**CALIFORNIA REGIONAL WATER QUALITY CONTROL BOARD**
**CENTRAL VALLEY REGION**

**4 JUNE 2004**

**ITEM:** 4

**SUBJECT:** Executive Officer's Report

**DISCUSSION:**

**WATER QUALITY**

1. ***Cal/EPA Releases Final Public Health Goal for Arsenic***

On 23 April 2004, the Cal/EPA Office of Environmental Health Hazard Assessment (OEHHA) published a final Public Health Goal (PHG) for arsenic in drinking water. [Public Health Goals For Chemicals In Drinking Water: Arsenic, April 2004]. Following peer and public review, the final value of the PHG at 0.004 ug/L (ppb) or 4 ppt (parts per trillion or ng/L) is the same as the value published in two draft PHG documents, released in March and November 2003. OEHHA has lead status within Cal/EPA for human health risk assessment. PHGs are based exclusively on public health considerations. For cancer causing chemicals, PHGs are set at the de minimis level of cancer risk from involuntary exposure via drinking water, which OEHHA considers to be one additional cancer case in a million persons exposed over their lifetimes, also known as the one-in-a-million incremental risk level.

PHGs published by OEHHA are not considered to be regulatory standards for drinking water purveyors. However they are required by statute to be considered by the California Department of Health Services (DHS) in establishing primary drinking water standards (California Primary Maximum Contaminant Levels, or MCLs). Pursuant to the California Safe Drinking Water Act, DHS is required to develop a new California primary MCL for arsenic as close to the PHG as possible, considering other factors such as cost and analytical feasibility. PHGs also act as advisory levels to other California agencies, water purveyors, and the public. PHGs have been used by the Regional Board to determine compliance with narrative toxicity objectives in the Basin Plans in setting water quality limits protective of human health and determining pollutant levels at which alternative water supplies should be provided by responsible parties at contaminated sites.

OEHHA developed the 4 ppt PHG for arsenic in drinking water based on the mortality of arsenic-induced lung and urinary bladder cancers observed in epidemiological studies of human populations in Taiwan, Chile, and Argentina. A similar level of cancer risk was derived from a laboratory study on mice. This information indicates that the federal MCL of 10 ug/L, currently being used to set NPDES permit limits, represents an increased estimated lifetime risk of two to three cancer cases for every thousand persons exposed at that concentration in drinking water. Additional cancer risk would be associated with food-borne arsenic.

Arsenic exposure is also known to cause other human health effects, including vascular (blood vessel) disease, genetic and reproductive toxicity, and it may cause other developmental effects in exposed children. The PHG document also presents a non-cancer health protective value of 0.9 µg/L (0.9 ppb) in drinking water. (JBM)

**CONTRACTS AND GRANTS**

2. ***Grant Program Update***

With voter approval of Propositions 13, 40, and 50, statewide grant funding for water quality improvement projects has substantially increased—from an average of $5-million per year in the 1990's to $138-million during the most recent consolidated process. This increase has resulted in a corresponding increase in overall number of contracts and the level of management needed to ensure a smooth flow of grant funds to projects.

For Region 5, the increase in number of projects and the available grant funding can be summarized as follows: 7-projects awarded in Prop 13 Phase I ($2.4-million); 35-projects awarded in Prop 13 Phase II ($11-million); 7-projects from Prop 13 PRISM (Pesticide Research and Identification of Source, and Mitigation/$3.4-million) Grants; and 45-projects recommended in the current Consolidated Grant Process ($42-million) which involves funding from the Northern California Portion of Prop 13, the CalFed Drinking Water Program (Prop 13 and Prop 50) and the CalFed Watershed Protection Program (Prop 13 and Prop 50), . An additional $200-million will be made available statewide this fall through the Agricultural Water Quality Grant Program which includes portions of Prop 40, Prop 50 and federal 319(h) funding ($28-million) and the Integrated Regional Water Management (IRWM) Program portion of Prop 50 ($183-million).

Staffing resources at Region 5 have not kept pace with the increased workload. Prior to adoption of Props 13, 40, and 50, approximately 0.1-PY was available through federal funding to develop and manage each federal 319(h) grant project. Current available resources for the state grant program only allows approximately 1/10 of that level of staffing or 0.01-PY to develop and manage each grant project (both new and existing). The resource limitation is magnified in part due to the increased number of projects as well as increased level of staff involvement in grant criteria development, stakeholder education and outreach, and overall statewide project selection and program coordination. In order to meet increasing workload commitments, resources from other programs (TMDL, agriculture, nonpoint source, CalFed) are being leveraged to assure adequate oversight of selected projects by qualified staff. In order to provide office wide consistency and oversight, a grant coordinator was recently designated for the region as well as key liaisons in each office.

Region 5 staff continues to work with Division of Financial Assistance (DFA) staff to streamline the grant process and shorten the timeframe from funding availability to project implementation. This streamlining included a significant change from requiring grant awards to be developed as a contract to now using a legally binding "agreement". This change should expedite execution. Additional means of streamlining the process are also being evaluated, including reducing duplicative agency roles and responsibilities.

The following summarizes the status of major grant programs within Region 5 to date.

Prop 13 Phase I: Seven projects were awarded in May 2001. All projects are in progress.

Prop 13 Phase II: Grants were awarded under this program in October 2002. Of the 35 awarded within Region 5, ten currently have executed contracts, five are within the Division of Administrative Services (DAS) awaiting final contract execution, seven are in the Office of Chief Counsel (OCC) under review as agreements, and 11 are with the grantee awaiting signature and return. Two additional projects are at other stages of preparation. All projects are in line to have funding encumbered by the June 30, 2004 deadline.

Prop 13 PRISM Grants: All seven grants awarded in July 2003 are in the process of being drafted as agreements. None of the projects are ready of OCC review however. DFA has set a goal of having all PRISM agreements to OCC for review prior to the 2003 Consolidated Grant Award anticipated at the June 17th State Board hearing. This schedule should allow work to commence during Fall 2004.

2003 Consolidated Grant Process: Recommendations for 45-projects within the Central Valley will be reviewed at the State Board's June 17th hearing. Work on approved projects is anticipated to begin by the end of 2004. These projects primarily support the CalFed Drinking Water and Watershed Programs.

Agriculture Water Quality Grant Program (AWQGP): Approximately $20-million have been set aside from Propositions 40 and 50 for water quality improvement projects related to irrigated agriculture. The AWQGP Workgroup (comprised of staff from the State and Regional Boards, Dept. of Food and Agriculture, Dept. of Pesticide Regulation, and UC Davis) have incorporated stakeholder input from the three public workshops held in early March and developed draft guidelines for the distribution of the funds. Approximately $6-million of Clean Water Act section 319(h) funds may be combined with the proposition funds for this program. The State Board is working with the U.S. EPA on issues related to the addition of these funds. Additionally, the CALFED Drinking Water (DW) Program approached the State Board suggesting the possibility of combining approximate $2.2-million uncommitted CALFED DW funds from the 2003 Consolidated Grants with the AWQGP funds. The State Board is working with CALFED on the details of how the program would be implemented with regard to criteria, project review and ranking, and Bay-Delta Authority (BDA) approval. These factors have delayed the completion and release of the draft guidelines to the public. It is estimated that the guidelines will be released to the public during mid-May, and public workshops will be held in early June. Information on the AWQGP can be accessed on the State Board website at: http://www.swrcb.ca.gov/funding/awqgp/index.html.

Integrated Regional Water Management (IRWM) Grant Program: Funded by Proposition 50, Chapter 8, the IRWM provides $500 million for competitive grants for projects to protect communities from drought, protect and improve water quality, and improve local water security by reducing dependence on imported water. Funding for the IRWM program is split between the Department of Water Resources (DWR) and the State Board. The agencies will utilize a joint application process for awarding grants. DWR and the State Board held public workshops on 24 March 2004 in Sacramento, and on 25 March 2004 in Santa Clarita, to gather input on the IRWM Grant Program, including scoping of procedures and content of the grant solicitation and evaluation guidelines. Draft evaluation guidelines are being developed by a workgroup comprised of DWR and State Board staff. Regional Board grant coordinators will have the opportunity to review and provide comments on the draft evaluation guidelines. Posting of the draft evaluation guidelines on DWR/SRWCB web-sites for a 30-day public review is targeted for July 2004; public meetings in northern and southern California are targeted for August 2004; and approval of

the evaluation guidelines and grant application package by DWR and the State Board is targeted for completion by September 2004. Eligible applicants include local public agencies and non-profit organizations, and projects must be consistent with an approved IRWM Plan that meets standards being developed by DWR. A 40%/40% split of the funds is required between Northern and Southern California. The funds are allocated between DWR and SWRCB as follows:

| | DWR | SWRCB |
|---|---|---|
| Total Funds Available | $250,000,000 | $250,000,000 |
| Program Delivery (5%) | -$12,500,000 | -$12,500,000 |
| Bond Issuance/Statewide Costs (3.5%) | -$8,750,000 | -$8,750,000 |
| FY 02-03 Fund Shift – Governor's Drought Program[1] | -$6,400,000 | $0 |
| Groundwater Recharge Grants[2] | -$20,000,000 | $0 |
| Comprehensive Groundwater Monitoring Program | $0 | -$45,750,000 |
| Total Funds Available for IRWM Grants – by Agency | **$202,350,000** | **$183,000,000** |
| **Total Funds Available for IRWM Grants** | **$381,100,000** | |

1) Funds awarded for Local Groundwater Assistance Grants.

2) $10 million committed in January 2004.

**IRRIGATED LANDS CONDITIONAL WAIVER PROGRAM**

***3. Phase I Monitoring Contract Status***

As of 1 November 2003, all fieldwork has been completed. This work consists of monitoring 25 sites beginning on 26 March 2003 and ending on 25 September 2003. The draft report was initially scheduled to be released on June 2004. UC Davis Aquatic Toxicity Laboratory (ATL) has informed the Regional Board staff of a delay in completing the draft report.

