

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

23/24 JUNE 2005

ITEM: 3

SUBJECT: Executive Officer's Report

DISCUSSION:

ENFORCEMENT

[see also **SPILLS**, below]

- 1. *Unauthorized Discharge of Solid Food Processing Waste, Morris Farming and Trucking, Sutter County***
In late November 2004, staff started receiving complaints from neighbors of this site regarding the unauthorized discharge of solid food processing waste. Since that time, staff has conducted two site inspections; written several letters informing the discharger of his responsibilities and ordering specific actions to be taken; transmitted numerous e-mails and written letters to concerned neighbors; and communicated with several county, state, and federal agencies regarding the situation. Currently, all peach and prune pits that had been stored on site have been removed, composted fruit pomice has been incorporated as a soil amendment on three of the Discharger's orchards, and additional material is no longer being imported onto the site. The Discharger has been informed that future import and storage of food processing waste cannot occur at this facility unless a use permit is obtained from Sutter County and a Report of Waste Discharge is submitted. The Discharger applied for a Conditional Use Permit but the request was recently denied. The Discharger is currently exploring storage and disposal options at other sites. (JRM)
- 2. *Settlement of Administrative Civil Liability, City of Marysville, Yuba County***
On 3 March 2005, the Executive Officer issued an Administrative Civil Liability (ACL) Complaint in the amount of \$25,000 to the City of Marysville for failure to submit several technical reports required by WDRs Order No. R5-01-071 and Cease and Desist Order No. R5-2004-0072. Following a meeting, the Discharger proposed to settle the ACL Complaint for \$15,000 and proposed a new schedule for the submittal of the outstanding technical reports. The remaining \$10,000 has been held in abeyance, and must be paid if the Discharger fails to follow the new report submittal schedule. This settlement agreement was finalized on 9 May 2005, following closure of the public comment period. The settlement required a payment of \$15,000 by 18 May 2005; the payment has been received. The Discharger has submitted the first of the required technical reports. (JRM)
- 3. *California Concentrate Company, San Joaquin County***
On 21 April 2005 a Notice of Violation was issued to California Concentrate for generation of offensive odors. The odor condition was reported by a nearby resident on 6 April 2005 and confirmed by staff the same day. The inspection also revealed that mechanical aerators were not installed in the ponds. This is the second odor complaint received by staff; odors were also reported on 23 December 2004. An NOV for that violation was issued on 28 December 2004. The Discharger has responded to the April 2005 NOV by installing a brush type aerator. A report describing installation of the aerator, daily dissolved oxygen measurements, and sample collection location information is due to the Regional Board by 20 June 2005. (TRO)
- 4. *Jesse M. Lange Distributing, Inc., Butte County***
On 17 May, the Executive Officer issued an Administrative Civil Liability Complaint (ACLC) in the amount of \$500,000 to Jesse M. Lange Distributing, Inc., Discharger, for failure to implement approved work plans for further site investigation and cleanup, submit quarterly groundwater monitoring reports, and reimburse staff oversight costs, required in Amended Cleanup and Abatement Order No. 99-709. A hearing will be scheduled for the 3-4 August 2005 Board Meeting. The Executive Officer has also referred the case to the Attorney General for injunctive relief. Failure to comply with the Order allows continuous pollutant dispersion toward at least fifteen identified water supply wells. Due to free phase gasoline product migration into their property, Pacific Gas and Electric Company has a third party lawsuit pending against the Discharger. (EJR)
- 5. *Marina Ridge, Calaveras County***
On 4 May 2005, the Executive Officer issued an ACL complaint to Marina Ridge, LLC for \$80,000 based on violations of the Construction Storm Water General Permit. Marina Ridge is the owner and developer of Calypso Beach Villas, a 48.5-acre construction project in Calaveras County. The site is being developed into residential homes, and runoff from the site discharges to Lake Tulloch. Staff inspected the site on a number of occasions in 2004 and 2005. During the inspections, staff documented storm water management problems and discharges of sediment into Lake Tulloch. Prior to issuance of the ACL complaint staff attempted to gain compliance by discussing the violations with the owner, issuing a Notice of Non-compliance and a Notice of Violation. Only two days after issuing the complaint, the Discharger paid the full amount of the ACL.

Additional motivation for settlement was provided by Tuolumne County who refused to make further inspections on the project until outstanding issues with the Regional Board were resolved. (RWM)

6. Home Depot Construction Waste, Hangtown Creek, Placerville

On 10 November 2004, staff from the Regional Board and California Department of Fish and Game conducted a follow-up inspection of a Home Depot construction site in Placerville in response to previous violations of the construction storm water permit and conditions of their water quality certification. The inspection revealed the discharge of sediment and Gunitite wastewater in Hangtown Creek. Staff issued a second NOV on 24 November 2004 and Department of Fish and Game issued a 5650 violation. The case was referred to the Circuit Prosecutor for appropriate action (JAK)

7. Lewis Ranch Timber Harvest Conversion, El Dorado County

On 11 May 2005, the Executive Office issued a Cleanup and Abatement Order to Francis Lewis, owner of the Lewis Ranch, directing him to clean up earthen material that discharged into surface water and surface water drainages as a result of grading activities on his property near Greenwood, El Dorado County. Mr. Lewis was constructing a road as part of a Less Than 3-acre Timber Conversion. His activities exceeded the 3 acres by an additional 18 acres and resulted in sediment being discharged to surface waters and exposure of a large amount of erodible soil that continued to threaten surface waters. The order directs him to stabilize all disturbed areas and restore all disturbed streams and drainage courses 15 June 2005. The Department of Forestry and Fire Protection also cited Mr. Lewis for violation of the terms of the timber conversion. (JAK)

8. Hamilton Landfill Operator, Tuolumne County

In March of 2004, the Executive Officer issued a Cleanup and Abatement Order to Jack Hamilton due to discharges to surface water and filling of a streambed without a storm water permit or water quality certification. At that time the burning landfill also threatened to discharge combustion by-products to surface waters. Mr. Hamilton failed to comply with the Cleanup and Abatement Order. Regional Board staff worked with other agencies to assist in prosecution of violations by the County prosecutor. On May 27 Mr. Hamilton pleaded guilty to charges of operating an illegal landfill. Sentencing is scheduled for July 8. Several of the parties who discharged waste to the landfill may assist Mr. Hamilton with the cleanup operation. (RWM)

9. Northern Dairy Environmental Task Force

On April 18, Terry Bechtel and Charlene Herbst attended the Northern Dairy Environmental Task Force Meeting to discuss the status of enforcement actions at dairies. These Environmental Task Forces have been very effective in combining efforts and resources in pursuing enforcement actions where multiple agencies are involved. Such Task Forces have been able to pursue over 125 such enforcement actions against dairy discharges while allowing the Regional Board staff to focus on field-type inspections in support of such efforts. Having a strong field presence has been highly successful in our Confined Animal Facility Program over the last six years. (DWW)

10. Enforcement Actions Summary

The following table presents a summary of enforcement actions for the period of 1 April through 31 May, as entered in the SWIM database as of 31 May 2005 (database query date).

Enforcement Action														
	ACL	ACL	MMP	MMP	13267							(Informal)		
	Order	Complaint	Order	Complaint	CAO	CDO	Letter	NSW	TSO	RAG	ROT	NOV	SEL	VER
OFFICE:														
Redding							1					6		9
Sacramento	3	2			2	1	2	2				29	18	2
Fresno				1								8	6	16
Total:	3	2		1	2	1	3	2				43	24	27

Not all actions in given programs are currently entered in SWIM, thus the summary does not reflect all enforcement actions taken during this period.

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|--|---|
| ACL Order - Administrative Liability Order | NSW - Notice of Storm Water Noncompliance |
| ACL Complaint - Administrative Liability Order | TSO - Time Schedule Order |
| MMP Order - Mandatory Minimum Penalty Order | RAG - Formal Referral to Attorney General |
| MMP Compl. - Mandatory Min. Penalty Complaint | ROT - Referral to Other Agency (Informal) |
| CAO - Cleanup and Abatement Order | NOV - Notice of Violation (Informal) |
| CDO - Cease and Desist Order | SEL - Staff Enforcement Letter (Informal) |
| 13267 Letter - Technical or Monitoring Report(s) | VER - Verbal Notice of Noncompliance (Informal) |

Compliance and Enforcement Data Management

A workgroup, comprised of staff representatives from all three offices and programs, has been formed to enhance enforcement tracking and improve consistency in compliance and enforcement data entry and management. The workgroup met on 5 May 2005 and 18 May 2005. The group is currently working on developing a proposed approach for recording violations to help ensure consistency in data entry for the three offices. The proposed approach will be submitted to executive management for review and approval. The group will meet again in mid-June.

Regional Board staffs from all three offices are participating in the beta testing of the California Integrated Water Quality System (CIWQS), the database that will replace the existing database used for compliance and enforcement data (System for Water Information Management, SWIM). The new system was developed, "for the State and Regional Water Boards to track information about places of environmental interest, manage permits and other orders, track inspections, and manage violations and enforcement activities. CIWQS also includes an electronic Self Monitoring Report (eSMR) tool for submission of monitoring reports via an Internet web site. CIWQS is part of an overall effort to integrate several disparate legacy systems, compile water quality data, standardize permits, automate processes, and to make data more accessible to Water Board staff, dischargers, the public, and US Environmental Protection Agency. Initially, CIWQS will focus on supporting the National Pollutant Discharge Elimination System (NPDES) program and its requirements to submit monitoring reports. The Internet-based eSMR tool will be deployed in a phased approach, and will be available to dischargers in certain Water Boards starting in the July of 2005." More information can be obtained, including FAQs and newsletters, on the State Board website at <http://www.waterboards.ca.gov/ciwqs/index.html>.

Enforcement Coordination

On 3 May 2005, Regional Board staff in the Cleanup Section participated in the service of a search warrant for illegal dumping of hazardous material at a site in Lake County. The effort was led by the Department of Toxic Substances Control, and included the Lake County Division of Environmental Health, the California Department of Fish and Game, Lake County District Attorney's Office and the Regional Board.

On 11 May 2005, Steve Rosenbaum and Kelly Briggs participated in the Sacramento County Environmental Crimes Task Force meeting.

On 11 May 2005, Kelly Briggs met with representatives from the US EPA Criminal Investigation Division to discuss interagency coordination on cases.

On 11 May 2005, Mary Randall participated in the Sacramento County Environmental Crimes Task Force meeting in Oroville.

On 25 May 2005, Doug Patteson, Dale Harvey and Shelton Gray met with representatives from the US EPA Criminal Investigation Division to discuss interagency coordination on cases.

On 18 May 2005, Kelly Briggs, Wendy Wyels, Steve Rosenbaum, Dave Carlson, Alex Bailie and Mary Randall participated in the State Board Enforcement Roundtable. Agenda topics included the 2005 State Board Water Quality Enforcement Plan, Regional Board enforcement prioritization status, compliance evaluation inspections, complaint tracking systems, staff cost recovery for enforcement actions, and the US EPA Watch List.

Enforcement Communications

A reporter with the Stockton Record contacted enforcement staff in mid-May with questions regarding recent regional and state level efforts focused on improving enforcement. Information, including the agenda package for the March 2005 Enforcement and Communication Policies Information Item, was provided along with a referral to State Board Public Affairs and Compliance and Enforcement Unit representatives for more information on statewide efforts. (KAB)

TMDLs

11. ***Urban Creek Sediment Toxicity/Pyrethroid Pesticides: Region 5 Surface Water Ambient Monitoring Program (SWAMP)***
Sacramento River Watershed Unit staff is working with UC Berkeley to investigate the potential role of pyrethroid pesticides in impacting resident invertebrate populations in Central Valley suburban watersheds. Pyrethroid pesticides have replaced the phased-out organophosphate pesticides (diazinon and chlorpyrifos) in urban areas. In summer 2004, staff studied several natural creeks in the Pleasant Grove Creek Watershed that drain areas of residential home development in the City of Roseville, Placer County. The Pleasant Grove Creek watershed was selected for this study because it is almost entirely suburban dominated, eliminating other possible sources of pyrethroid pesticides (e.g., agriculture), and because *Hyalella azteca*, the freshwater amphipod used for the standard US EPA sediment toxicity testing protocol, is a resident invertebrate in the watershed. This study used the triad approach to monitoring – toxicity testing, chemistry, and biology.

