

**California Regional Water Quality Control Board
Central Valley Region**

26 January 2006

ITEM: 3

SUBJECT: Executive Officer's Report

DISCUSSION:

1. NEW YEAR'S STORM

Heavy rainfall hit central California over the New Year's holiday weekend. Record rainfalls fell at many locations. Sustained periods of heavy rainfall generally cause problems for wastewater collection and treatment facilities, and this series of storms was no exception. Such problems include:

Stormwater, particularly from flooded streets and homes, can flow into the sewers causing local overloading of the sewer pipes and overflow of sewage from the collection system. This type of discharge generally subsides quickly after the rain stops and flooding ebbs.

High sewage flows entering a treatment plant can disrupt the treatment process, can hydraulically overwhelm the plant causing the bypass of partially or untreated sewage around the treatment system, and can sometimes physically damage the treatment plant. Damage to the sewage treatment facilities is more serious because it may take days or weeks to get the treatment plant fully operational, during which time discharged wastewater may not be adequately treated.

Flood waters can directly inundate treatment plants, pump stations and other infrastructure. Flood waters can also keep treatment plant and maintenance staffs from reaching equipment needing attention. Erosion can damage collection and treatment facilities. Power outages are common during storms, and backup power is not always available or functioning.

Dischargers experiencing compliance problems, particularly spills of raw sewage, are required to notify Board staff within 24 hours of knowledge of the problem and submit a written report generally within 5 days. Large spills are also reported to the State Office of Emergency Services. Not all dischargers report promptly, sometimes forgetting the need to report, and sometimes they are just too busy dealing with an emergency to call. Waste Discharge Requirements mandate that dischargers minimize the extent and severity of any violations, and collect monitoring data to assess the impact of the spills.

Regional Board staff is heavily involved in response to storm problems. Several staff are 24-hour contacts for the Office of Emergency Services and received numerous calls at home over the weekend. Staff contacts dischargers to assess problems, assure that reasonable steps to correct and contain the problems are being taken, and verify appropriate notification of potentially impacted downstream parties. Following the immediate crisis, staff contacts dischargers we have not heard from, continues telephone and field contact to followup on known problems, and begins documenting and prioritizing problems for possible enforcement. If there are severe water quality or public health problems that are not being dealt with, the Executive Officer can quickly issue a Cleanup and Abatement Order to responsible parties. That has not been needed as of this writing. Evaluation of each discharge will be conducted, including review of the written reports submitted by the dischargers, to determine whether: no regulatory action is needed: further information must be submitted (pursuant to California Water Code Section 13267); minor operational or physical improvements are needed (generally dealt with using Notices of Violation); major, long-term corrective action is needed (generally handled with a Cease and Desist Order, Cleanup and Abatement Orders, and Time Schedule Orders); or Administrative Civil Liability Complaints should be issued. Evaluation and enforcement followup from these storms will continue for several months.

The following is a list of currently known problems organized by county. The list is not complete as staff is still contacting dischargers and the list is growing. As of this writing (5 January) staff's priority is identifying and responding to significant ongoing discharges. We anticipate having a more complete listing of storm-related problems available by the Board meeting.

ALPINE COUNTY

The Bear Valley Water District reported that excessive rain on the snow pack flooded the main sewage pump station for nearly 24-hours on 1/1/2006. Up to 200,000 gallons of raw sewage was released into Bloods Creek.

EL DORADO COUNTY:

El Dorado Irrigation District discharged greater than 4200 gallons of raw sewage into Deer Creek from an overflowing manhole.

El Dorado Irrigation District discharged 3.8 million gallons of blended wastewater and stormwater into Carson Creek from overwhelmed storage ponds from the El Dorado Hills Wastewater Treatment Plant.

El Dorado Irrigation District discharged greater than 10,800 gallons of raw sewage into Deer Creek in Cameron Park from a collection system manhole.

El Dorado Irrigation District discharged raw sewage from three lift stations, New York Creek, Alleghany Road and Malcolm Dixon Road into Deer Creek, Webber Creek and New York Creek. A threatened fourth lift station failure, at the Marina-1 pumping plant near Folsom Lake, was not confirmed.

The City of Placerville discharged an unknown volume of partially treated wastewater from their wastewater treatment plant to Hangtown Creek due to excessive flow. The discharge consisted of a mixture of tertiary and secondary disinfected wastewater from the outfall along with overflow from the primary clarifiers.

FRESNO COUNTY

Heavy rains and road landslides forced Southern California Edison to bypass tertiary treatment units and discharge 5000 gallons of secondary, undisinfected wastewater to Big Creek, a tributary to the San Joaquin River.

KERN COUNTY

Excessive infiltration and inflow at the City of Tehachapi WWTF caused overflow from the primary clarifier that was contained and pumped into a storage pond.

LAKE COUNTY

The City of Lakeport Municipal Sewer District No. 1, reported that on 12/31/06 approximately 500 gallons of untreated wastewater discharged from a sewer main at north main and 11th street in Lakeport into a drainage culvert that leads to Clear Lake. The City did not contact State OES.

The Clearlake Oaks County Water and Sanitation District reported a spill to OES on 12/31/05 of approximately 100 gallons of raw sewage from a pump station that surged due to a power failure. The wastewater entered a storm drain that leads to Clear Lake.

The Lake County Sanitation District, Southeast Wastewater Treatment Facility, notified OES of a spill on 12/31/05 of approximately 5,500 gallons of raw sewage from manholes located across from Burns Valley Road in Clearlake. The spill resulted from a sewer collector surcharge due to a pump station control failure. The wastewater drained into a flooded channel that leads to Clear Lake.

The Lake County Sanitation District, Southeast Wastewater Treatment Facility reported a second spill to OES on 12/31/05 of approximately 10,000 gallons of raw sewage from three manholes on Meadowbrook Drive and Bay Street in the Highlands Harbor subdivision in Clearlake. The wastewater drained into storm drains that lead to Clear Lake.

The Lake County Sanitation District, Northwest Wastewater Treatment Facility notified OES of a spill on 12/31/05 of approximately 5,000 gallons of raw sewage from two manholes and a floor drain in business located along Lakeshore Drive in Lakeport. The manhole overflows discharged into Clear Lake. The wastewater discharge from the floor drain was contained within the business bathroom.

Lake County reported on 1/1/06 a release of leachate from the Eastlake Landfill. Leachate was seeping from the active face of the landfill due to the heavy rainfall (reportedly 15 inches) in the area over the previous weekend. The County reported that a temporary pond was constructed to capture the leachate to prevent it from flowing offsite into Molesworth Creek, and that the leachate was being pumped from the temporary pond into the onsite Class II surface impoundment. The County reported that an unknown quantity of leachate had flowed offsite into the creek prior to the construction of the temporary pond. (WLB)

NEVADA COUNTY:

City of Grass Valley spilled approximately 1-million gallons of raw sewage from their wastewater treatment plant to Wolf Creek when their primary clarifiers overflowed.

The City of Nevada City discharged blended secondary and tertiary wastewater due to high water flows.

The Lake Wildwood wastewater treatment plant bypassed filtration of approximately 120,000 gallons of secondary quality effluent to Deer Creek.

The Lake Wildwood collection system discharged greater than 3,000 gallons of raw sewage into Little Deer Creek.

PLACER COUNTY:

Placer County Sewer Maintenance District No.3's sludge dry beds were inundated with stormwater and overflowed into Miners Ravine. The facility also bypassed filtration due to high stormwater flows, discharging secondary quality effluent.

Placer County Sewer Maintenance District No.1 bypassed primary treated, undisinfected wastewater due to flooding, followed by a blend of filtered and unfiltered wastewater during much of 12/31/05 to Rock Creek.

Placer County Sewer Maintenance District No.1 discharged raw sewage into surface waters when a lift station and 2 manholes overflowed.

The City of Auburn discharged an unknown volume of raw and partially treated sewage into Auburn Ravine when storage ponds were inundated and flood water volumes overwhelmed the treatment plant.

The City of Roseville discharged an undisclosed amount of raw sewage to Dry Creek from an overflowing manhole.

The City of Roseville discharged an unknown amount of raw sewage into Dry Creek when emergency storage ponds at the wastewater treatment plant were inundated with floodwater.

The Donner Summit wastewater treatment bypassed a blend of filtered and unfiltered wastewater for approximately 18 hours due to high flow rates.

Placer County's Applegate Wastewater Treatment Facility spilled approximately 1,000 gallons of raw sewage from two temporary storage tanks that are used to handle additional storage during the winter months. The spill was contained and did not enter surface waters.

SACRAMENTO COUNTY:

The City of Folsom spilled 1000 gallons of sewage from a manhole, but contained it and cleaned it up.

The City of Galt discharged sewage to a storm drain from a pump station failure.

The County Service District 1 (CSD-1) reported many sewage spills during the storms. An interceptor surcharged on Mira Del Rio Dr, and flooded 4 homes with a large quantity of raw sewage. CSD-1 also reported multiple manholes in the vicinity of Elk Grove-Florin and Tiogawoods Dr were discharging an unknown quantity of raw sewage. A large release was also reported from manholes on Florin-Perkins Road and Fruitridge Road into the storm drain and then Morrison Creek. CSD-1 also reported spills from various locations on Manger Way and Linda Creek Court in Citrus Heights to surface waters. A spill of unknown quantity of sewage was reported on Island View Way in Walnut Grove.

Sacramento Regional County Sanitation District (District) also reported several spills and releases. Due to a newly constructed interceptor being inundated with water from Laguna Creek, and plugs in the interceptor failing, the sewage treatment plant was inundated with excessive influent. Influent flows reached 550 million gallons per day (MGD), which exceeds the peak wet weather capacity by 200 MGD. The District discharged partially treated effluent to the river until repairs could be made.

The District also reported a break in a pipeline on-site that resulted in almost 1 million gallons of chlorinated secondary effluent (chlorine residual was 9.5 mg/L) being discharged to Laguna Creek.

The District also reported the release of 700,000 gallons of raw sewage near Kilgore Ave. in Rancho Cordova due to the failure of an interceptor plug at a construction site.

The City of Sacramento reported a 46,000-gallon raw sewage outflow on 10th Av. and a 1,500-gallon outflow on 35th Ave. and Park Way from the combined wastewater collection system due to excessive rain.

SHASTA COUNTY

City of Redding's Sewage Collection System and Clear Creek Wastewater Treatment Plant. On 3 January 2006, the City's Clear Creek Wastewater Treatment Plant began discharging partially treated wastewater to the Sacramento River at a rate of approximately 20 million gallons per day. The spilled wastewater was a combination of bypassed raw influent and bypass out of the primary clarifiers. The wastewater filled and traveled through a series of ten emergency storage ponds that collectively hold approximately 240 million gallons prior to overflowing to the river. At this time it is estimated that the bypass discharge will continue for a total of three to seven days, depending on additional rainfall intensity and patterns. Spills from the City's sewage collection system also occurred at several locations.

SIERRA COUNTY

The City of Loyalton experienced a discharge of secondary treated wastewater into Smithneck Creek that is expected to continue for approximately one week, and a raw sewage was discharge to Smithneck Creek as a result of a pump failure at the headworks. The Discharger is unable to estimate the volume of wastewater from either spill event.

SUTTER COUNTY:

Yuba City's wastewater ponds, located within the Feather River floodplain, were inundated with river water.

YUBA COUNTY

The City of Wheatland reported on 1/3/06 that the Bear River rose above the wastewater infiltration bed levees and spilled into the infiltration beds. The river level continued to rise until the wastewater infiltration beds were completely inundated. An estimated maximum of 270,000 gallons of wastewater, mixed with river water, flowed into the Bear River until the river levels dropped below the infiltration bed levees.

The City of Marysville reported on 12/31/05 that the Feather River had risen and flooded five of the wastewater percolation ponds. An unknown volume of wastewater, mixed with river water, flowed into the Feather River

ENFORCEMENT**2. *Status Report On Humboldt Road Burn Dump***

The responsible parties and counsel met with Regional Board staff and counsel to discuss the following issues: Regional Board Staff's direction from Board, Amendments to or revision of Cleanup and Abatement Orders, City's position regarding use of partially completed disposal cell, status of permitting efforts by property owners to assure remediation in 2006, and status of pending ACL Complaint and continuation of November hearing.

The Simmons and Drake parties have indicated they are cooperating to obtain necessary permits for cleanup in Summer 2006. The City of Chico representatives stated their position that the City is not a responsible party and does not intend to participate directly, but may contribute funds towards cleanup of Area 8. Staff discussed proposed revision of the 2003 Cleanup and Abatement Order and the acting Executive Officer is considering further action with respect to administrative civil liability.

