

**Water Resources Control Board
September 20, 2016
Item 13 - 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 SB826 Drought funding and \$4 million contamination set-aside for disadvantaged communities.

CAA Approved Projects (August 2, 2016 – September 1, 2016)		
Recipient	Project Purpose	Funding Amount
County of Tulare on behalf of Central Mutual Water Company	Purchase and distribution of bottled water to 112 residents served by the Central MWC due to drought emergency. (Oral Request)	\$12,000
Grindstone Indian Rancheria	Purchase and distribution of hauled water and to 52 homes and bottled water for 10 people within the Grindstone Indian Rancheria due to a drought emergency. (Oral Request)	\$50,000
Paskenta Community Services District	Hauled water for the community of Paskenta for approximately 4 months due to a drought emergency.	\$251,000
City of San Joaquin	Purchase and distribution of bottled water to San Joaquin Elementary , San Joaquin Head Start Center, San Joaquin Preschool Center and West Hills Child Development Center due to manganese contamination. (Oral Request)	\$25,000
San Bernardino County Special Districts Department on Behalf of Pioneertown CSA 70 W-4	Purchase and distribution of bottled drinking water due to existing water supply exceeding the Maximum Contaminant Level of Arsenic, Fluoride and Uranium.	\$206,559

San Bernardino County Special Districts Department on Behalf Hacienda Heights CSA 70 W-3	Purchase and distribution of bottled drinking water due to existing water supply exceeding the Maximum Contaminant Level of Gross Alpha and Uranium.	\$303,942
San Bernardino County Special Districts Department on Behalf Little Morongo CSA 70 F	Purchase and distribution of bottled drinking water due to existing water supply exceeding the Maximum Contaminant Level of Gross Alpha and Uranium.	\$150,176

Reporting period: August 2, 2016 to September 1, 2016	
CAA SB826 Drought Emergency Funding	
Number of projects approved:	4
Total amount approved:	\$813,000
CAA \$4 million Contamination Set-Aside Funding	
Number of projects approved:	6
Total amount approved:	\$811,363
TOTAL NO. OF PROJECT FUNDED BY CAA:	10
TOTAL FUNDS APPROVED BY CAA:	\$61,624,363

Environmental Review

California Environmental Quality Act approvals (August 2, 2016 - September 1, 2016)	
Drinking Water	
Project #	Entity - Description
1500525-001C	Lakeview Ranchos Mutual Water Company, Lake View Rancho Water System Improvement Project. CEQA determination on a Mitigated Negative Declaration was approved on August 11, 2016 and a Notice of Determination (NOD) was filed with the Governor's Office of Planning and Research on August 16, 2016. State Water Board is CEQA lead agency.
2410002-003P	City of Dos Palos, Replacement Water Treatment Plant. CEQA determination on a Categorical Exemption was approved on August 9, 2016 and a Notice of Exemption (NOE) was filed with the Governor's Office of Planning and Research on August 9, 2016.
1500475-002P	Krista Mutual Water Company, Krista Fluoride Contamination Project. CEQA determination on a Categorical Exemption was approved on July 11, 2016 and a NOE filed with the Governor's Office of Planning and Research on July 12, 2016. State Water Board is CEQA lead agency.
5500152-005P	Curtis Creek Elementary School District, Curtis Creek Water Supply Project. CEQA determination on a Categorical Exemption was approved on August 18, 2016 and a NOE was filed with the Governor's Office of Planning and Research on August 25, 2016.
Water Supply Permits	
Water System #	Entity – Description
5010010	City of Modesto, Well No. 3 GAC Treatment. A NOE was filed with the Governor's Office of Planning and Research.

2110005	Bolinas Public Utility District, Water Treatment Plant Facilities Improvement for the Control of Chlorine Disinfection Byproducts. State Water Board is CEQA lead agency. A NOE was filed with the Governor's Office of Planning and Research.
5402056	People's Grocery & Deli, New Well 02. State Water Board is CEQA lead agency. A NOE was filed with the Governor's Office of Planning and Research.
1000280	Sierra High School, New Well 03. State Water Board is CEQA lead agency. A NOE was filed with the Governor's Office of Planning and Research.
4901395	Gracianna Winery, New Transient Non-community System. State Water Board is CEQA Lead Agency. A NOE was filed with the Governor's Office of Planning and Research.

Office of Sustainable Water Solutions (OSWS)

Completed Significant Events

On August 5, August 11, and August 12, staff met with Senator McGuire, Assembly Member Dodd, and Housing and Community Development staff to discuss joint funding options for the Anderson Springs Septic to Sewer Project in the area affected by the Valley Fire.

Drinking Water Projects Funded (August 2, 2016 - September 1, 2016)		
Project #	Recipient – Project Purpose	Funding Amount
2000561-002P	Woodville Public Utility District – Replacement Well Project	\$416,465
1000053-004	Lanare Community Services District – Distribution System Replacement	\$3,580,000
1010049-008P	Biola Community Services District – Water Distribution System Upgrades	\$347,200
10000359-005P	Fresno County West Side Groundwater Project	\$1,000,000

Wastewater Projects Funded (August 2, 2016- September 1, 2016)		
Project #	Recipient – Project Purpose	Funding Amount
C-06-8210-110	Lake County Sanitation District - Anderson Springs Septic to Sewer Project	\$500,000
C-06-8155-110	Biola Community Services District – Tertiary Wastewater Treatment Plant Feasibility Study	\$250,000
C-06-7892-210	Cuyama Community Services District – Wastewater Treatment Plant Effluent Removal Remediation Project	\$1,243,000

Programs Funded by Underground Storage Tank Cleanup Fund (USTCF)

Completed Significant Events

Project Execution Plans (PEPs)

- The Underground Storage Tank (UST) Cleanup Fund has introduced a project planning tool called a Project Execution Plan (PEP). The PEP was developed and concurred by the project's Joint Execution Team (JET), which includes the claimant/applicant with their consultant, regulatory agency staff, and UST Cleanup Fund staff. The PEP identifies the tasks, estimated costs and schedule needed to meet case closure and is used as the basis for Claim Annual Site Budgets including the Expedited Claim Account Program (ECAP), Emergency, Abandoned or Recalcitrant (EAR) program and Site Cleanup Subaccount Program (SCAP) contracts with DGS, and the Orphan Site Cleanup Fund (OSCF) program and SCAP grant amounts.
- Using the PEP is already reducing the overall time and cost to close cases by all parties communicating as a team and focusing on only the necessary tasks and documenting them in an implementable and trackable plan.
- More information about the PEPs can be found on the USTCF webpage at: http://www.waterboards.ca.gov/water_issues/programs/ustcf/pep.shtml

Future Significant Events

- Expect approval and funding of nearly 30 SCAP cleanup projects for \$18 million during FY 16/17.

Revenues

- Revenue is projected to continue at 30 percent greater than previous projections.

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

RUST Approvals (August 2, 2016 – September 1, 2016)		
Project #	Recipient	Funding Amount (Loan/Grant)
D16-07001	Al's Auto Service Center, Inc.	\$70,000.00
D16-07002	Al's Auto Service Center, Inc.	\$272,202.00
D16-07012	Shivdeep Bhinder	\$70,000.00

Underground Storage Tank Cleanup

UST Case Closures

- Cases proposed for closure or closed by the State Water Board can be found on the USTCF webpage at: http://www.waterboards.ca.gov/water_issues/programs/ustcf/prop_closure_cases.shtml

UST Claims Program

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

Claim Information (1992 Inception to September 1, 2016)					
	Priority A	Priority B	Priority C	Priority D	Total
Eligible Claims	507	5,234	4,147	5,800	15,688
No. of Claims Funded	506	5,223	4,138	2,086	11,953
\$ Paid to Funded Claims	\$38,470,606	\$1,622,646,514	\$1,241,909,374	\$673,520,068	\$3,576,546,562
Claims Closed	478	4,302	3,596	1,533	9,909
\$ Paid to Closed Claims	\$33,400,044	\$1,024,842,676	\$892,889,104	\$504,992,775	\$2,456,124,599

- Important Claim program status is shown on graphs at: http://www.waterboards.ca.gov/water_issues/programs/ustcf/reports_stats.shtml.
 - Monthly Reimbursement Requests Received: Show monthly submittal of Reimbursement Requests (RRs) received beginning fiscal year 2011/2012. The number submitted varies significantly by month with a sharp increase during the months of August and September, which is a consequence of the September 30th deadline for submitting all costs incurred during the previous fiscal year.
 - Average Reimbursement Times: Data for this graph is presented on a month-by-month scale during a typical year. The graph shows the number of days for a Payment Request to be reimbursed, depending on the month it is received, and the difference in processing times between paper copy RR submissions and electronic RR submissions. For Reimbursement Requests submitted to the UST Cleanup Fund during the glut (August through October) due to the September 30th deadline, reimbursement requests are paid much slower than those submitted in other months. The graph was emailed to stakeholders in a Fund News with a recommendation that payment requests be submitted in June/July to take advantage of faster payment times and receive payment for the first three-quarters of the fiscal year if they are only submitting one request per year in September.
 - Claim Status: This graph illustrates how the status of claims has fluctuated over the last ten years. Shown is the amount of Total Eligible Claims, Total Closed Claims, and Total Unreimbursed Claims in a given year. A major point of interest occurred during Fiscal Year 2011/2012 when the Cleanup Fund processed more claims for closure than total remaining unreimbursed claims within the Cleanup Fund.
 - LOC Issuance: The number of Letters of Commitment (LOCs) issued by the UST Cleanup Fund has varied over time. Historically available funding has limited the number of LOCs that can be issued. However, with significant increase in the USTCF, during Fiscal Year 2010/2011, the Board increased issuance of LOCs for Priority D claims to meet the 14 percent statutory minimum reimbursement requirement. The UST Cleanup Fund also began issuing LOCs to Priority C claims during Fiscal Year 2012/2013 which had been on hold for several years due to the recession. Since ongoing corrective action has decreased and uncommitted funds are rising by \$130 million annually, the rate of issuance of LOCs for Priority D claims is increasing significantly since Fiscal Year 2014/2015. Priority D claims submit one first-and-only

payment request that includes up to 24 years of invoices and cleanup history for review of reasonable and necessary costs. For the first time, LOC activation is limited by staffing and not by funds available.

