

**State Water Resources Control Board
September 16, 2008 Board Meeting
Item 10 - Executive Director's Report**

OFFICE OF ENFORCEMENT

Mandatory Minimum Penalty Enforcement Backlog Update

As of September 2, 2008, the Mandatory Minimum Penalty Enforcement Backlog Initiative (Initiative) has resulted in the issuance of expedited payment offers or Administrative Civil Liability (ACL) complaints to approximately 129 facilities with 4,418 violations (including some violations that occurred between December 31, 2007 and March 31, 2008). Statewide, there have been 52 ACL complaints issued and 77 expedited payment offers tendered.

When the Initiative began, CIWQS reported approximately 477 facilities with 7,203 violations (through December 31, 2007) without enforcement.

Based on current information, there are 348 additional facilities with approximately 2,782 violations which will be addressed as part of the Initiative as State Water Board-lead and Regional Water Board-lead activities. These facilities are being addressed as data validation is completed for the facilities. Progress on these facilities will be addressed in future Executive Director reports. A full report on the Initiative will be prepared in early 2009. Participation across all Regional Boards has been outstanding. Enforcement staff at the Regional Boards and the Office of Enforcement are to be commended for their aggressive and coordinated implementation of this Initiative.

Enforcement Policy Update

An Executive Steering Committee comprised of high level State and Regional Board representatives has been formed to evaluate proposed changes to the Enforcement Policy, consider new Policy direction, and reconsider some major stakeholder comments. They have met regularly over the past several months and there have been numerous revisions per their direction. The next meeting of the Executive Steering Committee is scheduled for September 10, 2008. In addition, the combined MCC/AEO meeting which occurred on August 27, 2008 provided new regional focus on the penalty calculation provisions of the proposed Policy. We anticipate a workshop will be scheduled following Board Member briefings to consider the revisions that will have been made to the proposed Policy since the previous draft was presented in a workshop in February, 2008.

DFG/Los Angeles Water Board Pilot Project Update

The Department of Fish and Game (DFG) and Los Angeles Regional Water Quality Control Board (Region 4) inter-agency enforcement pilot project held a kick-off workshop on April 1, 2008 at the Region 4 office in Los Angeles. This pilot project developed from discussions between the Office of Enforcement and DFG enforcement

staff to find ways of better coordinating between the two organizations charged with water quality protection throughout the state. The Ocean Protection Council was interested in a coordinated project as well and convened the project by providing facilitation services.

The one-day event introduced enforcement staff from DFG and Region 4 to the concept of an improved, coordinated enforcement program between the two agencies, addressed questions about the types of activities carried out by each agency, and discussed ways to strengthen joint enforcement efforts. In addition, workshop participants identified approximately 6 locations within the Los Angeles and Ventura County area where teams of DFG and Region 4 staff could participate in joint inspections. Teams consisting of staff from DFG and Region 4 were formed during the workshop and assigned to carry out joint inspections at specified sites. Enforcement and Storm Water staff from the State Water Board also assisted in the development of the workshop.

Over the next four months, the DFG/Region 4 teams completed joint inspections at all of the identified sites. Some of these joint inspections have led to formal or informal enforcement actions, while other investigations are ongoing. A follow-up workshop was held on September 4, 2008 at the Region 4 office to update participating staff from both agencies on the progress made during the joint inspection period. Joint inspection teams presented the outcomes of their efforts and discussed ways to further improve coordination and communication between the two agencies. Participants were also introduced to the enforcement “playbook” or field manual concept, which would provide reference materials to staff, and were asked to provide input about information that they would find useful in such a resource. The workshop also identified the next steps for the pilot project.

A follow-up workshop was held on September 4, 2008 at the Region 4 office to update participating staff from both agencies on the progress made during the joint inspection period. Joint inspection teams presented the outcomes of their efforts and discussed ways to further improve coordination and communication between the two agencies. Participants were also introduced to the enforcement “playbook” concept and were asked to provide input about information that they would find useful in such a resource. The workshop also identified the next steps for the pilot project.

A team of DFG, Region 4 and State Water Board representatives has been identified to further develop the field manual and to begin developing materials by the end of the month. As part of the development of the playbook, a couple of one-day training or brown-bag events may be held. These events will be held before the end of 2008 and a draft playbook is scheduled to be completed by January 2009. A follow-up workshop is tentatively scheduled for February 2009 which will present the draft playbook to staff and provide updates on progress made on joint inspection/enforcement efforts.

DIVISION OF WATER QUALITY

Water Quality Objectives for Cadmium: As described in the previous Executive Director's Report, there will be a scoping meeting on statewide water quality objectives for cadmium on October 6, 2008 at 10:00 a.m. in the Coastal Hearing Room, Cal/EPA Building, Sacramento. The cadmium objectives, and related implementation measures, would be added to the Policy for Implementation of Toxics Standards for Inland Surface Waters, Enclosed Bays, and Estuaries of California (SIP). The comment period closes at 12:00 noon on October 23, 2008.

Water Quality Objectives for Bacteria: Staff is working on a proposed policy to establish Bacterial Objectives for water contact recreation in fresh waters of California. Two California Environmental Quality Act (CEQA) scoping meetings have been scheduled. The first scoping meeting is scheduled for October 6, 2008 at 2:00 p.m. in the Coastal Hearing Room, Cal/EPA Building, Sacramento. The second meeting is scheduled for October 22, 2008 at 1:00 p.m. in the Anaheim City Council Chambers. Comments on the scoping document are due by 12:00 noon on November 5, 2008.

Triennial Review Scoping Meeting for Antidegradation Policy (Resolution No. 68-16): Staff continues to work on the format and informational content for a triennial review of the State's Anti-degradation Policy and its implementation guidance. Later this month, staff expects to release a Notice of this Triennial Review.

Phase II Sediment Quality Objectives (SQOs): On September 2, 2008, the State Water Board approved \$500,000 in Cleanup and Abatement Account funds to be used to complete the Phase II SQOs.

Once Through Cooling – CWA Section 316(b): Following receipt of the public comments on the scoping document, staff has been meeting with a panel of experts, who orally presented their final findings on technical issues related to the scoping document and development of the policy in August 2008. Staff has also assembled an inter-agency work group, which meets monthly to address cross-cutting issues and provide information needed for policy development. A scope of work for in-kind services funded through a CWA section 106 grant was completed in July 2008 and is expected to be executed by USEPA at the beginning of September 2008. The scope of work directs TetraTech to prepare a Draft Substitute Environmental Document (SED) for public release in early 2009.

