

**State Water Resources Control Board  
December 5-6, 2011 Board Meeting  
Item 18 -- Executive Director's Report**

**DIVISION OF FINANCIAL ASSISTANCE**

**Program Activity:**

**Cleanup and Abatement Account:** Eighteen disbursements were made between October 1, 2011, and November 21, 2011, totaling \$331,432.

- Between October 1, 2011, and November 21, 2011, two project requests were approved. The Emergency Vessel Cleanup Project for \$40,000 in the San Francisco Bay Region and the ACL Automation Project for \$46,800 with the Office of Information Management and Analysis.

**Site Cleanup Program:**

- A total of \$2,885,649 was collected during the month of October.

**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 07/20/2011

Priority C – Reimbursement Requests received through 06/30/2011

Priority D – Reimbursement Requests received through 09/30/2011

**State Revolving Fund:**

Between October 5, 2011 and November 21, 2011, the Deputy Director of the Division approved the following Preliminary Loan/Grant Commitments:

**City of Yuba City**

**Wastewater Infrastructure Upgrades Project**

The WWTF receives approximately 12 kilovolt (kV) of electricity from Pacific Gas and Electric. The existing 12kV switchgear is 35 years-old and in need of replacement in order to continue providing reliable service to the WWTF. The switchgear area is also subject to local flooding which could become a safety hazard and/or disrupt service.

The Project includes improvements to the aeration system – replacing concrete in the aeration basins, new mixing equipment, variable-frequency drives (VFDs) in a new prefabricated enclosure, instrumentation controls, and a return activated sludge (RAS) line; and installing a new switchgear inside a new prefabricated building in a non-flood area.

Project benefits include increasing operations reliability and flexibility, saving energy and decreasing operation and maintenance costs, improving staff safety by protecting switchgear from local floods, and improving wastewater treatment to meet current regulatory requirements.

**TOTAL CWSRF FUNDING:** \$6,500,000

### **Calaveras County Water District**

#### **Douglas Flat / Vallecito Wastewater Facility Upgrade**

The existing WWTP has insufficient capacity for peak flows. The monthly average flow has frequently exceeded the permitted capacity during 2009 and 2010. There is no capacity for infill within the existing service area, and a moratorium on all sewer connections has been in place since September 14, 2005. On June 13, 2006, the Central Valley Regional Water Board issued a Notice of Violation (NOV) for spills, exceeding effluent limitations, and concerns regarding insufficient treatment, storage, and disposal capacity.

The objectives of the Project are to upgrade the existing WWTP to meet the new WDR effluent limitation requirements and comply with the NOV; provide sufficient capacity for peak flows; and allow for the future reuse of tertiary treated effluent. The Project will upgrade and expand the existing WWTP, installing a 86,500 gpd-packaged membrane bioreactor (MBR) process capable of producing tertiary treated effluent.

The upgraded WWTP will be located on the existing site with many of the old facilities being converted or replaced.

**TOTAL CWSRF FUNDING REQUEST: \$4,420,880**

### **City of San Diego**

#### **Sewer Pipeline Rehabilitation Project**

The purpose of the Project is to comply with USEPA's Final Consent Decree that San Diego PUD replace or rehabilitate 450 miles of sewer pipeline by June 2013 to improve the quality of sewer pipelines within the City of San Diego. The pipeline rehabilitation program will help meet the USEPA requirements to reduce spills while reducing maintenance costs, thus extending the service life of aging sewer pipelines. The sewer rehabilitation will reduce groundwater infiltration/inflow (I/I) and eliminate root intrusions in the existing sanitary sewer systems. This will reduce sewer spills and minimize the number of public beach closures

The Project will include rehabilitation of approximately 29 miles of the remaining 150 miles of sewer pipeline. Rehabilitation will be accomplished by installing new liners inside the existing pipelines using trenchless technology, rehabilitation or construction of new manholes, and cleanout/spot repairs. It is the intent of the City to finance the remaining 121 miles of sewer pipeline not included within this Project under the CWSRF Program under future FPA/PFC and financing agreements.

**TOTAL CWSRF FUNDING REQUEST: \$23,469,095**

### **City of Turlock**

#### **Harding Drain Bypass Project**

The primary goal and objective of the Project is to eliminate effluent discharge from the current point of discharge at the Harding Drain to a point of discharge directly to the San Joaquin River. Changing the point of discharge from the Harding Drain to the San Joaquin River will serve two beneficial purposes by converting Harding Drain to an agricultural drain that manages drainage from irrigated lands, including control of flooding by elevated groundwater and winter stormwater, and reducing regulatory constraints with respect to future waste discharge requirements to the City.

The Project includes a 35 mgd force main that extends from the current outfall to the San Joaquin River and covers a distance of approximately 5.6 miles in length; an outfall Junction Structure and Gravity Line; and, a pump station consisting of four vertical turbine pumps operating 24-hours a day, seven days a week.

**TOTAL CWSRF FUNDING REQUEST:** \$20,000,000

## **DIVISION OF WATER QUALITY**

**Groundwater Ambient Monitoring and Assessment (GAMA):** Additional functionality was added to the GeoTracker GAMA information system that will allow links to other state and federal data systems and web pages. The newly designed interface is at <http://geotracker.waterboards.ca.gov/gama/>. On the left side of the page is: "Data Sources." It is anticipated that additional Water Board data will be co-displayed on this Google maps interface in the near future.

**Composting Facilities Statewide Order:** Following informal staff workshops on August 31, 2011 (Chino) and September 1, 2011 (Cal/EPA), staff have scheduled four sets of meetings with a workgroup to discuss the draft concepts for statewide order that would waive waste discharge requirements from requirements in California Code of Regulation Title 27 for waste piles, surface impoundments and landfills. The draft concepts include Water Quality Protection Measures such as barriers to reduce percolation of waste waters to groundwater, that are tiered based on facility size, waste type, and proximity to groundwater that is used for drinking. The workgroup is invited to propose alternative Water Quality Protection Measures that affect those factors that drive movement of contaminants to groundwater and also reduce percolation of waste waters to groundwater.

The remaining workshops are tentatively scheduled for December 14 (So. Cal) and December 15 (Cal/EPA).

