State Water Resources Control Board August 21, 2012 Item 7 - Executive Director's Report

# **DIVISION OF WATER QUALITY**

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

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

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

Another Expert Review Panel (ERP) for desalination intakes and seawater intake mitigation, at Moss Landing Marine Lab, has completed its <u>draft final report</u>. The ERP's final report has been completed and posted to the website. The third scientific project conducted by the UC Granite Canyon Lab evaluated brine toxicity and the final report is posted at: <a href="http://www.swrcb.ca.gov/water">http://www.swrcb.ca.gov/water</a> issues/programs/ocean/desalination/.

A Board Workshop is scheduled for August 22, 2012, to present the results and recommendations from the three studies.

Ocean Plan Amendments - Model Monitoring, Vessels, and Marine Protected Areas (MPAs): The public hearing for the MPA amendment was held on May 1, 2012. A Board Workshop is scheduled for August 22, 2012. Staff plan to present the Ocean Plan Amendments to the Board for adoption in October 2012.

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

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

Storm Water Caltrans MS4 Permit: The Second Revised Draft Tentative Order for Caltrans MS4 permit was released for public review on April 27, 2012, and a staff workshop was held on May 21, 2012. The permit will address the storm water discharges associated with the operation of the State highway system. At the close of the comment period on June 26, 2012, 131 comments from 31 commenters had been received. Staff is now reviewing and preparing responses to the comments received during the public comment period. A public hearing before the State Water Board was held August 7. Staff intends to submit the Second Revised Draft Tentative Order for State Water Board approval at the September 18, 2012 Board meeting.

Aquatic Weed Control Permit: A public hearing was conducted on August 7, 2012 on the proposed Draft Statewide General National Pollutant Discharge Elimination System (NPDES) Permit for Residual Pesticide Discharges to waters of the United States from Algae and Aquatic Weed Control Applications (Draft Aquatic Weed Control Permit). The Draft Aquatic Weed Control Permit covers discharges of residual algaecides and aquatic herbicides from direct applications to surface waters to control algae and aquatic weeds. The public comment period closes on August 21, 2012. Staff will ask the State Water Board to consider the adoption of the Draft Aquatic Weed Control Permit at its November 6, 2012 Board Meeting.

Storm Water Industrial General Permit: Staff conducted informal workshops on the revised draft Industrial General Storm Water Permit. The Industrial General Storm Water Permit regulates the storm water discharges from specific industrial sectors. Approximately 9,000 individual facilities are covered by the current permit. The first workshop was held in Diamond Bar on August 8, 2012 and the second was held in Sacramento on August 10, 2012. The purpose of the workshops was to provide a forum for the stakeholder community to ask questions regarding the revised draft Industrial General Storm Water Permit to help them in preparing formal comments. The public comment period closes on September 21, 2012.

Storm Water Phase II MS4 Permit: A public hearing was conducted on the revised draft Phase II Small MS4 Storm Water Permit on August 8, 2012. This permit will address the storm water discharges from small municipal separate storm sewer systems (those that serve populations of less than 100,000 persons). Staff is now reviewing and preparing responses to the comments received during the public comment period and at the public hearing. It is anticipated that staff will ask the State Water Board to consider the adoption of the revised draft Phase II Small MS4 Storm Water Permit at a regularly scheduled meeting in the fall of 2012.

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

<u>Trash – Amendments to Statewide Plans</u>: Staff continues to work with the Public Advisory Group (PAG) to develop a policy to address trash in waters of the State. The PAG consists of 10 individuals who have knowledge and expertise relative to trash and debris. A preliminary draft Staff Report/Substitute Environmental Document (SED) has been prepared by Tetra Tech, and sent to the PAG. A PAG meeting was held on August 13, 2012 to discuss changes and recommendations. The target for release of the Draft SED and amendments for public comment is September 2012.

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

Staff is also continuing to meet with the Nuclear Review Committee and the consultant (Bechtel) on the Special Studies regarding alternatives for the two nuclear generating plants (SONGS and Diablo Canyon).

NPDES permitting is progressing. Staff of the San Francisco Bay and State Water Boards is drafting the first permit to be brought before the State Water Board, which will be for the Pittsburg Power Plant. State Water Board staff anticipates the permit will be considered for adoption in early 2013. <a href="https://www.swrcb.ca.gov/water\_issues/programs/ocean/cwa316/">http://www.swrcb.ca.gov/water\_issues/programs/ocean/cwa316/</a>

Sanitary Sewer System Waste Discharge Requirements (SSS WDRs): Staff has updated the Monitoring and Reporting Program (MRP) and expects re-issuance by the Executive Director in November of 2012. Updating of the WDRs will proceed at a later date. A final draft of the MRP was routed for management review on July 24, 2012. The draft MRP has been distributed to stakeholders (i.e., the SSS WDRs Data Review Committee participants) for review and, stakeholder meetings have been scheduled for August 28, 2012 at the City of Vacaville and August 30, 2012 at Orange County Sanitation District. Staff will consider stakeholder comments, update the MRP accordingly, and route through management for final review in September 2012 before adoption and concurrent implementation of the changes in CIWQS.

<u>Underground Storage Tank Cleanup Program</u>: On May 1, 2012 the State Water Board adopted the Low Threat Case Closure Policy (Resolution No. 2012-0016). Subsequently OAL approved the State Water Board's regulatory action (File No. 2012-0618-02 S). Implementation of the Low Threat Case Closure Policy will lead to an increase in the case closure rate. Historical and current closure rates are shown in Figure 1.

A comprehensive status report on the program was recently prepared under the Cooperative Agreement between U.S. EPA and the Water Boards. This report shows that there are approximately 8,000 open leaking underground storage tank (UST) cases. Case load and oversight is split between the nine Regional Water Quality Control Boards (3,200 cases) and fifty-seven Local Oversight Programs (4,800 cases). Case cleanup activities fall into four categories: site assessment, remediation, verification monitoring, and inactive. The average age of open cases is 17 years, and almost half of these are in the site assessment phase. A full breakdown of current case status is shown in Figure 2.

The status of the Regional Boards and Local Oversight Programs to comply with electronic submittal of information slowly continues to improve. On average, the Regional Boards have now claimed 70 percent of their cases, and the Local Oversight Programs 95 percent.

The current number of underground storage tank petitions for closure is holding steady at 70 cases.

Future Executive Director's Reports will include information regarding the UST Cleanup Fund. The complete status report can be found at:

http://www.waterboards.ca.gov/water\_issues/programs/ust/docs/annl\_stsrpt.pdf

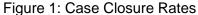
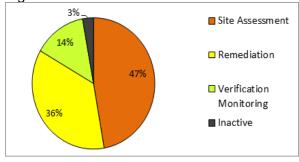




Figure 2: Case Status



<u>Statewide Policies/Significant General Permits</u>: Appendix 1 (attached) provides the current status of Statewide Policies and Significant General Permits. Please visit: <a href="http://waternet/dwg/policies\_permits/">http://waternet/dwg/policies\_permits/</a>.

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

# **DIVISION OF WATER RIGHTS**

Water Right Enforcement Notices: In July 2012, the State Water Board's Division of Water Rights mailed Notices of Potential Unauthorized Diversion and Use and Failure to File Statements of Water Diversion and Use to 175 property owners in Sonoma County and 88 property owners in Marin County. The property owners hold parcels that have reservoirs without known water rights on record with the State Water Board. The owners are required to respond within 30 days. If diverting water, they must file a Statement, and either submit documentation of a valid basis of right, explain why the reservoir is not subject to the State Water Board's permitting authority, or file an application to appropriate water. Division staff will evaluate responses, conduct site investigations, and recommend enforcement actions, including monetary penalties, for unauthorized diversions and failure to file a statement, when appropriate.

