

State Water Resources Control Board
July 17, 2012
Item 13 -- Executive Director's Report

DIVISION OF WATER QUALITY

Nitrate Pilot Projects in the Tulare Lake Basin and Salinas Valley: SBX2 1 (Perata, 2008) required the State Water Board, and other agencies (including Regional Boards), to develop pilot projects in the Tulare Lake Basin and the Salinas Valley to study nitrate contamination, identify remedial solutions and funding options to clean up groundwater. It also directed staff to prepare a report to the Legislature. The State Water Board contracted with the University of California at Davis (UCD) to produce a comprehensive, independent report. This 1,300-page report was released in March 2012. Information on the UCD report is posted on the SBX2 1 Web site (http://www.waterboards.ca.gov/water_issues/programs/nitrate_project/index.shtml). The State Water Board held a public workshop on Wednesday, May 23, 2012, to take public input on the options outlined in the UCD Report. Water Board staff are drafting the report to the legislature, which is scheduled to be completed later in the year.

Communities That Rely on Contaminated Groundwater: AB 2222 (Caballero, 2008) required the State Water Board submit to the Legislature a report that identifies communities that rely on contaminated groundwater as a primary source of drinking water. Staff worked with the California Department of Public Health and solicited input from other state agencies. The final draft report was posted on the AB 2222 Web site for public comment (http://www.waterboards.ca.gov/water_issues/programs/gama/ab2222/index.shtml). The public comment period ended on April 2, 2012. Staff finalized the draft report and submitted it for management review. The final report will be completed later this summer.

Ocean Plan Amendment - Desalination/Brine Provisions: Three studies will support the desalination/brine amendments to the Ocean Plan. A panel of five scientific experts (Brine Panel) convened to address scientific questions regarding the disposal of brine into the ocean. The Brine Panel's [final report](#) is now posted on the website.

Another Expert Review Panel (ERP) for desalination intakes and seawater intake mitigation at Moss Landing Marine Lab, has completed its [final report](#). The third scientific project conducted by the UC Granite Canyon Lab is in process to evaluate brine toxicity. A draft report has been issued by Granite Canyon Lab, and the final report is expected to be completed in July 2012 (contingent on abalone condition for testing). A Board Workshop, scheduled for June 6, 2012 was postponed to provide additional time for the completion and review of the final reports from the three studies. Staff is currently working to re-schedule the workshop for late summer 2012.

Ocean Plan Amendments - Model Monitoring, Vessels, and Marine Protected Areas (MPAs): The public hearing for the MPA amendment was held on May 1, 2012. Staff is preparing responses to comments and plans to bring these amendments back to the Board for a workshop in August 2012, and for adoption in October 2012.

On-site Wastewater Treatment System (OWTS): The State Water Board adopted the Water Quality Control Policy for Siting, Design, Operation, and Maintenance of Onsite Wastewater Treatment Systems (OWTS Policy) on June 19. Staff is now preparing the administrative record to submit to the Office of Administrative Law (OAL). Staff expects OAL approval in the latter half of September. The OWTS Policy takes effect six months after OAL approval.

Sediment Quality Objectives, Phase II: Fish and Wildlife Objectives were adopted by the Board on April 6, 2011 and approved by OAL in June 2011. The development of Phase II Human Health objectives are in progress. Staff met with stakeholders and the Agency Coordinating Committee representatives on May 24, 2012, to discuss the Scientific Steering Committee recommendations regarding human health amendments to the Enclosed Bays and Estuaries Plan. Staff is working on the suggestions from both groups.

Storm Water Caltrans MS4 Permit: The statewide NPDES permit for discharges by the California Department of Transportation of storm water from municipal separate storm sewer systems (MS4s) is being reissued. This permit is commonly referred to as the Caltrans Permit. The current Caltrans Permit (State Water Board Order No. 99-06-DWQ) was issued on July 15, 1999. The current permit regulates all storm water discharges from Caltrans-owned MS4s, maintenance facilities, and construction activities. A second revised tentative draft order was posted for public comment on April 27, 2012. The comment period for the second revised tentative permit closed on June 26, 2012. Staff is evaluating the comments received.

Storm Water Industrial General Permit: The statewide General NPDES permit for discharges of storm water associated with industrial activities (IGP) is being reissued. The current IGP is State Water Board Order 97-03-DWQ. The revisions to the IGP are expected to follow many of the approaches in the Storm Water Construction General Permit (State Water Board Order No. 2009-0009-DWQ), adopted in 2009. A draft revised IGP was circulated for review and staff level workshops were held on February 14, 2011 in the Cal/EPA Building, February 23, 2011 at the Irvine City Council Chambers, and March 15, 2011 as a webcast. A public hearing was conducted on March 29, 2011. Comments were due on April 29, 2011. In revising the draft IGP, staff has evaluated and addressed the comments received and issues raised during the public comment period. The revised draft IGP will be posted mid-July 2012.

Storm Water Phase II MS4 Permit: The statewide General NPDES permit for discharges of storm water from small municipal separate storm sewer systems (Phase II MS4 Permit) is being reissued. The current Phase II MS4 Permit is State Water Board Order No. 2003-0005-DWQ. It provides permit coverage for smaller municipalities, including non-traditional small MS4s, which are governmental facilities such as military bases, public campuses, and prison and hospital complexes. Revisions to the Phase II Small MS4 Permit are expected to follow many of the approaches in the Storm Water Construction General Permit (Order No. 2009-0009-DWQ). On June 7, 2011, staff released a draft revised Phase II MS4 Permit for public review and comments were due on Monday, August 8, 2011. A second draft revised permit was posted for public comment on May 21, 2012. This draft reflects comments received on the June 7, 2011 draft, the public workshop, and discussions held with a broad cross-section of the stakeholder community. The 60-day comment period will close on July 23, 2012. A public hearing on the revised draft permit has been scheduled for August 8, 2012.

Storm Water Construction General Permit: As a result of a court order, staff is proposing to amend the Storm Water Construction General Permit (State Water Board Order No. 2009-0009-DWQ) to remove language addressing numeric effluent limits. The draft amendment and notice of opportunity to comment were posted on the State Water Board's Web site on March 30, 2012. The public comment period closed on May 14, 2012. The amendments will be presented to the State Water Board for consideration of adoption at its July 17, 2012 meeting.

Toxicity Policy: The draft "Policy for Toxicity Assessment and Control" proposes numeric toxicity objectives, a standardized method of data analysis, corresponding monitoring and reporting requirements, and provisions for compliance determination. Staff has completed and released to the public a revised policy, staff report, economic report and responses to scientific peer review. A Board hearing is scheduled for August 21, 2012, concurrent with the close of the public comment period. Consideration for adoption is expected in the fall of 2012.

Trash – Amendments to Statewide Plans: Staff continues to work with the public advisory group (PAG) to develop a policy to address trash in waters of the State. The PAG consists of 10 individuals who have knowledge and expertise relative to trash and debris. A preliminary draft Staff Report/Substitute Environmental Document (SED) has been prepared. On May 22, 2012, staff met with the PAG to discuss the policy and draft SED. Staff is currently working on edits to the draft SED and the amendments to statewide water quality control plans. The target for release of the Draft SED and amendments for public comment is September 2012, initiating the formal public planning process for this project.

Once-Through Cooling: Staff is working with power plant operators on evaluating implementation plans. Meetings have been held with Genon (November 14, 2011) and Dynegy (January 9, 2012). The Los Angeles Department of Water and Power and the Cal Independent System Operator each submitted their 2011 Grid Reliability Report in December 2011. Staff has been working with the Interagency Working Group (IAWG) to review implementation plans from the power plant operators, and the grid reliability studies.

Staff is also meeting with the Nuclear Review Committee and the consultant (Bechtel) on the Special Studies regarding alternatives for the two nuclear generating plants (SONGS and Diablo Canyon). The next meeting is scheduled for July 26, 2012.

NPDES permitting is progressing. Staff of the San Francisco Bay and State Water Boards is drafting the first permit to be brought before the State Water Board, which will be for the Pittsburg Power Plant. State Water Board staff anticipates taking the item to the State Water Board in the fall of 2012.

Wetland and Riparian Area Protection Policy: Staff has revised the policy document to include proposed dredge and fill procedures. To reflect this change, the policy has been renamed the "Wetland Area Protection and Dredge and Fill Policy." Separate regulations will not be pursued and instead, the project is now one policy document that includes all elements of Phase 1: a wetland definition, a wetland delineation method, an assessment and monitoring framework, and supplemental dredge and fill procedures. On March 9, 2012, the draft policy was posted for public informational purposes only at:

http://www.waterboards.ca.gov/water_issues/programs/cwa401/wrapp.shtml

Staff are currently revising the draft Substitute Environmental Document and finalizing responses to the wetland definition peer review. The policy and SED are scheduled for public release in late summer 2012.

Sanitary Sewer System Waste Discharge Requirements (SSS WDRs): Staff is updating only the MRP at this time with expected re-issuance by the Executive Director in November of 2012. Updating of the WDRs will proceed at a later date. A draft of the MRP has been prepared and stakeholder meetings in Northern and Southern California are being scheduled for late July and early August. A final draft of the MRP will be routed for review in September-October, 2012.

Statewide Policies/Significant General Permits: See attached Appendix 1. It provides the current status of pending Statewide Policies and Significant General Permits. Please visit: http://waternet/dwq/policies_permits/.

Irrigated Lands Regulatory Program Update Report: See attached Appendix 2.