- Reimbursement Requests Received vs. Reviewed: This graph shows the number of Reimbursement Request review workload each year (number received plus backlog carryover from earlier year(s)) compared to the number reviewed. The graph projects the workload based on receipt of one-and-only payment requests from 200 Priority D claims issued LOCs annually. First-and-only requests average approximately \$350K (\$70 million) annually and take about 10 times longer to review than requests for claims with ongoing work. LOCs for 200 claims may expend the annual revenues; however, it would be necessary to issue 400 LOCs annually until the USTCF sunset to expend the current uncommitted balance. The State Board does not have the staff to review payment requests for 200 LOCs annually, and certainly not 400 LOCs annually. The proposal would be sufficient staff to review payment requests for 200 LOCs issued annually.
- FY 16/17 USTCF Annual Budget: The graph shows how the incoming revenue is allocated for the fiscal year.

Claims Priority List (as of June 30, 2016)					
Regulatory Case Status	Total	Priority A	Priority B	Priority C	Priority D
Open	518	0	10	6	502
Closed	3,240	1	3	4	3,232
Total	3,758	1	13	10	3,734

* The current Claims Priority List is posted to the USTCF webpage at:

http://www.waterboards.ca.gov/water_issues/programs/ustcf/prioritylist.shtml

Fiscal Year to Date Letters of Commitment Issued (July 1, 2015 and June 30, 2016)					
Regulatory Case Status	Total	Priority A	Priority B	Priority C	Priority D
Open	49	4	18	11	18
Closed	178	3	5	8	162
Total	227	7	23	18	180

Current Active Claims (as of June 30, 2016)					
Regulatory Case Status	Total	Priority A	Priority B	Priority C	Priority D
Open	1,273	14	697	401	161
Closed	786	16	242	149	379
Total	2,059	30	939	550	540

* The current Active Claims list is posted to the USTCF webpage at:

http://www.waterboards.ca.gov/water_issues/programs/ustcf/claimformsinfo.shtml

Claim Closures (July 1, 2015 and June 30, 2016)					
	Priority A	Priority B	Priority C	Priority D	Total
No. of Claims	11	135	110	58	314
Total Amt. Paid	\$4,829,999	\$74,708,669	\$67,242,054	\$19,288,881	\$166,069,603

Claims Reimbursements

- The average processing time ranges from 90 days to 300 days depending on the method of submittal (electronically or paper copy) and the month in which the reimbursement request is submitted. The overall processing time is about 200 days.
- Status of reimbursement requests can be found on the USTCF webpage at: http://www.waterboards.ca.gov/water_issues/programs/ustcf/payments_status.shtml#waiting

Reimbursement Requests (RRs) (July 1, 2015 to June 30, 2016)					
	Priority A	Priority B	Priority C	Priority D	Total
No. of RRs Received	70	2,015	1,259	397	3,741
Total Amt. Requested	\$1,018,175	\$45,444,284	\$27,395,622	\$25,299,092	\$99,157,173
No. of RRs Waiting To Be Reviewed	7	495	378	90	970
\$ Requested of RRs Waiting To Be Reviewed	\$121,325	\$11,249,830	\$8,987,941	\$7,747,832	\$28,106,928
No. of RRs Paid	59	1,552	979	269	2,859
Total Amt. Paid	\$552,095	\$27,484,717	17,572,591	\$15,338,247	60,947,650

Expedited Claim Account Program (ECAP)

The ECAP is required to investigate potential methods for reducing the overall cost for site cleanup and the time to reach closure including, but not limited to, establishment of multiyear funding for claims, increased collaboration between Fund staff, regulatory staff, and claimants and their contractors, establishment of project milestones and cost estimates, and establishment of reimbursement submission schedules. Tentative criteria for the selection of claims to participate include the threat to human health, safety, or the environment caused by contamination at the site, the priority ranking assigned to the claim pursuant to Section 25299.52, and the progress of cleanup at the site. As of September 1, 2016, of the 82 claimants contacted, 33 claimants have volunteered to participate in the Pilot Project. The State Water Board will be asked to approve the tentative selection criteria at a future Board meeting.

	Claimant	Claim #	Location	Lead Agency	Priority Class
1	Former Adelanto Shell	14806	Adelanto	Region 6	B

	Claimant	Claim #	Location	Lead Agency	Priority Class
2	Leo & Roxanne Bleier	13249	Redwood Valley	Region 1	B
3	Wayside Inn	18786	Standish	Region 6	B
4	R & M Petroleum Company	15815	San Luis Obispo	Region 7	C
5	Beach Commonwealth, LLC Assignee	7879	Los Angeles	Orange County LOP	C
6	TBS Petroleum, LLC	19888	Redding	Region 5	C
7	Restructure Petroleum Marketing Services of California	13595	Brawley	Region 7	C
8	Golden Empire Properties, Inc.	1275	Oakland	Alameda County LOP	B
9	Chevron Products Company	5845	Weed	Region 1	D
10	Chevron Products Company	4630	Calexico	Region 7	D
11	Stars Petroleum, Inc., Assignee c/o Envirocap, LLC	16226	Ramona	San Diego LOP	B
12	James W. Biocca	15133	Healdsburg	Region 1	B
13	Norman Turley, Assignee c/o Envirocap, LLC	17192	Long Beach	Region 4	B
14	Pike's Mobil, INC. c/o Envirocap, LLC	13673	Baker	Region 6	B
15	Restructure Petroleum MKTG. Services of California	2883	San Diego	San Diego LOP	C
16	Tustin Auto Wash c/o Envirocap, LLC	14847	Tustin	Orange County LOP	C
17	Humboldt Bay Forest Products Attn: Stanwood Murphy	16797	Fields Landing	Humboldt County LOP	B
18	Elmesiry Inc., Assignee c/o Envirocap, LLC	16615	Los Angeles	Region 4	C

	Claimant	Claim #	Location	Lead Agency	Priority Class
19	G&M Oil Co., LLC	15037	Riverside	Riverside	B
20	John L. Debenedetti, et. al. c/o Hanford-Freund & Co.	15756	San Francisco	San Francisco City & County LOP	B
21	Spreckels Union High School District	17129	Spreckels	Region 3	B
22	Silverlake Properties, Inc.	8297	Baker	Region 6	B
23	Failing Herron Shell	7851	Baker	Region 6	B
24	Baker Automotive/Union	8293	Baker	Region 6	B
25	The Soco Group, Inc.	3822	Beaumont	Riverside County LOP	C
26	Petro Lock, Inc. Attn: Nancy Welty	16931	Lancaster	Region 6	C
27	Neil and Mary Cotter, Assignee	13712	Oakland	Alameda	B
28	Kia Sumner, Assignee	9184	Oakland	Alameda	B
29	Bob Rudolph Enterprises, Inc.	1113	Santa Cruz	Region 3	B
30	Bob Rudolph Enterprises, Inc.	7118	Santa Cruz	Region 3	B
31	Reco Gas & Mini Mart	16348	San Jose	Santa Clara County LOP	B
32	City & County of San Francisco	9518	San Francisco	San Francisco City & County LOP	D
33	Idyllwild Chevron	19603	Idyllwild	Riverside County LOP	B
34	Tetrault - So. Broadway Rocket	19970	Eureka	Humboldt Co. LOP	B
35	Jim Austin Site	19081	Brawley	Region 7	B

- \$100 million was transferred for the ECAP in FY 15/16 pursuant to SB 445 (2014, Hill). Of the \$100 million, about \$154 thousand has been reimbursed to date.

ECAP Dollars Spent to Date Against \$100M (Inception to September 1, 2016)					
	Priority A	Priority B	Priority C	Priority D	Total
Amt. Paid	0	\$73,407	\$80,565	0	\$153,972

School District Account (SDA)

- As of June 30, 2016, the remaining balance was \$8.8 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

- The EAR Account receives an annual appropriation of \$5,000,000. The Department of General Services chose not to process FYs 14/15 and 15/16 contracts and amendments. During FY 15/16, the amount of \$3,133,000 was committed for 21 projects. DGS has begun to process contracts.

EAR Summary (From Inception 1992 to September 1, 2016)							
Sites Nominated	\$ Requested	Nominations Reviewed	Sites Approved	Total Contracts\$	Funds Spent to Date	Projects Completed	Active Projects
181	\$57,052,310	181	179	\$56,803,272	\$17,900,326	49	132

Orphan Site Cleanup Fund (OSCF)

- The OSCF has an uncommitted balance of \$4.4 million, and no new appropriation scheduled.

OSCF Summary (From Inception 2008 to September 1, 2016)							
No. Applications	\$ Requested	No. Applications Reviewed	Sites Approved	Total Grant \$	\$ Spent to Date	Projects Completed	Active Projects
143	\$33,138,894	134	91	\$22,408,870	\$20,031,311	37	54

OSCF Approved Projects (FY 15/16)		
Recipient	Project Purpose	Funding Amount
Nguon E. Ea (B197)	Conduct Site Assessment & Groundwater Monitoring due to contaminated soil samples.	\$900,000.00
SDG-Left Field, LLC (B200)	Past Costs for Site Assessment. No Further Action letter dated, 1/16/15.	\$362,730.00
Marcelo Muzquiz (B199)	Conduct Site assessment, excavate and dispose of waste.	\$53,722.00
Sani Panhwar (B202)	Site Assessment for contaminated site.	\$829,200.00

OSCF Approved Projects (FY 15/16)		
Recipient	Project Purpose	Funding Amount
Terminal Car Leasing (B203)	Received Site Closure – No Further Action letter issued 4/30/15.	\$152,530.00
BDI Carlton Hills, LP (9B208)	Past Costs for Site Assessment. Excavation & Grading Work for Site Development.	\$125,200.00

DIVISION OF WATER QUALITY

Oil and Gas Monitoring: The State Water Board and the Division of Oil, Gas and Geothermal Resources (DOGGR) published a news release on August 12, 2016 announcing that State regulators are accepting public comments on a proposal to expand the current aquifer exemption designation for the Transition Zone Sands in the Tejon Oil Field (incorporated Kern County, south of Bakersfield). A public hearing of the proposal was held on September 12, 2016 in Bakersfield. Public comments will be accepted until September 26, 2016.

