is requesting the information by December 2017.
4. **Ongoing Coordination:** State Water Board staff continues to have regular coordination meetings with the KRRC and Oregon Department of Environmental Quality regarding the Lower Klamath Project and the State Water Board's associated water quality certification process.

On September 30, 2017, State Water Board staff attended a tour of Iron Hatchery hosted by the California Department of Fish and Wildlife. The tour included Iron Gate Hatchery, the abandoned Fall Creek Hatchery and other portions of the Klamath River. The purpose of the tour was to discuss potential options for maintaining hatchery production during and following dam decommissioning.

**Yuba River Development Project – Ready for Environmental Analysis Comments and Preliminary Terms and Conditions:** On August 25, 2017, State Water Board staff submitted comments and water quality certification preliminary terms and conditions with the Federal Energy Regulatory Commission (FERC) for the Yuba River Development Project (FERC Project No. 2246). The comments addressed areas of concern in Yuba County Water Agency's Final License Application, as amended and filed with FERC.

The preliminary terms and conditions were drafted in accordance with a Memorandum of Understanding between FERC and the State Water Board. Additionally, on August 24, 2017, Yuba County Water Agency submitted a water quality certification application with the State Water Board for the Yuba River Development Project. Additional information is available on the Yuba River Development Project webpage at:

[https://www.waterboards.ca.gov/waterrights/water\\_issues/programs/water\\_quality\\_cert/yubariver\\_ferc2246.shtml](https://www.waterboards.ca.gov/waterrights/water_issues/programs/water_quality_cert/yubariver_ferc2246.shtml)

**Water Quality Certifications Updates for Federal Energy Regulatory Commission Projects:** The following table provides the projected release dates for key hydropower projects awaiting a water quality certification as part of the Federal Energy Regulatory Commission licensing process.

Water Quality Certifications for Federal Energy Regulatory Commission Projects				
			Projected Release Date	
FERC Project No.	Project Name	Licensee	Draft	Final
67 120 2085 2086 2174 2175	Big Creek (6 Projects): Big Creek 2A, 8 & Eastwood Big Creek 3 Mammoth Pool Vermillion Valley Portal Big Creek 1 & 2	Southern California Edison	<del>Sep-2017</del> <sup>1</sup> Oct-2017	<del>Feb-2018</del> <sup>1</sup> Mar-2018
2107	Poe	Pacific Gas & Electric Company	Jun-2017	Dec-2017
2088	South Fork Feather	South Feather Water & Power Agency	Oct-2017	Mar-2018
606	Kilarc-Cow	Pacific Gas & Electric Company	Dec-2017	May-2018
2105	Upper North Fork Feather River	Pacific Gas & Electric Company	Jan-2018	Jul-2018
2079	Middle Fork American River	Placer County Water Agency	Apr-2018	Sep-2018
2106	McCloud Pit	Pacific Gas & Electric Company	May-2018	Oct-2018

<sup>1</sup>At the request of Southern California Edison (SCE), pushed back one month to prioritize the certification for another SCE project.

### **Relief Reach-Kennedy Meadows Riparian Restoration and Streambank Stabilization**

**Project:** On April 8, 2016, Pacific Gas and Electric Company (PG&E) filed an application with the State Water Resources Control Board (State Water Board) for water quality certification (certification) for the Relief Reach-Kennedy Meadows Riparian Restoration and Streambank Stabilization Project (Project). The Project is a requirement of PG&E's license for the Spring Gap-Stanislaus Hydroelectric Project, Federal Energy Regulatory Commission Project No. 2130. The State Water Board filed the Negative Declaration (ND) and a Notice of Determination (NOD) for the Project with the State Clearinghouse (SCH 2017062016) on September 1, 2017. The ND and NOD can be found on the Spring Gap-Stanislaus Hydroelectric Project webpage at: [http://www.waterboards.ca.gov/waterrights/water\\_issues/programs/water\\_quality\\_cert/springgap\\_ferc2130.shtml](http://www.waterboards.ca.gov/waterrights/water_issues/programs/water_quality_cert/springgap_ferc2130.shtml)

**Russian River Priority Tributaries Information Order Outreach Meeting:** State Water Board staff held an outreach meeting in Santa Rosa on August 28, 2017, to update the community on information provided by landowners and water suppliers in Dutch Bill Creek, Green Valley Creek, portions of Mark West Creek, and Mill Creek under [Order WR 2015-0026-DWR](#) of the [Russian River Tributaries Drought Emergency Regulation](#). A summary of the information collection process is provided below.

### **Background on Russian River Tributaries Drought Emergency Regulation Information Order**

On August 24, 2015, the Deputy Director for Water Rights issued Order WR 2015-0026-DWR (Information Order) requiring all landowners and water suppliers in four priority watersheds tributary to the Russian River (Dutch Bill Creek, Green Valley Creek, portions of Mark West Creek, and Mill Creek) to provide information on their sources and uses of water. This Information Order was issued to address a lack of information on water sources and uses within

the priority watersheds and to inform future water management decisions. Below is a summary of key actions and results.

- Information Orders issued (12,325 parcels/purveyors):
  - Mailed August 26 through September 18, 2015
  - Responses due by October 23, 2015
  - Response rate of approximately 50%
- Information Order reminder letters (5,938 parcels/purveyors):
  - Mailed October 28-30, 2015
  - Total response rate of approximately 79% (December 13, 2015)
- Administrative Civil Liability Complaints (1,881 parcels/purveyors):
  - Mailed December 15, 2015 via certified mail
    - 20 days from receipt to respond
  - 1,282 resulted in complete information submittals, 26 resulted in partial submittals, 263 were undeliverable, 170 were withdrawn, and 140 are still outstanding
- Information Order total response rate of approximately 94%
  - Total response rate, after excluding parcels with returned or undeliverable mail, is approximately 99%

At the August 2017 outreach meeting staff provided a summary of the data, how the data may be used to inform management decisions in the future, and an overview of ongoing efforts under the California Water Action Plan to enhance stream flows statewide. This California Water Action Plan effort is focused on five priority streams, including Mark West Creek. The presentations provided by State Water Board and California Department of Fish and Wildlife staff at the August 2017 outreach meeting and a summary of the information and data collected, by watershed, are available online at:

[https://www.waterboards.ca.gov/waterrights/water\\_issues/programs/drought/water\\_action\\_russianriver.shtml](https://www.waterboards.ca.gov/waterrights/water_issues/programs/drought/water_action_russianriver.shtml). Additional information on the State Water Board's instream flow efforts under the California Water Action Plan is available online at:

[http://www.waterboards.ca.gov/waterrights/water\\_issues/programs/instream\\_flows/cwap\\_enhancing/](http://www.waterboards.ca.gov/waterrights/water_issues/programs/instream_flows/cwap_enhancing/)

## DIVISION OF DRINKING WATER

**Environmental Laboratory Accreditation Program:** ELAP staff are now training with NV5/Dade Moeller's expert environmental laboratory assessors under the ELAP Assessor Training Contract. Classroom sessions are being held throughout September and training assessments of accredited laboratories are expected to begin in October. As part of this contract, NV5 is holding four public workshops (September 25 – San Diego, September 27 – Oakland, October 2 – Sacramento, October 4 – Los Angeles) for members of the laboratory community on implementation of the 2016 TNI Standard. These workshops are the first of several assistance initiatives the Water Board plans to offer. The goal of these sessions is to educate attendees on the standard requirements and provide a strategy to begin implementation. Location details are available on ELAP's [Event Calendar](#).

ELAP representatives participated in the National Environmental Monitoring Conference from August 7<sup>th</sup>-11<sup>th</sup>. Staff who attended gave talks on the revitalization of California ELAP, ELAP's current process for adding new analytical methods to program offerings, effective communication tools, and the process ELAP has gone through to rebuild relationships with its stakeholders.

On August 1, 2017, the State Water Board adopted a resolution allocating \$300,000 to ELAP for the purpose of funding a contract to provide training to accredited small laboratory staff members on the 2016 TNI Standard. The training will likely be a one-day training offered throughout the state and will be focused on document development with the assistance of the workshop instructor. ELAP is developing an Invitation for Bids expected to be released this fall.

The ELAP Regulations Team held six workshops to solicit comments and answer questions on the preliminary draft regulations text. A 45-day public comment period closed on September 7<sup>th</sup>.

**ELAP Accreditation Certificates Issued:** ELAP issued renewed certificates of accreditation to 31 existing laboratories in August 2017. ELAP also issued four amended certificates of accreditation to existing laboratories who requested expansion of their Accredited Fields of Testing list.

**ELAP Annual Proficiency Testing Reviews Performed:** ELAP performed review of annual proficiency testing studies for 19 laboratories in August 2017.