DIVISION OF WATER RIGHTS

Received Fisheries Agencies Responses Related to Petition to Re-open and Amend Oroville Hydroelectric Project's Water Quality Certification:

On April 20, 2012, the Golden Gate Salmon Association and California Sportfishing Protection Alliance submitted a petition to the State Water Board related to the water quality certification the State Water Board issued for the Oroville Hydroelectric Project on December 15, 2010. The petition requests the State Water Board re-open and amend the water quality certification due to new information and concerns that the flow requirements in the water quality certification are not adequate to allow for the successful migration and spawning of North American green sturgeon (listed as threatened under the Federal Endangered Species Act) in the Feather River. The State Water Board sent letters to the National Oceanic and Atmospheric Administration's National Marine Fisheries Service (NMFS) and the California Department of Fish and Game (CDFG) on May 23, 2012, requesting input regarding the petition. On June 26, 2012, the State Water Board received a response letter from NMFS. CDFG also responded to the State Water Board in a letter dated June 27, 2012. Division of Water Rights staff is evaluating the petition, and responses from CDFG and NMFS. The petition and response letters from NMFS and CDFG are available on our website at:

http://www.waterboards.ca.gov/waterrights/water_issues/programs/water_quality_cert/ceqa_projects.shtml#oroville

Order Issued Approving Extension of the Temporary Suspension of Flushing Flow Requirements for Pit 1 Hydroelectric Project:

On March 22, 2012, Pacific Gas and Electric Company (PG&E) submitted a letter to the State Water Board requesting the continued suspension of flushing flows for its Pit 1 Hydroelectric Project (Project), Federal Energy Regulatory Commission (FERC) Project No. 2687. Flushing flows were required in the water quality certification issued for the Project on December 4, 2010 to control nuisance aquatic vegetation and mosquito production in Fall River Pond. In late 2009 and early 2010, the State Water Board received letters from PG&E, the United States Fish and Wildlife Service, and FERC requesting the suspension of flushing flows under the thought that such flows are likely resulting in take and are facilitating the decline of the endangered Shasta crayfish in the Pit 1 Bypass Reach. Before the State Water Board can permanently suspend flushing flows the impacts of such actions must be evaluated under the California Environmental Quality Act (CEQA). In this case, these flushing flows were also being used for whitewater boating (a beneficial use of this river) and the permanent suspension would cause an impact that needs to be adequately evaluated.

Order WQ 2010-0009-EXEC, issued on July 6, 2010, originally suspended the flushing flows for two years to allow PG&E to complete the evaluation of any permanent actions under CEQA. PG&E was unable to complete all of the studies necessary to satisfy the requirements of CEQA, and requested an additional year. On June 14, 2012, the State Water Board issued Order 2012-0008-EXEC, which extended the suspension of flushing flows through the 2012 calendar year. The Order and other Project-related information is available online at: http://www.waterboards.ca.gov/waterrights/water_issues/programs/water_quality_cert/ceqa_projects.shtml#ferc2687.

Release of Draft Water Quality Certification for the Eagle Mountain Pumped Storage

Project: The Eagle Crest Energy Company (ECE) is currently undergoing licensing of its Federal Energy Regulatory Commission (FERC) Project No. 13123, Eagle Mountain Pumped Storage Project (Project). Before FERC can issue a new license, ECE must receive a water quality certification from the State Water Board. The State Water Board released the Project's Draft Water Quality Certification for public comment on June 27, 2012. The public comment period will end at Noon (12:00 PM) on July 27, 2012. The notice and Draft Water Quality Certification can be found at:

http://www.waterboards.ca.gov/waterrights/water_issues/programs/water_quality_cert/ceqa_projects.shtml#eagle

Coordination with Resource Agencies on Sacramento River Tributaries: Division of Water Rights Public Trust Unit staff continues to coordinate with staff of the California Department of Fish and Game (DFG) and the United States Fish and Wildlife Service (USFWS) on in-stream flow issues and concerns. As part of this effort, Public Trust Unit staff toured several priority Sacramento River tributaries with DFG and USFWS in the month of June. The tours provided a first-hand look at the prevalent issues specific to each tributary and facilitated interagency discussion. Additionally, the Public Trust Unit's staff assisted DFG staff with field data collection for the Mill Creek Fish Passage Study. The next quarterly Interagency In-stream Flow Workgroup meeting, which includes staffs from the DFG, USFWS, National Marine Fisheries Service, and State Coastal Conservancy, will be held in August.

Requests Related to Spring Gap-Stanislaus Hydroelectric Project's Water Quality

Certification: State Water Resources Control Board (State Water Board) staff received three items related to the Spring Gap-Stanislaus Hydroelectric Project's (Project's) water quality certification. The Project is owned by Pacific Gas and Electric (PG&E) and is located on the Middle and South Forks of the Stanislaus River above New Melones Reservoir. Item 1: Per State Water Board Order WR 2009-0029 (Order), PG&E requested a variance to lower Pinecrest Reservoir lake level by two additional feet to 5,606 feet this summer. (The water quality certification sets the minimum Pinecrest Reservoir lake level at 5,608 feet.) PG&E is requesting the water on behalf of the Tuolumne Utilities District (TUD), which needs the water from Pinecrest Reservoir to fill Lyons Reservoir (TUD's water supply). Item 2: Per the Order, in a letter dated December 16, 2011, PG&E requested a modification to the Project's water quality certification to make long-term adjustments to lower the minimum lake level elevation of Pinecrest Reservoir. Item 3: In November 2011, a complaint was filed with the California Environmental Protection Agency claiming that the water delivered to TUD from the Project represents a waste and unreasonable use of water. The complaint was delegated to the State Water Board, and is under consideration relative to Items 1 and 2.

PG&E's request for a variance of the 2012 Pinecrest Reservoir lake level to 5,606 feet (Item 1) was approved with conditions. State Water Board staff plan to hold a workshop in August to discuss the long-term request to modify the Pinecrest Reservoir lake level in the Project's water quality certification (Item #2). A copy of the requests for variance and for the longer term adjustments to the water quality certification are available online at:

http://www.waterboards.ca.gov/waterrights/water_issues/programs/water_quality_cert/ceqa_projects.shtml#ferc2130

Public State Water Board Workshops in Support of the Review and Update to the 2006

Bay-Delta Plan: On June 22, 2012 the State Water Board released a "Notice of Public Workshops and Request for Information on the Comprehensive (Phase 2) Review and Update to the 2006 Water Quality Control Plan for the San Francisco/Sacramento-San Joaquin Delta Estuary" (Bay-Delta Plan). The purpose of the workshops is to receive new information since the 2009 Staff Report and the 2010 Delta Flow Criteria Report that can be used to inform the State Water Board members and staff on what, if any, changes should be made to the Bay-Delta Plan. The workshops topics are (1) Ecosystem Changes and the Low Salinity Zone (September 5, 2012 and continuing on September 6, 2012, if necessary), (2) Bay-Delta Fishery Resources September 18 and 19, 2012 and continuing on October 1, 2012, if necessary) and (3) Analytical Tools for Evaluating Water Supply, Hydrodynamic and Hydropower Effects (October 2 and 3, 2012).

The workshops will be facilitated by Dr. Brock Bernstein, a sub-contractor for ICF International. Each workshop will include a presentation by an invited panel organized by Dr. Peter Goodwin, the Lead Scientist for the Delta Stewardship Council's Science Program, interest panels organized by Dr. Bernstein and an opportunity for public comment. The workshops will also include time for questions directed to panelists by the State Water Board and its staff. The due date to express interest in participating in a panel is July 6, 2012. The proposed panels are listed below, but may change based on discussions between Dr. Bernstein and participants:

- Invited panel (organized by the Delta Stewardship Council Lead Scientist)
- State and federal regulatory agencies/fishery agencies panel
- State and federal resource management agencies panel
- Environmental/non-governmental organizations panel
- In-Delta water interests panel
- State Water Project/Central Valley Project contractors panel
- Sacramento Valley water suppliers panel
- San Joaquin Valley water suppliers panel

Workshop participants are required to submit to the State Water Board written information, including scientific and technical reports and summaries, responsive to the workshop questions approximately two weeks prior to each of the workshops. Following the workshops, Dr. Bernstein will develop a draft summary report on the workshops' key points, including areas of agreement and disagreement, sources of disagreement and degree of certainty. Once the draft report is released, participants will have an opportunity to comment on the report before it is final. After the report is final, Dr. Bernstein will present the summary report to the State Water Board.

Water Rights Permitting and Licensing Activities for FY 11/12: During FY 2011/12, the Permitting and Licensing Section of the Division of Water Rights issued 17 water right permits, 29 water right licenses, 30 registration certificates and orders for 108 change petitions. The 17 permits were issued for projects located in 10 counties throughout California and reflect a combined right to a total of 513,543 acre feet of water each year. On January 1, 2012, the Permitting Section merged with the Licensing Unit to form the new Permitting and Licensing Section.

Sonoma County Water Agency Request to Temporarily Reduce Minimum Instream Flow Requirements for the Russian River: On April 9, 2012, the Sonoma County Water Agency (SCWA) filed a temporary urgency change petition requesting a temporary reduction of the minimum instream flow requirements in the Russian River required by State Water Board Decision 1610 in order to comply with mandates contained in the 2008 National Marine Fisheries Service (NMFS) Biological Opinion. On April 25, 2012, the Division of Water Rights issued a public notice of the petition, allowing a 30-day period during which interested parties can provide comments and/or objections. Pursuant to Water Code section 1438, the Division may approve a temporary urgency change petition in advance of the public notice. On May 2, 2012, the Division issued an Order approving the requested temporary change. On May 17, 2012, the Division received an objection from Richard Morat, and Division staff is in the process of responding to the objection. On May 24, 2012, the Division received a letter from NMFS requesting temporary urgency reductions to the flow in the Russian River beyond that contained in the temporary Order and new temporary urgency reductions to flow on Dry Creek. Division staff received additional information from NMFS on June 15, 2012, and is in the process of responding to the request. The Division may modify the Order, if warranted, pursuant to Water Code section 1439. The SCWA filed a similar petition in 2011 that was approved by the Division.

Policy for Maintaining Instream Flows in Northern California Coastal Streams Volume Depletion Approach Study Contract Executed: On June 11, 2012, the Department of General Services awarded a contract to Stetson Engineers, Inc. to conduct a study required by the State Water Board's Policy for Maintaining Instream Flows in Northern California Coastal Streams. Policy section 10.4.1 requires the State Water Board to commence and complete as soon as possible, but within no more than five years, a study to determine whether the volume depletion approach described in Policy section A.1.8.3 effectively protects fishery resources. The volume depletion approach is applicable only to onstream reservoirs on Class II and III streams, which allows diversion to occur without restrictions (no minimum bypass flow, rate of diversion, or season of diversion) depending on the extent of change in seasonal flow volume in downstream fish bearing streams. The Division of Water Rights anticipates that field work will be completed by the middle of 2013 and a peer-reviewed report on the study's results will be completed by March 2014.