Significant mortality was observed in laboratory sediment toxicity tests with *H. azteca*. Sediment from 10 of the 21 sites caused total or nearly total (>90%) *H. azteca* mortality in 10-day bioassays. Sediments were analyzed for 28 pesticides including one organophosphate pesticide (chlorpyrifos), 20 organochlorines, and seven pyrethroids. The concentrations of chlorpyrifos and the organochlorines were below levels associated with toxicity to *H. azteca*. Approximately 70% of the observed toxicity was attributed to bifenthrin, a pyrethroid insecticide. Cypermethrin and cyfluthrin concentrations explained most of the remaining pyrethroid-linked toxicity. The primary source of bifenthrin to creek sediments appears to be related to homeowner usage of lawn care products containing bifenthrin. Bifenthrin is available to the homeowner largely in the summer months to combat insect pests in lawns and may enter creek sediments from over irrigation and subsequent runoff through stormdrains. Resident *H. azteca* distribution was limited to areas of the watershed with the least residential influence. The final project report containing these data should be available within the next few months. Preliminary data from other urban streams in the greater Sacramento area suggests the issue is not unique to Roseville but likely a statewide urban water quality problem.

Sacramento River Watershed Unit SWAMP staff is currently discussing study results and next steps with Stormwater staff, and the City of Roseville. A presentation of these findings is currently being scheduled with the Department of Pesticide Regulation. (RWH)

12. *Clear Lake Nutrient TMDL*

Clear Lake is listed on the 303(d) list of impaired waterbodies for nutrients due to nuisance algae blooms. Historical studies of Clear Lake point to erosion of sediments rich in phosphorus as the source of excess nutrient loading to the lake. USEPA contracted with Tetra Tech to develop a technical TMDL for Clear Lake. Tetra Tech used thirty years of water quality data collected by DWR to develop a computer model of the lake. The computer model includes a watershed model and a receiving water model. The results of the model are detailed in their technical TMDL report. Their report proposes a chlorophyll-a target for the lake and the model indicates that the target could be achieved by reducing phosphorus loading to the lake by approximately 40 percent.

On 5 May 2005, staff held a CEQA Scoping meeting in Lake County. The purpose of the meeting was to evaluate the potential environmental impacts of the proposed TMDL. About 20 people, including representatives from Lake County Department of Public Works and Special Districts, the US Forest Service, the Lake County Farm Bureau, East and West Lake RCD and others, attended the meeting. Participants commented that there might be net positive impacts on air quality, biological resources, soils and geology, and water quality. It was speculated that increased regulation related to the TMDL might have economic impacts on agriculture, mining operations and housing development. Staff will incorporate all public comments into the staff report that is scheduled to be released for review in October 2005. (LBW)

13. *Management Plans for Diazinon Discharges in the Sacramento Valley*

TMDL program staff, in coordination with Irrigated Lands program staff, is working with the Sacramento Valley Water Quality Coalition on the submittal of a management plan for discharges of diazinon into the Sacramento and Feather Rivers. The management plan addresses requirements of the recently adopted diazinon TMDL for the Sacramento and Feather Rivers, the Irrigated Lands Waiver, and the Bay Protection Hot Spots program. The management plan includes a number of elements, including the submittal of a waste specific monitoring program and a description of the actions that orchard growers intend to take to reduce diazinon discharges. The Executive Officer has sent a letter to the Coalition outlining the requirements of the management plan. The Coalition will include a separate letter from the EO to growers in their mail out to potential users of diazinon. The letter outlines the options for growers to meet the requirement to submit a management plan. The management plan is due no later than June 30, 2005. (JK)

14. *Dormant Season Rainwater Monitoring for Pesticides*

Rainwater samples were collected during and following the 2004 orchard dormant spray season and analyzed for various pesticides at four sites in Lincoln, Stockton, and Sacramento County. Samples were collected by Regional Board staff, Deltakeeper staff, and by the Sacramento Stormwater Permittees. Diazinon and chlorpyrifos were found in highest concentrations at the Stockton site. Detectable concentrations of simazine, carbaryl, metolachlor, dacthal (DCPA), methidathion, azinphos methyl, and pendimethalin were also found in rainwater samples. A Staff Report summarizing the methodology and results can be found at: http://www.waterboards.ca.gov/centralvalley/available_documents/waterqualitystudies/Sac_Urban_Rainwater_2004.pdf. A similar rainwater monitoring effort was conducted during the 2005 orchard dormant spray season. A report on the results of that monitoring effort is expected by August 2005. (PL)

15. *TMDL Round Table Resource Allocation Collaborative Project*

Staff from the Regional Board (Jerry Bruns and Les Grober) attended the TMDL Roundtable Resource Allocation Collaborative Project training held in Oakland on April 26 and 27. A follow-up meeting was held in San Diego on May 24 in San Diego. The purpose of this training, facilitated by CONCUR, was to provide State and Regional Board staff with additional skills to develop a resource allocation framework to provide to State Board management. The draft resource allocation framework developed during these meetings is scheduled for finalization at a 6 June meeting in Oakland. The

framework, along with a resource allocation recommendation, will be provided to State Board management to assist in their allocation of State and federal TMDL resources to the State and Regional Boards. (LFG/JAB)

16. *Nutrient Workshop*

Staff from the Regional Board (Mark Gowdy, Lori Webber, Jay Rowan, and Emily Alejandrino) attended a State Water Resources Control Board sponsored workshop to solicit input from State and Regional Board staff on the development of a guidance document to be used by Regional Boards in the preparation of nutrient TMDLs. Also in attendance was staff from the State Water Resources Control Board, Division of Water Quality, and most of the other regions in the State. (LFG/RJS)

17. *Development of Environmental Indicators for San Joaquin River TMDLs*

Staff met with USEPA staff to discuss the scope of work for a project to develop indicators and indices of the water quality and implementation efforts in the San Joaquin River as they relate to the development of Total Maximum Daily Loads (TMDLs). The San Francisco Estuary Institute, the project proponent, has received a Clean Water Act 104(b) grant to conduct this project. The TMDLs under consideration for evaluation are the selenium, salinity, and dissolved oxygen TMDLs in the San Joaquin River. Also attending the meeting were staff from the State Water Resources Control Board and the Bay Institute.

18. *San Joaquin River Deep Water Ship Channel Dissolved Oxygen TMDL*

The dissolved oxygen TMDL, approved by the Regional Board at the January Board meeting, had been tentatively scheduled for a State Water Board workshop on 3/4 May, with consideration of approval at their 19 May Board meeting. The item was not placed on the State Board agenda and no alternate date has been proposed. Regional Board staff participated in the following activities associated with this TMDL:

- On 19 April 2005, Mark Gowdy and Jennifer Heyd attended a meeting of the California Bay-Delta Authority (CBDA) Dissolved Oxygen Technical Work Group. The workgroup is a forum for exchanging ideas and managing the various CBDA funded studies that are aimed at better understanding the causes of the dissolved oxygen impairment in the Stockton Deep Water Ship Channel, and potential source controls and mitigation measures. The U.S. Army Corps of Engineers presented an overview of the aeration system they installed in a reservoir in North Carolina. The California Department of Water Resources (DWR) is proposing to install a demonstration aeration system in the Stockton Deep Water Ship Channel to evaluate its potential effectiveness in improving dissolved oxygen conditions. This presentation presented useful design and operations experience for DWR and other watershed stakeholders.
- On 17 May 2005, Mark Gowdy, Jennifer Heyd, and Zhimin Lu attended a meeting of the California Bay-Delta Authority (CBDA) Dissolved Oxygen Technical Work Group. The workgroup is a forum for exchanging ideas and managing the various CBDA funded studies that are aimed at better understanding the causes of the dissolved oxygen impairment in the Stockton Deep Water Ship Channel, and potential source controls and mitigation measures. Presentations were given by three organizations that have CBDA funding to perform computer water quality modeling of the Stockton Deep Water Ship Channel and the upstream San Joaquin River watershed. These presentations were followed by discussion of issues raised in the presentations.
- On 19 May 2005, Mark Gowdy presented an overview of the dissolved oxygen TMDL (adopted by the Regional Board in January 2005) to a joint meeting of the Bay-Delta Authority Public Advisory Committee, Ecosystem Restoration Program and Drinking Water Program subcommittees. (MG)

19. *Salt TMDL, San Joaquin River*

No State Board workshop or hearing date has been re-scheduled to consider the San Joaquin River Salinity and Boron TMDL and Basin Plan Amendment that was adopted by the Regional Board in September 2004. Regional Board staff participated in the following activities associated with this TMDL:

- Regional Board staff held a CEQA scoping meeting and public workshop to discuss the development of a basin plan amendment to establish new salinity and boron water quality objectives in the Lower San Joaquin River upstream of Vernalis and a Total Maximum Daily Load (TMDL) to implement these objectives. Development and implementation of these objectives is the second phase of the salinity TMDL adopted by the Regional Board in September 2004. The scoping meeting and workshop provided participants with an opportunity to comment on the scope of the project including: 1) the proposed salinity and boron water quality objectives and 2) the appropriateness of providing flow recommendations to the State Water Resources Control Board. Eric Berntsen and Les Grober made the staff presentations.
- Les Grober will participate in a peer review of the San Joaquin portion of the CalSim II model. CalSim II is an operations model of the water storage and delivery system of the State of California. The model has been recently

modified to better represent the complex interaction of water quantity and quality in the San Joaquin River system. San Joaquin River Water Quality Management Group participants and others to develop implementation approaches to achieving salinity standards in the San Joaquin River are using CalSim II output. Preliminary results from CalSim II have also been used in exhibits and comments submitted to the State Board during their periodic review of the 1995 Water Quality Control Plan for the San Francisco Bay/ Sacramento-San Joaquin Delta Estuary. The review will be conducted over a three to four month period starting with a workshop tentatively scheduled for 4 and 5 August. The California Water and Environmental Modeling Forum (CWEMF) and the California Bay Delta Authority Science Program in collaboration with the United States Bureau of Reclamation and the California Department of Water Resources cosponsor the review. (LFG)

SITE REMEDIATION

20. *State Invokes Formal Dispute on Basewide Volatile Organic Compound (VOC) Groundwater Record of Decision (ROD) at the Former McClellan Air Force Base, Sacramento County*

On 18 April 2005, both the State (the Department of Toxic Substances Control and the Regional Board) and the U.S. Environmental Protection Agency (USEPA) invoked formal dispute on the McClellan Basewide VOC Groundwater Record of Decision (ROD). The ROD proposes the final groundwater remedy for addressing the volatile organic groundwater plume and VOC contaminated soils at the former base. The State and the USEPA agree that the ROD is significantly deficient and does not meet State and Federal regulations, which require cleanup of the entire contaminant plume. This ROD differs significantly from the cleanup the Air Force proposed in its Proposed Plan, issued last year. Based on a new Air Force Policy, the selected remedy for groundwater cleanup is no longer aggressive cleanup of groundwater to maximum contaminant levels (MCLs), but rather indefinite containment of groundwater at the former base boundary. This "area of control" would allow for groundwater contamination from several highly polluted sources areas to migrate laterally and vertically as long as the contaminant plumes are contained within the former base boundary. An interim pump and treat system is currently in place which captures most individual contaminant plumes and once completely implemented should prevent lateral and vertical migration. The interim system has been very effective in reducing mass and concentrations of VOCs in the groundwater. Resolution through the formal dispute process is being pursued. If resolution is unattainable, the dispute has the potential to be resolved by the EPA Administrator. (JDT)

21. *Collins & Aikman Products Company, Former Wickes Forest Products Industries Site, 6109 A Street, Elmira, Solano County*

On 5 May 2005, Regional Board staff commented and conditionally approved the work outlined in the Pilot Study Work Plan to Assess the Feasibility of Discontinuing Groundwater Extraction in the Northern Portion of the [Groundwater Plume] (Work Plan). The Work Plan objectives include the assessment of shutting off three northern extraction wells to determine groundwater influence with only private well pumping in the vicinity of one of the extraction wells. The proposed 3-month pilot study provides for additional sampling and includes a contingency protocol for reinitiating groundwater extraction. Regional Board staff is working with DTSC to oversee groundwater cleanup at this site. (MES)

22. *Southgate Norge Dry Cleaners, Sacramento, Sacramento County*

On 16 May 2005, the Executive Officer of the Regional Board approved the Cleanup Plan for the Southgate Norge Dry Cleaners at 7131 Governors Circle, Sacramento. The soil and groundwater at this site is polluted with tetrachloroethylene (PCE). The Cleanup Plan contains provision to conduct soil cleanup using soil vapor extraction (SVE) and groundwater cleanup using groundwater extraction. Sacramento County Sanitation District 1 (CSD) Discharge Permit GRW032 governs the discharge of extracted groundwater to the nearby sanitary sewer. The permit limits the discharge rate to 140 gallons per minute and the discharge PCE concentration to 500 µg/l. During the February 2005 sampling event, the highest PCE concentration was 400 µg/l in groundwater at monitoring well MW-12. The CSD owns and maintains the sewer lines to which wastewater containing PCE was disposed and from which PCE was released to the soil and groundwater. The CSD is cleaning up the soil and groundwater pollution on behalf of itself and all the other responsible parties, including the former owners and operators of Southgate Norge Dry Cleaners (MES)

WATERSHED ACTIVITIES

23. *Off-Road Vehicle Generated Erosion, Cooperative Enforcement, Shasta County*

Sediment laden runoff from erosive soils disturbed by trespassing off-road vehicle (ORV) users is a growing problem in Shasta County. Many rural property owners are unable to adequately secure their property against trespass by ORV users. Some ORV enthusiasts take advantage of poorly posted and fenced lands to establish riding tracks, which can damage vegetation and expose soils to erosion. The area of exposed soil can rapidly rise above 2 acres and in one case was greater than 30 acres. Uncontrolled access also attracts illegal dumping of household and other waste. Lack of trespass signs and fencing makes control of these activities difficult.