<u>Storage Project</u>: The Eagle Crest Energy Company (ECE) is currently undergoing licensing of its Federal Energy Regulatory Commission (FERC) Project No. 13123, Eagle Mountain Pumped Storage Project (Project). Before FERC can issue a new license, ECE must seek water quality certification from the State Water Resources Control Board (State Water Board). On June 27, 2012, the State Water Board released for public comment a draft water quality certification for the Project. The public comment period ended on July 27, 2012. The State Water Board received comments on the draft water quality certification from the following parties: California State Lands Commission; Colorado River Basin Regional Water Quality Control Board; County Sanitation Districts of Los Angeles County; Desert Protection Society; ECE; Kaiser Eagle Mountain and Mine Reclamation; Margit F. Chiriaco Rusche; Metropolitan Water District of Southern California; and the National Parks Conservation Association.

All comments will be considered in the development of a final water quality certification for the Project. The comments on the draft water quality certification can be found at: <a href="http://www.waterboards.ca.gov/waterrights/water\_issues/programs/water\_quality\_cert/cmmnts\_eqlmtn">http://www.waterboards.ca.gov/waterrights/water\_issues/programs/water\_quality\_cert/cmmnts\_eqlmtn</a> wgc.shtml

Installation and Dam Repairs Project: On March 6, 2012, Southern California Edison (SCE) submitted a complete application for Clean Water Act Section 401 Water Quality Certification (certification) for the Agnew Lake Dam Geomembrane Liner Installation and Dam Repairs Project (Project). The Project is part of the Rush Creek Hydroelectric Project (Federal Energy Regulatory Commission Project No. 1389) in Mono County, California. On August 1, 2012, the State Water Board issued a water quality certification for the Project with conditions to protect water quality standards and beneficial uses. The upgrades and repairs to the Agnew Lake Dam proposed by SCE are expected to extend the effective life span of the structure by up to 30 years.

Petition to Re-open and Amend Oroville Hydroelectric Project's Water Quality

Certification Pending Input from Upcoming National Marine Fisheries Service Biological

Opinion: On April 20, 2012, the Golden Gate Salmon Association and California Sportfishing

Protection Alliance submitted a petition to the State Water Board related to the water quality
certification the State Water Board issued for the Oroville Hydroelectric Project (Project) on
December 15, 2010. The petition requests that the State Water Board re-open and amend the
water quality certification due to new information and concerns that the flow requirements in the

water quality certification are not adequate to allow for the successful migration and spawning of North American green sturgeon (listed as threatened under the Federal Endangered Species Act) in the Feather River. The State Water Board sent letters to the National Oceanic and Atmospheric Administration's National Marine Fisheries Service (NMFS) and the California Department of Fish and Game (CDFG) on May 23, 2012, requesting input regarding the petition. The State Water Board received responses from NMFS and CDFG. According to the NMFS letter, dated June 22, 2012, the biological opinion for the Project will be issued within a few months. State Water Board staff plans to review the biological opinion before making a recommendation regarding whether or not to reopen and amend the water quality certification. The petition and associated letters are available on our website at:

http://www.waterboards.ca.gov/waterrights/water issues/programs/water quality cert/ceqa projects.shtml

### DIVISION OF FINANCIAL ASSISTANCE

## **Program Activity:**

### **Cleanup and Abatement Account:**

- On July 11, 2012, the Division of Financial Assistance approved the project for Collection of Past Due Funds in the Site Cleanup Program for \$25,000 to contract with a collection agency.
- On July 18, 2012, Division of Financial Assistance approved the San Elijo Lagoon Project for \$18,874 to conduct a small-scale cleanup and removal of marine debris.
- For other previously approved projects, 11 disbursements were made between July 1, 2012, and July 31, 2012, totaling \$124,581.

# **Site Cleanup Program:**

A total of \$1,206,379 was collected during the month of July.

# **Cleanup Fund/ Underground Storage Tanks:**

The following are the dates the Cleanup Fund is currently paying out by priority:

- Priority A Paying out all reimbursements to date
- Priority B Reimbursement Requests received through 6/30/2012
- Priority C Reimbursement Requests received through 6/30/2012
- Priority D Paying out all reimbursements to date

319(h) Non-Point Source Grant Program: The Division of Financial Assistance and the Division of Water Quality opened a Solicitation on August 6, 2012, and are accepting applications for the 319(h) Non-Point Source Grant Program through September 13, 2012. Approximately \$4.5 million is available for the Solicitation. This federally-funded annual grant program provides funding to support implementation, planning and assessment projects to improve water quality and restore beneficial uses in total maximum daily load (TMDL) watersheds with comprehensive watershed-based plans that are identified by the non-point source program preferences.

<u>Wastewater Operator Certification Program</u>: The Office of Operator Certification (OOC) has scheduled an Advisory Committee Meeting for August 28, 2012. The nine committee members are scheduled to meet with State Water Board staff to review the OOC's proposed regulations and public comments, provide recommendations on the program's database system, review enforcement issues and give recommendations regarding operator examinations. The final agenda will be posted on the OOC website ten days prior to the scheduled meeting date.

# **State Revolving Fund:**

# EARLIMART PUBLIC UTILITY DISTRICT PHASE II – FORCE MAIN EXTENSION PROJECT

The Earlimart Public Utility District, located in Tulare County, owns and maintains a collection system and wastewater treatment plant. The Project is to install approximately 3,200 feet of 10-inch force main, parallel to the District's existing 15-inch interceptor. Upon completion of the Project, a portion of the District's flows will bypass the existing interceptor. The Project will mitigate the possibility of sanitary sewer overflows due to insufficient interceptor capacity. The District qualifies as a small, severely disadvantaged community.

Total CWSRF Financing: \$972,400, with \$486,200 (50 percent) in principal forgiveness

# FALLBROOK PUBLIC UTILITY DISTRICT WASTEWATER TREATMENT PLANT I REHABILITATION PROJECT

The Fallbrook Public Utility District, located in northern San Diego County, owns and operates an existing wastewater treatment plant. The Project is to rehabilitate the existing wastewater treatment plant to improve reliability, increase efficiency, and better manage reclaimed water. The District will upgrade the primary, secondary and tertiary treatment processes, including constructing a new lift station, installing dechlorination equipment and upgrading the electrical system.

Total CWSRF Financing: \$22,154,148.

# Water Recycling Funding Program (WRFP):

# CITY OF PISMO BEACH RECYCLED WATER FACILITIES PLANNING STUDY

The City is exploring the feasibility of introducing recycled water as a component to its water supply portfolio. Recycled water is proposed to be used for landscape of existing City parks, recreational areas, new development, and agricultural irrigation. The potential source for the recycled water will be the secondary effluent from the Pismo Beach wastewater treatment plant. Completion of the City's study will produce a Planning Report identifying a preferred project alternative and implementation, including market assurance, economic analysis, unit cost of recycled water, and public outreach.

WRFP planning grant: \$75,000.

# OFFICE OF DELTA WATERMASTER

# **Watermaster Enforcement Actions for Violations Regarding Online Reporting:**

In 2009, the Senate passed Senate Bill X7-8, which authorized the State Water Board to adopt online filing. As a result, the State Water Board adopted regulations requiring online reporting of water use for water right licensees and permittees. In February 2011, the State Water Board sent notification letters to water right licensee and permittees to submit their 2010 annual use

reports by July 1, 2011. In September and November 2011, the State Water Board mailed delinquency letters to permittees and licensees who did not submit their 2010 annual use report. In April 2012, the Delta Watermaster Office mailed failure to file letters to licensees in the Legal Delta who did not file 2010 annual reports. On June 18, 2012, the Delta Watermaster Office mailed nine Cease and Desist Orders to the licensees who failed to file their 2010 annual use reports.