A draft order is expected to be presented to the Board Summer of 2012.

**Ocean Plan Amendment: Desalination / Brine Provisions:** State Water Board staff and the Southern California Coastal Research Project (SCCWRP) held a stakeholder meeting on Tuesday July 5, 2011 to discuss convening a panel of experts to address scientific questions regarding the disposal of brine into the ocean. The panel will be composed of approximately four scientists from different disciplines. Suggested questions include: (1) How can the effects of these discharges be minimized through proper disposal strategies; (2) What models should be applied in order to predict how these plumes will behave; (3) Can cumulative water quality effects associated with multiple plumes be evaluated with models; and (4) What are appropriate monitoring strategies for these discharges?

The purpose of the meeting was to provide the interested public with the specific qualifications and names of potential individuals who may be asked to participate on the panel and to seek comment from the public on this effort.

**On-site Wastewater Treatment System (OWTS):** State Water Board released the public draft Policy for Siting, Design, Operation and Management of Onsite Wastewater Treatment Systems (OWTS)—Septic Systems and the associated Supplemental Environmental Document on Friday, September 30, 2011 for a 45 day comment period. Staff conducted four workshops during the comment period to answer questions and take comments from the public. Dates and locations of the workshops are listed below:

Monday, October 24, 2011-----San Luis Obispo  
Friday, October 28, 2011-----Redding  
Wednesday, November 2, 2011—Santa Rosa  
Monday, November 7, 2011-----Riverside

The comment period closed on November 14. The OWTS Team is working to revise the draft in response to the comments received.

The Policy Documents and specific information about the workshops can be found at:  
[http://www.waterboards.ca.gov/water\\_issues/programs/owts/index.shtml](http://www.waterboards.ca.gov/water_issues/programs/owts/index.shtml).

**Storm Water Caltrans Permit:** The statewide NPDES permit for discharges by the California Department of Transportation of storm water from municipal separate storm sewer systems (MS4s) is targeted for reissuance. 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. The revisions to the Caltrans permit are expected to follow many of the approaches in the Storm Water Construction General Permit (State Water Board Order No. 2009-0009-DWQ). A draft for public review was released on January 7, 2011. Comments were due on March 14, 2011. Staff is in the process of reviewing the comments received. A public hearing on the draft Caltrans permit was held on July 19, 2011. A revised draft of the permit was released for public review and comment on August 18, 2011. A workshop on the revised draft was conducted on September 21, 2011. Staff is reviewing the comments received on the revised draft. Staff is meeting every two weeks with executive management to discuss issues. There are also meetings scheduled every two weeks with Caltrans staff to clarify issues.

**Storm Water Industrial General Permit:** The statewide General NPDES permit for discharges of storm water associated with industrial activities (commonly referred to as the Industrial General Permit) is targeted for reissuance. The current Industrial General Permit is State Water Board Order 97-03-DWQ. The revisions to the Industrial General Permit are expected to follow many of the approaches in the Storm Water Construction General Permit (State Water Board Order No. 2009-0009-DWQ), adopted in 2009. On January 28, 2011, staff issued a Public Notice to release the draft revised Industrial General Permit for review. Staff level workshops were held on February 14 in the Cal/EPA Building and on February 23 at the Irvine City Council Chambers. A third workshop was conducted via the web on March 15, 2011. A public hearing was conducted on March 29, 2011. Staff is in the process of evaluating over 250 individual comment letters received. Staff is meeting weekly with executive management to discuss issues that were raised during the public comment period. Staff also conducted meetings with stakeholders to clarify issues.

**Storm Water Phase II MS4 Permit:** The statewide General NPDES permit for discharges of storm water from small municipal separate storm sewer systems (MS4s) (commonly referred to as the Phase II Permit) is targeted for reissuance. The current Phase II MS4 Permit is State Water Board Order No. 2003-0005-DWQ. It provides permit coverage for smaller municipalities, including non-traditional Small MS4s, which are governmental facilities such as military bases, public campuses, and prison and hospital complexes. The revisions to the Phase II permit are expected to follow many of the approaches in the Storm Water Construction General Permit (Order No. 2009-0009-DWQ). On June 7, 2011, staff released a draft revised Phase II MS4 Permit for public comment. A workshop was held on August 17, 2011. Staff is in the process of evaluating the comments received. Staff is meeting weekly with executive management to discuss and resolve issues. There have also been stakeholder meetings to discuss issues.

**Statewide Trash Policy:** On October 12 and 13, 2011, staff conducted the third meeting of the Public Advisory Group (PAG) that will provide input on efforts to develop a Statewide Trash Policy. The meeting was conducted in San Pedro California and included a “field trip” to observe trash capture devices and a manufacturing facility that uses pre-production plastic pellets. The PAG consists of 10 individuals who have knowledge and expertise relative to trash and debris.

**Proposed Policy for Nutrients for Inland Surface Waters of the State of California:**

The CEQA scoping meeting was held on October 27, 2011. The comment period closed on November 10, 2011. 31 comment letters were received. Additional information may be found at [http://www.waterboards.ca.gov/plans\\_policies/nutrients.shtml](http://www.waterboards.ca.gov/plans_policies/nutrients.shtml)

**Low-Threat UST Closure Policy:**

*Stakeholder Outreach Meetings*

Stakeholders who helped develop the draft Low-Threat UST Closure Policy have made seven outreach presentations to date. These meetings were held at Regional Board offices and were primarily informational in nature. Presenters discussed the makeup of the stakeholder group, provided insight into the thought processes that led to the development of specific sections of the policy, and reviewed the main points of each section. Presentations generally lasted about one hour followed by one-half hour of question/answer and discussions. Audiences provided many good suggestions for improving the clarity of the document. Stakeholders anticipate incorporating some of the revisions suggested at the outreach meetings. The Policy is expected to be considered by the State Water Board in Spring 2012.

*CEQA Scoping Meetings*

An environmental scoping document was prepared by staff and noticed for a public comment period that ended on November 8, 2011. Two public scoping meetings were held September 28 and 29 in Riverside and Oakland.