A request to amend the Phase I contract was submitted to State Board in March 2004 to allow time for completion of the draft report. The revised deadline for submittal of the draft report is early July 2004. Once the draft is completed, a meeting with the Phase I Technical Advisory Committee will be scheduled. The amendment also includes additional funds to conduct toxicity testing in areas of the Region where toxicity monitoring has not been performed or to follow-up on Phase I toxic sites.

***4. Phase II Monitoring Contract - University of California Davis***

Staff prepared a contract with UC Davis for the Phase II water quality investigation that includes sample collection and data management and reporting over three years. The contract was sent to the State Board contract office for approval on 22 September 2003 and executed on 7 April 2004. Staff is currently preparing a quality assurance plan for the laboratory and field protocols.

***5. Phase II Monitoring Contract - California Department of Fish and Game (CDFG)***

Staff prepared a contract with CDFG for the Phase II water quality investigation that includes laboratory analysis, toxicity testing, data management and reporting. The contract was sent to the State Board contract office for approval on 26 September 2003. The contract was approved by CDFG in late April. Final approval by the State Board occurred during the first week in May. The final contract was submitted to the Department of General Services on 10 May 2004. Regional Board staff anticipates receipt of the final approved contract by 20 May 2004.

***6. Phase II Monitoring Schedule***

A tentative list of Phase II monitoring sites and monitoring goals and objectives has been provided to the Coalition Groups and posted on the Irrigated Lands Program web site. The tentative monitoring sites will be finalized after conducting site reconnaissance and additional coordination between staff, coalition groups and other interested parties. The final first year list should consist of 30 to 40 sites. Stormwater monitoring sites will be selected later this year. Phase II monitoring is scheduled to begin in early June 2004. However, limited specific monitoring may occur prior to the final selection of the Phase II monitoring sites. This monitoring will be used to help make final site selection and address commodity specific discharge issues.

***7. Environmental Impact Report***

A draft Request for Qualifications for the preparation of an Environmental Impact Report for the Regulation of Discharges from Irrigated Lands continues to be circulated internally for administrative review at State Board, with input being received from Office of Administrative Law and Department of General Services (DGS). State Board contract staff and Regional Board staff continue to address issues as they arise from DGS. Regional Board staff has made themselves available to attend meetings between State Board and DGS to address any issues in a timely manner. However, State Board has indicated that

our attendance is not needed. Regional Board staff has completed and submitted solicitation information as requested by State Board contract staff. As of 12 May 2004, the solicitation package was still under review at DGS.

***8. Follow-up on Non Filers - County Agricultural Commissioner's Information Request***

On 7 April 2004, Sacramento and Fresno Irrigated Lands Waiver program staff mailed information requests to the County Agricultural Commissioners (CACs) from Butte, Colusa, Fresno, Madera, San Joaquin, Solano, Stanislaus and Yolo Counties. Prior to sending the letter requests, staff contacted each CAC to inform them that this information request would be mailed out. We requested an electronic file of the County Restricted Materials and Operator Identification database. The information sought was the pesticide use permit holder's name, contact information, pesticide usage, acreage and crops. Over time, Regional Board staff will request the most recent information from all of the CACs for each County in the Central Valley Region. Regional Board staff will use this information to survey growers with restricted use permits to verify whether they have joined a Coalition Group, intend to submit a Notice of Intent for coverage under the individual Conditional Waiver or file a Report of Waste Discharge for Waste Discharge Requirements. In addition, the survey will also provide outreach and education information to those growers who are not engaged in the process. To date, we have received databases from Fresno, Madera, Butte and Colusa Counties. The Regional Board has received replies from Solano, Yolo and Stanislaus Counties. However, since there is a fee associated with the data requests there has been a delay in obtaining the databases. The Regional Board will work closely with the CACs and the California Department of Pesticide Regulation (DPR) to obtain the most recent restricted use permit data and the status of the survey process and information.

***9. Watershed Evaluation Reports (WER) and Monitoring and Reporting Program (MRP) Plans***

Regional Board staff is in the process of reviewing the WERs and MRP Plans submitted by each of the Coalition Groups and individuals as a condition of the Irrigated Lands Conditional Waivers. There are eight Coalition Groups that have filed for group waiver coverage and six entities that have filed for individual waiver coverage (one grower and five water districts). Irrigated Lands Program staff, TMDL and Basin Planning staff from the Sacramento River and San Joaquin River Watershed Sections, and Fresno and Redding staff are reviewing the 1 April 2004 submissions and providing comments in order to provide consistency among the programs. Since none of the reports meet the minimum requirements of the Conditional Waiver, Regional Board staff has and will continue to meet with or teleconference with the Coalitions to discuss and resolve major deficiencies. This has resulted in a significant amount of additional time for report review and discussion with the Coalition Groups. At this point, it is not likely that Coalitions will have approvable MRP Plans before 1 July 2004.

*Sacramento Valley Water Quality Coalition (SVWQC)*

On 1 April 2004, the SVWQC submitted their WER and MRP. On 12 April 2004, the SVWQC met with Regional Board staff. A second meeting was held on 27 April 2004 with the SVWQC to discuss preliminary staff comments. There are major deficiencies in the SVWQC WER and MRP Plan. These include, but are not limited to: the lack of specific monitoring sites, constituents of concern, monitoring timeline and toxicity approach. The coalition is in the process of responding to concerns outlined during the meeting held on 27 April 2004.

*San Joaquin Delta Water Quality Coalition (SJDWQC)*

On 1 April 2004, the SJDWQC submitted the WER and MRP Plans for San Joaquin County and the Delta. Staff conducted a preliminary review of the SJDWQC WER and MRP Plan and based upon this review, concluded that the report was incomplete. For instance, the SJQWQC proposed 5 monitoring sites, however, none of them were in the Delta. On 29 April 2004, staff met with the SJDWQC representatives to discuss the deficiencies of the MRP and WER. The Coalition representatives are in the process of responding to the Regional Board staff comments and concerns outlined during the 29 April 2004 meeting.

*Southern San Joaquin Valley Water Quality Coalition (SSJVWQC)*

On 1 April 2004, the SSJVWQC submitted three separate WERs and MRP Plans for the Kings River, Tule River, and Kern River sub-watersheds; and on 30 April 2004, the WER and MRP Plans for the Kaweah River sub-watershed was submitted to the Regional Board. The SSJVWQC is comprised of the Kings, Kaweah, Tule, and Kern sub-watersheds. The SSJVWQC encompasses the entire Tulare Lake Basin, consisting of 4,400,000 acres, and is a joint partnership of the irrigation and water districts that lie within the geographic boundaries of the Coalition.

Under the four separate MRP Plans, the SSJVWQC has proposed 12 monitoring locations to characterize sub-surface and surface irrigation return flows, operational spills, and storm water discharges from irrigated lands in the four sub-watersheds that comprise the Tulare Lake Basin. Based upon the review of the WERs and MRP Plans for each of the sub-watersheds, the information submitted is incomplete. In order to conclude the review of the WERs and MRP Plans, staff is scheduling a meeting with the contacts for the four sub-watersheds to discuss the need for additional information in order to continue the review process. Staff is currently finalizing comments with regard to the review of the technical reports for all of the sub-watershed WERs and MRP Plans.

*East San Joaquin Water Quality Coalition (ESJWQC)*
On 1 April 2004, the ESJWQC submitted their WER and MRP for compliance with the Conditional Waiver. Staff is currently finalizing review comments for the WER and MRP Plan. On 17 May 2004, staff will be meeting with the ESJWQC to discuss staff comments.

*San Joaquin Valley Drainage Authority - Westside San Joaquin River Watershed (Westside)*
On 1 April 2004, the Westside Coalition submitted their WER and MRP Plan for compliance with the Conditional Waiver. In addition, Regional Board staff received three wetland subgroup reports from the Department of Fish and Game, United States Fish and Wildlife Service and the Grasslands Water District. Staff is finalizing comments on the WERs and MRP Plans for the Westside Group as well as the wetland subgroups. On 18 May 1004, two meetings have been scheduled, one with the Westside and one with the Wetland subgroups, to discuss these reports.

*Westlands Coalition*
On 1 April 2004, the Westlands Coalition submitted their WER and MRP Plan for compliance with the Conditional Waiver. Based on preliminary review, a number of the elements of the submittal appear adequate. However, information submitted regarding monitoring and management practices needs additional review. The Coalition reports that tailwater and subsurface irrigation return flows do not discharge to waters of the State, and that annual monitoring will consist only of sampling two major storm events. A limited number of storm water monitoring sites are proposed at several of the intermittent Westside streams; however further discussion with the Coalition about the adequacy of the WER and the MRP Plan is warranted, given that there are a significant number of other waterbodies in the watershed.

*Root Creek Sub-Watershed Water Quality Coalition (RCSWWQC)*
At the time of the 1 April submission, RCSWWQC was still forming and evolving, so the resultant boundaries of the watershed coalition group and its participants are not completely defined. In March 2004, the Regional Board requested information to amend their NOI/General Report. Review of the additional information has been completed and staff is recommending that the Executive Officer issue a NOA.

On 1 April 2004, the RQSWWQC submitted a draft WER and MRP for 39 square miles of the San Joaquin River Basin, in southeastern Madera County. Preliminary Regional Board staff review indicates significant deficiencies in the submittal. The RCSWWQC has not proposed specific monitoring sites, and seeks an exemption to monitoring during the irrigation season. They report there are no tailwater irrigation return flows to waters of the State in the sub-watershed, and propose only storm water monitoring. The submittals do not identify management practices in place or an implementation schedule for BMPs. Because of the deficiencies, Regional Board staff anticipates requesting RCSWWQC to submit additional technical information.

*California Rice Commission (CRC)*
Regional Board staff has reviewed the NOI and General Report for the CRC, has met with CRC to discuss the Irrigated Lands Conditional Waiver and a rice specific Conditional Waiver, and has requested clarification on the identification process of growers that may be required to address water quality concerns in order to deem the NOI and General Report complete. CRC has indicated that they are developing an enforcement strategy to address this concern. Once this information is submitted and deemed complete, Regional Board staff will recommend that the Executive Officer issue a NOA to the CRC.