Phase II Small Municipal Separate Storm Sewer Systems (MS4) General Permit: Staff is continuing the process of drafting this permit through a collaborative process involving key stakeholders. Currently, six workgroups have been identified to address specific permit areas. The workgroups consist of Water Board staff, California Stormwater Quality Association (CASQA) representatives, and participants from non-governmental organizations. On August 5, 2008, one of the workgroups, the New Development/Water Quality/Hydromodification workgroup, met to discuss issues related to this program area. A follow up meeting is scheduled in early November to continue

the discussions. Staff also plans to begin considering how to address the requirements of the recently adopted Strategic Plan related to storm water effectiveness assessment and MS4 permit consistency.

Recycled Water Policy: During the September 2, 2008 meeting of the State Water Resources Control Board, the recycled water stakeholder group made a presentation about their proposed Recycled Water Policy. After the presentation, the State Water Resources Control Board provided direction to staff. Staff's next steps on this policy are:

- (1) review the stakeholder's proposal and edit as necessary to meet legal requirements, while preserving the intent of the original language;
- (2) add language to address incidental runoff of recycled water;
- (3) take the edited draft back to the stakeholder group for review and comment;
- (4) prepare the environmental document;
- (5) release the revised draft and the environmental document for public comment; and
- (6) bring forward the draft policy and the environmental document for Board consideration.

General Permit for Landscape Irrigation Uses of Recycled Water: During the week of August 11, staff from three Regional Water Boards and the State Water Board met to create a working draft of this permit. Staff is incorporating information from the stakeholder Recycled Water Proposal presented to the State Board on September 2, 2008. Staff is still working on how to address incidental runoff in the permit, a topic on which the stakeholder group did not reach consensus.

Proposed Wetland and Riparian Area Protection Policy: Two public workshops / California Environmental Quality Act (CEQA) scoping meetings were held on August 18 in Sacramento, and August 20 in Huntington Beach, for the statewide Wetlands and Riparian Areas Protection Policy (Policy). Presentations on the Policy and the CEQA process were given by the Wetland Policy Development Team, with question and answer sessions following each presentation. Board Chair Tam Doduc and Board Member Frances Spivy-Weber attended both meetings and participated in the discussions with the public. The participant attendance at each meeting was about 30 people. In general, business groups desired consistency with agency plans, policies and regulations, as well as permit streamlining. Local governments reinforced concerns about permit streamlining and duplicative regulations. They also desired clarification about how the Policy might regulate flood control structures. Environmental groups sought a broader, more inclusive wetland definition that would be protective of California's diverse array of wetland types. In addition, they voiced concerns about the current rate of wetland habitat loss and favored Policy provisions that support avoidance over wetland mitigation. Written comments on the Project Discussion Paper are due by 12:00 noon on September 8.

Groundwater Ambient Monitoring and Assessment (GAMA) Program:

GAMA's Priority Basin Project will hold its third pre-sampling meeting for the Sierra Regional study unit on September 9th in Quincy. Pre-sampling meetings have been

held in South Lake Tahoe and Sonora. Over one quarter of California's public supply wells are in mountainous areas.

Sampling recently began in the South Coast Inland Basins, which includes Livermore Valley, Gilroy area (Llagas Basin), Hollister and Cuyama. A pre-sampling meeting was held in Livermore on August 6th.

A post-sampling wrap-up meeting discussing preliminary results for the North Sacramento Valley study unit is scheduled for September 16th in Red Bluff.

GAMA's Domestic Well Project for 2008 is in San Diego County with wells sampled in two phases of sampling. Preliminary results for Phase 1 show that, of the 92 wells sampled 22 (24%) tested above the MCL for nitrate and 28 (30%) were positive for total coliform. A subset (32) of wells was analyzed for radionuclides: 15 (47%) were above the MCL for uranium and 17 (53%) were above the MCL for gross alpha.

Sampling in San Diego County will restart later this year.

Irrigated Lands Regulatory Program Update Report: The August 2008 report is attached as Appendix 1.

DIVISION OF WATER RIGHTS

Drought Activities Update

In order to facilitate the availability of water to drought-stricken areas in California, the State Water Board has streamlined procedures to expedite processing of temporary water transfers and temporary water right emergency change petitions to amend water right conditions. Recent notable activities include:

1. On July 31, 2008, the State Water Board issued a corrected order involving the transfer of up to 10,000 acre-feet of water from the South Sutter Water District to several State Water Project contract agencies.
2. On August 8, 2008, the State Water Board issued an order approving a temporary urgency change to facilitate the transfer of 10,000 acre-feet of water from the United States Bureau of Reclamation to Central Valley parties near Corning.
3. On August 19, 2008, Placer County Water Agency completed the submission of a petition for temporary urgency change and temporary change to transfer up to 20,000 acre-feet of water to Westlands Water District. The Deputy Director for Water Rights is expected to issue an order for the temporary change by September 19, 2008.

All water right orders are posted on the Division of Water Rights website.

Amended Licenses and Permit for the Salinas Valley Water Project owned by Monterey County Water Resources Agency (MCWRA)

On September 5, 2008, the Division of Water Rights issued two amended licenses and an amended permit that will facilitate the addition of a seasonal dam on the Salinas River that will divert water released from Nacimiento and San Antonio Reservoirs. This dam may be seasonally raised and lowered and will be used to: (1) reduce seawater intrusion in the Salinas Valley basin, (2) conserve winter flows for recharge of the basin through summer releases, and (3) provide sufficient water supply to meet water needs through the year 2030. The dam will also provide a location for diversion of surface flow for irrigation and reduce the use of groundwater by irrigators. As a result of collaboration between MCWRA and the National Marine Fisheries Service, these water rights include a very detailed flow prescription to protect steelhead.

Spring Gap-Stanislaus Hydroelectric Project

Division of Water Rights has prepared a Section 401 water quality certification for the relicensing of the Spring Gap-Stanislaus Hydroelectric Project (Project). The Project is owned and operated by Pacific Gas and Electric Company and is located on the Middle and South Forks of the Stanislaus River. A draft water quality certification and Mitigated Negative Declaration were issued for public review in 2007. Division staff has prepared the Initial Study, the final 401 Water Quality Certification, responses to comments on the draft water quality certification, and a Mitigated Negative Declaration. The Executive Director is expected to issue a water quality certification for this project no later than September 16, 2008.

Caples Lake Outlet Emergency Repair Project by El Dorado Irrigation District

In June 2008, El Dorado Irrigation District (EID) conducted a dive inspection of the outlet works of Caples Lake Dam in Alpine County, which revealed a number of structural problems with the lower slide gate. EID determined that there was a substantial risk of gate failure and an urgent need to repair the gate. On July 14, 2008, EID adopted a resolution declaring the outlet gate repair to be an emergency.

On August 1, 2008, the Division of Water Rights received a Temporary Urgency Change (TUC) petition for Permit 21112 from EID. EID requested authorization to temporarily store 4,000 acre-feet of water released from Caples Lake in Jenkinson Lake by (1) adding Jenkinson Lake (Sly Park Dam) as a point of diversion and temporary place of storage; (2) adding a point of diversion at the El Dorado Canal; and (3) temporarily suspending EID permit conditions 9 and 12. The Deputy Director for Water Rights conditionally approved the TUC petition on August 14, 2008.