3. *Cleanup and Abatement Order, Markley Cove Resort, Napa County*

On 6 December 2005, the Executive Officer issued a Cleanup and Abatement (C&A) Order to Markley Cove Resort, Inc. and the United States Department of Interior Bureau of Reclamation (Discharger). The C&A Order was issued as a result of wastewater being detected in Coleman Spring, which is on the hillside below the facility's percolation/evaporation ponds. Approximately 14,197 gallons of spring water containing wastewater was discharged into a surface water drainage leading to Lake Berryessa before the Discharger constructed a collection sump. The C&A Order requires the Discharger to continue collecting the water from the Coleman Spring and transporting it to the wastewater collection system. This activity must continue until a tracer dye test confirms that the wastewater ponds have been adequately sealed to prevent the discharge of wastewater to the spring. In addition, the Discharger is required to submit the following reports: (a) a report describing the visual inspection of the pipeline between the lift station and the wastewater ponds for signs of leaks, (b) a Pond Reconstruction Completion Report describing the repairs made to the wastewater ponds, (c) a Water Balance Report demonstrating whether or not the wastewater ponds contain adequate storage and disposal capacity to ensure full compliance with the WDRs, (d) a Dye Test Report describing the results of the dye test, and (e) quarterly progress reports describing the status of the pond reconstruction project. (GJC)

4. *Anderson Landfill, Inc., Notice of Violation, Shasta County*

On 22 December 2005, Redding staff issued an NOV to Anderson Landfill, Inc. (ALI) for discharges of waste to surface waters, failure to install erosion and sediment control structures, and failure to maintain containment and control facilities in accordance with Waste Discharge Requirements. Late season construction with inadequate erosion and sediment control structures resulted in waste and sediment discharges to surface waters during the month of December 2005. Additionally, storm water intrusion into the active waste disposal Unit at the site has resulted in flooding of the Unit's leachate collection and removal system sump area. ALI has historically submitted facility design plans late into the construction season resulting in construction activities occurring during the wet weather season. Additional enforcement including an ACL is being considered. (DPS)

5. *Cleanup and Abatement Order, Circle Oaks County Water District, Napa County*

On 16 December 2005, the Executive Officer issued a Cleanup and Abatement (C&A) Order to the Circle Oaks County Water District. The C&A Order sets forth a specific scope of work and enforceable time schedule for the Discharger to make the necessary repairs to the wastewater system and come into compliance with Waste Discharge Requirements, and to install groundwater monitoring wells. The C&A Order requires the Discharger to submit the following reports: (a) a Revenue Plan

that describes the costs associated with implementation of all tasks in the C&A Order, (b) a workplan describing methods that will be used to provide an assessment of those segments of the collection system known to exhibit significant inflow and infiltration (I/I), (c) a report that provides results of the survey to determine the thickness and volume of sludge in each of the ponds, (d) a Revised Sludge Management Plan that includes at a minimum a detailed program and schedule for periodic pond cleanout and disposal of biosolids removed during pond cleanout, (e) a Groundwater Monitoring Well Installation Report of Results, (f) an I/I Assessment Report, and (g) quarterly progress reports describing the completed work. (GJC)

6. *Issuance of Administrative Civil Liability Complaint and Proposed Settlement Agreement, Mokelumne Rim Vineyards, San Joaquin County*

On 1 November 2005 the Executive Officer issued an Administrative Civil Liability Complaint (ACLC) in the amount of \$30,000 for Rodney and Gayla Schatz, Mokelumne Rim Vineyards for incomplete self-monitoring reports, violations of the Waste Discharge Requirements (WDRs), and incomplete or non-submitted technical reports required by the WDRs. The Discharger subsequently met with staff to discuss settling the ACLC, and provided information regarding its ability to pay the liability. The Executive Officer subsequently offered to agree to settle the ACLC by payment of \$20,000, while holding the remaining \$10,000 in abeyance pending satisfactory submittal of technical reports that consist of: Groundwater Well Installation Report of Results (by 17 February 2006), Salinity Reduction Study (by 28 February 2006), Abbreviated Report of Waste Discharge (by 30 March 2006), and Background Groundwater Quality Study Report (by 30 March 2007). The Discharger has agreed to the terms of the Executive Officer's settlement agreement. (TRO)

7. *Bonzi Landfill Owners to Pay Fine in Settlement of Water Pollution Violations*

The Stanislaus County District Attorney's Office and the Regional Board's Executive Officer have reached a \$1.95 million settlement with Ma-Ru Holding Company and Bonzi Sanitation Landfill for failure to comply with the permit and enforcement orders issued by the Regional Board.

The Bonzi Sanitation Landfill is on Hatch Road near Carpenter Road, and has been in operation since the late 1960's. The majority of the landfill is not constructed to today's standards, and a portion of the wastes are in contact with the shallow groundwater. The landfill has created a plume of groundwater pollution, which must be contained and treated through a groundwater extraction and treatment system. On 29 April 2005, the Regional Board issued a Cease and Desist Order (CDO) to the Bonzi Landfill for numerous violations of its Waste Discharge Requirements. Although the operator complied with a few aspects of the CDO, it did not comply with the majority of the requirements, as evidenced by the seven Notices of Violation that have been issued since the CDO was adopted.

In September 2005, the District Attorney and the Water Board began a joint enforcement action against the landfill. The District Attorney's complaint alleged that Bonzi has failed to comply with numerous requirements of the CDO, including failing to demonstrate that the groundwater detection and extraction system is adequate for site conditions and failing to post financial assurances for corrective action, closure, and post closure maintenance activities at the landfill. In addition, Bonzi has failed to provide a least one foot of interim soil cover on two of the landfill units and has allowed un-permitted waste to be deposited in the active unit. Of gravest concern to the neighbors living next to the landfill, Bonzi failed to operate the groundwater extraction and treatment system for at least one year, from March 2004 through March 2005.

The parties agreed to a Stipulated Judgment, which has now been filed with the Superior Court of Stanislaus County. Terms of the stipulated judgment include: Payment of \$450,000 to the Stanislaus County District Attorney's Office and the State of California; payment of \$1.4 million in penalties have been stayed contingent upon Bonzi's satisfactory completion of 21 studies and improvements to the landfill. These tasks must be completed by the timelines described in the judgment; and payment of \$100,000 if Bonzi violates Penal Code Section 115 at any time in the next three years.

The stipulated judgment does not relieve the landfill owners and operators from the need to comply with all aspects of their Waste Discharge Requirements and the CDO, nor does it prohibit the Water Board from taking additional enforcement actions for items not addressed in the judgment. (WSW)

8. *Lakeshore Resort, Fresno County*

On 6 December a 13267 Order required Technical Reports from the owner/operator of Lakeshore Resort. The Lakeshore Resort is a restaurant and resort at Huntington Lake in Sierra National Forest with a package aeration plant, percolation pond, and leachfields. Violations include: unreported sewage spills potentially tributary to Huntington Lake, treatment bypass, inadequate containment capacity, and late and incomplete self-monitoring reports. The Order requires technical reports describing corrective measures. (HA)

9. *Morning Star Packing Company, Merced County*

On 21 November, a NOV was issued to Morning Star Packing Company for discharging tomato processing wastewater to land not authorized by the WDRs, incomplete self-monitoring reports, and threatened conditions of pollution and nuisance. The NOV requires several technical reports describing corrections actions. (JKW)

10. *Riverdale Public Utilities District, WWTF, Fresno County*

In January a NOV was issued to Riverdale PUD for discharging sludge to an unlined pond, exceeding the daily maximum BOD5 effluent limit, and threatening nuisance and groundwater pollution. The NOV requires several technical reports describing correction actions. (JKW)

11. *City of Modesto, Sanitary Sewer Overflow, Stanislaus County*

On 19 December 2005 the Executive Officer issued an Administrative Civil Liability Complaint (ACLC) in the amount of \$152,000 to the City of Modesto in response to the October 2004 raw sewage overflow to Dry Creek in Stanislaus County. The approximately 1.2 million-gallon sewage overflow resulted from a dislodged pressure plate on a section of the force main sewer line that runs from a lift station under Dry Creek. The cause of this sewer overflow was originally reported as a suspected act of vandalism, and referred to the Modesto Police Department. Subsequent investigations concluded that bolts that retained the pressure plate failed as a result of corrosion fatigue. The City has until 18 January 2006 to decide whether to pay the civil liability and waive a hearing before the Regional Water Board, or to contest the ACLC and proceed to a hearing. (JME)

12. *Cleanup and Abatement Order Issued to AmeriPride Services, Inc., 4620 Wilbur Way, Sacramento, Sacramento County*

A 1,800-foot long and 200-foot deep PCE plume emanates from the AmeriPride property on Wilbur Way. Prior to 1982, an industrial dry cleaning facility polluted the soil and groundwater beneath the AmeriPride site. AmeriPride purchased the property in 1983 and though it did not operate a dry cleaning operation, it is a responsible party for cleanup of the polluted soil and groundwater. On 25 April 2003, Regional Board staff issued a Cleanup and Abatement Order (CAO) to AmeriPride and previous owners which required cleanup of the polluted soil and groundwater, and replacement water supply for three water supply wells which were closed due to PCE pollution. One well adjacent to the AmeriPride site is owned by California-American Water Supply (Cal-Am), and two wells in the toe of the plume are owned by Huhtamaki. In August 2003, AmeriPride began soil vapor extraction beneath the facility and, in December 2005, began groundwater extraction and treatment in the source area below and immediately downgradient of its site. However, AmeriPride did not believe it was responsible for replacing water supply lost to Cal-Am or Huhtamaki, nor for cleaning up the entire plume.

Over the last two years, AmeriPride petitioned State Board and the Superior Court of California challenging the 2003 CAO. State Board denied the petition. On 2 November 2005, Regional Board staff met with AmeriPride representatives in mediation to discuss noncompliance with the existing CAO. In this meeting, the two parties agreed: 1) to several actions and dates that Regional Board staff would include in a revised CAO; 2) that AmeriPride would withdraw its petition to the Superior Court, which it did following the mediation meeting; and 3) that AmeriPride would not challenge the new CAO. In September 2005, in a separate lawsuit, AmeriPride settled with Cal-Am and agreed to pay Cal-Am \$2,000,000 for water supply replacement.

On 21 December 2005, the Water Board issued a new CAO that requires AmeriPride to provide in-kind replacement water for the industrial and drinking water supply lost to the Huhtamaki facility, and to properly abandon the polluted supply wells. The CAO also requires cleanup of the entire PCE plume. By September 2006, AmeriPride is required to have replaced the water supply for Huhtamaki and provide a work plan for remediating the entire plume. By January 2007, AmeriPride is required to start up an extraction and treatment system to capture and clean up the toe of the plume.

13. *Cleanup and Abatement Order Issued to Bureau of Land Management for Mercury Mine Cleanups, Colusa County*

A Cleanup and Abatement Order was issued to the Bureau of Land Management for two abandoned mercury mines located in Colusa County in December 2005. Water Quality objectives for mercury are exceeded during storm runoff events. C&A Order objectives require a 95% load reduction to Cache Creek and its tributaries. This load reduction is required to meet the TMDL requirements for Cache Creek and its tributaries. BLM mines are Rathburn and Rathburn-Petray, which are located in the Bear Creek watershed. The BLM was provided a draft Order but declined to comment. The Order requires BLM to submit a Work Plan By 1 March 2006 describing the methods that will be used to establish background levels of mercury in the soil and surface water at each mine site, and the means and methods for determining the vertical and lateral extent of waste piles, mining waste and soil and sediment contaminated with mercury at each mine site. The Work Plan must describe the sampling rationale that will be used, how runoff calculations will be determined, address the slope stability of each mine site and assess the need for slope design and slope stability measures. The Work Plan must also describe how the hydrogeologic regime at each mine site will be determined, and propose a surface water and ground water monitoring plan. The Work Plan shall also propose time schedules for implementation of the Site Evaluation and completion of an Engineering Evaluation/Cost Analysis to evaluate cleanup options. (CLC)

WASTE DISCHARGES TO LAND**14. *E. & J. Gallo Winery Waste Characterization Efforts, Merced County***

In 2004, a NOV was issued to E & J Gallo Winery (Gallo), Livingston Winery, in part, for degrading groundwater with salt. Gallo as been systematically evaluating its wine production process to identify and characterize high salinity waste streams and will propose processing improvements to reduce discharge salinity. In November, Gallo submitted a status report that describes

processing improvements it has implemented to improve discharge quality, such as replacing sodium-based cleaners with potassium-based cleaners, modifying sanitation activities, implementing water conservation, and improving equipment efficiency. (ARP)

15. Merced County Regulation of Onsite Systems

Recent staff letters that comment on several proposed rural subdivisions in Merced County reliant on onsite wastewater treatment systems (OWTS) indicated their potential to adversely impact groundwater quality for nitrate. In response, Merced County Department of Environmental Health proposed a model to determine the minimum lot size for OWTS-reliant development. After staff indicated the model was insufficiently conservative to preclude groundwater pollution for nitrate, the County modified the approach to require all major OWTS-reliant subdivisions to install systems capable of reducing total nitrogen to 10 mg/L, and to form “zones of benefit” for the operation and maintenance of the new OWTSs. (JLK)

TMDLs

16. Pesticide TMDL CEQA Scoping Meetings and Public Workshops

CEQA scoping meetings and public workshops on a Central Valley Pesticide TMDL and Basin Plan amendment currently under development will be held on 2 February 2006 in Modesto, on 8 February 2006 in Chico and on 9 February 2006 in Rancho Cordova. The TMDL and Basin Plan amendment are being designed to establish water quality objectives and a program of implementation for pesticides that are impacting or could potentially impact aquatic life uses in surface waters and benthic sediments. The public announcement for the meeting is available online at:
<http://www.waterboards.ca.gov/centralvalley/programs/tmdl/pest-basinplan-amend/ceqa-public-notice-att-1.pdf>

LAND DISPOSAL

17. Empire Mine State Historic Park, Nevada County

Regional Board staff in the NPDES, Storm Water, and Land Disposal Programs are coordinating with staff at DTSC to oversee environmental remedies at the Empire Mine State Historic Park in Grass Valley. Deltakeeper sued the Department of Parks and Recreation for storm water and tunnel discharges without NPDES permits. The Park is the site of one of the oldest, largest, and richest gold mines in California. The park contains many of the mine's buildings, the owner's home and restored gardens, as well as the entrance to 367 miles of abandoned and flooded underground mine workings. The park covers over 800 acres, including forested backcountry and eight miles of trails.