On 1 April 2004, the CRC submitted a WER and MRP for compliance with the Conditional Wavier. Staff is in the process of completing their review and once comments are finalized, a second meeting will be scheduled with the CRC.

**TMDL PROGRAM**

***10. San Joaquin River Salt and Boron TMDL***
A facilitated public workshop on the San Joaquin River salt and boron TMDL was held at the Stanislaus County Agricultural Center in Modesto on 29 April 2004. The purpose of the workshop was to provide interested parties with an opportunity to propose alternate approaches to the proposed salt and boron TMDL and Basin Plan Amendment. The workshop included a discussion of: (1) the timeline for developing the Basin Plan Amendment; (2) the challenges of addressing the salt and boron impairment; (3) areas of common ground; and (4) the parameters that should be considered by any alternate approach to a TMDL and Basin Plan Amendment. Representatives of the newly formed San Joaquin River Water Quality Management Group (SJRWQMG) also presented information on their conceptual plan to achieve the salt and boron water quality objectives. Approximately 40 individuals, representing the various interests, attended the workshop. Notes from the workshop, and copies of presentations made by staff and the SJRWQMG, are available on the Regional Boards website at the following link:
http://www.swrcb.ca.gov/rwqcb5/programs/tmdl/salt_boron/index.html

Staff will prepare a response to comments and a revised staff report after considering public comments and the information presented by the SJRWQMG. Staff plans to present an informational item at the July Regional Board meeting to update the Board on the status of the TMDL and Basin Plan Amendment, and then to return to the Board for consideration of adoption at the September Board Meeting. (EIO)

***11. Region 2 Proposes to Allocate Mercury Load Reductions to Region 5***

San Francisco Bay RWQCB (Region2) staff is proposing an amendment to their Basin Plan to reduce mercury loads to the San Francisco Bay. Region 2's mercury TMDL identified that 440 kg/yr of mercury is carried on sediment that flows from the Central Valley to the Bay. Region 2 staff determined that a 25% mercury load reduction is required to protect the beneficial uses of the Bay.

Region 2's proposed Basin Plan amendment requires load reductions by one of two methods: 1) a net 110 kg/yr decrease in total mercury entering the Delta from sources within the Central Valley, or 2) a reduction in mercury fluxes into Region 2 as measured at Mallard Island (near the regional border). Region 2 recommends an interim loading milestone to be met within 10 years and expects the load allocations to be met within 20 years after the Central Valley Regional Board implements the Delta TMDL.

Region 5's Delta mercury TMDL report is scheduled for public release this summer. The Delta TMDL will address the San Francisco Bay mercury TMDL and incorporates their total load reductions. Region 5 staff has been working with the Region 2 staff and is in agreement with the proposed the Bay Basin Plan amendment. Region 5 staff expects that actions proposed in the Delta TMDL will meet the allocations and time schedules proposed by Region 2. (PWM)

**CEQA REPORTING**

***12. R.H. Phillips Winery, Yolo County***

On 22 April 2004, staff provided comments on a proposed expansion of the R.H. Phillips Winery. The project would involve improvements that would more than double the annual wine production to five million gallons per year, add a restaurant, and add a 500-seat amphitheater. The County is planning to prepare a Mitigated Negative Declaration. Staff recommended that the CEQA document provide a thorough evaluation of potential impacts to groundwater quality associated with increased domestic and process wastewater flows and residual solids disposal. The facility is currently regulated by WDRs; staff recently requested that the Discharger submit a Report of Waste Discharge describing the proposed increase in wastewater flows. (ALO)

**WATERSHED ACTIVITIES**

***13. Pacific Forest and Watershed Lands Stewardship Council***

On 29 April, Sue McConnell from the Sacramento staff attended the inaugural meeting for the Pacific Forest and Watershed Lands Stewardship Council. The Stewardship Council, formed as a part of a settlement agreement between PG&E and the California Public Utilities Commission, is tasked with preparing and adopting a Land Conservation Plan for 140,000 acres of PG&E lands within 3 years. The Stewardship Council will also be responsible for expending $100 million in the next 10 years; $70 million will be used to support environmental enhancements for the 140,000 acres of land discussed earlier, and $30 million will be used to benefit disadvantaged urban youth. The Stewardship Council is composed of PG&E, federal, state, and local agencies, environmental groups, and other interested parties. Regional Board Chair, Robert Schneider, is the Central Valley Regional Board's representative on the Stewardship Council. Jim Pedri, Assistant Executive Officer in Redding, is the alternate. The next meeting is scheduled on 25 May in Sacramento, and the third meeting is scheduled as a site visit on 28 and 29 June. (SYM)

***14. Sierra Nevada Framework***

In January 2004, the US Forest Service amended the Sierra Nevada Framework and released the Final Supplemental Environmental Impact Statement (SEIS) and Record of Decision for the Framework. These documents will provide the basis for amending the land and resource management plans for nine of the national forests within the Central Valley Regional Board's jurisdiction. Staff commented on the Draft SEIS and raised concerns that the preferred alternative would not be as protective of water quality as the original Framework. With the 22 January decision, the US Forest Service has adopted the Draft SEIS' preferred alternative with some modifications. A number of entities have appealed to Forest Service Chief Dale Bosworth to reverse the decision. Forest Service guidelines specify that the Chief should act 160 days after receiving an appeal. In the meantime, the decision is being implemented. Staff is following the appeals process and will report on any new developments. (SYM)

**ENFORCEMENT**

***15. Musco Family Olive Company, San Joaquin County***

Musco Family Olive near Tracy never installed in its 84-million gallon wastewater storage reservoir a liner adequate to prevent impounded wastewater from impacting groundwater. A Time Schedule Order required Musco to complete construction of the wastewater reservoir, including its liner, by August 2002. In January 2003, Musco completed an earthen dam and began impounding untreated wastewater. The dam's blanket drain now discharges water to the surface water drainage below the dam. Staff analysis of water quality data determined that over 40 percent of the blanket drain discharge is impounded wastewater. Doubling of the concentrations of calcium, magnesium, and alkalinity (decomposition byproducts) in groundwater immediately downgradient of the dam since January 2003 indicates that impounded wastewater has impacted groundwater. An NOV requires a plan to route the blanket drain discharge back to the reservoir and monitoring of the blanket drain discharge. (JLK)

***16. Calaveras County Water District, La Contenta Wastewater Treatment Plant, Calaveras County***

On 11 April 2002, the Executive Officer issued CAO No. R5-2002-0712 to the Calaveras County Water District (CCWD) for its La Contenta Wastewater Treatment Plant. The CAO required the Discharger to make improvements to comply with both the effluent limitations prescribed in WDRs Order No. 95-177 and to comply with the Department of Health Services' Title 22 requirements. CCWD was to submit final design documents for expansion of one of its effluent storage reservoirs, a Report of Waste Discharge, and a Title 22 Engineering Report. CCWD has now expanded its storage reservoir, and on 6 December 2002, the Regional Board adopted revised WDRs Order No. R5-2002-0222 for the upgraded facility. CCWD has complied with the C&A and is in compliance with the revised WDRs. Therefore, the Executive Officer has rescinded C&A Order No. R5-2002-0712. (JSK)

***17. George Reed Inc. Calaveras Transit Mix Concrete Batch Plant, Calaveras County***

On 8 April 2004, the Executive Officer issued a Water Code Section 13267 Order to submit a Report of Waste Discharge (RWD) and technical report for an unregulated discharge that was occurring at the George Reed Inc. Calaveras Transit Mix Concrete Batch Plant in San Andreas. This Order was a result of a 25 March 2004 complaint from the Calaveras County Environmental Health Department regarding observations it had made during an inspection of the facility. County staff observed concrete wastewater being discharged onto the ground surface within batch plant boundaries, and flowing through the property and discharging off-site into a surface drainage ditch that flows to the San Andreas Creek. County staff sampled the water in the off-site drainage ditch and found that the pH was approximately 10 to 11 pH units. Staff had previously warned George Reed Inc. that any discharge of waste was a violation of the California Water Code, as it has not submitted a RWD. The Discharger is now required to submit a RWD by 1 May 2004, and submit a report by 15 May 2004 certifying that the discharge of waste to the ground surface has ceased until such time as the Regional Board either waives WDRs or adopts WDRs for the facility. (JSK)

***18. Sacramento Rendering Company, Sacramento County***

On 8 April 2004, the Executive Officer issued a Water Code Section 13267 Order to submit technical reports to Sacramento Rendering Company due to the Discharger's failure to adequately respond to a 10 February 2004 Notice of Violation, which was issued because of a discharge of odorous wastewater with an oil sheen to Frye Creek in 20 January 2004. The Water Code Section 13267 Order requires that the Discharger submit a revised response to the NOV by 15 May 2004; a Wastewater, Tailwater, and Storm Water Management Plan by 15 June 2004; and a Tailwater and Storm Water Improvements Completion Report by 15 October 2004. (ALO)

***19. Harter Packing Company, LLC and Harter Tomato Products Company, Sutter County***

On 8 April 2004, the Executive Officer issued a Water Code Section 13267 Order to submit a Feasibility Study/Remedial Options Report to Harter Packing Company, LLC and Harter Tomato Products Company (Dischargers) in order to address the degradation of groundwater caused by the discharge of food processing wastewater to the land. Staff notified the Discharger in a September 2003 Notice of Violation (NOV) of the apparent groundwater degradation, and ordered the submittal of a groundwater evaluation report to assess the nature and extent of the degradation. In response to that NOV, each party retained separate consultants and submitted separate reports. Staff reviewed both reports and concluded that groundwater degradation had been caused by wastewater discharge and that remedial action was warranted. Therefore, the Section 13267 Order requires that the Dischargers submit a Feasibility Study/Remedial Options Report containing a plan to remediate the groundwater beneath the former land discharge area. (JRM)