A cooperative enforcement approach between landowners, DFG and Central Valley Regional Board staff has shown results in addressing this problem at two large properties in Shasta County. ORV damage and illegal dumping had become extensive at a City of Redding property in Oregon Gulch and at a privately held property near City of Shasta Lake. Regional Board staff sent letters to the property owners informing them of their responsibility for runoff discharges and requesting they adequately secure and post their property. After receiving the letters the property owners improved fencing and signage. In the City of Redding case a Cantara Grant funded gates and barricades. The improved barriers and signage enabled DFG Wardens to step up enforcement of vehicle code and trespass violations. Neighbors report a 90% drop in ORV trespass. The two sites show good plant growth on previously exposed slopes. This cooperative/multi-agency approach shows promise for addressing this problem. (GFC)

DAIRIES

24. *Proposed Ordinance for Dairies, Kern County*

Kern County Environmental Health Department is receiving comments on their proposed ordinance for dairies with greater than 200 dairy cows (or equivalent animals) that are on site for more than 45-days in a 12-month period. Any permit would be for a one-year period and the permit is non-transferable. Proposed requirements include:

- All storm water that comes in contact with organic waste shall be maintained on-site.
- Grading at the facility shall not result in contaminated storm drainage water or wastewater flowing onto adjacent properties, public roads, rights-of-way, or into any surface water or waterway.
- No animal enclosures shall be located within 100 feet of agricultural or domestic water wells.
- Sprinkler irrigation of manure water is prohibited.
- Tile drainage water discharged off site shall be monitored for TDS, solids, nitrates, selenium, and other constituents designated by the Department.
- Silage storage areas shall be constructed at least 300 feet away from any off-site residences and be made of impervious materials.

The proposed ordinance is anticipated to go before the Kern County Board of Supervisors sometime in August or September of 2005. (KWE)

25. *California Dairy Quality Assurance Program*

On 19 May 2005, staff met with representatives of the California Dairy Quality Assurance Program (CDQAP) and the dairy industry to discuss options for incorporating CDQAP into the permitting process for dairies. The focus of the meeting was on how to structure an outreach program to the dairy producers when our permitting requirements are being implemented. The discussion centered also around the process the CDQAP and the industry used in the Air Resources permitting program they implemented late last year. Staff will consider the options discussed in its proposed regulatory approach for dairies. (PAL)

26. *Lawrence Livermore National Laboratory Presentation on Denitrification Beneath a Dairy, Kings County*

On 27 May 2005, staff attended a presentation by the Lawrence Livermore National Laboratory (LLNL) on the results of a study LLNL conducted as part of the State Board's Groundwater Ambient Monitoring and Assessment Program (GAMA). The study evaluated saturated zone denitrification in a shallow aquifer underlying a 1,500-cow dairy in Kings County. Decreasing concentrations of nitrate below 10 meters in the shallow aquifer and increasing gaseous nitrogen concentrations indicated that denitrification may be responsible for a significant fraction of the nitrate decrease. (PAL)

27. *Dairy Ordinance Change in Solano County*

On 24 May 2005, Solano County Board of Supervisors approved a 3-mile buffer from cities when citing new dairy facilities in Solano County. This approved ordinance is to now be included in the Solano County Confined Animal Facility Regulations. Many persons commenting were advocating for an outright ban on new dairies or a 5-mile buffer zone around all cities in the county. (JWC)

28. *Dairy Lagoon Construction Standards*

On 18 May 2005, Regional Board staff from Sacramento and Fresno offices discussed dairy lagoon design criteria with representatives from Western United Dairymen (WUD), California Dairy Campaign, (CDC), State Water Resources Control Board (SWRCB), Natural Resource Conservation Service (NRCS) and Fresno County Farm Bureau as well as numerous engineering consultants, contractors and dairymen. Recent dairy lagoon designs received by staff for review have included a variety of approaches from just the minimum Title 27 requirements of at least 10% clay, clay liners with specific discharge requirements (required by Kings and Merced counties) and synthetic liners. Design, construction quality assurance and the relative merits of each design were discussed.

On 25 May 2005, Fresno staff met with several dairymen represented by a private consultant or the Natural Resource Conservation Service (NRCS) regarding dairy lagoon design and construction procedures at six dairies in the Tulare Lake

Basin. Most of these lagoons were constructed at existing dairies to provide additional storage capacity for winter production water and stormwater. The additional capacity alleviates the necessity at many of these facilities to apply manure water to cropland during the rainy season when crops least need the nutrients, and leaching of salts and nutrients from the root zone to the groundwater is most likely. (DAS)

29. *Dairy Information for the Water Education Foundation's 2005 Central Valley Tour*

On 20 May 2005, Charlene Herbst discussed Central Valley dairy issues during the Water Education Foundation's 2005 Central Valley bus tour. The Water Education Foundation is an impartial, non-profit organization whose mission is to create a better understanding of water issues and helps resolve water resource problems through educational programs. The Department of Water Resources, the US Bureau of Reclamation, and the James Irvine Foundation cosponsored the tour. Participants included representatives of public agencies and private companies, and directors of water districts. Participants also toured the Durrer and Sons Dairy in Stanislaus County, where they heard from representatives of Western United Dairymen. Other topics covered on the three day bus tour included Delta water issues, west side agricultural drainage, and conjunctive use programs. (CMH)

WASTE DISCHARGES TO LAND

30. *Aquifer Storage and Recovery*

On 12 March, Jon Marshack of the Enforcement, Compliance & Program Support Unit made a presentation on the regulation of aquifer storage and recovery (ASR) projects in the Central Valley Region to the Groundwater Resources Association of California's Legislative Symposium in Sacramento. Other speakers on the topic of artificial recharge included Derrick Whitehead of the City of Roseville, Jerry Johns of the Department of Water Resources, Ed Winkler of the Sacramento Groundwater Authority, and Kathleen Kunysz of the Metropolitan Water District of Southern California. Dr. Marshack's opening remarks addressed a misperception voiced by some earlier speakers that the Central Valley Region was blocking ASR projects. In addition to adopting a waiver of waste discharge requirements for a test of the City of Roseville ASR project, the Regional Board had merely raised issues and asked for additional information on potential water quality impacts and alternatives associated with this technology. He went on to present a proposed regulatory strategy that could be used to regulate ASR projects in the future, and specifically to develop a proposed waiver for the Roseville project, which staff intends to bring to the Board for consideration in August of this year. In response to questions, Stan Martinson of the State Water Board commented that there was a need to balance statewide consistency in regulating artificial recharge while recognizing the unique characteristics of each Region. This event was a follow-up to a two-day workshop on artificial recharge put on by the Groundwater Resources Association in March 2005, at which a panel of staff from the Central Valley, Lahontan, and Santa Ana Regions presented perspectives on this topic. (JBM)

31. *Potential Nuisance at Mission Bell Winery, Madera County*

Canandaigua Wine Company owns and operates Mission Bell Winery where field inspection in response to a complaint confirmed a threat of nuisance from numerous flies and malodors. An NOV was issued that requires a written report of mitigation measures. (AMS)

32. *Sacramento Rendering Company, Sacramento County*

During a 28 February 2005 inspection of pasture land irrigated with rendering plant wastewater, staff observed brown-colored storm water ponded in the pastures and discharging through facility storm drains into Frye Creek. These findings were consistent with those of an EPA contractor during a January inspection of the same facility. Pursuant to staff's 29 March 2005 request, the Discharger completed an extensive storm water quality monitoring program. The results indicate that storm water discharges from the pastures and plant areas of the facility contain relatively high concentrations of certain waste constituents. The Discharger has proposed improvements to control these discharges, and staff will prepare revised Waste Discharge Requirements for the facility later this year. (ALO)

33. *Nuisance Complaints, Rancho Murieta CSD and Country Club, Sacramento County*

During the week of 23 May 2005, staff received several complaints from residents regarding nuisance conditions resulting from the use of recycled tertiary wastewater to irrigate the Rancho Murieta Country Club golf courses. According to the complaints, odors during golf course irrigation have been a problem for over ten years. The co dischargers plan to remove vegetation from a recycled effluent storage reservoir (Bass Lake) and deepen the reservoir this year to reduce algal growth. However, it is unknown whether these steps will eliminate the problem. Staff will continue to work with the co dischargers to implement appropriate odor control measures. (ALO)

34. *Firebaugh-Mendota-Dos Palos Wastewater Consolidation Study, Fresno County*

The City of Firebaugh is considering a proposed agreement with Kennedy/Jenks Consultants to investigate feasibility of a Regional WWTP that would serve the City of Firebaugh, City of Mendota, and City of Dos Palos. Under this agreement, the consultants will evaluate and perform WWTP capacity analysis, current and future regulatory requirements, and preliminary analysis of alternatives and costs. (HA)

CEQA REPORTING**35. *Oakhurst Area Plan, Madera County***

Staff commented on a Negative Declaration for the Oakhurst Area Plan, which updates the 1980 Plan for this fast-growing mountain community near the entrance of Yosemite National Park. The Oakhurst area is in the Fresno River watershed. Domestic and municipal water supply is obtained solely from hard rock aquifers with limited recharge capacity and often affected by naturally occurring minerals and contaminants, such as iron, manganese, and radiological constituents. Waste disposal from use of poor quality groundwater threatens to degrade shallow groundwater, which emerges as surface water and recharges deep fractures. Staff commented that the Negative Declaration did not provide sufficient information to demonstrate that existing groundwater supplies are sufficient to sustain present development during conditions of prolonged drought, let alone development at full build-out. Staff recommended that the County identify the level of development that can be sustained by existing groundwater supplies and restrict development to this level unless and until it obtains a source of surface water supply to serve the Oakhurst Planning Area. The Planning Commission considered the Oakhurst Area Plan at its 10 May meeting and directed County staff to revise the Negative Declaration to reflect Regional Board staff comments. (JLK)

SPILLS**36. *Amador Water Agency Lake Camanche Village Wastewater Treatment Plant, Amador County***

On 3 May 2005, staff issued a Notice of Violation for a spill that occurred between 28 March and 30 March 2005 from the Amador Water Agency's (AWA) Lake Camanche Village domestic wastewater treatment plant. According to the Discharger's spill report, approximately 900,000 gallons of wastewater was released in a controlled manner from the effluent storage pond into a surface drainage that flows to Camanche Reservoir. The spill report indicates that seepage of wastewater through the berms of the pond was occurring due to the presence of gopher holes, and that AWA decided to release wastewater from the pond in order to prevent a catastrophic failure. AWA notified all appropriate agencies prior to the release. The NOV requires the Discharger to submit a report describing a number of items that should have been considered and/or implemented to prevent such a spill. Upon receipt of the report, staff will consider additional enforcement actions. (JSK)

37. *Lake County Sanitation District, Southeast Regional Wastewater System, Lake County*

On 4 May 2005, a Notice of Violation (NOV) was issued to Lake County Sanitation District for a wastewater spill estimated at 1,575 gallons that occurred on 30 November 2005 from the southeast wastewater system. The Discharger indicated that the sewage spill was the result of a vandalized manhole cover, and that wastewater entered into Molesworth Creek, a tributary to Clear Lake. The creek was dry during the time of the spill. The Discharger also stated that pumper trucks were used to pump out the raw sewage, and the blockages were cleared. The NOV notified the Discharger that failure to comply with its WDRs might result in further enforcement action. (GJC)