<u>Term 91 Notices</u>: On July 24, 2012, the State Water Board mailed 27 water diversion curtailment notices to licensees and permittees within the Delta Watershed to cease diversion of water during August under Standard Term 91. Standard Term 91 prohibits the diversion of water when the State Water Project or Central Valley Project release stored water (supplemental water) to meet water quality objectives in the Delta.

# OFFICE OF ENFORCEMENT

## **Administrative Civil Liability (ACL) Actions During July 2012:**

# a. ACL Complaint(s) Issued

Region	Discharger/Facility	ischarger/Facility Violation(s) Addressed				
	7	WATER QUALITY				
1	Loleta Community Services District / WWTF	Effluent limit violations (BOD, TSS, coliform, settleable solids, pH, chlorine)	\$228,000 (MMP)	7/25/2012		
3	Garcia Farms / Failure to submit cooperative monitoring fees and monitoring reports		\$19,410	7/26/2012		
3	B&E Vineyard and Jerry Bello	Failure to submit cooperative monitoring fees and monitoring reports	\$3,090	7/26/2012		
3	Rincon Farms / Amesti Road Ranch	Failure to submit cooperative monitoring fees and monitoring reports	\$3,090	7/26/2012		
3	Mine Brothers Malatesta Ranch and Gary Mine	Failure to submit cooperative monitoring fees and monitoring reports	\$5,514	7/26/2012		
3	Vidal Medina	Failure to submit cooperative monitoring fees and monitoring reports	\$2,700	7/26/2012		
3	Gomes Orchards and Joe Gomes	Failure to submit cooperative monitoring fees and monitoring reports	\$2,070	7/26/2012		

Region	Discharger/Facility	Violation(s) Addressed	ACL Complaint Amount	Date Issued			
5R	Collins Pine Company / Chester Sawmill	Effluent limit violations (COD, copper)	\$33,000 (MMP)	7/23/2012			
5S	City of Grass Valley / WWTP	Discharge of 71,510 gallons of raw sewage into Matson Creek and Wolf Creek by storm drain	\$110,850	7/6/2012			
5S	Rego Dairy #2 Rego Dairy Partnership And Rego Family Trust, Larry S. Rego, Franklin Rego, Mary Ann Rego, And Patricia Rego	Discharge of manure lagoon wastewater and other wastes from cow carcasses to surface water drainage course	\$272,928	7/13/2012			
8	Art Venegas / Art Venegas Dairy	Late annual report submittal	\$9,000 (MMP)	7/16/2012			
8	Vermeer, Steve & Chastity / Vermeer Family Farm	Late annual report submittal	\$3,000 (MMP)	7/16/2012			
WATER RIGHTS—No ACL COMPLAINTS ISSUED JULY 2012							

# b. ACL Order(s) Issued

Region	Discharger/Facility	ACL Order Amount	Date Issued	
	Ţ	WATER QUALITY		
2	Pinole City / City of Pinole WWTP	Effluent limit violations (mercury, copper, coliform, total dissolved solids)	\$3,000 (MMP)	7/24/2012
4	Calleguas MWD / Well Field No.1	Effluent limit violations (TDS, sulfate)	\$18,000 (MMP)	7/25/2012
4	Cedar-Sinai Medical Center / Advanced Health Science Pavilion Project	Late reporting violations	\$6,000 (MMP)	7/17/2012
4	Chinatown Gateway, LLC / Chinatown Los Angeles Project	Effluent limit violations (total dissolved solids, chloride, sulfate, copper, lead)	\$60,000 (MMP)	7/16/2012
4	Tesoro Refining and Marketing Company / Tesoro Los Angeles Refinery	Discharge of 638,000 gallons of naphthas to groundwater	\$440,670	7/24/2012
6SLT	North Tahoe Public Utility District / Sanitary Sewer	Discharge of 129,500 gallons of untreated sewage into Lake Tahoe	\$239,081.25	7/12/2012

Region	Discharger/Facility	Violation(s) Addressed	ACL Order Amount	Date Issued				
6	Estes, Kenneth P. & Mary L. JT/ Lassen County APN 077-233-47- 11	Failure to abandon septic system or connect to sewer, per CDO	\$136	7/27/2012				
6	Helmer, Nason James & Gail Ann Revocable Trust / Lassen County APN 077-372-16-11	Failure to abandon septic system or connect to sewer, per CDO	\$106	7/27/2012				
6	Naylor, Mitchell Creig & Ginger L. JT / Lassen County APN 077-401-11-11	Failure to abandon septic system or connect to sewer, per CDO	\$137	7/27/2012				
6	Sutton, Dennis J. & ETAL Deborah L. JT / Lassen County APN 077-271-19-11	Failure to abandon septic system or connect to sewer, per CDO	\$136	7/27/2012				
	WATER RIGHTS—No ACL ORDERS ISSUED JULY 2012							

# c. Cleanup and Abatement Order(s) Issued

Region	Discharger/Facility	Action(s) Required	Date Issued
1	John Moore & Jean Moore / 2144 Long Canyon Road	Submit and implement work plan to investigate extent of petroleum contamination; remove contaminated soil; contain, cleanup, or remove contaminated waters; submit bi-weekly report of cleanup activities; conduct sensitive receptor survey.	7/10/2012
5\$	Robert Joe & Capell Estates / Capell Valley Mobile Home Park WWTF	Implement short term contingency plan in low-freeboard conditions, disinfect and redevelop monitoring wells, comply with MRP, submit revenue plan assessing adequacy of funds to assure compliance, increase storage capacity from sub-10-year return storm season to 100-year return storm season, submit status and evaluation reports.	7/3/2012

# OFFICE OF INFORMATION MANAGEMENT AND ANALYSIS

# <u>Surface Water Ambient Monitoring Program Achievements Report Released:</u>

The Surface Water Ambient Monitoring Program (SWAMP) has just released its 2011 Achievements Report. This report highlights the accomplishments of SWAMP and its partners during 2011, highlighting the value of SWAMP to the State of California and the public at large. The Achievements Report also describes how the information and data gathered by SWAMP and its partners is used to address critical water quality questions pertaining to California's expansive network of waterways. The report can be accessed online at: http://www.waterboards.ca.gov/water\_issues/programs/swamp/achievements/index.shtml

Water Use Report Portal Released for eWRIMS: In June, the State Water Board Division of Water Rights in collaboration with the Office of Information Management and Analysis released a new web portal to assist water diverters with complying with state water-use reporting laws. California law requires anyone diverting water from a surface water source or a subterranean stream to report the diversion and use to the State Water Board, Division of Water Rights. The California Water Code and the California Code of Regulations specify different reporting requirements for different types of water rights. This new portal provides one place to obtain information that diverters need to be aware of their responsibilities to report your water diversion and use. The new portal can be accessed at

http://www.waterboards.ca.gov/waterrights/water\_issues/programs/diversion\_use/water\_use.shtml

# OFFICE OF RESEARCH, PLANNING AND PERFORMANCE

<u>Water Board Academy</u>: The following table includes highlights of our recent and ongoing classes.