The park's environmental issues are associated with wastes from the historic mining and milling operations that contain arsenic minerals and metals. Areas of concern include a large tailings impoundment and a drain tunnel discharge. Controlling dust exposure for trail users and storm water pollution from the tailing impoundment is a major focus of the current effort. Park staff and others are investigating the drain tunnel and possible remedies for the discharge that is tributary to Wolf Creek. (SER)

DAIRIES

18. Update on Dairy Industry Response to Board Request for Reports of Waste Discharge

The November 2005 Executive Officer's Report included an item which summarized the dairy industry's response to staff's 8 August 2005 request that all owners and operators of existing milk cow dairies submit a Report of Waste Discharge (RWD). Staff has continued to process the RWDs received and follow up with dairies that did not submit a RWD by the 17 October 2005 deadline. The table below is an updated summary of RWDs received and shows that 98 % of the existing dairies in the Region have submitted a RWD as of early January 2006. Staff will continue to follow up with those dairies that have not submitted a RWD. (PAL, CMH, DAS)

Regional Board Office	County	Number RWDs Requested	Number RWDs Received	% RWDs Submitted
Fresno	Tulare	305	304	100
	Kings	152	151	99
	Fresno	110	110	100
	Kern	53	52	98
	Madera	48	48	100
Sacramento	Merced	318	305	96
	Stanislaus	293	283	97
	San Joaquin	138	138	100
	Glenn	51	50	98
	Sacramento	45	45	100

	Solano	4	4	100
	Yuba	4	4	100
	Yolo	3	3	100
	Placer	1	1	100
	Sutter	1	1	100
Redding	Tehama	16	22	138
	Butte	6	2	33
	Shasta	2	1	50

CEQA REPORTING

19. *Riverside Motorsports Park Draft Environmental Impact Report, Merced County*

In December staff commented on the draft EIR for the Riverside Motorsports Park, a proposed 1,180 acre regional recreation facility near the City of Atwater that features motorsport venues (e.g., NASCAR speedway with permanent seating for 50,000). The project's water supply would be provided by Merced County, and its sewage would be treated by an onsite wastewater treatment facility, with effluent disposal by percolation and recycling on project landscaped areas. The draft EIR lacked sufficient technical information to support its determination that the project will not significantly impact groundwater. Staff recommended the project connect to the City of Atwater municipal sewer, and indicated that if the project's report of waste discharge did not provide sufficient information to justify the discharge as consistent with Regional Board plans and policies, a discharge prohibition may result. (ARP)

20. *Old Sugar Mill Specific Plan, Draft Environmental Impact Report, Yolo County*

On 19 December 2005, staff provided comments to the revised DEIR for the Old Sugar Mill Specific Plan. The proposed project consists of converting a former sugar mill to a wide range of commercial and industrial uses, and constructing residences on other parts of a 106-acre site in Clarksburg, a town directly adjacent to the Sacramento River. The project would include a domestic wastewater treatment facility (WWTF) to serve the development. While the domestic WWTF would be owned and operated by a County Services Agency (CSA) to be formed by Yolo County, management of industrial wastewater would be the responsibility of the individual business owners. Staff's comments expressed concern that: industrial uses allowed are not compatible with the proposed wastewater management plan because no land is designated for disposal of industrial wastewater. Staff recommended that the project include either a POTW designed to accommodate all domestic and industrial wastewater from the proposed development, or connection to the Sacramento Regional Wastewater Treatment Plant (SRWTP). The DEIR appears to rule out connection SRWTP based on capital costs alone. Staff recommended that this alternative be more fully explored in light of the Basin Plan's preference for regionalization versus multiple small treatment plants. Groundwater at the project site is very shallow and subject to major changes due to high river levels, which the DEIR acknowledged could cause failure of the proposed subsurface effluent disposal system. Finally, staff recommended that the CSA be formed prior to submittal of the Report of Waste Discharge to ensure that the CSA is a full, decision-making participant in the system design and WDR permitting process. (ALO)

21. *Borden Ranch Surface Mine Rezone and Use Permit, Draft Environmental Impact Report, Sacramento County*

On 21 December 2005, staff provided comments to the Draft EIR for the proposed Borden Ranch Surface Mine in southeastern Sacramento County. The proposed project would create a 330-acre gravel mine on agricultural land that is bounded by Dry Creek on the north and a tributary of Dry Creek on the south. The site is underlain by a shallow perched aquifer that drains into Dry Creek approximately one mile downstream of the site. Approximately fifteen feet of soil would be removed and sold as fill. Subsequent removal of approximately twenty feet of sand and gravel would expose the shallow water table, creating a 200-acre lake that would remain after site reclamation. Staff expressed concern about the following potentially significant impacts: The inadequate levees surrounding the site do not provide 100-year flood protection, and levee failure could result in major sediment discharges to Dry Creek and deposition of contaminated runoff into the groundwater exposed in the lake. Based on groundwater modeling, Dry Creek will lose approximately 1,700 acre-feet per year to the perched aquifer once mining is complete. A pond would be used to capture storm water runoff from the site, bringing storm water contaminants in very close proximity to the shallow water table. Sediments from upstream mining may have been deposited within the stream channels, and flooding may transport mercury-contaminated sediments into the lake. Sacramento County staff plans to revise and recirculate the DEIR. Staff recommended that additional site-specific technical studies be completed to better characterize the threat to water quality, and that additional mitigation measures be developed prevent those impacts. (ALO)

22. *Baldwin Hallwood Mine Expansion, Draft Environmental Impact Report, Yuba County*

On 12 December 2005, staff provided comments to the Draft EIR for the proposed Baldwin Hallwood Mine Expansion in Yuba County. The project would expand an existing sand and gravel mining operation by 200-acres. Staff expressed the following concerns: 1) Because the processing of material from the proposed project may cause significant changes to the Baldwin Hallwood aggregate processing operation and/or the discharge from it, revision of WDR Order No. 5-00-101 may be required to reflect those changes. 2) Although it has been reported that historical dredging has never been conducted on the project site,

the potential exists that other historical practices, such as the tilling of dredge waste fines into agricultural soils, could have introduced mercury at levels of concern onto the project site, and therefore it is necessary to determine whether mercury is present in the source material at levels that could adversely affect surface water, groundwater, or human health. 3) The existing aggregate processing facility must be evaluated to demonstrate whether it contains adequate treatment and storage capacity for the existing facility plus the expansion. 4) The nature of the hydraulic connection between the wastewater ponds, surface water and groundwater should be evaluated and the potential for any impact from the facility on surface water and groundwater identified. (MRL)

23. *Notice of Preparation for Sacramento County GreenCycle Project, Sacramento County*

On 3 January 2006, staff provided comments to the Sacramento County Department of Environmental Review and Assessment on a Notice of Preparation (NOP) for the proposed Sacramento GreenCycle project. The NOP stated that the County currently exports its green waste to facilities outside of the county, and identified four potential Sacramento County locations for this project that will compost green waste outdoors. Staff's stated that the County must submit a Report of Waste Discharge so the staff can prepare waste discharge requirements (WDRs). Staff also informed the County that draft general WDRs for discharges of green waste within the Central Valley Region will soon be distributed for review and comments, and that the notice will be sent to the County. Staff anticipates that the facility should be able to obtain coverage under the general WDRs, if and when they are adopted by the Board. (WLB)

GRANTS & FUNDING

24. *Integrated Regional Water Management Grant Program Update*

The Integrated Regional Water Management Grant Program has two components: a Planning grant and an Implementation grant.

The preliminary evaluation results for the Planning Grants were posted on the Department of Water Resources (DWR) and State Water Board websites on September 16th. The preliminary funding list was presented to the State Water Board during its 20 October 2005 meeting. For the Planning grants there is approximately \$12 million available during this first funding cycle with a maximum funding limit per grant of \$500,000. The DWR Director has not given final approval to the Integrated Regional Water Management Planning grant funding list at this time. If approved there will be up to 11 Planning grants awarded within Region 5 totaling approximately \$5 million.

Step 1 Implementation Grant proposals have gone through technical reviews and senior level reviews and are now being reviewed at the management level. A total of 18 grant applications were submitted within Region 5 for a total funding amount requested of \$64.6 million. Following the completion of the management level reviews, staff anticipates that DWR and State Board will be developing a preliminary Call Back List for the Step 2 full proposals in late-January 2006; at which time DWR and State Water Board will hold a public meeting to discuss the results of the Step 1 review effort. DWR and State Water Board are revising the Step 2 Proposal Solicitation Package (PSP) to address many of the concerns expressed during the public comment period and to address issues identified during the Step 1 review process. The Step 2 PSP will be released concurrently with the Call Back List. (PDB)

25. *Dairy Water Quality Grant Program Update*

This program provides grants for projects that reduce threats to, or impairment of, surface or ground waters from dairy operations. The Selection Panel was comprised of representatives from the following agencies: Regional Water Quality Control Boards; State Water Board; California Dairy Quality Assurance Program; US Environmental Protection Agency; Sacramento-Yolo Mosquito Vector Control District; and the California Bay-Delta Authority. The Selection Panel finalized the Recommended Projects List at a 16 December 2005, meeting. The Recommended Projects List will be presented to the State Water Board at its 4 January 2006 meeting. Applicants with projects on the Recommended Projects List will be offered funding in the priority order of the Recommended Projects List until all available funds are committed. There are three projects within Region 5 that may be funded for a total of \$3,680,000. (PDB)

26. *2005-06 Consolidated Grants Program Update*

The 2005-06 Consolidated Grants Program integrates and coordinates related grant programs for Watershed Protection, Water Management, Agricultural Water Quality, Drinking Water, Urban Storm Water, and Non-Point Source (NPS) Pollution Control. A total of approximately \$142 million will be made available from eight interrelated grant programs administered by the State Water Board's Division of Financial Assistance.

Staff continues to work with the State Water Board's Division of Financial Assistance on the development of the 2005-06 Consolidated Grants Program. Staff are attending regular meetings and reviewing and providing comments on drafts of the concept proposal questionnaire, concept proposal review criteria, full proposal evaluation criteria, the grant program guidelines, and participated in testing of the online grant application system, Financial Assistance Application Submittal Tool (FASST).

Addenda that follow:

1. Personnel and Administration
2. Completed Site Cleanups (UST)
3. Public Outreach
4. Irrigated Lands Update
5. Waste Discharge Requirements Program Report

Attachments:

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

Addendum 1

**EXECUTIVE OFFICERS REPORT
PERSONNEL AND ADMINISTRATION
December 2005 – January 2006**

PERSONNEL

<u>Total Positions</u>	<u>Vacancies</u>	<u>Gained</u>	<u>Lost</u>
258.3	42.5	2	4

Gains:

Dan Warner	SEA	Redding
Jeff Pyle	WRCE	Fresno

Separations:

Lisa Gymer	ES	Fresno
Ray Bruuns	WRCE	Redding

Internal Transfers:

Bryan Smith	SWRCE	Redding
George Day	SWRCE	Redding
Linda Bracamonte	RAII	Sacramento

Retirements:

Dennis Westcot	EPMI	Sacramento
Tom Pinkos	EO	Sacramento

RECRUITING

Recruiting is on-going for the positions that the State Water Resources Control Board has approved for filling. We are working with State Board to try and expand our candidate pools. Given the current economic environment within California our current pay scale is not very competitive.

TRAINING

<u>Course Names</u>	<u># of Attendees</u>
Aquatic Ecological Assessment Workshop Part 2	2
CLE ESA and HCP Annual Conference	1
Defensive Drivers Training	2
Forum on Public Health on Fish Contamination	2
GIS Applications in Watershed Management Part 2	1
GIS Data Development and Integration	1
Hardware Troubleshooting A+	1
Hazwopper Refresher Training	4
Health and Safety Refresher Training	2
Introduction to Project Management-Pilot	1
Leading Change	4
Pesticide Regulatory Update	1
Sexual Harassment Prevention Training	4
Tahoe and Beyond: International Erosion Control	1
Technical Report Writing #625	5
Technical Writing- Being Clear and Concise	21
TMDL Program Management Training	1

Addendum 2**COMPLETED SITE CLEANUPS****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**

Gas 4 Less, 3076 E. Gettysburg Ave. Fresno - In January 1998, three 12,000-gallon gasoline USTs and one 8,000-gallon diesel UST, associated dispensers, and product lines were excavated and removed from the site as part of a station remodeling project. Soil sampling conducted at the time of removal revealed a release of petroleum hydrocarbons occurred at the site and resulted in the degradation of the underlying soils. The extent of impacted soils was subsequently evaluated and the underlying groundwater was monitored for potential impacts. The impacted soils were remediated to the extent feasible and practical using SVE technology. 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 underlying soils will 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. Closed 15 November 2005. (DAM).

Martens Chevrolet, 1760 11th Street, Reedley - Three gasoline USTs were removed from the site during June 1990. Soil beneath the USTs was found to contain relatively high concentrations of gasoline constituents. Subsequent investigation found that gasoline extended to groundwater, which ranged from 50 to 60 feet, and that groundwater was significantly impacted. Floating product was detected in one of the on-site monitoring wells. A municipal supply well is within a 250 feet of the release, however, impacted groundwater did not migrate offsite. Soil vapor extraction commenced during March 2001 and air sparging commenced during March 2004. Concentrations of gasoline in the extracted vapor were as high as 4700 parts per million but reduced to 15 parts per million by June 2005. Only low concentrations of gasoline and trace concentrations of VOCs were detected in groundwater from November 2004 through April 2005, and do not pose a threat to human health or beneficial uses of the groundwater. An estimated 57,000 pounds of gasoline were removed from the site. Residual gasoline concentrations will degrade with time and the site closed on 22 November 2005. (JWH)

Madera County

Pines Marina, 54250 Road 432, Bass Lake - Three gasoline USTs were removed during July 1999. Gasoline constituents were detected in soil. Groundwater monitoring wells were installed and groundwater was found to be impacted. The site is on the north shore of Bass Lake and the depth to water ranged from 12 to 21 feet. Soil vapor extraction was performed at the site during periods of lower groundwater elevations, December 2003 through March 2004; and again from December 2004 through January 2005. Sampling performed during March 2005 did not detect any gasoline constituents in groundwater. The remedial activities were successful and the site closed on 21 November 2005. (JWH).