**ELAP Enforcement Unit:** ELAP's Enforcement Unit is currently investigating 12 open cases. No formal enforcement action was taken in August 2017.

## **DIVISION OF ADMINISTRATIVE SERVICES**

### **Program Activity:**

**Update on Water Quality, Water Rights and Drinking Water Fees Stakeholder Process:** Staff held the final FY 2017-18 Water Quality and Water Rights fees stakeholder meetings on August 3. Staff met with the California Rice Commission on August 16 to discuss the Agricultural Lands fees. Staff met with the Association of California Water Agencies and the California Municipal Utilities Association on September 5 to discuss their fee proposals for the Environmental Laboratory Accreditation Program fees. Staff will be presenting proposed fee schedules for Water Quality, Water Rights and Drinking Water at the September 19 board meeting.

## **OFFICE OF ENFORCEMENT**

### **CASE UPDATES**

**San Diego Regional Water Board, City of San Diego Reach Settlement on Erosion Control Case:** The San Diego Regional Water Quality Control Board adopted a \$3.2 million settlement agreement with the city of San Diego on allegations that the city failed to ensure that construction sites throughout the city protected local streams and coastal lagoons from loose sediment. The alleged violations occurred between 2010-15 and affected waterbodies from Los Peñasquitos Lagoon in the north to the Tijuana River Estuary in the south.

Under the agreement, the city is allowed to use \$1,610,332 -- 50 percent of the total penalty - to fund four Supplemental Environmental Projects (SEPs) in the San Diego Region. The four SEPs are: Los Peñasquitos Lagoon inlet restoration, San Diego River restoration and Arundo removal, a bioassessment tool development project, and a Chollas Creek restoration opportunities assessment. The remaining Administrative Civil Liability of \$1,610,332 will be

deposited into a Cleanup and Abatement Account to be used for remediation of pollution in state waters.

Throughout the settlement negotiations, the city undertook a number of important steps to correct internal deficiencies, including significantly increasing the number of city inspectors responsible for overseeing compliance with ordinances at construction sites, as well as augmenting ongoing training requirements for inspectors. The city also implemented a number of actions to improve communication and coordination among departments with construction oversight responsibility, which has included development of a unified interdepartmental construction site database.

## **OFFICE OF ENFORCEMENT - UNDERGROUND STORAGE TANK UNIT OVERVIEW**

The Fraud, Waste, and Abuse Prevention (Fraud Prevention) Unit began as a pilot project on January 27, 2010 with the mission to deter, investigate, and prosecute fraud, waste, and abuse against the Underground Storage Tank Cleanup Fund (Cleanup Fund). At that time, site owners (claimants) and their consultants submitted invoices to the Cleanup Fund in paper format. Fraud staff compared those invoices to site activity reports available in the State's on-line GeoTracker database to investigate complaints of fraud, waste, and abuse. Based on early successes identifying and prosecuting fraud, waste, and abuse, the Fraud Prevention Unit was made a permanent part of the Office of Enforcement in 2011.

Recent Improvements - While the Fraud Prevention Unit continues to refer cases to the Attorney General's Office and/or to Local District Attorneys for criminal and/or civil prosecution, in 2014 the Water Boards obtained legislative authorization to prosecute fraud, waste, and abuse administratively, and to seek remedies such as debarment and civil penalties of up to \$500,000 per misrepresentation. The ability to prosecute cases administratively allows the Fraud Prevention Unit to take on more cases and resolve them in less time. In addition, on October 1, 2014, the Cleanup Fund implemented an electronic invoicing system called GeoTracker Online (GTO). This allows Water Board staff to review requests for reimbursement and identify inconsistencies much more quickly and efficiently. Finally, on August 4, 2017, the Fraud Prevention Unit deployed the first of four recently purchased surveillance cameras, which will aid in detecting fraud and collecting evidence to further effective fraud prosecutions. These new tools are significantly expediting detection and prosecution of fraud.

Fraud Prevention Unit Processes - The unit investigates tips received internally, as well as from the public through a ReportFraud email address ([ReportFraud@waterboards.ca.gov](mailto:ReportFraud@waterboards.ca.gov)) and a toll-free message line (1-855-263-0863). Follow-up includes:

- Reviewing invoices in GeoTracker Online (GTO);
- Reviewing technical reports in GeoTracker;
- Researching companies and employees;
- Interviewing employees and claimants;
- Conducting surveillance;
- Serving document requests and subpoenas; and
- Preparing cases for enforcement.

Expanding the Fraud Prevention Unit's Role - The Fraud Prevention Unit has recently branched out to provide support for investigations and prosecutions for the Water Boards' Environmental Laboratory Accreditation Program (ELAP) and loans and grants programs within the Division of Financial Assistance (DFA). The unit has referred a laboratory fraud case developed with ELAP staff to a district attorney and are in the investigatory phase of several cases for DFA. These first cases are the beginning of the Fraud Prevention Unit's



measured expansion into investigating and prosecuting fraud in loans, grants, and other State Water Board funded programs.

2017 Case Updates:

- **Ami Adini & Associates (AA&A)**

- **01/06/2017 – Professional Negligence Case** – Los Angeles Superior Court entered a judgment against AA&A on January 6, 2017 over allegations AA&A was negligent in conducting cleanup of petroleum contaminated underground storage tank sites. As part of the settlement, AA&A will forgo more than \$1 million in reimbursements it was seeking from the Cleanup Fund, and AA&A and its Principals are debarred from future work with any State Water Board programs. The prohibition extends to all work overseen, directed, funded, submitted to or administered by the State Water Board.

[http://www.waterboards.ca.gov/press\\_room/press\\_releases/2017/pr020317\\_negligence.pdf](http://www.waterboards.ca.gov/press_room/press_releases/2017/pr020317_negligence.pdf)

- **01/18/2017 - Claimant Settlements** – Settlements with the claimants of sites in Culver City, Los Angeles, and Petaluma, that used AA&A as their environmental consultant, were completed and documented in a January 18, 2017 press release. The settlements resolve reimbursement requests of costs deemed unreasonable or unnecessary, which saved the Cleanup Fund over \$30,000. In addition, the claimants agree to waive any appeals of costs for work performed by AA&A, and no additional reimbursement requests for work by AA&A will be submitted to the Cleanup Fund. These settlements were the collaborative effort of the Cleanup Fund, OE's legal unit, and the Fraud Prevention Unit.

[https://www.waterboards.ca.gov/press\\_room/press\\_releases/2017/pr011817\\_settlement.pdf](https://www.waterboards.ca.gov/press_room/press_releases/2017/pr011817_settlement.pdf)

- **08/02/2017 - Claimant Settlements** – Settlements with the claimants of sites in Whittier, Tujunga, and Gardena, that used AA&A as their environmental consultant, were completed and documented in an August 2, 2017 press release. The settlements resolve reimbursement requests of costs deemed unreasonable or unnecessary, which saved the Cleanup Fund over \$19,000. In addition, the claimants agree to waive any appeals of costs for work performed by AA&A, and no additional reimbursement requests for work by AA&A will be submitted to the Cleanup Fund. These settlements were the collaborative effort of the Cleanup Fund, OE's legal unit, and the Fraud Prevention Unit.

[https://www.waterboards.ca.gov/press\\_room/press\\_releases/2017/pr080217\\_storage\\_settlement.pdf](https://www.waterboards.ca.gov/press_room/press_releases/2017/pr080217_storage_settlement.pdf)

- **Qui Tam (Whistleblower) case**– The Attorney General's Office (AGO) appeared in Los Angeles Superior Court on behalf of the Water Board at an August 4, 2017 Order to Show Cause hearing. The AGO's False Claims Unit filed a motion opposing a settlement between the whistleblower and AA&A because the settlement did not include monies for the State, as required by the False Claims Act.

- **Aqua Science Engineers (ASE)** – On June 30, 2017, the State Water Board reached an administrative settlement with ASE of Contra Costa and Orange counties over allegations of overbilling the Cleanup Fund. The environmental consulting company agreed to pay an administrative civil liability of \$50,000 and to cease all work on projects funded by the State Water Board's Cleanup Fund, Cleanup and Abatement Account (CAA), and loans and grants funded by Proposition 1.

[https://www.waterboards.ca.gov/press\\_room/press\\_releases/2017/pr063017\\_ase\\_enforcement.pdf](https://www.waterboards.ca.gov/press_room/press_releases/2017/pr063017_ase_enforcement.pdf)

- **UST Round Table** – During the August 2, 2017 meeting, the Fraud Prevention Unit provided an overview of OE and the unit.
- **Surveillance Cameras** – In August 2017, the Fraud Prevention Unit deployed surveillance cameras at two Cleanup Fund sites in California.