Petition for Reconsideration of Rejection of Water Right Applications A031923 and A031924: On June 16, 2012, the Division of Water Rights received a petition for reconsideration of the rejection of water right applications A031923 and A031924. In early February 2012, Theodore F. and Diane E. Richardson Living Trust and Ronald and Lisa Sutton submitted water right applications for existing onstream reservoirs on unnamed tributaries to Feliz Creek in the Russian River watershed in Mendocino County. The State Water Board's Policy for Maintaining Instream Flows in Northern California Coastal Streams states that water right applications for reservoirs built with an onstream dam on streams designated as a class I or II stream will not be accepted. Division of Water Rights staff, after review of available material and site visits, determined that sufficient habitat indicators were present in the vicinity

of the dams to support an initial determination that the dams are on class I or II streams. Division staff is currently reviewing the petition for reconsideration.

DIVISION OF FINANCIAL ASSISTANCE

Program Activity:

Cleanup and Abatement Account:

- On June 5, the Division of Financial Assistance (DFA) approved the City of Davis' Chromium-6 Pilot Study Project for \$100,000 to provide bench-scale testing of hexavalent chromium and nitrate removal technology for groundwater cleanup.
- For other previously approved projects, 15 disbursements were made between June 1, 2012, and June 30, 2012, totaling \$352,010.

Site Cleanup Program:

- A total of \$2,012,617 was collected during the month of June.

Cleanup Fund/ Underground Storage Tanks: The following are the dates the Cleanup Fund is currently paying out by priority:

- Priority A – Paying out all reimbursements to date
- Priority B – Reimbursement Requests received through 3/01/2012
- Priority C – Reimbursement Requests received through 5/01/2012
- Priority D – Reimbursement Requests received through 6/01/2012

Underground Storage Tank Cleanup Fund: The UST Cleanup Fund has posted fiscal year (FY) 2012/13 annual site budgets as part of the second year implementing the new business model pursuant to the 2009 external audit and task for recommendations. The FY 2012/13 annual site budget amount is \$169 million, which is significantly more than the amount available last year. The amount is higher because the most of the remaining old costs for active claims will have been paid off during FY 2011/12 (\$124 million requested to date out of \$130 million budgeted). All eligible Priority A, B, and school districts claims are being activated. Priority C and D claims are being funded at the statutorily mandated 14 percent limit. Although there were insufficient funds in

FY 2011/12 for startup of new remediation systems, during FY 2012/13 initial budgets for startup of Priority A, B, and school district claims have been posted with additional funding available based on additional remediation system information being provided.

Reimbursement requests for FY 2011/12 claims on annual site budgets are low at year end (\$43 million requested to date out of \$89 million budgeted). The UST Cleanup Fund is encouraging claimants to submit reimbursement requests for costs incurred as part of approved site budgets before September 30 in order to avoid unknown delays in reimbursement if submitted after that date. As long as these budgets are encumbered, the funding cannot be requested in future years for re-appropriation and use for future reimbursement requests.

During FY 2011/12, the UST Cleanup Fund has performed 1393 five-year reviews. Of those, the fund has recommended 399 (29%) for further corrective action, has concurred with current corrective action for 404 (29%), and recommended 586 (42%) be closed. One claim was closed because it has exceeded the \$1.5 million cap. Regulatory agencies closed three cases during the five-year review and 233 cases following the five-year review. During FY 2011/12, the State Water Board closed six of these cases, upon recommendation of the UST Cleanup Fund Manager.

Stormwater Grant Program (SWGP): The SWGP Implementation Round 1 Full Proposal solicitation closed on June 27, 2012. Thirty-three full proposal applications were received. Technical staff from DFA, the Division of Water Quality, and the Regional Water Boards will review funding applications through mid-August.

The SWGP Planning and Monitoring Draft Funding Recommendation list was posted to the SWGP website on June 28, 2012. The draft funding list includes 18 projects requesting \$8.9 million in grant funds.

Clean Beaches Initiative (CBI) Grant Program: DFA has opened a Solicitation and is accepting applications for the Clean Beach Initiative Grant Program (CBI Grant Program). The CBI Grant Program is used to provide funding for projects that restore and protect the water quality and the environment of coastal waters, estuaries, bays, and near shore waters. \$49.5 million is available for eligible research and implementation projects. Revised Guidelines, adopted June 5, 2012, contain an overview of the grant process, eligibility requirements, program priorities, and other information. Information on the program can be found at: http://www.waterboards.ca.gov/water_issues/programs/beaches/cbi_projects/index.shtm

Proposed Amended Wastewater Operator Certification Regulations: The State Water Board will hold a public hearing to accept comments on the proposed amendments to the regulations for the Wastewater Operator Certification Program. The public hearing will be held during the scheduled Board meeting on August 7, 2012, which begins at 9:00 a.m. Written comments are due by the close of business on July 30, 2012.

The proposed regulations are currently posted on the website at http://www.waterboards.ca.gov/water_issues/programs/operator_certification/

The proposed changes to the regulations include:

1. Increasing existing fees in order to provide additional revenue necessary to operate the Operator Certification Program;
2. Establishing a provisional operator certificate to help Small Communities Class I WWTPs train and retain qualified operators when the owner has had difficulty hiring a certified operator to operate the WWTP; and
3. Replacing the limited reciprocity provision in existing regulations with an examination waiver that will be available for eligible applicants with current certification from another state, a territory, or an Indian tribe certifying body.

Examination Results: The Office of Operator Certification administered the Wastewater Operator Certification Examination on Saturday, March 31, 2012. A total of 823 applicants were approved to take the exam; 736 examinees attended. Out of the 736 attendees, 433 were successful in passing the exam, which is a 59 percent pass rate. The exam notification letters were mailed to all examinees on June 15, 2012.

State Revolving Fund:

**CITY OF TULELAKE
TULELAKE WASTEWATER PROJECT**

The City of Tulelake, located in Siskiyou County, owns and maintains a collection system and wastewater treatment plant (WWTP). The North Coast Regional Water Quality Control Board issued a Cease and Desist Order No. R1-2004-0074, Administrative Civil Liability (ACL) Complaint No. R1-2006-0070, and ACL Complaint No. R1-2007-0045, to the City for violations related to coliform, biochemical oxygen demand, total suspended solids, and chlorine residual. The Project will help the City achieve compliance by replacing sections of pipeline, repairing two lift stations, upgrading the WWTP, and constructing a new wetland disposal site. The City qualifies as a small, severely disadvantaged community.

Total CWSRF Financing: \$3,626,150 in Principal Forgiveness Funds.

**DELTA DIABLO SANITATION DISTRICT
RECYCLED WATER ADVANCED TREATMENT FACILITIES PLAN OF STUDY**

The Delta Diablo Sanitation District provides wastewater service to approximately 200,000 residents and recycled water service to two power plants, two golf courses and several parks. On average, the District treats 13.4 mgd of wastewater. There are 338 miles of sanitary sewer pipelines tributary to the Wastewater Treatment Plant, of which the District owns and operates approximately 45 miles within Bay Point and the cities of Antioch and Pittsburg. The wastewater receives primary and secondary treatment, chlorination and de-chlorination before it is discharged or sent to the District's Recycled Water Facility for tertiary treatment. The Study will analyze a Capital Improvement Program and a Phasing Plan, along with various recycled water alternatives including treatment and distribution. The Study will result in a comprehensive Master Plan for the District's service area that will include a detailed Facilities Project Plan in accordance with Appendix B of the Water Recycling Funding Program Guidelines.

Total WRRFP Plan of Study Financing: \$75,000.

OFFICE OF ENFORCEMENT

Administrative Civil Liability (ACL) Actions During June 2012:

a. ACL Complaint(s) Issued

Region	Discharger/Facility	Violation(s) Addressed	ACL Complaint Amount	Date Issued
WATER QUALITY				
1	City of Rio Dell / Wastewater Treatment Facility	Effluent limit violations (TSS, BOD, coliform, copper, and a THM) and late reporting violations	\$366,000 (MMP)	6/14/2012
2	Mayhew Center, LLC	Failure to submit site investigation workplan pursuant to 13267 order	\$16,942	6/18/2012

3	South San Luis Obispo County Sanitary District	Sewage spills totaling 1,139,825 gallons of raw and untreated sewage to US waters.	\$1,383,008	6/19/2012
4	Waymire Drum Co./ Mitchell Investors, LLC	Violating requirements contained in Regional Board CAO Order No. R4-2010-0095	\$90,515	6/22/2012

WATER RIGHTS				
WR	Nancy K. Donovan and Stephen J. Peters	Unauthorized diversion of water within the Navarro watershed	\$40,000	6/14/2012
WR	Robert C. Mann and The Robert C. Mann 1999 Trust	Unauthorized diversion of water within the Gualala watershed	\$66,000	6/14/2012

b. ACL Order(s) Issued

Region	Discharger/Facility	Violation(s) Addressed	ACL Order Amount	Date Issued
WATER QUALITY				
2	Blommer Chocolate	Failure to timely submit annual report per ISW General Permit	\$4,000	6/19/2012
2	Sanitary District #1 of Marin County (also referred as Ross Valley Sanitation District)	Sewage spills totaling 2,384,789 gallons of raw sewage to US and state waters	\$1,539,100	6/20/2012
2	Uni Tile & Marble	Failure to timely submit annual report per ISW General Permit	\$3,000	6/19/2012
4	GID Investment Advisers, LLC/Sea Castle Apartments	Reporting violations (72) and Effluent limit violations (17)	\$42,000	6/15/2012
5S	Antonio P and Mary R Bettencourt 1993 Living Trust & Tom Bloomfield, Lessee and F.A. Maggiore & Sons, LLC, Sublessee	Failure to comply with a conditional waiver of San Joaquin County & Delta Water Quality Coalition that limits sediment load discharges and increases to turbidity from discharges	\$10,000	6/15/2012
5S	City of Live Oak / Live Oak City Wastewater Treatment Plant	Effluent limit violations (Ammonia, pH, Aluminum, Cyanide)	\$288,000 (MMP)	6/22/2012
5S	City of Williams / Williams Wastewater Treatment Plant	Effluent limit violations (TSS, BOD, coliform, Dichlorobromomethane, Chlorobromomethane)	\$222,000 (MMP)	6/22/2012
5S	Maxwell Public Utilities District / Wastewater Treatment Plant	Effluent limit violations (pH, Ammonia, BOD, TSS, Coliform, Dichlorobromomethane, Chlorobromomethane)	\$429,000 (MMP)	6/22/2012
7	California Department of Corrections / Rehabilitation, Centinel State Prison Wastewater Treatment Plant	Effluent limit violations (TSS, chlorine residual, selenium, and Enterococci bacteria)	\$18,000 (MMP)	6/21/2012