Merced County

Santico Station, 5150 E. Broadway Ave., Atwater - Three USTs were removed in February 1990 and gasoline constituents were detected in one soil sample under one UST. Merced County referred the subject case to the Regional Board because of owner non-compliance. Following the 2003 sale of the property, the new owner established a business at the site and provided a report upon which our closure evaluation is based. A soil boring completed in March 2005 within a few feet of the original detection of gasoline constituents identified only traces of TPHg and MTBE. No groundwater was encountered and no groundwater monitoring wells were installed. There are no water supply wells on the property and the surrounding area is on a community water supply. The nearest community water supply well shows no detections of volatile organic compounds of concern. A relatively small mass of petroleum hydrocarbons was released and residual concentrations should attenuate with time. Closed on December 2005. (WWG)

REDDING OFFICE**Shasta County**

Formerly Gary's Exxon, Pine Grove 76, Shasta Lake – In March 1996, the Central Valley Regional Water Quality Control Board became lead agency after Shasta County Division of Environmental Health found BTEX and fuel oxygenates in shallow groundwater during tank removals. However, pollutants have attenuated following related soil removal. Data indicate no potential threat to nearby Salt Creek or other receptors. (EJR)

Plumas County

Unocal Fuel Star, 106 Crescent Street, Quincy, – While the Plumas County Environmental Health Department reported no threats to water quality, staff requested a preliminary site investigation due to the facility's proximity to the Norton Municipal Well, a water supply well with historical MtBE. Preliminary groundwater samples show dilute MtBE and BTEX, and no reasonable threat to the Norton Well. (EJR)

SACRAMENTO OFFICE**Placer County**

705 A Street, Lincoln - A single 650-gallon underground storage tank, installed before 1938, was excavated and removed from the site on 12 December 2002. Although hydrocarbon concentrations were detected in the initial soil and groundwater investigation, subsequent quarterly groundwater monitoring indicates that only minor hydrocarbon concentration remain in groundwater beneath the site. No detectable concentrations of benzene or MTBE were ever detected in any of the site's seven groundwater monitoring wells, and only minor concentrations of TPH-D have been detected in groundwater during the last two quarterly sampling events. Furthermore, the closest sensitive receptor is located over 800 feet cross gradient, the residual mass is limited in its extent, and has not migrated any significant distance. Therefore, the remaining hydrocarbon mass is expected to attenuate without migrating any significant distance or posing a threat to human health or waters of the state. (PRS)

Sutter County

Harley Jarrel Property, 730 Kiley Street, Yuba City - The Harley Jarrell property in Yuba City, was formerly used as a county maintenance garage. In March 1998, one gasoline underground storage tank (UST) was removed from the site. Impacted groundwater and soil has been adequately defined and delineated, based upon data submittals and Regional Board staff evaluations of all data. Several quarters of monitoring have shown the plume to be stable, limited in extent, and declining. A letter of "No Further Action Required" for this site is appropriate and warranted. The letter was issued 12 December 2005. (BPK)

Local Agency UST Closures with Concurrence of Board Staff Review**San Joaquin County**

Sunwest Liquors, 2449 W. Kettleman Lane, Lodi

Solano County

Rio Vista high School Bus Garage, 410 S. 7th Street, Rio Vista

Sacramento County

CalTrans Fruitridge Maint Station, 5521 34th Street, Sacramento

Former PDF Park and Gas, 1200 F Street, Sacramento

Arco Station #6168, 222 Jibboom Street, Sacramento

Former 76 Service Station # 7257, 5001 Madison Avenue, Sacramento

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

Dan's Import Auto Service, 1790 Yosemite Parkway, Merced, Remedial Action Completion Certification letter dated 27 October 2005

Fresno County

Consolidated Freightways, 2737 S. East Ave., Fresno, Certification of Response Action issued 9 November 2005

Jura Farms, Inc., 5545 W. Dakota Ave., Fresno, Certification of Response Action issued 15 December 2005

Smith Tank Lines, 2999 S. Orange, Fresno, Certification of Response Action issued 15 December 2005

Addendum 3**PUBLIC OUTREACH**

On 1 November, Karen Larsen and Holly Grover attended the Central Valley Drinking Water Policy Workgroup meeting. The group discussed comments on the draft organic carbon conceptual model and development of the water quality monitoring plan.

On 7, 8 and 9 November Lori Webber and Holly Grover attended the Third Biennial Non-point Source Conference in Sacramento. The theme of the conference was "Measuring Water Quality Improvements". The oral and poster presentations focused on efforts to control non-point sources of pollution from agriculture and urban sources, among others.

On November 7, Dan Little met with the Project Oversight Committee of the Laguna Creek Watershed Grant Project (Prop 50 Watershed Program). Topics on the agenda included watershed assessment updates regarding the Watershed Assessment Plan and Stakeholder Input, public outreach, education updates for the primary and secondary school programs, and a preview of the new website which has since been officially launched.

On 14 November, Karen Larsen attended a public meeting on the decline of pelagic organisms in the Sacramento-San Joaquin Delta. Presenters summarized studies completed in 2005 and the development of work plans for 2006. Among the participants was a scientific review panel charged with providing input to investigators regarding 2005 conclusions and 2006 studies.

On 17 November and 9 December, Anne Olson participated in two industry outreach meetings hosted by CMAC. The purpose of the meetings, which were held in Fresno and Redding, was to inform CMAC members about proper management of concrete wash water at ready mix concrete plants and the planned General WDRs. (ALO/MRL)

On 21 November, Karen Larsen met with City of Sacramento Utilities Department staff to brief them on the development of the Central Valley Drinking Water Policy.

On 6 December, Betty Yee attended a meeting of the recently formed Sacramento-San Joaquin Delta Chapter of the California Clean Boating Network. The focus of the meeting was on abandoned vessels and the legislation and programs to address this issue.

On 7 December, Wendy Wyels, Mark List, and Anne Olson attended the third of several planned working group meetings with members of the Construction Materials Association of California (CMAC). CMAC previously requested that staff delay the Regional Board's consideration of the General Waste Discharge Requirements (WDRs) for temporary storage and/or recycling of concrete wash water. In the interim, CMAC has conducted industry outreach meetings, and plans to perform additional concrete wash water characterization, complete bench scale and pilot testing to assess the effectiveness of concrete admixtures and sealants to minimize seepage from concrete sumps, and develop standardized plans and specifications for such sumps. The culmination of these efforts will be revision of the tentative General Order, which staff plans to present to the Regional Board for its consideration in 2006.

On 13 December, Michelle Wood and Patrick Morris attended a meeting of the Delta Tributaries Mercury Council. Michelle presented information on the Delta methylmercury TMDL and staff's proposals for a control program.

On 15 December, Michelle Wood, Chris Foe, and Melanie Medina-Metzger attended a meeting at the Delta Protection Commission to discuss the Delta methylmercury TMDL. Michelle presented the TMDL information and staff's proposals for a control program. Staff is planning to present the Delta methylmercury control program to various stakeholder groups that may be affected by a methylmercury Basin Plan amendment.

On 16 December, Gail Cismowski attended the regular monthly meeting of the Grassland Basin Drainers Steering Committee in Los Banos. This group is responsible for operating the Grassland Bypass Project.

On 16 December, Betty Yee attended a meeting of the Watershed Subcommittee of the California Bay Delta Authority to continue discussion of the structure of a statewide watershed program.

On 16 December, Karen Larsen and Holly Grover attended the Central Valley Drinking Water Policy Workgroup meeting. The group discussed augmenting the Department of Water Resources delta and upstream tributary volumetric and water quality modeling and the schedule for developing policy alternatives.

**Irrigated Lands Conditional Waiver Program
EO Report January 2006**

Status of Conditional Waivers

At the 28 November 2005 Central Valley Water Board meeting, staff presented a tentative Irrigated Lands Conditional Waiver Orders (2005 Tentative Orders) for consideration of adoption, proposed to become effective on 1 January 2006. The Central Valley Water Board did not adopt the 2005 Tentative Orders but voted to extend Resolution No. R5-2003-0105 by six months beyond the expiration date of 31 December 2005 and directed staff to continue to collaborate with stakeholders to address major issues associated with the following proposed waiver conditions:

- Coalition Group Water Quality Plan Submittal,
- Coalition Group Membership Lists Submittal,
- Monitoring and Reporting Program (MRP) Order Revisions, and
- “Triggers for Monitoring Follow-up Requirements (Table 1 of Attachment A)

Staff is proposing to conduct professionally facilitated meetings with stakeholders within the first few months of 2006. The goal of these meetings is to discuss and potentially reach agreement on the major issues listed above. The Irrigated Lands Program Technical Issues Committee (TIC) will discuss the technical issues associated with the MRP Order revisions and provide recommended language. Staff will evaluate all TIC recommendations to confirm that they are reasonable, feasible, protective of water quality, and in compliance with State and federal law. The schedule for the TIC meetings is discussed later in this EO Report.

Staff proposes to circulate the tentative Conditional Waiver documents for public comment in April 2006 and provide a public workshop during the Central Valley Water Board’s 4/5 May 2006 meeting. Staff will review and respond to comments received during the public comment period and the May 2006 workshop and revise the tentative documents as appropriate. The proposed revised Conditional Waiver package will then be placed on the Central Valley Water Board’s 22/23 June 2006 meeting agenda for the Central Valley Water Board’s consideration and adoption.

Monitoring and Reporting Program Revisions

On 6 December 2005, the TIC developed the schedule for discussions of topics relevant to the Tentative MRP Orders that some members believe warrant a review. The TIC will develop and provide recommendations to Central Valley Water Board staff for their consideration in revising the Tentative MRP Orders for Coalitions Groups, Individual Dischargers and Water Districts. Staff will incorporate TIC recommendations, as appropriate, and release draft MRP Orders for a 30-day public comment period. The revised orders will then be provided to the Central Valley Water Board Executive Officer (EO) for approval or included with the Conditional Waiver package and placed on the Central Valley Water Board’s 22/23 June 2006 meeting agenda for consideration of approval.

Three proposed TIC meetings are scheduled on the following dates to provide information, discussion and potential technical recommendations on the following items:

- | | |
|-------------------|---|
| 24 January 2006: | Proposed “triggers” for follow-up monitoring requirements, resampling requirements, and compliance monitoring; |
| 14 February 2006: | Reporting requirements, required follow-up procedures for exceedences to Basin Plan objectives, and phased and long-term monitoring strategies; |
| 14 March 2006: | Summary of first two meetings, update of discharger MRP Plans and other reporting and administrative items. |

TIC Focus groups will be meeting throughout this period to provide initial information and preliminary recommendations for further discussion and approval of recommendations at the TIC meetings.

De Minimis Conditional Waiver

Staff is drafting a De Minimis Conditional Waiver to address comments from rural counties, small growers and other parties who believe that their discharges from irrigated lands pose no, or insignificant, effects on water quality. This proposed De Minimis Conditional Waiver is intended to serve as an alternate regulatory option for dischargers who implement management practices for erosion control, nutrient management, irrigation management, and pesticide management to specifically protect surface water quality.

Potential dischargers who may be regulated by a De Minimis Conditional Waiver was the focus of numerous staff discussions with stakeholders during the last seven months. Proposed criteria for dischargers to qualify for a De Minimis Conditional Waiver may include, but not be limited to, owners and/or operators of irrigated lands that (1) do not discharge to surface water during the irrigation season, (2) show documented evidence (via a Farm Water Quality Plan) of implementing approved water quality management practices as specified in the State Water Board's Nonpoint Source Implementation and Enforcement Policy, and (3) do not apply pesticides that contain organophosphates, organochlorines, carbamates, or pyrethroids.

Staff has considered elements of the "Low-Risk Discharge Classification" of the Los Angeles Water Board's newly adopted Conditional Waiver for Dischargers from Irrigated Lands. Thus, the criteria in the proposed De Minimis Conditional Waiver may be similar to the criteria in the Los Angeles Region Low-Risk discharge classification.

In Spring 2006, staff proposes to hold additional stakeholder meetings, complete the draft De Minimis Conditional Waiver and corresponding Mitigated Negative Declaration documents, and circulate the tentative documents for public review. Upon completion of these tasks, staff will schedule an Information Item to discuss the proposed De Minimis Conditional Waiver with the Central Valley Water Board.

Environmental Impact Report

The contract with Jones and Stokes Associates (JSA) for an Irrigated Lands Program Programmatic Environmental Impact Report (EIR) includes the development of an Existing Conditions Report (ECR) to describe the existing regulatory setting, surface and groundwater conditions, and management practices within the Central Valley Region. The ECR will be used to develop a long-term water quality regulatory program (Long-Term Program) to address discharges of waste from irrigated agriculture within the Region.

Staff provided comments to JSA on the administrative draft ECR in November and December 2005. Staff tentatively plans to release the draft ECR for public review in January or February 2006, followed by stakeholder outreach meetings to explain and receive comments on the draft ECR.

After completion of the final ECR, JSA will begin development of the Long-Term Program, which also will be subject to stakeholder outreach meetings and public comments. Finally, program alternatives will be evaluated in an EIR.

Coalition Membership List Request

To assist Irrigated Lands Program staff with enforcement duties, on 26 August 2005 the EO issued a request for submittal of membership documents to nine coalition groups. The membership list submittal due date, per the EO's 15 September 2005 follow-up letter, was 1 November 2005. Four coalition groups submitted alternative information (or a detailed plan to provide alternative information) per their discussion with staff. These coalition groups include the Westside San Joaquin River Watershed Coalition, the East San Joaquin Water Quality Coalition, the San Joaquin County and Delta Water Quality Coalition, and the Sacramento Valley Water Quality Coalition (The Sacramento Valley Water Quality Coalition proposes submittal of membership information by 31 January 2006.)

The five remaining coalition groups did not submit membership information or an approvable plan for alternative information that addresses staff's enforcement needs. The Southern San Joaquin Valley Water Quality Coalition submitted a letter stating that the representatives will meet later with staff to further develop alternative information. This response was left open-ended with no proposed plan or schedule for submittal of information. The San Luis Water District Coalition and Westlands Water District Coalition submitted letters stating that they will not submit any information per the EO's request. The Goose Lake Coalition emailed Program staff a partial list of members (names only, no contact information) after the due date and followed up with a letter stating that they can not force

any growers in their district to provide anything more than voluntary information. Lastly, the Root Creek Water District Coalition submitted no response to the EO request. Staff will continue working to resolve pending issues surrounding the submittal of Coalition membership information by contacting these five coalitions to schedule further discussion.

Staff is concerned that the accountability of the Irrigated Lands Conditional Waiver Program is jeopardized by unresolved issues associated with the submittal of coalition group membership information, as demonstrated by the overall response to the EO's request for information. Therefore, staff continues to emphasize the need for firmer membership list submittal requirements as a Board-adopted condition of the proposed conditional waivers, tentatively scheduled for consideration of adoption in June 2006.

Phase II Monitoring Contract (Phase II) – UC Davis John Muir Institute and California Department of Fish & Game Laboratories

Sample collection for the Phase II study of water quality in agriculturally dominated waterways in the Central Valley Region is continuing through the final year of funding. The report that is scheduled for completion by December 2006 will include an assessment of monitoring data from two irrigation seasons (2004 and 2005), and from two storm seasons (2004/05 and 2005/06). Sample locations that have been utilized in the study include sites from within six Coalition boundaries, encompassing 16 different counties. Irrigation season sampling is conducted at two-week intervals, up to five times each. During storm sampling, sites were sampled up to three times a day during rain events. To date, 262 samples have been analyzed for water column toxicity from 60 locations. Sampling will continue during storm events in January and February of 2006.

Out of the 262 samples collected, four samples were marginally toxic to fathead minnow and 26 samples (10%) were significantly toxic to water flea. Toxicity to algae with significantly reduced growth was observed in about 30% of the samples from the 2004 irrigation season and 2004/2005 storm season. In contrast to that, only one sample from the 2005 irrigation season was toxic to algae.