On August 22, 2008, the Division received an application for a water quality certification under section 401 of the Clean Water Act from EID for repair work at Caples Lake Dam. As lead agency, EID found the project to be exempt under the California Environmental Quality Act. The Division processed the application, and the State Water Board

Executive Director issued the section 401 water quality certification on September 4, 2008.

Implementation of Term 91 Water Diversion Curtailments in 2008

On May 30, 2008, the Division of Water Rights sent a "Notice of Curtailment of Water Diversion during 2008" (Notice) to 80 permit and license holders in the Sacramento-San Joaquin Delta Watershed. The Notice required permittees and licensees subject to Standard Term 91 to immediately curtail their diversions of water under the permits and licenses, and use an alternate source of water until August 31, 2008. The Notice also stated that the curtailment could be extended if supplemental project water from the Central Valley Project and the State Water Project continued to be released to meet water quality standards and other inbasin entitlements in the Sacramento-San Joaquin Delta Watershed. According to the U.S. Bureau of Reclamation, release of supplemental project water is now expected to continue until mid-November 2008. On August 28, 2008 the Division of Water Rights sent a Notice of Continued Curtailment of Water Diversion to 58 permittees and licensees who received the May 30, 2008 Notice, and 33 additional permittees and licensees whose season of diversion overlaps with the extended curtailment season. The Notice will prohibit diversion from September 1 through November 15, 2008, unless notified sooner.

Draft Policy for Maintaining Instream Flows in Northern California Coastal Streams (AB 2121)

In August, the State Water Board held two public workshops to discuss the AB 2121 Draft Policy. One workshop was held on August 5 in Ukiah, and the second was held on August 6 in Santa Rosa. Division staff is in the process of responding to comments and making revisions to the draft policy, with plans to bring the revised policy to the Board for consideration early in 2009.

Truckee River Operating Agreement and Associated Water Right Actions

On September 6, 2008, the United States Departments of the Interior and Justice, the States of California and Nevada, the Pyramid Lake Paiute Tribe of Indians, the Truckee Meadows Water Authority, and the Sierra Pacific Power Company signed the Truckee River Operating Agreement (TROA). The Department of Water Resources, within the Resources Agency, negotiated the terms of the agreement on behalf of California. TROA would implement Section 205(a) of the Truckee-Carson-Pyramid Lake Water Rights Settlement Act of 1990, Title II of Public Law 101-618 (Settlement Act).

TROA would modify existing operations of designated reservoirs in California to enhance coordination and flexibility, while ensuring that existing water rights are served (many of which are in Nevada) and requirements are met for flood control and safety of dams. TROA would, in part, (1) enhance conditions for the threatened Lahontan cutthroat trout and endangered cui-ui in the Truckee River Basin; (2) increase municipal and industrial drought protection for the Truckee Meadows (Reno-Sparks metropolitan

area); (3) improve Truckee River water quality downstream from Sparks, Nevada; and (4) enhance streamflows and recreational opportunities in the Truckee River Basin. At the time TROA takes effect, the Settlement Act provides for a permanent allocation of water between California and Nevada in the Lake Tahoe, Truckee River, and Carson River Basins.

When signed, a number of prerequisites must be satisfied before TROA becomes effective. One such prerequisite is that certain water right changes are approved. Accordingly, the State Water Board will consider several water right applications and petitions filed in 2003 by the U.S. Bureau of Reclamation and others to implement TROA. At the time these filings were publicly noticed, protests were filed against them. In addition, the Division of Water Rights has pending approximately 60 water right applications and petitions in the Lake Tahoe/Truckee River watershed. Most of these applications and petitions, many of which were intended to allow development of small water supply projects, have been pending since the early 1970s and have been held in abeyance pending resolution of the interstate allocation.

Streamflow Objectives/State Water Board Strategic Plan

On August 14, 2008, the Division of Water Rights received from the Department of Fish and Game (DFG) a list of 22 priority streams or watercourses for future streamflow studies. Public Resources Code sections 10000 *et seq.* require the Director of DFG to submit a list of priority streams to the State Water Board and to initiate streamflow studies on the identified streams as funding is available. Following completion of streamflow studies, DFG is to submit to the State Water Board proposed streamflow requirements for the protection of fish and wildlife. Water Code section 1257.5 requires the State Water Board to consider the submitted requirements when acting on applications to appropriate water, specifically to consider instream fishery needs when determining whether water is available for appropriation. A decision by the State Water Board that water is not available for appropriation on a particular stream or stream reach could lead to the stream being declared fully appropriated, which would preclude the State Water Board from accepting future applications to divert water from that stream. Water Code section 1229.1 prohibits the State Water Board from issuing or renewing small domestic and livestock pond registrations on streams for which the DFG has established streamflow requirements.

The State Water Board's Strategic Plan specifies that the State Water Board will work with DFG to compile a list of priority streams for which streamflow objectives will be developed. The list received from DFG on August 14th satisfies that element of Action 3.3.1(a) of the Strategic Plan. The Strategic Plan then specifies that the State Water Board will initiate the development of one minimum streamflow proposal to be brought before the Board by December 2010 and two more proposals by 2012. If flow standards on those streams are not being met, the State Water Board will determine by December 2012 any mandated actions (such as conservation, recycling, and limiting amount of water diverted) that are necessary to protect the public trust by preventing waste or unreasonable uses or methods of diversion. The State Water Board's

Bay-Delta Strategic Workplan reiterates this commitment and specifies that at least one of the streams will be in the Delta or Suisun Marsh watersheds. Two of the three highest priority streams identified by DFG are in the Bay-Delta Watershed: Butte Creek and the Tuolumne River below La Grange Dam.

Strategic Workplan for the San Francisco Bay/Sacramento-San Joaquin Delta Estuary

On July 16, the State Water Board adopted a Strategic Workplan (Workplan) for the San Francisco Bay/Sacramento-San Joaquin Delta Estuary (Bay-Delta). Staff from the State Water Board and Central Valley and San Francisco Bay Regional Water Boards prepared the Workplan that describes the suite of activities the State Water Board will pursue over the next five years to address the water supply and environmental crisis in the Bay-Delta. Workplan elements are responsive to direction from the Governor and Delta Vision and touch on a wide range of flow and water quality actions to fix and better protect the Delta and the public trust, while still protecting diverse public interests. The Central Valley and San Francisco Bay Regional Water Boards will also consider adopting the Workplan later this year. The Workplan is available at:

http://www.waterrights.ca.gov/baydelta/strategic_workplan.htm

Among many elements, the Workplan contains proposed actions to address water use efficiency for urban and agricultural water users. The actions include an assessment of whether any or all of the 14 Best Management Practices (BMPs) identified in the California Urban Water Conservation Council Memorandum of Understanding should be mandated. The State Water Board is considering whether to develop a regulatory program and, if so, what the regulatory program should be. The State Water Board will hold a public workshop October 1, 2008, to consider information regarding the development of an urban water conservation regulatory program.