***20. The Wine Group, San Joaquin County***

In September 2003, staff reviewed the groundwater monitoring data submitted by the Wine Group and concluded that groundwater underlying the land application area has been degraded as a result of the winery wastewater discharge. On 29 December 2003, the Discharger submitted a report and concluded that there appears to be a correlation between the area where winery process wastewater is applied and elevated levels of constituents of concern in the groundwater downgradient

of that area. The report provided a conceptual plan for conducting additional data collection and analysis, as well as for the preparation of a wastewater treatment system and management improvement plan. In order to ensure that the Discharger take appropriate actions in a timely manner, on 27 April 2004, the Executive Officer issued Cleanup and Abatement (CAO) Order No. R5-2004-0704. The CAO requires the submittal of several technical plans and reports to properly monitor groundwater underlying the facility; to fully characterize wastewater flow and quality; to fully characterize groundwater underlying the facility; to evaluate the wastewater treatment and disposal system; and to identify potential wastewater system improvements to prevent future degradation and mitigate existing degradation. The final technical report, due in April 2006, is a Report of Waste Discharge that includes a Wastewater System Improvement Plan and Final System Design that should identify the best management practices and best practicable treatment and control measures, and should provide the design for wastewater system improvements that will adequately address the groundwater degradation issue. (JRM)

***21. Delicato Vineyards, San Joaquin County***

In September 2003, staff reviewed the groundwater monitoring data submitted by Delicato Vineyards and concluded that groundwater underlying the land application area has been degraded as a result of the winery wastewater discharge. The Discharger subsequently submitted a report in December 2003 that (a) concluded that the wine processing waste, combined with waste application practices, was contributing to the degradation of groundwater quality, and (b) proposed a series of studies to upgrade the wastewater system. In order to ensure that the Discharger take appropriate actions in a timely manner, on 27 April 2004, the Executive Officer issued Cleanup and Abatement (CAO) Order No. R5-2004-0705. The CAO requires the submittal of technical plans and reports to characterize wastewater flow and quality, to evaluate the wastewater treatment and disposal system, and to identify potential wastewater system improvements to prevent future degradation and mitigate existing degradation. The final technical report, due in February 2006, is a Report of Waste Discharge that includes a Wastewater System Improvement Plan and Final System Design that should identify the best management practices and best practicable treatment and control measures, and should provide the design for wastewater system improvements that will adequately address the groundwater degradation issue. (JRM)

**WASTE DISCHARGES TO LAND**

***22. City of Fresno, Vadose Monitoring of Winery Stillage Application Site, Fresno County***

The City owns and operates a winery stillage disposal site near its municipal wastewater treatment facility. For several decades until January 2004, stillage from area wineries was discharged, checks within the 145-acre site. Groundwater passing under the site is degraded from organic carbon and decomposition byproducts (calcium, magnesium, alkalinity, iron, manganese, and arsenic). WDRs require a vadose zone monitoring program. The program features an extensive network of suction lysimeters designed by soil scientists affiliated with the California Water Institute at California State University, Fresno. At numerous strategic locations throughout the site, depth-discrete soil samples were collected and suction lysimeters were installed at two and four feet below ground surface.

In April, the City submitted a technical report tabulating the resulting soil and soil-pore liquid quality data as well as hydraulic load, waste constituent load, and rest interval (i.e., the length of time between stillage discharges). During the study period, soil-pore liquid was collected twice. The data indicate that, while nitrogen was attenuated in the soil profile, the strong reducing conditions resulting from the biological decomposition of organic carbon mobilized iron and manganese to levels that, if not further attenuated in the soil profile, would cause groundwater to exceed water quality objectives for iron and manganese. (ARP)

***23. Proposed SWRCB Septic Tank Regulations***

Redding office staff attended a State Board presentation regarding AB 885 regulations (onsite wastewater treatment) on 11 May 2004. Staff believes that the regulations as currently drafted (although not distributed for review) will not provide adequate protection of water quality in areas with poor or marginal soils or high groundwater. Staff is also concerned that some proposed requirements are overly conservative for areas with good soil conditions. Some of staff's concerns are as follows.

Under the regulations, an advanced wastewater treatment system (including nitrogen removal and disinfection) is to be installed for most new installations. The proposed regulations propose to eliminate most requirements relating to groundwater separation and depth of soil at a site. Therefore, an on-site system can be installed on virtually any site regardless of actual soils or groundwater conditions. This could allow the direct discharge of effluent into useable groundwater in many cases. Also, this proposal relies on homeowner maintenance of sophisticated wastewater treatment systems. Staff has, over the years, found that most homeowners are not capable of maintaining sophisticated treatment systems and that effluent quality is quite variable. The use of these systems to overcome poor site conditions will likely result in widespread system failures and create a massive need for Regional Board and/or County over-site and enforcement.

Under the proposed regulations "urban type" developments (similar to El Dorado Hills) could be developed without the need for sewers as long as each home has a sophisticated, albeit homeowner maintained, treatment system installed. Staff believes this would be a major step backwards in our efforts to protect water quality, as the prescriptive standards for installation of septic systems (setbacks, minimum soils criteria, groundwater conditions and density restrictions) that were developed over the years to protect water quality, would be eliminated.

***24. Lake Almanor Area, Plumas County***

Staff is revising waste discharge requirements for a large new development on the Lake Almanor Peninsula utilizing onsite wastewater disposal, the Walker Ranch Planned Development (WRPD). At proposed build-out, the Planned Development will serve the equivalent of approximately 3,500 homes. The current waste discharge requirements regulate approximately 550 homes (including a golf course); the revised WDRs will add approximately 350 homes. Staff has also received notice, through the CEQA process, of another potential development adjacent to the WRPD, which will consist of a golf course and approximately 1,650 homes, also planning to use onsite wastewater disposal. There are other numerous potential developments around the Lake about which staff has been contacted, but for which there have been no formal applications. Waste discharge requirements will be drafted to assure protection of Lake Almanor and groundwater water quality.

**SITE REMEDIATION**

***25. Old Hammer Field, Fresno, Fresno County***

The Fresno-Yosemite International Airport and surrounding property is the site of a former World War II Army airfield (Old Hammer Field, or OHF). As part of the continuing investigation, cleanup, and closure of environmental issues at the airfield, the Final Area 1 Soil and Groundwater Remedial Action Plan (RAP) will be adopted in May 2004. The primary environmental issue at OHF is a 2-mile long TCE groundwater plume originating from the northern portion of the site. The chosen remedial alternative includes source area cleanup using soil vapor extraction and injection of potassium permanganate into the shallow aquifer under WDR permit. Groundwater plume remediation will implement groundwater extraction and treatment from a historically-impacted Fresno municipal well and from either, 1) two dedicated groundwater extraction wells with discharge of treated water to a nearby irrigation canal, or 2) extraction and treatment of groundwater from a local water purveyor's supply well. Groundwater plume cleanup is anticipated to take up to 40 years. (BEM)

***26. Former Dow Brands Facility, Fresno, Fresno County***

Dow Chemical Company recently collected and analyzed additional discrete-depth groundwater samples. Results indicate that groundwater degradation with PCE (with lesser concentrations of 1,1-DCE) extends about 5,000 feet from the source. Previous off-site investigations had identified contaminants in groundwater to about 2,000 feet from the source. Dow plans to: 1) install two well clusters and two sentinel wells to monitor the changes in contaminant levels and lateral extent of plume over time, 2) assess the potential health risks and establish cleanup objectives, and 3) conduct an engineering feasibility study of groundwater remediation alternatives. Staff concurs with the proposals.

Unlike the on-site source area, the groundwater under the estimated toe of the plume has high levels of 1,1-DCE and low levels of PCE. Dow has concluded that there is another potential plume that is commingled with Dow's plume. Subsequently, staff reviewed available records of past chemical use and discharge practices of the industrial facilities located within the area of suspected second source and found past violations of hazardous waste handling regulations at a former automobile parts recycling company. Staff has requested a work plan from the former recycling company. Staff also requested Dow to conduct more site assessment (including installation of permanent groundwater monitoring wells) in the vicinity of the toe of the plume to further characterize groundwater conditions and to define the outer boundaries of contaminants in groundwater (zero-line). (JYH)

***27. Shell Refinery, Bakersfield, Kern County***

The Shell Refinery in Bakersfield has provided staff with notification they intend to cease operations at their site and dismantle the refinery. Staff recently received a facility Master Workplan for Environmental Assessment that contains an overview of how Shell intends to perform environmental investigation/remediation of the facility. The City of Bakersfield has expressed interest in purchasing the refinery property to construct an expressway north of the Kern River at the south end of the refinery after that portion of the facility has been closed. Shell has submitted an application of Lead Agency Status to CalEPA requesting that the RWQCB be formally designated as the lead agency. The Department of Toxics Substances Control will work with staff to close the site. (AM)

***28. Truck Fuel Spill, Highway 168 and Upper Dogwood Road, Shaver Lake, Fresno County***

On 26 July 2002, a tanker truck transporting gasoline overturned on a hairpin turn on Highway 168 near Shaver Lake, resulting in the release of approximately 6000 gallons of unleaded gasoline. Since February 2003, approximately 4.5 million gallons of water have been treated to non-detectable concentrations, with approximately 4,400 pounds of petroleum hydrocarbon contaminants removed. Petroleum hydrocarbons in groundwater have been reduced from initial concentrations

in the tens of thousands of parts per billion to current concentrations in the hundreds of parts per billion, and in some cases, to tens of parts per billion. In October 2003, the on-site stream channel was reconstructed and vegetation replanted. It is anticipated site remediation activities will continue for a minimum of one more year. Additional revegetation measures are being considered. Regional Board staff will meet with Shaver Lake Homeowner's Advisory Board on 14 May 2004 to present an update of remediation efforts to Shaver Lake community members. (GJI)

***29. Humboldt Road Burn Dump, Chico, Butte County***

Separate draft Remedial Action Plans (RAPs) for the Humboldt Road Burn Dump, prepared by the City of Chico and private property owners, are nearing completion. The Executive Officer will attend a public meeting in Chico in early June to hear comments regarding proposed cleanup options. Following the meeting, the Executive Officer will decide whether to approve or modify the Final RAPs. The existing C&A Order requires remedial action to be initiated by 1 June 2004. No enforcement action is planned for violation of the June 1 date, if the City and private landowners initiate site cleanup as soon as possible following the Executive Officer's approval of the RAP.