**Wetland and Riparian Area Protection Policy:** Staff is working on a draft EIR for the proposed Wetland Area Protection Policy (Policy) and Dredge and Fill Regulations (Regulations). This work includes finalizing the language for the draft Policy and Regulations, considering public comments received on the Initial Study/NOP DEIR (comment deadline closed May 20, 2011). The peer reviews requested by the State Water Board staff for the Technical Advisory Team's (TAT's) wetland definition were received in September for review and consideration by the Policy Drafting Team. The TAT wetland definition is proposed in the Policy for use by the California Water Boards in all programs. With U.S. EPA grant funding, preliminary work has begun on Phase 2. This work is focused on categorizing wetland beneficial uses.

**Statewide Conditional Waiver of Waste Discharge Requirements (Conditional Waiver) for certain Nonpoint Source Discharges from National Forest System (NFS) Lands in**

**California:** In August 2009, the State Water Board adopted Resolution 2009-0064 directing its staff to work with the U.S. Forest Service (USFS) and the Regional Water Boards to establish a single statewide regulatory mechanism in lieu of the several Regional Water Board waivers that partially regulate activities on the NFS lands. On November 30, 2009, the State Water Board and USFS staff conducted a public workshop to solicit comments and establish a multi-interest stakeholders' group which met several times. This process resulted in the development of the Statewide Conditional Waiver and the very substantial strengthening of the USFS Water Quality Management Handbook. The public review and comment period for the conditional waiver and the mitigated negative declaration (MND), which describes and evaluates potential environmental impacts associated with the Conditional Waiver, ended on August 24, 2010.

On September 20, 2011, the State Water Board held a public workshop to consider adoption of the Conditional Waiver and the MND. Many stakeholders presented oral comments at the workshop. Based on the written and oral comments, State Water Board staff proposed revisions to the draft Conditional Waiver. The State Water Board will consider adoption of the Conditional Waiver at the December 6, 2011 Board meeting.

**Constituents of Emerging Concern (CECs):** The State Water Board has contracted with the Southern California Coastal Water Research Project (SCCWRP) to conduct two projects regarding CECs; (1) a scientific advisory panel for CECs in freshwater, coastal, and marine ecosystems; and (2) development of bioanalytical screening tools for CECs in recycled water.

A scientific advisory panel was initially convened in accordance with the Recycled Water Policy to provide recommendations for monitoring requirements for CECs in recycled water used for groundwater recharge reuse and landscape irrigation. In partnership with the David and Lucile Packard Foundation and SCCWRP, a second panel was convened to provide recommendations on how best to limit the impact of CECs on coastal and marine ecosystems. The State Water Board advanced the effort by providing funding for the panel to provide guidance on appropriate monitoring and management strategies for CECs in freshwater ecosystems. The panel conducted their fourth meeting on October 12-13, 2011. A final report is scheduled for release in March 2012.

On November 10-11, 2011, the initial meeting for the bioanalytical screening tools project was held at SCCWRP's office in Costa Mesa. The goal of the project is to develop a CEC monitoring framework using a series of bioanalytical screening methods that can be integrated into existing recycled water monitoring programs. Bioanalytical screening tools may provide a more comprehensive monitoring approach that would account for chemicals that have no approved analytical method or toxicity data. The screening tools will focus on biological activity, such as genetic, immunological, and hormonal changes. The meeting provided the opportunity for the project research team and project advisory committee to share information and leverage resources with researchers for a parallel project being sponsored by the WaterReuse Research Foundation (WRRF). The two research groups agreed to collaborate to minimize redundancy in the research efforts and to provide in-kind services. A final report is scheduled for release in 2013.

The State Water Board held a public hearing on December 15, 2010, on the Scientific Advisory Panel report on monitoring strategies for CECs in recycled water and extended the written comment deadline to noon on January 10, 2011. Staff is reviewing the written and oral comments received, coordinating with the California Department of Public Health, and preparing a draft amendment to the Recycled Water Policy specifying requirements for monitoring CECs in recycled water. The draft amendment is currently under management review; and staff is preparing a request for peer review of the draft amendment.

**Statewide Policies/Significant General Permits:** Appendix 1 provides the current status of pending Statewide Policies and Significant General Permits.

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

## DIVISION OF WATER RIGHTS

**Interagency Instream Flow Coordination Meeting:** On October 19, 2011, Division of Water Rights (Division) staff hosted the second Instream Flow Coordination meeting with representatives from state and federal agencies. Division staff met with staff from the Department of Fish and Game (DFG), United States Fish and Wildlife Service, and State Coastal Conservancy (SCC). DFG presented an overview of various instream flow methodologies, and each agency provided updates on the instream efforts underway by their respective agency. The next Instream Flow Coordination meeting is scheduled for January 2012.

**Merced Irrigation District Meets with State Water Board Management:** On October 21, 2011, the State Water Board's Executive Director, Chief Deputy Director, and staff and management from the Division of Rights met with management from Merced Irrigation District (Merced ID) to discuss the concept of developing mutually agreed upon stream flows for the Merced River. Merced ID's Merced River Hydroelectric Project (Project) is currently undergoing relicensing with the Federal Energy Regulatory Commission (FERC). As part of the FERC relicensing process, the State Water Board must issue water quality certification for Merced ID's Project. Another topic covered at the meeting was the status of studies required under Investigation Order WR 2011-003-EXEC, issued by the State Water Board to Merced ID in January 2011.

### **California Hydropower Reform Coalition Meets with Division of Water Rights**

**Management and Staff:** On October 5, 2011, Division of Water Rights management and staff met with representatives of the California Hydropower Reform Coalition (CHRC) to discuss progress and plans for several hydropower projects currently in the relicensing process with the Federal Energy Regulatory Commission (FERC). As part of the FERC licensing process, the State Water Board is authorized to issue a water quality certification under section 401(a)(1) of the Federal Clean Water Act. The conditions outlined in the water quality certification protect the quality and beneficial use of waters of the state, usually specifying how, when, and how much flow must be made available by a given hydropower facility for fish, wildlife, riparian or recreational beneficial use protection. The CHRC provided recommendations for improving coordination between the State Water Board and FERC, to streamline the issuance of FERC licenses and their associated water quality certifications.