The Workplan also requires a comprehensive review of the Water Quality Control Plan for the San Francisco Bay/Sacramento-San Joaquin Delta Estuary (2006 Bay-Delta Plan), as well as water rights and other measures implementing that plan. Such a review would establish interim and long-term water quality objectives and implementation measures to protect fish and wildlife beneficial uses of water and the public trust. The Workplan includes the following information-gathering activities by the State Water Board:

- *Workshop on September 17, 2008*, continuing on November 5, 2008, to receive information regarding the San Joaquin River flow objectives for fish and wildlife beneficial uses in the 2006 Bay-Delta Plan. The first workshop will provide an overview of various critical issues and public processes concerning the San Joaquin River flow objectives, an update on southern Delta salinity and an update on implementation of the Strategic Workplan. The State Water Board will use the information obtained in this first workshop to define and more narrowly focus the scope of subsequent workshops on particular issues relating to the

San Joaquin River flow objectives, including the ongoing Vernalis Adaptive Management Plan.

- *Workshop on October 8, 2008*, to receive comments from agencies and members of the public regarding periodic review of the 2006 Bay-Delta Plan. This workshop will help the State Water Board identify elements of the 2006 Bay-Delta Plan that may need amendment.
- *Evidentiary hearings*. On August 29, 2008, State Water Board staff sent a letter to interested parties requesting recommendations concerning factual issues that the State Water Board should consider during an upcoming series of evidentiary hearings. Specifically, the State Water Board is seeking information concerning what analyses have been conducted related to critical factual issues concerning the Bay-Delta's ecology and what those analyses show. Following receipt of this information, the State Water Board will provide public notice of (1) the issues that will be the subject of upcoming evidentiary hearings, (2) the requirements for participation, and (3) the order of those proceedings. Dates for these evidentiary hearings have yet to be set.

Notices for the October workshop and the request for written input are available at:
http://www.waterrights.ca.gov/baydelta/periodic_review.html

OFFICE OF RESEARCH, PLANNING AND PERFORMANCE

Strategic Plan

The Strategic Plan Update: 2008-2012 was approved by the State Water board at its September 2, 2008 meeting. Program managers are now completing workplans describing key steps necessary to implementing and completing the actions contained in the plan. Staff are also working on condensing key elements of the plan into a design format for general distribution. The plan and other support documents can be found at the Water Boards' website at:

http://www.waterboards.ca.gov/water_issues/hot_topics/strategic_plan/2007update.shtml

Water Board Training Academy

The Academy has postponed numerous classes and projects in compliance with the Budget Letter issued by the Department of Finance on July 31, 2008. A few classes will be delivered that do not involve the use of the Board's contract with UC Davis Extension. The rest will be rescheduled when the Executive Order is rescinded.

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|--------------------------------|--|
| Currently Being Offered | <p>Introduction to the Title 27 Regulations</p> <p>This class is mainly for individuals who are new to the Land Disposal Program although it also contains valuable information for persons who have been in the Program for some time. The one-day class covers the Water Boards' sections of Title 27 (the remainder being the Waste Board's sections) with a focus on how requirements tie together. The class highlights common problem areas and suggests ways to resolve issues.</p> |
| | <p>How to Prepare Waste Discharge Requirements</p> <p>The goal of this two-hour course is to improve the consistency, clarity, enforceability, and defensibility of WDRs orders prepared for the Non-Chapter 15 regulatory program.</p> <p>At the end of this training the student will understand the following fundamentals necessary to prepare WDRs orders including the following:</p> <ul style="list-style-type: none"> • The significance and limitations of <i>statute, regulation, plan, policy, and guidance</i>. • What makes a discharge a "Non-Chapter 15" discharge" • An overview of antidegradation directives relative to the Non-Chapter 15 regulatory program. |

Classes and projects that have been delayed include:

- Advanced Waste Water Engineering
- Introduction to ArcGIS for the Water Boards
- Making the Transition to Supervision
- Leadership Academy – August class
- New Employee Orientation Video
- Environmental Film Festival

Cal/EPA Digester Permit Streamlining Project

The Cal/EPA permit streamlining project is a multi-agency effort that includes the CIWMB, Water Boards, an air district, industry representatives, and others. This is a quarterly update on the status of this project. The Central Valley Regional Water Board represents the Water Boards on this permit streamlining project. A key product of this effort will be a Permit Guidance Document. The Water Boards prepared the Regional Board Permitting section of that document. An internal draft of the proposed Permit Guidance Document was circulated for review to members of the team. Comments were due back to Cal/EPA by the end of August. The Water Board has submitted comments to revise the draft. The project team will

meet in early September (date TBD) to review the changes and discuss the next steps of the project.

Management Coordinating Committee (MCC)

Statewide Executive Management Meeting: On August 26-27, a first of its kind executive management meeting was held in Sacramento. This meeting was designed to bring together State and Regional Water Board executives, including Executive Officers, Assistant Executive Officers, and Program Deputies to discuss current organizational and management topics. Participants emphasized the importance of improving collaboration on resource prioritization and allocation issues as well as continuing to improve State/Regional Board policy development efforts. Everyone agreed that the joint meeting was very productive and should be held on an annual basis.

DIVISION OF FINANCIAL ASSISTANCE

Meeting with the California Local Agency Formation Commission (CALAFCo): July 15, 2008

State Water Resources Control Board (State Water Board) and California Department of Public Health staff met with the CALAFCo Executive Officer to learn more about CALAFCo. Attendees also discussed water and wastewater compliance issues related to small and/or disadvantaged communities and potential opportunities for improved inter-agency coordination in the review and approval of future water and wastewater proposals. Based on the exchange of information during this meeting, State Water Board staff will participate in the "Assessing Wastewater Infrastructure and Capacities" course sponsored by CALAFCo University in October 2008.

Areas of Special Biological Significance (ASBS) Full Proposal Technical Assistance Meetings: July 28 - August 13, 2008

Staff and ASBS Task Force members conducted teleconference meetings with applicants to provide technical assistance to help develop full proposals. Full Proposals are due to the State Water Board by September 10, 2008.

Meeting with New York Clean Water State Revolving Fund (CWSRF) Program Representatives: August 7, 2008

State Water Board staff met with Mr. Jim Manning, Chief Financial Officer of the New York CWSRF Program, known and administered as the New York State Environmental Facilities Corporation (EFC), and Mr. George Butcher of Butcher Marks Financial Group. Attendees discussed the methods New York uses to reduce the effect of extended term financing on the health of their CWSRF Program. The group also discussed assistance options for disadvantaged communities, reduced interest rates, New York's Hardship Assistance Program, EFC's interaction with bond counsel, and other program administration procedures.