Underground Storage Tank Unit (UST) has several functions, including:

- Support enforcement of the Division of Water Quality's UST Leak Prevention and Cleanup Programs, primarily by investigating violations of UST construction, monitoring and cleanup requirements.
- Support enforcement of the Division of Water Quality's Office of Tank Tester Licensing by enforcing the California Tank Testers Licensing requirements. These requirements are designed to ensure that certain types of tests on UST systems in California are performed only by qualified individuals.
- Work closely and develop partnerships with various local, state and federal agencies to conduct inspections, review data, and assist in or lead statewide UST investigations.
- Provide technical expertise to local agencies or prosecutorial entities regarding the identification of violations of UST requirements and identification of appropriate UST installation and construction practices including acceptable equipment and materials.

#### Ongoing UST Unit Deliverables

- Conduct file reviews and perform inspections at privately and publically owned and/or operated UST facilities.
  - In August 2017, the unit obtained four government owned and/or operated UST (GOT) facility files, reviewed seven GOT facility files, and completed seven GOT facility inspections.
- Prepare written reports detailing the results of inspections and investigations. These reports may be used for cases that are referred to the State Attorney General's Office (AGO).
  - Currently, three UST enforcement cases have been referred to the AGO.
- Issue appropriate compliance and enforcement correspondence to GOT facilities based on file review and facility inspection findings.
  - In August 2017, the unit issued four Notice of Violation letters and four Return to Compliance letters to GOT facilities.
- Upload GOT compliance and enforcement correspondence to OE's web page on a monthly basis.
 

[https://www.waterboards.ca.gov/water\\_issues/programs/enforcement/compliance\\_enforcement\\_letters/fy2015\\_16.shtml](https://www.waterboards.ca.gov/water_issues/programs/enforcement/compliance_enforcement_letters/fy2015_16.shtml)
- Take enforcement actions against private and public entities when appropriate to ensure compliance with state and federal UST laws and regulations.
  - Currently, four civil enforcement actions against public entities are ongoing and two civil enforcement actions involving private entities are ongoing.
  - In July 2017, OE legal counsel and unit staff engaged in settlement discussions with two public entities regarding violations identified at multiple facilities.
- Issue press releases on enforcement actions taken and post press releases on the State Water Boards website to deter future non-compliance.
- Track GOT data as required in enforcement cases and annual program reports.



- The unit completed and issued the *2016-2017 GOT Initiative Annual Report* to U.S. EPA and the State Water Board's UST Leak Prevention Unit on August 11, 2017.
- Report GOT results quarterly for facilities inspected.
  - The unit completed and issued *the 4<sup>th</sup> Quarter 2016-2017 GOT Initiative Report* to U.S. EPA and the State Water Board's UST Leak Prevention Unit on July 7, 2017.
- Attend and participate in meetings such as Technical Advisory Groups (TAG), task forces, and various enforcement committees. These meetings serve as a way for local agencies to discuss UST issues with each other, hear from stage agencies on UST issues that may affect local agencies, and develop and coordinate enforcement activities statewide. Local and state agencies provide updates on current enforcement cases.
  - Staff attended the Bay Area TAG meeting on July 18 and the Southern California TAG meeting on August 9.
  - Staff attended the Unified Program Administration and Advisory Group Enforcement Steering Committee meeting on August 1.
- Develop and conduct presentations of investigations at various conferences, such as the Annual CUPA Training Conference, and meetings.
  - The unit supervisor will be presenting an update on the State Water Board's UST enforcement program at the November 2017 Bay Area TAG meeting.
- Enhance the State Water Board's enforcement authority by allowing it to impose administrative civil liability for violations of UST requirements.
  - OE proposed UST Administrative Enforcement Authority as part of a consolidated Water Quality Enforcement Legislative Proposal.
  - AB 355 (Chu) passed through the State Assembly and is now with the Senate.

**Administrative Civil Liability (ACL) and Cleanup and Abatement Actions Issued August 2017**

a. ACL Complaint(s) Issued

Region	Discharger/Facility	Violation(s) Addressed	ACL Complaint Amount	Date Issued
<b>WATER QUALITY</b>				
2	Glovatorium, Inc Former Glovatorium Facility	Failure to submit technical reports	\$88,000	8/16/2017
2	Sewer Authority Mid-Coastside (SAM) SAM Collection System	Sanitary Sewer Overflow (SSO)	\$522,700	08/21/2017
<b>WATER RIGHTS—No ACL COMPLAINTS ISSUED AUGUST 2017</b>				

b. ACL Order(s) Issued

Region	Discharger/Facility	Violation(s) Addressed	ACL Order Amount	Date Issued
<b>WATER QUALITY</b>				
2	Lehigh Southwest Cement Company Lehigh SW Cement	Effluent limit violations for (2) nickel, (5) selenium, (6) total dissolved solids, (2) turbidity, and	\$22,500 MMP to CAA \$2,500 (discretionary to WDPF)	8/14/2017

Region	Discharger/Facility	Violation(s) Addressed	ACL Order Amount	Date Issued
	Permanente Plant	(10) pH. Discharge of 1,338,900 gallons of treated wastewater in violation of the Cease and Desist Order's interim limits for total suspended solids and settleable matter.	\$155,000 (discretionary to CAA) \$195,000 (Supplemental Environmental Project <sup>1</sup> )	
2	Petaluma City DPW Petaluma City CS	(4) Sanitary Sewer Overflows (SSO), (3) violations for failing to report SSO.	\$117,600 (discretionary to CAA) \$117,600 (Supplemental Environmental Project)	08/14/2017
2	Alum Rock Union Elementary School District	MMPs for failing to recertify for continued coverage under the new permit	\$5,000 (MMP – all to WDPF)	8/25/2017
4	West Basin MWD Edward C. Little Water Recycling Plant	(2) Oil and Grease and (4) Settleable Solids effluent violations	\$18,000 (MMP – all to CAA)	08/03/2017
4	Ventura County Watershed Protection District Arroyo Simi Upstream of Madera Rd. Grade Stabilization Project	(2) Total suspended solids effluent violation subject to MMP.	\$6,000 (MMP – all to CAA)	08/03/2017
4	Los Angeles City DWP Scattergood Generating Station	2 Bis (2-Ethylhexyl) Phthalate effluent MMP Violations	\$6,000 (MMP—all to CAA)	08/15/2017
5	California Dept. of Corrections and Rehabilitation Deuel Vocational Institution	(7) Deficient reporting violations, discharger of 2,869,049 gallons where there were (5) total coliform and (2) nitrate effluent violations. Failure to maintain facility and upgrade treatment in violation of the Cleanup and Abatement Order.	\$1,207,040 (discretionary to WDPF)	08/23/2017
9	San Diego City Transportation and Stormwater Department San Diego City MS4	Failure to implement an effective construction oversight program that resulted in discharges of sediment not reduced to the maximum extent possible.	\$1,610,332 (discretionary to CAA) \$1,610,322 (to 4 different Supplement Environmental Projects)	08/09/2017
9	San Elijo Joint Powers San Elijo Water Reclamation Facility	Single Operation Upset pursuant to 13385(f) resulting in 6 effluent violations, but treated as a single violation	\$3,000 (MMP – all to CAA)	08/25/2017
<b>WATER RIGHTS—NO ACL ORDERS ISSUED AUGUST 2017</b>				

<sup>1</sup> The Supplemental Environmental Project suspended the maximum portion of the MMP allowed by statute and a half the amount of the discretionary penalty.

- c. Cleanup and Abatement Order(s) Issued—*No CAOs ISSUED AUGUST 2017*
- d. Other formal and informal enforcement actions (e.g. Notice of Violation, Notice of Noncompliance)

Region	Enforcement Actions	Region	Enforcement Actions
1	1	5S	158
2	21	6T	3
3	5	6V	5
4	23	7	16
5F	19	8	51
5R	1	9	12

## OFFICE OF INFORMATION MANAGEMENT AND ANALYSIS

The Office of Information Management and Analysis (OIMA) and the Office of Public Affairs led a Water Board-wide, targeted sampling and risk communication project for harmful algal bloom events (HABs) in high-risk waterbodies prior to Labor Day weekend. This was a collaborative effort that included state and local agencies all striving to gather data and share resulting HAB information with the public to assist in risk communication. The key partner agencies included all the Regional Water Boards, the California Department of Water Resources, East Bay Regional Parks, Elem Indian Colony, and the Big Valley Band of Pomo Indians. The results of this assessment are displayed in an [interactive map](#), which shows sampling locations and recommended advisory levels for approximately 43 California waterbodies. The map uses contemporary data science techniques to share, interpret and communicate data and information. In support of this effort the Office of Public Affairs issued a [press release](#) to raise awareness of this valuable information.