### **Federal Energy Regulatory Commission (FERC) Meets with State Water Board**

**Management and Staff:** On November 15, 2011, Division of Water Rights (DWR) and Executive staff met with a FERC representative to follow up on the July 21, 2011, meeting and ongoing discussions regarding the development of a memorandum of understanding (MOU) to enhance coordination between the two agencies. State Water Board and FERC staffs reviewed the flow chart outlining FERC's Integrated Licensing Process (ILP), to identify opportunities where the two agencies could better coordinate their activities to better align the timing of issuance of the State Water Board's water quality certification and FERC's license. Opportunities for better coordination were identified in the pre-application process and FERC and State Water Board staffs will continue to work together to explore and advance these opportunities. The State Water Board is responsible for issuing water quality certification for FERC hydropower projects on federal land, under Section 401 of the Clean Water Act. The water quality certification becomes part of the federal license under which the hydropower project operates. Additional information on the water quality certification program for California's FERC hydropower projects, which is implemented by the State Water Board's DWR, can be found online at:

[http://www.waterboards.ca.gov/waterrights/water\\_issues/programs/water\\_quality\\_cert/](http://www.waterboards.ca.gov/waterrights/water_issues/programs/water_quality_cert/)

## OFFICE OF ENFORCEMENT

**MMP Backlog Enforcement Initiative Update:** In the last update on the MMP Backlog Enforcement Initiative, we reported there were still 39 facilities with violations that occurred prior to December 31, 2007 and for which a formal enforcement action had not been either initiated or completed. As of August 31, 2011, our information indicates that enforcement actions have been completed with another eight facilities confirming 375 violations and resulting in the assessment of \$1,125,000 in liabilities. Two of the facilities have petitioned the regional board's determination of their respective liabilities to the State Water Board.

**Tracking Unpaid ACL Liabilities:** The Office of Enforcement has asked the regional enforcement staff to determine the amount of outstanding liabilities associated with administrative liability actions completed in the past three years (note that some Regions reported outstanding liabilities for the past four years). The table below shows the uncollected amounts as of November, 2011:

Region	Order No.	Party	Total Due	Collection Status
1	R1-2009-0009	Evergreen Pulp, Inc.	\$463,000	Judgment to collect liability obtained by AG's Office. AG authorized use of outside counsel to collect unpaid ACL.
1	R1-2009-0032	Evergreen Pulp, Inc.	\$453,000	Judgment to collect liability obtained by AG's Office. AG authorized use of outside counsel to collect unpaid ACL.
<b>Region 1 Total = \$916,000</b>				
2	R2-2008-0084	Leon Heights Sulfur Mine	\$200,000	
2	R2-2008-0088	Storybook Mountain Winery	\$10,000	
2	R2-2010-0003	Art Cleaners	\$25,646	
<b>Region 2 Total = \$335,646</b>				
3	R3-2007-0089	Paul Trucking Co & Destiny Transportation Inc.	\$20,000	Judgment to collect liability. Case referred to AG's office for collection.
<b>Region 3 Total = \$20,000</b>				
4	R4-2008-056-M	750 Garland LLC	\$252,000	Directive to pay sent to discharger.
4	R4-2008-0120-M	Mammoth Apartments LLC	\$255,000	Directive to pay sent to discharger.
4	R4-2007-0036	All West Iron, Inc.	\$40,850	Judgment to collect liability. Case referred to AG's office for collection.
<b>Region 4 Total = \$547,850</b>				
5	R5-2008-0135	Robert A. French (Circle A Gas Station)	\$250,000	Judgment to collect liability. Lien placed on property.
<b>Region 5 Total = \$250,000</b>				

6	R6T-2009-0054	Mohammad Ahmad; Thomas E. Erickson Trust (Tahoe Tom's Gas Station)	\$412,900	Judgment to collect liability obtained by AG's Office.
6	R6T-2009-0046	Sarbjit S. Kang; Kang Property Inc. (Swiss Mart Gasoline Station)	\$222,000	
6	R6-2010-0016	Department of Fish & Game (Hot Creek Hatchery)	\$225,000	
<b>Region 6 Total = \$859,900</b>				
7				
<b>Region 7 Total = \$0</b>				
8	R8-2008-0032	Orzoco International	\$4,000	
8	R8-2008-0039	L&H Mold & Engineering	\$3,750 (original amount due was \$5,000, one payment has been made)	
8	R8-2008-074	Carson Hall	\$20,000	
8	R8-2008-0031	Fire Resources	\$8,360	
8	R8-2007-0051	Muench Enterprises, Inc. dba Die Cast Manufacturing	\$4,000	
8	R8-2010-0056	Star Ranch Management	\$233,000	
<b>Region 8 Total = \$273,380</b>				
9	R9-2011-0031	Healthy Times, Inc.	\$9,492 (Includes \$ 13399.33 mandatory liability)	None yet. Staff will obtain judgment to collect liability.
9	R9-2011-0015	Lite Stone Concrete	\$3,766 (Includes \$ 13399.33 mandatory liability)	None yet. Staff will obtain judgment to collect liability.
9	R9-2011-0014	Jesus E. Sandoval	\$4,916 (Includes \$ 13399.33 mandatory liability)	None yet. Staff will obtain judgment to collect liability.
9	R9-2009-0084	Dickersons, Gunnings, Perry & Paupenhause	\$45,900	Regional staff obtained judgment to collect liability. Lien has been placed on property and case referred to collections.
9	R9-2007-0107	Dakota Ranch Development Co.	\$312,600	Judgment to collect liability.
9	R9-2007-0089	Terra Vac	\$12,000 *All MMPs	Judgment to collect liability.
<b>Region 9 Total = \$388,674</b>				
<b>All Regions = \$3,591,450</b>				

This information will be raised at the next Management Coordinating Committee to determine what priority should be given to recovering these past due amounts.

**People ex. rel State Water Board v. Tesoro - \$325,000 Settlement:**

On October 31, 2011, the Attorney General, on behalf of the State Water Board, filed a Consent Judgment in Ventura County Superior Court to resolve underground storage tank (UST) violations at twelve UST facilities owned and/or operated by Tesoro occurring since May 1, 2007.