Small Community Groundwater Grant (SCGG)**City of Live Oak (City) – Ribbon Cutting Ceremony, September 8, 2008**

On September 8, 2008, Board member Charlie Hoppin and State Water Board staff attended a ribbon cutting ceremony for the City of Live Oak's Arsenic Remediation Project. The State Water Board granted the City \$2 million from the Proposition 40 SCGG Program. This grant assists with a financial hardship in treating their water supply that exceeded EPA's Maximum Contaminant Level of 10 parts per billion for arsenic in drinking water. The City installed a water treatment system for an existing water distribution system at three well locations.

Cleanup and Abatement Account (CAA): Check Ceremony – August 17, 2008**Yuba County (County) & River Highlands Community Services District (RHCS)**

On August 17, 2008, Division of Financial Assistance, Assistant Deputy Director James Maughan presented a check for \$850,000 to the County for River Highlands Community wastewater needs. The River Highlands Wastewater Treatment Plant experienced a catastrophic structural failure in mid-October 2006, causing raw sewage to discharge into a detention pond, which later seeped into a nearby waterway. The grant funding was based on the transfer of responsibility for the River Highlands wastewater treatment and collection systems from the RHCS to the County. The United States Department of Agriculture also presented a check to the County for \$850,000.

Clean Beaches Task Force (CBTF) Meeting: August 21, 2008

The CBTF met to review and provide final comments on the draft Clean Beaches Initiative Guidelines and prepare for the upcoming solicitation. The State Water Board will consider the Guidelines for adoption today, September 16, 2008.

Colfax City Council Meeting: August 26, 2008

State Water Board staff attended the Colfax City Council Meeting to provide information to the City and public regarding the State Water Board's Clean Water State Revolving Fund (CWSRF) Program and Small Community Wastewater Grant (SCWG) Program funding of the City's wastewater treatment plant project. Assistant Deputy Director James Maughan, informed the Council and public that all future disbursements of the City's CWSRF and SCWG funding will be withheld until the City can demonstrate the ability to repay the CWSRF financing for the Project. The City was directed to attend a future State Water Board meeting and request reinstatement of the disbursements, once the City develops a means to repay the CWSRF financing. This matter is on the Board's September 16 agenda.

Proposition 84 Santa Monica Bay Restoration (SMBR) Grant Program Workshop: September 2, 2008

State Water Board staff assisted Santa Monica Bay Restoration Commission staff in presenting a workshop for the SMBR Grant Program solicitation. Proposition 84 provides \$18 million to the State Water Board for matching grants to protect beaches and coastal waters of Santa Monica Bay. Applications for the competitive grant program are due October 17, 2008.

Community Development Block Grant (CDBG) Conference: September 4, 2008

State Water Board staff presented information on the various funding programs available through the State Water Board at the 2008 CDBG Conference: Planting Seeds for Community Development. The presentation included information on the State Water Board's *Small Community Wastewater Strategy*, which discusses small and/or disadvantaged communities' wastewater needs and potential solutions. Staff also met one-on-one with interested parties to discuss their projects and next steps, should they want to apply for funding.

Storm Water Advisory Task Force (SWATF) Meeting: September 15, 2008

The SWATF will hold their third meeting on September 15, 2008. Topics discussed at the meeting will include: (1) a letter from the SWATF to the Department of Water Resources (DWR) regarding suggested funding criteria for their Proposition 1E Stormwater-Flood Management and Proposition 84 Integrated Regional Water Management (IRWM) Programs; (2) review of the Working Draft Proposition 84 Storm Water Grant Program Guidelines; and (3) development of a guidance document for evaluating and measuring the effectiveness of municipal storm water management programs.

Division Approvals:

The Deputy Director of the Division approved the following Preliminary Funding Commitments from July 2, 2008 through September 3, 2008.

State Revolving Fund Loan

| Entity | Preliminary Funding Commitment | Project | Approved |
|-------------------|---|--|-----------------|
| City of Delano | \$49,000,000 | Wastewater Facilities Expansion Project | 8/13/08 |
| City of Patterson | \$1,238,067 | Oxidation Ditch Upgrade Project | 6/19/08 |

Small Community Groundwater Grant

| Entity | Preliminary Funding Commitment | Project | Approved |
|--|---|-------------------------|-----------------|
| Home Garden Community Service District | \$308,566 | Arsenic Removal Project | 8/06/08 |

Small Community Wastewater Grant

| Entity | Preliminary Funding Commitment | Project | Approved |
|---|--------------------------------------|--|----------|
| Eastern Municipal Water District | \$180,222 | Quail Valley Subarea 9 Sewer System Project | 7/22/08 |
| Kelseyville County Waterworks District No. 3 | \$2,000,000 (Amendment) | Kelseyville Wastewater System Upgrade Project | 8/06/08 |

Water Recycling Funding

| Entity | Preliminary Funding Commitment | Project | Approved |
|--------------------------------------|--------------------------------------|--|----------|
| Selma- Kingsburg- Fowler (SKF) | \$75,000 | SKF Community Services District Recycled Water Program | 8/15/08 |

Cleanup and Abatement Account Funding

| Entity | Preliminary Funding Commitment | Project | Approved |
|---|--------------------------------------|--|----------|
| Central Coast Regional Board (Region 3) | \$97,500 | Oil Field Well Destruction Plan | 7/11/08 |
| North Coast Regional Board (Region 1) | \$100,000 | Emergency Erosion Control Plan | 7/21/08 |
| Division of Water Quality | \$75,000 | Baseline Monitoring Data Collection | 8/11/08 |

DIVISION OF ADMINISTRATIVE SERVICES

2008/2009 BUDGET

Fourteen of the Water Boards' Budget Change Proposals (BCPs) were approved by the Legislature, as well as Senate language to require separate budget line items for each regional board. In regard to this line item budget requirement, currently these are two line items in the Water Boards budget, Water Quality and Water Rights. This change

will split the Water Quality line item into 10 line items, one for each Board. The most significant impact will be the need to provide written notification to the Secretary, the Department of Finance, and the Legislature before implementation of any budget revisions between the line items. Three BCPs were denied by the Conference Committee. They were BCP #1 for additional water rights staff, BCP #2 for Enforcement, and BCP #12 for Climate Change.

The State Controller has provided the following general outline of what bills his office can and cannot pay until the State budget is enacted. For example, the Controller can continue to make the following payments:

- Federally-mandated services such as Supplemental Security Income/State Supplementary Payment (SSI/SSP), and In-Home Support Services.
- Debt service and other payments required by the State Constitution.
- Payroll for state employees covered by the Federal Fair Labor Standards Act.
- Vendor payments for services provided in the last fiscal year.
- Expenses with ongoing appropriations from the Legislature, including Medi-Cal, CalWORKs, income tax refunds and payments on claims for unclaimed property.