Organophosphate pesticides were determined to be the primary cause of toxicity to water flea in 25 of the 26 samples. Eight organophosphate insecticides and two carbamate insecticides, alone or in combination, are implicated in virtually all the toxicity to water flea that has been observed in the study so far. These specific compounds are Chlorpyrifos, Diazinon, Dimethoate, Disulfoton, Malathion, Dichlorvos, Parathion-methyl, Azinphos-methyl, Methomyl and Carbaryl. Although the final report has not yet been prepared, results from the study thus far suggests that adequate control of this relatively small group of products would greatly reduce or possibly eliminate toxicity to the water flea test species in field samples.

The toxicity results for algae are more difficult to interpret, and further evaluation of the results is pending. One factor that complicates the evaluation process is that test samples often exhibit enhanced growth when compared to control samples. This could be the result of fertilizers and other nutrient products from agriculture. On the other end of the spectrum, measurements of reduced growth in algae test species indicate the presence of a herbicide, metal or other toxicant.

Ninety-four sites have been analyzed for sediment toxicity to date, including samples collected in summer of 2004, spring of 2005, and summer of 2005. Twenty percent of these resulted in significant toxicity. The information that has been developed thus far implicates the pyrethroids Esfenvalerate, Bifenthrin, lambda-Cyhalothrin, and Cypermethrin, as well as organophosphate Chlorpyrifos. Pyrethroids adhere strongly to particulate matter and are seldom detected in the water column.

The Phase II data assessment will be completed in June 2006, after 2005/2006 storm season sampling and analysis is completed. A final Phase II report is scheduled for completion by December 2006. Two status reports detailing the results of analyses were recently revised and will be posted on the Irrigated Lands website.

December 2005 Coalition Group Monitoring Reports

The August 2005 approval of Monitoring and Reporting Program Order No. R5-2005-0833 (Order) changed the monitoring report frequency requirements for all Coalition Groups, with the exception of the California Rice Commission. Reports had previously been required once per year and are now required two times per year. Irrigation season monitoring reports are to be submitted by 31 December and dormant season monitoring will be due

on 30 June of each year. Coalition groups had been fully advised of this change in reporting date prior to approval of the Order in August via the comment period of the Tentative Order, and through discussions at the PAC and TIC meetings. Additionally a letter was sent in mid-December to all Coalition Group representatives reminding them of the 31 December 2005 requirement.

As of 4 January 2006 monitoring reports were received from six of the ten approved Coalition groups. Two additional groups, Westlands Coalition and San Luis Water District, submitted written information indicating that they did not have any irrigation water runoff during irrigation season and monitoring was not conducted. The Southern San Joaquin Valley Water Quality Coalition and the Root Creek Water District Coalition have not submitted monitoring reports.

Review of the reports that have been received has begun, and staff will provide summary reports of the findings as soon as they are available. (DCM)

Waste Discharge Requirements Program PROGRAM REPORT

Overview

The Waste Discharge Requirements (WDR) Program regulates all point source discharges of waste to land that do not require full containment (which falls under the Land Discharge Program), do not involve confined animal facilities, and involve no discharge of a pollutant to a surface water of the United States (which falls under the NPDES Program), but does include discharges to surface waters not subject to the NPDES Program. Each point of potential release of waste constituents, whether a feature for waste storage, treatment, disposal, or recycling, must be evaluated separately to determine under what program it must be regulated. Waste discharge requirements adopted under the WDR Program protect surface water by either proscribing discharge of a pollutant to waters of the U.S. or prescribing requirements for discharge to surface waters not waters of the U.S., and they protect groundwater by prescribing waste containment, treatment, and control requirements. Over 1200 discharges in this Region are regulated by orders adopted under the WDR Program.

Laws

A person discharging waste or proposing to discharge waste (other than into a community sewer system) that could affect the quality of waters of the State must file a report of waste discharge. Filing of a report of waste discharge requires a fee, standard forms, and supporting technical information. The Water Code allows up to 140 days to adopt waste discharge requirements for discharge once a filed report of waste discharge has been determined complete, and more time when CEQA documents must be prepared. The Water Code requires that all possible steps be undertaken to encourage water recycling and any person who proposes to produce or use recycled water must file a report and obtain water reclamation requirements or a master reclamation permit.

Each waste discharge requirements order contains conditions intended to ensure the discharge conforms to the Water Code. Multiple factors must be considered in determining reasonable conditions of discharge and the quality that should be maintained in groundwater, including the relevant water quality control plans and water quality objectives. Where a group of discharges are similar, use similar treatment, and occur under similar conditions, a general order containing waste discharge requirements for everyone within the group can be adopted. Compliance with requirements is monitored under authority to conduct investigations and require technical and monitoring reports.

Waste classification determines whether a waste discharge to land must be regulated under the WDR Program or Land Disposal Program (except for sewage, fertilizer, and radioactive material, which are always regulated under the WDR Program). Title 27, California Code of Regulations, section 20005, et seq., contains the regulations that establish the waste classification system. If any constituent in or derived from a waste requires that it be classified as designated waste, the waste must be fully contained unless it qualifies for exemption and regulation of the discharge falls under the Land Disposal Program. If a waste is not subject to Title 27, regulation of the discharge falls under the WDR Program.

Any authorization to discharge is a revocable privilege, use of waste assimilative capacity of groundwater can be limited, and waste discharge requirements may be reviewed and revised at any time. Orders containing discharge requirements have review periods of five, ten, and fifteen years to ensure they are effective in precluding unauthorized water degradation and nuisance, and waivers must be reviewed at least every five years and require renewal.

Laws governing the WDR Program include statewide plans and policies of the State Water Resources Control Board (State Water Board) and Regional Board plans and policies. The plans and policies of the State Water Board applied most frequently in the WDR Program are the "Antidegradation" Policy; the "Reclamation" Policy; the "Cleanup and Abatement" Policy; and the "Water Quality Enforcement Policy." The policies of the Central Valley Water Board are set forth in the *Water Quality Control Plan for the Tulare Lake Basin, Second Edition*; and the *Water Quality Control Plan for the Sacramento River and San Joaquin River Basins, Fourth Edition*.

Discharges Regulated Under the WDR Program

Sources: WDR Program discharges are the most diverse of the three core regulatory programs and include:

- Discharge of sewage from municipal treatment plants, private utility treatment plants, small private treatment plants and larger septic tank/ leachfield systems serving commercial, industrial, and residential developments.
- Production of recycled water from municipal sewage and the distribution and use of recycled water by various types of users.

- Treatment and discharge of domestic sewage sludge and biosolids.
- Discharge of processing wastewater from sand and gravel and other mining operations not involving navigable surface water and not subject to Title 27.
- Discharge of industrial wastewater from power plants, oilfield production, etc.
- Discharge of wastewater, waste residuals, treated sludge, and recycled water from food processing plants and operations (packing, cooling, peeling, dicing, fermenting, brining, canning, etc.) for milk, cheese, tomatoes, olives, wine, and many other fruits and vegetables, etc.
- Discharge of wastes from minor surface water dredging projects and all discharges in addition to dredging that occur to surface waters not waters of the United States.
- Discharge of wastes from water supply treatment plants.
- Discharge of treated water supplies for aquifer storage and recovery projects, and similar disposition of untreated water supplies and storm water used for groundwater replenishment and as water banking projects.
- Discharge of treated groundwater from remedial actions at leaking underground tank and other spill sites.

Irrigated Lands. As discharges of runoff from irrigated lands are exempt from the NPDES Program, they are subject to WDR Program requirements. In 2002, a separate Irrigated Lands Program was created with funding taken from the WDR Program. In Fall 2005, some of these positions were restored to the WDR Program but continue to work on irrigated land discharges.

Discharge Methods. Incidental release occurs from collection systems, sumps, treatment units, and surface impoundments (evaporation ponds) of varying construction and integrity, and from surface applications and impoundments of recycled water. Intentional discharge occurs from disposal ponds, seepage pits, leachfields, from spreading or spraying onto the land surface, and direct injection into groundwater.

Means of Regulation

Individual WDR. Individual waste discharge requirements orders for specific projects are the most common means of regulation due to the many variables and factors that must be considered in establishing conditions of discharge and ensuring accountability.

General Orders. Similar treatment and discharge conditions have allowed development and use of several general orders. General orders currently available or soon to be available in this program are for:

- Discharges to Land by Small Domestic Wastewater Treatment Systems, State Water Board Order No. 97-10-DWQ
- Discharge of Biosolids to Land for Use as a Soil Amendment in Agricultural, Silvicultural, Horticultural, and Land Reclamation Activities, State Water Board Order No. 2004-012-DWQ.
- Dredged or Fill Discharges to Waters Deemed by the U.S. Army Corps of Engineers to be Outside Federal Jurisdiction, State Water Board Order No. 2004-0004-DWQ.
- Dredged or Fill Discharges, State Water Board Order No. 2003-0017-DWQ.
- Discharges to Land with a Low Threat to Water Quality, State Water Board Order No. 2003-0003-DWQ
- Sewer Collection System Agencies, State Water Board (pending)
- Discharge of Groundwater or Surface Water from Cleanup of Petroleum Pollution, Order No. R5-2003-0044.

Water Reclamation (or Recycling) Requirements and Master Reclamation Permits. Water recycling requirements are determined by the DHS as necessary for the public health, safety, or welfare and, if a project will not affect water quality, are imposed through a water reclamation requirements order. Master Reclamation Permits allow the permit holder to control recycling by individual users, and they contain waste discharge requirements as necessary to implement effluent limitations and other requirements for protection of groundwater.

Standard Conditions. Many discharge requirements are applicable to major groups of dischargers and rarely change. As established standards, these are listed separately in a document incorporated by reference into each adopted order.

Individual Waivers. An individual waiver of waste discharge requirements can be adopted if appropriate.

General Waivers. General waivers apply to categories of waste discharges. In some cases they waive submittal of a report of waste discharge and in other cases they allow staff to administratively determine, based on the filed report of waste discharge, whether a specific discharge meets the conditions for waiver of waste discharge requirements previously established by the Central Valley Water Board. General waivers currently in effect for this program are:

- Pesticide Applicators and Retail Fertilizer Facilities, Resolution No. R5-2002-0147
- Various Minor Discharges, Resolution No. R5-2003-0008 (e.g., air conditioner, cooling, and elevated temperature waters; drilling muds; Inert solid wastes; swimming pool discharges; agricultural commodity wastes).
- Small Food Processors, Including Wineries, Resolution R5-2003-0107

General waivers can also be granted to individual dischargers based upon regulatory oversight by a local public entity that administers a program at least as stringent as the Central Valley Water Board’s. Historically, this has included waiver of reports of waste discharge and waste discharge requirements for individual sewage disposal systems for persons in all counties, and for land application of biosolids and of food processing residuals in certain cities and counties. General waivers of this nature include biosolids projects under oversight of Merced County (expired and pending renewal) and land application of food processing waste solids under oversight of Stanislaus County (currently pending).

Funding and Staffing

Annual fees provide all the funding allocated to the WDR Program. The Region received a \$3.28 million budget to start FY 2005-2006, which supports the equivalent of 24.3 staff. For perspective, over 116 staff would be necessary to sustain an effective WDR Program within the Central Valley.¹

From 1999 to 2001, the WDR Program received a short-term resource supplement to process backlogged waste discharge requirements. In 2002, the WDR Program was reduced to pre-supplement funding levels, and some lost positions were shifted into the newly created Irrigated Lands Program. The position reduction created an unequal workload among the technical staff remaining. Work of Stanislaus and Tuolumne Counties and Musco Family Olive Company was shifted to the Fresno office, and work of Glenn County was shifted to the Redding Office. This FY, attrition created work imbalances again and an opportunity to shift cases back to the Sacramento Office, but the shifts remain pending due to protracted delays in filling vacant positions. In December, a supplement increased the budget sufficient to support 29.8 staff but the increase is misleading as it supports continuing work in the Irrigated Lands Program. Current distribution of program personnel funds is shown below:

Line	Staff	Sacramento	Fresno	Redding	Total
1	Total number of staff using program funds	39	29	12	80
2	Total number of staff charging > 3 months to WDR Program	19	13	7	39
3	Technical staff in Line 2 that are Supervisory (in PYs)	3.3	2.7	.8	6.8
4	PYs in Line 2 allocated to Line technical staff	10.7	7.7	2.3	20.5
5	PYs in Line 4 where positions are vacant	2.5	3	1	6.5
6	PYs in Line 4 doing Irrigated Lands work	4.8	0	0	4.8

Issues

Consistency – Implementation of the basin plans for all waste releases to land has not always been consistent, particularly with respect to application of the Antidegradation Policy and Title 27 Regulations. Similar waste discharged under similar circumstances should be subject to similar waste discharge requirements fully consistent with the basin plans. Staff has been working over the past several years to improve consistency among the offices and programs in application of policy, strategy, documents, and goals. The manager and seniors of the WDR Program regularly participate in meetings of the Region’s Consistency Program, the statewide WDR Program roundtable, and internal program and enforcement roundtables. The program manager and assigned attorney receive a copy of all draft WDR and enforcement orders for review, and management and legal both must approve tentative orders prior to Regional Board consideration. Improvements have been necessary to ensure consistency with respect to waste classification, Title 27 exemption, containment requirements, adequate liner designs, effective land treatment, and evaluation of impacts on soil and groundwater, and changes have been incorrectly perceived by many dischargers to be new regulatory requirements.

¹ The estimate is based upon 1999 workload standards that lack any estimate for: CEQA reviews, new responsibilities added by law since then for waivers, work related to or resultant from the AB885 requirement for statewide regulations for septic tank systems, and review of technical reports.

Staffing – The WDR Program supports in part 80 staff, but just 39 of them work in it more than three months a year. Funding currently supports 29.8 equivalent full-time positions. Staff-equivalents assigned budget for technical work total 27.3 PYs (2.5 PYs are for administration and support personnel). Of these, 15.7 PYs are line technical staff (exclusive of supervisory staff and line technical staff assigned to irrigated lands), which causes on average each person to manage a caseload of 76 sites. As 8.6 PYs must be expended performing nondiscretionary tasks, such as caseload management (e.g., investigating complaints and responding to discharger requests for regulatory advice or actions, etc.) and data entry, less than one-half the resources are actually available to produce measured work results (e.g., staff inspections, informal and formal enforcement actions; updated or new WDRs, etc.). 6.5 PYs of these line technical staff positions are currently vacant, and have been for months.