Region	Discharger/Facility	Violation(s) Addressed	ACL Order Amount	Date Issued
WATER RIGHTS				
WATER RIGHTS – NO ACL ORDERS ISSUED JUNE 2012				

c. Cleanup and Abatement Order(s) Issued

Region	Discharger/Facility	Action(s) Required	Date Issued
1	Grace D. Sailors / APN 019-340-39-00	Submit and implement revised restoration workplan for ongoing discharge of sediments to surface waters	6/14/2012
1	Redwood Coast Petroleum, Inc. / Highway 128 Spill at Mile Post 50.90	Submit and implement site characterization workplan, submit and implement remediation workplan, submit and implement remedial action plan (replaces 2011 CAO).	6/14/2012
5S	Henry J. Tosta and Henry J. Tosta Trust / Henry Tosta Dairy	Submit plan for removal of manure, cap pipe to irrigation canal, install controls to ensure separation of manured areas from well, locate and sample existing wells, sample slurry manure area groundwater, submit revised waste management plan, and implement remedial actions within 360 days.	6/11/2012
5S	Henry J. Tosta and Echeverria Brothers Dairy General Partnership / Reeve Road Heifer Ranch	Cease on-site burials of dead cows, remove buried dead animals, sample groundwater in vicinity of burial area, remove wastewater and manure from lagoon, remove manure and bones from area south of lagoon, repair well pads, and perform any necessary groundwater remediation.	6/11/2012
5S	Skyview Terrace Mobile Home Park LLC / Skyview Terrace Mobile Home Park	Submit a revenue plan, contingency plan, pH and TSS compliance report, progress reports, and a capacity improvement workplan and report	6/26/2012
7	Leo J. Escher, Escher Oil Co., Coachella	Submit and implement site characterization workplan, submit and implement feasibility study, and submit and implement remedial action plan	6/21/2012

Judicial Proceedings – Fraud, Waste and Abuse Unit Prosecutions: In June, the State Attorney General’s Office, on behalf of the State Water Resources Control Board filed a civil complaint against Hayden Environmental, Inc. (HEI) and husband and wife co-owners Kurt Hayden and Julie Hayden. The complaint seeks damages, civil penalties and injunctive relief. The couple and HEI are believed to have fraudulently obtained over \$1 million from the State Water Board’s Underground Storage Tank Cleanup Fund.

HEI is a Santa Barbara-based environmental consulting firm that has been in business since 1992. HEI performs investigations and cleanups at about 20 petroleum contaminated underground storage tank sites, including: eight sites in Santa Barbara; three in Ventura; two in Ojai; and one each in Solvang, Goleta, Buellton, Lompoc, Oxnard, Reseda, and Thousand Oaks.

The civil complaint alleges that HEI and the Haydens fraudulently and negligently misrepresented invoices submitted to the Cleanup Fund to obtain overpayments or payments they were not entitled to receive. Specifically, the complaint alleges that the Haydens billed for: hours not worked; equipment not used; markup on invoices from Julie Hayden's subcontracting company, Clean Earth Equipment Corporation; and visiting multiple sites in a single day and then billing full, daily-rate vehicle charges for each of those sites. The civil complaint follows and augments the criminal complaint filed in May, 2012, against the same persons and entities.

OFFICE OF INFORMATION MANAGEMENT AND ANALYSIS

California Streams and Rivers Web Portal Launched: On May 18, 2012, the Office of Information Management and Analysis and the California Water Quality Monitoring Council launched a new Streams and Rivers Web Portal. Streams and rivers perform numerous functions and provide important services to society. They are the source of much of the water supply for California's cities, farms, and industries. At the same time, they provide essential habitat for fish and wildlife, including threatened and endangered species as well as commercially important species. The portal provides information on the health of California's streams and rivers and includes interactive graphics, maps, and monitoring data that focus on the location extent, and health of these critical aquatic resources. View the new portal at http://www.waterboards.ca.gov/mywaterquality/eco_health/streams/. Users can access important information and data about the extent and water quality condition of the state's streams and rivers, as well as actions being taken to make these ecosystems healthier.

APPENDIX 1

White = Active effort (A)	Note: * indicates Board Priority
Orange= Targeted for completion in 2012 (A-12)	Lavender= Targeted for completion in 2013 (A-13)
Green= Targeted for completion in 2014 (A-14)	
Grey = Suspended or No statewide effort at this time or Pending (P)	
Blue = Completed 2012, 2011, 2010 (C2012, C2011, C2010)	

Statewide Policies/Significant General Permits		
Status Code	Policy/Significant General Permit	Status
sort	sort	
P	Antidegradation Policy / Implementation Triennial Review	(updated: 2012-06-25) Scoping meeting held on 11/17/08. Reviewing the 30+ comment letters received. Preparing recommendation for the Board. Work delayed by petitions.
A-12	Aquatic Pesticide General Permit – Weed Control, Aquatic Application	(updated: 2012-07-02) Release of draft postponed upon request by the Association of California Water Agencies. A draft permit was released June 28, 2012, and a workshop is scheduled for August 7, 2012. Staff expects State Board consideration of the draft permit in November 2012.
A-12	Aquifer Storage and Recovery Statewide General WDRs	(updated: 2012-06-28) Central Valley Water Board and State Board staff have completed review of the draft statewide order. Staff are preparing a final draft for State Board management review. The draft CEQA document is being updated to reflect changes made to the order as part of the review. Staff anticipate taking the policy to the Board in September 2012.
A-13	Bacterial Objectives for Inland Surface Waters	(updated: 2012-07-02) DWQ staff are preparing a draft policy and a staff report for public release targeted for late 2012. Staff anticipates being able to release a policy shortly after U.S. EPA releases the final updated bacteria criteria document which is scheduled for release in October 2012 with the U.S. EPA document being final in December 2012.
A-12	Biological Objectives Development	(updated: 2012-06-05) The work to establish statewide reference condition is complete. Statewide biological scoring tools based on reference condition currently are being tested. All technical work is scheduled for completion by the end of calendar year 2012. CEQA scoping is planned for late summer/early fall 2012.
A-13	Cadmium Objective and Implementation Policy	(updated: 2012-06-05) Final internal review of draft policy and staff report prior to upcoming release for public comment. Due to loss of key staff this project is currently on hold.

A-13	Chlorine Residual Objectives and Implementation	(updated: 2012-06-06) Scientific Peer review received. Report and policy will be revised as necessary to address peer review comments. Due to loss of key staff this project is currently on hold.
A-12	Composting Facilities Statewide Waiver	(updated: 2012-06-28) Following several informal workshops and stakeholder meetings, staff drafted statewide waste discharge requirements for composting facilities. Staff scheduled two CEQA public scoping meetings on July 25th and 26th in Sacramento and Riverside, respectively. Two public workshops to solicit input on the draft order are scheduled for August 3rd and 6th in Sacramento and Riverside, respectively. The draft order is expected to be presented to the Board in October 2012.
A-12	Constituents of Emerging Concern (CEC) in Aquatic Ecosystems	(updated: 2012-06-28) The State Water Board received a final report from the scientific advisory panel on April 27, 2012. Staff plans to present an information item on the report at the September 18th State Board Meeting. The report was partially funded by a grant from the State Water Board.
P	Grazing	(updated: 2012-06-06) The Water Boards have formed a work team to develop this project (titled Statewide Grazing Regulatory Action Project or Grazing RAP). The work team is under the lead of Region R6 with active participants from R1, R2, R3, R5 and DWQ. The work team has been convened and meets monthly. At its June meeting, the work team reviewed a draft scope of work with tasks and schedule. Based on this review, a revised scope was then provided to the work team for further review and discussion at its next meeting in late July. The next step is to finalize the scope, task, schedule and staff resources needed at the July meeting, and transmit the final drafts to MCC in August for its consideration and acceptance.
A-13	Integrated Report Adoption (2012)	(updated: 2012-07-02) State Water Board Staff is developing the lines of evidence (LOEs) for the 2012 report. This effort should be completed in the fall of 2012. Regional Boards will then review the LOEs and make assessments recommendations. State Board staff will review Regional Board staff's recommendation before Regional Board Staff present their recommendations to their respective Boards for approval. Following approval by all Regional Boards, the State's Integrated Report will be presented to the State Water Board for approval before being sent USEPA. USEPA make the final approval decision on the Integrated Report and may change the State's recommendations.
A-13*	Listing Policy Update (Sediment Quality Objectives)	(updated: 2012-06-06) CEQA Scoping Meeting held on March 29, 2010. Comment period closed April 12, 2010. There was a delay due to loss of key staff. Staff has prepared amendment language to address the Sediment Quality Objectives component but further work is contingent on prioritization after the May 24, 2012 SQO meeting, see "Sediment Quality Objectives (SQOs) for Enclosed Bays and Estuaries: Phase II."
P	Marina Permit	(updated: 2012-06-05) Permit is postponed while working with other agencies and Marina and Boating groups to develop interim approaches.
P	Mercury Offset Policy	(updated: 2012-06-06) Partial economic analysis received from contractor (SAIC). No further contract funding available to complete economic analysis.
A	Mercury TMDL (Reservoirs)	(updated: 2012-06-06) A draft "framework" is being reviewed by the participating Regional Boards. The framework draws on existing TMDLs. The framework will go to Management in October. CEQA Scoping meetings were held in Sacramento, Oakland, Riverside and Redding. The comment period for CEQA Scoping ended March 30, 2012.
A-13	Methylmercury Objectives	(updated: 2012-06-05) Staff are working on a draft staff report and coordinating with efforts to develop statewide mercury TMDL. Updating economic analysis. Board Workshop targeted for fall 2012.
A	Natural Sources	(updated: 2012-06-06) A draft natural source issue paper has been submitted to the Basin Planning Roundtable for