Current classes	How to Use Ocean Observing Systems
	This class will provide up-to-date information on how to use the wealth
	of ocean and coastal data available from California's growing "Ocean
	Observing Systems." Students will learn what is available and how
	this information can be used to help develop and support permits,
	compliance assessment, enforcement and even CEQA
	documentation. Some of the data and information products that will be
	discussed include: Harmful Algal Bloom Monitoring, Regional Ocean
	Models and Drifter Trajectory Tools, Surface Currents, and
	Underwater Glider Ocean Profiles. This is also an opportunity to
	provide feedback and suggestions to the people who are building and
	maintaining these tools and data sets.
	Freshwater Cyanotoxin Workshop
	The 1-day workshop will provide staff from the State Water Resources
	Control Board, the Regional Boards, and other water quality
	professionals with current knowledge of cyanobacteria and
	cyanotoxins. After the workshop, staff will have a better understanding
	of potential factors that foster cyanobacteria blooms and cyanotoxin
	production and will be better equipped to take actions to reduce these
	sources, and improve water quality. Topics to be presented include:
	National and statewide perspectives and policies on
	cyanobacteria and cyanotoxins
	Environmental factors driving bloom occurrence and toxin
	production
	Monitoring and analytical tools
	Case studies from the Klamath River, central and southern
	California

	Water Board Enforcement Staff Training The Office of Enforcement is conducting enforcement training for southern California regional water board enforcement staff. It will focus on tools to identify property, assets, and responsible parties, warrants and inspections, and multi-agency prosecutions. It will provide a two year update on the Enforcement Policy, discuss specific information needed to do a BEN/ABEL analysis, and teach effective techniques for cross examination and depositions.
Recent classes	Aligning Your Basin Plan with Water Board Priorities Participants will learn what a Basin Plan is, how it can be used effectively; and how the Basin Plan relates to other planning documents. Participants will also learn how to successfully navigate the Basin Plan amendment process and understand its requirements. Topics include:  • Regulatory overview and context • Alignment with Water Board priorities and relationship to overarching efforts • Effective use of the Basin Plan • Amendment development steps & requirements • Overview of CEQA requirements • Economic analysis requirements • Regional Board approval process • State Board, OAL, and EPA guidelines, requirements and approval steps • Emerging issues

# Appendix 1 Statewide Policies/Significant General Permits

# **Status Code Key:**

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

Policy/Significant General Permit	Status  latest earliest				
Biological Objectives Development	(updated: 2012-08-08) The work to establish statewide reference condition is complete. Statewide biological scoring tools based on reference condition currently are being tested. All technical work is scheduled for completion by the end of calendar year 2012. CEQA scoping meetings are scheduled in Riverside on September 5, in Sacramento on September 7, in Redding on September 12, and in Oakland on September 14.	Yes	SB- Karen Larsen	DWQ Standards, Region 6, Region 9	http://www.waterboards.ca.gov/plans_policies/
Aquatic Pesticide General Permit – Weed Control, Aquatic Application	(updated: 2012-08-07) The public notice was published in newspapers and posted on website on July 6, 2012. A public hearing was held on August 7, 2012. Staff plans to take draft permit to the Board on Nov. 6, 2012 for adoption.	Yes	SB-Phil Isorena and Jenny Chen		
Aquifer Storage and Recovery Statewide General WDRs	(updated: 2012-08-07) Central Valley Water Board and State Water Board staff have completed review of the draft statewide order and Initial Study. The final draft of the order and Initial Study are under review by the State Water Board management. Staff plans to presenting the item for State Water Board consideration on September 18, 2012.	Yes	R5-Rick Moss	SB-Scott Couch, Gordon Innes	ECM 905666
Constituents of Emerging Concern (CEC) in Aquatic Ecosystems	(updated: 2012-08-07) The State Water Board received a final report from the scientific advisory panel on April 27, 2012. Staff plans to present an information item on the report at the October 16th State Board Meeting. The report was partially funded by a grant from the State Water Board.	Yes	SB - Scott Couch, Gordon Innes		ECM 905665

A-12	Composting Facilities Statewide General Order	(updated: 2012-08-07) Two public workshops to solicit input on the draft order are scheduled for August 27th and 28th in Sacramento and Riverside, respectively. The notice of public workshops has been posted on the State Water Board Website. Staff plan to present the order and the environmental documents to the State Water Board for consideration on October 16, 2012.	Yes	RB 9 - Roger Mitchell	SB - Scott Couch	ECM Document 900641
A	Grazing	(updated: 2012-08-07) The Water Boards have formed a work team to develop this project (titled Statewide Grazing Regulatory Action Project or Grazing RAP). The work team is under the lead of Region R6 with active participants from R1, R2, R3, R4, R5 and DWQ. The work team has been convened and meets monthly. At the November 2011 MCC meeting, the Grazing RAP workplan and schedule were approved by MCC. The next MCC update is planned for late August – the work team will present revisions to the workplan, the draft Objectives/Problem Statement and the short summary of the work team's activities to date that will posted on the NPS DWQ website (the first formal public outreach activity) The work team is continuing its work on grazing implementation tools and will also update MCC on these efforts in late August.	Yes	R6- Cindy Wise	SB (DWQ), R1, R2, R3, R4, R5	
P	Listing Policy Update (Sediment Quality Objectives)	(updated: 2012-08-07) CEQA Scoping Meeting held on March 29, 2010. Comment period closed April 12, 2010. Delay due to loss of key staff. Staff has prepared amendment language to address the Sediment Quality Objectives component but further work is contingent on completion of the current 303(d) listing cycle.	Yes	SB - Rik Rasmusse n, Mariela Carpio- Obeso		
A-13	Once-Through Cooling (316b) Policy Amendment	(updated: 2012-08-07) An amendment to change section 3(c), from State to Regional Board re-issuance of NPDES permits for existing Once-Through Cooling plants, is planned by staff, based on prioritization by management, for completion in early 2013.	Yes	Mariela Carpio- Obeso and Phil Isorena		
A-12	Sanitary Sewer System (SSS) MRP Update	(updated: 2012-08-07) After discussion with Executive Management, staff updated the MRP with expected re-issuance by the Executive Director in November 2012. Staff included inputs from the Office of Enforcement in revising the MRP. Staff will present the draft at stakeholder meetings in Northern and Southern California in late August. A final draft MRP will be routed for management review in September-October 2012.	Yes	SB- Russell Norman		
A- 12*	Storm Water Caltrans Permit	(updated: 2012-08-07) The statewide NPDES permit for discharges by the California Department of Transportation of storm water from municipal separate storm sewer systems (MS4s) is being reissued. This permit is commonly referred to as the Caltrans Permit. The current Caltrans Permit (State Water Board Order No. 99-06-DWQ) was issued on July 15, 1999. The current permit regulates all storm water discharges from Caltrans-owned MS4s, maintenance facilities, and construction activities. A draft Tentative Order was released for public review on January 7, 2011. The public comment period closed on	Yes	SB-Walt Shannon		906937