Current information about aquifer exemption proposals and Water Boards preliminary concurrence letters can be found here:

http://www.waterboards.ca.gov/water_issues/programs/groundwater/sb4/oil_field_produced/aquifer_exemptions/index.shtml

Compost Order Outreach: On August 4, 2015, the State Water Board adopted General Waste Discharge Requirements for Composting Operations (Compost General Order). In addition, the State Water Board adopted Resolution No. 2015-0054 directing staff to work with representatives of the Regional Water Boards, CalRecycle, the Air Resources Board, the California Department Food and Agriculture, the compost industry and other interested stakeholders regarding land application of compostable materials, development of performance measures, and continued engagement in the California Healthy Soils Initiative. State Water Board staff in coordination with CalRecycle staff hosted two education and outreach stakeholder meetings regarding land application of compostable materials. The combined attendance for both land application meetings was approximately 150. State Water Board staff also held two meetings on June 14th in Sacramento and June 23rd in Riverside to obtain stakeholder input on the development of performance measures for the implementation of the Compost General Order. Attendance at the performance measure meetings was approximately 25 in Sacramento and 70 in Riverside. A final stakeholder meeting to obtain and refine input on the performance measures was held on August 15, 2016 in Sacramento. At the August performance measure meeting, 18 stakeholders attended and offered additional input and clarification. State Water Board staff will use stakeholder comments from the three meetings to include in a report to the State Water Board by August 2017.

Statewide Dredge and Fill Procedures: The public comment period for the proposed Statewide Dredge and Fill Procedures (formerly known as the Wetland Policy) closed on August 18. Forty-two comment letters were received. Staff is reviewing the comments and preparing a response.

Implementation of the Desalination Amendment to the Ocean Plan: The State Water Resources Control Board (State Water Board) adopted the Amendment to the Water Quality Control Plan for Ocean Waters of California (Ocean Plan) Addressing Desalination Facility Intakes, Brine Discharges, and the Incorporation of Other Non-substantive Changes

[\(Desalination Amendment\)](#) on May 6, 2015. The Office of Administrative Law approved the Desalination Amendment on January 28, 2016. The United States Environmental Protection Agency approved the portions of the Desalination Amendment that implement the federal Clean Water Act on April 7, 2016. Therefore, the Desalination Amendment is now fully in effect. State Water Board staff is coordinating with Central Coast, Los Angeles, Santa Ana, and San Diego Regional Water Board staff on the implementation of the Desalination Amendment for eight seawater desalination projects, seven of which will need a new Water Code section 13142.5, subdivision (b) analysis and determinations of compliance with the Desalination Amendment.

Staff from the Santa Ana Regional Water Board, California Coastal Commission, and California State Lands Commission is developing a Memorandum of Understanding with Poseidon Resources (Surfside), LLC (Poseidon) that would establish a framework for considering the proposed Huntington Beach Desalination Project. Santa Ana Regional Water Board, State Water Board, California Coastal Commission, and California State Lands Commission staff has been conducting formal coordinated reviews and consultations on the proposed Huntington Beach Desalination Project since February 2016. The intent of this formal interagency consultation process is to streamline the permitting process and ensure that each agency with permitting authority is considering the same project description.

The Santa Ana Regional Water Board staff, in consultation with State Water Board staff, will continue the formal interagency consultation process while the Santa Ana Regional Water Board staff conducts a new Water Code section 13142.5, subdivision (b) analysis in accordance with the Desalination Amendment for the Huntington Beach Desalination Project. Once the Santa Ana Regional Water Board receives and analyzes the information required by the Desalination Amendment, staff will schedule a public hearing to determine whether the Huntington Beach Desalination Project complies with Water Code section 13142.5, subdivision (b). Water Board staff intend to utilize the formal interagency consultation process when implementing the Desalination Amendment for any new or expanded seawater desalination facility.

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

Notification of Failure to File Water Right Permit or License Annual Diversion Reports:

On August 23, 2016, the State Water Board issued notification to more than 3,700 holders of water right permits and licenses that they have filed to file their 2015 reports of diversion and use. The notification letter gives the water right holders 30 days to file the report before formal enforcement action is taken. Enforcement action may include an administrative civil liability with daily fines of \$500 per day for each day of violation.

Information Fair on Water Measurement and Reporting: On August 22, 2016, the State Water Board held a well-attended Information Fair to facilitate better understanding of (and compliance with) the recently adopted measurement and reporting regulations. The fair included four different presentations on the new water right measurement and reporting regulations, and 13 vendor displays featuring measuring equipment. All information related to

the measurement regulation are posted at:

http://www.waterboards.ca.gov/waterrights/water_issues/programs/diversion_use/water_use.shtml

California WaterFix Water Right Petition and Hearing: Since the hearing started on July 26, 2016, the petitioners have put on their case in chief covering: project description, engineering, operations, and modeling aspects of the WaterFix project. Last week, the hearing officers granted parties' oral requests to cancel the August 29-30, 2016 hearing days so parties can work on their cases in chief (**originally** due September 1, 2016). The hearing will resume on September 22, 2016, when the petitioners will be presenting testimony regarding water rights.

Several parties and a substantial number of joiners requested an extension of time for parties to submit Part 1B cases in chief. The co-hearing officers **granted a 24 hour extension to the September 1, 2016 due date such that all other parties' cases in chief and testimony were due September 2, 2016.** Part 1B of the hearing will begin on October 20, 2016. Part 1B includes other parties' cases in chief, associated cross-examination, and rebuttal for Part 1 of the hearing. For additional information please visit the Water Board's [California WaterFix Hearing webpage](#).

Nancy K. Donovan & Stephen J. Peters: Administrative Civil Liability (ACL) and adopt a Cease and Desist Order (CDO) Hearing: On June 12, 2012, the Assistant Deputy Director of the Division of Water Rights, issued an administrative civil liability complaint and draft cease and desist order to Nancy K. Donovan and Stephen J. Peters. The hearing, set to commence on July 1, 2015, was postponed and rescheduled to commence on October 12, 2016. The deadline for receipt and service of witnesses' proposed testimony, exhibits, lists of exhibits, qualifications, and statement of service is **12:00 Noon, Wednesday, September 14, 2016.** Information related to this hearing is available on the State Water Board, Division of Water Rights' website at:

http://www.waterboards.ca.gov/waterrights/water_issues/programs/hearings/donovan/index.shtml

Draft Order for public comment related to Cachuma Project: On September 7, 2016, the State Water Board released a draft Order for public comment related to protection of public trust resources and downstream water rights for the United States Bureau of Reclamation's (Reclamation) Cachuma Project. The draft Order would make modifications to Reclamation's water rights to incorporate existing flow and other requirements of the 2000 National Marine Fisheries Service Biological Opinion to protect endangered steelhead in the lower Santa Ynez River. The draft Order would also require additional flows beyond the existing requirements of the Biological Opinion in above normal and wet water years to protect public trust resources in the Santa Ynez River, including steelhead that have been significantly impacted by the construction and operations of the Cachuma Project. The draft Order includes provisions for adaptive management of these additional flows and requirements for monitoring and special studies to inform adaptive management and other actions to protect steelhead and other species. The draft Order also incorporates conditions of existing settlement agreement related to protection of downstream water rights and approves requested changes to the place and purpose of use of water for the Cachuma Project. The higher flow requirements in wetter years that are included in the draft Order may reduce storage in Cachuma Reservoir going into drier years and may result in some exacerbation of water supply shortages for Cachuma Project contractors in critical drought periods. Cachuma Project contractors that might be affected include the City of Santa Barbara, Goleta Water District, Montecito Water District and Carpinteria Valley Water District. The settlement agreement between Reclamation and downstream water right holders may also be affected.

Sacramento River Temperature Management Plan: On July 5, 2016, the U.S. Bureau of Reclamation (Reclamation) submitted its 2016 Sacramento River Temperature Management Plan (TMP) for the protection of winter-run Chinook salmon and other species to the State Water Board pursuant to the requirements of State Water Board Orders WR 90-5 and WR 2015-0043. The Executive Director conditionally approved the TMP on July 8, 2016. Reclamation, the National Marine Fisheries Service (NMFS), the California Department of Fish and Wildlife (DFW) and State Water Board staff have been monitoring Shasta Lake's temperature profiles weekly to ensure that sufficient cold water (less than 49 degrees F) is maintained in storage for fisheries protection. On July 28, 2016, Reclamation reported that Shasta Lake has approximately 325 thousand acre-feet (TAF) of additional cold water than what was projected on June 7, 2016. Consequently, on August 4, 2016, Reclamation provided NMFS, DFW and the State Water Board with an updated Shasta Lake operations proposal that would provide an additional 75 TAF of storage releases in August, September and October to further improve temperature conditions and benefit water supplies. Soon thereafter, NMFS, DFW and State Water Board staff [concurred](#) with the updated operations proposal for August. The agencies are currently considering the updated operations proposal for September and October. As of early September, there is about 300 TAF of additional cold water in Shasta Reservoir compared to the June modeling. This information along with other winter-run and fall-run Chinook salmon considerations and temperature related modeling will be factored into decisions regarding any flow modifications in September and October.