		review and comment. Issues include recommendation for how to deal with designations where natural background exceeds the water quality objectives.
A-13	Nonpoint Source (NPS) Implementation and Enforcement Policy Amendments	(updated: 2012-06-06) The NPS Implementation and Enforcement Policy (NPS Policy) is being updated at the direction of the SWRCB to preclude the use of prohibitions of waste discharge for addressing NPS discharges for those land uses (e.g.; irrigated lands) already covered under other regulatory mechanisms (e.g.; waivers of waste discharge requirements) for which discharger enrollment fees are being assessed. Recommended language to amend the NPS Policy has been provided to OCC for their consideration and comment.
A	Nutrient Numeric Endpoints Tools	(updated: 2012-05-31) A CEQA Scoping meeting was held on October 27, 2011. Working with technical advisory groups to produce an implementation strategy document. U.S. EPA has contracted to have Nutrient Numeric Endpoint protocol updated with results of case studies and lessons learned. Technical aspects are to be peer reviewed by Fall 2012.
A-13*	Ocean Plan Amendment: desal/brine provisions	(updated: 2012-07-02) Water Board staff is working on amendments to the Water Quality Control Plans for Ocean Waters and Enclosed Bays and Estuaries to address Desalination Facilities and Brines Disposal. The amendment is currently envisioned to contain the following elements: (1) provisions to minimize adverse impacts to aquatic life associated with the intakes for desalination facilities; (2) a narrative water quality objective for salinity to ensure that brine discharges from desalination facilities and other sources do not cause adverse impacts; (3) implementation provisions. Scoping meeting took place on March 30, 2012, and several written comments were received by the April 6, 2012 deadline. Two scientific studies to support the amendments are complete. A draft report has been issued by Granite Canyon Lab for the third study on brine toxicity, which is expected to be completed in July 2012 (contingent on abalone condition for testing). The Board Workshop scheduled for June 6, 2012 was postponed, due to stakeholder request for additional time to read the final reports.
A-12	Ocean Plan Amendment: Marine Protected Areas and Water Quality Protection Areas	(updated: 2012-06-26) Draft amendment, draft SED, and public notice released January 12, 2012. The comment period ended April 18, 2012 and several comments were received. The public hearing was held on May 1, 2012. Staff is working on responses to comments and plans to bring the amendment back to the Board at an Ocean Plan amendment workshop in August 2012, and for adoption in October 2012.
A-12	Ocean Plan Amendment: model monitoring and vessel provisions	(updated: 2012-06-26) A Public Hearing was conducted on November 1, 2011. Staff is responding to comments and making edits to the Substitute Environmental Documentation and the Amendment. A workshop to present staff's proposed changes to the amendments is being scheduled for August 2012. Staff plans to bring the amendment to the Board for adoption in October 2012.
P	Off-Highway Vehicle (OHV) WDRs/Waiver	(updated: 2012-06-05) Developing concepts for WDRs/waiver for OHVs at State Parks.
P	Potable Water General Order	(updated: 2012-06-06) Not assigned due to higher priorities.
A	Rapid Diagnostic Tests for Bacterial Indicators in Coastal Waters	(updated: 2012-06-06) This project is being coordinated by the Southern California Coastal Water Research Project (SCCWRP) in collaboration with the Water Boards. Results and lessons learned transmitted to U.S. EPA for consideration in national standards setting work for a new Rapid Method. The pilot demonstration that began in Orange County (2010) was partially repeated in Los Angeles County in summer 2011. The SCCWRP Task Force, with participants from the Water Boards, will be preparing a final results report in 2012.

A-12	Recycled Water Policy Amendment - Constituents of Emerging Concern	(updated: 2012-07-02) Staff released a draft amendment to the Recycled Water Policy proposing monitoring requirements for constituents of emerging concern in recycled water on May 9, 2012. Written comments on the draft amendment were due on July 3, 2012. Concurrently with the public review, a scientific peer review is being conducted on the draft amendment and the scientific advisory panel report. Comments from the peer reviewers are due on August 1, 2012.
A-12	Sanitary Sewer System (SSS) WDR Update	(updated: 2012-07-02) After discussion with Executive Management, staff has proceeded with updating only the MRP at this time with expected re-issuance by the Executive Director in November 2012. Update of the WDRs will proceed at a later undetermined date. Staff has revised the MRP. Staff will present the draft at stakeholder meetings in Northern and Southern California in late July and early August. A final draft MRP will be routed for management review in September-October 2012.
A-13	Sediment Quality Objectives (SQOs) for Enclosed Bays and Estuaries: Phase II*	(updated: 2012-06-05) Phase II Human Health objectives in progress. Training sessions for regional board implementation of SQOs being planned. A joint meeting of the advisory committee and the agency coordinating committee took place on May 24, 2012. Staff is working on the suggestions from both groups.
A-12*	Storm Water Caltrans Permit	(updated: 2012-06-28) The statewide NPDES permit for discharges by the California Department of Transportation of storm water from municipal separate storm sewer systems (MS4s) is being reissued. This permit is commonly referred to as the Caltrans Permit. The current Caltrans Permit (State Water Board Order No. 99-06-DWQ) was issued on July 15, 1999. The current permit regulates all storm water discharges from Caltrans-owned MS4s, maintenance facilities, and construction activities. A draft Tentative Order was released for public review on January 7, 2011. The public comment period closed on March 14, 2011. A public hearing on the draft Tentative Order was held on July 19, 2011. A revised draft Tentative Order was released for public review and comment on August 18, 2011. A workshop on the revised draft was conducted on September 21, 2011. Staff met with Caltrans on a bi-weekly basis in October through December 2011, to identify and resolve concerns upraised at the hearing, workshop, and in written comments. A second revised draft tentative order was posted for public comment on April 27, 2012, and a staff workshop was held on May 21, 2012. The comment period for the second revised draft closed on June 26, 2012. A public hearing is planned for August 2012, and staff intends to submit the Tentative Order for State Board consideration of adoption in September 2012.
A-12*	Storm Water Construction General Permit Amendments	(updated: 2012-06-28) Staff is drafting an amendment to the State Water Board to delete narrative effluent limits to respond to a decision by Superior Court. The State Water Board will be asked to consider the General Permit Amendment on July 17, 2012.
A-12	Storm Water Industrial General Permit	(updated: 2012-06-28) Released on January 28, 2011. Staff workshops held February 14 and 23, 2011. Additional on-line staff workshop scheduled for March 15, 2011. Public Hearing conducted on March 29, 2011. Permit has been revised to address the comments received during 2011 and is now undergoing internal review.
A-12*	Storm Water MS4 Phase II Permit	(updated: 2012-06-28) The draft permit was revised to address comments received during 2011. The revised draft permit was noticed for public comment on May 21, 2012. Public comments are due July 23, 2012 and a Public Hearing is scheduled for August 8, 2012.
A	Storm Water Statewide Permitting (MS4 Phase	(updated: 2012-06-06) Staff are meeting with stakeholders to determine how to improve statewide permitting consistency for Phase 1 Storm Water Permits. Options may include a statewide general permit, multi-region permit

	1)	for coastal southern California or a standard permit template with standard conditions common to all MS4 Phase 1 permits. The workgroup anticipates it will complete the initial stages of this work by September 2012.
P	Suction Dredge General Permit	(updated: 2012-06-05) On hold, and working instead with Department of Fish and Game (DFG) to coordinate with their suction dredge regulation and permit revision. On February 28, 2011, DFG released the SEIR/draft regulation and permit revision package for public comment. State Water Board staff has now received scientific peer reviewers' comments on the water quality portions of the SEIR. State and Regional Water Board staff comments, along with the scientific peer reviews, were submitted to DFG by the comment deadline.
A-12	Timber Activities on National Forest System Lands	(updated: 2012-06-06) On December 16, 2011 the Board adopted a mitigated negative declaration for a Statewide Conditional Waiver for USFS, but did not adopt the Waiver. Since then alternatives have been developed including state-wide regulatory actions with the option of exempting certain Regional Boards where the activities do not currently exist. The next step will be a determination of these exempted Regional Boards in consultation with Regional Board AEOs.
P	Timber Activities on Non-federal Lands	(updated: 2012-06-28) Work with California Board of Forestry, Department of Forestry and Fire Protection, and Regional Water Boards. Work delayed pending the outcome of a petition.
A	Toxicity Control Provisions for the SIP	(updated: 2012-06-29) Staff has completed and released to the public a revised policy, staff report, economic report and responses to scientific peer review. A Board hearing is scheduled August 21, 2012, concurrent with the close of the public comment period. Consideration for adoption is expected fall 2012.
A-13*	Trash Policy	(updated: 2012-07-02) Statewide water quality control plans to be amended to include trash policy. CEQA Scoping Meetings held on October 7, 2010 in Rancho Cordova and October 14, 2010 in Chino. A Public Advisory Group (PAG) has been appointed to provide input to Water Board staff on the development of this policy. PAG met previously on July 26, 2011, August 30, 2011, and October 12 and 13, 2011. The draft Substitute Environmental Document has been prepared and provided to the PAG for review and comments. A PAG meeting took place in May 22, 2012. Staff is considering PAG suggestions. The release of draft SED and policy is planned for September 2012.
A-12	UST LUFT Manual Update	(updated: 2012-06-08) The Leaking Underground Fuel Tank (LUFT) Manual is being updated to reflect the Low-Threat UST Case Closure Policy that was adopted by the Board on May 1, 2012. Targeted for completion in October, 2012.
A-13	Wastewater Discharges to Land (Revision to Order 97-10) General Order	(updated: 2012-06-28) Staff are preparing the draft order. State Board executive staff and WDR Steering Committee briefed. Staff anticipate that the State Water Board will be asked to consider the draft order and associated environmental document in the first quarter of 2013.
P	Water Effects Ratios	(updated: 2012-06-06) No staff assigned and no start date
A-12	Wetlands and Riparian Areas (Dredge and Fill) Policy – Phase I	(updated: 2012-06-29) At management's direction, staff has revised the policy document to include the proposed dredge and fill procedures. To reflect this change, the policy has been renamed the "Wetland Area Protection and Dredge and Fill Policy." Separate regulations will not be pursued and instead, the project is now one policy document that includes all elements of Phase I: a wetland definition, a wetland delineation method, an assessment and monitoring framework, and supplemental dredge and fill procedures. On March 9, 2012, the draft policy was posted for public informational purposes only at: http://www.waterboards.ca.gov/water_issues/programs/cwa401/wrapp.shtml . Staff are currently revising the