However, a number of constitutional and legal restrictions prevent the Controller from making certain other types of payments without a budget. For example, the Controller cannot pay:

- School districts for categorical programs such as special education and remedial summer school, community colleges, local governments and other entities not included in the above parameters.
- Vendors for services provided after July 1.
- Salaries and per diem of state elected and Governor appointed officials and their appointed staff.

DIVISION OF INFORMATION TECHNOLOGY/OFFICE OF INFORMATION MANAGEMENT AND ANALYSIS

Diana Fong, Deputy Director, Division of Information Technology

I am pleased to announce that starting today the Water Boards have a new Chief Information Officer, Diana Fong. Ms. Fong has over seventeen years of experience in Information Technology. Prior to accepting the post with the State Water Board, Ms. Fong served as the Chief Information Officer for the Department of Financial Institutions. Along with her responsibilities as Chief Information Officer, she served on several standing committees, including Executive, Strategic Planning, Workforce Development and Planning, Succession Planning, Information Technology Steering, Office of the Chief Information Officer Information Technology Awards. She also represented the California Department of Financial Institutions on a national technology committee comprised of Chief Information Officers of state banking regulators.

Ms. Fong worked for the State Water Board in the mid 1990s in what was then our Information Services Branch.

Wide-Area-Network Circuit Upgrade Project (WAN)

The Division of Information Technology is nearing completion of the Wide-Area-Network Upgrade Project. The purpose of the project is to build redundancy in our enterprise network and increase network bandwidth. As a result of this project bandwidth to each Regional Board is being doubled as well as creating a “MESH” Network environment which means all Regional Board offices can communicate directly with each other instead of having to go through the State Board’s network. In the event that the main services in Sacramento go down, such as GroupWise, the Regional Boards will still be able to communicate with each other. In addition, full deployment of a number of information technology projects is dependant on completion of RB WAN upgrade project. They include:

1. Regional Board wireless setup
2. Video Teleconference
3. Web casting
4. Electronic Content Management (paperless office)
5. eTimesheet.

Upgrades are complete in the North Coast, San Francisco Bay, Central Coast, Los Angeles, Santa Ana, and the San Diego Region as well as here in Sacramento. Upgrades in the remaining Regional Boards, Central Valley, Lahontan, and Palm Desert, are schedule for completion by November 2008.

Electronic Self Monitoring Report ver. 2 (eSMR2)

Office of Information Management and Division of Information Technology Staff have begun deployment of The Electronic Self Monitoring Report version 2, a re-engineered module of the Water Boards’ California Integrated Water Quality System (CIWQS). Commonly referred to as eSMR2, The Electronic Self Monitoring Report version 2 will allow National Pollutant Discharge Elimination System permit holders to report their required monitoring data electronically via the CIWQS website. eSMR2 will automate the data collection processes, replace paper and fragmented spreadsheet repositories, and reduce manual work steps.

The system was formally placed into production on July 11, 2008. As part the State Water Boards’ pilot rollout, Yuba City, Paso Robles and Avila Beach were able to successfully submit their 1st self-monitoring report (SMR) into the system. Since then Yuba City has successfully submitted 3 monthly eSMR reports into CIWQS and will be shortly moving to electronic submittals only.

Staff are now beginning the process of rollout to our Regional Board offices, starting with the Redding office. The initial rollout and training has occurred with the Redding office and the State Water Board is waiting on feedback from the Redding office on a training date for their 67 NPDES permit holders. Current plans are to roll out the system

to the entire Central Valley Regional Water Board by year's end, then begin deployment to the Los Angeles Regional Water Board beginning in January 2008.

Electronic Water Rights Information Management System (eWRIMS) Update

Geographic Information System Place of Use Project Summary

The SWRCB's Place of Use Project is a set of local and mobile applications intended to more fully automate the collection and maintenance of place of use surface water data by both field and office staff. It will allow field collection of GPS generated data, as well as functionality to migrate the existing paper mapping information into this new database.

The Place of Use Project is at the stage of final Beta release. Training of Division of Water Rights staff began on September 8, 2008. When training is complete, the new database functionality will be migrated to the production database, and will be ready for use by staff. The enhanced functionality means that the Division of Water Rights staff will be able to capture and incorporate place of use data into eWRIMS with established data standards and collection protocols. In addition the new functionality will allow linking place-of-use records to existing place of diversion records, and provide for export / output of the entire place-of-use dataset as needed in order to be able to share data with other agencies.

BOARD MEMBER DIRECTIVES

A list of Board Member directives (assignments made by Board Members) during Board meetings) is attached as Appendix 2. This is a new format and process for tracking assignments from the Board to better ensure that this workload is tracked and monitored. Suggestions for improving this new reporting tool are most welcome.

APPENDIX 1

IRRIGATED LANDS REGULATORY PROGRAM MONTHLY REPORT AUGUST 2008

This month's Irrigated Agricultural Lands Regulatory Program (ILRP) report will provide an update on the activities of the Central Coast, Los Angeles, Riverside and San Diego Regional Water Quality Control Board programs. Future monthly reports will alternate between the status of the ILRP at the Central Valley Water Board for one month, and the status of other Regional Water Boards for the alternate month. English and Spanish translations of current and past ILRP monthly reports can be found on the State Water Boards Irrigated Agricultural Waiver Program website:

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

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

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

CENTRAL COAST AGRICULTURAL REGULATORY PROGRAM

Irrigated Agriculture Program Update from May 2008 EO Report and a June 2008 Enrollment status report

Central Coast Water Board staff in the Agricultural Program evaluates compliance with the Conditional Waiver of Waste Discharge Requirements for Irrigated Agriculture by considering reporting and monitoring information submitted by growers, along with water quality data for nitrate and toxicity in streams, pesticide use information, and results of inspections. As a break-thru in the program, this is the first time staff has used Geographic Information System tools to link site and area land uses to water quality data from monitoring programs.

Staff is working on agricultural regulation and implementation of best management practices at irrigated agricultural facilities. Over the last four years, by complying with the Conditional Waiver of Waste Discharge Requirements for Irrigated Agricultural (irrigated agricultural order), growers within the Central Coast Region have implemented many practices to some degree, including irrigation management, nutrient management, pesticide management, and erosion controls. Staff has also identified other ways to address toxicity and other agricultural water quality impacts. Examples include:

- Requiring irrigation tail-water reductions from farm operations;
- Improving efficiencies of irrigation systems;
- Reducing fertilizer applications through nutrient budgeting;

- Inspecting agricultural facilities to verify the effectiveness of changes in growers' practices, and to verify implementation of management practices;
- Developing ways to track fertilizer applications;
- Coordinating with the Department of Pesticide Regulation on specifications to incorporate on pesticides labels to address water quality and prevent pesticide movement off-site.