Request for Emergency Regulation Requiring Summer Delta Outflows for Delta Smelt: On August 9, 2016, Defenders of Wildlife (DOW), the Natural Resources Defense Council (NRDC) and The Bay Institute (TBI) requested that the State Water Board adopt emergency regulations requiring the Department of Water Resources (DWR) and U.S. Bureau of Reclamation (Reclamation) to maintain a low salinity (X2) no further east than 81 kilometers (downstream of the confluence of the Sacramento and San Joaquin Rivers) from June 1 through September 30 until the Water Quality Control Plan for the San Francisco Bay/Sacramento-San Joaquin River Delta (Bay-Delta Plan) is updated. X2 is defined as the distance from the Golden Gate Bridge where bottom salinity is 2 parts per thousand. The purpose of the proposed emergency regulations would be to establish a minimum level of summer Delta outflow for Delta smelt habitat to prevent the possible extinction of the species, to be met through curtailment of water diversions and release of stored water. On September 8, 2016, the Executive Director responded to the request indicating that the State Water Board could not develop and adopt regulations this year in time to provide intended fisheries benefits for September. Moreover, before developing regulations, a stronger scientific basis and a definitive determination from the fishery agencies is needed. The letter also states that the State Water Board will consider a broad range of options for possible flow and non-flow action in the near future and will engage in reviewing the emerging science, including the Natural Resources Agency's Delta Smelt Resiliency Strategy, in conjunction with the fisheries agencies. The State Water Board will also continue to expeditiously proceed with the Phase 2 comprehensive update of the Bay-Delta Plan, which will address the issue of Delta outflow for the reasonable protection of Delta smelt and other species.

Issuance of East Bay Municipal Utilities District Change Petitions and Time Extension: On August 3, 2016, the Division of Water Rights approved petitions from East Bay Municipal Utilities District (EBMUD) to modify water right Permit 10478 allowing appropriation of water from the Mokelumne River in Amador County. The approval order and amended right address the following changes: a petition for an extension of time to beneficially use the water until 2040, a change in place of use to include lands annexed into EBMUD's service area, addition of recreation and fish and wildlife preservation and enhancement as authorized purposes of use at Pardee and Camanche Reservoirs, and addition of industrial use within EBMUD's service

areas, accounting of diversions from Pardee and Camanche Reservoirs, and modification of other permit terms. The petitions were noticed, protests were received, and all protests were resolved. EBMUD acted as Lead Agency for CEQA and certified the final Environmental Impact Report.

Issuance of Truckee River Operating Agreement Amended Water Rights and

New Permits: On August 8, 2016, the Division of Water Rights issued three amended licenses, one amended permit and two new water right permits to the United States Bureau of Reclamation. These rights were issued as part of the implementation of the Truckee River Operating Agreement (TROA), once certain conditions were met, in Water Rights [Decision 1651](#), adopted on October 16, 2012. TROA resolves water disputes over the operation of Truckee River reservoirs, and in the Truckee and Carson River basins, and is intended to increase the operational flexibility and efficiency of reservoirs in the Lake Tahoe and Truckee River basins, thus providing multiple environmental benefits while protecting existing water rights. With TROA's implementation, interstate water allocations take effect between California and Nevada in the Lake Tahoe, Truckee River, and Carson River basins. TROA will enhance conditions for the threatened Lahontan cutthroat trout and endangered cui-ui in the Truckee River basin, increase municipal and industrial drought supply for the Reno-Sparks metropolitan area, improve Truckee River water quality downstream from Sparks and enhance stream flows and recreational opportunities in the Truckee River Basin.

Issuance of Temporary Water Right Transfer involving Merced Irrigation District:

On August 23, 2016, the Division of Water Rights approved a temporary transfer [Order](#) for Merced Irrigation District to transfer 20,000 acre-feet of water previously stored in Lake McClure. The transfer water will be used on 157,049 acres of expanded place of use in Merced County including areas of Le Grand-Athlone Water District; Lone Tree Mutual Water Company; East Side Water District; San Luis Canal Company; Chowchilla Water District; and Merced's Sphere of Influence Land.

In absence of the transfer, these parties would have relied upon groundwater and other alternate supplies. The transfer period lasts for up to one year from date of issuance.

Outreach Meetings for Development of Principles and Guidelines for Cannabis

Cultivation: Division of Water Rights staff began holding [outreach meetings](#) throughout California to solicit input on the development of principles and guidelines for commercial cannabis cultivation. The meetings are as follows: August 31 (Ukiah); September 1 (Eureka); September 7 (Weed); September 8 (Red Bluff); September 15 (Ventura); September 21 (Salinas); September 22 (Fresno); and October 4 (Sacramento – Rancho Cordova). The principles and guidelines will be developed to ensure that effects of water diversion and discharge associated with commercial cannabis cultivation do not affect the instream flows needed for fish spawning, migration, and rearing.

On June 27, 2016, Governor Brown signed Senate Bill (SB) 837 (Statutes 2016, Chapter 32, Committee on Budget and Fiscal Review), which enacts the Medical Cannabis Regulation and Safety Act (Medical Marijuana Cleanup Legislation). Under SB 837 the State Water Resources Control Board (State Water Board) is required to adopt interim and long-term instream flow requirements in areas where cannabis cultivation may have the potential to substantially affect instream flows.

Instream Flow Related Work Under the California Water Action Plan: On August 9-10, 2016, State and Regional Water Board staff attended a field tour of the Shasta River watershed provided by staff of the California Department of Fish and Wildlife to gain a better understanding of the watershed during summer conditions. Representatives from Siskiyou County and Assembly Member Brian Dahle's Office also participated in the tour. The Shasta River is one of five tributaries identified for a joint effort, between the California Department of Fish and Wildlife and State Water Board, under [Action 4 of the California Water Action Plan](#) to enhance flows in streams that support critical habitat for anadromous fish.

Updates Related to the Klamath Hydroelectric Project (Federal Energy Regulatory Commission Project No. 2082): There are two updates for the Klamath Hydroelectric Project (KHP): 1) Amended Klamath Hydroelectric Settlement Agreement; and 2) Klamath Basin Water Quality Agencies Meeting.

- 1) [Amended Klamath Hydroelectric Settlement Agreement](#) (KHSA): On April 6, 2016, the KHSA was amended to pursue KHP dam removal through the Federal Energy Regulatory Commission (FERC) relicensing process. Consistent with the KHSA, PacifiCorp plans to transfer title of the KHP to a dam removal entity known as the Klamath River Renewal Corporation (KRRC), which will file a license surrender application with FERC. PacifiCorp's license transfer application and the KRRC's license surrender application are anticipated to be filed with FERC on September 23, 2016.
- 2) Klamath Basin Water Quality Agencies Meeting: On August 23-24, 2016, State Water Board staff participated in a Klamath Basin Water Quality Agencies Meeting in Klamath Falls, Oregon. Staff from Regions 9 and 10 of the United State Environmental Protection Agency, North Coast Regional Water Quality Control Board, and State Water Board, and Oregon Department of Environmental Quality participated in the meeting. The main purpose of the meeting was to share information and enhance coordination between water quality agencies regarding implementation of the California and Oregon total maximum daily loads for the Klamath River and Lost River Basins, as well as promote coordination among the agencies on the KHP FERC process.

Pinecrest Lake Level – Spring Gap-Stanislaus Hydroelectric Project: The Clean Water Act section 401 [water quality certification](#) (certification) issued to Pacific Gas and Electric (PG&E) for the Spring Gap-Stanislaus Hydroelectric Project (Project) contains a condition to protect the recreational beneficial uses at Pinecrest Lake by maintaining a minimum lake level of 5,608 feet through Labor Day. On August 24, 2016, the Pacific Gas and Electric Company (PG&E) informed State Water Board staff that the Pinecrest Lake level would likely be 5,606.7 feet on Labor Day (September 5, 2016). PG&E attributes the decreased lake level to a sharp increase in daily net water loss from the lake resulting from a combination of decreased inflow and increased evaporation that began around August 15, 2016. PG&E reported that there have been no withdrawals from storage for hydroelectric generation since July 12, 2016 and the minimum streamflow requirements below Pinecrest Lake have been maintained.

Meeting with Parties Interested in the Eagle Mountain Pumped Storage Project, Federal Energy Regulatory Commission Project No. 13123: On August 12, 2016, State Water Board staff met with Ms. Lani Miller, Environmental Activist; Ms. Jeanne Wahler, GeoEnvironmental Consultant; and Mr. David Lamfrom, National Parks Conservation Association regarding concerns of potential impacts to groundwater and scenery due to construction and operation of the [Eagle Mountain Pumped Storage Project](#) (Project). Staff informed the parties that the Federal Energy Regulatory Commission's order issuing the license, and associated finding that the Project does not require a water quality certification pursuant to section 401 of the Clean

Water Act, is final and removed the State Water Board's conditioning authority. The parties plan to meet with FERC representatives and discuss their concerns.

Temporary Water Quality Certification Amendment Issued for Flow Variance Request on Upper American River Project:

On September 1, 2016, the State Water Board issued a [temporary water quality certification amendment](#) to the Sacramento Municipal Utility District approving its request to temporarily reduce the minimum instream flows required under Condition 1 of the [Upper American River Hydroelectric Project](#) water quality certification. The reduction in minimum instream flows is necessary to allow for the installation of two new streamflow weirs to provide accurate compliance gaging of the minimum streamflows from the Robbs Peak Forebay and Camino Reservoir per Condition 6 of the water quality certification.

Mill, Deer, and Antelope Creek Nongovernmental Organization Coordination Meeting:

On August 10, 2016, Division of Water Rights staff met with Water Foundation (Foundation) staff to discuss efforts in Mill, Deer, and Antelope Creeks, which are Sacramento River tributaries located in Tehama County. The Foundation is a nongovernmental organization that is working on ecosystem management and initiating coordination among stakeholder groups related to spring-run and winter-run Chinook salmon protection in the Sacramento River watershed. Foundation staff is coordinating with American Rivers and Trout Unlimited to support current efforts to improve fish passage and streamflow on Deer Creek. Efforts in Deer Creek include: Analysis of the potential ways to improve fish passage at the Stanford Vina Ranch Irrigation Company diversion dam on lower Deer Creek, including replacement of the existing diversion structure with an inflatable dam; development of a water conservation plan with the Deer Creek Irrigation District to increase streamflow; and development of a Deer Creek floodplain management and habitat improvement project, which is a collaborative effort between American Rivers and the Deer Creek Watershed Conservancy.