		Substitute Environmental Document and also finalizing comments on the wetland definition peer review. The policy and SED are scheduled for public release late summer 2012.
A	Wetlands and Riparian Areas Policy – Phase II	(updated: 2012-06-05) With U.S. EPA grant funding, preliminary work has begun on Phase II. This work is focused on categorizing wetland beneficial uses.
P	Wetlands and Riparian Areas Policy – Phase III	(updated: 2012-06-06) Pending completion of Phase II.

Policies/General Permits Completed in 2012

Status Code	Policy/Significant General Permit	Status
C2012	Areas of Special Biological Significance (ASBS)	Adopted by the State Water Board March 20, 2012. Staff is now working with stakeholders on implementation and monitoring.
C2012	Once-Through Cooling (316b) Policy Amendment	Staff released draft amendment on May 17, 2011. Amendments were adopted on July 19, 2011. OAL approved on March 12, 2012.
C2012	Onsite Waste Water Treatment Systems Policy	The Onsite Waste Water Treatment Systems Policy was adopted by the State Water Board On June 19, 2012. Staff are preparing the administrative records to send to the Office of Administrative Law (OAL) for approval. OAL approval is expected in the later half of September 2012. Staff are working on implementation of the policy.
C2012	UST Low-Threat Case Closure Policy	The Low-Threat UST Case Closure Policy was adopted by the State Water Board on May 1, 2012. OAL is currently reviewing the administrative record and is scheduled to be completed July 31, 2012.
C2012	Aquatic Pesticide General Permit – Aquatic Animal Invasive Species	The State Water Board adopted this permit on March 1, 2012.

Policies/General Permits Completed in 2011

Status Code	Policy/Significant General Permit	Status
C2011	Aquatic Pesticide General Permit – Aquatic Animal Invasive Species	(updated: 2012-06-05) Adopted by State Water Board on March 1, 2011.
C2011	Aquatic Pesticide General Permit – Vector Control, (Adulticide/Larvicide)	(updated: 2012-06-05) Adopted by State Water Board on March 1, 2011.
C2011	Ocean Plan Triennial Review	(updated: 2012-06-05) Adopted by State Water Board on March 15, 2011.
C2011	Sediment Quality Objectives (SQOs)	(updated: 2012-06-05) Adopted by State Water Board on April 6, 2011. Approved by the Office of

	for Enclosed Bays and Estuaries: Fish and Wildlife	Administrative Law on June 13, 2011. Staff has submitted to U.S. EPA.
C2011	Aquatic Pesticide General Permit – Spray Applications Permit (CDFA and USDA-Forest Services)	(updated: 2012-06-05) Adopted by State Water Board on March 1, 2011.
C2011	Storm Water MS4 Effectiveness Assessment Document (AB 739, Ch. 610, Statutes of 2007)	(updated: 2012-06-05) On October 27, 2010, staff issued a revised Notice of Staff Workshops and Opportunity for Public Comment on draft document. Workshops scheduled for November 4 in Sacramento and November 9 in Rancho Cucamonga. Comments were due 12:00 noon on November 30, 2010. Information Item presented to the Board on April 19, 2011.
C2011	Integrated Report Adoption (2010)	(updated: 2012-06-05) Board approved 303(d) list on August 4, 2010. Transmitted to U.S. EPA on October 13, 2010, and awaiting their approval.
C2011	Leaking Underground Fuel Tank (LUFT) Manual	(updated: 2012-06-05) The LUFT manual was drafted as a guidance document with state-of-the-art information on the cleanup of leaking UST sites. The LUFT manual is considered a draft/evergreen document that will be updated periodically in response to comments.

Policies/General Permits Completed in 2010

Status Code	Policy/Significant General Permit	Status
C2010	Once-Through Cooling (316b) Policy*	(updated: 2012-06-06) Approved by Office of Administrative Law (OAL) on September 27, 2010. Effective date October 1, 2010. Staff is working with stakeholders and state agencies on implementation.
C2010	Once-Through Cooling (316b) Policy Limited Revisions	(updated: 2012-06-05) Adoption Hearing held on December 14, 2010. No changes made to Policy.
C2010	South Bay Power Plant	(updated: 2012-06-05) Notice of Cancellation of Public Hearing issued on November 2, 2010 due to permit application withdrawal.

Division of Water Rights		
Status Code	Policy/Significant General Permit	Status
(A)	Draft WQCP update for San Joaquin River flows and southern Delta salinity objectives	Draft SED science chapter was released October 29, 2010. Workshop held on SED science chapter January 6 and 7, 2011. Additional scoping meeting held June 6, 2011. Final Draft Technical Appendices released for public review in February 2012. Informational session on economic impacts and hydropower impacts appendices held on March 20, 2012. Draft SED to be released in the summer of 2012. Draft plan amendment to be brought to the Board for consideration in early 2013.
(A)	Russian River Frost Protection Regulation	On September 21, 2011, the State Water Board held a hearing during its Board Meeting to hear comments on the proposed adoption of the Russian River Frost Protection Regulation and the Draft Environmental Impact Report prepared in support of that proposed regulation. After hearing, the Board unanimously voted to adopt the proposed regulation with a minor edit and certified the draft EIR. The Board Resolution adopting the proposed regulation and certifying the draft EIR, also directs the Executive Director to prepare a Final Statement of Reasons with required responses to comments and submit the entire rulemaking documents to the Office of Administrative Law (OAL) for approval. OAL filed the regulation with Secretary of State on December 29, 2011 when it became effective. However, in January 2012, two lawsuits were filed against the regulation and the Mendocino County Superior Court issued an order that stayed the enforcement of the regulation. A court hearing was held in June 2012 and a court decision is pending.
(C)	Delta outflow recommendations (SBX7 1)	The Board adopted the final report on August 3, 2010, and provided it to the Delta Stewardship Council on August 25, 2010.
(C)	Instream Flow Policy (AB 2121)	The Board adopted the Policy on May 4, 2010. The Division delivered the administrative record to OAL on August 11, 2010. OAL approved the administrative record in September 2010. The Division filed a Notice of Decision with the Secretary for Resources on September 28, 2010. The policy is now effective.

Status Code Key:

White = Active effort (A)

Yellow = Targeted for completion in 2010 (A-10)

Blue = Completed (C)

Grey = Suspended or No statewide effort at this time or Pending (P)

APPENDIX 2

IRRIGATED LANDS REGULATORY PROGRAM

This month's Irrigated Lands Regulatory Program (ILRP) report covers the June 2012 period and will provide an update on the activities of the North Coast, San Francisco, Central Coast, Los Angeles, Colorado River Basin, Santa Ana, and San Diego Regional Water Quality Control Board ILRPs.

Future monthly reports will alternate between the status of the ILRP from the Central Valley Water Board for one month, and the status of other Regional Water Board ILRPs for the alternate month. Current and past ILRP monthly reports can be found on the State Water Boards ILRP website:

http://www.waterboards.ca.gov/water_issues/programs/agriculture/

For additional information on the statewide ILRP, please contact State Water Board staff:

Johnny Gonzales (916) 341-5510 jgonzales@waterboards.ca.gov
Gita Kapahi (916) 341-5501 gkapahi@waterboards.ca.gov

ILRP contact information for each Regional Board is found at the end of each report below.

NORTH COAST REGION AGRICULTURAL REGULATORY PROGRAM

Water Quality Compliance Program for Discharges from Agricultural Lands

Staff of the North Coast Regional Water Quality Control Board are developing a water quality compliance program to address water quality impacts associated with discharges from agricultural lands. The program is intended to improve water quality, satisfy the requirements of the State Nonpoint Source Policy, and implement TMDLs in the North Coast Region.

To help develop the program, staff has formed a Stakeholder Advisory Group composed of representatives from various interests related to agriculture in the North Coast Region. The group's purpose is to provide input to Regional Water Board staff on the different elements of the program. Advisory Group meetings started in December 2011 and are scheduled through spring 2013, with a Regional Water Board adoption hearing scheduled for fall 2013.

Between May 3 and 9, 2012, staff held four sub-group meetings around the North Coast to discuss the draft scope and framework elements of the Program. These discussions continued on June 26, 2012, at the meeting of the full Advisory Group. Staff is currently working on providing an updated version of the program scope and framework document based on the comments and suggestions received at the June 26 meeting.

The Advisory Group will begin discussing other program elements such as enrollment and permit requirements at the upcoming subgroup meetings, which will be in August/September 2012. Regional Water Board staff will also be holding an informational webinar on the different types of monitoring on July 26, 2012.