## OFFICE OF RESEARCH, PLANNING AND PERFORMANCE

### Sustainable Groundwater Management Program

#### **Initial notification letters sent to property owners located in unmanaged areas:**

The Sustainable Groundwater Management Act (SGMA) provides that groundwater extractors in high and medium priority groundwater basins that are not managed by a local agency are required to begin reporting their groundwater extractions to the State Water Board. The extraction reports are due by December 15, for the preceding water year. Approximately 99% of the state’s high and medium priority groundwater basins are currently managed by either a groundwater sustainability agency, adjudication, or alternative to a sustainability plan. On August 23, the State Water Board sent initial notification letters to the approximately 200 property owners in unmanaged areas of high and medium priority groundwater basins. Staff is currently working with the parties to assist them in meeting the SGMA reporting requirements.

**Urban Water Conservation:** Urban water suppliers saved 15 percent in July 2017, relative to the baseline period of July 2013. Urban water use increased across most of California relative to the previous month, and to previous years in which the Board’s emergency conservation regulations were in effect. However, July 2017 was the warmest July in the last 10 years, and

the 3<sup>rd</sup> warmest July in the state's recorded history. Warm weather can cause increases in urban water use for both recreational and outdoor irrigation purposes. The state's emergency conservation regulations continue to require monthly reporting by urban water suppliers; those regulations expire in November 2017.

**Water Storage Investment Program (WSIP):** The California Water Commission's deadline for applications for Water Storage Investment Program funding closed on August 14, 2017. The State Water Board is responsible for scoring water quality benefits claimed by applicants. In total, the Commission received a total of 12 applications; five of those applications claimed water quality benefits and will be scored by Board staff. Board staff conducted training on scoring protocols and procedures in July. Scorers include staff from ORPP, the Division of Water Quality, and the Division of Financial Assistance. Scores are due to the commission by the end of the year. A table describing the five projects with water quality benefits is included below.

# Appendix A

## Irrigated Lands Regulatory Program Monthly Report August 2017

This month's Irrigated Lands Regulatory Program update provides a summary of significant activities of State Water Board from July 15, 2017 to August 15, 2017; and, the North Coast, Central Coast, Los Angeles, Colorado River, Santa Ana, and San Diego Water Boards' from June 15, 2017 to August 15, 2017. Next month's report will present activities of the Central Valley Water Board's Program for the time period from July 15, 2017 to September 15, 2017.

### STATE WATER RESOURCES CONTROL BOARD

On July 17, 2017, Irrigated Lands Regulatory Program staff (staff) participated in the California Bioresources Alliance planning committee meeting to finalize the Annual Symposium scheduled for November 1-2, 2017. The theme of this year's symposium is Building California's Sustainable Bioresource Economy, and will feature staff from both State Water Board and the Central Valley Water Board.

On July 19, 2017, staff participated in meeting with Environmental Protection Agency Region 9 staff to discuss the biosolids component of EPA's Enforcement and Compliance History (ECHO) system. The system provides integrated compliance and enforcement data for over 800,000 regulated facilities. The system has added a new biosolids search feature that allows for customized search, sort, and download of biosolids data for the first time. The search will be available to the public and centralizes biosolids program data in an easy-to-use search tool.

On July 21, 2017, staff met with Leafy Green Marketing Agreement staff to discuss recent revisions to the United States Department of Agriculture Food Safety Modernization Act to determine water quality impacts. Staff is concerned with the Act's requirements related to irrigation water, manure of animal origin, and animal habitat.

On July 26, 2017, staff participated in a California Association of Pest Control Advisers and Certified Crop Advisers Board of Directors meeting to discuss appointment of the State Agronomist to the Board.

On July 27, 2017, staff participated in a meeting with UC Davis staff regarding the antidegradation of groundwater project under contract with the State Water Board. The UC Davis team is working towards developing tools to evaluate the effects of agricultural discharges and improvements to groundwater quality.

On August 2, 2017, staff participated in the California Bioresources Alliance planning committee meeting to finalize the Annual Symposium scheduled for November 1-2, 2017. The theme of this year's symposium is Building California's Sustainable Bioresource Economy.

On August 15, 2017, staff participated in a wastewater summit presented by the California Association of Sanitation Agencies. The summit provided an overview of legislative mandates and collaborative opportunities/challenges for wastewater sector; SB 1383 Implementation Update and Direction; Case studies – realities, challenges, and benefits of co-digestion, biogas and biosolids use. Presenters included staff from Los Angeles County Sanitation District, Inland Empire Utility Agency, and East Bay Municipal Utility District.

## **REGIONAL WATER QUALITY CONTROL BOARDS**

**North Coast Regional Water Quality Control Board** - Staff are currently developing an administrative vineyard and orchard discharge draft permit and are planning to get input from an existing Stakeholder Advisory Group once the draft is ready for review. The North Coast Water Board received funding for an additional position for the Agricultural Lands Discharge Program. Once the position is filled, the person will be working solely on the development of the vineyard and orchard discharge permit. Conditional Waivers of Waste Discharge Requirements for Discharges Related to Specific Land Management Activities in the Shasta and Scott Watersheds are scheduled for renewal by the North Coast Water Board on October 19, 2017 in Siskiyou County. As of May 11, 2017, the North Coast Water Board had a total of about 2210 entities enrolled in the Conditional Waiver of Waste Discharge Requirements for discharges from cannabis cultivation and associated activities. In addition, 780 of the 2210 are enrolled via a third party, with the remainder enrolled as individuals.

**Central Coast Regional Water Quality Control Board** - On June 27, 2017, Central Coast Regional Water Quality Control Board staff delivered a presentation to State Water Board staff and members on how ILRP grower enrollment and compliance data is stored and managed in the Central Coast region. On July 11, 2017, the ILRP manager attended the first of several planned stakeholder advisory committee meetings hosted by the California Strawberry Commission, who received a \$600,000 319(h) grant to develop a certification program. The purpose of the grant is to create a third party certification program of strawberry grower best management practices to reduce discharges of nutrients and pesticides. If successful, strawberry growers could potentially demonstrate compliance with Central Coast agricultural orders through the certification program. On August 3, 2017, ILRP staff began outreach efforts by conducting the first of several scoping meetings with growers and other interested parties regarding development of the next agricultural order which must be in place by March 7, 2020.

**Los Angeles Regional Water Quality Control Board** - Staff continue responding to calls and emails regarding the seven hundred thirty one Notices of Violation sent to Ventura County Growers in March 2017 for failure to enroll in the Conditional Waiver. As of July 19, 2017, 53 percent of the growers who received the Notice of Violation have enrolled in the Conditional Waiver. Staff has completed reviewing exemption requests in response to the Notices of Violation and on July 19, 2017, mailed out 76 exemption letters. Staff are currently performing inspections in Ventura County to gather information for follow up enforcement and to respond to some termination requests.

Staff continue to review, comment on, and approve Conditional Waiver deliverables. The Ventura County Agricultural Irrigated Lands Group (VCAILG) submitted their Water Quality Monitoring Plan (WQMP) on April 14, 2017, which staff noticed for public comment on May 31, 2017. Staff have not yet received any comments and are currently reviewing the WQMP. On June 23, 2017, staff approved VCAILG's Groundwater Trend Monitoring Plan in compliance with the Conditional Waiver. Staff also reviewed and approved four education classes in Los Angeles and Ventura Counties in June and July 2017.

**Colorado River Basin Regional Water Quality Control Board** - On June 15, 2017, Colorado River Basin Water Board staff received updated membership information from the Coachella Valley Irrigated Lands Coalition. Approximately 36,000 acres have renewed for regulatory coverage under the Coalition's group compliance program. Staff are reviewing the information to identify landowners that have not obtained regulatory coverage for their land.

On June 28, 2017, staff received membership information from the Imperial Valley Coalition Group. Approximately 440,000 acres are enrolled for regulatory coverage under the Coalition's group compliance program. Staff are reviewing the information to identify landowners that have not obtained regulatory coverage for their land.

On August 10, 2017, Imperial Irrigation District, a member of our Imperial Valley Coalition Group, sent Colorado River Basin Water Board a revised Selenium Study Work Plan and Quality Assurance Project Plan for review and approval. The Selenium Study will investigate agricultural and drain maintenance practices and how they influence the movement of selenium in Imperial Valley. Staff are reviewing the two plans.