**SPILLS**

***30. City of Huron, Fresno County***

An undetermined amount of raw sewage spilled from a manhole on 7 February. The City admitted the spill and blamed it on blockage in the sewer line. On 4 March, an estimated 17 million gallons of undisinfected secondary treated wastewater was discharged from the City's wastewater treatment facility WWTF to an adjacent undeveloped City-owned 40-acre parcel. The City notified the Regional Board of the discharge on 2 March. The discharge was fully contained within the 40-acre parcel, which is fenced and posted with warning signs. The City states that the discharge was necessary to increase pond freeboard in the WWTF's effluent disposal ponds and prevent levee failure. The City subsequently discharged an additional six million gallons to the parcel. The Discharger was issued an NOV. (PJR)

***31. City of Fresno, Fresno County***

The City reported that about 43,200 gallons of raw sewage spilled from a manhole into streets and a nearby storm drainage inlet in central Fresno over a four-day period beginning 3 April. Excessive grease buildup caused the spill. The sewage discharged to a storm water drain inlet and concrete pipe connected to the Fresno Metropolitan Flood Control District. The storm drain was flushed and no further action was needed. Sewage did not enter a surface water. Staff is not considering enforcement action. (ARP)

***32. Groveland Community Services District, Tuolumne County***

The District reported a spill of less than 200 gallons occurred on 20 April. The spill was from a manhole in the collection system and caused by root balls. The spill reached the nearby dry storm water drainage ditch; however, the District was able to contain and vacuum the spill. The District disinfected the spill areas with bleach solution. Staff is not considering enforcement. (HA)

***33. Biosolids Truck Accident Spill on Interstate 5, Kern County***

On 16 March a big rig hauling biosolids from the Hyperion Wastewater Treatment Plant to the City of Los Angeles' land application facility in Kern County was involved in a single-vehicle fatal traffic accident on Interstate 5 near Copus Road in Kern County. The truck's load of biosolids spilled onto the roadway along with small amounts of diesel fuel. The Discharger and operator of the land application facility, Responsible Biosolids Management, informed the Board immediately of the incident and implemented its spill response procedures. Biosolids contaminated with diesel were isolated and taken to a landfill. Uncontaminated biosolids were collected and applied at the land application facility. (JRL)

***34. Bear Valley Water District, Alpine County***

On 14 April 2004, a release of raw sewage to Lake Alpine occurred from the Bear Valley Water District's wastewater collection system. The spill was the result of a sewer line that had been plugged with grease and debris immediately upstream of the Lake Alpine Boat Ramp pump station. District staff estimated that approximately 30,000 gallons of waste entered Lake Alpine as a result of the spill. The spill report indicated that the waste was highly diluted with inflow and infiltration (I/I) water as is evidenced by an average flow rate of approximately 10,000 gallons per day from a pump station that only services three fulltime residents at this time of the year. The Discharger has proposed two actions to minimize the potential for future similar spills. The first activity is to Hydro-Blast the affected portion of sewer line, in order to clean out any residual material. The action is to review the District's sewer use ordinance with respect to grease traps to ensure that adequate grease control measures are in place. On 6 May 2004, Regional Board staff issued a Notice of Violation (NOV), ordering, by 1 July 2004, the submittal of a technical report that certifies that the proposed mitigation measures have been completed, and that proposes changes to the sewer ordinance, if such changes are appropriate. The NOV also requires the District to investigate the sources of I/I into the pump station and to eliminate these sources to the extent possible. (JRM)

***35. Esparto Community Services District, Yolo County***

On 12 April 2004, staff issued a Notice of Violation to Esparto Community Services District for two small spills that occurred in December 2003. The first spill event was a small sanitary sewer overflow that occurred on 13 December 2003, and the second was a discharge of treated wastewater due to a failed valve that took place on 16 December 2003. Both spills were verbally reported to staff shortly after they occurred. The Discharger's response to these events was timely and appropriate, and there was no discharge of waste to surface waters. Esparto CSD plans facility improvements that will help prevent such spills, and funding for the improvements is underway. (ALO)

***36. Folsom Prison, Sacramento County***

Folsom State Prison has experienced 3 reportable raw sewage spills on 12 April, 17 April, and 3 May 2004. The spills discharged to a containment pond that also collects on-going discharges from the stormwater collection system. For each spill event, the prison blocked flows from the pond and removed sewage and accumulated water in an attempt to prevent sewage from discharging to the American River, and collected confirmation samples. The samples suggest that raw wastewater remained in the ponds after cleanup. Staff is investigating the need for further action. (PHL)

**STORM WATER**

***37. Joint Federal and State Storm Water Enforcement on Wal-Mart Stores, Inc.***

In a joint investigation with US EPA, staff documented multiple storm water violations at a Wal-Mart construction site in the City of Roseville. Staff worked closely with EPA staff to assist them in developing their nationwide enforcement action against Wal-Mart Stores, Inc.

Federal officials announced 12 May 2004, that Wal-Mart Stores Inc., the nation's largest retailer, will pay a $3.1 million fine to settle the Clean Water Act violations. The settlement, filed in U.S. District Court in Delaware, cites Wal-Mart violations at 24 construction sites in nine states and alleges the company failed to obtain required storm water permits, did not implement a runoff control plan and failed to install controls to prevent discharges of pollutants from their construction sites. In addition, Wal-Mart agreed to spend $250,000 to help protect sensitive wetlands or waterways in one state, not yet determined, among the nine involved in the settlement. The nine states are California, Colorado, Delaware, Michigan, New Jersey, South Dakota, Tennessee, Texas and Utah. (RWM)

Thomas R. Pinkos
Executive Officer
4 June 2004

Addenda that follow:

1. Personnel and Administration
2. Program Report
3. Public Outreach
4. Completed Site Cleanups (UST)

Attachments
1. Fund Report
2. Line Item Report
3. Summary Report

**Addendum 1**

## PERSONNEL AND ADMINISTRATION

**PERSONNEL**
*Recruitment Efforts – April and May 2004*

| TOTAL POSITIONS | VACANCIES | GAINED | LOST |
|---|---|---|---|
| 228.6 | 10 | 0 | 1 |

**TRAINING**

| **Staff Classes Given** | **NO. ATTENDED** |
|---|---|
| Groundwater Flow & Transport Modeling | 2 |
| Investigation and Remediation of Dry Cleaner Release Sites | 4 |
| Leading Change | 4 |
| Municipal Storm Water Permit Writer's Course | 3 |
| NorCal SETAC Annual Meeting | 9 |
| Onsite Sewage Treatment Systems and Pathogen Reduction/Removal | 8 |
| Onsite Wastewater Exhibition and Technical Training | 2 |
| Sexual Harassment Prevention Training | 86 |
| The Work of Leadership | 5 |

**BUDGET SUMMARY**
We are on track to expend 99% of our personal services budget. At this time we have no funds overspent and we are on track to making sure that we do not overspend any particular fund source. All purchases must be submitted to SWRCB by the end of this month as we prepare for year-end closing.

**FACILITY UPDATE**
Nothing new to report.

**Addendum 2**

# PROGRAM REPORT

**Water Quality Certification Program, §401 of the Clean Water Act**

The Central Valley Region has vast wetland resources in its rivers, streams and vernal pools. The function of Water Quality Certification (WQC) is to protect these wetlands by ensuring that waste discharged to these waters meets state water quality standards. The WQC program regulates dredge and fill activity that results in any discharge to Waters of the U.S. These projects require a Federal Permit under §404 of the Clean Water Act (CWA). Pursuant to §401 of the CWA, any applicant for a federal license or permit for any activity that may result in any discharge into Waters of the U.S. shall provide the federal permitting agency (i.e., Army Corps of Engineers [Corps, ACOE]) with a certification from the respective State. The WQC Program started as a relatively narrow response to the requirements of CWA §401. It has evolved into being the State's de facto wetland protection regulation program, without, however, formal recognition of these responsibilities or commensurate funding.

Typical projects for which WQC is requested include new subdivisions, bridges, roads, pipeline construction; levee reconstruction; wetland habitat improvement; pier installation; boat harbor dredging; gravel mining; flood control excavation; and minor stream crossings. The Central Valley Region has received 395 new applications for water quality certifications over the past year.

Regional Board staff is required to notify an applicant within 30 days as to whether or not an application is considered complete or incomplete. A receipt letter is sent to the applicant that indicates whether or not the application is complete, and provides instructions depending on the status of the application. This may also include a request for additional fees in accordance the new fee schedule. If an application is determined to be complete, we have 60 days to issue or deny certification. These time requirements keep the limited WQC staff very busy.

New fees for WQCs went into effect in October 2002. Prior to October 2002 an applicant submitted $500 for a standard certification and $1,000 for a conditional WQC. Now an application fee of $2,150 per acre plus $500 is required for review of the application and issuance of a WQC. Wetland fill activities are charged up to a maximum of $40,000. For dredging it is $0.08 per cubic yards plus $500 up to a maximum of $40,000. For FY 2003-04, the Central Valley Region collected $365,000 (through 4/14/2004) in fees but only received $195,000 for staffing. This funding supported 1.7 PYs, which were split among our three offices. Receipts are expected to further increase in FY 2004-05 with further revision of the fee schedule. However, no increase in the WQC budget is expected.

Funding for the program is insufficient for the workload and does not allow staff to complete basic regulatory functions such as inspections, mitigation monitoring and enforcement. It is both federal policy and state policy that there be "no net loss" of wetlands. With current staffing we are unable to ensure that these policies are implemented.

Further impacts to the program came in January 2001 when the US Supreme Court issued its decision in Solid Waste Agency of Northern Cook County v. United States Army Corps of Engineers (SWANCC). This decision limited the application of the Clean Water Act as it applies to non-"isolated" waters. The Clean Water Act no longer covers discharges of waste to vernal pools, which may be isolated from waters of the US. By narrowing the water and wetland areas under federal regulation, the decision limits the authority of the Corps, and the State and Regional Water Boards under federal law. The decision does not affect the State and Regional Water Board's authorities under state law to regulate discharges to any waters of the state including isolated, non-navigable waters.