38. *Calpine Corporation and Geysers Power Company, Santa Rosa Geysers Recharge Project, Lake County*

On 4 May 2005, a Notice of Violation (NOV) was issued to Calpine Corporation and Geysers Power Company for a 2,000 gallon spill of tertiary treated wastewater that occurred on 7 March 2005 from the Santa Rosa Geyser Pipeline. The Discharger indicated that the majority of the tertiary treated wastewater remained on a pad; however, an unknown volume entered a storm water culvert that leads to Anderson Creek. The Discharger has since replaced the strainer unit which caused the spill. The NOV informed the Discharger that continued failure to comply with its WDRs might result in further enforcement action. (GJC)

39. *Lake County Sanitation District, Middletown Wastewater Treatment Facility, Lake County*

On 4 May 2005, a Notice of Violation (NOV) was issued to Lake County Sanitation District for a wastewater spill estimated at 2,700 gallons that occurred on 11 January 2005 from the Middletown Wastewater Treatment Facility. The Discharger indicated that during a routine facility check, wastewater was observed overflowing from one of the wastewater ponds and into a storm drain inlet that discharges to pasture land. The spill was caused by a pump control transformer failure; the transformer was replaced on the day of the spill. The NOV informed the Discharger that failure to comply with the WDRs may result in further enforcement action. (GJC)

40. *California Department of Corrections Sierra Conservation WWTP, Tuolumne County*

On 17 May, the California Department of Corrections (CDC) reported a treated effluent spill of 274,000 gallons from a secondary clarifier at this WWTP five miles southwest of Jamestown. The CDC estimates the majority of the spill reached the nearby Shotgun Creek through the WWTP clean out and its storm water drain system. The spill reportedly was caused by a plugged or failed filtration system. The CDC collected bacteriological samples from the creek. Staff requested the CDC to file a written report of the spill within two weeks of the spill date. Enforcement action will be evaluated on the basis of the written report of the spill and sampling results. (HA)

Addendum 1**PERSONNEL AND ADMINISTRATION
March – April 2005****PERSONNEL**

<u>Total Positions</u>	<u>Vacancies</u>	<u>Gained</u>	<u>Lost</u>
250.6	29.2	13	9

Gains:

Charlene Herbst	Sr. Eng. Geol	Sacramento
Eric Berntsen	Env. Scientist	Sacramento
Melissa Morris	Env. Scientist	Sacramento
Allison Kunz	Env. Scientist	Sacramento
Marjorie Lopez-Read	Env. Scientist	Sacramento
Taro Murano	Env. Scientist	Sacramento
Stephanie Fong	Env. Scientist	Sacramento
Edward Hard	Env. Scientist	Sacramento
Holly Grover	Env. Scientist	Sacramento
Emmanuel Aquino	Office Tech	Sacramento
David Innes	Env. Scientist	Fresno
Alan Cregan	WRCE	Fresno
Jan Alfson	Eng. Geologist	Fresno

Separations:

Michelle McGraw	Env. Scientist	Sacramento
Camillia Williams	Eng. Geologist	Sacramento
Stacy Stanish	Env. Scientist	Sacramento
Crystal Korner	Office Tech	Sacramento
Laura Jensen	SSA	Sacramento
Lincoln King	WRCE	Sacramento
Linda Valle	Office Assist.	Sacramento
William Hobson	Env. Scientist	Sacramento
Karen Niiya	WRCE	Sacramento

Promotions:

Marjorie Lopez-Read	Sr. ES	Sacramento
Diana Messina	Sr. WRCE	Sacramento
Crystal Korner	Office Tech	Sacramento

RECRUITING

Recruiting is on-going for the positions that the State Water Resources Control Board has approved for filling, given the requirement to set aside positions for salary savings.

TRAINING**Classes Provided:****# Attended:**

AB 389 Training	2
Advanced Course on Negotiation/Facilitating in a Collaborative Process	1
Artificial Recharge-Nexus of Quantity and Quality in California	6
Basic Supervision, Week One	3
Cal EPA, DTSC and Water Boards	1
California Human Health Screening Levels	2
CEQA Basics: A Step By Step Approach	1
CEQA Update, Issues and Trends	1
CWEA Northern Regional Training Conference	1
Dealing with Difficult People	3
Defensive Drivers Training	28
Designing Dairy Nutrient Application Systems	4
Endangered Species Regulation & Protection-Salmon Biology	1

Enforcement Training	7
Ethics Orientation for State Officials	6
Excel 2000 Level 1	3
Field Safety Training	11
Geosynthetic Clay Liners	2
Grant Project Contract Manager	6
Ground-based Solutions to Common THP Problems	4
Implementing & Supporting Microsoft Windows XP	1
Injury & Illness Prevention Training	1
Interagency Ecological Program Workshop	4
Interview Techniques	11
Introduction to ARC GIS	1
Lead the Way Workshop	3
Leading Change	3
Long-Term Monitoring Optimization for GW	3
Monitoring Whole Watershed Health	1
Netware/Groupwise 6.5	2
Novell Groupwise 6.5 Advanced	1
Performance Appraisal (web based)	5
Performance Evaluation Training Pilot	3
Project Communications and Human Resource Management	1
Project Management	1
Public Participation Agricultural Water Quality Issues	3
Public workshop on Landfill fires	1
Redeveloping California's Brownfields	1
Risk Assessment & Risk Based Corrective Action	2
Risk Assessment Workshop	4
Safety Orientation	1
Salinity/Drainage Annual Meeting & DWR Project Reports	2
Salmonid Biology	1
Science and Art of Leadership	5
Screening Levels Training	1
Soils, Sediments and Water 15th Annual Conference	2
Time Management #340	2
UC Salinity/Drainage Annual Meeting & DWR Project Updates	1
Understanding and Complying w/ CA Biosolids Regs.	1
Users Running Microsoft Windows XP	1
Water Quality Conference II	2
Water Quality Monitoring	2
Watershed Partnerships Seminar	1

MEET THE STAFF

Wendy Cohen

Wendy Cohen received a BS in Environmental Science from University of California at Berkeley in 1979 and an MS in Civil Engineering from University of California at Davis in 1982. For the last 22 years, she has worked for the State of California, Regional Water Quality Control Board, which is a regulatory agency to ensure protection and cleanup of the state's surface water and groundwater quality. Wendy is currently a Senior Engineer with a staff of 4 engineers and scientists. Until April 2005, she supervised a unit overseeing investigation and cleanup of sites with polluted soil and groundwater. She now heads up the Policy and Planning Unit of the Irrigated Lands Program, which seeks to ensure that runoff from farms does not pollute surface waters. Wendy has been involved in professional societies for most of her career, including the Society of Women Engineers and the American Society of Civil Engineers' Environmental and Water Resources Institute, in which she has actively participated in several technical committees.

Eddie Hard

Eddie has been working in the Policy and Planning Unit for the Irrigated Lands Program since April 2005. His duties include overseeing the contract and tasks associated with the programmatic EIR for the Irrigated Lands Program, the Conditional Waiver Extension, and engaging stakeholders. Prior to his current State service, Eddie

has worked at the U.S. Geological Survey-Water Resources Division and at the County of Sacramento's Planning Dept. Eddie has worked on projects ranging from dam removal on the upper Ventura River, development of performance measures for all CALFED programs, source water protection strategies for over 200 water purveyors in California, SACOG's Blueprint Project, and policy work in floodway guidelines for the Sacramento River and Sacramento County's General Plan. Eddie received two Bachelors degrees from California State University, Sacramento in Environmental Studies and Geography-Natural Resource Planning. He is finalizing his Masters of Public Policy Administration on Urban Growth Controls in the American West, at CSUS.

Pat Leary

Pat Leary has been with the Regional Board for 24 years. She has a Bachelors degree in aquatic ecology and a Masters degree in engineering from the University of Illinois. Pat is currently a Senior Engineer in the NPDES Section, regulating municipal and industrial discharges to the Delta area. She enjoys working to solve complex water quality issues to protect human health and the environment, in an area experiencing rapid population growth and dependence on our water resources. Outside of work, Pat enjoys cycling, skiing, gardening, and spending time with her two sons.

Kim A. Schwab

Ms. Schwab has successfully managed multi-disciplined projects as demonstrated by regulatory oversight of Title 27 waste discharges to land, Federal facility cleanup/transfer projects, cleanup of Superfund (hazardous waste) sites, cleanup of Brownfield sites, management of watershed projects, and writing regulations for the design and closure of landfills. She has a Bachelor of Science degree in Geology from Denver, Colorado and is a registered Professional Geologist in California and Wyoming. Outside professional activities include the Association for Women Geoscientists where she has held the office of President for the local Sierra Chapter and organized geology field trips for the Annual 1995 Association for Engineering Geologists Convention. Other outside activities include judging at the Sacramento Regional Science and Engineering Fair and Career Days at local high schools, as well as helping local Boy Scouts working on their geology badges. Kim enjoys gardening, kayaking, and backpacking during the summer and skiing in the winter. Her adventures include trekking in China and Tibet, climbing the pyramids of Egypt, photo safari in Kenya, and wine tasting excursions in France.

Betty Yee

Betty Yee has worked for the Regional Board since 1986, starting in the Fresno office where she worked on a number of regulatory programs before becoming responsible for the Tulare Lake Basin Plan and worked on nonpoint source and watershed management activities. In 2001, she moved to Sacramento to become a senior specialist in charge of the Sacramento and San Joaquin Rivers Basin Plan and the Regional Board's Watershed Management Initiative. Betty finds the most exciting part of these assignments is interacting with the different programs and helping external stakeholders with their water quality concerns. Betty is an avid Apple Macintosh user who annually attends the January MacWorld Expo. She is also proud of her consistent participation in the Bay-to-Breakers—2005 being the 20th consecutive time she has run the race.

Addendum 2**PROGRAM REPORTS****WATER QUALITY CERTIFICATION PROGRAM**

The Central Valley Region has vast wetland resources in its rivers, streams and vernal pools. The function of the Water Quality Certification (WQC) program 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 Clean Water Act (CWA) §404. Pursuant to §401 of the CWA, any applicant for a federal license or permit for activities 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]) 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. Dredging of the two large Ports in the Delta and San Joaquin and Sacramento Deep Water Ship Channels also requires WQC. The Central Valley Regional Board receives between 350 and 425 new applications for water quality certification per year.

Within 30 day of receipt, Regional Board staff must notify an applicant whether or not their application is considered complete. A receipt letter is sent to the applicant stating 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 with the 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 with processing certifications.

The fee schedule for WQC includes an initial application fee of \$500. Additional fees are associated with the impacts of the project. Fill and excavation discharges require a fee of \$2150 per acre, for dredging \$0.08 per cubic yard and for linear projects (such as bank protection) the fee is \$5.00 per foot up to a maximum of forty thousand dollars (\$40,000). For projects that impact "isolated waters" the fee doubles. For FY 2004-05, the Central Valley Regional Board collected \$540,000 in fees but only received \$124,000 for staffing. This funding supported 1.7 PYs (\$72,941/py), which were split among our three offices. Receipts are expected to further increase in FY 2005-06 with further revision of the fee schedule. An additional 1.4 PYs have been approved in a BCP for the program in FY 2005-06, but we are restricted from recruiting new staff until we have met our salary savings for the year.

Inadequate funding for the program prevents staff from completing basic regulatory functions such as inspections, mitigation monitoring and enforcement. It is both federal policy and the Governor's policy that there be "no net loss" of wetlands. With current staffing staff is 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 CWA as it applies to "isolated" waters. The CWA no longer covers discharges of waste that are deemed non-jurisdictional by the Corps. By narrowing the water and wetland areas covered under federal protection, the decision limits the authority of the Corps, and the State and Regional Boards under federal law. However, the decision does not affect the State and Regional Board's authorities under state law to regulate any discharge to waters of the State including isolated, non-navigable waters, including wetlands.

The Corps non-jurisdictional disclaimers have not as greatly impacted the Sacramento and Redding Offices as the Fresno Office. The Corps is disclaiming jurisdiction over many isolated wetlands and ephemeral drainages in the Tulare Lake Basin. While the Board still has authority under state law, we do not have funding to implement a program to protect these non-jurisdictional waters. This is a significant issue for the Fresno Office.

However, of concern for all WQC staff is compensatory mitigation. Compensatory mitigation is required as a condition of most WQC. WQC are typically a component of the Corps' 404 permit; therefore the Corps usually enforces mitigation. With the SWANCC decision, isolated wetlands must now be regulated by the State. One true weakness in the "isolated wetlands" program is compensatory mitigation. Several Regional Boards currently require mitigation to meet the "no net lost" policy. However, staff currently follows the ACOE mitigation ratio which requires replacement of lost wetlands at a greater than one to

one ratio. However, staff has not been able to follow up to ensure that replacement wetlands have actually been created, much less assure that they are functional.