Staff are continuing with the development process of a General Order of Waste Discharge Requirements to replace the Conditional Waiver for the Palo Verde Valley. A draft of the proposed Waste Discharge Requirements and supporting California Environmental Quality Act documents are being reviewed by the Board's management team. Staff are continuing the process for Board adoption, and plan to bring the General Order before the Regional Board for consideration of adoption in Fall 2017.

**Santa Ana Regional Water Quality Control Board** - During July and August of 2017, staff met with stakeholders to discuss impediments to enrollment and coalition group formation under the Conditional Waiver for Agricultural Discharges (CWAD) in the San Jacinto River Watershed (Order No. R8-2016-0003 as amended by Order No. R8-2017-0023; the CWAD). The CWAD is the primary mechanism directing the Watershed's agricultural operations compliance for the Lake Elsinore and Canyon Lake nutrients TMDLs. The deadlines for enrollment and coalition group formation are October 28, 2017 and January 28, 2018, respectively.

The region-specific electronic Notice of Intent (eNOI) enrollment form was revised in a cooperative effort with State Water Board staff and was released for public use in July 2017. Staff sent public announcements via subscription list messages describing CWAD requirements and providing instructions to locate and complete the eNOI form.

The Lake Elsinore and Canyon Lake nutrients Total Maximum Daily Loads (Order No. R8-2004-0037) allocate a portion of the nitrogen and phosphorus loads to agriculture. The TMDLs are undergoing a technical evaluation to establish revised allocations; Regional Water Board staff are working cooperatively with agricultural coalition representatives and other stakeholders as Task Force members. Draft reports relating to the different sources and inputs of nutrients are under stakeholder review. As of August 15, 2017, staff are in the process of reviewing the reports and providing comments to the Task Force.

**San Diego Regional Water Quality Control Board** - The San Diego Regional Water Quality Control Board's Commercial Agriculture Regulatory Program focused its efforts with preparing for the upcoming enrollment deadline in the General Agricultural Order. Between 2,000 and 4,000 commercial agricultural operations are expected to submit a Notice of Intent and Water Quality Protection Plan. Staff worked with the State Water Board to implement an electronic NOI enrollment form and began reviewing submitted Notice of Intent and Water Quality Protection Plans.

## APPENDIX B

### Statewide Policies and General Permits Table

**Status Code Key:**

White = Active effort (A)
Light Green = Targeted for completion in 2016 (A-16)
Lavender = Targeted for completion in 2017 (A-17)
Pink = Targeted for completion in 2018 (A-18)
Light Lavender = Targeted for completion in 2019 (A-19)
Green = Targeted for completion in 2020 (A-20)
Gold = Completed 2017 (C2017)
Blue = Completed 2016 - 2010 (C2016 - C2010)
Gray = Suspended or No statewide effort at this time or Pending (P)
Note: * indicates Board Priority

#### I. State Board (SB)

Status Code ▼	Policy/Significant General Permit	Last Updated / Status	Statewide / Regional Project	Org. Lead	Target Release Public Comment	Target Board Meeting Date
*A	Russian River Frost Protection Regulation	<b>2016-07-13</b> The State Water Board began a phased implementation of the Russian River Frost Regulation for the 2015 frost season. In February of 2015, the Division approved three major Initial Water Demand Management Plans (WDMPs) and two individual WDMPs. The Governing Bodies for these WDMPs submitted their first Annual Reports in September 2015 and submitted updated frost protection system inventories and schedules for consultation with fisheries agencies in February 2016. The Division notified the Governing Bodies in February of 2016 that the WDMPs remain in compliance with the Regulation for the 2016 frost season (March 15 to May 15). The second Annual Reports are due September 1, 2016.	Statewide	SB		
*A-16	Phase I update of the Bay-Delta Plan: San Joaquin River flows and southern Delta salinity	<b>2016-08-03</b> The Draft Substitute Environmental Document (SED) was released on December 31, 2012 for public comment. Hearing to receive comments on the SED was held on March 20-21, 2013, and comments were received by March 29, 2013. Revised Draft SED to be recirculated for public comment in summer of 2016. Draft plan amendment to be brought to the Board for consideration in early 2017.	Statewide	SB	Summer 2016	Winter 2016



Status Code	Policy/Significant General Permit	Last Updated / Status	Statewide / Regional Project	Org. Lead	Target Release Public Comment	Target Board Meeting Date
*A-17	Procedures for Discharges of Dredged or Fill Materials to Waters of the State (Proposed for Inclusion in the Water Quality Control Plan for Inland Surface Waters and Enclosed Bays and Estuaries)	<b>2017-06-29</b> State Water Board staff is developing proposed Procedures for Discharges of Dredged or Fill Materials to Waters of the State. The draft procedures were released for public comments on June 17, 2016 and the Board held a hearing on July 19, 2016. The Comment period closed on August 18, 2016. Staff is reviewing comments and working on revisions to the policy, with a second public release in July 2017, a public workshop in August, and a board hearing on September 6, 2017.	Statewide	SB	2017-07-21	2017-12-19
*A-17	Maximum Contaminant Level (MCL) for 1,2,3-Trichloropropane (1,2,3-TCP)	<b>2017-04-24</b> 2017-04-24 Division of Drinking Water staff completed the regulatory documents needed to proceed to public comment, and as of April 21, 2017 have managed and finished the public comment period, including a public hearing on April 19. Staff are currently in the process of reviewing and responding to the public comments in a final document prior to bringing the final regulation package to the Board for adoption. Staff anticipate a Board Adoption date in the spring/summer of 2017, after which the adopted regulations will be sent to OAL for final review and approval. The MCL is anticipated to be effective in the summer or fall of 2017.	Statewide	SB	2017-03-04	2017-05
*A-17	Phase II update of the Bay-Delta Plan: Comprehensive Review	<b>2016-07-13</b> State Water Board staff is in the process of a phased review and update of the 2006 Water Quality Control Plan for the Bay-Delta (2006 Bay-Delta Plan). The second phase of the review focuses on the following issues: (1) Delta outflow objectives, (2) export/inflow objectives, (3) Delta Cross Channel Gate closure objectives, (4) Suisun Marsh objectives; (5) potential new reverse flow objectives for Old and Middle Rivers; (6) potential new floodplain habitat flow objectives; (7) potential changes to the monitoring and special studies program, and (8) other potential changes to the program of implementation. Staff is preparing a Scientific Basis Report that will provide the underlying scientific support for proposed flow and water quality objectives. The Report will consider recommendations provided in the Delta Science Program's Workshops Panel Summary Reports on Delta Outflows and Related Stressors (May 2014) and Interior Delta Flows and Related Stressors (July 2014). The working draft Scientific Basis Report is expected to be released for public review in late spring/early summer 2016. Staff is also developing a Substitute Environmental Document that will provide an evaluation of the potential environmental impacts of the proposed changes to the Bay-Delta Plan. This document is expected to be released for public review in 2017.	Statewide	SB	2017	TBD
*A-17	Sediment Quality Objectives (SQOs) for Enclosed Bays and Estuaries: Phase II*	<b>2017-09-01</b> Water Board staff is developing a methodology to assess sediment quality in relation to the narrative human health SQO that protects human consumers from contaminants that bioaccumulate from the sediment into fish tissue. Staff is using the Los Angeles Long Beach Harbors TMDL as a case study to address many of the issues associated with the human health implementation framework as well as addressing other questions related to the application of SQOs as TMDL targets. Several groups and committees, including the SQO Advisory Committee, the Agency Coordination Committee, and the Harbor Technical Work Group, are collaborating on studies that will assist in the development, testing, and implementation of Phase II SQOs. The case study and test drive was completed by August 2017. Release of draft documents anticipated for October 2017. A public workshop and board hearing are anticipated for December 2017 and March 2018 respectively.	Statewide	SB	2017-10-22	2018-03-20