For additional information on the North Coast Regional Water Board's water quality compliance program for discharges from agricultural lands, please see the following website or contact Ben Zabinsky at BZabinsky@waterboards.ca.gov or (707) 576-6750:

http://www.waterboards.ca.gov/northcoast/water_issues/programs/agricultural_lands/

SAN FRANCISCO BAY REGION

CONDITIONAL WAIVER OF WASTE DISCHARGE REQUIREMENTS FOR GRAZING OPERATIONS IN THE NAPA RIVER AND SONOMA CREEK WATERSHEDS

The San Francisco Water Board adopted a conditional waiver of waste discharge requirements (Waiver) for grazing operations in the Napa River and Sonoma Creek watersheds on September 14, 2011. The goals of the Waiver are to reduce the discharge of sediment and pathogens to the Napa River and Sonoma Creek, and to protect stream and riparian areas. This program is a key element to implementing TMDLs for these two watersheds.

Regional Board staff continues its stakeholder outreach efforts to make sure all eligible ranchers have been notified and are aware of the Waiver and its requirements. As part of the outreach, Regional Board staff is working with UC Cooperative Extension (UCCE), and the Napa and Sonoma Resource Conservation Districts in identifying and contacting those eligible ranch operations that have yet to enroll. Staff has also participated in UCCE sponsored trainings on ranch plan preparation, mapping, evaluation of ranch activities, and selection of potential best management practices. Additional trainings are planned for June and August 2012 to discuss proper ranch roads management and monitoring methods.

Additional information about the Napa/Sonoma Grazing Waiver may be found at:
http://www.waterboards.ca.gov/sanfranciscobay/water_issues/programs/TMDLs/grazing/index.shtml

CONDITIONAL WAIVER OF WASTE DISCHARGE REQUIREMENTS FOR GRAZING OPERATIONS IN THE TOMALES BAY WATERSHED (TOMALES BAY GRAZING WAIVER)

No update for this period.

CONDITIONAL WAIVER OF WASTE DISCHARGE REQUIREMENTS FOR VINEYARDS IN THE NAPA RIVER AND SONOMA CREEK WATERSHEDS (VINEYARD WAIVER)

The San Francisco Bay Region is developing a Conditional Waiver for vineyard properties in the Napa River and Sonoma Creek watersheds to require that effective management practices be implemented to control human-caused discharges of pollutants from vineyard facilities. The vineyard Waiver would cover existing vineyards, vineyard replants, as well as new vineyard development. The Conditional Waiver will affect about 67,000 acres of planted vineyards in the two watersheds.

Regional Board staff held a fourth and final Stakeholder Advisory Group meeting on the vineyard Waiver on May 15, 2012. The Stakeholder Advisory Group was convened in 2011 to help refine the vineyard waiver requirements and conditions. The Stakeholder Advisory Group consists of representatives from Napa and Sonoma counties, Sonoma County Grape Growers, Napa County Vintners, Sonoma and Napa County Farm Bureau, the Resource Conservation

Districts, UC Cooperative Extension, other agencies, and environmental groups. Staff is revising the draft vineyard Waiver and anticipates completion of a draft waiver for public review this July 2012.

Additional information about the Vineyard Waiver may be found at:
http://www.waterboards.ca.gov/sanfranciscobay/water_issues/programs/TMDLs/vineyard/index.shtml

CENTRAL COAST REGION AGRICULTURAL REGULATORY PROGRAM

AGRICULTURAL REGULATORY PROGRAM - IMPLEMENTATION UPDATE

On March 15, 2012, the Central Coast Water Board adopted an updated Conditional Waiver of Waste Discharge Requirements (Agricultural Order No. R3-2012-0011). The Order places farms in one of three tiers, based on risk to water quality. For many farms (Tier 1 and Tier 2), the new requirements are similar or have decreased monitoring and reporting than the previous Order. Farms in Tier 3 have increased monitoring and reporting requirements.

In the first 90 days of the updated Agricultural Order, Water Board staff implemented many activities to advance implementation and inform growers of the updated requirements. These activities are summarized below.

Enrollment: Growers continue to enroll in the Agricultural Order using the electronic-Notice of Intent (eNOI) in the Water Board’s GeoTracker data management system. Table 1 below includes enrollment statistics for the Agricultural Order as of May 2012. Current enrollment includes approximately 395,988 acres, which reflects both new enrollments and terminations, resulting in a net increase of approximately 8,000 acres since December 2011.

Table 1. Agricultural Order Enrollment Statistics

Central Coast Region Irrigated Agriculture Total Estimated Acreage	435,000 acres	
Agricultural Order Total Enrolled Acreage	395,988 acres	
	(377,988 acres) Represented in eNOI	(18,000 acres) Enrolled pre-2010, 195 Growers have not submitted eNOI.
Total eNOI Submittals	1690 eNOI Submittals or 3800 farms/ranches	

Farm Tier Identification: In May 2012, Water Board staff assigned individual farm/ranch tiers based on the information provided by growers in the electronic-Notice of Intent (eNOI) and the location of the farm/ranch compared to impaired surface water bodies and public drinking water wells with nitrate exceedances above the drinking water standard (as described on page 16-17 of the Agricultural Order). In April 2012, Water Board staff updated GeoTracker so the farm/ranch tier is displayed on the eNOI database page for each individual farm/ranch (approximately 3800). In addition, staff provided a packet of information to all enrolled operations (approximately 1700) including identification of the individual farm/ranch tier(s), a copy of the Agricultural Order and Monitoring and Reporting Program(s) for applicable tier(s), a five-year Compliance Calendar, a list of Water Board staff contacts, and a list of technical assistance providers.

The cover letter sent with this packet informed growers that for cases where the grower finds that the farm/ranch was assigned to the incorrect tier, the grower may request a tier review. Water Board staff developed a Tier Review Request Form and posted it on our webpage to enable growers to provide information so that staff can confirm the correct tier. The letter requested these forms within 30 days of the letter date (May 17, 2012), but staff extended that date until July 1, 2012, to give growers more time to submit the requests and because the Tier Review Request Form was not completed and available to growers on our webpage until May 29, 2012. Staff instructed growers to submit the Tier Review Request Form by July 1, 2012, so that the requests can be reviewed and approved prior to the submittal of annual compliance information for Tier 2 and Tier 3 farms/ranches in October 2012. Staff intends to review requests and inform growers as efficiently as possible. In the meantime, growers must comply with requirements of the assigned tier until changes to the assigned tier are approved.

Informing Stakeholders of Updated Agricultural Order and Grower Workshops:

In April 2012, Water Board staff developed a Fact Sheet to briefly summarize the updated requirements for each tier, and also translated the Fact Sheet to Spanish and Chinese. The Fact Sheets were posted to the Water Board's website and distributed broadly to growers, agricultural industry representatives, technical assistance providers, consultant, and other stakeholders.

From May 11 to June 1, 2012, Water Board staff held seven general grower workshops, three workshops for Spanish-speaking growers, and one workshop for Chinese-speaking growers. Workshops were held throughout the Central Coast region (San Luis Obispo, Paso Robles, Watsonville, Morgan Hill, Goleta, Salinas, and Santa Maria), with more than 550 growers in attendance. In addition, staff also participated in a workshop specifically designed to inform technical assistance providers and consultants of the updated requirements. Staff received many positive comments from growers regarding the opportunity to learn about the updated requirements at the workshops.

Staff has also met with specific groups that provide assistance to growers to ensure accurate understanding of the updated requirements, such as the Central Coast Agricultural Water Quality Coalition and others. Staff also provided presentation materials to technical assistance providers, so that they could deliver similar presentations to additional grower groups, as necessary. On June 13, 2012, staff presented an update on the Agricultural Regulatory Program at the Groundwater Resources Association – Nitrate and Salt in Groundwater Symposium in Fresno, CA.

Compliance Assistance Tools and Resources: Water Board staff developed the five year Compliance Calendar as a one-page compliance assistance tool for growers to view an “at-a-glance” summary of requirements for their farm/ranch tier(s), a reference to the location of specific requirements in the Order, the due date for the requirement, and the specific year(s) the requirement is due. Growers have provided very positive feedback about the Compliance Calendar as an easy-to-use tool for growers. The five-year Compliance Calendar is available at:
http://www.waterboards.ca.gov/centralcoast/water_issues/programs/ag_waivers/docs/3_calendarcontacts.pdf

Additionally, staff has also initiated development of compliance assistance resources and tools related to backflow prevention devices, photo monitoring, and groundwater monitoring and reporting requirements to be available to growers in July 2012. Staff has targeted completing these compliance assistance resources and tools in July 2012 to insure they are available at least one month ahead of the compliance due dates associated with them (e.g. photo-documentation due in October 1, 2012).

Staff is currently completing the Annual Compliance Form and adding it to the eNOI so Tier 2 and Tier 3 growers can electronically submit the annual reporting information that the Agricultural Order requires in October.

The Agricultural Order specifies that the Water Board will prioritize assistance for limited resource farmers, including but not limited to technical assistance, grant opportunities, and necessary flexibility to achieve compliance with the Order (e.g., adjusted monitoring, reporting, or time schedules). In May 2012, the Water Board released a Request for Qualifications (RFQ) to award grants funds for the purpose of implementing a compliance assistance program to provide free groundwater sampling and data collection services for growers. The compliance assistance program prioritizes small and/or economically disadvantaged growers who qualify as “Limited Resource Farmers/Ranchers or Socially Disadvantaged Operators” as defined by the U.S Department of Agriculture. The compliance assistance program will be implemented in coordination with a broader domestic well sampling program, available to all domestic well owners.

The Agricultural Order specifies that a technical advisory committee will evaluate proposals for third party groups to implement alternative water quality management practices or cooperative monitoring and reporting programs. Staff has initiated outreach to stakeholders and some individuals who proactively expressed interest in participating on this technical advisory committee. The purpose of this phase of outreach is to clarify the role of the technical advisory committee and to consider who should be on the committee and how best to solicit their involvement.

Extension of Date to Elect Cooperative Groundwater Monitoring: In response to a request from agricultural representatives, the Executive Officer approved an extension of the date to elect cooperative groundwater monitoring until August 1, 2012, and staff updated the Monitoring and Reporting Program No. R3-2012-0011 to reflect this change. Staff also updated the eNOI to add a box for growers to check to indicate if they elect individual or cooperative groundwater monitoring, as provided in the Monitoring and Reporting Program.