Division of Water Rights staff provided Foundation staff with an overview of its current effort to improve fish passage and streamflow conditions on lower Antelope Creek through a Proposition 40 grant with Tehama County Resource Conservation District. See below for a discussion of the Antelope Creek Fish Passage Improvement Project. It is anticipated that Division of Water Rights staff will continue to meet with Foundation staff to discuss these and future efforts.

Antelope Creek Fish Passage Improvement Project: On August 11, 2016, Division of Water Rights and Division of Financial Assistance staff met with representatives from the California Department of Fish and Wildlife, National Marine Fisheries Service, and water rights holders on Antelope Creek to work toward agreement on the design for improvements to the existing dam and diversion structures on Antelope Creek to improve juvenile and adult anadromous salmonid fish passage. The design and improvements would be funded under a Proposition 40 grant from the State Water Board. Per the grant agreement, the State Water Board may provide up to \$1.83 million to Tehama Resource Conservation District to determine fish passage flow needs and to design and implement stream restoration projects, fish screens, and other modifications and improvements to diversion structures on lower Antelope Creek.

DIVISION OF DRINKING WATER

Environmental Laboratory Accreditation Program (ELAP): ELAP will recommend to the State Water Board the inclusion of the 2016 NELAC Institute (TNI) Standard, Volume 1: Management and Technical Requirements for Laboratories Performing Environmental Analysis, with considered revisions, as California's new laboratory accreditation standard in the regulation package currently under development. ELAP will hold a State Water Board public workshop on

October 6th from 9:00 am-12:00 pm to provide information and hear public comments. The decision to include the TNI Standard was made after months of collaborative deliberation with ELAP's two advisory bodies and based on a recommendation from the program's Expert Review Panel.

ELAP staff attended technical sessions at the National Environmental Monitoring Conference in Orange County from August 8th-12th. Industry experts presented on emerging issues in the fields of laboratory accreditation and environmental and public health.

DIVISION OF ADMINISTRATIVE SERVICES

Program Activity:

Update on Water Quality, Water Rights and Drinking Water Fees Stakeholder Process:

Staff held the final FY 2016-17 Fees Stakeholder Meetings for Water Quality and Water Rights stakeholders on August 4. Staff will be presenting proposed changes for the Water Quality, Water Rights and Environmental Laboratory Accreditation Program fee schedules at the September 20 Board Meeting. At the same meeting, staff will also present the proposed Drinking Water Fee Regulations for consideration of adoption.

Water Quality Fee Unit staff met with representatives of the oil and gas industry on August 3 to discuss the proposed changes to the fee surcharge for FY 2016-17. At the request of some discharger representatives, Fee Unit staff will be attending a meeting of the California Council for Environmental and Economic Balance to answer questions about the FY 2016-17 fee schedule.

Drinking Water Fee Unit staff is tentatively scheduled to submit the Drinking Water Fee Regulations to the Office of Administrative Law at the end of September, pending adoption by the State Water Board and approval of the Economic Impact by the Department of Finance.

OFFICE OF INFORMATION MANAGEMENT AND ANALYSIS

Program Activity:

California Water Quality Monitoring Council and Surface Water Ambient Monitoring Program (SWAMP):

Staff of the Office of Information Management and Analysis (OIMA) deployed the "California Harmful Algal Blooms (HABs) Portal," a new tool that presents information on the health and environmental effects of HABs in California's lakes, reservoirs, rivers, and marine waters. The HABs portal is here: www.MyWaterQuality.ca.gov/habs. The goals of the portal are (1) to provide timely information about current HAB incidents in an effective and efficient manner for the public, environmental organizations, and water resource and public health professionals and (2) to provide deeper content for people responding to HABs incidents and addressing the longer-term issues surrounding HABs. The dashboard maps for the portal containing the form-driven HAB incident report information were developed with the help of the Division of Information Technology, the Division of Water Quality and the Division of Drinking Water. The vast majority of the content on the HABs portal was developed over the past few years in partnership with the California Cyanobacteria and Harmful Algal Bloom Network (CCHAB), a workgroup of the Water Quality Monitoring Council, and the Water

Boards' Surface Water Ambient Monitoring Program (SWAMP). View the new California Harmful Algal Blooms Portal from the *My Water Quality* website, www.MyWaterQuality.ca.gov.

OFFICE OF ENFORCEMENT

Administrative Civil Liability (ACL) and Cleanup and Abatement Actions Issued August 2016:

a. ACL Complaint(s) Issued

Region	Discharger/Facility	Violation(s) Addressed	ACL Complaint Amount	Date Issued
WATER QUALITY				
5	Emma J. Bounds, Bounds Family Trust / Madera County APNs 047-180-003, -007, -008, -009	Failure to submit 2013, 2014, and 2015 farm evaluations	\$70,980; (max: \$1,516,000; min: \$454)	8/8/2016
5	William and Maria Egleston / Merced County APN 056-040-049	Failure to timely seek regulatory coverage for lands irrigated for a commercial purpose	\$22,022; (max: \$491,000; min: \$9.90)	8/8/2016
5	Baldev S. and Kamaljit K. Batth / Fresno County APNs 042-350-02, 042-350-03S, 042-360-04S, 042-380-17S, 042-020-10S, 042-260-22S, 043-020-73S, 512-030-27, 016-460-77 and 043-020-79S	Failure to timely seek regulatory coverage for lands irrigated for a commercial purpose	\$35,490; (max: \$473,000; min: \$13)	8/24/2016
5	Joe Silveira / Merced County APNs 056-141-008 and 056-300-006	Failure to submit 2013, 2014, and 2015 farm evaluations	\$70,980; (max: \$1,516,000; min: \$1,033)	8/8/2016
5	Gurmail Kaur / Madera County APN 040-072-004	Failure to timely seek regulatory coverage for lands irrigated for a commercial purpose	\$32,175; (max: \$34,000; min: \$15.40)	8/8/2016
5	Alex V. and Vera A. Kobets / Fresno County APNs 015-080-34S and 015-080-35S	Failure to timely seek regulatory coverage for lands irrigated for a commercial purpose	\$26,813; (max: \$477,000; min: \$5,524)	8/12/2016
5	Singh Farms, LLC / Madera County APNs 044-240-003, 046-030-002, 046-050-020, 046-050-021, 046-050-022, 046-080-002, 046-080-003, 046-090-027, 047-200-003, and 048-020-002	Failure to submit 2014 and 2015 farm evaluations	\$59,150; (max: \$686,000; min: \$2,954)	8/8/2016
5	Bill J. Koretoff, Koretoff Family Trust / Madera County APN 048-140-004	Failure to timely seek regulatory coverage for lands irrigated for a commercial purpose	\$32,175; (max: \$537,000; min: \$5,241)	8/8/2016

Region	Discharger/Facility	Violation(s) Addressed	ACL Complaint Amount	Date Issued
5	Gilbert and Enedina Marroquin / Tulare County APNs 119-110-012 and -013	Failure to timely seek regulatory coverage for lands irrigated for a commercial purpose	\$30,030; (max: \$582,000; min: \$5,678)	8/8/2016
5	Smith Bros. Farming, Inc. / Stanislaus County APNs 010-022-004 and 015-013-044	Failure to submit 2014 and 2015 farm evaluations	\$42,250; (max: \$686,000; min: \$673)	8/8/2016
5	Joseph Magdic, Jr. / Madera County APN 045-122-007	Failure to timely seek regulatory coverage for lands irrigated for a commercial purpose	\$32,175; (max: \$538,000; min: \$5,232)	8/8/2016
5	Daniel D. and Marie Ruth Singh / Fresno County APN 042-020-69S	Failure to timely seek regulatory coverage for lands irrigated for a commercial purpose	\$26,813; (max: \$420,000; min: \$3,962)	8/8/2016
5	Victor Produce, Inc. / Merced County APNs 049-050-087, 049-050-088, 049-050-089, 049-050-091, 049-060-073, 049-080-003, 049-080-006, 049-080-015, and 049-080-016	Failure to submit 2015 farm evaluation	\$15,210; (max: \$160,000; min: \$575)	8/8/2016
5	Brooks and Arlene Rushing/Brooks J. and Arlene J. Rushing Trust / Stanislaus County APNs 088-099-014, -024, -029	Failure to timely seek regulatory coverage for lands irrigated for a commercial purpose	\$34,320; (max: \$420,000; min: \$3,962)	8/8/2016
WATER RIGHTS—No ACL COMPLAINTS ISSUED AUGUST 2016				

b. ACL Order(s) Issued

Region	Discharger/Facility	Violation(s) Addressed	ACL Order Amount	Date Issued
WATER QUALITY				
2	C&H Sugar Company, Inc., and Crockett Community Services District / C&H Sugar Company Refinery, Joint Use C&H Sugar Company-Crockett Community Services District Philip F. Meads Water Treatment Plant	Effluent limit violation (10/2014: mercury)	\$3,000 (MMP)	8/31/2016
2	City of Redwood City / Groundwater Treatment System at 850 Jefferson Avenue	Effluent limit (5/2015: tetrachloroethene) and late reporting violations	\$6,000 (MMP)	8/31/2016
3	George Amaral, George Amaral Living Trust, and C&G Farms	Failure to timely enroll three parcels of irrigated land (356 acres)	\$38,035 (SEP: \$19,017; CAA: \$19,018)	8/8/2016
3	George Amaral, George Amaral Ranches, Inc., and Dorothy Metzger as Trustee for the Dorothy Metzger Trust	Failure to timely enroll six parcels of irrigated land (527 acres)	\$47,590 (SEP: \$23,795; CAA: \$23,795)	8/8/2016