The violations include failure to maintain line leak detectors, failure to monitor piping, failure to maintain adequate overfill prevention, and failure to comply with requirements to complete and maintain paperwork related to USTs. The violations began during the period of time the USTs were owned by USA Petroleum and Tesoro has corrected the violations and is currently in compliance.

Under the terms of the Consent Judgment, Tesoro will pay \$239,000 in civil penalties to the Cleanup and Abatement Account, and will pay \$86,000 as reimbursement of investigative and enforcement costs. In addition, the Consent Judgment requires that Tesoro maintain compliance with UST leak prevention requirements.

**Administrative Civil Liability (ACL) Actions during September and October 2011:**

a. ACL Complaints Issued

Region	Discharger/Facility	Violation(s) Addressed	ACL Complaint Amount	Date Issued
<b>SEPTEMBER</b>				
5R	City of Alturas / Municipal WWTP	Effluent limit violations	\$156,000 (MMP)	9/9/2011
5R	City of Portola / WWTP	Effluent limit violation	\$3,000 (MMP)	9/19/2011
5S	City of Angels / WWTF	8 spills of tertiary effluent (7,000 gallons to land; 3,537,600 gallons to surface water; Sep-2008 to Jun-2011)	\$125,000	9/6/2011
5S	Napa Berryessa Resort Improvement District / WWTF	6 spills of secondary effluent to surface water (10,531,729 gallons Jan-2010 to Apr-2011)	\$330,000	9/6/2011
OE (4)	Whittaker Corporation / Former Whittaker-Bermite Facility	Effluent limit violations (amendment of ACLC issued 7/25/2011)	\$63,000 (MMP)	9/9/2011
<b>OCTOBER</b>				
<i>No ACL complaints were issued in October 2011.</i>				

b. ACL Orders Issued

Region	Discharger/Facility	Violation(s) Addressed	ACL Order Amount	Date Issued
<b>SEPTEMBER</b>				
2	Vulcan Materials Company / Pleasanton Asphalt, Sand, & Gravel	Effluent limit violations	\$9,000 (MMP)	9/7/2011
2	C&H Sugar Company, Inc. / C&H Sugar Refinery	Unauthorized discharge of 170,000 to 228,000 gallons process wastewater to surface water	\$379,200	9/8/2011
4	Chevron U.S.A. Inc.- Van Nuys Terminal / 15359 Oxnard Street	Effluent limit violations	\$6,000 (MMP)	9/7/2011
4	D.R. Horton Los Angeles Holding Company Inc. / Oly Mandalay Bay Seabridge	Effluent limitation and late report violations	\$360,000 (MMP)	9/8/2011
4	620 Gramercy Place Home Owners Association / 620 South Gramercy Place	Effluent limit violations	\$24,000 (MMP)	9/12/2011
4	Beverly Atrium, LLC / 350 South Beverly Drive	Late report violations	\$15,000 (MMP)	9/12/2011
4	Ventura County Waterworks District No. 19 / Well No. 4 Pump Filtration Treatment Facility	Effluent limit violation	\$3,000 (MMP)	9/12/2011
4	City of Santa Paula / Santa Paula WWRF	Consent judgment interim effluent limit violations with stipulated penalties	\$80,000	9/22/2011
4	Covina Irrigating Company / William B Temple Water Treatment Plant #1	Effluent limit violations	\$6,000 (MMP)	9/30/2011
4	El Segundo Power LLC / El Segundo Generating Station	Effluent limit violations	\$3,000 (MMP)	9/30/2011
5S	Shasta CSA No. 17 / Cottonwood WWTP	Effluent limit violations	\$54,000 (MMP)	9/29/2011
9	Roripaugh Valley Restoration, LLC / Roripaugh Ranch Residential Development Project	Unpaid balance of 2007 ACL (2009 Superior Court judgment); 401 certification violations and construction stormwater permit violations	\$418,150	9/14/2011
9	Santa Margarita Water District/ Plano Lift Station	2,293,000 gallons of raw sewage discharged to surface waters in March 2010	\$890,000 (\$445,000 to SEP)	9/14/2011
<b>OCTOBER</b>				
2	South Bayside System Authority / Wastewater Treatment Plant	Effluent limit violation	\$3,000 (MMP)	10/11/2011
2	University of California, Berkeley / Helios Energy Research Facility	Effluent limit violation	\$3,000 (MMP)	10/11/2011

Region	Discharger/Facility	Violation(s) Addressed	ACL Order Amount	Date Issued
3	Bradley Land Company / Bradley Ranch	1,150 ft <sup>3</sup> unpermitted fill	\$60,000 (CAA: \$30,000; SEP: \$30,000)	10/7/2011
3	City of San Luis Obispo / Collection System	Four SSOs; 43,000 gallons to surface water	\$57,130 (CAA: \$34,565; SEP: \$22,565)	10/7/2011
4	Goodrich Corporation / Santa Fe Springs Facility	Effluent limit violation	\$3,000 (MMP)	10/6/2011
4	Golden State Water Company / Chadron Facility	Effluent limit violations	\$9,000 (MMPs)	10/6/2011
4	Cedars-Sinai Medical Center / North Care Tower Project	Effluent limit and late reporting violations	\$24,000 (MMPs)	10/6/2011
4	St. Vincent Medical Center / S. Mark Taper Foundation Transplant Center	Effluent limit violations	\$24,000 (MMPs)	10/6/2011
4	Olegario and Maria Estela Sanchez / Groundwater Remediation Project	Effluent limit violations	\$18,000 (MMPs)	10/10/2011
4	Calleguas Municipal Water Dist./ Phase 1E Brine Line Project	Effluent limit violations	\$18,000 (MMPs)	10/24/2011
4	City of Santa Monica / Water Treatment Plant	Effluent limit violation	\$3,000 (MMP)	10/24/2011
4	Montrose Chemical Corporation of California / Former Montrose Facility	Effluent limit violations	\$6,000 (MMPs)	10/28/2011
4	The Metropolitan Water District of Southern California / Greg Avenue Hydroelectric Power Plant	Effluent limit violations	\$9,000 (MMPs)	10/28/2011
5	Placer County Dept. of Facility Services / Sewer Maintenance District Nos. 1 and 3 WWTPs	Effluent limit violations \$222,000 in MMPs for SMD 1 \$105,000 in MMPs for SMD 3	\$327,000 (CAA: \$148,500; SEP: \$178,500)	10/7/2011
5	David Albers / Vintage Dairy	Failure to submit the required plans and documentation	\$19,800	10/13/2011
5	Glenn & Marie Chaney Trust and Tom Chaney / Chris Chaney Dairy	Failure to submit plans and reports required by MRP	\$19,800	10/13/2011
5	Frank Pimentel / Fialho & Sons Dairy	Failure to submit plans and reports required by MRP	\$11,400	10/13/2011
5	Barry, Arnold, and Clara Van Leeuwen (A&C Van Leeuwen Family Trust) / JAB Dairy	Failure to submit plans and reports required by MRP	\$23,700	10/13/2011
5	James G. and Amelia M. Sweeney / Sweeney Dairy	Failure to submit plans and reports required by MRP	\$11,400	10/13/2011
9	Jack Eitzen / 38175 Via Vista Grande, Murrieta	Sediment discharge violating Basin Plan prohibitions and construction stormwater permit	\$381,450	10/12/2011
9	Jack Eitzen / 38155 Via Vista Grande, Murrieta	No SWPPP on-site; inadequate BMPs implementation (construction stormwater permit)	\$301,950	10/12/2011