In summary, the WQC program is a minimally funded effort to ensure compliance with the State and federal water quality laws and to protect wetlands. A significant amount of money is collected from applicants but not returned to the Central Valley Regional Board for regulatory work. The SWANCC decision has added to the Region's WQC workload. A budget augmentation is planned for FY 05-06.

GRANT PROGRAM

With the approval of Propositions 13, 40, and 50, statewide grant funding available for water quality improvement projects has increased from an average of \$5-million per year in the 1990's to the voter-approved total of \$8-billion, since year 2000. To implement and oversee the Grant program, bond monies also provide resources for 95-full time staff at State and Regional Boards.

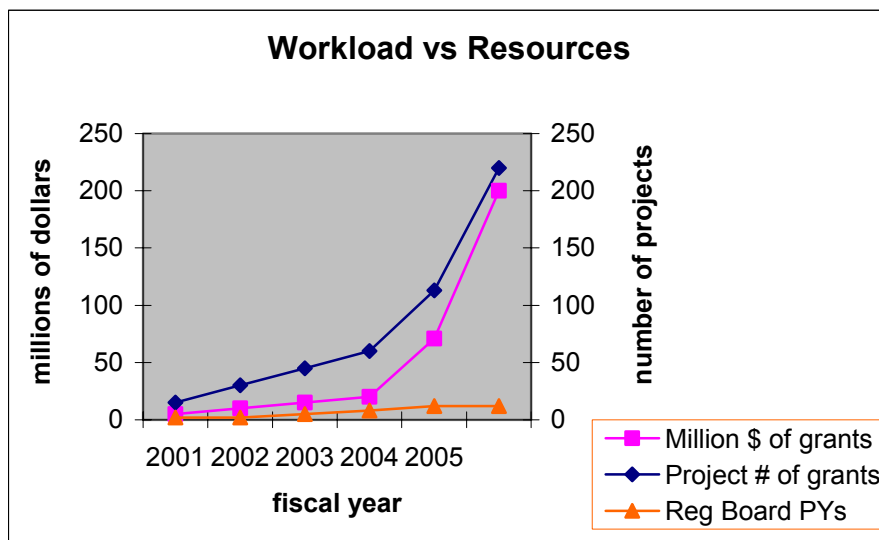
Grant funding supports activities that address a wide range of non-point source pollution (NPS) impacts to water quality. Funded projects help address one or more of the 15 regional water quality priorities identified in the Central Valley Watershed Management Initiative Plan. This Plan explains how Region 5 resources are prioritized to protect water quality on a watershed-by-watershed basis, promote cooperative and collaborative efforts within and between watersheds, and focus limited resources on key regional issues. Grant funded projects within Region 5 directly support the Watershed Management Initiative Plan.

Workload

Currently, Region 5 staff manage 113-active grants totaling over \$71-million (approximately one fourth of the \$294 million currently allocated statewide) for nonpoint source and water quality projects. Resources have been allocated for 12 grant management staff. These resources are currently spread between three offices, and include one half-time grant coordinator and six full time grant managers as well as 23-additional staff who work part-time on grants depending on the project type and staff background. 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.

The rapid increase in available grant dollars has resulted in a corresponding increase in the number of grant requests and agreements as well as the complexity in the solicitation and selection of projects and in the level of management needed to oversee those approved for funding. Following awards from the Ag Grant Program, the next (2005/06) Consolidated Grants funding cycle and the upcoming Dairy Water Quality Grant Program, the number of grants in Region 5 is projected to increase by over 60% with the total dollar amount of bond funds to be managed predicted to double, depending on individual project awards. In summary, the Regional Board must devise a plan to write, negotiate and execute over 70 new agreements, and manage in excess of 175 grant projects, totaling approximately \$200-million in bond funds.

Staffing resources at the Regional Board have not kept pace with the increasing workload. By the end of 2003, grant management resources allocated to Region 5 had reached 12-PYs. The allocation has remained static, with the same amount of resources (12-PYs) anticipated for FY 05/06. The following figure provides a visual perspective of the number of grant projects, millions of dollars managed and Region 5 allocated PYs.



In addition to the daily grant negotiation and management activities, Regional Board staff continue to work with Division of Financial Assistance (DFA) staff by: assisting with the development of new guidelines and proposal solicitation guidance for each grant program; reviewing and commenting on draft guidelines; participating on grant review and selection panels during the solicitation process; and implementing strategies to streamline the grant process. Streamlining activities are necessary to significantly shorten the timeframe from funding availability to project implementation. Regional Board staff are also coordinating with DFA to insure consistency in implementing the program and to create a comprehensive tracking database specific to Region 5 needs, tailor training to address the needs of our regional grant managers and grantees, and improve communication to our grant management staff.

Internal Framework

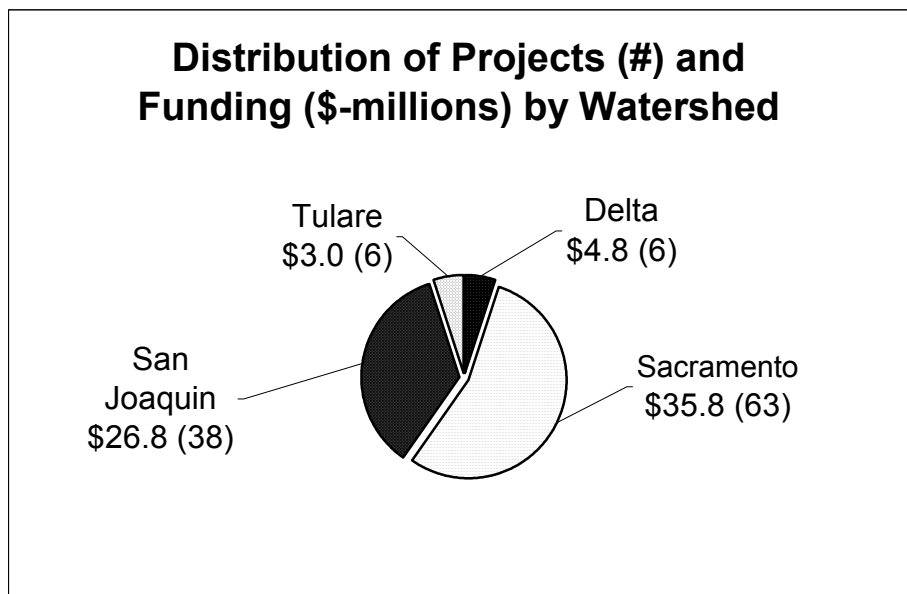
To deal with the many challenges of this rapidly expanding program, staff created a Region 5 Grant Team to improve internal office coordination. Currently, the team consists of four team leaders and one overall grant coordinator. The grant program is divided into four basic categories, and each team leader is the focal point for all activities and coordination concerning that grant program category as follows:

- Calfed Watershed grants;
- Calfed Drinking Water grants;
- Agricultural related grants (Ag, PRISM, Dairy, Federal 319h); and
- Integrated Regional Water Management (IRWM) grants and 05/06 Consolidated Grants process.

On a weekly basis, the grant team leaders and the regional grant coordinator meet to review outstanding issues and identify future needs. Once a month, all 30 grant managers attend a one-hour grant coordination and communication meeting. The monthly meeting is followed by a one-hour mini-training on a variety of grant management related topics (e.g. CEQA, invoicing, Calfed, auditable files, etc.).

Current Status

The following chart shows the distribution of grant projects and funds between our four major watersheds - Sacramento, San Joaquin, Delta, and Tulare Lake Basin.



The chart clearly shows that the greatest portion of funds and projects are currently directed at the Sacramento and San Joaquin River Basins.

The following table describes how grant funds help to address one or more of the 15 regional water quality priorities identified in the Watershed Management Initiative by watershed.

Priority	Water Quality Priorities	Delta	Sacramento	San Joaquin	Tulare Lake	Total
1	TMDLs Allocations (Ag related)	1	7	12		20
2	Agricultural & NPS Sources & Loading	4	3	2		9
3	Watershed Management	1	12	4	1	18
4	Watershed Outreach & Education			1	1	2
5	Stream Channel Restoration		16	2	1	19
6	Invasive & exotic species eradication		2			2
7	Sensitive Watershed Lands		2			2
8	Improve Upland Conditions		1	2		3
9	Implement rangeland WQ Mgmt Plan		1			1
10	Urban Storm Water Runoff		3	1	1	5
11	Groundwater Contamination					0
12	Abandoned Mines & Metal Discharges		3			3
13	Confined Animal Operations			3	1	4
14	WQ Assessment & Beneficial Uses		5	5		10
15	Impact to Drinking Water Sources		1	1		2
3 & 14	Watershed Management & Assessment		7	5	1	13
	Watershed Totals	6	63	38	6	113

Current projects are primarily focused on developing and implementing TMDL's (primarily related to agriculture), general agricultural and NPS issues, water quality assessment, and watershed assessment and management. The project selection process has involved numerous iterations of multi-disciplinary and multi-agency review panels with CALFED having significant influence over selecting projects that affect water quality entering the Delta. The majority of active grants in Region 5 implement CALFED program priorities.

Of the 113 projects currently funded in Region 5, 80 grants (71%) have been executed, and 33 grants (29%) are pending execution. Understanding the geographic and water quality priority distribution of projects is aiding the grant team in setting goals and priorities for future grant work. Before the next 2005/06 grant cycle, the grant team hopes to identify projects that will address a greater variety of regional water quality priorities in sub-watersheds that have not yet received significant grant funding.

Future Direction & Conclusion

Region 5 grant staff continues to move forward with measures to augment, improve, and streamline our Grants Program. With the Grants Program spread over 30 grant managers and the amount of grant money rapidly increasing, one of the highest priorities is to better track the program. One necessary tool is to develop and implement a comprehensive grants tracking database. The primary objectives of the database are two-fold: (1) track how and where all grant money is currently being spent; and (2) identify where new grant projects should be funded to best implement water quality priorities for our region. The database will be used to catalog the types and numbers of projects being funded, track all aspects of individual grant negotiation, execution, and management, inventory which regional board programs and priorities are being addressed, identify where data gaps exist, and measure project performance against expected outcomes and products. The database is expected to

be operational within 6 months and will be used to help identify grant projects that best serve the needs of our region during the 05/06 Consolidated Grant Program.

During the 05/06 Consolidated Grant Program, an estimated \$150 million will be made available. State Board plans to begin solicitation for the 2005/06 consolidated grant projects by November 2005, with project selection to be finalized in June/July 2006. The solicitation and selection process will necessitate extensive coordination and communication between State Board and Regional Board staff, coalition groups, and stakeholders. Without additional resources to accommodate the increased grant workload, hard decisions will need to be made during the next fiscal year as to what work has to be dropped to accommodate the projected growth in the grant program.

Staff will address many of the above issues in an informational presentation at the September Board meeting prior to the next Consolidated Grant solicitation. Staff will present more detail on how well the currently funded projects are meeting our Region's priorities, where deficiencies may exist, and a plan to prioritize future funding opportunities with limited resources.

SITE ASSESSMENT AND CLEANUP PROGRAM

Program Overview/Regulatory Framework

The Regional Board's legal authority for regulation of site cleanup is found in Division 7 of the California Water Code, State Board plans and policies (specifically Policies 92-49 and 68-16), and the Region's water quality control plans (Basin Plans). Basin Plans complement and implement the California Water Code and State Board policies, and provide the foundation for the Regional Board's site cleanup regulatory program. These plans designate the beneficial uses of surface and ground water, setting the narrative and numerical water quality objectives to protect those beneficial uses, and establishing implementation plans to achieve the standards established by the plan. The specific section in the Basin Plan that applies to this program is the site cleanup implementation plan. The Regional Boards must ensure that dischargers are required to clean up soil and groundwater to levels that achieve background water quality, or, if background is not reasonable, an alternative level may be set that is the most stringent level that is economically and technologically feasible and at least complies with Title 23 California Code of Regulations (CCR) section 2550.4, protects beneficial uses of water and achieves Basin Plan standards. Section 2550.4 requires consideration of, among other things, public health risks, and damage to wildlife and crops from exposure to waste. A health or ecological risk assessment may be necessary to comply with Resolution 92-49 and to meet the requirements of Title 23 CCR section 2550.4.

There are two primary program elements in the Site Cleanup Program: Spills, Leaks, Investigation, and Cleanups (SLIC) and the Federal Facilities Program (DoD/DoE).