The State Water Board’s “Compliance Assurance and Enforcement Strategy” of 1998 indicated that this Region’s WDR Program received only 60% of the statewide average funding per regulated WDR site. Similarly, the report showed that the WDR Program received 38% and 25% of what the NPDES and Land Disposal Programs in this Region received per site. The NPDES Program subsequently received a resource supplement that continues essentially intact and has been supplemented with contracted help. The caseload is one factor that contributes to the difficulty of retaining staff in the WDR Program.

Backlogged Applications and WDR Updates – The WDR update backlog was the original reason for a short-term program resource supplement that occurred from 1999 through 2001. With an update backlog of 320 orders in 1999 and additional updates coming due in succeeding years, it would have taken an annual renewal rate of 125 orders (18.3 PYs) over six years to eliminate the backlog by now, and an update rate of 105 orders (15.3 PYs) annually to maintain a zero backlog thereafter. Thus, the two-year supplement of 11 PYs temporarily slowed but did not reduce the increasing backlog, which has continued to increase. Only 1.9 PYs are allocated this FY to address backlogs.

Self-Monitoring Reports – The primary means of Regional Board staff, as well as dischargers, to monitor compliance with waste discharge requirements is through review of self-monitoring reports. Unfortunately, some dischargers do not submit the required information, or they submit the required information erratically or only when specifically reminded. The reports typically receive only cursory review by staff until a site inspection occurs. The 2.4 PYs allocated this FY are considerably less than the 18.1 PYs that would be required to perform the effective level of review described by procedures. Hence, this regulatory tool is ineffective and adversely affects other program areas.

Inspections – Validation of conditions described by self-monitoring data must be done through periodic inspection, and inspection is the only means to evaluate system maintenance and observe unreported activities. Adhering to the inspection schedule identified as the minimum necessary to be effective by the State Water Board would require 19.1 PYs. The FY allocation for this program component is 2.5 PYs. Lack of inspection capability adversely affects other program areas.

Enforcement – The Enforcement Policy emphasizes timely, fair, firm, and consistent enforcement as critical to the success of water quality programs. However, formal enforcement inevitably requires diversion of resources from other program functions already operating at subsistence levels. As illustrated by the recent enforcement action against Hilmar Cheese Company, enforcement action against contentious dischargers can consume significant program resources. Even with enforcement a priority, 0.7 and 2.9 PYs are allocated for informal and formal enforcement, respectively, this FY. This is 10% of the resources the State Water Board projected as necessary to sustain effective enforcement in the Region’s WDR Program.

Land Treatment Systems – Historically adopted waste discharge requirements allow application of untreated or partially treated food processing or winery waste onto land for additional treatment and for “reuse” benefits, typically as proposed in a waste management plan. These land treatment systems have historically been tacitly and informally exempted from waste classification that would place them under Title 27. A major assumption supporting the historic waste discharge requirements for land treatment systems, and the Title 27 exemption, was that residual waste constituents were effectively attenuated within the soil column before reaching groundwater. Title 27 requires a site-specific pilot demonstration as a prerequisite for each land treatment site to develop design and operating parameters that protect groundwater, but nothing comparable has been required of agricultural waste applied to land though it usually will qualify as designated waste. Monitoring data and inspections indicate that few dischargers have adhered to the proposed waste management plans and many have either significantly degraded or polluted groundwater. The attenuation process itself is not scientifically documented or adequately monitored for process control. Since staff’s initial report in March 2000 about groundwater problems caused by the land treatment of winery and food processing waste, both the California League of Food Processors (CLFP) and Wine Institute have worked toward documenting sound design and operating criteria for land treatment to provide to their members. This has meant additional staff workload for meetings, participation in conferences, and technical

reviews not associated with specific discharges. The Wine Institute has thus far developed incomplete hypotheses regarding the science and controlling parameters of land treatment (that failed a formal peer review) and only in 2005 did it begin to specifically address control of inorganic salts. CLFP revised its manual of good practice and in 2005 committed to address remaining deficiencies in the revised manual, and began that revision process just recently. Because of lack of a scientifically sound design, historical regulatory practices, inadequate monitoring, historically poor operational control, discharger contentiousness, no required pilot demonstration, and political factors, regulation of land treatment in the WDR Program is not reliable or effective and several polluted sites exist. No remediation is occurring at most these sites, but this will be the expectation as sites are addressed by staff. Compared to regulation by effluent limitations, land treatment systems are high risk and consume disproportionately high resources.

Monitoring – During review of the effectiveness of older orders, it became evident that historical monitoring, particularly of groundwater, has not been sufficient for early detection of degradation and prevention of pollution. Deficiencies include inadequate monitoring well construction and networks, and inadequate monitoring with respect to frequency and monitored constituents. These monitoring deficiencies have been addressed as encountered by staff. Inconsistencies of older monitoring and expense of recent monitoring have been the basis of criticism. Similar monitoring under similar circumstances, and monitoring sufficient to address all appropriate constituents of potential concern is our objective and staff is working toward consistency in this area.

Best practicable treatment or control (BPTC) – No defined procedures exist to ensure thorough and objective evaluation of what alternative treatment technologies and control methods can be considered the “best efforts” intended by the Antidegradation Policy. No statewide or regional guidance exists to instruct staff and direct a discharger on what demonstration must be made for a selected treatment or control alternative to qualify as the best efforts. Economic feasibility tends to receive disproportionate weight in discharger arguments when in actuality it is but one factor of many that must be weighed and balanced by the Regional Board. Guidelines and procedures on determining what constitutes BPTC, and appropriate perspective on economics, would improve efficiency of staff in permitting and ensure effectiveness of requirements in minimizing degradation and protecting groundwater.² Work is currently underway by several major Tulare Lake Basin municipal dischargers (e.g., Cities of Fresno, Porterville, Bakersfield, Hanford, etc.) to perform comprehensive BPTC evaluations of their waste source control, and wastewater collection, treatment and disposal systems. Once complete, these evaluations will ensure all reasonable and effective municipal wastewater treatment technologies and control methods are implemented and that the highest water quality attainable by reasonable measures is maintained. Historically, few private entities have been required to make a similar study and demonstration, but this will be the expectation as sites are addressed.

Treatment and Disposal Capacity – Strategies in the 1970s included generous federal and state financial assistance in upgrading, expanding, and consolidating public wastewater treatment and disposal systems for the purpose of achieving performance standards and meeting water quality objectives. Since then, Title 23 has specified that public facilities begin planning for additional capacity at least four years in advance of when it will be needed and then either insure the capacity is in place before needed or restrict growth until the expansion is in place. Standard requirements applied to all dischargers also specify a duty to: perform proper operation and maintenance, halt or reduce any activity as necessary to maintain compliance with waste discharge requirements, notify the Regional Board of noncompliance problems, take all reasonable steps to assess and minimize impacts that result from noncompliance, and accept consequences if violations are caused from a failure to do so. Another standard requirement states that any material change must be preceded by a report of waste discharge. Too many dischargers ignore these performance expectations.

Indirect Dischargers – Over the last several years, categorical and significant industries have relocated from large cities in other regions to small communities in the Central Valley. Although a standard provision for years has identified addition of a significant indirect discharger as a material change that must be reported and result in re-evaluation of terms of discharge, this circumstance is rarely reported. Consequently, the controls by the small community are typically inadequate, and the WDR orders and their monitoring and reporting requirements are inadequate to effectively regulate the altered character of waste. USEPA has taken enforcement against a couple of these indirect dischargers.

Consolidation – The “State Policy for Water Quality Control” requires consolidation of wastewater collection and treatment facilities where feasible and desirable to implement sound water quality management programs. In general, consolidation provides capital and operational savings, increased reliability, and opportunities for recycling that are otherwise not feasible.

² For example, the State of Washington developed a Permit Writer’s Manual that instructs technical staff on how to evaluate and implement it’s “BPTC. “

Growth in the Region has created an increasing number of large development projects that propose separate community systems, including projects near existing municipal sewage collection systems. New projects must be consistent with this principle.

Septic Systems – Regulation of discharges from residential septic tank-leachfield systems was conditionally waived (informally and formally) to the 38 counties within this Region in the 1970s with the expectation that they implement criteria at least as stringent as that in the basin plans. In the years since some counties have deviated from the basin plan minimums. In addition, the formal waiver expired and renewal has been postponed pending the expected promulgation of statewide regulations in response to AB885. The regulations are still pending. In the meantime considerable rural residential development reliant on septic tank-leachfield systems is occurring throughout the Region.

Groundwater Quality – When evaluating whether a discharge has caused or will cause groundwater degradation, the point of reference is 1968, the year the Antidegradation Policy went into effect. Data from this era is limited and general, but good enough for a reasonable perspective of baseline quality and essential to consider in correct application of policies. Discharge requirements must protect the highest quality groundwater that will be in hydraulic continuity with the discharge. Both must be factored into future analyses of appropriate waste discharge requirements, which will continue to consider more recent and site-specific data and subsequent influences on groundwater quality.

Discharge Points – Historically regulation has focused on only the declared and obvious discharges, such as a pond or land disposal area. Each point of potential release (sumps, tanks, storage ponds, etc.) and intended release (percolation pond, disposal area) must be evaluated for consistency with policies.

Science and engineering – Historically, authorization for discharge has been based upon poor data for many aspects of a waste discharge, particularly for land discharge of non-domestic waste. The scientific and engineered rigor of project analysis must increase. Each waste constituent that is released or may be released must be evaluated for its potential to degrade or pollute groundwater and then subjected to rigorous analysis as to variability and technically feasible methods of treatment and control to minimize the degradation. If treatment and control is not sufficient to ensure resultant degradation of groundwater will be acceptable, the constituent must be fully contained or it must be scientifically demonstrated that the constituent will be attenuated within the upper zone of the soil profile. Concentrations that must be achieved at the point of release to ensure achievement of the predicted result must be quantified. Documentation of the baseline and extant condition of groundwater and the engineered design of the project must be provided by the discharger.

Uncontrollable Factors – Authorization to discharge a waste constituent to groundwater that already exceeds a water quality objective for the constituent is acceptable in just three situations. It may occur where no designated beneficial uses are involved and thus no objective applies. It may occur if the exceedance results from controllable factors if the discharge will not contribute to the exceedance. And, it may occur if the exceedance results from “uncontrollable factors,” and the discharge will not make the existing quality worse. Uncontrollable factors are factors not influenced by human activities. The Central Valley has many areas where shallow groundwater exceeds one or more water quality objectives due to human activities, beneficial uses remain designated, and adopted orders are based upon no degradation of the degraded quality. Instead, it should be determined whether control of all factors could restore the aquifer, a less stringent water quality objective may be reasonable, or de-designation of the impacted beneficial use is appropriate.

Salt – Inorganic salt is the single greatest pollutant group affecting the San Joaquin River and Tulare Lake Basins and it adversely affects both surface water and groundwater. Both basins are accumulating salt from importation of materials containing salt and from importation of vast quantities of surface water that contain salt. The salt issue affects numerous and varied stakeholders and multiple programs and agencies. An overview of the broader salt issue was described in a 2005 Regional Board status report and will be the subject of a State Water Board workshop in January 2006. Point sources of salt contribute to the broader salt issue, but reasonable controls have been defined by a regulatory framework reliant on waste classification and on technology and controls to preclude degradation of groundwater quality beyond (or to require its restoration to) the highest quality that can reasonably be maintained or restored that does not exceed water quality objectives. Some domestic and non-domestic waste discharges are currently inconsistent with the framework.

Blending – Historically some projects have been approved that blend wastewater with freshwater to the point that a crop can be successfully grown with the blend, with little analysis of whether the waste could or should be classified and contained, whether waste constituent concentrations could and should first be reduced with BPTC, and whether the consequential affect on groundwater quality (accounting for application methods, evaporative effects, and leaching factors) is acceptable. Use of freshwater for dilution of waste is both wasteful and unreasonable if for the purpose of avoiding feasible waste treatment and control methods and where it results in impacts inconsistent with other water quality policies.

Water treatment wastes – The quality of available water in some geographical areas requires removal of certain constituents to be potable, such as radioactivity, nitrates, inorganic salts, and arsenic. This occurs for both community water supplies and individual water supplies, and the most common treatment method is reverse osmosis, which creates a reject with concentrated amounts of the waste constituent and other constituents. The reject of RO is designated waste and thus expensive to dispose of properly. Other treatment methods generate similar wastes. Nothing is being done to control this at the individual level, and at the community level the common proposals are to return the reject to groundwater by means of the community sewage and/or by blending it with an irrigation supply where the relative volumes ensure it does not significantly alter the chemical character of the irrigation supply. The former essentially returns the removed constituent to where it would be if not removed. The latter simply dilutes it. Both methods have supportive arguments, but all release constituents where they are already a problem and over the long term will exacerbate the condition. The rate of incidence is expected to increase as dwindling water supplies force users to tap poor quality groundwater to meet population needs.

Reclamation and water conservation – While policies are clear that recycling should be encouraged in water-short areas, historic encouragement has resulted in approval of non-municipal “reclamation” projects that have economically unsustainable yields and that are inconsistent with other applicable policies, particularly those concerning waste classification, degradation, and pollution. Encouragement of municipal reclamation projects has resulted in turning private land into public land and cultivation of new land, which may not extend the water supply, be of maximum public interest or cause least impact on water quality. Neither reclamation nor conservation justifies inconsistency with other water quality policies. Support of reclamation and conservation must be limited to projects that both extend the water supply and are consistent with water quality policies.

Soil Amendments – Benefit to soil is only realized from decomposable and nutritive waste constituents. Historically, approval of reuse of a waste has focused too much on potentially beneficial constituents and ignored the potentially harmful, and typically more mobile, waste constituents. Waste classifiable as designated waste due to non-decomposable, non-nutritive waste constituents does not qualify for exemption from Title 27 despite the soil benefits and should not be authorized as a soil amendment. Similarly, the benefits to soil from any non-designated waste must be balanced against the adverse affects caused by non-beneficial waste constituents consistent with the Antidegradation Policy.