Region	Discharger/Facility	Violation(s) Addressed	ACL Order Amount	Date Issued
O-E	Charles Grace (Operator)	Willfully/or negligently allowing violation of WDRs; failure to use good care and judgment in operating a WWTP	\$30,000	10/12/2011

## OFFICE OF INFORMATION MANAGEMENT AND ANALYSIS

**Surface Water Ambient Monitoring Program (SWAMP) 2010 Achievement Report:** The State Water Resources Control Board's Surface Water Ambient Monitoring Program (SWAMP) released an online version of the 2010 Achievements Report. The SWAMP 2010 Achievements Report is a collection of statewide and regional monitoring and assessment accomplishments in 2010 and goals for 2011.

The goal of the 2010 Achievements Report is to highlight products that the SWAMP developed in 2010, why it was important, and how the information will be used in other Water Board programs. The report compiles the SWAMP statewide and regional monitoring and assessment activities that produce information needed to make decisions regarding water quality resource management. The State Water Resources Control Board and the nine Regional Water Quality Control Boards programs routinely use SWAMP data for assessment reports, to make enforcement decisions, and to develop permits and water quality control programs.

The SWAMP also develops a variety of tools and resources to support consistent and comparable monitoring and assessment statewide. The tools and information provided by the SWAMP can be put to the greatest use when they are communicated to those that will use it. To do that the SWAMP coordinates monitoring efforts, collaborates with many organizations and agencies, and facilitates the use of data from many sources in statewide and regional assessments.

The 2011 Achievements Report can be viewed at:  
[http://www.waterboards.ca.gov/water\\_issues/programs/swamp/achievements/](http://www.waterboards.ca.gov/water_issues/programs/swamp/achievements/)

## OFFICE OF RESEARCH, PLANNING AND PERFORMANCE

**Resource Alignment Report:** As directed by the State Water Board, staff is preparing a report to assess and align the Water Board's fees, core program priorities, the work conducted and the outputs produced with our available resources. As an initial step, budget, accounting, and staffing data is being compiled and analyzed to describe the sources and uses of funds for the Water Boards major programs. State and Regional Board staff is now in the process of defining the activities that comprise four WDPF funded programs: NPDES, WDR, Stormwater, and Irrigated Lands. U.S. EPA Region IX has also provided data that will be used in combination with staff estimates to update/develop cost factors for key program activities. This information will be used to document and develop a method to systematically establish performance targets and better link program outputs to priorities. The initial phase 1 resource alignment report is due for completion by March 30, 2011.

## Water Board Academy –

The following table includes highlights of our recent and ongoing classes:

Recent classes	<p><b>8 Hour Hazwoper</b></p> <p>The Academy is working with Cynthia Paulo and all of the Water Board Health and safety officers to offer this required training in every the State and Regional Board office. The class provides Hazardous Waste Operations and Emergency Response annual refresher training.</p> <p>The State and Regional Board staff are required to enter remediation sites, and respond to emergency response activities, both of which are activities identified in the standard as requiring training. All staff who will be attending this training have been prescreened and are eligible to take the 8-hr refresher class. They meet all the requirements for class attendance under CCR Title 8 Section 5192, the Cal OSHA HAZWOPER regulation, and CFR 1910.120, the Fed OSHA HAZWOPER regulation, in the absence of specific state requirements.</p> <p>The State and Regional Board personnel are instructed to not enter into situations or areas requiring the use of respiratory protection. This is our agency's policy, and provides the needed administrative control to prevent exposure to respiratory hazards. Since this is an agency policy our staff does not participate in a medical surveillance program.</p>
	<p><b>California Aquatic Bioassessment Workgroup</b></p> <p>On November 9th and 10th the Academy hosted the 18th annual CABW which was attended by almost 200 individuals. Jim Harrington, from the California Department of Fish and Game, Office of Spill Prevention and Response, Aquatic Bioassessment Laboratory (ABL) organizes and moderates each event. Topics included: Updates on SWAMP Statewide Bioassessment Monitoring; Aquatic Invertebrate and Benthic Algae Sampling and Physical Habitat Data Collection; Algae Bioassessment Tools and Implementation; Aquatic Invertebrate Laboratory Procedures and Expectations; Bioassessment Data Entry and Output; and Ambient and Point-Source Bioassessment Data Interpretation.</p>
Current classes	<p><b>Water Quality Goals</b></p> <p>Jon Marshack is continuing his tour of the Regional Board offices to deliver this essential training. His class provides basic and essential training for both new and long-term staff on the topic of water quality standards – beneficial uses, water quality objectives, promulgated water quality criteria, water quality control plans and policies that affect allowable concentrations in water. It also familiarizes staff with the Water Quality Goals report, searchable online database of numeric water quality thresholds, assessment threshold selection algorithms, and how these tools may be used to assess whether beneficial uses of</p>