Compensatory mitigation is required for most WQCs, which is usually enforced by the Corps. However with the SWANCC decision, isolated wetlands will now be regulated by the State. A weakness in the "isolated wetlands" program is compensatory mitigation. Several Regions currently require mitigation to meet the "no net loss" policy. However, Central Valley staff currently follows the ACOE mitigation ratio which requires replacement of lost wetlands at a greater than one to one ratio. However, we have not been able to generally follow up to ensure that replacement wetlands have actually been created.

In summary, the WQC program is a minimally funded effort to ensure compliance with the State's water quality laws and protect wetlands. A significant amount of money is collected from applicants but not returned to the Central Valley Region for regulatory work. The SWANCC decision has added to the Region's WQC workload. No budget augmentations are planned for FY 04-05, even though the proposed FY 04-05 fee schedule will further increase fees.

**Addendum 3**

## PUBLIC OUTREACH

On 24 March, Karen Clementsen and Eric Rapport presented recent domestic well sampling results in a public meeting at the Chico City Council Chambers. They reviewed chlorinated ethene detections from private domestic wells in the Skyway Homes Subdivision and vicinity.

On 26 March, Karen Clementsen and Katie Bowman attended a meeting with the USFS, Shasta Lake marina operators, Shasta Lake Boaters Association, Shasta County Environmental Health Department, and local environmental consultants to discuss the MOU to eliminate graywater discharges from houseboats to Shasta Lake.

On 1 April, Pete Osmolovsky attended a San Joaquin River Management Program meeting. Pete gave a presentation of the Irrigated Lands Waivers and answered questions regarding the program.

On 1 and 2 April, Patricia Leary, Chris Foe, and Patrick Morris attended meetings for the Sacramento Regional County Sanitation District's mercury offset program. The first day focused on the crediting framework with respect to data uncertainties, locations of an offset project, and the bioavailability of mercury. The following day covered legal issues such as liabilities associated with mine remediation on private property and permits.

On 8 April, Karen Clementsen and Katie Bowman attended a meeting with the USFS and Shasta County Environmental Health Department to discuss the design requirements, and engineering challenges for the construction of on-site sewage systems at Shasta Lake marina for the disposal of graywater.

On 14 April, Karen Clementsen and Eric Rapport moderated a workshop for affected south Chico private domestic well owners. They met in Chico with representative well owners from and near the Skyway Homes Subdivision, Butte County Division of Environmental Health, Butte County Board of Supervisors, Department of Toxic Substances Control, Department of Health Services, and California Water Services, Inc.

On 14 April, Dannas Berchtold and Rich Muhl presented information on storm water regulations in a training class titled "Advanced SWPPP and BMP Planning and Implementation". The County of Sacramento and the International Erosion Control Association sponsored the class.

On 16 April, Dennis Heiman attended the monthly meeting of the CALFED Watershed Program Subcommittee in Sacramento.

On 16 April, Pete Osmolovsky attended a Sierra Resource Conservation District Meeting. Pete gave a presentation of the Irrigated Lands Waivers and answered questions regarding the program.

On 16 April, Dannas Berchtold presented information on storm water regulations for constructions sites to approximately 50 employees of Sherman Loehr Custom Tile Works in Sacramento. Dannas answered questions regarding storm water regulations and the implementation of appropriate BMPs for subcontractor activities.

On 16 April, Betty Yee participated in the meeting of the Watershed Subcommittee of the California Bay-Delta Authority to learn more about the Watershed Program goals.

On 19 April, Dennis Heiman participated in the interview and hiring of a watershed coordinator for the Cow Creek and Bear Creek Watershed Management Groups in Shasta County.

On 19 April, Guy Chetelat attended a Cottonwood Creek Watershed Group meeting on the Irrigated Lands Waiver Program and the Sacramento Watershed Coalition in Cottonwood, Shasta County.

On 20 April, Beth Doolittle-Norby attended a quarterly meeting of the McCloud River Preserve CRMP in Anderson, Shasta County.

On 20 April, Pam Buford attended the monthly Westside Resource Conservation District meeting to hear status reports from the coordinators for the Stewards of the Arroyo Pasajero CRMP, Panoche Silver Creek CRMP, and the Cantua Salt Creek CRMPs.

On 20 April, Scott Moore gave a presentation on detection and evaluation monitoring to the Solid Waste Engineering class in the Graduate Engineering Department at California State University Fresno. Scott's presentation included a case study of the detection and evaluation monitoring conducted at the Visalia Landfill, Tulare County.

On 21 April, the Fresno office in cooperation with the local office of the Department of Water Resources hosted a webcast workshop, Collaborative Problem Solving and Consensus Building: Effective Approaches for Watershed Protection and Restoration. Attendees included watershed coordinators, representatives from non-profits, and the U.S. Forest Service.

On 22 April, Dale Essary gave a presentation on landfill liner systems, including a case study, to the Solid Waste Engineering class in the Graduate Engineering Department at California State University Fresno.

On 23 April, Shakoora Azimi attended the California Native Grass Annual Conference in Modesto. She presented the Conditional Waiver Monitoring Requirements and management practice choices to reduce the discharge of waste from irrigated lands.

On 23 April, Mary Randall gave a presentation to 60 sixth graders at Saint Francis Middle School in Palo Cedro. The students are studying water pollution and watersheds in their science curriculum. The EnviroScape Nonpoint Source model was used to demonstrate how to control pollution from both point and non-point sources.

On 24 April, Shakoora Azimi and staff from Department of Pesticide Regulation conducted a course on Pesticide Monitoring in Surface Water and Groundwater. She presented the Irrigated Lands Conditional Waiver Program Monitoring and Reporting Requirements.

On 27 April, Ron Holcomb gave a presentation on final cover systems, including several examples at Region 5 landfills, to the Solid Waste Engineering class in the Graduate Engineering Department at California State University Fresno.

On 27 April, Patrick Morris participated as a panel member to discuss the Sacramento Regional County Sanitation District's work plan to address WWTP effluent mercury bioavailability. In part, the work plan proposes to compare effluent mercury with other mercury sources in the watershed. Patrick emphasized the importance of methylmercury in effluent discharges.

On 27 April, Guy Chetelat participated in the "Shedheads" meeting of Northern Sacramento Valley watershed coordinators at the Big Chico Creek Reserve in Butte County.

On 28 April, Beth Doolittle-Norby attended a Technical Advisory Committee (TAC) meeting for the Shasta West Watershed Assessment project in Anderson, Shasta County.

On 28 April, Rich Muhl along with the County of Sacramento presented a training class entitled "Preparing and Implementing Storm Water Pollution Prevention Plans (SWPPP) for Construction Projects. The class sponsored by the County of Sacramento covered SWPPP components, storm water Best Management Practices, storm water regulations and used small group exercises to develop and critique a SWPPP for a construction development project. Forty-eight engineers, inspectors and supervisory staff from the County of Sacramento attended the training class.

On 28 April, Dannas Berchtold in conjunction with the Placer County Resource Conservation District presented a training class for the City of Auburn municipal staff. The training covered the City of Auburn's storm water Phase II municipal requirements and focused on best management practices for municipal operations.

On 30 April, Beth Doolittle-Norby attended a TAC meeting for the Bear Creek Watershed Assessment project in Anderson, Shasta County. This project is being funded by a Proposition 13 grant.

On 30 April, Jim Pedri participated in a panel discussion at the Forest Landowners Of California annual conference in Mt. Shasta regarding interagency cooperation with regards to our timber waiver and the approval of THPs and Non-industrial Timber Management Plans.

On 1 May, Guy Chetelat participated in the Tehama County RCD/Sunflower CRMP Stewardship Day held at the Burrows Ranch, Tehama County.

On 3 May, Dennis Heiman met with representatives of the Pit River Alliance to discuss the draft Pit River Watershed Assessment.

On 4 May, Dennis Westcot, Rudy Schnagl,, Gail Cismowski and Diane Beaulaurier of the San Joaquin River Section attended a workshop on the National Water Quality Assessment (NAWQA) Program conducted by the USGS in Modesto. Presentations focused on surface water and groundwater quality in the San Joaquin Valley, including updates on nitrates, bioassessment, pesticides, atmospheric sampling, and fate and transport of agricultural chemicals.

On 5 May, Dennis Heiman attended the monthly meeting of the Sacramento River Watershed Program's Board of Directors.

On 5 May, George Day presented information on storm water regulations for industrial sites, with a focus on best management practices at wastewater treatment plants at the California Rural Water Association conference.

On 6 May, Jim Pedri attended the dedication of the Slickrock Creek Dam (the last remedial action proposed for the Iron Mountain Mine site) with Gary Carlton, SWRCB member. Gary spoke briefly of the importance of the IMM remediation and the cooperation amongst the agencies involved in this lengthy cleanup.

On 6 May, Beth Doolittle-Norby attended the Bear Creek Watershed Group monthly meeting in Shingletown, Shasta County.

On 6 May, Patrick Morris attended a meeting of the Delta Tributaries Mercury Council. The group discussed fish consumption surveys, the draft fish advisory for Lake Natoma and the lower American River, and CalFed mercury projects.

On 7 May, Dennis Heiman met with representatives of the Pit RCD to discuss funding and project status.

On 7 May, Dannas Berchtold participated in the City of Auburn's first Auburn Ravine Creek Walk Cleanup. The event focused on educating second grade elementary school students on the benefits of protecting storm water quality and also on the benefits associated with recycling.

On 11 May, Beth Doolittle-Norby and Dennis Heiman attended the TAC meeting for the Cow Creek Water Quality Monitoring Project in Anderson, Shasta County. A Proposition 13 grant administered by the SWRCB is funding this project.