Also, the State Water Board approved funding in June for a Central Coast irrigation and nutrient efficiency program. This is a major step forward toward addressing high nitrates in surface and ground water and toxicity from agricultural land uses. Irrigation efficiency increases will also directly address severe groundwater problems from over drafting and will be directly increasing sustainability within watersheds in the Central Coast region.

Ag Waiver Enrollment Status as of June 30, 2008

| Enrollment Status | Number of Operations | Irrigated Acres | Tailwater Acres |
|-------------------------------------|-----------------------------|------------------------|------------------------|
| Tier 1 (15 hours Ed + farm plan) | 1,203 | 358,424 | 79,107 |
| Tier 2 (incomplete Ed or farm plan) | 526 | 37,120 | 5,517 |
| Growers with >14 hrs Ed | 1127 | 319,320 | 71,120 |
| Growers with completed farm plan | 1419 | 379,022 | 80,974 |
| Total Enrolled | 1735 | 396,030 | 84,802 |
| Percent of Region Total | ~80% | ~90% | NA |

Water Quality Data

Staff is developing water quality reports for each monitoring site (50) and upstream areas. These reports summarize water quality, land uses that are contributing to the site, pesticide applications and other information into short reports that will be made available to staff, growers and the public. Central Coast Water Quality Preservation, Inc. (Preservation Inc.) is conducting follow-up upstream monitoring and continuous flow monitoring in several watersheds. Preservation Inc. is also conducting education and outreach to provide growers with on-farm sampling in several watersheds. Follow-up monitoring is a mandatory component of the Cooperative Monitoring Program established by the Conditional Waiver. Follow-up projects are developed by Preservation, Inc. and approved by the Water Board. Follow-up projects are funded by regular program fees and by a Proposition 40 grant.

Inspections

Staff is conducting inspections throughout the region in order to assess and improve compliance with the agricultural program requirements. Staff issued a Notice of Violation as a result of a complaint, requiring the grower to complete an engineering report and implement corrective actions to eliminate sediment discharges before the rainy season. Staff is also conducting comprehensive watershed wide inspections in the Santa Maria area, beginning with Oso Flaco Creek watershed. By inspecting all of the growers in a watershed, staff can identify watershed scale problems and involve

other entities as necessary. Staff is also following up on complaints expressed at the last Central Coast Water Board meeting about runoff in the Boronda area of Monterey County.

Enforcement Actions

Staff is in the process of settling the five administrative liability complaints that were issued to non-filing farming operations. All five have enrolled and paid all past due monitoring charges.

Conditional Waiver Renewal Process

Staff held internal meetings in August 2008 to solicit management and staff input on the irrigated agriculture program and to consider how to best integrate the agriculture program with the Region's Vision and Goals. Staff will hold external stakeholder meetings with the Agricultural Advisory Panel and other stakeholders throughout the fall.

For additional information on the Central Coast Water Board Agricultural Regulatory Program, please contact Alison Jones at (805) 542-4646 or e-mail to ajones@waterboards.ca.gov

LOS ANGELES REGION CONDITIONAL WAIVER FOR IRRIGATED LANDS

From August 2008 EO Report

The California Regional Water Quality Control Board Los Angeles Region (Regional Board) adopted a Conditional Waiver of Waste Discharge Requirements for Discharges from Irrigated Lands (Order No. R4-2005-0080) on November 3, 2005. Regional Board staff participated in the California Nonpoint Source Conference, held May 5 – 7, 2008 in San Diego; staff presented a poster on the Los Angeles Region Conditional Waiver for Irrigated Lands Program. The poster presentation included Conditional Waiver program requirements and water quality monitoring results collected to date. Moreover, Regional Board staff has been actively working with representatives of the Ventura County Agriculture Irrigated Lands Group and the Nursery Growers Association – Los Angeles County Irrigated Lands Group to discuss the preparation of Agriculture Water Quality Management Plans (AWQMP), which are required as part of the Conditional Waiver program. The AWQMPs outline a strategy for BMP implementation to reduce pollutants from irrigated agriculture sites. The AWQMPs are due to the Regional Board for review in September 2008. Regional Board staff looks forward to continued cooperation with the agricultural community to effectively implement the Irrigated Lands Program.

The objectives of the ILRP program are to monitor the water quality effects, and, if required, mitigate those impacts from runoff from irrigated agriculture facilities in the coastal watersheds of Los Angeles and Ventura Counties. Currently, 75% of the irrigated acreage in the Region is enrolled in the Conditional Waiver program. On March 13, 2008, the Regional Board sent notices of violation to approximately 700 growers in Los Angeles County who had not yet enrolled in the Conditional Waiver

program. Regional Board staff has responded to approximately 400 phone calls and 100 emails from agricultural growers in the Los Angeles area. The notices of violation generated positive feedback from the stakeholder community and numerous new enrollees in the Conditional Waiver program.

For additional information on the Los Angeles Region Conditional Waiver for Irrigated Lands, please contact Rebecca Veiga Nascimento at (213) 576-6784 or rveiga@waterboards.ca.gov

SANTA ANA REGION CONDITIONAL WAIVER FOR AGRICULTURAL DISCHARGES

From a Region 8 draft Fact Sheet

The Regional Water Quality Control Board, Santa Ana Region (Regional Board) is developing a Conditional Waiver of Waste Discharge Requirements for waste discharges from various types of agricultural operations in the Lake Elsinore/San Jacinto Watershed. Regional Board staff has determined that in the Lake Elsinore/San Jacinto Watershed, waste discharges from a variety of sources are contributing to pollution in Canyon Lake and Lake Elsinore, and causing violations of water quality standards. The non-point source (NPS) pollutants responsible for these violations are discharged from urban areas, open space, agricultural activities (i.e. includes, but not limited to, irrigated agricultural lands), transportation facilities and other land uses in the watershed. In response to these violations, the Regional Board adopted a Total Maximum Daily Load (TMDL) for Canyon Lake and Lake Elsinore. The TMDL is now part of the Basin Plan. The TMDL includes a variety of tasks that need to be completed in order to achieve the TMDL's objectives. The TMDL assigns key individual stakeholders or groups of stakeholders in the watershed with the responsibility for implementing these tasks. The TMDL requires water quality monitoring plans, to gauge the effectiveness of the management plan. The TMDL also requires stakeholders to develop problem-specific management plans, such as for nutrient management. Regional Board staff is proposing that all operators of irrigated or dry-farmed land enroll in a conditional waiver of waste discharge requirements. The Regional Board is calling their program the Conditional Waiver for Agricultural Discharge (CWAD). The conditional waiver will allow agricultural operators to continue to discharge waste to waters of the state from their farming operations. The CWAD program will require participants take steps to comply with the TMDL, pay implementation fees and implement best management practices (BMPs) to reduce the pollutant load of their discharge.