		March 14, 2011. A public hearing on the draft Tentative Order was held on July 19, 2011. A revised draft Tentative Order was released for public review and comment on August 18, 2011. A workshop on the revised draft was conducted on September 21, 2011. Staff met with Caltrans on a bi-weekly basis in October through December 2011, to identify and resolve concerns upraised at the hearing, workshop, and in written comments. A second revised draft tentative order was posted for public comment on April 27, 2012, and a staff workshop was held on May 21, 2012. The comment period for the second revised draft closed on June 26, 2012. A public hearing was held on August 7, 2012, and staff intends to submit the Tentative Order for State Board consideration of adoption at the September 18, 2012 Board meeting.				
A-12	Storm Water Industrial General Permit	(updated: 2012-08-07) Released on January 28, 2011. Staff workshops held February 14 and 23, 2011. Additional on-line staff workshop scheduled for March 15, 2011. Public Hearing conducted on March 29, 2011. Permit was revised to address the comments received during 2011 and was noticed for public comment on July 18, 2012. The public comment period will close on September 21, 2012. Staff workshops were held on August 8, 2012 in Diamond Bar and August 10, 2012 in Sacramento. A public hearing has been scheduled for October 17, 2012.	Yes	SB-Greg Gearheart		
A- 12*	Storm Water MS4 Phase II Permit	(updated: 2012-08-07) The draft permit was revised to address comments received during 2011. The revised draft permit was noticed for public comment on May 21, 2012. Public comment period closed on July 23, 2012 and a Public Hearing was held on August 8, 2012.	Yes	SB- Christine Sotelo and Eric Berntsen		
	Timber Activities on National Forest System Lands	(updated: 2012-08-07) On December 16, 2011 the Board adopted a mitigated negative declaration for a Statewide Conditional Waiver for USFS, but did not adopt the Waiver. Since then alternatives have been developed including state-wide regulatory actions with the option of exempting certain Regional Boards where the activities do not currently exist. The next step will be a determination of these exempted Regional Boards in consultation with Regional Board AEOs. A new staff person has been hired as the project lead and to address other wildland issues (e.g., forestry and grazing). Individual State Water Board member briefings are scheduled for late August through early September 2012 to present the recommended alternative(s).	Yes	SB-Steve Fagundes and Nicholas Kunz		
A- 12*	Toxicity Control Provisions for the SIP	(updated: 2012-08-07) Staff has completed and released to the public a revised policy, staff report, economic report and responses to scientific peer review. A Board hearing was held on August 21, 2012, concurrent with the close of the public comment period. Consideration for adoption is expected fall 2012.	Yes	SB - Brian Ogg		

A- 13*	Trash Policy	(updated: 2012-08-07) Statewide water quality control plans to be amended to include trash policy. CEQA Scoping Meetings held on October 7, 2010 in Rancho Cordova and October 14, 2010 in Chino. A Public Advisory Group (PAG) has been appointed to provide input to Water Board staff on the development of this policy. PAG met previously on July 26, 2011, August 30, 2011, and October 12 and 13, 2011. The draft Substitute Environmental Document has been prepared and provided to the PAG for review and comments. The PAG meeting took place in May 22, 2012. Staff considered PAG suggestions were discussed at the August 13, 2012 meeting. Staff expect to release the draft SED and policy in September 2012.	Yes	SB- Mariela Carpio- Obeso and Emily Siegel		905608
A	Mercury TMDL (Reservoirs)	(updated: 2012-08-07) In March 2012, staff held CEQA Scoping meetings in Sacramento, Oakland, Riverside and Redding. Staff has developed a straw policy document for the reservoir TMDL and its implementation plan. The straw policy is currently under review by legal. Staff from regions 2 and 5 is working on a draft staff report (source analysis, linkage, targets, implementation plan) and CEQA analysis, and is coordinating efforts with the State Water Board team working on the methylmercury objectives project.	Yes	R5 - Patrick Morris		
	Water Effects Ratios	(updated: 2012-08-07) No staff assigned and pending completion of other priorities.	Yes			
	Cadmium Objective and Implementation Policy	(updated: 2012-08-06) New staff was hired in July to work on this project and is currently reviewing background information.	Yes	SB - Rik Rasmusse n		
	Chlorine Residual Objectives and Implementation	(updated: 2012-08-06) Scientific Peer review received. Report and policy will be revised as necessary to address peer review comments. Due to loss of key staff this project is currently on hold.	Yes	SB - Rik Rasmusse n		
P	Suction Dredge General Permit	(updated: 2012-08-06) Suspended indefinitely now that the suction dredging moratorium has been extended indefinitely. Senate Bill 1018 (ch. 39, stats. 2012) removed the previous date on which the existing suction dredging moratorium had been scheduled to end. Suction dredging, including the method known as "booming", continues to be prohibited within 100 yards of any California river, stream or lake (Fish & G. Code, § 5653 subd. (d).).	Yes	SB-Liz Haven		
	Wetland Area Protection and Dredge and Fill Permitting Policy – Phase I	(updated: 2012-08-06) Phase 1 of the Wetland Area Protection and Dredge and Fill Permitting Policy (Policy/project) now includes all of the following elements: a wetland definition, a wetland delineation method, an assessment and monitoring framework, and supplemental dredge and fill procedures. This is a change from the project description in the 2011 Notice of Preparation (NOP) for the project Environmental Impact Report (EIR). The project description in the NOP included a wetland policy and dredge and fill regulations as separate elements. Now the Policy includes all elements with the	Yes	SB-Bill Orme	R1, R2, R4, R5	

		addition of the dredge and fill procedures. On March 9, 2012, the draft Policy was posted for public informational purposes only at: <a href="http://www.waterboards.ca.gov/water_issues/programs/cwa401/wrapp.shtml">http://www.waterboards.ca.gov/water_issues/programs/cwa401/wrapp.shtml</a> Since all project elements will be addressed by the Policy, a Substitute Environmental Document (SED) was prepared instead of an EIR. Staff are currently revising the draft Substitute Environmental Document and also finalizing comments on the wetland definition peer review. The Policy and SED are scheduled for public release in fall 2012. A public hearing will be scheduled during the 60-day public comment period.			
A-12	Ocean Plan Amendment: model monitoring and vessel provisions	(updated: 2012-08-03) A Public Hearing was conducted on November 1, 2011. Draft of Substitute Environmental Documentation and staff's proposed changes to the amendments is scheduled for the August 22, 2012 Board Workshop. The written comment period ends on August 31, 2012. Staff will work on responses to comments and plans to bring for adoption in October 2012.	Yes	SB- Mariela Carpio- Obeso and Emily Siegel	
P	Antidegradation Policy / Implementation Triennial Review	(updated: 2012-08-02) Scoping meeting held on 11/17/08. Work delayed by petitions.	Yes		
P	Marina Permit	(updated: 2012-08-02) Permit is postponed while working with other agencies and Marina and Boating groups to develop interim approaches.	Yes	SB-Steve Fagundes	
P	Timber Activities on Non-federal Lands	(updated: 2012-08-02) Work with California Board of Forestry, Department of Forestry and Fire Protection, and Regional Water Boards. Work delayed pending the outcome of a petition.	Yes	SB-Steve Fagundes	
A	Wetlands and Riparian Areas Policy – Phase II	(updated: 2012-08-02) With U.S. EPA grant funding, preliminary work has begun on Phase II. This work is focused on categorizing wetland beneficial uses.	Yes	SB-Bill Orme	
P	Wetlands and Riparian Areas Policy – Phase III	(updated: 2012-08-02) Pending completion of Phase II.	Yes	SB-Bill Orme	
A-12	Recycled Water Policy Amendment - Constituents of Emerging Concern	(updated: 2012-08-02) Staff released a draft amendment to the Recycled Water Policy proposing monitoring requirements for constituents of emerging concern in recycled water on May 9, 2012. Written comments on the draft amendment were due on July 3, 2012. Concurrently with the public review, a scientific peer review was conducted on the draft amendment and the scientific advisory panel report with comments due on August 1, 2012. Comments from the peer reviewers and public are being reviewed. The amendment is scheduled for consideration of adoption on October 16, 2012.	Yes	SB - Scott Couch, Gordon Innes	ECM 905655