Indirect reclamation – Three recent project proposals include a system for extraction of groundwater beneath or near wastewater treatment facilities to control groundwater mounding and to take advantage of the natural filtration of the unsaturated soil column to meet Title 22 criteria for recycled water. Groundwater limitations implement the water quality objective for bacteria, but DHS does not consider the naturally filtered groundwater that meets bacterial limitations as suitable for unrestricted uses without disinfection due to other potential contaminants, such as viruses. DHS requires the extracted groundwater to be disinfected to Title 22 criteria. Thus, infiltration of un-disinfected, unfiltered wastewater in the view of DHS does not adequately protect the beneficial uses of domestic water supply and agricultural water supply. Well-established technology is defined in Title 22 for unrestricted use, and the sole benefit of the proposed projects over the established Title 22 technology is the cost savings from not providing filtration.

Priorities

Enforcement and consistency have been the two highest priorities the last three years. Applications, backlogged applications, WDR updates, complaints, self-monitoring report review, database maintenance, enforcement, public outreach, CEQA review, consistency, prioritization itself, etc., are all considered important and each requires subsistence level resources. As no area has resources significantly above the subsistence level to direct onto a priority activity, establishing any area as high priority for redirection of discretionary resources cannot have a dramatic effect on measured outputs in that area but can cause problems if the area from which resources are taken this area significantly falls below subsistence levels.

Performance

Performance typically meets or exceeds commitments made in work plans when compared in proportion to resources expended, but the mix of measured outputs usually varies from work plan projections as circumstances change during the year.

California Regional Water Quality Control Board, Central Valley Region

Fiscal Report Based on November Expenditures (An average of 42% should have been expended to date)

PERSONAL SERVICES

Our personal services budget was \$24.4 million. We have spent 38% of our personal service budget. We continue to recruit for all vacant positions.

OPERATING EXPENSES

As of November we spent 37% of our operating expense budget.

FUND ISSUES

Key Fund Sources	Percent Expended
General Fund	39.2%
Federal Funds	38.6%
Waste Discharge Permit Fund	38.8%
Prop 13, 40 & 50 Bond	57.8%

FY 05/06 UPDATE

Contract negotiations resulted in our Engineers receiving a 7% raise that was effective 7/1/05. Additional funds to cover this increase were provided. A decreasing technical adjustment of approximately \$500,000 was also made to our budget by State Board.

 ORGANIZATION -- Region 5

PERSONAL SERVICES	POSITIONS/PYS	\$ BUDGETED	EXPENDITURES		% EXPENDED
	BUDGETED		EXPENDED	BALANCE	
Authorized Positions					
Permanent Positions	246.6	16,150,614	5,783,309	10,367,305	36 %
Temporary Help	0.0	0	0	0	0 %
Overtime		0	577	(577)	0 %
Board Stipend		12,000	3,500	8,500	29 %
Total Authorized Positions	246.6	16,162,614			
Salary Increases		0			
Workload & Admin. Charges	0.0	0			
Proposed New Positions	0.0	0			
Partial Year Positions	0.0	0			
Total Adjustments	0.0	0			
Total Salaries	246.6	16,162,614			
Salary Savings	(12.7)	(748,524)			
Net Total Salaries	233.9	15,414,090			
Staff Benefits		5,060,125	1,949,021	3,111,104	39 %
TOTAL PERSONAL SERVICES(PS)	233.9	20,474,215	7,736,407	12,737,808	38 %
LINE ITEM OPERATING EXPENSES & EQUIPMENT DETAIL					
General Expense		265,755	36,587	229,168	14 %
Printing		47,421	50,967	(3,546)	107 %
Communications		159,729	34,962	124,767	22 %
Postage		43,907	6,468	37,439	15 %
Travel In-State		230,162	18,469	211,693	8 %
Travel Out-Of-State		3,160	0	3,160	0 %
Training		97,653	12,403	85,250	13 %
Facilities Operations		1,151,297	380,958	770,339	33 %
Utilities		226,578	38,586	187,992	17 %
Contracts - Internal		653,630	1,416,840	(763,210)	217 %
Contracts - External		4,593,982	954,945	3,639,037	21 %
Consolidated Data Center		0	0	0	0 %
Central Adm.Serv. - Prorata		0	0	0	0 %
Central Adm.Serv. - SWCAP		0	0	0	0 %
Equipment		83,500	0	83,500	0 %
Other		0	61,479	(61,479)	0 %
TOTAL OPERATING EXPENSE & EQUIPMENT(OEE)		7,556,774	3,012,664	4,544,110	40 %
TOTAL PS & OEE		28,030,989	10,749,071	17,281,918	38 %
Indirect		5,289,588	1,858,142	3,431,446	35 %
GRAND TOTAL		33,320,577	12,607,213	20,713,364	38 %

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 Organization - Region 5

FISCAL MANAGEMENT SYSTEM
 Expenditure Organization Summary
 for the month ending November 04/05

Fund Source	\$ Allotment	\$ Expenditures	% Expended
NPS Pollution Contral Program-Prop 13 -- (00BOND-NPSC)	= 441,221	117,796	26.7
Watershed Protection Program -- (00BOND-WPP)	= 282,460	25,680	9.1
Cleanup & Abatement Account-Management -- (CAA)	= 5,548,915	2,129,560	38.4
F(104B3) Aquatic Pest Monitoring -- (F(104B3))	= 151,234	62,437	41.3
NPDES -- (F(106))	= 712,265	218,022	30.6
205(J) Phase XVI -- (F(205J-XVI))	= 0	648	0.0
Non-Point Source -- (F(319H))	= 1,053,490	471,463	44.8
DoD Cost Recovery -- (F(DOD-CR))	= 135,871	38,556	28.4
Lawrence Livermore - Site 300 -- (F(LL300))	= 98,414	29,509	30.0
Sacramento River Toxic Program -- (F(SRTP))	= 215,111	92,473	43.0
General -- (G)	= 3,692,436	1,447,234	39.2
Indirect Distributed Cost -- (IDC)	= 0	0	0.0
-- (IDC-D)	= 0	0	0.0
Integrated Waste Mngmt Acct (AB 1220) -- (IWMA)	= 1,605,923	655,638	40.8
Proposition 50 -- (PROP 50)	= 318,688	141,391	44.4
Proposition 40/2002 -- (PROP40)	= 203,195	160,463	79.0
Aerojet Gen Corp Oversight of Cleanup -- (R(AEROJET))	= 186,429	44,085	23.7
Basin Plan Amendments - Drinking Water -- (R(BASIN-DW))	= 242,236	85,804	35.4
DTSC Brownfield Coordination -- (R(BROWNFIELDS))	= 22,709	5,539	24.4
CALFED Cooperative Program -- (R(CALFED))	= 939,770	175,775	18.7
Redevelopment Agency Reimbursements -- (R(REDEVEL))	= 12,258	333	2.7
R (Dept of Defense Cleanup Oversight) -- (R(SLCDOD))	= 968,166	373,030	38.5
Westley and Tracy Tire Facilities -- (R(WESTLEY))	= 295,833	2,900	1.0
Surface Impoundment Assessment Account -- (SIAA)	= 183,245	72,540	39.6
State/Federal Revolving Fund-Federal -- (SRFFED)	= 11,289	0	0.0
Tobacco Tax -- (TBT)	= 146,915	76,731	52.2
Underground Storage Tank Cleanup Fund -- (UTSCF)	= 2,408,950	954,749	39.6
Waste Discharge Permit Fund -- (WDPF)	= 13,443,531	5,211,825	38.8
Water Rights Fund -- (WRF)	= 0	13,032	0.0
TOTAL	33,320,554	12,607,213	37.8 %

**Supplement to Executive Officer's Report
26 January 2006**

1. *Hilmar Cheese Administrative Civil Liability Complaint Settlement Negotiation Update*

The parties are negotiating toward a revised settlement agreement, consistent with the Board's direction on November 29, 2005, and intend to bring a revised settlement agreement to the Board for consideration at its March Board meeting.

2. *Tehama Market Associates, LLC, Administrative Civil Liability Complaint, Butte County*

The Executive Officer issued a \$100,000 Complaint to Tehama Market Associates for stormwater construction violations at the Linkside Place Subdivision development near Oroville.

3. *New Year's Storm Spill Update*

Attached is a spreadsheet providing an update on spills related to the New Year's storms

4. *Future Board Activities*

The following are significant Board meeting actions anticipated for the next few months. This is not a complete listing of all Board meeting items. This listing is tentative and subject to change for many reasons. The listing is intended to give a longer-range view of planned Regional Board activities.

January 31, 2006 – Joint State Board/Central Valley Region Salinity Workshop

February 8, 2006 – Staff Workshop on San Joaquin River Salt and Boron Standards Upstream of Vernalis, Modesto

March 2006 Board Meeting

- Basin Plan Triennial Review
- Irrigated Lands De Minimis Waiver Information Item
- City of Tracy NPDES Permit
- Hilmar Cheese ACL Settlement Proposal
- Stanislaus County Reuse of Solid Food Processing Waste Waiver

May 2006 Board Meeting

- Irrigated Lands Waivers Renewal Workshop
- Clear Lake Nutrient TMDL Workshop

Waste Discharge Requirements Under Consideration

- Aerojet General Corporation, Sacramento Facility
- Alturas WWTP
- Atwater WWTP
- Barrel 10 Winery, San Joaquin County

- Bell Carter Olive Company Inc
- Biggs WWTP
- Brentwood WWTP
- Burney Forest Products, Burney Sawmill/Cogeneration
- Ca Dept Of Corrections-Jamestown Sierra Conservation Ctr-WWTP-2
- California Milk Producers, Inc., Tipton Plant
- Calmat Of Central California, Sanger Plant
- Canada Cove L.P., French Camp Golf & RV Park
- Cedar Ridge, Amador County
- Chevron Texaco Inc., Produced Water Reclamation Project
- City of Angles WWTP,
- Clear Creek CSD WTP
- Clovis WWTP
- Colfax STP
- Copper River Ranch
- Cutler-Orosi Joint WWTP
- Dark Horse WWTP, Nevada County
- Dunsmuir STP
- Euhlers Estate Winery, San Joaquin County
- French Camp Recreational Vehicle Park, San Joaquin County
- Galt WWTP
- Glenn Oaks Mobile Home Park, Placer County
- Grizzly Lake Resort Imp Dist, Dellecker WWTP
- Grizzly Ranch WWTP
- Hidden Valley Sand & Gravel, Lake County
- Indian Springs School District Geothermal Project
- Jackson WWTP
- Kinder Morgan Energy Partners, LP, Elmira Remediation Project
- Kinder Morgan Energy Partners, LP, Fox Rd Pipeline Release Site
- Klondike California Mining Corp, Klondike, Dutch & Telegraph
- Linda County Water District Wastewater Treatment Plant
- Lodi White Slough Water Pollution Control Plant
- Los Banos Milk Processing Facility
- Malaga CWD
- Manteca Pretreatment Program Approval, San Joaquin County
- Mariposa PUD WWTP
- Mirant Delta LLC, Contra Costa Power Plant
- Modesto WQCF
- New Chaparral Petroleum, Inc., Poso Creek Oil Field
- Oxy USA, Inc , Kern Front Field
- Pace Diversified Corporation, McVan Area, Poso Creek Oil Field
- Placer Co Facility Services 1 SMD No 3 WWTP
- Plumas County, Lake Davis WTP
- Port of Stockton Dredging WQ Certification, San Joaquin County
- Rio Vista WWTP
- Roseville Dry Creek Wastewater Treatment Plant

- Roseville Pleasant Grove Wastewater Treatment Plant
- Sacramento Co DPW-Goethe Rd Kiefer Landfill GW Treatment
- Sacramento Regional WWTP
- Saddle Creek Golf Course
- Secor International Inc., Purity Oil Sales Site
- Shasta Lake WWTP
- Sierra Pacific Industries, Sierra Pacific, Burney Division
- Steele Canyon Landfill, Napa County
- Stockton Cogeneration Facility
- Tricor Refining LLC, Oildale Refinery
- Tuolumne UD/Jamestown WWTP
- Turlock WWTP
- UC Davis Aquatic Center/Animal Science
- US Dept Of Agriculture, UCD Aquatic Weed Laboratory
- Vacaville Easterly Sewage Treatment Plant
- Valley Waste Disposal Co., Cawelo Reservoir
- Visalia WWTP
- Williams WWTP
- Willows WWTP
- Yuba City WWTP

General Information						Notice/Reporting			Nature of Spill					Follow up					
County	Spill Date	Agency	Facility	RB Office	Sr.	Notify RB in 24 hrs?	Notify OES? ¹	Submit Written Spill Report? ²	Waste Type	Total Volume Spilled (gallons)	Duration of Spill (hours)	Discharged to	Reason for Spill	Follow up?	If No		If Yes		
															Rationale	Description	Rationale	Timeline	
Alpine	1/1/06	Bear Valley Water District		S	MRL	Yes	Yes	Yes	Raw sewage	200,000	~24	Bloods Creek							
Amador	12/31/05	Jackson, City of	Collection system	S	RPM	Yes	Yes	Yes	Raw sewage	?	?	Jackson Creek		No	Cannot trace/confirm				
El Dorado	1/3/06	El Dorado Irrigation District	Deer Creek collection system	S	RPM	Yes	Yes	Yes	Raw sewage	4,200	2.5	Deer Creek	Excessive rain uncovered a manhole	Yes		13267 to determine storm return frequency	Need more information to determine appropriate response		
El Dorado	12/31/05	El Dorado Irrigation District	El Dorado Hills WWTP	S	RPM	Yes	Yes	Yes	Groundwater, filter backwash, rainwater, possibly some secondary effluent	5.3 million	17	Carson Creek	Pond overflowed	Yes		13267 to determine storm return frequency and protection of pond from flooding	Was this or was this not a 100-year storm event? Was appropriate flood protection provided?		
El Dorado	1/1/06	El Dorado Irrigation District	Deer Creek collection system	S	RPM	Yes	Yes	Yes	Raw sewage	10,800		Deer Creek	Log knocked off a manhole causing a release	No	Probably outside discharger's control				
El Dorado	12/31/05	El Dorado Irrigation District	Collection system	S	RPM	Yes	Yes	Yes	Raw sewage			Deer, Webber and New York Creeks	Storm caused lift stations to spill	Yes		13267 to determine storm return frequency and design capacity of system	Was this or was this not a 100-year storm event?		
El Dorado	12/31/05	Placerville, City of	Hangtown Creek WWTP	S	RPM	Yes	Yes		Tertiary plus secondary			Hangtown Creek	Heavy rains in previous 24 hrs	Yes		13267 to determine storm return frequency	Was this or was this not a 100-year storm event?		
El Dorado	12/31/05	Placerville, City of	Hangtown Creek WWTP	S	RPM	Yes	Yes		Raw sewage/primary		12	Hangtown Creek	Heavy rains in previous 24 hrs	Yes		13267 to determine storm return frequency	Was this or was this not a 100-year storm event?		