Status Code ▼	Policy/Significant General Permit	Last Updated / Status	Statewide / Regional Project	Org. Lead	Target Release Public Comment	Target Board Meeting Date
A	Approval of the CWA Section 303(d) List portion of the 2018 California Integrated Report	<b>2017-08-22</b> The 2018 California Integrated Report will consist of a complete assessment of data and information for the North Coast, Lahontan, and Colorado River regions. The other six regional water boards will have the opportunity to include high priority listings and delistings off-cycle. The data solicitation period ended on May 3, 2017. State and Regional Water Board staff will be assessing the data with a tentative State Water Board approval scheduled for May of 2019.	Statewide	SB	2019-01/18	2019-05-14
A	Harmful Algal Bloom Response	<b>2017-06-30</b> State Water Board staff are working with a multi-entity workgroup consisting of the Water Boards, California Department of Public Health, Office of Environmental Health Hazard Assessment, United States Environmental Protection Agency, California Fish and Wildlife, the Department of Water Resources, tribes, water managers, and other interested parties to collaboratively work toward solutions in protecting the public, pets, livestock, and wildlife from the effects of harmful algal blooms (HABs). The California Cyanobacteria Harmful Algal Bloom Network meets quarterly in January, April, July, and October.	Statewide	SB		NA
A	Once-Through Cooling Policy - Diablo Canyon Closure	<b>2017-06-30</b> In December 2016, Pacific Gas and Electric Company provided information to the State Water Board regarding the OTC-Policy interim mitigation fee requirements for Diablo Canyon Nuclear Power Plant. Currently, staff is evaluating the information, and plans to release a draft determination by July 7, 2017.	Statewide	SB		
A	Once-Through Cooling [OTC] Policy-Implementation, interim mitigation payments	<b>2017-08-14</b> OTC-Policy requires owners or operators of existing power plants to implement measures to mitigate interim impingement and entrainment impacts resulting from their cooling water intake structures. State Water Board staff prepared draft determinations with interim mitigation payment calculations for the 2015-2016 interim mitigation period for the following plants: Alamitos Generating Station, Harbor Generating Station, Haynes Generating Station, Huntington Beach Generating Station, Mandalay Generating Station, Ormond Generating Station, Redondo Beach Generating Station, and Scattergood Generating Station. The draft determinations are posted for a twenty-day comment period. The written comments must be received no later than 12:00 PM noon on August 29, 2017.	Statewide	SB		
A	Once-Through Cooling [OTC] Policy-Encina Amendment	<b>2017-08-15</b> The OTC Policy established compliance dates for power plants' retirement and replacement of capacity using then-current electricity planning and procurement processes. The Statewide Advisory Committee on Cooling Water Intake Structures conducted an interim study that demonstrated the need of the Encina Power Station to maintain grid reliability in the San Diego area during 2018. Staff proposed to amend the compliance deadline of the Encina Power Station from December 31, 2017, to December 31, 2018. Staff released the Draft Report for the OTC- Encina Amendment on May 23, 2017 for public comments. Written comments were received on July 7, 2017, and response to comments posted by August 2, 2017. State Water Boards adopted the OTC-Encina Amendment on August 15, 2017.	Statewide	SB	2017-05-23	2017-08-15

Status Code	Policy/Significant General Permit	Last Updated / Status	Statewide / Regional Project	Org. Lead	Target Release Public Comment	Target Board Meeting Date
A	SB 83, Section 45 - Produced Water Pond Report	<b>2017-08-29</b> The State Water Board posted on its website a status report on the regulation of oil field produced water ponds within each region. Link to report: <a href="http://www.waterboards.ca.gov/water_issues/programs/groundwater/sb4/index.shtml">http://www.waterboards.ca.gov/water_issues/programs/groundwater/sb4/index.shtml</a> . Produced water is water extracted during oil production. The report included a tally of produced water ponds statewide by region, the number of permitted and unpermitted ponds, enforcement actions taken, and the status of permitting the unpermitted sites. The report will be updated every six months.	Statewide	SB	Twice Annually	
A	Statewide Storm Water Construction General Permit Reissuance	<b>2017-07-21</b> State Water Board staff is developing the draft permit language for the reissuance of the Statewide Storm Water Construction General Permit (also referred to as the CGP). The proposed CGP reissuance will include implementation of Total Maximum Daily Loads and revisions to update the CGP requirements per information collected during the term of the existing permit. Information on the development of the proposed permit reissuance, including stakeholder outreach information, is posted on the State Water Board's Construction Storm Water Program website at: <a href="http://www.waterboards.ca.gov/water_issues/programs/stormwater/construction.shtml">http://www.waterboards.ca.gov/water_issues/programs/stormwater/construction.shtml</a> . A proposed public comment period for the draft permit has not yet been determined.	Statewide	SB	2018-00-00	2018-00-00
A	Suction Dredge Mining Activity	<b>2017-06-01</b> Senate Bill 637 amended the California Water Code and the California Fish and Game Code to address the existing moratorium on suction dredge mining. As amended, the Water Code requires the State Water Board to gather stakeholder input to assist in its determination regarding how to regulate suction dredge mining activities. State Water Board staff, conducted five public outreach workshops throughout the State in January and February 2017. Staff is evaluating the information gathered during the workshops.	Statewide	SB		
A-16	Big Creeks Projects - Clean Water Act, Section 401, Water Quality Certification	<b>2016-10-25</b> The State Water Board is developing a water quality certification and associated California Environmental Quality Act (CEQA) document for six hydroelectric projects that are owned and operated by Southern California Edison Company in Fresno and Madera counties: Big Creek Nos. 2A, 8, and Eastwood; Big Creek No. 3; Mammoth Pool; Vermillion Valley; Portal; and Big Creeks Nos. 1 and 2. The water quality certification will become part of the Federal Energy Regulatory Commission licenses for the six projects. The draft certification and draft CEQA document are expected to be released for public review in the Fourth Quarter 2016.	Statewide	SB	2016-12-31	Not applicable
A-17	Approval of the CWA Section 303(d) List portion of the 2014 and 2016 California Integrated Report	<b>2017-08-22</b> Clean Water Act section 303(d) List portion of the 2014 and 2016 California Integrated Report (303(d) List) is a combination of the 303(d) Lists approved by the San Francisco Bay, Central Coast, Central Valley, Santa Ana, and San Diego Regional Water Boards. The 303(d) List portion of the 2014 and 2016 Integrated Report along with the recommendations for the Los Angeles region was released for public comment on June 9, 2017. The State Water Board will consider the Los Angeles Water Board recommendations at a State Water Board hearing currently scheduled for October 3, 2017. The complete 303(d) List portion of the California 2014 and 2016 Integrated Report will also be considered at a State Water Board meeting also scheduled for October 3, 2017.	Statewide	SB	2017-06-09	2017-10-03

Status Code	Policy/Significant General Permit	Last Updated / Status	Statewide / Regional Project	Org. Lead	Target Release Public Comment	Target Board Meeting Date
A-17	Bacteria Standards for Ocean and Inland Surface Waters	<b>2017-08-22</b> The State Water Board is developing proposed statewide bacteria water quality objectives and a proposed control program to protect human health in waters designated for water contact recreation (REC-1) from the effects of bacteria. The implementation elements also includes a general water quality standards variance policy. Staff released the draft documents for public comment on June 30, 2017. A Staff Workshop was held on July 10, 2017 and Public Hearing was held on August 1, 2017. Thirty-three comment letters were received. Staff is presently responding to the comment letters. State Board Web site: <a href="http://www.waterboards.ca.gov/bacterialobjectives/">http://www.waterboards.ca.gov/bacterialobjectives/</a>	Statewide	SB	2017-06-30	2017-12-05
A-17	Discharges from Hydrostatic Testing Of Natural Gas Pipelines and Related Activities	<b>2017-08-23</b> State Water Board staff has worked with stakeholders (including gas companies and Native American Tribal representatives) to develop a draft mitigated negative declaration, and a proposed Statewide General Order to regulate discharges from construction, hydrostatic testing, operation, and maintenance of natural gas facilities. The proposed Statewide General Order will provide regulatory coverage for discharges to surface water and land, and will allow the use of recycled water as hydrostatic testing source water. The draft mitigated negative declaration and proposed General Order is scheduled to be released for public comments in August 2017, with the mitigated negative declaration provided to the State Clearinghouse for distribution.	Statewide	SB	2017-08-25	2018-12-03
A-17	General WDRs for Discharges of Waste Associated with Cannabis Cultivation Activities	<b>2017-07-06</b> DWQ, DWR, OE, and the Regional Water Boards are preparing statewide WDRs for discharges of waste associated with cannabis cultivation. The WDRs are being prepared in conjunction with DWR to address water rights issues and the CDFA (issuing cannabis cultivation licenses).	Statewide	SB	July 2017	October 2017
A-17	Industrial General Storm Water Permit Amendment for TMDL Implementation	<b>2017-07-21</b> State Water Board staff is developing an Industrial General Permit Amendment to incorporate proposed TMDL implementation language into the statewide permit. The proposed permit amendment is being developed in collaboration with the four Regional Water Boards that have adopted TMDLs applicable to industrial storm water discharges as a pollutant source to impaired water bodies (San Francisco Bay, Los Angeles, Santa Ana, and San Diego Regional Water Boards). The public comment periods for the four Regional Water Board's draft TMDL implementation language have ended. State Water Board staff is reviewing all comments received during the Regional Water Boards' public comment periods, developing proposed TMDL implementation language, and identifying the TMDL watersheds for a subsequent public comment period. State Water Board staff anticipates release of the proposed TMDL implementation language for public comment in late 2017. A State Water Board public hearing for the proposed permit amendment is anticipated in 2018.	Statewide	SB	2017-12-00	2018-09-00
A-17	Mercury TMDL and Implementation Plan (Statewide Reservoirs)	<b>2017-07-10</b> Staff from Regions 2 and 5 and State Water Board are developing a TMDL and implementation plan to address fish mercury(Hg) impairments in about 150 reservoirs statewide. Staff prepared the scientific and technical analysis (source analysis, linkage, targets, allocations, and implementation plan options), and regulatory provisions for the implementation plan. The staff report is currently in scientific peer review.	Statewide	R5	TBD	TBD