A- 12*	Storm Water Construction General Permit Amendments (NELs removed)	(updated: 2012-08-02) Staff prepared an amendment to the State Water Board to delete narrative effluent limits to respond to a decision by Superior Court. The State Water Board adopted amendments to the Construction General Permit on July 17, 2012. Staff is waiting for the Order number from the Clerk to publish the final documents.	Yes	SB-Greg Gearheart		
A-13	Wastewater Discharges to Land (Revision to Order 97-10) General Order	(updated: 2012-08-02) Staff are preparing the draft order. State Board executive staff and WDR Steering Committee briefed. Staff anticipate to take the draft order and associated environmental document to the State Water Board in the first quarter of 2013.	Yes	SB - Scott Couch, Mary Serra	RB 1, RB 4, RB 5, RB 7	ECM Document 905664
A-13	Nonpoint Source (NPS) Implementation and Enforcement Policy Amendments	(updated: 2012-08-02) The NPS Implementation and Enforcement Policy (NPS Policy) is being updated at the direction of the SWRCB to preclude the use of prohibitions of waste discharge for addressing NPS discharges for those land uses (e.g.; irrigated lands) already covered under other regulatory mechanisms (e.g.; waivers of waste discharge requirements) for which discharger enrollment fees are being assessed. Recommended language to amend the NPS Policy has been provided to OCC for their consideration and comment.	Yes	Steve Fagundes		
A- 13*	Ocean Plan Amendment: desal/brine provisions	(updated: 2012-08-01) Water Board staff is working on amendments to the Water Quality Control Plans for Ocean Waters and Enclosed Bays and Estuaries to address Desalination Facilities and Brines Disposal. The amendment is currently envisioned to contain the following elements: (1) provisions to minimize adverse impacts to aquatic life associated with the intakes for desalination facilities; (2) a narrative water quality objective for salinity to ensure that brine discharges from desalination facilities and other sources do not cause adverse impacts; (3) implementation provisions. Scoping meeting took place on March 30, 2012, and several written comments were received by the April 6, 2012 deadline. The three scientific studies to support the amendments are complete. Board Workshop is scheduled for August 22, 2012, where the results and recommendations from the three projects will be presented. During the workshop the three lead scientists from the studies, environmental groups and industry will participate.	Yes	SB- Mariela Carpio- Obeso and Joanna Jensen		905609
A-13	Sediment Quality Objectives (SQOs) for Enclosed Bays and Estuaries: Phase II*	(updated: 2012-08-01) Phase II Human Health objectives are in progress. Training sessions for regional board implementation of SQOs being planned. A joint meeting of the advisory committee and the agency coordinating committee took place on May 24, 2012. Staff informed upper management through MCC presentation (July 27, 2012) about the different Tier I, II and III. Staff is working on the suggestions from advisory committee and the agency coordinating group.	Yes	SB- Mariela Carpio- Obeso and Chris Beegan		905610

A-12	Ocean Plan Amendment: Marine Protected Areas and Water Quality Protection Areas	(updated: 2012-07-31) Draft amendment, draft SED, and public notice released January 12, 2012. The comment period ended April 18, 2012 and several comments were received. The public hearing was held on May 1, 2012. A Board workshop is scheduled for August 22 in the afternoon. The written comment period ends on August 31, 2012. Staff will work on responses to comments and plans to bring for adoption in October 2012.	Yes	SB- Mariela Carpio- Obeso and Johanna Weston		
A	Methylmercury Objectives	(updated: 2012-07-30) Staff are working on a draft staff report and coordinating with efforts to develop statewide mercury TMDL.	Yes	SB - Paul Hann		
A	Nutrient Numeric Endpoints Tools	(updated: 2012-07-30) A CEQA Scoping meeting was held on October 27, 2011. Working with technical advisory groups to produce an implementation strategy document. U.S. EPA has contracted to have Nutrient Numeric Endpoint protocol updated with results of case studies and lessons learned. Technical aspects are to be peer reviewed by winter 2013.	Yes	SB - Steve Camacho	Nutirent State and Regional Technical Advisor	
P	Blue Green Algae Action Levels	(updated: 2012-07-12) The State Water Board funded OEHHA to develop action Levels for Blue Green Algae toxins (Cyanotoxins) in water and fish. OEHHA completed a draft report, which was then submitted to peer review. The Peer Review was complete in 2011 and the Final Report was completed in May 2012. A possible next step is to adopt statewide objectives for cyanotoxins, pending management prioritization.	Yes	Dominic Gregorio		
A-13	Bacterial Objectives for Inland Surface Waters	(updated: 2012-07-02) DWQ staff are preparing a draft policy and a staff report for public release targeted for late 2012. Staff anticipates being able to release a policy shortly after U.S. EPA releases the final updated bacteria criteria document which is scheduled for release in October 2012 with the U.S. EPA document being final in December 2012.	Yes	SB- Stephanie Rose	R4, Basin Planning Roundtabl e	
A-13	Integrated Report Adoption (2012)	(updated: 2012-07-02) State Water Board Staff is developing the lines of evidence (LOEs) for the 2012 report. This effort should be completed in the fall of 2012. Regional Boards will then review the LOEs and make assessments recommendations. State Board staff will review Regional Board staff's recommendation before Regional Board Staff present their recommendations to their respective Boards for approval. Following approval by all Regional Boards, the State's Integrated Report will be presented to the State Water Board for approval before being sent USEPA. USEPA make the final approval decision on the Integrated Report and may change the State's recommendations.	Yes	SB- Shakoora Azimi- Gaylon and Syed Ali	Regions	
A-12	UST LUFT Manual Update	(updated: 2012-06-08) The Leaking Underground Fuel Tank (LUFT) Manual is being updated to reflect the Low-Threat UST Case Closure Policy that was adopted by the Board on May 1, 2012. Targeted for completion in October, 2012.	No			

A	Rapid Diagnostic Tests for Bacterial Indicators in Coastal Waters	(updated: 2012-06-06) This project is being coordinated by the Southern California Coastal Water Research Project (SCCWRP)in collaboration with the Water Boards. Results and lessons learned transmitted to U.S. EPA for consideration in national standards setting work for a new Rapid Method. The pilot demonstration that began in Orange County (2010) was partially repeated in Los Angeles County in summer 2011. The SCCWRP Task Force, with participants from the Water Boards, will be preparing a final results report in 2012.	Yes	SB- Mariela Carpio- Obeso, Michael Gjerde		
P	Mercury Offset Policy	(updated: 2012-06-06) Partial economic analysis received from contractor (SAIC). No further contract funding available to complete economic analysis.	No			
A	Storm Water Statewide Permitting (MS4 Phase 1)	(updated: 2012-06-06) Staff are meeting with stakeholders to determine how to improve statewide permitting consistency for Phase 1 Storm Water Permits. Options may include a statewide general permit, multi-region permit for coastal southern California or a standard permit template with standard conditions common to all MS4 Phase 1 permits. The workgroup anticipates it will complete the initial stages of this work by September 2012.	Yes	SB- Vicky Whitney	R2, R4, R5, R8, R9, CASQA, NRDC	
A	Natural Sources	(updated: 2012-06-06) A draft natural source issue paper has been submitted to the Basin Planning Roundtable for review and comment. Issues include recommendation for how to deal with designations where natural background exceeds the water quality objectives.	Yes	SB-Paul Hann		
P	Potable Water General Order	(updated: 2012-06-06) Not assigned due to higher priorities.	No			
P	Off-Highway Vehicle (OHV) WDRs/Waiver	(updated: 2012-06-05) Developing concepts for WDRs/waiver for OHVs at State Parks.	Yes			

# **Policies/General Permits Completed in 2012**

Status Code	Policy/Significant General Permit	Status
C2012	Areas of Special Biological Significance (ASBS)	General exception adopted by the State Water Board on March 20, 2012. Staff is now working with stakeholders on implementation and monitoring. Stakeholders need to provide the monitoring plan for review before core monitoring starts.
C2012	Once-Through Cooling (316b) Policy Amendment	Staff released draft amendment on May 17, 2011. Amendments were adopted on July 19, 2011. OAL approved on March 12, 2012.
C2012	Onsite Waste Water Treatment Systems Policy	The Onsite Waste Water Treatment Systems Policy was adopted by the State Water Board On June 19, 2012. Staff are preparing the administrative records to send to the Office of Administrative Law (OAL) for approval. OAL approval is expected in the later half of September 2012. Staff are working on implementation of the policy.
C2012	UST Low-Threat Case Closure Policy	The Low-Threat UST Case Closure Policy was adopted by the State Water Board on May 1, 2012. OAL approved the administrative record on July 30, 2012. Staff are working on implementation of the policy.
C2012	Aquatic Pesticide General Permit  – Aquatic Animal Invasive Species	The State Water Board adopted this permit on March 1, 2012.