General Information						Notice/Reporting			Nature of Spill					Follow up					
County	Spill Date	Agency	Facility	RB Office	Sr.	Notify RB in 24 hrs?	Notify OES?¹	Submit Written Spill Report?²	Waste Type	Total Volume Spilled (gallons)	Duration of Spill (hours)	Discharged to	Reason for Spill	Follow up?	If No		If Yes		
															Rationale	Description	Rationale	Timeline	
Fresno	1/3/06	Southern CA Edison	Big Creek Powerhouse No. 1 WWTF	F	WDH	Yes	Yes	Yes	Secondary, undisinfected wastewater	5,400	10	Big Creek	Rainfall overwhelmed collection system	No	SCE has an emergency plan to haul excess wastewater offsite and responded appropriately. Plan implementation was overwhelmed by record rainfall (9.5 + in.), overturned truck, and landslide.				
Kern	1/1/06	City of Tehachapi	City of Tehachapi WWTF	F	DKP	Yes	NA	Yes	Raw sewage	0		Contained	Surge in flow caused bypass of primary clarifier. No wastewater was actually spilled.	No	All wastewater was contained				
Lake	12/31/05	City of Lakeport	Municipal Sewer Dist. No. 1	S	MRL	Yes	Yes	TBD	Raw sewage	500		Culvert leading to Clear Lake							
Lake	12/31/05	Clearlake Oaks County Water and Sanitation Dist.		S	MRL	Yes	Yes	TBD	Raw sewage	100		Clear Lake							
Lake	12/31/05	Lake County Sanitation District	Southeast WWTF	S	MRL	Yes	Yes	Yes	Raw sewage	5,500		Channel leading to Clear Lake							
Lake	12/31/05	Lake County Sanitation District	Southeast WWTF	S	MRL	Yes	Yes	Yes	Raw sewage	9,000		Streets to storm drains leading to Clear Lake							

General Information						Notice/Reporting			Nature of Spill					Follow up					
County	Spill Date	Agency	Facility	RB Office	Sr.	Notify RB in 24 hrs?	Notify OES?¹	Submit Written Spill Report?²	Waste Type	Total Volume Spilled (gallons)	Duration of Spill (hours)	Discharged to	Reason for Spill	Follow up?	If No		If Yes		
															Rationale	Description	Rationale	Timeline	
Lake	12/31/05	Lake County Sanitation District	Northwest WWTF	S	MRL	Yes	Yes	Yes	Raw sewage	5,500		Clear Lake							
Lake	1/1/06	Lake County	Eastlake Landfill	S	SER	No	No	Yes	Leachate	UNK	~ 3 days	Molesworth Creek	Seepage through cover	Yes		Evaluating measures discharger has undertaken			
Nevada	1/1/06	Donner Summit PUD	WWTP	S	RPM	No	No		Filtered and unfiltered wastewater	UNK	18	South Yuba River	Heavy rains in previous 24 hrs	Yes		13267 to determine storm return frequency	Was this or was this not a 100-year storm event?		
Nevada	12/31/05	Grass Valley, City of	WWTP	S	RPM	Yes	Yes	Yes	Raw sewage	1 million		Wolf Creek	Primary clarifiers were overwhelmed by flows and overflowed.	Yes		13267 to determine storm return frequency	Was this or was this not a 100-year storm event?		
Nevada	12/27/05	Nevada County SD	Cascade Shores WWTP	S	RPM	No	No	Yes	Filtered and unfiltered secondary	48,000		Gas Canyon Creek	Filter capacity insufficient for flows received; heavy rains; I/I	Yes		13267 to determine storm return frequency	Was this or was this not a 100-year storm event?		
Nevada	12/28/05	Nevada County SD	Cascade Shores WWTP	S	RPM	No	No	Yes	Filtered and unfiltered secondary	48,000		Gas Canyon Creek	Filter capacity insufficient for flows received; heavy rains; I/I	Yes		13267 to determine storm return frequency	Was this or was this not a 100-year storm event?		
Nevada	12/29/05	Nevada County SD	Cascade Shores WWTP	S	RPM	No	No	Yes	Filtered and unfiltered secondary	59,000		Gas Canyon Creek	Filter capacity insufficient for flows received; heavy rains; I/I	Yes		13267 to determine storm return frequency.	Was this or was this not a 100-year storm event?		
Nevada	12/30/05	Nevada County SD	Cascade Shores WWTP	S	RPM	No	No	Yes	Filtered and unfiltered secondary	59,000		Gas Canyon Creek	Filter capacity insufficient for flows received; heavy rains; I/I	Yes		13267 to determine storm return frequency	Was this or was this not a 100-year storm event?		
Nevada	12/31/05	Nevada County SD	Cascade Shores WWTP	S	RPM	No	No	Yes	Filtered and unfiltered secondary	44,000		Gas Canyon Creek	Filter capacity insufficient for flows received; heavy rains; I/I	Yes		13267 to determine storm return frequency	Was this or was this not a 100-year storm event?		

General Information						Notice/Reporting			Nature of Spill					Follow up					
County	Spill Date	Agency	Facility	RB Office	Sr.	Notify RB in 24 hrs?	Notify OES? ¹	Submit Written Spill Report? ²	Waste Type	Total Volume Spilled (gallons)	Duration of Spill (hours)	Discharged to	Reason for Spill	Follow up?	If No		If Yes		
															Rationale	Description	Rationale	Timeline	
Nevada	12/31/05	Nevada County SD	Lake Wildwood WWTP	S	RPM	Yes	Yes	Yes	Secondary, disinfected	120,000	4	Deer Creek	Heavy rains in previous 24 hrs	Yes		13267 to determine storm return frequency	Was this or was this not a 100-year storm event?		
Nevada		Nevada County SD	Lake Wildwood Collection System	S	RPM	Yes	Yes	Yes	Raw sewage	3,000		Little Deer Creek	Grease and debris blocked a sewer main in storm	Yes		13267 to determine storm return frequency	Was this or was this not a 100-year storm event?		
Placer		Placer County	Sewer Maintenance Dist. No. 3	S	RPM	Yes	Yes	Yes	Sludge, unfiltered secondary	UNK	12.5	Miner's Ravine	Heavy rains in previous 24 hrs	Yes		13267 to determine flood protection provided, and to determine storm return frequency and flood stage	Permit requires facilities to be designed, constructed, operated, and maintained to prevent inundation or washout due to floods with a 100-year return frequency.		
Placer	12/31/05	Placer County	Sewer Maintenance Dist. No. 1	S	RPM	Yes	Yes	Yes	Primary (filtered and unfiltered) and secondary (filtered and unfiltered)	13,500	1.5	Rock Creek	Heavy rains in previous 24 hrs	Yes		13267 to determine storm return frequency	Was this or was this not a 100-year storm event?		
Placer	12/31/05	Auburn, City of	WWTP	S	RPM	Yes	Yes	Yes	Tertiary plus filtered, disinfected primary	14.93 million	140	Auburn Ravine		Yes		13267 to determine storm return frequency	Was this or was this not a 100-year storm event?		
Placer	12/31/05	Auburn, City of	collection system; manhole near WWTP entrance	S	RPM	Yes	Yes	Yes	Raw sewage	68,400	9.5	Auburn Ravine		Yes		Discharger plans to isolate manhole to determine if blockage exists			
Placer	12/31/05	Auburn, City of	collection system; 588 High Street	S	RPM	Yes	Yes	Yes	Raw sewage	2,400	2	Storm drain to Auburn Ravine?	Blockage in line removed; spill cleanup infeasible due to 'deluge'	No					

General Information						Notice/Reporting			Nature of Spill					Follow up					
County	Spill Date	Agency	Facility	RB Office	Sr.	Notify RB in 24 hrs?	Notify OES?¹	Submit Written Spill Report?²	Waste Type	Total Volume Spilled (gallons)	Duration of Spill (hours)	Discharged to	Reason for Spill	Follow up?	If No		If Yes		
															Rationale	Description	Rationale	Timeline	
Placer	12/31/05	City of Roseville		S	RPM	Yes	Yes	Yes	Raw sewage	3.8 million	10	Dry Creek	Surcharging of collection system due to flooding	Yes		13267 to determine flood protection provided, and to determine storm return frequency and flood stage	Permit requires facilities to be designed, constructed, operated, and maintained to prevent inundation or washout due to floods with a 100-year return frequency		
Placer	1/4/06	City of Roseville		S	RPM	No	Yes		Raw sewage	UNK	>48	Dry Creek	Discovered after flood waters receded	Yes		13267 to determine storm return frequency	Was this or was this not a 100-year storm event?		
Placer	12/31/05	Placer County	Applegate WWTF	S	MRL				Raw sewage	1,000		Spill was contained							
Sacramento	12/31/05	City of Folsom	Manhole	S	PHL	Yes	Yes	Yes	Raw sewage	1,000		Spill was contained	Manhole overflow	No	Small spill				
Sacramento	12/31/05	City of Galt	Manhole	S	PHL	Yes	Yes	No	Raw sewage	<1,000			Manhole overflow	No	Small spill				
Sacramento	12/31/05-1/2/06	Sacramento County CSD-1	Walnut Grove	S	PHL	Yes	Yes	Yes	Raw sewage	250,000	48+	Unnamed	Manhole overflow	Yes		Inspected			
Sacramento	12/31/05	Sacramento County CSD-1	Manger Way	S	PHL	Yes	Yes	Yes	Raw sewage	>1,000	>7	Storm drain	Manhole overflow	Yes		Inspected 1/5/06			
Sacramento	12/31/05	Sacramento County CSD-1	Linda Creek Ct	S	PHL	Yes	Yes	Yes	Raw sewage	>1,000	>6	Drainage ditch	Manhole overflow	Yes		Inspected 1/5/06			
Sacramento	12/31/05	Sacramento County CSD-1	Fruitridge Rd	S	PHL	Yes	Yes	Yes	Raw sewage	560,000	>12	Drainage ditch, street, property	Manhole overflow	Yes		Inspected 1/5/06			
Sacramento	12/31/05	Sacramento Regional County Sanitation Dist.	Mira del Rio Station N-16	S	PHL	Yes	Yes	Yes	Raw sewage	15 million		Street, homes, American River	Manhole overflow	Yes		Inspected 1/5/06			
Sacramento	12/31/05-1/3/06	Sacramento Regional County Sanitation Dist.	SRCSDD WWTF	S	PHL	Yes	Yes	Yes	Chlorinated secondary effluent	1 million		Laguna Creek	Line breakage	Yes		Inspected 1/5/06			

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															Rationale	Description	Rationale	Timeline	
Sacramento	12/31/05	Sacramento Regional County Sanitation Dist.	Elk Grove/Florin Road	S	PHL	Yes	Yes	Yes	Raw sewage	650,000		Drainage channel	Manhole overflow	Yes		Inspected 1/5/06			
Sacramento	12/31/05	Sacramento Regional County Sanitation Dist.	Kilgore/Sunrise Site	S	PHL	Yes	Yes	Yes	Raw sewage	700,000		Contained on construction site	Failed plugs	Yes		Inspected 1/6/06			
Sacramento	12/31/05	Sacramento Regional County Sanitation Dist.	Bradshaw 6B Project	S	PHL	Yes	Yes	Yes	Raw sewage	<10,000		Contained on construction site	Failed plugs	Yes		Inspected 1/6/06			
Sacramento	12/31/05	City of Sacramento		S	PHL	Yes	Yes		Combined wastewater	46,000		Street	Excess storm flow	No					
Sacramento	12/31/05	City of Sacramento		S	PHL	Yes	Yes		Combined wastewater	1,500		Street	Excess storm flow	No					
San Joaquin		City of Ripon	Industrial sewer disposal fields	S	MRL	Yes		Yes				Industrial disposal field inundated due to rising river levels on the Stanislaus River							
Shasta	1/3/2006	City of Redding	Clear Creek WWTP	R	BJS	Yes		Yes	Partially treated and diluted wastewater	20 million per day at worst	3-5 days	Sacramento River and small tributary creeks	Excess I/I due to storm intensity and duration. May be other Discharger contributing factors	Yes		Inspected WWTP and collection system overflow sites; waiting on WQ samples of effluent and receiving water; requested data on contributing factors	Other local WWTPs did not have same degree of problem		
Sierra	12/31/05	City of Loyalton		S	MRL	Yes	Yes	TBD	Raw sewage/rain water mix	4000		Smithneck Creek							

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															Rationale	Description	Rationale	Timeline	
Sierra	12/31/05	City of Loyalton		S	MRL	Yes	Yes	TBD	Secondary treated wastewater mixed with stormwater/ groundwater	4 million		Smithneck Creek							
Sutter		Yuba City, City of	WWTF	S	RPM	Yes	NA	NA	Reportedly empty disposal ponds were overtopped by Feather River	NA		Feather River	Inundation of disposal ponds inside levee	No	Addressed through permitting process - permit requires closure of ponds within floodplain				
Yuba	1/3/06	City of Wheatland	WWTF	S	MRL	No	Yes		Wastewater mixed with river water	270,000	15	Bear River	Bear River toppled levee and spilled onto infiltration beds						
Yuba		Linda County Water District	WWTF	S	RPM	No	No	No	Secondary treated wastewater	UNK		Feather River	River level rose and inundated ponds	No	Addressed through permitting process - proposed permit renewal requires closure of ponds within floodplain				
Yuba	12/31/05	City of Marysville		S	MRL	Yes	Yes	Yes	Wastewater mixed with river water			Feather River							

¹ The "reportable quantity" for notification of OES is 1000 gallons (CWC section 13271 and 23 CCR section 2250). This field is not applicable for spills of less than 1000 gallons.

² Spill report due in 5 days for NPDES Program; spill report due in 14 days for WDR Program.

NA = Not applicable

TBD = To be determined

UNK = Unknown at this time