Status Code	Policy/Significant General Permit	Last Updated / Status	Statewide / Regional Project	Org. Lead	Target Release Public Comment	Target Board Meeting Date
A-17	Nonpoint Source (NPS) Implementation and Enforcement Policy Amendments	<b>2017-06-05</b> The NPS Implementation and Enforcement Policy (NPS Policy) is being updated as directed by Resolution 2012-0004 to reflect the current funding mechanisms for State Water Board and Regional Water Board regulation of nonpoint source wastewater discharges.	Statewide	SB	TBD	TBD
A-17	Petition Order for Central Valley Regional Board's Eastern San Joaquin Agricultural Order	<b>2017-06-01</b> On February 8, 2016, the State Water Board released a proposed order, SWRCB/OCC File A-2239(a)-(c), in response to petitions for review of the Central Valley Regional Water Quality Control Board's Eastern San Joaquin Agricultural Order. On May 4, 2016, a Board workshop was held at the Cal/EPA Building in Sacramento, followed by an additional Board workshop in Fresno, CA on May 17, 2016. The deadline for written public comments was June 1, 2016. Staff workshops were held in Sacramento at CalEPA on October 19, 2016, and November 18, 2016 to provide an opportunity for petition staff to ask detailed questions in response to comments received.	Statewide	SB	2017-02-20	2017-05
A-17	Revised Total Coliform Rule	<b>2017-04-24</b> The Federal Revised Total Coliform Rule became effective on April 1, 2016. Division of Drinking Water staff are in the process of drafting state regulations that are at least as stringent as federal regulations but include California-specific requirements. Staff anticipate releasing draft regulations in the spring of 2017 during public workshops, with a public review period later in 2017 and a proposed Board Adoption date in mid 2018.	Statewide	SB	2017	2017/2018
A-17	Small Municipal Separate Storm Sewer System (MS4) Permit Amendment, Attachment G	<b>2017-08-28</b> State Water Board staff developed a proposed amendment for the Small MS4 Statewide General Permit, Attachment G (titled Region-specific Total Maximum Daily Loads (TMDL) Implementation Requirements). The proposed amendment includes: (1) new and revised implementation requirements based on corresponding TMDL waste load allocations, and (2) final compliance dates for the TMDL waste load allocations. The proposed TMDL Amendments were released to the Public on June 5, 2017, for a 45-day review and comment period. In response to commenters' letters requesting additional time, the State Water Board Chair approved additional time and the comments were due to the Clerk of the State Water Board by August 21, 2017. Staff is reviewing the comment letters and developing the responses to the comments and staff report. These documents will be available to the public prior to the Board Hearing to consider adoption of the TMDL Amendments on December 19, 2017.	Statewide	SB	2017-06-05	2017-12-19
A-17	Statewide Aggregate General Order	<b>2017-02-15</b> DWQ is preparing a statewide general order for aggregate processing facilities that discharge to land.	Statewide	SB	January 2017	Sept 2017
A-17	Supplemental Environmental Projects (SEP)	<b>2017-08-29</b> Assembly Bill 1071 requires us to update SEP policy. MCC meeting in March. Workshop held on 8/16/17 and public hearing on 9/20/17. Close of public comment on 9/25/17. Adoption hearing scheduled for 11/9/17.	Statewide	SB	2017-07-21	2017-11-9

Status Code ▼	Policy/Significant General Permit	Last Updated / Status	Statewide / Regional Project	Org. Lead	Target Release Public Comment	Target Board Meeting Date
A-17	Surface Water Augmentation with Recycled Water Regulations	<b>2017-04-24</b> The Division of Drinking Water is currently finalizing the regulation package regarding the use of recycled water to augment surface water reservoirs used for drinking water supplies. As required by Water Code sections 13562 and 13565, an Expert Panel was assembled to review the criteria and to ultimately make a finding that the criteria are protective of public health. The Expert Panel reviewed the initial draft regulation, which was then submitted for completion of the peer review process required via H&SC section 57004. The Expert Panel reviewed the peer review comments, subsequent revisions to the draft regulations, and made a finding that the criteria are protective of public health.	Statewide	SB	2017-05	2017-06
A-17	Unified Program Underground Storage Tank Surcharge Increase	<b>2017-08-29</b> Underground Storage Tank (UST) Leak Prevention Program, as part of the CalEPA Unified Program, is funded by a surcharge applied to each operating UST. Surcharge funding is authorized by California Health and Safety Code. Revenue from the surcharge is intended to cover operating costs at the State Water Resources Control Board to oversee and implement the program, however the current amount fails to do so. CalEPA has completed the rulemaking process, and the Office of Administrative Law has approved the regulations which increase the UST surcharge which becomes effective August 2017. A Budget Change Proposal for increased spending authority is under development, along with an additional surcharge increase.	Statewide	SB	July 2018	
A-18	Amendment to the Recycled Water Policy	<b>2017-07-06</b> The State Water Board adopted a resolution December 6, 2016 directing staff to amend the Recycled Water Policy and re-convene the Science Advisory Panel for Constituents of Emerging Concern. While the resolution outlined a preliminary list of topics to be updated or added to the policy, the resolution directs staff to work with stakeholders to develop an amendment to the Recycled Water Policy and release a draft for public comment by March 2018. State Water Board staff is also developing a project charter and timeline for the next update of the Recycled Water Policy. State Water Board staff conducted initial targeted stakeholder listening sessions in the beginning of March 2017 and is planning to conduct additional stakeholder outreach this summer and continue outreach throughout the amendment process.	Statewide	SB	2018-03	
A-18	Biostimulatory substances and Biological integrity Project	<b>2017-08-22</b> The State Water Resources Control Board (State Water Board) is proposing to adopt a statewide water quality objective for biostimulatory substances along with a program of implementation as an amendment to the Water Quality Control Plan for Inland Surface Water, Enclosed Bays and Estuaries of California. This project will also now include a water quality control policy to establish and implement biological condition assessment methods, scoring tools, and targets aimed at protecting the biological integrity in wadeable streams. A series of webinars and a stakeholder advisory group meeting have been held over the last few months as new science related to the project is released from the Southern California Coastal Watershed Research Program.	Statewide	SB	2018-11-01	2019-12-06



Status Code	Policy/Significant General Permit	Last Updated / Status	Statewide / Regional Project	Org. Lead	Target Release Public Comment	Target Board Meeting Date
A-18	Environmental Laboratory Accreditation Regulations	<b>2017-04-24</b> Division of Drinking Water staff will draft new regulations governing the accreditation of laboratories regulated by the Environmental Laboratory Accreditation Program (ELAP). The draft regulations will be clearly written and ensure standards for laboratory compliance is auditable and enforceable. The draft regulations are in development and staff anticipate holding staff workshops on the draft regulations Summer 2017, initiate the formal rulemaking process late 2017 and bring the proposed draft regulations to the State Board early 2018 for adoption.	Statewide	SB	2017-01-10	2018-01-01
A-18	Permanent (Regular) Regulations for Point Of Use/Point of Entry Treatment Devices	<b>2017-04-24</b> The State Water Board will be adopting permanent regulations governing the use of point-of-use and point-of-entry treatment devices by a public water system (PWS), in lieu of centralized treatment. Existing law requires the State Water Board to first adopt emergency regulations, followed by standard regulations, to establish criteria for applicable PWS that choose to provide treatment for drinking water through the use of POU or POE treatment devices. Emergency regulations were adopted by the Board on March 15, 2016 and became effective on April 1, 2016. Permanent regulations have to be effective by January 1, 2018 and Division of Drinking Water staff are in the process of drafting the permanent regulations.	Statewide	SB	2017	2017
A-18	Revised UST Regulations	<b>2017-08-29</b> State Water Resources Control Board staff is updating the underground storage tank (UST) regulations contained in California Code of Regulations, title 23 (UST regulations) to be at least as stringent as the revised 2015 Federal UST regulations contained in 40 Code of Federal Regulations, part 280 (Federal UST regulations). Until the UST regulations are updated to be at least as stringent as the Federal UST regulations, UST owners and operators must meet both the UST regulations and the Federal UST regulations. On January 24, 2017 a focus workgroup, composed of various stakeholders, was held to review language drafted to reconcile UST regulations with Federal UST regulations. Staff held two public workshops with additional stakeholders on March 13, 2017 and March 28, 2017. The required documents to submit the proposed text and Initial Statement of reasons to the Office of Administrative Law for public noticing and an official 45 day written public comment period are currently being prepared. Staff anticipates the public noticing and the first official 45 day written public comment period to occur in October of 2017. State Water Board staff submitted a draft of the proposed regulations to U.S. EPA Region 9 and requested a review from the U.S. EPA and U.S. EPA Region 9 to evaluate if the proposed language is at least as stringent as, or provides equivalency to, the Federal UST Regulations. Finally, State Water Board staff conducted a trial with UST inspection and testing companies of the proposed forms documenting required UST inspections and testing. State Water Board staff considered and, as appropriate, incorporated into the proposed regulations the comments received from the workgroup, workshops, UST inspection and testing companies, U.S. EPA, and U.S. EPA Region 9.	Statewide	SB	Fall 2017	TBD
A-18	Statewide General Waste Discharge Requirements for Wineries	<b>2017-06-23</b> State Water Board staff has prepared a concept paper for developing a statewide general order for wineries. Staff is collaborating with stakeholders to prepare a draft requirements matrix. Staff continues to hold meetings with wine industry representatives and additional outreach meetings will be scheduled.	Statewide	SB	February 2018	June 2018