# **Policies/General Permits Completed in 2011**

Status	Policy/Significant General Permit	Status
Code	1 oney/significant deneral 1 erint	Status
C2011	Aquatic Pesticide General Permit – Aquatic Animal Invasive Species	Adopted by State Water Board on March 1, 2011.
C2011	Aquatic Pesticide General Permit – Vector Control, (Adulticide/Larvicide)	Adopted by State Water Board on March 1, 2011.
C2011	Ocean Plan Triennial Review	Adopted by State Water Board on March 15, 2011.
C2011	Sediment Quality Objectives (SQOs) for Enclosed Bays and Estuaries: Fish and Wildlife	Adopted by State Water Board on April 6, 2011. Approved by the Office of Administrative Law on June 13, 2011. Staff has submitted to U.S. EPA.
C2011	Aquatic Pesticide General Permit – Spray Applications Permit (CDFA and USDA- Forest Services)	Adopted by State Water Board on March 1, 2011.
C2011	Storm Water MS4 Effectiveness Assessment Document (AB 739, Ch. 610, Statutes of 2007)	On October 27, 2010, staff issued a revised Notice of Staff Workshops and Opportunity for Public Comment on draft document. Workshops scheduled for November 4 in Sacramento and November 9 in Rancho Cucamonga. Comments were due 12:00 noon on November 30, 2010. Information Item presented to the Board on April 19, 2011.
C2011	Integrated Report Adoption (2010)	Board approved 303(d) list on August 4, 2010. Transmitted to U.S. EPA on October 13, 2010, and awaiting their approval. On October 11, 2011, U.S.EPA issued its final decision regarding the water bodies and pollutants added to the California 303(d) List.
C2011	Leaking Underground Fuel Tank (LUFT) Manual	The LUFT manual was drafted as a guidance document with state-of-the-art information on the cleanup of leaking UST sites. The LUFT manual is considered a draft/evergreen document that will be updated periodically in response to comments.

# **Policies/General Permits Completed in 2010**

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

# **APPENDIX 2**

# IRRIGATED LANDS REGULATORY PROGRAM

This month's Irrigated Lands Regulatory Program (ILRP) monthly report provides an update on activities of the Central Valley Regional Water Quality Control Board (Central Valley Regional Water Board) ILRP, as reported in the Central Valley Regional Water Board's August 2-3, 2012 Executive Officer's Report. Current and past ILRP program monthly reports can be found on the State Water Resources Control Board (State Water Board) Irrigated Lands Regulatory Program website: <a href="http://www.waterboards.ca.gov/water">http://www.waterboards.ca.gov/water</a> issues/programs/agriculture/

For specific program information on the Central Valley Regional Water Board ILRP, contact Mr. Joe Karkoski, Program Manager, at (916) 464-4668.

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

Johnny Gonzales (916) 341-5510 <u>igonzales@waterboards.ca.gov</u> Gita Kapahi (916) 341-5501 <u>igonzales@waterboards.ca.gov</u> gkapahi@waterboards.ca.gov

# CENTRAL VALLEY REGIONAL WATER QUALITY CONTROL BOARD IRRIGATED LANDS REGULATORY PROGRAM (ILRP)

# Long-Term ILRP

<u>Eastern San Joaquin River Watershed Waste Discharge Requirements (WDRs)</u> – Staff released the tentative (draft) WDRs for the Eastern San Joaquin River Watershed for formal public comment. The anticipated schedule for bringing the Draft WDRs to the board for consideration is:

July 6 - August 6, 2012: Public review of Draft WDRs
August 6 - September 6, 2012: Staff revision of Draft WDRs; response to comments
October 4-5, 2012: Board hearing to consider adoption of WDRs

On June 14, 2012, Regional Water Board and California Department of Pesticide Regulations (CDPR) staff met with the Stanislaus, Merced, and Madera county agricultural commissioners to discuss the Eastern San Joaquin River Watershed WDRs. They also met with the East Side San Joaquin Water Quality Coalition board to discuss the Eastern San Joaquin River Watershed WDRs.

On June 21, June 26, and June 28, 2012, Regional Water Board staff attended the East San Joaquin Water Quality Coalition (Coalition) member meetings in Madera, Merced, and Modesto, respectively. Staff presented an overview of the new Long-term Irrigated Lands Regulatory Program proposed regulations covering groundwater and surface waters. The Coalition representatives discussed proposed nitrogen budgets and reporting approaches.

<u>Sacramento River Watershed Rice WDRs</u> – The California Rice Commission (CRC) and staff have exchanged drafts and comments on the long-term program requirements for surface water and groundwater monitoring. The CRC has submitted two draft documents, a Surface Water Assessment Report and a Groundwater Assessment Report, for staff review and comments.

The CRC and staff met on July 5, 2012 to discuss the draft Surface Water Assessment Report and proposed surface water quality monitoring requirements.

Southern San Joaquin Valley Water Quality Coalition (SSJVWQC) - On May 24, June 13, and June 19, 2012, staff met with the SSJVWQC to discuss development of the Long Term Irrigated Lands Regulatory Program. Topics of discussion included possible requirements of the upcoming WDRs and monitoring reporting program. The release of the interested party review draft is scheduled for early July 2012.

<u>Grasslands Bypass Project (GBP)</u> - On June 11, 2012, Regional Water Board staff met with representatives of the U.S. Bureau of Reclamation and San Luis & Delta Mendota Water Authority to discuss the GBP WDRs and Monitoring and Reporting Program and tour the Grassland Farming Area and the Reuse Project Area.

<u>Sacramento River Watershed WDRs (excluding rice)</u> – On May 31, 2012, staff met with the Sacramento Valley Coalition to discuss key issues related to the WDRs for the Sacramento River Watershed (excluding rice). Interested party review of the Draft WDRs is scheduled to begin in November 2012.

On May 18, 2012, Regional Water Board staff attended a meeting of the California Department of Food and Agriculture's (CDFA) Science Advisory Board. The meeting focused on developing incentives for growers to improve fertilizer management in order to reduce the discharge of nitrate to groundwater.

On May 18, 2012, Regional Water Board staff attended a meeting with State Water Board staff and other regional water boards to discuss information management for the irrigated lands regulatory program. The meeting was an initial discussion of the scope of the effort.

On May 18, 2012, Regional Water Board staff participated in a meeting with CDPR staff to discuss the Eastern San Joaquin River Watershed WDRs.

On June 1, 2012, Regional Water Board staff gave a presentation to representatives from the Coalitions and other agricultural interests on representative monitoring. Staff also participated in the discussion. In addition to discussing the technical aspects of representative monitoring, the group discussed opportunities for coordinating efforts between the Coalitions.

On June 5, 2012, the Regional Water Board Executive Officer and staff briefed representatives from the Governor's office, California Environmental Protection Agency, the State Water Board, the Central Coast Regional Water Board, and CDPR on the Eastern San Joaquin River Watershed WDRs and the long-term ILRP.

On June 6, 2012, Regional Water Board Executive Officer and staff discussed the irrigated lands program with the Regional Water Board's agriculture subcommittee.

On June 14, 2012, Regional Water Board staff met with Undersecretary Sandra Schubert from CDFA and her staff to brief them on the Eastern San Joaquin River Watershed WDRs and the long-term ILRP.