Region	Discharger/Facility	Violation(s) Addressed	ACL Order Amount	Date Issued
3	California Department of Corrections and Rehabilitation / California Men's Colony	Nine effluent limit violations (4/7/15 – 3/8/16: dibromochloromethane, dichlorobromomethane, bis (2-ethylhexyl) phthalate)	\$27,000 (MMP)	8/23/2016
4	California Department of Water Resources / William E. Warne Power Plant	Fourteen effluent limit violations (10/2015 – 3/2016: dissolved oxygen, pH, BOD, lead, zinc, turbidity)	\$42,000 (MMP)	8/19/2016
4	City of Redondo Beach / Seaside Lagoon	Three effluent limit violations (7/2014 – 9/2015: enterococcus, oil and grease)	\$9,000 (MMP)	8/19/2016
4	Water Replenishment District of Southern California / Madrona Well No. 2, Delthorne Park Well, and Torrance Police Department Well	One effluent limit violation (8/2015: total suspended solids)	\$3,000 (MMP)	8/19/2016
4	La Brea Gateway Investors, LLP / La Brea Gateway Apartments	Late reporting violation	\$3,000 (MMP)	8/29/2016
5	James G. and Amelia M. Sweeney / Sweeney Dairy	Failure to submit 2014 annual report for existing milk cow dairies	\$59,850 (all to CAA; max: \$275,000; min: \$3,504)	8/18/2016
9	San Altos-Lemon Grove, LLC / Valencia Hills Construction Project	Discharge of sediment-laden water to surface water drainage courses; failure to implement best management practices for material stockpiles, vehicle fluid leak protection, inactive area erosion control, perimeter sediment control, active area erosion control, linear sediment control failure to effectively manage run-on and run-off; failure to daily remove sediment or other construction materials from roads; failure to protect storm drain inlets; failure to contain and securely protect stockpiled waste material from wind and rain; failure to store chemicals in water-tight containers with appropriate secondary containment; failure to ensure containment of concrete washout areas	\$595,367 (all to CAA; max: \$810,000; min: \$32,915)	8/10/2016
WATER RIGHTS—NO ACL ORDERS ISSUED AUGUST 2016				

c. Cleanup and Abatement Order(s) Issued

Region	Discharger/Facility	Action(s) Required	Date Issued
1	The Selwyn Bruce Turner and Barbara Ann Turner 2013 Trust, Selwyn Bruce Turner, Barbara Ann Turner / Turners Automotive	Submit report of waste discharge; complete construction and installation of proposed in-situ chemical oxidation remediation system and start operation to conduct 90-day pilot test; submit written progress report; submit and implement approved source area and shallow groundwater remedial action plan; submit and implement approved deep groundwater investigation workplan and schedule; submit and implement final deep groundwater remedial action plan	8/5/2016
1	Douglas and Heidi Cole / Siskiyou County APN 026-290-200	Evaluate and submit report on existing Pelton wheel operation and efficiency, including water balance, water needs, and water quality review; evaluate, assess, and develop restoration and monitoring plan to restore and stabilize diversion outlet; evaluate and report on diversion ditch system susceptibility to failure and sediment delivery; develop ditch operation and maintenance plan; ensure that water used onsite, conveyed in the ditch and discharged does not adversely impact waters of the state; develop a sampling plan to assess the quality of water in the ditch; assess slopes between the upper ditch and affected streams for stored sediment deposits and erosion sources associated with the past and current failures of the ditch; identify all erosion issues and those that should be corrected, propose corrective measures and provide a schedule for implementing corrective measures; complete restoration and mitigation measures by 10/15/2016; submit completion report; submit quarterly progress reports	8/4/2016

The Division of Drinking Water, in collaboration with the Ventura County District Attorney's Office, issued felony and misdemeanor charges against Roger Mann of Ventura for allegedly filing fraudulent laboratory reports to the State Water Board. Mann was arrested on August 23 and arraigned Wednesday, September 7, in Ventura County Superior Court. This is the first criminal enforcement action the Division of Drinking Water (Division) has taken since coming to the State Water Board from the California Department of Public Health in July 2014.

A State Water Board investigation revealed that Mann of HS Aqua, LLC, submitted three falsified lab reports to the Division in July 2015. A laboratory's letterhead was used to create false bacteriological monitoring reports for public water systems located in the Sequoia National Forest. The laboratory, accredited by the Division's Environmental Laboratory Accreditation Program, was not involved with the production of the false reports and fully cooperated with the investigation.

OFFICE OF RESEARCH, PLANNING AND PERFORMANCE

Sustainable Groundwater Management Act (SGMA): The Groundwater Management Unit (GMU) held a series of stakeholder meetings in August focused on development of fees for state intervention activities associated with SGMA. Meetings were held in Tulare (August 17th), Redding (August 23rd), Modesto (August 25th), and San Luis Obispo (August 31st). In total,

approximately 90 people attended the fee meetings, soliciting feedback on the scope of the fees, applicability, and timelines. GMU staff are currently revising the draft fee schedule based on these comments, and will present a summary of the stakeholder meetings and propose new draft fees on a stakeholder meeting to be held October 7th. The October 7th meeting will be webcast, and staff will respond to questions both in person and via email.

Proposition 1 Water Storage Investment Program (WSIP) Support: By statute, the State Water Board, along with the Department of Fish and Wildlife and the Department of Water Resources, is providing support the California Water Commission (CWC) in developing and implementing the WSIP, which has \$2.7 billion dollars available to fund public benefits provided by eligible water storage projects. The State Water Board's role in WSIP includes review of applications to evaluate claimed water quality benefits of proposed projects. CWC released a Technical Reference Document detailing technical reference material used to develop draft regulations for proposed water storage projects. The CWC also released draft regulations on August 29th. State Water Board staff attended three workshops in August on the Technical Reference Document in Fresno, Auburn, and Pleasant Hill, and provided feedback and responses to stakeholder questions regarding the State Water Board's WSIP roles.

Executive Order B-37-16: The State Water Board, in coordination with DWR and other state agencies (CPUC, CEC, CDFA) is developing a framework for better drought planning, eliminating water waste, and establishing long-term water use efficiency pursuant to Executive Order B-37-16. The State Agency team held several public workshops over the last month. The first Urban Advisory Group (UAG) meeting was held on August 15th in West Sacramento, and was attended by approximately 100 people. The State Agencies presented an overview of the Executive Order, established two Technical Workgroups (smaller groups that are focused on specific technical issues related to the Executive Order), and presented a draft timeline for preparation of a report that is due to the Governor's Office on January 10th, 2017.

The Technical Workgroups formed by the UAG are open to the public, and are focused on 1) Water Shortage Contingency Plans and 2) Establishing Water Efficiency Standards and Water Use Targets. Two Water Shortage Contingency Plan meetings were held on August 30th and 31st, in Sacramento and Orange County, respectively. Two standards/targets workgroup meetings were held on September 6th and September 8th in Oakland and Los Angeles, respectively. State Water Board staff have attended all of the technical workgroup meetings, and are developing the framework for setting water use targets using standards set for indoor water use, outdoor water use, CII (Commercial, Industrial, and Institutional) water use, and water loss (leaks). The next UAG meeting will be held on September 19th and 20th at the Metropolitan Water District Headquarters in Los Angeles, and is open to the public.

Appendix A

Irrigated Lands Regulatory Program Monthly Report August 2016

This month's Irrigated Lands Regulatory Program update provides a summary of significant activities of State Water Board and North Coast, San Francisco Bay, Central Coast, Los Angeles, Colorado River, Lahontan, Santa Ana, and San Diego Water Boards' staff. Next month's report will present activities of the Central Valley Water Board's Program.

STATE WATER BOARD:

In July 2016, Irrigated Lands Regulatory Program staff participated in several meetings with agricultural related agencies, including the California Air Resources Board's Interagency Waste Workgroup, Oregon Department of Agriculture, California Agricultural Partnership Forum, Farm Food Safety Conservation Network, California BioResources Alliance, California Roundtable on Agriculture and the Environment, California Association of Sanitation Agencies, and California Water Environment Association.

REGIONAL WATER BOARDS:

North Coast Water Board staff is focusing on a series of targeted permits specific to agricultural commodities or geographic areas. The targeted permits include Discharges from Cannabis Cultivation, Agricultural Discharges in the Tule Lake Basin, Agricultural Discharges Associated with Vineyards and Orchards, and Agricultural Discharges from Easter Lily Bulb Cultivation.

In June 2015, staff completed sampling of tributaries in the Smith River Plain and at several wells to screen for the presence of agricultural pollutants and toxicity. Interim monitoring reports were published in December 2015 and are available on the North Coast Water Board website.

As of July 8, 2016, the North Coast Water Board had a total of 479 entities enrolled in the conditional waiver of Waste Discharge Requirements for discharges from cannabis cultivation and associated activities. Approximately half of these enrollees were enrolled through two approved third-party programs. There are an additional 121 entities that have submitted a notice of intent, but have not completed the enrollment process.

San Francisco Bay Water Board staff released for public comment draft General Waste Discharge Requirements for Vineyard Properties located in the Napa River and Sonoma Creek watersheds, and a related draft Environmental Impact Report, on July 15, 2016. Staff anticipates Board consideration of the Vineyard Properties General Order and associated documents in mid-fall 2016.

San Francisco Bay Water Board staff encourages permittees to work with Board-approved Third-Party Programs and Qualified Professionals in the development and implementation of Farm Plans. Third-Party Programs and Qualified Professionals will provide technical assistance and expertise to help dischargers comply with the requirements of the proposed General Order.

The **Central Coast Water Board** revised and renewed its Agricultural Conditional Waiver on March 15, 2012. The Waiver was petitioned to the State Water Board and was largely upheld, with some modifications. The State Water Board's order in response to the petition was challenged in civil court, which found that several aspects of the State Water Board's order did not comply with applicable policy. The State Water Board appealed the civil court's decision and the appellate case is pending. The current Agricultural Conditional Waiver will expire in March 2017. Central Coast Water Board staff is in the planning stages of renewing the waiver.