Next Steps: At this time, the highest priority for staff's implementation of the updated Agricultural Order is to finalize content for the Annual Compliance Form and include annual compliance reporting functionality associated with the eNOI in GeoTracker so that growers can electronically submit the Annual Compliance Form in October 2012. In addition, staff is also working to ensure that growers can successfully upload the required groundwater monitoring information in GeoTracker, also required in October 2012. Staff intends to provide compliance assistance through workshops and via phone in advance of when these requirements are due in October.

Additional information about the Agricultural Regulatory Program, including a copy of the Agricultural Order and associated Monitoring and Reporting Program, is available at: http://www.waterboards.ca.gov/centralcoast/water_issues/programs/ag_waivers/index.shtml

For additional information on the Central Coast Water Board's Agricultural Regulatory Program, please contact Angela Schroeter at (805) 542-4644 or by email at ASchroeter@waterboards.ca.gov.

LOS ANGELES REGION CONDITIONAL WAIVER FOR IRRIGATED LANDS

Compliance with the Renewed Conditional Waiver: The Nursery Growers Association Los Angeles County Irrigated Lands Group (NGA-ILG) and the Ventura County Agriculture Irrigated Lands Group (VCAILG) are the two discharger groups in the Los Angeles Region that have formed to comply with the Conditional Waiver. The Conditional Waiver requires dischargers to conduct a Bacteria Special Study to characterize potential discharges of bacteria from irrigated lands. The Regional Board received a Bacteria Special Study work plan from NGA-ILG on November 3, 2011. Regional board staff reviewed the document and sent comments to NGA concerning issues with the document on March 12, 2012. NGA made revisions to the document according to recommendations made by Regional Board staff, and the revised document was approved on June 22, 2012. This study will last two years and will characterize wet and dry weather discharges and allow comparison to bacteria water quality objectives. The discharger groups are currently complying with existing MRPs and water quality management plans (WQMPs) that were developed in accordance with the previous waiver.

Enrollment: Regional Board staff sent Notices to Re-enroll in the Conditional Waiver to over 300 growers in Ventura County on April 16, 2012. The Regional Board has received dozens of calls and letters in response to the Notice, and VCAILG has informed staff that many growers have enrolled in the Conditional Waiver.

Throughout May and June, staff conducted site visits of properties that growers claimed were exempt from the Conditional Waiver program. It was discovered that several properties met the "Hobby Growing/Gardening" category defined in the Conditional Waiver, and were therefore exempt from complying.

Education Workshops: VCAILG organized three educational events for growers in Ventura County in early June. One event, sponsored by the UCCE in Ventura County, is being conducted entirely in Spanish. NGA-ILG also organized a vineyard seminar in early June, covering irrigation research and technology, Integrative Pest Management strategies, and grapevine physiology. Since renewal of the waiver, both VCAILG and NGA-ILG have provided numerous opportunities for their members to receive all eight hours of education credit required by the Conditional Waiver.

Grant Management: Staff continues to manage a Clean Water Act section 319(h) grant for grower education and outreach to implement BMPs in the Calleguas Creek and Santa Clara River Watersheds. Staff is working with the grantee to ensure that the grant effectively implements the renewed Los Angeles Region Conditional Waiver for Irrigated Lands, and specifically implements BMPs according to VCAILG's WQMP.

Staff is overseeing a Proposition 84 grant for a mobile irrigation laboratory to improve irrigation efficiency on farms in Ventura County (Grant Agreement No. 10-417-554). The grantee is the Ventura County Resource Conservation District (RCD). Under the grant, RCD staff travels to farms, evaluates irrigation efficiency, recommends improvements, and provides cost share funding to implement the recommended improvements. The goal of the grant is to reduce dry-weather loading of agriculture-related pollutants.

On March 7, 2012, a new Clean Water Act section 319(h) grant was executed for the purpose of identifying the contribution of and reducing metal loadings from nurseries and other irrigated agricultural lands in the San Gabriel River Watershed (Grant Agreement No. 11-098-554). The grantee is the Council for Watershed Health. The grantee will identify priority locations for BMP implementation, implement procedural BMPs at the priority locations, evaluate BMP effectiveness, and submit an Implementation Recommendation Report to Regional Board staff. The grantee submitted their first invoice and progress report on April 19, 2012.

For additional information on the Los Angeles Region Conditional Waiver for Irrigated Lands, please contact Jenny Newman, at (213) 576-6691, jnewman@waterboards.ca.gov or Barbara Barry at (213) 576-6681 or by email at bbarry@waterboards.ca.gov.

COLORADO RIVER BASIN CONDITIONAL PROHIBITION FOR AGRICULTURAL DISCHARGES

Colorado Regional Water Quality Control Board staff continues to develop a proposed Waiver of Waste Discharge Requirements (WDRs) for discharges of wastes from agricultural operations in the Palo Verde Valley in Riverside and Imperial Counties along the Colorado River. A workshop on the Waiver Program is tentatively scheduled to be held in Blythe at the Palo Verde Irrigation District's office in July. CEQA documents and a staff report are currently being drafted. The goal is for the Regional Water Board to consider the regulatory package by the end of 2012.

In Imperial County, Regional Water Board staff is assisting the Imperial County Farm Bureau with its annual Drainshed Meetings for all farmers. Eight meetings are being held at various locations during May and June 2012. The meetings are required of all farmers prior to their submission of annual water quality farm plans as part of the Conditional Waiver Program for Imperial Valley Drains and Rivers.

For additional information on the Colorado River Basin Conditional Waiver for agricultural discharges, please contact Doug Wylie, at (760) 346-6585 or by email at dwylic@waterboards.ca.gov.

**SANTA ANA REGION
CONDITIONAL WAIVER OF WASTE DISCHARGE REQUIREMENTS FOR AGRICULTURAL
DISCHARGES (CWAD PROGRAM)**

Board staff is proposing that all operators of irrigated and dry-farmed lands over 10 acres, subject to inundation by flooding, and other agricultural operations not already regulated by the Regional Board, enroll in a conditional waiver of waste discharge requirements. Regional Board staff is calling this the Conditional Waiver (of waste discharge requirements) for Agricultural Discharges (CWAD). Regional Board staff proposes that the CWAD program be developed and implemented with a watershed-based phased approach. The first phase of this program is being developed for waste discharges from agricultural operations (i.e. irrigated and non-irrigated) located in the San Jacinto, Salt Creek and Lake Elsinore Watersheds. The Regional Board adopted a separate nutrient Total Maximum Daily Loads (TMDLs) for Canyon Lake and Lake Elsinore. The CWAD program is being designed to be part of the implementation program for these TMDLs.

Regional Board staff has developed a "CWAD Program Advisory Group" which consists of about 20 members including agricultural farmers, local growers, industry groups, and major stake-holders, etc. The last CWAD advisory group meeting was held on April 5, 2012. The major topics of discussion were:

1. Discharges for the San Jacinto watershed. The Advisory Group conducts stakeholder meetings on a quarterly basis, when possible. Discussions include new modeled information about pollutant loading from subwatersheds.
2. Updated information concerning the total acreage of various agricultural land uses, updated information concerning the number of agricultural operators who will be subject to the waiver - approximately 343 operations, proposed waiver condition concerning continuing education, remand of the Colorado River Water Board Basin Plan agricultural conditional prohibition, and updated information about the watershed's hydrology.
3. Internal draft agricultural conditional waiver and draft CEQA Neg. Dec. is currently circulating in-house for edits, comments and revisions. First round of in-house comments has been completed.
4. Regional Board staff is presently working on the agricultural Conditional Waiver staff report.
5. On May 30, 2012, staff attended WRCAC (Western Riverside County Ag. Coalition) regular technical committee meeting. WRCAC is a major stakeholder in CWAD program.
6. Next CWAD advisory group meeting is scheduled on Thursday, August 16, 2012 at Riverside County Farm Bureau office.

For more information, please contact:

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**SAN DIEGO WATER BOARD IRRIGATED LANDS REGULATORY PROGRAM
(CONDITIONAL AG WAIVER)**

Enforcement Actions: Notice of Violation No. R9-2012-0046 was issued to the Boyer Ranch Group on May 10, 2012, for failing to submit a monitoring and reporting plan and a quality assurance plan as required by Order No. R9-2007-0104, Conditional Waiver No. 4 – Discharges from Agricultural and Nursery Operations.

Amendment to Conditional Waiver No. 4 – Discharges from Agricultural and Nursery Operations: The San Diego Water Board is requesting that the State Water Board approve Resolution No. R9-2011-0020 to amend the Basin Plan and issue the Notice of Opportunity for Public Comment. The Basin Plan amendment includes a definition of "agricultural and nursery operations" in Conditional Waiver No. 4. The San Diego Water Board adopted a resolution to amend Conditional Waiver No. 4 for Agricultural and Nursery Operations (one of 11 conditional waivers in the Basin Plan) to define the term "agricultural and nursery operations" as it appears in the waiver on February 9, 2011. The definition specifies that only commercial operations that generate gross sales of at least \$1,000 per year, as an average, are subject to the waiver's requirements.

Renewal of Conditional Waiver No. 4 – Discharges from Agricultural and Nursery Operations: The San Diego Water Board is in the process of evaluating its conditional waivers, including Conditional Waiver No. 4, and revising/reissuing them as needed. A schedule to complete this task is being developed.

Organizational Change: Management of Conditional Waiver No. 4, Discharges from Agricultural and Nursery Operations, is being transferred from the Monitoring, Assessment, and Research Unit (MARU) to the Land Discharge Unit (LDU). This will allow for a more consistent management of all conditional waivers. The MARU will continue to provide oversight of the monitoring programs. It is anticipated that this transition will be complete within the next three months.

For additional information on the San Diego Regional Water Boards Irrigated Lands Program, please contact Barry Pulver, at (858) 467-2733 or by email at bpulver@waterboards.ca.gov.