	<p>surface water or groundwater are likely to be impaired or threatened as part of our day-to-day water quality assessment and regulatory functions.</p> <p>The Water Quality Goals report, searchable database and additional supportive materials are available to course attendees and the public on the Internet at <a href="http://www.waterboards.ca.gov/water_issues/programs/water_quality_goals/">http://www.waterboards.ca.gov/water_issues/programs/water_quality_goals/</a>.</p> <p>The class sponsor and instructor is Jon Marshack, D. Env, Staff Environmental Scientist with the Office of Information Management &amp; Analysis at the State Water Resources Control Board.</p>
	<p><b>Public Speaking</b></p> <p>Judie Panneton from our Office of Public Affairs is once again offering this introductory class to help prepare students for the upcoming Advanced Public Speaking class which will be offered through the Academy starting in January 2012.</p> <p>This interactive workshop includes:</p> <ul style="list-style-type: none"> <li>• How to Fine Tune Your Message</li> <li>• How to Leave Your Audience with the Key Points You Want Them to “Get”</li> <li>• Tools to Help You Improve as a Public Speaker</li> <li>• Ways to Get Over Public Speaking Fears</li> <li>• Dealing with Difficult Questions</li> <li>• Gaining Confidence for the Next Time You Have an Opportunity to Speak and Inform</li> </ul>

## Appendix 1

# Statewide Policies/Significant General Permits

Division of Water Quality		
Status Code	Policy/Significant General Permit	Status
A*	Anti-Degradation Policy / Implementation Triennial Review	Scoping meeting held on 11/17/08. Reviewing the 30+ comment letters received. Preparing recommendation for the Board. Work delayed by petitions.
A-11	Aquatic Pesticide General Permit – Weed Control, Aquatic Application	Expect to release formal draft in February 2012.
A-12	Aquifer Storage and Recovery Policy	Region 5 has developed a statewide general order for ASR. The draft order has been circulated to the MCC for comment. Following the MCC comment period the draft order will be circulated for stakeholder comment. It is anticipated that the statewide general order will be brought before the State Water Board for consideration in May 2012.
A-11	Areas of Special Biological Significance (ASBS): Special Protections	Public Notice released on January 20, 2011. Public Hearing rescheduled for May 18, 2011. Written comment period closed on May 20, 2011. Staff presented the Special Protections for consideration of adoption by the Board on October 18, 2011. The Board at that time deferred making a decision and requested that staff bring it back in January of 2012.
A-11	Bacterial Objectives for Inland Surface Waters	Staff preparing draft policy and staff report Public hearing targeted for 2012. Due to communication from U.S. EPA on revisions to the recommended bacterial criteria documents, which will be finalized in October 2012, staff will prepare a white paper with options on going forward now or delaying the project until the new Recommended Water Quality Criteria documents are finalized.

Division of Water Quality		
Status Code	Policy/Significant General Permit	Status
A	Biological Objectives Development	<p>We are continuing to conduct the technical work to support the policy development. Our technical team just completed the draft report on establishing reference condition statewide and are beginning work to evaluate alternative scoring tools for statewide application. At the same time, we are exploring initial policy alternatives with our advisory groups.</p> <p>At the end of September and early October we held meetings of the Regulatory, Stakeholder, and Scientific Advisory Groups. We presented the draft final report on establishing reference condition statewide, the results from the pilot study evaluating the implications of each of the alternatives we are considering, and a framework for how biological monitoring and endpoints could be applied in the Water Board's regulatory programs.</p> <p>The questions from the stakeholders includes:</p> <ul style="list-style-type: none"> <li>- Will the Water Board's use biological assessment to identify impairments in a weight of evidence approach or will we apply chemical and toxicity water quality objectives independently?</li> <li>- What guidance and implementation will be available for stakeholders to determine what the relative importance of potential stressors are when biological condition is poor?</li> <li>- Will all water bodies be expected to achieve reference condition despite significant stream and habitat modification?</li> </ul> <p>We are discussing options for addressing each of these issues with our stakeholder and scientific advisory groups.]</p>
A-12	Cadmium Objective and Implementation Policy	Final internal review of draft policy and staff report prior to upcoming release for public comment. Due to loss of key staff this project is currently on hold.

Division of Water Quality		
Status Code	Policy/Significant General Permit	Status
A-11	Constituents of Emerging Concern (CEC) Monitoring – Recycled Water Policy	Staff report released November 18, 2010. Public Hearing held on December 15, 2010. Comment deadline extended until 12:00 noon on January 10, 2011. Reviewing comments and coordinating with CDPH to revise staff recommendations. DWQ reviewing first draft of revised Recycled Water Policy.
A-11	Chlorine Residual Objectives and Implementation Policy	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.
A	Composting Facilities Statewide Waiver	Informal staff workshops August 31 in Chino and September 1 at Cal/EPA outlining concepts developed with Water Boards' internal working group. Using concepts of Water Quality Protection Areas and Water Quality Protection Measures. Continuing to meet with CalRecycle and Regional Boards on preparing draft statewide waiver. Expect State Water Board to consider adoption of statewide order and approval of CEQA documents June 2012.
P	Grazing	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 R6 with active participants from R1, R2, R3, R5 and DWQ. The work team has completed the workplan and schedule for this Project and presented both items to MCC for its consideration in November; MCC accepted the workplan and schedule. The work team continues to collaborate on the tasks of 1) defining the problem (Problem Statement); 2) determining the scope of the Project, and 3) summarizing Water Board actions to date to correct or prevent the grazing impacts in order to determine potential final products from the Project. The work team plans on completing drafts of these three tasks by the end of December 2011.
A	Listing Policy Update (Sediment Quality Objectives and Procedural Changes)	CEQA Scoping Meeting held on March 29, 2010. Comment period closed April 12, 2010. Developing new schedule due to loss of key staff. Staff anticipates this will be delayed until 2013.
A	Marina Permit	Permit is postponed while working with other agencies and Marina and Boating groups to develop interim approaches.
P	Mercury Offset Policy	Partial economic analysis received from contractor (SAIC). No further contract funding available to complete economic analysis.