The **Los Angeles Water Board** revised and renewed its Conditional Waiver on April 14, 2016. Agricultural operators may enroll as an individual discharger or as a member of a discharger group. The Nursery Growers Association-Los Angeles County Irrigated Lands Group and the Ventura County Agricultural Irrigated Lands Group are the two discharger groups in the Los Angeles Region that have formed to comply with the Conditional Waiver. The most significant additions to this iteration of the Conditional Waiver include groundwater monitoring and individual drinking water well sampling requirements, and individual discharge limitations if Water Quality Benchmarks for watersheds subject to Total Maximum Daily Loads are not attained within a certain time.

The **Lahontan Water Board** adopted a Conditional Waiver for Irrigated Grazing and will consider adopting conditional waivers for alfalfa and other commodity specific agricultural discharges as Total Maximum Daily Loads are being developed.

Since 2012, the **Colorado River Water Board** has adopted four Conditional Waivers for agricultural dischargers and drain maintenance activities to control discharges of agricultural pollutants. These Conditional Waivers collectively affect approximately 650,000 net farmable acres in the Palo Verde Valley, Bard Valley, Coachella Valley, and Imperial Valley; the Region's main agricultural areas. The Conditional Waivers are implemented by the Total Maximum Daily Load / Non-Point Source program staff. The staff are currently focused on implementing the elements of the Conditional Waivers (enrollment, monitoring, and reporting), and on readopting the Conditional Waivers as they expire.

Santa Ana Water Board staff anticipates that their Board will consider a Conditional Waiver of Waste Discharge Requirements for Agricultural Operations in the San Jacinto River Watershed (Tentative Order No. R8-2016-0003) and the Mitigated Negative Declaration for the Conditional Waiver at the July 29, 2016 Board meeting.

San Diego Water Board staff developed two tentative General Waste Discharge Requirements; one for Agricultural Operations that are Members of a Third-Party Group, and one for Agricultural Operations that elect not to participate in a Third-Party Group. The two Tentative General Waste Discharge Requirements as well as a Tentative Resolution to adopt a Negative Declaration for the project have been released for public comment. The public comment period ends on July 29, 2016. It is anticipated that a public hearing for the Board to consider adoption of the two tentative General Waste Discharge Requirements and Tentative Resolution will occur later this year.

If adopted, the two General Waste Discharge Requirements will provide regulatory coverage for over 6,000 commercial irrigated and non-irrigated agricultural operations within the jurisdictional boundaries of the San Diego Water Board.

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)
Blue = Completed 2016 - 2010 (C2016 - C2010)
Gray = Suspended or No statewide effort at this time or Pending (P)
Note: * indicates Board Priority

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	Onsite Wastewater Treatment Systems (OWTS) Policy Implementation	2016-07-25 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.	Statewide	SB	N/A	N/A

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	2016-07-13 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	2016-08-03 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
*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)	2016-08-31 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 19th. The Comment period closed on August 18. Staff is reviewing comments and working on revisions to the policy.	Statewide	SB	2016-07-19	TBD
*A-17	Maximum Contaminant Level (MCL) for 1,2,3-Trichloropropane (1,2,3-TCP)	2016-08-03 Division of Drinking Water staff are in the process of drafting the regulation and are working on the CEQA analysis, developing the Standardized Regulatory Impact Assessment (Major Regulation), and the external scientific peer review. Staff held focused stakeholder meetings in Visalia, Fresno, and Bakersfield in May and early June and held public workshops in Sacramento (July 20), Bakersfield (July 26), and Fresno (July 28) where the preliminary staff recommendation for an MCL was presented to the public. These meetings and workshops will be followed by a public comment period and public hearing in fall/winter 2016. Staff anticipate a Board Adoption date in early 2017, and then provide the regulations package to OAL for its review and approval. The MCL is anticipated to be effective in the spring/summer of 2017.	Statewide	SB	2016-9-1	2017

Status Code ▼	Policy/Significant General Permit	Last Updated / Status	Statewide / Regional Project	Org. Lead	Target Release Public Comment	Target Board Meeting Date
*A-17	Phase II update of the Bay-Delta Plan: Comprehensive Review	2016-07-13 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	2016-07-06 Water Board staff is developing a methodology to implement and 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 (HTWG), are collaborating on studies that will assist in the development, testing, and implementation of Phase II SQOs. Staff presented an information item to the State Board on October 7, 2015. The SQO's are under development. Staff anticipates that the case study and test drive will be completed by late this year, followed by release of draft documents in February 2017.	Statewide	SB	2017-02-17	2017-05-17
A	Blue Green Algae Action Levels	2016-08-02 State Water Board staff is working with a multi-agency workgroup consisting of the Water Boards, California Department of Public Health, Office of Environmental Health Hazard Assessment, and United States Environmental Protection Agency to update the Draft Voluntary Guidance Document for California CyanoHABs (CCHABs) related to monitoring and posting public notices of warning or closure. Staff is also coordinating with the Water Quality Monitoring Council CCHAB workgroup on issues related to CCHABs.	Statewide	SB		NA

Status Code ▼	Policy/Significant General Permit	Last Updated / Status	Statewide / Regional Project	Org. Lead	Target Release Public Comment	Target Board Meeting Date
A	Cadmium Objective and Hardness Implementation Policy	2016-06-06 The Hardness Implementation Policy is now a separate project from the updated Cadmium Objectives Project. U.S. EPA has updated its 304(a) recommended criteria for acute and chronic freshwater and saltwater aquatic life beneficial uses. However, the freshwater criteria are less stringent than required by the Endangered Species Act biological reviews of the California Toxics Rule in 2000 and the 2002 U.S. EPA acute cadmium criterion for freshwater adopted by the State of Oregon. Because Oregon shares Evolutionarily Significant Units for listed (threatened or endangered) species with Northern California, staff is awaiting the outcome of a rulemaking by U.S. EPA specific to Oregon. The rulemaking is expected to be finalized in summer 2016. Staff is developing proposed policy options for statewide cadmium objectives given this complex set of national and regional U.S. EPA cadmium criteria.	Statewide	SB	2019-06-30	2019-10-30
A	Chlorine Amendment	2016-06-21 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. This action is a priority for U.S. EPA.	Statewide	SB	TBD	TBD
A	Natural Sources	2016-06-21 A draft natural source issue paper has been submitted to the Basin Planning Roundtable for review and comment. Issues include recommendations for making designations where natural background exceeds the water quality objectives. The Regional Board staff and U.S. EPA agreed that additional work was needed to define a "Natural" source.	Statewide	SB	TBD	TBD
A	Once-Through Cooling Policy - Diablo Canyon Closure	2016-08-30 In June 2016, PG&E, labor and environmental groups announced a proposal to phase out nuclear power at the Diablo Canyon power plant by 2025. Staff is evaluating the need to amend the Once-Through Cooling Policy to accommodate the agreement schedule.	Statewide	SB		
A	SB 83, Section 45 - Produced Water Pond Report	2016-08-24 The State Water Board posted on its website a status report on the regulation of oil field produced water ponds within each region on July 29, 2016. Link to report: http://www.waterboards.ca.gov/water_issues/programs/groundwater/sb4/index.shtml . 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	2016-08-15 State Water Board staff is developing the draft permit language for the reissuance of the current Statewide Storm Water Construction General Permit (also referred to as the CGP). The proposed CGP reissuance will include implementation of Total Maximum Daily Loads (TMDLs) and revisions to update the CGP requirements per information collected during the term of the existing permit. Further information on the development of the proposed permit reissuance, including stakeholder outreach information, will be located on the State Water Board's Construction Storm Water Program website at: http://www.waterboards.ca.gov/water_issues/programs/stormwater/construction.shtml	Statewide	SB	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	Suction Dredge Mining Activity	2016-08-30 Senate Bill 637 updated the Water Code and Fish and Game Code to allow issuance of permits for suction dredge mining if certain conditions are certified by the Department of Fish and Wildlife and if permits are issued by the Department of Fish and Wildlife, but only once a permit is issued by the State Water Board. Accordingly, the State Water Board may resume the effort to develop a statewide general permit or other regulatory framework. Senate Bill 637 first requires Water Boards staff to conduct stakeholder outreach in areas where Department of Fish and Wildlife suction dredge mining permits were issued before the moratorium was imposed. Water Boards staff will conduct public outreach in Fall 2016.	Statewide	SB		
A-16	Big Creeks Projects - Clean Water Act, Section 401, Water Quality Certification	2016-08-03 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	September 2016	Not applicable
A-16	Nonpoint Source (NPS) Implementation and Enforcement Policy Amendments	2016-08-26 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 Quality Control Board regulation of nonpoint source wastewater discharges. A draft for public review is tentatively scheduled for release in October 2016.	Statewide	SB	2016-09-07	2016-12-06
A-16	Petition Order for Central Valley Regional Board's Eastern San Joaquin Agricultural Order	2016-07-25 On February 8th, 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.	Statewide	SB		
A-16	Report to Legislature on the feasibility of developing uniform recycling criteria for direct potable reuse	2016-05-04 Division of Drinking Water staff are working with Advisory Group and Expert Panel to prepare and complete the Report to the Legislature. Water Code Section 13565(c) requires SWRCB to prepare a draft report summarizing the recommendations of the Expert Panel with respect to Research needs related to DPR by June 30, 2016. As required by Water Code section 13563, a public review draft of the report will be completed by September 1, 2016, for a 45-day public review and comment period. Staff anticipates taking an informational item to the Board on December 6, 2016.	Statewide	SB	2016-9-1	2016-12-6
A-16	Revised Total Coliform Rule	2016-05-04 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 fall 2016, with a proposed Board Adoption date of December 6, 2016.	Statewide	SB	2016-10-15	2016-12-06