The Conditional Agricultural Waiver will allow some conditions to be met through the collective action of a group or groups of agricultural operators who are enrolled in the program, or by a third party representing a group of enrollees. An example of a condition that could be met by a representative acting for a group of enrollees is a monitoring and reporting condition. The representative could obtain the required information for the group it represents and report the information to the regional board.

Agricultural operators who do not enroll in the Conditional Agricultural Waiver will be required to apply for individual waste discharge requirements, and will have the full responsibility for compliance.

Regional Board staff attended a meeting of State and Regional Board ILRP contacts in which Regions 3 and 4, along with the State Water Board, provided information to Regions 8 and 9 contacts in an effort to help begin the design and/or implementation of their respective ILRP programs and associated conditional waiver. On August 15th, Regional Board staff participated in the ILRP Roundtable in Rancho Cordova. Regional Board staff is currently coordinating with State Water Board and Region 9 staff to put on enrollment and educational workshops in Orange and Riverside counties. Also, Regional Board staff are in the process of putting enrollment and educational materials on their website.

For additional information on the please contact Athar Khan at (951) 782-3219 or akhan@waterboards.ca.gov

SAN DIEGO REGION IRRIGATED LANDS REGULATORY PROGRAM

From a Region 9 staff report

Conditional Waiver No. 4 for irrigated agriculture and nurseries was adopted by the San Diego Regional Water Quality Control Board (Region 9) on October 10, 2007. The waiver requires all commercial agricultural and nursery operators in the San Diego Region to enroll under the waiver by January 1, 2011. Other general requirements of the waiver include implementation of Best Management Practices to control pollutant discharge, as well as monitoring and reporting. On March 27, 2008, June 20, 2008 and July 19, 2008 Regional Board staff presented an overview of the requirements of the waiver at growers' workshops in San Diego County. On August 4, 2008, a Region 9 representative attended a meeting of State and Regional Board ILRP contacts in which Regions 3 and 4, along with the State Water Board, provided information to Regions 8 and 9 contacts in an effort to help begin the implementation of their respective ILRP programs. On August 14th and 15th, Region 9 participated in the ILRP Roundtable in Rancho Cordova. We are currently coordinating with State Water Board and Region 8 staff to put on enrollment and educational workshops in Orange and Riverside counties. Also, we are in the process of putting enrollment and educational materials on our website.

For additional information on the Conditional Waiver No. 4, please contact Pete Peuron at (858) 637-7137 or ppeuron@waterboards.ca.gov.

APPENDIX 2

BOARD MEMBER DIRECTIVES

(in Microsoft Excel format -- see attachment)

APPENDIX 2

Current Board Member Directives Checklist as of 9/9/2008

| Board Meeting | Staff | Requested by Board member | Issue | Due Date | Direction | Current Status |
|---|---|---------------------------|--|--|---|--|
| 9/16/2003 | Rik Rasmussen | WQO 2003-12 | Toxicity Revisions to the SIP | Draft revisions released January 2009. Adoption Spring 2009. | Modiy the SIP to include policy direction on the use of the numeric chronic toxicity effluent limits in NPDES permits for POTWs that discharge to inland waters. | Staff is currently working to revise the toxicity control provisions in the SIP. Proposal changes include 1) clarifying the appropriateness of numeric toxicity effluent limits in NPDES permits and 2) expanding and standardizing implementation requirements for toxicity control. Staff is working with USEPA on developing options for determining highly defensible statistical methods for the analysis of toxicity testing data. Staff are working with USEPA to verify possible statistical methods for determining compliance with permit toxicity limits. Results of this project will lead to defensible options for toxicity control. USEPA has funded a contract with SAIC for an economic analysis of the proposed changes. |
| 11/15/2006 (during Klamath River TMDL proceedings) | Steven Herrera, Karen Niiya, Eric Oppenheimer | All | Inclusion of the Klamath River watershed in the policy being developed pursuant to AB 2121 | late 2009 | Upon adoption of the policy for the five counties described in Water Code section 1259.4, the Board should consider the expansion or amendment of AB 2121 policy to include the Klamath River and its tributaries. | The Division of Water Rights has developed a draft policy for protection of instream flows in five coastal counties described in Water Code section 1259.4 as added by AB 2121. Upon adoption of this policy, the Board may consider amending the policy or developing a policy specific for the Klamath River and its tributaries. The policy for the Klamath River and its tributaries should include all limitations and mitigations developed as part of any 303(d) listing and TMDL requirements. The Division recommends that the Board wait until it has adopted the policy for the five coastal counties before expanding instreamflow protections policies elsewhere in California. |
| AB 2121 Board Member Briefing November 2007 | Steven Herrera, Kathy Mrowka | Art Baggett | Posting of Water Right Cancellations and Revocations | 1-Sep-08 | Provide a listing of water right application cancellations and permit and license revocations as they occur. Status should be posted on the Division's website. | The Division of Water Rights is in the process of scanning the revocation and cancellation orders for water right applications, permits, and licenses for eventual posting on the Division's website. The target date to complete the scanning of orders, design the website posting and develop procedures for future postings is September 1, 2008. |
| 2/19/2008 | Shakoor Azimi-Gaylon | Resolution No. 2008-0014 | Plan for Enclosed Bays/ Estuaries- Part 1 Sediment Quality | Feb-09 | 5. Directs staff to initiate appropriate proceedings to amend the section 303(d) listing policy by February 2009. | In progress. Expected Board consideration February, 2009 |
| 4/15/2008 | Wetland Policy Development Team | All | Regional Policy Progress Updates | 1-Jul-08 | State Board has directed in the Board Wetland Policy resolution (April 15, 2008) that the Wetland Policy Development Team report back to the Board following the peer review of Region 1 & 2's Stream and Wetlands System Protection Policy and also within the public comment period prior to Regional Board adoption. | The peer review process has been delayed. Regional Board adoption of the basin plan amendments related to the proposed Stream and Wetlands System Protection Policy is tentatively scheduled for December 2008. |

APPENDIX 2**Current** Board Member Directives Checklist as of 9/9/2008

| Board Meeting | Staff | Requested by Board member | Issue | Due Date | Direction | Current Status |
|---------------|------------|---------------------------|-----------------------|----------|--|----------------|
| 6/1/2008 | Executive | Frances Spivy-Weber | Aerial Deposition | | Executive staff and Board lead will coordinate with ARB to evaluate joint solutions to aerial deposition that impacts water quality. | |
| 9/2/2008 | Jon Bishop | All | Recycled Water Policy | Nov-08 | Bring suggested staff changes to stakeholder draft recycled water policy back to the Board. | In progress. |