Spills, Leaks, Investigation, and Cleanups (SLIC) Program

In the Spills, Leaks, Investigations & Cleanup (SLIC) Program, Regional Board staff oversee the investigation and cleanup of sites with soil and groundwater pollution by numerous pollutants, including petroleum, volatile organic compounds, pesticides, and inorganic constituents, among others. Although the primary focus of the program is restoration of groundwater quality, the Program deals with all environments, including surface water, groundwater, soil, sediment, the vadose zone and air, where vapor releases may affect public health. Upon confirming that an unauthorized discharge has polluted, is polluting or threatens to pollute water quality, the Regional Board initiates, pending available resources, oversight of site investigation and cleanup. Generally dischargers perform cleanup on a voluntary basis. Sites include industrial facilities, dry cleaners, pipeline leaks and spills, aboveground tank farms, and pesticide and fertilizer facilities, among others. Much of the pollution is due to past waste disposal and handling practices, as well as spills and leaks. Many of these sites have polluted or threaten nearby municipal or private water supply wells. New sites are discovered as a result of recent spills, property transactions, or nearby environmental investigations, especially UST investigations. Cleanup of Brownfields has become a new focus of the Site Cleanup Program, to provide oversight of cleanup of polluted properties in mainly blighted, urban areas.

The Water Code allows the Regional Board to recover reasonable expenses from responsible parties to oversee investigation and cleanup activities. The responsible parties must sign an acknowledgement form stating the intent to pay oversight bills, and a unique account is set up for staff charges. Invoices are generated quarterly. Since its inception 10 years ago, the program has a 98% recovery rate. In cases where a Cleanup and Abatement Order is issued, that Order provides the basis for reimbursement of oversight cost. The SLIC Program also receives some limited funding for site cleanup oversight from the Cleanup and Abatement Account. Funds available in that account are the result of staff cost recovery from ACLs and settlements the Regional Board has collected. A relatively small portion of the total funding source is the general fund.

Federal Facilities Program

The Federal Facilities Program is similar to the SLIC program in pollutants and environments addressed, but is restricted to federally owned or previously owned Department of Defense (DoD) and Department of Energy (DoE) sites. Decades of

defense and energy research activities have contaminated soils and degraded water quality on and around federally-owned facilities. Many of these facilities are federal Superfund sites and require large, complex investigation and cleanup work over multiple years involving close cooperation with other State and federal agencies including the Department of Toxic Substances Control and the US EPA. Agreements with the DoD provide for accelerated cleanups at military bases and other Defense sites scheduled for closure and reuse, and also provide cost-recovery funding for State oversight activities. Site investigation and cleanup procedures are consistent with State laws and regulations as well as applicable provisions of the Comprehensive Environmental Response, Compensation, and Liability Act (CERCLA), or federal superfund law. The most recent round of base closures had a minor impact on this region and only resulted in the closure of Riverbank Army Ammunitions Plant.

Central Valley Region's Site Cleanup Program

Staff is actively working on approximately 350 SLIC facilities, encompassing approximately 740 cleanup sites, under cost recovery within the Region. Staff work on another 30-40 facilities that are not yet in cost recovery using Cleanup and Abatement Account funds or general funds. For the purposes of this discussion, Aerojet, a large complex rocket manufacturing facility that includes approximately 350 individual sites, is included in the SLIC program. In the Federal Facilities Program, staff is working on approximately 20 major DoD facilities, encompassing approximately 600 sites and 265 UST cases, and 2 major DoE facilities encompassing 15 individual cleanup sites. The federal facilities are typically very large and complex. Regional Board staff also actively work on other non-cleanup program issues at these cleanup facilities, such as NPDES permits, WDRs for stormwater, Title 27 landfills, and waste discharge to land.

The primary workload for the Region's staff is managing/directing the investigation and cleanup of soil and groundwater at these facilities, while also addressing human health issues where necessary, such as vapor releases. The number of DoD and DoE facilities and associated sites is not expected to increase in the coming years as these are fairly mature programs. As No Further Action is required at sites at these facilities, the total number of sites worked on at federal facilities is expected to decrease over time. Funding for DoD programs on the State level is annually based on the anticipated needs of the individual Regions, with each Region receiving funding to cover the anticipated costs of oversight at each specific facility based on each year's estimate of work proposed by the DoD facility. As such, for the most part funding has been and remains generally stable to meet staffing oversight needs in the Federal Facility program. However, in some instances the military bases ask the Region to do more oversight work than the funding level allows, particularly at closed bases that are very intent on transferring property for redevelopment.

The Regional Board SLIC Cost Recovery Program, on the other hand has been chronically under-funded. The net number of new SLIC sites being worked on increases by approximately 20 each year, while funding for the program has remained relatively stable. The Region has recently received 3 additional positions for oversight of cleanup work at redevelopment and Brownfield sites. There are currently 533 sites on the SLIC backlog list where no staff resources are available.

Public Outreach. In response to requests from the public and CalEPA, the Regional Boards are currently in the process of improving its public participation efforts. To that extent, all cleanup staff recently attended a public participation training class developed by the California Water Boards Training Academy. This class was specifically designed for Regional and State Board staff on how to improve stakeholder involvement in our decision-making processes.

As part of the renewed effort on public participation improvement the Regional Boards and the State Board have jointly prepared a guide titled "Public Participation at Cleanup Sites" manual for use by staff. The purpose of this document is to specifically assist cleanup program staff in providing appropriate opportunities for public participation in the site cleanup program.

Geotracker is a geographic information system (GIS) that provides online access to environmental data to both regulators and the public. Region 5 staff is in the process of entering data for all Regional Board lead cleanup sites. Eventually, the public will be able to access extensive site information on the current status of cleanups that the Regional Board is overseeing.

Region 5 also maintains extensive case files on all of our cleanup sites, both open (actively worked on) and closed (No Further Action letter has been issued), available for public review. Current real-estate practice calls for a case file review whenever a cleanup site property, or nearby properties, are bought/sold to determine if contamination still exists. Typically, the Sacramento Office alone receives 4 to 5 requests a week to review site files.

Challenges

- Staff resources are well below the need to start addressing the backlog or to effectively work on the new Brownfields sites. Although we have received an additional 3 positions to work on site cleanup, short-term challenges include not being able to currently hire, and once we can, to find and train qualified staff to work on these sites. Especially considering the emphasis on expedient oversight on Brownfield site cleanups, the demands on the limited staff keep increasing.

- The Governor has placed a renewed emphasis on investigating and cleaning up brownfield sites to restore those sites to beneficial economic reuse. Recent legislation has also furthered the emphasis on brownfield cleanup and reuse. Many of our SLIC sites, and some of our closing military bases are brownfield sites. As part of the Governor's brownfield initiative the Regional and State Board and the Department of Toxic Substances Control were asked to improve coordination on these sites to more efficiently address the cleanup issues. This renewed emphasis has placed additional workload demands on staff to address some of these issues. Recently an MOA was signed between the Regional Boards, State Board and DTSC to improve coordination between DTSC, SWRCB, and RWQCB and their oversight of cleanup activities at brownfield sites and to determine quickly which agency should become the lead state oversight agency. The MOA is designed to accomplish the following objectives:
 1. It limits oversight to only one agency
 2. It establishes procedures and guidelines for identifying the lead agency
 3. It calls for a single, uniform site assessment procedure to be used by both agencies
 4. It requires all cleanups to address the requirements of both agencies
 5. It defines the roles of support agencies, and procedures for transferring sites to the other agency when appropriate
 6. It requires both agencies to provide ample opportunity for public involvement in their cleanup decisions
 7. It commits both agencies to timeframes for review of documents
 8. It commits both agencies to coordination and communication on brownfield sites.

The most significant changes that the MOA represents are that new sites are assigned a lead agency, that at each site both agency's requirements will have to be met, although no formal certification is provided, and that efficient coordination occurs between the agencies. The Regional Board will have to address human health impacts through risk assessments and DTSC will have to address water quality impacts.

- At some federal facilities there is a continuing resistance to the Regional Board's basic authority to regulate water quality. The DoD, DoE, and US EPA generally refuse to accept the Regional Board's fundamental regulatory authority for soil and water cleanup. Even after 15 years in the program, DoD and DoE are still refusing to accept the Regional Board's authority over soil cleanup when soil contaminants continue to pose a threat to water quality. In addition, soil and groundwater cleanup levels required by State regulations to protect beneficial uses of the water are often more stringent than cleanup levels demanded by the US EPA under federal regulations. Oftentimes the federal agencies, including DoE, DoD and US EPA do not recognize the Regional Board's authority to require these more stringent standards. This makes it difficult and contentious at times to compel the federal agencies to cleanup soil and groundwater to the same degree as private facilities are required to do.
- Beginning in 2005, new regulations adopted by the State Board require electronic reporting of monitoring data and technical reports, starting 1 July 2005 in place of the standard paper reports. For some information (e.g. data tables) this is an efficient method for the transfer and storage of data and is intended to make information more available to the public. However, for the review of large text documents, maps, and tabulated data, the system is likely to reduce efficiency while increasing the amount of time staff must spend on computer workstations. In addition hardware and software is not available to cleanup staff to fully implement the electronic reviews. Paper reports will be required until adequate support is in place to perform reviews of electronic documents
- Identifying responsible parties (RPs) for discharges of tetrachloroethylene (PCE) from drycleaning operations to soils and groundwater presents a challenge for Board staff. RP identification is necessary order to take appropriate formal and informal actions to address investigations and cleanups. These businesses generally must rely on insurance companies to provide financing to defend against litigation as the only source of funding for groundwater investigations and cleanups. In these cases even though the Board is not a party, litigation and settlements can be quite resource intensive.

In many cases PCE pollution in groundwater is first identified by detections in municipal wells or investigations conducted as a result of leaky underground storage tanks. In these cases, unless sufficient information is provided to Board staff regarding potential sources for the PCE pollution, staff resources limit the ability of staff to identify former or active dry cleaners, operators, and property owners in the area.

The environmental impacts from PCE are far worse than MTBE impacts caused from USTs sites because the PCE is very persistent, more wide spread, has caused more municipal wells to be turned off, presents higher health risks, may cause health risks due to indoor air impacts and there are little to no funds for investigation and remediation. A potential solution for this could be creation of a fund similar to the UST Cleanup Fund.

Addendum 3**PUBLIC OUTREACH**

On 7-8 March 2005, Alex MacDonald presented a project report on the Aerojet site at a meeting of the Perchlorate Group of the Interstate Technical Regulatory Council. That group is developing overview and technical documents regarding perchlorate and cleanup of perchlorate. Mr. MacDonald also led the group on a tour of Aerojet remediation facilities.

On 9 March, Phil Woodward gave a presentation in Redding to Northern California wastewater treatment plant operators on the U.S. EPA's plans to dredge metal contaminated sediment from Keswick Reservoir.

On 21 March, Pam Buford attended the monthly Chowchilla/Fresno Rivers Watershed meeting.

On 30 March, Pam Buford attended the monthly Central Sierra Watershed Committee meeting. Representatives of the County of Madera discussed plans for developing an Integrated Regional Water Management Plan grant proposal for eastern Madera County. Watershed Coordinators from the Upper Merced River Watershed, Millerton Area Watershed Coalition, and the Chowchilla/Fresno Rivers Watershed all provided updates on the various organizations activities.

On 4 April, Dennis Heiman attended the monthly meeting of the Feather River CRM Management Committee.

On 11 April, Guy Chetelat attended a Big Chico Watershed Alliance meeting in Chico.

On 13 April, Guy Chetelat participated in a review of the Cherokee Watershed monitoring results (Proposition 13 funds) at a watershed group meeting near Oroville.

On 14 April, Dennis Heiman attended the quarterly meeting of the Goose Lake Watershed Council.

On 13-15 April, the Fresno office hosted 3 one-day workshops on the Tools and Methods of Watershed Conservation that were presented in partnership with the CALFED Watershed program, the California Department of Conservation, and the California Association of Conservation Districts. The first workshop was on Stewardship Facilitation presented by Dennis Bowker of the CALFED Watershed Program. The second day Wendell Gilgert of the Natural Resources Conservation Service provided a classroom and field mapping workshop on Conservation Corridors. The final day Carolyn Remick, Sustainable Conservation presented Regulatory Compliance Training for Small-scale Restoration Activities. The workshops were well attended by watershed coordinators from local and southern California organizations.

On 15 April, Dennis Heiman attended the monthly meeting of the CALFED Watershed Subcommittee.