On 11 and 12 May, Mark Gowdy attended meetings of the California Bay Delta Authority (CBDA) Agency Coordination Team at which various State and federal agencies, with responsibility for water operations in the Central Valley, were working out the details of the proposed Delta Improvements Package (DIP). Among other things, the DIP describes actions these agencies will take to address the impacts of their projects on water quality in the San Joaquin River and Delta before more water can be pumped from the Delta through the Central Valley Project or the State Water Project facilities. Staff is providing ongoing input to the CBDA agencies on how these actions need to be coordinated and consistent with regulatory requirements and processes. Staff is coordinating its input to CBDA with the State Water Board Executive Office.

On 12 May, Diane Beaulaurier attended the annual meeting of the Northern California Chapter of the Society of Environmental Toxicology and Chemistry (SETAC). Sessions included presentations on endocrine disruption, bioassessement, aquatic toxicology and risk assessement, mercury,and other bioaccumulative contaminants, and agriculture and pesticides.

On 12 May, Michelle Wood and Chris Foe made presentations at the Northern California chapter of the Society of Environmental Toxicology and Chemistry. Michelle presented the Delta TMDL methylmercury linkage analysis while Chris chaired the methylmercury session and presented a talk on the methylmercury mass balance for the Delta. Other members of the Mercury TMDL Unit provided posters summarizing mercury and methylmercury data for the Delta TMDL.

On 12 May, Betty Yee attended a meeting of the Economics and Funding Workgroup of the California Watershed Council to discuss the current grant funding programs and the utility of the workgroup.

On 12 May, Guy Chetelat discussed the status of Tehama County RCD 319h, Proposition 13 and Proposition 50 grants at the RCD meeting in Red Bluff, Tehama County.

Attachment 1

Run Date (cfgen12x r_orgsum) FISCAL MANAGEMENT SYSTEM Page
04/24/04 10:49:56 Expenditure Organization Summary 1
Organization - Region 5 for the month ending March 03/04

| Fund Source | | $ Allotment | $ Expenditures | % Expended |
|---|---|---|---|---|
| NPS Pollution Contral Program-Prop 13 -- (00BOND-NPSC) | = | 244,053 | 191,776 | 78.6 |
| Watershed Protection Program -- (00BOND-WPP) | = | 76,558 | 48,617 | 63.5 |
| Cleanup & Abatement Account-Management -- (CAA) | = | 5,002,369 | 2,648,290 | 52.9 |
| Environmental Protection Trust Fund -- (EPTF) | = | 0 | 0 | 0.0 |
| F(104B3) Aquatic Pest Monitoring -- (F(104B3)) | = | 129,963 | 73,979 | 56.9 |
| Watershed Category One Tasks -- (F(104B3-WCO)) | = | 0 | 21,490 | 0.0 |
| NPDES -- (F(106)) | = | 632,287 | 601,461 | 95.1 |
| Non-Point Source -- (F(319H)) | = | 1,083,104 | 713,000 | 65.8 |
| DoD Cost Recovery -- (F(DOD-CR)) | = | 135,598 | 94,086 | 69.4 |
| Lawrence Livermore - Site 300 -- (F(LL300)) | = | 152,976 | 62,546 | 40.9 |
| Sacramento River Toxic Program -- (F(SRTP)) | = | 371,709 | 237,571 | 63.9 |
| General -- (G) | = | 3,910,216 | 2,928,606 | 74.9 |
| Indirect Distributed Cost -- (IDC) | = | 0 | 0 | 0.0 |
| -- (IDC-D) | = | 0 | 0 | 0.0 |
| Integrated Waste Mngmt Acct (AB 1220) -- (IWMA) | = | 1,466,953 | 1,113,429 | 75.9 |
| Proposition 50 -- (PROP 50) | = | 586,559 | 207,655 | 35.4 |
| Proposition 40/2002 -- (PROP40) | = | 179,530 | 85,341 | 47.5 |
| Aerojet Gen Corp Oversight of Cleanup -- (R(AEROJET)) | = | 164,717 | 89,729 | 54.5 |
| Basin Plan Amendments - Drinking Water -- (R(BASIN-DW)) | = | 173,289 | 69,674 | 40.2 |
| DTSC Brownfields Coordination -- (R(BROWNFIELDS)) | = | 9,995 | 3,453 | 34.6 |
| CALFED Cooperative Program -- (R(CALFED)) | = | 522,621 | 247,660 | 47.4 |
| Redevelopment Agency Reimbursements -- (R(REDEVEL)) | = | 10,831 | 6,018 | 55.6 |
| R (Dept of Defense Cleanup Oversight) -- (R(SLCDOD)) | = | 941,689 | 689,240 | 73.2 |
| Westley and Tracy Tire Facilities -- (R(WESTLEY)) | = | 295,583 | 2,033 | 0.7 |
| Surface Impoundment Assessment Account -- (SIAA) | = | 162,278 | 114,918 | 70.8 |
| State/Federal Revolving Fund -Bond -- (SRFBND) | = | 1,994 | 358 | 18.0 |
| State/Federal Revolving Fund-Federal -- (SRFFED) | = | 9,975 | 1,793 | 18.0 |
| Tobacco Tax -- (TBT) | = | 129,991 | 104,259 | 80.2 |
| Underground Storage Tank Cleanup Fund -- (UTSCF) | = | 2,385,238 | 1,735,583 | 72.8 |
| Waste Discharge Permit Fund -- (WDPF) | = | 11,584,254 | 8,806,188 | 76.0 |
| TOTAL | | 30,364,330 | 20,898,753 | 68.8 % |

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FISCAL MANAGEMENT SYSTEM
Expenditures By Object / Line Item
for the month ending March 03/04



ORGANIZATION -- Region 5

| PERSONAL SERVICES | POSITIONS/PYS BUDGETED | $ BUDGETED | $ EXPENDITURES EXPENDED | BALANCE | % EXPENDED |
|---|---|---|---|---|---|
| Authorized Positions | | | | | |
| Permanent Positions | 231.2 | 15,280,949 | 10,515,466 | 4,765,483 | 69 % |
| Temporary Help | 3.2 | 0 | 0 | 0 | 0 % |
| Overtime | | 0 | 6,519 | ( 6,519) | 0 % |
| Board Stipend | | 12,000 | 5,300 | 6,700 | 44 % |
| Total Authorized Positions | 234.4 | 15,292,949 | | | |
| Salary Increases | | 0 | | | |
| Workload & Admin. Charges | 0.0 | 0 | | | |
| Proposed New Positions | 0.0 | 0 | | | |
| Partial Year Positions | 0.0 | 0 | | | |
| Total Adjustments | 0.0 | 0 | | | |
| Total Salaries | 234.4 | 15,292,949 | | | |
| Salary Savings | ( 11.5) | ( 883,821) | | | |
| Net Total Salaries | 222.9 | 14,409,128 | | | |
| Staff Benefits | | 4,236,868 | 3,350,136 | 886,732 | 79 % |
| TOTAL PERSONAL SERVICES(PS) | 222.9 | 18,645,996 | 13,877,421 | 4,768,575 | 74 % |
| LINE ITEM OPERATING EXPENSES & EQUIPMENT DETAIL | | | | | |
| General Expense | | 270,755 | 134,216 | 136,539 | 50 % |
| Printing | | 87,421 | 86,487 | 934 | 99 % |
| Communications | | 159,729 | 79,962 | 79,767 | 50 % |
| Postage | | 43,907 | 14,137 | 29,770 | 32 % |
| Travel In-State | | 228,263 | 27,604 | 200,659 | 12 % |
| Travel Out-Of-State | | 0 | 0 | 0 | 0 % |
| Training | | 97,653 | 4,857 | 92,796 | 5 % |
| Facilities Operations | | 960,139 | 809,026 | 151,113 | 84 % |
| Utilities | | 171,835 | 22,855 | 148,980 | 13 % |
| Contracts - Internal | | 283,605 | 1,285,028 | ( 1,001,423) | 453 % |
| Contracts - External | | 4,442,466 | 933,311 | 3,509,155 | 21 % |
| Consolidated Data Center | | 0 | 0 | 0 | 0 % |
| Central Adm.Serv. - Prorata | | 0 | 0 | 0 | 0 % |
| Central Adm.Serv. - SWCAP | | 0 | 0 | 0 | 0 % |
| Equipment | | 38,500 | 0 | 38,500 | 0 % |
| Other | | 88,100 | 168,899 | ( 80,799) | 192 % |
| TOTAL OPERATING EXPENSE & EQUIPMENT(OEE) | | 6,872,373 | 3,566,382 | 3,305,991 | 52 % |
| TOTAL PS & OEE | | 25,518,369 | 17,443,803 | 8,074,566 | 68 % |
| Indirect | | 4,845,980 | 3,454,949 | 1,391,031 | 71 % |
| GRAND TOTAL | | 30,364,349 | 20,898,752 | 9,465,597 | 69 % |

**Attachment 3**

# Central Valley Regional Water Control Board
# Fiscal Report Based on March 2004 Expenditures
***(An average of 75% should have been expended to date)***

(Projections done by using current month expenditure level and projecting it through the end of the year.)

**Governor Hiring Freeze -** No new hires and filling any vacant position requires a freeze exemption by the Administration. The Water Board has received a blanket freeze exemption for all non-general fund positions. The exemption covers hiring existing state employees. If we want to hire a new state worker we must request a freeze exemption. (Freeze process expires 6/30/04).

**Governor Operating Expense Freeze –** Freeze exemption and certification required for all expenditures. (The following are exempt from this process; contracts for TMDL, Interagency Agreements, Grants & Loans.) All travel and purchases must be considered essential which the EO or AEO must certify.

**FINANCE LETTER AUGMENTATION – "Waste Discharge Waivers" -** A request for additional staff and money to support our waivers has been approved by the Governor and submitted to the legislature. If approved this proposal will go into effect with the passage of the FY 04/05 Governors Budget. The request is to provide 22.3 new positions and $1.2 million of one-time contract funds. The proposal covers Irrigated Agriculture, Dairies and Timber Harvest programs. While Region 5 hopes that we would receive a significant portion of these resources a final distribution has not been developed by SWRCB. To fund this proposal the SWRCB will develop new fees as emergency regulations.