Status Code	Policy/Significant General Permit	Last Updated / Status	Statewide / Regional Project	Org. Lead	Target Release Public Comment	Target Board Meeting Date
A-18	Statewide Urban Pesticide Reduction	<b>2017-06-01</b> The State Water Board is developing a statewide multi-agency framework for urban pesticide reduction that will be proposed as amendments to both the Inland Surface Waters, Enclosed Bays, and Estuaries Plan, and to the Ocean Plan. A multi-stakeholder project team (shifted into an advisory committee in April 2017) provided information and materials for development of the following amendment components(1) an inter-agency coordination framework, (2) a regional monitoring framework, and (3) suggested permit language for MS4 permittees. Staff anticipates public release of the proposed amendments in Winter 2017.	Statewide	SB	2017	2018
A-18	Toxicity Amendments to the Inland Surface Waters, Enclosed Bays, and Estuaries Plan	<b>2017-06-28</b> State Water Resources Board staff are preparing provisions for toxicity, which if adopted by the Board will be included in the Water Quality Control Plan for Inland Surface Waters, Enclosed Bays and Estuaries of California. If adopted, the proposed Provisions would establish numeric acute and chronic objectives for aquatic toxicity; establish effluent limits for non-storm water NPDES dischargers; incorporate the United States Environmental Protection Agency's (U.S. EPA's) Test of Significant Toxicity (TST) statistical approach for data analysis; and establish monitoring requirements for wastewater discharges to inland surface waters, enclosed bays, and estuaries in California. Staff held outreach meetings in April 2017 to receive feedback from stakeholders and interested parties on the proposed Provisions. Public release of the draft staff report and proposed amendment is anticipated for November 2017 with a staff workshop in December 2017 and a board hearing in January 2018. The proposed amendment is anticipated to be presented to the Board for consideration in May 2018.	Statewide	SB	2017-11-28	2018-5-15
C	Onsite Wastewater Treatment Systems (OWTS) Policy Implementation	<b>2017-06-05</b> The Local Agency Management Plan (LAMP) Guidance document was transmitted to the Regional Water Boards on June 4, 2015. All of the Regional Water Boards have amended their Basin Plans to implement the OWTS Policy. The State Water Board approved the amendments for Regions 1 through 9. State and Regional Water Board staff have been meeting with local agencies to facilitate LAMP development. On June 24, 2016, State Water Board staff held an informational forum with the Regional Boards to discuss policy implementation, LAMP submittals and reviews, challenges & successes, and statewide program coordination. To date, 21 LAMPs have been approved by Regional Boards. State Water Board staff have begun the OWTS Policy conditional waiver update process. (The conditional waiver expires on May 13, 2018.)	Statewide	SB	N/A	N/A
P	Antidegradation Policy	<b>2017-07-10</b> The State Water Board issued a draft scoping document and held follow-up focused stakeholder meetings in June and July 2015. Comments from these meetings are summarized and posted on the program website. State Water Board staff is not actively working on a statewide policy for implementation of the Antidegradation Policy for discharges to groundwater. The draft Eastern San Joaquin River Watershed Agricultural Order addresses some of the larger issues the stakeholders identified during staff's outreach efforts. Staff will consider what additional guidance or regulatory action is necessary after the State Water Board issues a final order in the Eastern San Joaquin matter.	Statewide	SB		



Status Code ▼	Policy/Significant General Permit	Last Updated / Status	Statewide / Regional Project	Org. Lead	Target Release Public Comment	Target Board Meeting Date
P	Cadmium Objective and Hardness Implementation Policy	<b>2017-06-28</b> Staff are working to update the cadmium objectives to insure that the objectives are protective of threatened and endangered species in accordance with the Endangered Species Act. Cadmium is a hardness dependent metal, so the project is linked with a Hardness Implementation Policy to provide guidance to Regional Board staff in determining hardness for setting effluent limits. The project is currently on hold pending available staff resources.	Statewide	SB	TBD	TBD
P	Chlorine Amendment	<b>2017-02-28</b> The draft Total Residual Chlorine and Chlorine-Produced Oxidants Policy of California is being converted into an amendment to the Water Quality Control Plan for Inland Surface Waters, Enclosed Bays, and Estuaries of California.	Statewide	SB	TBD	TBD
P	Water Effects Ratios	<b>2016-07-25</b> The project will establish criteria for developing site specific objectives for metals based on the water effect ratios for a specific water body. Staff will prepare a proposed Water Effects Ratio Policy at a future date.	Statewide	SB	TBD	TBD

## Division of Water Rights

Status Code	Policy/Significant General Permit	Last Updated / Status	Statewide/Regional Project	Org. Lead
(A-16*)	Phase 1 update of the Bay-Delta Plan: San Joaquin River flows and southern Delta salinity.	The original Draft Substitute Environmental Document (SED) was released in December 2012 for public comment with a hearing to receive comments on the SED and written comments on the SED in March of 2013. A draft revised SED was then prepared and released for public comment on September 15, 2016. Hearings on the draft revised SED were held in November (Sacramento) and December 2016 (Stockton, Merced, and Modesto), and January 2017 (Sacramento). Written comments were due by March 17, 2017. Staff are in the process of preparing written responses to comments. Staff anticipates that the final SED and Plan Amendment will be released for public review in the fall of 2017 and will be brought to the Board for consideration in early 2018.	Yes	SB (DWR) Les Grober
(A-17*)	Phase II update of the Bay-Delta Plan: Inflows to the Sacramento River and its tributaries and Delta eastside tributaries, Delta outflows, cold water habitat and interior Delta flows	The working draft Scientific Basis Report (Science Report) and a beta version of the Sacramento Water Allocations Model (SacWAM) for Phase II were released in the fall of 2017 with public meetings on both, including a training on SacWAM. The Science Report was subject to public comment and reviewed by the Delta Independent Science Board and SacWAM was released for public review and was reviewed by an expert panel convened by the Delta Science Program. Following the reviews and public comments, the working draft Science Report and SacWAM were revised as necessary. The final Science Report was then submitted for independent peer review pursuant to the Public Health and Safety Code which found that the Science Report is based on sound science. The final Science Report and response to peer review comments, the updated version of SacWAM and the response to peer review comments, and additional information regarding the Phase II process and opportunities for input will be posted on the State Water Board's website in September 2017. Staff anticipates release of a draft Staff Report identifying potential environmental, economic and other effects of potential Phase II modifications to the Bay-Delta Plan in early 2018 for public comment.	Yes	SB (DWR) Diane Riddle
(A*)	Russian River Frost Protection Regulation	In March 2017, the Division notified the Governing Bodies of the approved Water Demand Management Programs (WDMP), which include two group-based WDMPs and two WDMPs with only a single participant of the State Water Board's ongoing approval of their programs. On March 06, 2017, the Division approved a new group-based WDMP for diverters from the Main Stem of the Russian River in Mendocino County. The new WDMP is a consolidation of the many individual WDMPs for Main Stem diverters. The Division received updated participation lists and inventories of frost protection diversion systems from each WDMP prior to the start of the 2017 frost protection season on March 15. Annual Reports were due on September 1, 2017.		SB (DWR) John O'Hagan

Please note that the Phase 1 schedule in the policies and permits table have not been modified.