On 15 April, staff from the TMDL and Irrigated Lands Programs met with Sacramento Valley Water Quality Coalition representatives to discuss the management plan requirements for discharges of diazinon to the Sacramento and Feather Rivers.

On 19 April, Jamie Lu and Joe Karkoski met with staff of the Department of Pesticide Regulation's Environmental Monitoring branch. Jamie presented her report on "Relative risk evaluation for pesticides used in the Sacramento River watershed". DPR staff provided comments and recommendations to improve the report.

On 19 April, Pam Buford attended a meeting of the Cantua Salt Creek Coordinated Resource Management Program. The meeting focused on the current watershed assessment of Salt and Martinez Creeks as funded through a Prop. 13 grant.

On 19 April, Pam Buford attended the monthly Westside Resource Conservation District (WRCD) meeting. Attendance allows staff to stay apprised of several grant projects the WRCD has with the Cantua Salt Creek Coordinated Resource Management Program (CRMP), the Panoche Silver Creek CRMP and the Stewards of the Arroyo Pasajero CRMP. On 13 May, she attended the WRCD's Watershed Awareness Summit (Summit) with keynote speaker Mike Chrisman, Secretary of the Resources Agency. The Summit included presentations on the watershed assessments and implementation projects in progress by all three CRMPs of the WRCD. The Summit included a field trip to a rangeland alternative water project and an erosion control project

On 20 April, Karen Larsen and Holly Grover attended the Sacramento River Watershed Program (SRWP) Public Outreach and Education Subcommittee meeting. The group discussed the public service announcement campaign, plans for the upcoming State of the Sacramento River Conference and the next issue of the newsletter.

On 21 April, Karen Larsen and Holly Grover attended the Central Valley Drinking Water Policy Workgroup meeting. The group discussed conceptual model, database, and monitoring plan development. A follow-up meeting was held on 26 April that focused on developing simple, preliminary conceptual models for drinking water constituents: pathogens, salt, organic carbon, bromide, and nutrients.

On 21 April, James Taylor participated in a former McClellan Air Force Base Restoration Advisory Board (RAB) Training at the Air Force Real Property Agency Headquarters at McClellan Park. This is a training opportunity where the Air Force and agencies train the RAB members on cleanup issues at McClellan. The topic for the training was the McClellan Basewide Volatile Organic Compound Groundwater Record of Decision. (JDT)

On 21 April, Dennis Heiman attended the annual field day at the UC Cooperative Extension Sierra Foothill Research Station.

On 27 April and 25 May, Pam Buford attended monthly Central Sierra Watershed Committee meetings.

On 27 April, Guy Chetelat attended the Tehama County RCD technical advisory committee meeting in Red Bluff on the Watershed Management Plan funded by Proposition 50.

On 28 April, Dennis Heiman participated on an interview panel to hire a new director for the River Center in Alturas.

On 28 April, Phil Woodward gave a presentation on the Regional Board's duties and responsibilities during the Recreation, Tourism and Natural Resources segment of the Leadership Redding Program of the Shasta Regional Community Foundation.

On 29 April, Dennis Heiman participated as a member of the TAC for the Monterey Agreement Forum in Quincy.

On 2 May, Dennis Heiman attended the monthly meeting of the Feather River CRM Management Committee.

On 2 May, Beth Doolittle-Norby attended the first Technical Advisory Committee (TAC) for the Churn Creek and Stillwater Creek Watershed Assessment in Redding. This is a newly funded project under the Consolidated Grant Program (Proposition 13, Watershed Protection Program).

On 3 May, Beth Doolittle-Norby attended a TAC meeting for the Bear Creek Watershed Assessment at Western Shasta Resource Conservation District (WSRCD). The Bear Creek Watershed Assessment Project is funded under a Proposition 13, Phase 2 contract.

On 3 May, Guy Chetelat attended the Butte County Watershed Partners meeting of local watershed coordinators in Chico.

On 2-3 May, Diane Beaulaurier, Stephanie Fong, Robert Holmes, Karen Larsen, Petra Lee, Zhimin Lu, and Jon Marshack attended the Northern California Society of Environmental Toxicology and Chemistry (SETAC) meeting in Berkeley, California. Staff attended two half-day seminars and a day of short talks related to environmental toxicology and chemistry issues.

On 4 May, Dennis Heiman attended the monthly Board of Directors meeting of the Sacramento River Watershed Program.

On 5 May, Guy Chetelat attended the Glenn County RCD technical advisory committee meeting in Willows concerning the Stony Creek watershed assessment and monitoring project funded by Proposition 13.

On 5 May, Lori Webber and Betty Yee hosted a CEQA Scoping Meeting for the Clear Lake nutrient TMDL. The group discussed the potential environmental impacts of the proposed nutrient TMDL for Clear Lake.

On 5 May, Janis Cooke attended a meeting of the Delta Tributaries Mercury Council, a forum for academic, agency, and local stakeholders to address mercury issues. Janis gave a presentation on the draft Basin Plan Amendment and implementation options for control of mercury in the Cache Creek watershed.

On 7 May, Guy Chetelat and Dennis Heiman attended the Tehama County RCD/Sunflower CRMP Stewardship Day at the Burrows Ranch located west of Red Bluff.

On 9 May, Karen Larsen attended the SRWP Grants Subcommittee meeting where progress on the EPA grant expenditures and schedules was discussed.

On 10 and 11 May, Robert Holmes and Lori Webber attended the Dry Creek Watershed Conference in Roseville. Results of various monitoring studies in Dry Creek were presented and discussed on the first day. The second day was a workshop on low impact development.

On 12 May, Betty Yee attended a meeting to discuss initiating a watershed group for the Lower Feather River Watershed. The group identified the stakeholders, landowners and concerns of the area but decided that more landowner input was needed before deciding whether a watershed group would be useful.

On 12 May, Jamie Lu and Betty Yee attended the Lower Feather River Watershed Group meeting in Yuba County. The focus of the meeting was to identify stakeholders' interests and priorities.

On 12 May, Joe Karkoski participated with Central Coast Regional Board staff in a job fair at Cal Poly San Luis Obispo.

On 12 May, Phil Woodward gave a presentation on the Regional Board's efforts to abate the effects of acid mine drainage on local watersheds to the Redding Branch of the American Society of Civil Engineers.

On 16 May, Mary Randall and Jacqueline Matthews gave a presentation to 30 sixth graders at Saint Francis Middle School in Palo Cedro. The students had been studying water and wastewater treatment, and water pollution in their science curriculum. The EnviroScape Nonpoint Source physical model was used to demonstrate how to control pollution from numerous point and nonpoint sources.

On 17 May, Alex MacDonald presented a status report at the bi-monthly meeting of the Aerojet Community Advisory Group. The meeting was held to discuss progress of on-going investigation and cleanup efforts associated with soil and groundwater contamination at the Aerojet and Inactive Rancho Cordova Test Site projects in Rancho Cordova.

On 17 May, Amy Terrell presented a history of the general aviation airport, Natomas Air Park, its investigations and remedial actions to the residents of Natomas Crossing in Sacramento. Her presentation was part of a public meeting held to discuss remediation activities that will take place on a portion of the Air Park. The remediation activities are part of a site-wide cleanup being overseen by the Regional Board.

On 17 May, Beth Doolittle-Norby, Dennis Wilson and Carole Crowe met with Dr. Randall Smith of the Redding Rotary West Environmental Committee to discuss permitting requirements for watershed restoration projects in Shasta County.

On 18 May, Stephanie Fong and Holly Grover attended the SRWP Toxics and Monitoring Subcommittees meeting. Among topics the group discussed were: potential water quality indicators formulated at the 30 March Watershed Health Monitoring Workshop, potential partnerships and work groups, SRWP fact sheets, the SWRP 2005-2006 and 2006-2007 Monitoring Plans, and the Annual Monitoring Report Update.

On 19 May, James Taylor participated in the Former McClellan Air Force Base Restoration Advisory Board (RAB) meeting at the Sacramento Regional Public Safety Training Center at McClellan Park. This is a public meeting where agencies inform the public of cleanup issues at Department of Defense facilities and enlist their comments. The main topic for the meeting was the upcoming Breakout Shallow Soil Gas Proposed Plan and Record of Decision. The meeting included a panel discussion with regulatory agency and local redevelopment authority perspectives.

On 19 May, Joe Karkoski and Diana Messina met with Sacramento Valley Water Quality Coalition representatives to discuss management plan requirements for discharges of diazinon to the Sacramento and Feather Rivers.

On 19 May, Karen Larsen and Holly Grover attended the joint CALFED Drinking Water and Ecosystem Restoration Subcommittee meeting. This meeting was a general overview of current project and monitoring updates. Areas discussed include: Water Quality Program Assessment, toxic blue-green algae in the Delta, the Stockton deep-water ship channel dissolved oxygen TMDL, and the Central Valley Drinking Water Policy.

On 19 May, Dennis Heiman attended the quarterly meeting of the Pit River Alliance.

On May 19, Tom Pinkos spoke to the State Water Resources Control Board during their public meeting and addressed issues related to salt and nitrates in ground and surface waters. Tom was invited to appear at the request of State Board management as the first of the Executive Officers to highlight for the State Board issues of significant priority in the regions. Each Region's EO will appear during the month that corresponds to their region's number (e.g., Region 6 EO in June).

On May 19, Tom Pinkos, Ken Landau, and Dave Carlson attended a meeting of the Central Valley Clean Water Association. Ken was one of the featured speakers and addressed "Putting Sense in the Regulatory Process".

On 20 May, Betty Yee attended a meeting of the Watershed Subcommittee of the California Bay-Delta Authority. The meeting showcased some of the projects that the Watershed Program had funded and what had been accomplished.

On 20 May, Dennis Heiman attended the monthly meeting of the CALFED Watershed Subcommittee.

On 23 May, Chris Foe and Lori Webber met with Friends of Deer Creek, a watershed group located in Nevada County. Friends of Deer Creek is partnering with the Regional Board to conduct mercury monitoring in Deer Creek.

On 23 May, Karen Larsen and Holly Grover attended the Central Valley Drinking Water Policy Workgroup meeting in Sacramento. Topics discussed include: conceptual modeling of drinking water constituents and monitoring plan development.

On 24 May, Guy Chetelat attended the Cottonwood Creek Watershed Group meeting concerning the Watershed Management Strategy funded by Proposition 50.

On May 24, Bill Marshall represented the Regional Board on a panel discussion entitled "What if the levee breaks?" The panel was part of an annual meeting of the Bay Planning Coalition and interested parties.

On May 25, Board Member Alson Brizard and Tom Pinkos spoke to the State Board of Food and Agriculture on the regulation of food processors.

On 26 May, Guy Chetelat and Greg Marquis attended a meeting of the Dredge Tailings Workgroup. The workgroup is affiliated with the Delta Tributaries Mercury Council and focuses on issues concerning mercury associated with dredge tailings and the use of the tailings in streambed restoration. Rick Humphreys (State Water Resources Control Board) gave a presentation on sediment associated with hydro-dams, related habitat and safety issues, and sediment removal options. Then representatives from US Geological Survey, US Forest Service, State Water Resources Control Board, Regional Board (Sacramento & Redding), Santa Fe Aggregates and SECOR continued work on an issue paper for projects using the addition of gold dredge tailings to streambeds for fish spawning habitat restoration.

On 26 May, NPDES staff attended a meeting with Public Works, City Engineers, collection system, pretreatment, laboratory and operations staff at the City of Woodland. City staff invited Regional Board staff to attend an informal discussion of a wide range of wastewater regulatory issues. The meeting was also attended by representatives from UC Davis and EID wastewater operations.