## Personal Services –

- Based on January expenditures we are projected to spend 98.7% of our personal services.
- Our personal services allotments have been updated to reflect new labor contract agreements. No other salary adjustments expected this year.
- (Boardwide, Personal Services' are projected to be 100%)
- We anticipate several additional vacancies between now and the end of the fiscal year. These retirements may impact priority programs and will necessitate staff shifts to maintain our efforts in these programs.
- We have developed a list of vacant positions that qualify for approval for the blanket freeze exemption process and we are proceeding with these requests. This approval and recruitment process will take a couple of months to complete.

## Contracts –

- Contract encumbrances are 47% expended. Most of our unspent contract monies are associated with CAA projects ($1.8 million is not committed at this time). These funds can roll over into next year if projects do not progress to the point where we need to expend the funds.

## Fund Issues

We do not have any fund that is overspent or any that we expect to over spend this year. We continue to monitor expenditures to assure that we do not overspend. State Board continues to be insistent that we do not overspend any of our fund sources since there is little flexibility in our budget this fiscal year.

| Key Fund Sources | Percent Expended |
|---|---|
| General Fund | 74.9 |
| Federal Funds | 73.7% |
| Waste Discharge Permit Fund | 76.0% |
| Prop 40 Bond | 47.5% |
| Prop 50 Bond | 35.4% |

* We did not receive our allocation of Prop 40 & 50 resources until December.

**COMPLETED SITE CLEANUPS** **ADDENDUM 4**

**No Further Action Required - Underground Storage Tanks (UST)**
Following are sites where Board staff determined that investigation and remediation work may be discontinued, no further action is required, and any residual hydrocarbons remaining do not pose a threat to human health and safety or anticipated future beneficial uses of water. This determination is based on site-specific information provided by the responsible party, and that the information provided was accurate and representative of site conditions. Article 11, Division 3, Chapter 16, Title 23 of the California Code of Regulations requires public notification when the Board determines that corrective actions have been completed and that no further action is required at a leaking underground storage tank site. This document serves to provide public notification.

For more information regarding a site, the appropriate office personnel should be contacted: Fresno (559) 445-5116, Redding (530) 224-4845, and Sacramento (916) 464-4602.

**FRESNO OFFICE**

**Fresno County**
*Executive Wings, 4988 E. Anderson Ave., Fresno*
Four USTs, associated dispensers and product piping, were excavated and removed from the site in October 1992. The USTs consisted of one 20,000-gallon aviation-grade gasoline (Av-gas) tank, one 20,000-gallon jet fuel (Jet-A) tank, one 2,000-gallon gasoline tank, and one 1,000-gallon gasoline tank. Soil samples collected beneath the USTs at the time of removal indicated that a release of petroleum hydrocarbons had occurred. The soil and groundwater investigations conducted to date have adequately evaluated the release. The bulk of impacted soils present at the site have been adequately evaluated and are approximately 55 to 60 feet above the water table. The results of groundwater monitoring and sampling events conducted since August 2001 suggest the presence of minimal or no impact to the underlying groundwater. The residual petroleum hydrocarbons in the underlying soils will naturally degrade and are not anticipated to pose a threat to the anticipated use of groundwater in the area. (DAM)

**REDDING OFFICE**

**Shasta County**
*Anderson Petroleum, 2339 Wyndham Lane, Redding*
In 1995, one 8,000-gallon gasoline UST was removed; several aboveground petroleum storage tanks, installed in secondary containment, remain. Three monitoring wells were constructed to determine if gasoline contamination discovered in a down gradient sanitary sewer line originated from Anderson Petroleum. One of these is about 50 feet southeast, generally down gradient, of the former UST. In several years of monitoring, this well detected MtBE only once and no other volatile organic compounds. The other monitoring wells showed very few pollutant detections, therefore staff concluded that minor amounts of gasoline were released from Anderson Petroleum's UST or ASTs and do not appear to have impacted the sewer line or threaten other beneficial uses of the groundwater. Therefore, a no further action required letter was issued to Anderson Petroleum and CAO No. 95-703 was rescinded. (EJR)

**SACRAMENTO OFFICE**

**Glenn County**
*Stone Ranch (Zumwalt) 201–B Parcel, Near Princeton*
This is a former prune drying facility, on the east side of the Sacramento River, in an unincorporated area of Glenn County. The nearest town is Princeton, approximately five miles south of the facility. River flow sloughed soil off an abandoned 8,000-gallon concrete tank (estimated age 50 to 100 years old), exposing the tank, and appearing to threaten surface waters. In February 2003, Board staff and Department of Fish and Game oversaw an emergency tank removal. Approximately 240 cubic yards of soil and concrete material was removed and disposed of at an appropriate off-site facility. In August 2003, six GeoProbe® direct pushes were advanced to groundwater, one sample had low levels of TPH-d and oil and grease. No other constituents were found above laboratory reporting limits in soil or groundwater. Board staff determined that the heavier, aged petroleum hydrocarbons remaining in

groundwater and soil are unlikely to pose a threat to beneficial uses of groundwater or surface water. Based on soil and groundwater sampling, the site appears to be low-risk and suitable for no further action. (DMV)

*Super Shopper, 1233 East Street, Orland*
Two 8,000-gallon underground storage tanks (USTs) were removed from the property in June 1998. Analytical results showed TPH-g, BTEX, and MTBE in soils and elevated levels of gasoline, BTEX, and fuel oxygenates in groundwater ( MTBE was as high as 153,000 µg/L). Approximately 150 cubic yards of contaminated soils were excavated during the tank removal and subsequent installation of the new UST system. Three groundwater monitoring wells were installed in December 1999. Monitoring wells sampled between first quarter 2000 and first quarter 2003 groundwater analytical results indicated low to non-detectable levels of petroleum constituents. The Discharger conducted two off-site and on-site Geoprobe® investigations, defining the lateral and vertical extent of groundwater contamination. Ten domestic wells were found within 2,000 feet of the site. The nearest well is approximately 300 feet south-southwest, and screened from 75 to 100 feet. The site is adequately characterized as low-risk and suitable for a no further action. (DMV)

**Nevada County**
*Clair Tappan Lodge, 19940 Donner Pass Road, Norden*
In 1998, a 150-gallon home heating oil tank was removed from the site. Contaminants were non-detect in confirmation samples from the tank pit. However, contamination was identified from an abandoned in-place distribution line adjacent to the tank excavation. Approximately 10 cubic yards of impacted soil were overexcavated. Multiple soil and groundwater sampling events from 2000 – 2004 determined the extent of contamination and that there is no threat to a nearby ephemeral creek. The remaining impacted soil does not pose a risk to human health since PAH compounds were non-detect in the soil samples. Based on site conditions (such as the steep slope and inaccessibility for human contact) and the absence of highly mobile contaminants such as MTBE, and ongoing natural attenuation, this site poses no threat to human health and safety or water quality. (MTS)

*Penn Valley Union 76 Station, 17562 Penn Valley Drive, Penn Valley*
In February 1989, petroleum hydrocarbons were detected in soil and groundwater samples from a test pit excavated in the vicinity of two 1,000-gallon gasoline USTs. Low to elevated levels of TPH-g and BTEX constituents were detected in soil and groundwater samples from well installations. In September 1989, the two USTs and 250 cubic yards of soil were excavated from the site. During quarterly groundwater monitoring, contaminants were detected in water samples from the monitoring wells and one of two domestic wells located on the property. The impacted domestic well has been decommissioned. During the April and November 2003 sampling, low concentrations TPH-g, BTEX, and MTBE were detected in groundwater samples. An ASTM Tier I and Tier II risk assessment showed that the remaining contamination does not pose a threat to human health and safety or beneficial uses. (MTS)

**San Joaquin County**
*Silgan Container Corporation, 1815 Navy Drive, Stockton*, San Joaquin County.
One 3,500 gallon concrete UST was removed in October 1986. Approximately 450 cubic yards of soil were excavated and eight monitoring wells were installed. Although paint thinner (solvent) was reportedly stored in the UST, motor oil, ethylbenzene, xylenes, trichloroethylene, tetrachloroethene, MtBE, and cis-1,2-dichloroethene were detected in the groundwater near the UST. Groundwater monitoring, conducted between 2001 and 2003, showed a decreasing trend in concentrations for all contaminants. Fate & transport modeling predicts that cis-1, 2-dichloroethene concentrations will reach water quality objectives in less than 20 years with no impacts to water supply wells. All monitoring wells were properly abandoned prior to closure. (JLB)

**Yolo County**
*Yates Service Station, 400 Mace Boulevard, Davis*
In 1984 gasoline was detected leaking from the vent and product lines, with an estimated loss of up to 1,450 gallons. Ten groundwater monitoring wells were installed and soil and groundwater contamination was defined. Remediation included bailing free product from wells, removal of 2,000 cubic yards of contaminated soil, and groundwater extraction. Analysis showed no impact to the only water supply well within 1,500 feet of the station and residual gasoline hydrocarbons should degrade below water quality objectives by 2008. Hydrocarbons beneath the site do

not present a threat to water quality or beneficial uses; therefore, monitoring and remediation wells were destroyed and A No Further Action Required letter was issued. (DFS)

**Local Agency UST Closures with Concurrence of Board Staff Review**

**San Joaquin County**
*7-Eleven Store #2243-17647, 1048 W. Yosemite Ave., Manteca*
*E_Z Serve #100878, 1012 W. Yosemite, Manteca*
*Franklin High School, 300 N. Gertrude Ave., Stockton*
*Libby Owens Ford Company, 500 E. Louise Ave., Lathrop*
*M&K Market, 8960 W. Walnut Grove Rd., Thornton*
*Mel Bokides Petroleum, 501 W. Lodi Ave., Lodi*
*Van Buskirk Golf Course, 1740 Houston Ave., Stockton*

**Stanislaus County**
*Hatch Milling Co., 9318 W. Main Street, Turlock*
*ARCO #5421, 2507 9$^{th}$ Street, Ceres*

**Local Agency UST Closures Independent of Board Staff Review**

**Madera County**
*Valley Wholesale Lumber, 101 East Central Avenue, Madera*