Status Code ▼	Policy/Significant General Permit	Last Updated / Status	Statewide / Regional Project	Org. Lead	Target Release Public Comment	Target Board Meeting Date
A-16	State Water Board Water Quality Enforcement Policy Amendments	2016-08-31 State Water Board staff has prepared proposed amendments to the Water Quality Enforcement Policy (Enforcement Policy). In 2010, the State Water Board adopted Resolution No. 2009-0083 amending the Enforcement Policy, which was approved by the Office of Administrative Law. The Enforcement Policy establishes a methodology for assessing administrative civil liability. The use of this methodology addresses the factors that are required to be considered when imposing a civil liability as outlined in Water Code section 13385, subdivision (e). The revised Enforcement Policy was released for public comment in August 2016. State Water Board consideration is planned for Dec. 2016.	Statewide	SB	2016-08-04	2016-12-6
A-16	Surface Water Augmentation with Recycled Water Regulations	2016-08-03 The Division of Drinking Water is currently developing the regulation package for 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 has been 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 is reviewing the peer review comments and staff are determining if revisions to the regulation are necessary.	Statewide	SB		2016-12-20
A-16	Trash Water Quality Control Plan Amendments Implementation-Approved Treatment Control devices and systems	2016-08-31 On January 12, 2016, U.S. EPA approved the State Water Board Trash Water Quality Control Plan Amendments. Requirements in the Amendment include: (1) State Water Board staff development of a list of approved treatment control devices and systems that meet the requirements for certification as "full capture systems" as defined in the Trash Water Quality Control Plan Amendments, will be available to the public on the State Water Board Municipal Storm Water website (http://www.waterboards.ca.gov/water_issues/programs/stormwater/) in September 2016.	Statewide	SB	2016-09-15	
A-16	Unified Program Underground Storage Tank Surcharge Increase	2016-08-02 Underground Storage Tank (UST) Leak Prevention Program, as part of CalEPA's 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.	Statewide	SB	October 2016	
A-17	Industrial General Storm Water Permit Amendment for TMDL Implementation	2016-08-31 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 that include industrial storm water discharges as a pollutant source of water body impairment (San Francisco Bay, Los Angeles, Santa Ana, and San Diego). The public noticing periods for the four Regional Water Board's draft TMDL implementation language have closed. The Regional Water Boards will not take any board action on the proposed TMDL implementation language. State Water Board staff is reviewing all comments received during the Regional Water Board's public comment periods and developing proposed TMDL implementation language for a subsequent public comment period. State Water Board staff anticipates release of the proposed TMDL implementation language for public comment in early 2017. State Water Board consideration of the proposed permit amendment is anticipated for mid-2017.	Statewide	SB	2017-03-00	2017-08-00

Status Code ▼	Policy/Significant General Permit	Last Updated / Status	Statewide / Regional Project	Org. Lead	Target Release Public Comment	Target Board Meeting Date
A-17	2014 and 2016 California Integrated Report Adoption	2016-08-15 Staff has combined the 2014 and 2016 California Integrated Reports and scheduled them for approval at a single State Water Board Meeting not later than August 2017. This will allow the six participating Regional Water Boards (2, 3, 4, 5, 8, and 9) sufficient time to complete development of their reports and complete their Regional Water Board approval process.	Statewide	SB	2017-05-01	2017-08-08
A-17	Bacteria Standards for Ocean and Inland Surface Waters	2016-07-25 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 pathogens. The bacteria objectives are proposed to be adopted as amendments to the Statewide Inland Surface Waters, Enclosed Bays and Estuaries Plan, and the California Ocean Plan. Staff plans to release draft documents for public review and comment in November of 2016. State Board Web site: http://www.waterboards.ca.gov/bacterialobjectives/	Statewide	SB	Nov 2016	July 2017
A-17	Environmental Laboratory Accreditation Regulations	2016-07-21 Division of Drinking Water staff have drafted updated regulations governing the accreditation of laboratories under the Environmental Laboratory Accreditation Program (ELAP). The updated regulations clarify the roles of State Water Board lab auditors and the laboratories to ensure efficient, effective, and flexible implementation of ELAP. The draft regulations are under internal review and staff anticipate compiling the final regulation package in the last quarter of 2016 and initiate the rule-making process in the 2nd quarter of 2017.	Statewide	SB		
A-17	Mercury TMDL and Water Quality Objectives (Reservoirs)	2016-08-31 Staff from Regions 2&5 and State Water Board are developing a TMDL and implementation plan to address fish mercury impairments in about 150 reservoirs around the state. Staff is preparing the scientific and technical analysis (source analysis, linkage, targets, allocations, and implementation plan options), and regulatory provisions for the implementation plan. Staff met reservoir owners and other stakeholders in early June 2016. Staff is developing a survey for reservoir owners to provide info on current reservoir management practices.	Statewide	R5	2016-12-01	2017-06-01
A-17	Mercury Water Quality Objectives & Implementation	2016-08-23 In coordination with the Reservoir Mercury TMDL team, staff is preparing mercury water quality objectives and a plan of implementation. Scientific peer review was initiated on May 1, 2016, and the scientific reviewers' comments are expected on October 1, 2016. The draft staff report and the draft regulatory language are expected to be released to the public in early 2017.	Statewide	SB	2017-03-01	2017-05-01

Status Code ▼	Policy/Significant General Permit	Last Updated / Status	Statewide / Regional Project	Org. Lead	Target Release Public Comment	Target Board Meeting Date
A-17	Phase II Small Municipal Separate Storm Sewer System (MS4) Permit Amendment	2016-08-31 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) and the permit Fact Sheet. The proposed amendment includes:(1) new and revised implementation requirements based on corresponding TMDL wasteload allocations, and (2) final compliance dates for the new and revised implementation requirements. In 2015, an informal draft amendment was released to Regional Water Quality Control Board staff and permittees for administrative review, and subsequent workshops were conducted throughout the state as requested. The draft amendment was changed and the Fact Sheet rewritten to provide history and basis for the TMDL Amendment. Issuance of the draft amendment for public review and comment is tentatively scheduled for September 2016.	Statewide	SB	2016-09-15	2017-03-21
A-17	Statewide Aggregate General Order	2016-08-25 DWQ is preparing a statewide general order for aggregate processing facilities that discharge to land.	Statewide	SB	January 2017	April 2017
A-17	Statewide General Order for Discharges from Natural Gas Facilities	2016-08-31 State Water Board staff is working with stakeholders to develop a 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. The proposed Statewide General Order and the proposed CEQA documents will be issued for public review and comment in late 2016, with subsequent State Water Board consideration of adoption in early 2017.	Statewide	SB	2016-09-05	March 2017
A-17	Statewide General Waste Discharge Requirements for Wineries	2016-08-31 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 performed and additional outreach meetings will be scheduled.	Statewide	SB	November 2016	March 2017
A-17	Toxicity Amendments to the Inland Surface Waters, Enclosed Bays, and Estuaries Plan	2016-08-31 Focused stakeholder outreach meetings are anticipated for September and October 2016. A Board Hearing to receive public comments is anticipated in January 2017 and Board consideration in March 2017.	Statewide	SB	November 2016	March 2017
A-18	Biostimulatory & Biological integrity Project	2016-08-31 Staff has completed Focus Group outreach efforts by having Focus Group meetings from February 2016 to June 2016. An outreach document is available for public review at the State Water Board's website on the nutrient objectives webpage. Staff plans to update the project's Regulatory and Stakeholder Advisory Groups on the technical science and information received during the focused stakeholder outreach meetings. Southern California Coastal Water Research Project (SCCWRP) staff are researching and developing the biological condition gradient(BCG) model that will be used in the assessment of the effects of nutrients on stream biological conditions. A CEQA scoping meeting is anticipated in late 2016.	Statewide	SB	2018-05-01	2018-10-06

Status Code ▼	Policy/Significant General Permit	Last Updated / Status	Statewide / Regional Project	Org. Lead	Target Release Public Comment	Target Board Meeting Date
A-18	Permanent (Regular) Regulations for Point Of Use/Point of Entry Treatment Devices	2016-04-20 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	Recycled Water Policy Update	2016-08-03 State Water Board staff is drafting a resolution for the State Water Board's consideration in Fall of 2016 regarding updating the Recycled Water Policy. Please note that this resolution is intended to outline what needs to be updated or added to the policy and direct staff to work with stakeholders to develop an updated policy and bring it to the board in the future. State Water Board staff is also developing a project charter and timeline for the next update of the Recycled Water Policy.	Statewide	SB		
A-18	Statewide Urban Pesticide Reduction	2016-08-30 The State Water Board is developing a statewide multi-agency framework for urban pesticides reduction that will be proposed as amendments to both the Inland Surface Waters, Enclosed Bays, and Estuaries Plan, and to the Ocean Plan. An multi-stakeholder project team is developing proposals for (1) A framework for interagency coordination, (2) a regional monitoring framework, and (3) suggested permit language for MS4 permittees. The project is in early development phase with outreach expected to begin in early 2017.	Statewide	SB	2017	2018
P	Antidegradation Policy	2016-07-19 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 East San Joaquin matter.	Statewide	SB		
P	Water Effects Ratios	2016-07-25 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 I update of the Bay-Delta Plan: San Joaquin River flows and southern Delta salinity.	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 September 2016, with hearings in early November. Draft plan amendment to be brought to the Board for consideration in early 2017.	Yes	SB (DWR) Les Grober
(A-17*)	Phase II update of the Bay-Delta Plan: Comprehensive Review	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 September or early October 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.	Yes	SB (DWR) Diane Riddle
(A*)	Russian River Frost Protection Regulation	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 were due September 1, 2016.	No	SB (DWR) John O'Hagan

A-16	Big Creek Projects	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 of 2016.	Yes	SB (DWR) Erin Ragazzi
A-16	South Fork Power Project	The State Water Board is developing a water quality certification for the South Fork Power Project, a hydroelectric project owned and operated by South Feather Water and Power Agency. The water quality certification will become part of the Federal Energy Regulatory Commission license for the South Fork Power Project. The draft certification is expected to be released for public review in the First Quarter of 2017.	No	SB (DWR) Erin Ragazzi