Addendum 4**COMPLETED SITE CLEANUPS****Moore Aviation, Colusa County**

Between 1960 and the 1980s, pesticide aerial applicators discharged pesticide rinsates into a ditch at this rural airport. In 1990, soil polluted with atrazine and organochlorine compounds was removed and bioremediated. Between 1989 and 2003, groundwater extraction and reuse removed 72 pounds of pollutants and 17.5 million gallons of water, in 2002, extraction of 3 million gallons yielded 4 ounces of pollutants. In 2004, the extraction system was shut off, and declining trends identified. Atrazine, at 2 ug/l in 2005, is above water quality objectives, and is contained within a 20-foot radius of the discharge point. No further action is required, based on declining trends in groundwater, Moore Aviation having remediated pollution to the maximum extent practicable and the absence of human health exposure pathways. (AST)

Cleanup Activities Resume At The Humboldt Road Burn Dump, Butte County

Cleanup activities at the HRBD site have resumed on 31 May (as classes at the nearby junior high ended for the Summer). Cleanup of lead contaminated wastes from the old dump is underway in two areas, the HRBD Private Parties Unit (continuation of last years cleanup) and the City of Chico administered site. Cleanup will continue until August 15 and it is expected that 95 percent of the lead contaminated wastes will have been removed and disposed of in two waste containment units. The remaining wastes are on property owned by Simmons and Drake, who have not pursued cleanup in a timely manner. This failure to pursue cleanup on this property violates existing CAOs and Regional Board staff is preparing an ACLC for consideration by the EO. The Butte Environmental Council (BEC) has filed a new petition and stay request to the SWRCB to halt cleanup activities. The SWRCB will act on the stay and BEC's previous petition (filed last year) within the next two weeks. BEC continues to assert that cleanup of the HRBD poses a great risk to nearby residents (due to lead contaminated dust emissions). Data gathered during last year's cleanup activities demonstrated that airborne lead levels were effectively controlled and lead concentrations were generally reported as non-detectable and never above background lead levels. This year's cleanup activities will employ the same dust control measures that were effective last summer. (JCP)

No Further Action Required - Underground Storage Tanks (UST)

Following are sites where Board staff determined that investigation and remediation work may be discontinued and that no further action is required. Further, 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) 464-3291.

FRESNO OFFICE**Fresno County**

FUSD Maintenance Yard, 717 S. Seventh St., Fresno - A 500 gallon UST was removed in March 1990 and a release of petroleum hydrocarbons identified. A subsurface investigation conducted in 1990 revealed that the bulk of impacted soils were limited to about 55 feet bgs and within a radius of about 25 feet from this and a previously removed UST. The results of additional subsurface assessment conducted in December 2004 showed that a majority of the impacted soils had attenuated to non-detectable, or very low, levels of petroleum hydrocarbons. The bulk of the remaining residual impacted soils are limited to a depth of 25 feet, approximately 75 feet above the current water table. The results of groundwater sampling events conducted for the site confirms that the underlying groundwater has not been impacted. Further assessment of the site does not appear warranted. The residual petroleum hydrocarbons in the underlying soils will naturally degrade further and are not anticipated to pose a threat to the beneficial use of groundwater in the area. (DAM)

Norman Liddell Property, 7800 N. Polk Ave., Fresno - One 500-gallon UST was excavated in approximately 1998 and removed from the site in 2001. Soil sampling revealed a release of petroleum hydrocarbons at the site and resulted in the degradation of the underlying soils. The impacted soils were sufficiently evaluated and the underlying groundwater was monitored for potential impacts. The impacted soils were remediated to the extent feasible and practical using SVE technology. Due to a proposed residential development and potential health risk to workers during site development, the remaining shallow impacted soils were successfully removed by excavation. The results of monitoring and sampling events conducted for the site reveal that the underlying groundwater has not been significantly impacted. The residual petroleum hydrocarbons in the soils are

likely to naturally degrade and are not anticipated to pose a public health risk or pose a threat to the beneficial use of groundwater in the area. (DAM)

REDDING OFFICE

Shasta County

Southland 7-11 #20221, 3400 Bechelli Lane, Redding - In February 1998, three 10,000-gallon gasoline underground tanks were removed. Initial soil and groundwater samples showed significant petroleum contamination. Four groundwater monitoring wells and three soil borings were installed to delineate the extent of contamination. Over time all monitoring wells have shown decreasing trends and are non-detect, except MW-1, which continues to show minimal, declining residual contamination. The only sensitive receptor within 2,000 feet is an inactive domestic well located 1,100 feet south of the site. Groundwater flows north/northeast. Due to the low levels of contamination remaining, a no further action letter was issued. (HB)

SACRAMENTO OFFICE

Amador County

Sierra Pacific Industries, Highway 49 & Ridge Road, Martell - In 1984/1985 two 10,000-gallon (one gasoline and one diesel) underground storage tanks (USTs) fuel dispensers, and product piping were removed. Soil contamination identified in soil samples collected in 1997 and 1999 was largely removed by excavation conducted in 1999. The data shows the groundwater plume is limited in size and shrinking. Based on the limited nature of groundwater contamination at this site and the current groundwater degradation trend, it seems likely water quality objectives will be achieved in a few years through the process of natural attenuation, and that further investigation or active remedial action is not needed. Remaining residual fuel hydrocarbons in the shallow subsurface pose little or no threat to water quality, public health, or the environment. The site is currently being developed to accommodate several large retail stores. (KTL)

Contra Costa County

Former Eames Ford, 1400 West 10th Street, Antioch, Contra Costa County - In 1989 oil, grease and diesel hydrocarbon contamination was detected during removal of a 500-gallon waste oil UST. Contaminated soil was excavated to below the top of the groundwater table. Groundwater samples showed TPH-g, TPH-d, Oil & Grease, and benzene. Between February 2001 and September 2003 soil and groundwater investigations showed petroleum hydrocarbons are limited to the area of the former excavation, and therefore do not appear to be a threat to human health. The downgradient well has been non-detect for all hydrocarbons for the last four sampling events, showing groundwater resources are not threatened. The monitoring wells were destroyed in November. A No Further Action Required letter was issued. (PMV)

Hillcrest Valero, 2700 Hillcrest Street, Antioch - In October 1990 low levels of total petroleum hydrocarbons as diesel (TPHd) were detected in soil and groundwater samples. After seven quarters of groundwater monitoring, only one well had 77 ug/L of total petroleum hydrocarbons as diesel (TPHd) and non-detect for MtBE. Based on these results, the monitoring wells were destroyed, and on 8 February 2001, this RB5S issued a No Further Action Required letter. In January 2004, total petroleum hydrocarbons as gasoline (TPHg) and TPHd were detected in soil during a UST system upgrade. This contaminated soil was removed and a follow-up investigation showed only TPHd up to 90 ug/l. It was determined that this identified contamination was part of the original release (1990), and posed no threat as previously demonstrated. Therefore, as a low risk case that does not pose a significant threat to groundwater quality, the 2004 site case was closed. (PMV)

Lake County

Kits Corner, 7990 Highway 29, Kelseyville - In April 2004, approximately 300 gallons of gasoline was displaced when groundwater entered underground storage tanks (USTs). The fuel hydrocarbons flowed into the backfill surrounding the USTs, which reportedly was pumped from the UST basin into Baker tanks and transported to a refinery, as part of an emergency response. The rapid response of the cleanup crew appeared to have mitigated contamination resulting from the release of fuel into the UST basin. A groundwater sample collected from the UST backfill confirmed little hydrocarbon contamination remaining. The small amount of residual hydrocarbons remaining does not represent a risk to the local groundwater resources, public health, or the environment. (KTL)

Stanislaus County

Former Jay Cook Transport, 2536 Patterson Road, Riverbank - In 1986, five gasoline and two diesel tanks were removed from the site. Elevated concentrations of petroleum constituents were detected in soil samples from beneath the gasoline tanks; contaminants were non-detect in soil samples from beneath the diesel tanks. According to case reports, the gasoline tank pit was over-excavated; however, records of the actual excavation activity were not available. Twelve (12) soil borings and a monitoring well were installed at the site. Low to elevated levels of hydrocarbons was detected in the majority of soil samples from the borings. The monitoring well was sampled once in February 1987 and subsequently destroyed. Xylene at 171 mg/l was the only compound detected in the water sample from the well. In April 2005, two additional soil borings were installed in the immediate vicinity of the former gasoline tanks. Contaminants were non-detect in soil and water samples from the borings. One municipal water supply wells is approximately 800 feet southwest of the site. Contaminants were non-detect in water

samples from the well. The residual impacted soil also does not pose a threat to human health or safety or groundwater beneficial uses.

Yolo County

Fleet Services/Central Garage UST Site, UC Davis Campus, 204 La Rue, Davis - The UC Davis Fleet Services/Central Garage is an automobile repair facility. In 1997 the full extent of a 1992 pipeline release was detected during replacement of the underground storage tanks. Soil and groundwater investigations showed the primary chemical of concern was 1,2-DCA in shallow and deeper groundwater. The lateral and vertical limits of 1,2-DCA and other gasoline hydrocarbons in groundwater were defined, and a sensitive receptor survey showed the nearest water supply well to be 700 feet south of the site. Analytical and elevation data from shallow and deep monitoring wells, between the water supply well and the site, showed the plume was not influenced by, and had not migrated towards, the water supply well. The mass of gasoline hydrocarbons remaining in groundwater was calculated to be 83 grams, but trend data shows that 1,2-DCA will degrade. Investigations showed a stable, degrading plume beneath the site that is not a threat to water quality or beneficial uses. Therefore, on 12 April 2005, after the monitoring wells were destroyed, a No Further Action Required letter was issued. (DFS)

Ryder Truck Rental, 2599 Evergreen Ave, West Sacramento - Investigations of soil and groundwater from 1991 through 2004 have defined the limits of motor oil, diesel, and gasoline hydrocarbons in soil and groundwater. USTs, dispensers, and associated piping were replaced. Soil was remediated by over-excavation, and groundwater remediated by removal of free product and contaminated groundwater. The remaining residual plume of petroleum hydrocarbons beneath the site, is stable and has not migrated off site. The remaining mass of petroleum hydrocarbons in soil and groundwater has decreased through natural attenuation process, and are expected to degrade below water quality objectives by 2007. The plume of hydrocarbons does not represent a threat to human health from inhalation exposure. All monitoring and extraction wells were destroyed in January. A No Further Action Required letter was issued 7 April 2005. (DFS)

Washington Unified School District, 931 Westacre Road, West Sacramento - Two underground storage tanks (USTs) last used in 1972 were removed in 2003. Soil contamination at the limits of the former UST cavity was excavated and disposed of at Forward Landfill, a Class II landfill. Approximately 8,000-gallons of contaminated water was removed for recycling. Testing of the water in the excavation after removal of the 8,000-gallons showed that gasoline and diesel hydrocarbon concentrations were reduced by a magnitude of two to four. Subsequent groundwater investigation showed only a trace of diesel in groundwater adjacent to the former UST cavity. The lateral and vertical limits of diesel in groundwater were defined, and a sensitive receptor survey showed no water supply wells within 2,000 feet of the site. The mass of hydrocarbons remaining in groundwater is negligible, and has not migrated beyond the UST cavity in 30 years. Investigations show a stable plume, to be limited to the former UST cavity, and not a threat to water quality or beneficial uses. Therefore on 12 April 2005 a No Further Action Required letter was issue.

Local Agency UST Closures with Concurrence of Board Staff Review

Sacramento County

Discount Gas, 3840 Madison Avenue, North Highlands
Former Tosco Service Station #7007, 1102 Broadway, Sacramento

San Joaquin County

M&M Builders Supply, 8111 Eleventh Street, Tracy

Stanislaus County

Vella Brothers, 3406 Kiernan Avenue, Modesto
Former Newman Creamery, 2034 N Street, Newman
Bonander Pontiac, 300 Golden State Blvd., Turlock

Local Agency UST Closures Independent of Board Staff Review

Fresno County

7-Eleven #22541, 2515 E. McKinley Ave., Fresno, Certification of Response Action, issued 18 April 2005.
The Pit Stop, 2420 Whitson Ave, Selma, Certification of Response Action issued 30 March 2005.

Madera County

Johnny Quick # 101, 755 Madera Ave, Madera

California Regional Water Quality Control Board Central Valley Region

Fiscal Report Based on April Expenditures *(An average of 83% should have been expended to date)*

PERSONAL SERVICES

Our personal services budget is \$20.3 million. We have spent 78% year-to-date. We are recruiting to fill all vacant positions.

OPERATING EXPENSES

As of April we have spent 55% of our operating expense budget. We will continue to monitor expenditures to ensure that all funds are exhausted by year-end.

FUND ISSUES

State Board is very insistent that we not overspend any of our fund sources in FY04/05. We are closely monitoring our Bond Fund expenditures.

Key Fund Sources	Percent Expended
General Fund	78.1%
Federal Funds	73.4%
Waste Discharge Permit Fund	71.6%
Prop 40 & 50 Bond	74.9%

FY 04/05 UPDATE

- Recruitment has been active and successful in the new AG Waiver program. Currently, only 3 positions remain vacant.
- Continuing to monitor the Loaned Timber Harvest positions from Region 1. Our Timber Harvest Program manager is identifying work to be shifted to Region 1 until positions become vacant and can be shifted.
- The Region will have some personal services savings for this fiscal year. Some of the savings have been shifted to our general expense and equipment budget to cover the costs of computers, printers, postage machines, copiers and other necessary office expenses.