On July 2, 2012, Regional Water Board Executive Officer and staff met with director Brian Leahy from CDPR and his staff to discuss issues related to the Eastern San Joaquin River Watershed WDRs and the long-term ILRP.

#### **Enforcement**

#### **Compliance & Outreach - Exemption Claim Inspections**

In May and June 2012, ILRP staff completed 3 and 19 inspections, respectively, to verify landowner exemption claims to the ILRP. Landowners can respond to ILRP staff's postcards or 13267 Orders by claiming their land is not used for agriculture, not irrigated, or that it has no irrigation tail water or storm water runoff (no waste discharges to surface waters). These claims create a need for verification inspections. Staff verified that the lands associated with 21 of these inspections were exempt from regulatory coverage under the ILRP. Staff determined that one landowner needs to apply for coalition coverage for his property.

In May 2012, ILRP Redding staff completed two inspections to verify exemption claims to the ILRP.

# **Coalition Groups**

#### **California Rice Commission**

Monitoring for the 2012 Rice Pesticides Program (RPP) and ILRP monitoring started in early May 2012 due to weather delays.

### **East San Joaquin Water Quality Coalition**

On May 21, 2012, staff's review of the East San Joaquin Water Quality Coalition Annual Monitoring Report (AMR) was provided to the Coalition. The review is posted on the Central Valley Regional Water Board website.

On May 30, 2012, the Executive Officer approved the East San Joaquin Water Quality Coalition January 6, 2012 management plan completion request. The Coalition provided sufficient information to demonstrate that the management plans for 33 constituent/site pairs were successfully completed. The completion of two management plans was not approved and the Coalition will continue with the outreach and monitoring for pH and copper in Highline Canal at Highway 99.

On June 1, 2012, the Coalition submitted the Quarterly Monitoring Data Report.

On June 5, 2012, staff held the 15th quarterly meeting with the Coalition to discuss progress of implementing the Coalition's Management Plan, performance goals, and potential monitoring site and schedule revisions.

On June 25, 2012, staff's review of the East San Joaquin Water Quality Coalition Annual Management Plan Update Report (MPUR) was provided to the Coalition. The review is posted on the Central Valley Regional Water Board website.

### Sacramento Valley Water Quality Coalition (SVWQC)

On June 1, 2012, staff received a request from the Coalition to deem the Management Plans for chlorpyrifos and toxicity to Ceriodaphnia in Walker Creek complete. Based on a June 25, 2012 discussion, the Coalition plans to resubmit these requests following completion of the 2012 monitoring season.

On June 6, 2012, staff met with representatives of the SVWQC to discuss requests that have been made to the State Water Board to deem various Management Plans complete. Staff requested that future requests include more supporting data to justify completion. Staff also requested more information for Management Plans on Stony Creek and Cache Creek. The group decided that the State Water Board will wait until 2012 monitoring is complete and

requests are updated before responding to requests regarding toxicity to Hyallela on Stony Creek and the Cosumnes River.

On June 16, 2012, the State Water Board received requests from the Coalition to determine that the Management Plans for toxicity to Selenastrum in Butte Slough and Malathion in Gilsizer Slough are completed. The Butte Slough request is currently under review. The malathion request was approved by the Executive Officer on June 20, 2012.

On June 25, 2012, staff held a Quarterly Management Plan meeting with Coalition representatives. Participants reviewed progress in monitoring and reporting for several Management Plan waterways.

# San Joaquin County and Delta Water Quality Coalition

On May 31, 2012, staff completed the San Joaquin County and Delta Water Quality Coalition Annual Monitoring Report (AMR) Review. The review is posted on the ILRP internet site.

On June 1, 2012, the Executive Officer approved the January 6, 2012 San Joaquin County and Delta Water Quality Coalition request to consider the Lone Tree Creek at Jack Tone Road site (specific conductance, copper, diazinon, diuron, *Selenastrum capricornutum*, and *Hyalella azteca* toxicity) and the Unnamed Drain to Lone Tree Creek at Jack Tone Road site (simazine, *Ceriodaphnia dubia*, and *Selenastrum capricornutum* toxicity) Management Plans complete.

On June 5, 2012, staff held the 15th quarterly meeting with the Coalition to discuss progress of implementing the Coalition's Management Plan, performance goals, and TMDL monitoring.

On June 25, 2012, staff completed the San Joaquin County and Delta Water Quality Coalition Management Plan Update Report Review. The review is posted on the ILRP internet.

# Southern San Joaquin Valley Water Quality Coalition (SSJVWQC)

On March 7, 2012, staff received a Management Plan for water quality exceedances within the Main Drain watershed area of Kern County. Subsequently, staff issued a letter to the Kern River Sub-watershed requesting additional detail be provided in eight specific areas of the Management Plan prior to final approval.

### **Westside Coalition**

On April 30, 2012, the Westside San Joaquin River Watershed Coalition (together with East San Joaquin Water Quality Coalition) submitted their annual San Joaquin River chlorpyrifos/diazinon TMDL Report for the period October 10, 2011 through September 30, 2012. The report is under staff review.

On June 15, 2012, the Westside San Joaquin River Watershed Coalition submitted its Semi Annual Monitoring Report for the period September 2011 through February 2012. The report is under staff review.

On June 30, 2012, the Westside Coalition submitted its performance goals for the Focused Plan III. The Performance Goals provide a method to track the Coalition's efforts in improving water quality.

# Other Projects Data Management

Data reports received through June 1, 2012 are currently being prepared for loading into a California Environmental Data Exchange Network (CEDEN) comparable database provided by the Central Valley Regional Data Center (CV RDC). At this time, data from 2009 through 2011 for all Coalitions have been loaded into the CEDEN comparable database. Over 70% of this data has been successfully transferred to CEDEN. The remaining data sets for this time period, as well as data collected in early 2012, are currently undergoing final review and are slated to be transferred in September 2012. Additionally, work has begun on prioritizing data received prior to 2009 for processing and future upload to the database.

Feedback packages were developed in 2011 to serve as real-time communication from staff to assist the Coalitions with the review and formatting of datasets prior to submission. At this time, all of the Coalitions have received at least one follow-up feedback package for their most recent electronic data deliverables. The follow-up feedback packages identify areas of progress and areas of persistent or new issues and will be provided for each new submittal. Future data submittals requiring extensive corrections will be returned to the Coalition for revision.

In coordination with the CV RDC, ILRP staff held a data management workshop on June 28, 2012. The workshop began with a brief status update, overview of the ILRP data processing procedures and expectations for Coalitions and laboratories presented by ILRP staff. Following the ILRP staff presentation was a training module presented by the CV RDC for the online data checker. The data checker provides an online real-time tool to review data electronic data submissions for adherence to the formatting and business rules required for CEDEN comparability. The CV RDC also introduced their updated webpage which contains various tools and information for further comparability assistance.

### **Proposition 84 Grant Funding**

The Coalition for Urban/Rural Environmental Stewardship (CURES) is providing project management for the Proposition 84 Grant. The grant has been extended to May 1, 2015. Seventeen projects have now been completed and invoiced under the grant program. Those receiving grant funds are required to provide a 50 percent match for their project. The third round of applications closed July 1, 2012. The Selection Advisory Committee will meet to rank and select approved projects in late August/early September. Projects approved in the second and third round are expected to start after the end of this year's growing season. Approved applicants are required to submit landowner/grower contracts and other documents to CURES before start of any construction.

The CURES website at <a href="http://www.curesworks.org/bmp/projects84.asp">http://www.curesworks.org/bmp/projects84.asp</a> has additional information on Proposition 84 funding and photos of completed projects.