Division of Water Quality		
Status Code	Policy/Significant General Permit	Status
A-12	Methylmercury Objectives	Staff are working on draft staff report and coordinating with efforts to develop statewide mercury TMDL. Updating economic analysis. Board Workshop targeted for summer 2012.
A	Nutrient Numeric Endpoints Tools	CEQA Scoping meeting held October 27, 2012. Working with technical advisory groups to produce an implementation strategy document. U.S. EPA contracting to have Nutrient Numeric Endpoint protocol updated with results of case studies and lessons learned. Technical aspects to be peer reviewed fall 2012.
A-11*	Ocean Plan Amendment: model monitoring provisions, vessel discharges and non-substantive changes.	Staff drafting Substitute Environmental Documentation. Public Hearing was conducted on November 1, 2011
A	Ocean Plan Amendment: desal/brine provisions	Stakeholder workshop held on April 18, 2011. Workshop also addressed disposal of brackish water. A Science Advisory Panel meeting has been scheduled for December 8, 2011. The Science Advisory Panel will meet in closed session on December 9, 2011.
P	Ocean Plan Amendment: vessel provisions	Pending completion of other Ocean Plan Amendments. Public Hearing was conducted on November 1, 2011.
A	Off-Highway Vehicle (OHV) WDRs/Waiver	Developing concepts for WDRs/waiver for OHVs at State Parks.

Division of Water Quality		
Status Code	Policy/Significant General Permit	Status
A-12*	Onsite Waste Water Treatment Regulations/Waiver	<p>State Water Board released the public draft Policy for Siting, Design, Operation and Management of Onsite Wastewater Treatment Systems (OWTS)—Septic Systems and the associated Supplemental Environmental Document on Friday, September 30, 2011 for a 45 day comment period. Staff conducted four workshops during the comment period to answer questions and take comments from the public. Dates and locations of the workshops are listed below.</p> <p>Monday, October 24, 2011-----San Luis Obispo  Friday, October 28, 2011-----Redding  Wednesday, November 2, 2011—Santa Rosa  Monday, November 7, 2011-----Riverside</p> <p>The public comment period closed on November 14, 2011. The OWTS Team in revising the draft Policy in response to the comments received.</p> <p>The Policy Documents and specific information about the workshops can be found at:</p> <p><a href="http://www.waterboards.ca.gov/water_issues/programs/owts/index.shtml">http://www.waterboards.ca.gov/water_issues/programs/owts/index.shtml</a>.</p>
A	Rapid Diagnostic Tests for Bacterial Indicators in Coastal Waters	Results and lessons learned transmitted to U.S. EPA for consideration in national standards setting work for a new Rapid Method. Task Force preparing final results report. Task Force working with City of Los Angeles as next possible pilot testing location.
A-11	Sanitary Sewer System (SSS) WDR Update	Information Item presented to Board on September 21, 2010. Draft revised SSS WDR was released on March 24, 2011. Public Hearing to be scheduled at a later date. The comment period closed on Friday, May 13, 2011. Staff are reviewing the comments received. A Board Workshop is planned for January 2012.
P	Sediment Quality Objectives (SQOs) for Enclosed Bays and Estuaries: Phase III	Pending completion of Phase II and availability of funding

Division of Water Quality		
Status Code	Policy/Significant General Permit	Status
A-11*	Storm Water CalTrans Permit	Released on January 7, 2011. Reviewing comments, which were due on March 14, 2011. Public hearing scheduled for July 19, 2011. Revised draft circulated for public comment on August 19, 2011. Board workshop was conducted for September 21, 2011. Staff is meeting with executive management and Caltrans to discuss the permit.
A-11*	Storm Water Industrial General Permit	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. Reviewing comments, which were due on Friday, April 29, 2011. Staff is revising the permit in response to the comments received. Staff is meeting with executive management and stakeholders to discuss the permit.
A-12*	Storm Water MS4 Phase II Permit	Revising to incorporate similar provisions to Construction General Permit and to incorporate TMDLs. Administrative draft released on February 22, 2011, with comments due on March 18, 2011. Released on June 7, 2011. Comment deadline extended from August 8, 2011 to September 8, 2011. A workshop on the draft permit was conducted on August 17, 2011. Staff is now evaluating the comments received. Staff is meeting with executive management and stakeholders to discuss the permit.
P	Suction Dredge General Permit	On hold, and working instead with Department of Fish and Game (DFG) to coordinate with their suction dredge regulation and permit revision. On February 28, 2011, DFG released the SEIR/draft regulation and permit revision package for public comment. State Water Board staff has now received scientific peer reviewers' comments on the water quality portions of the SEIR. State and Regional Water Board staff comments, along with the scientific peer reviews, were submitted to DFG by the comment deadline.
A-11*	Timber Activities on National Forest System Lands	A proposed Statewide Waiver and Initial Study/Mitigated Negative Declaration for USFS has been finalized and posted, and will be considered of adoption at the 12/06/11 Board meeting.
P	Timber Activities on Non-federal Lands	Work with California Board of Forestry, Department of Forestry and Fire Protection, and Regional Water Boards. Work delayed pending the outcome of a petition.

Division of Water Quality		
Status Code	Policy/Significant General Permit	Status
A-11*	Toxicity Control Provisions for the SIP	Staff held a staff-level workshop on August 22, 2011. Staff is now working on revisions to the policy and staff report. U.S. EPA headquarters has declined a request to release the peer review response to comments. As a result, in an abundance of caution State Board staff is initiating independent peer review of the policy. Due to the time for peer review staff anticipate the public hearing in April 2012.
A-11*	Trash Policy	CEQA Scoping Meetings held on October 7, 2010 in Rancho Cordova and October 14, 2010 in Chino. Staff is putting together a stakeholder advisory group to assist in development of the Policy. A Public Advisory Group (PAG) has been appointed to provide input to Water Board staff on the development of this policy. The PAG has met on July 26, 2011, August 30, 2011, and October 12 and 13, 2011.
A-11	UST Low-Threat Case Closure Policy	Staff has convened a small work group to develop recommendations regarding low-threat UST sites. Targeting Board consideration for April 2012.
A-11	Wetlands and Riparian Areas (Dredge and Fill) Policy – Phase I	The scientific peer reviews for the wetland definition were received in September 2011. EIR contract support was finalized in August 2011 and work has begun. Initial Study released for public comment on January 5, 2011. CEQA Scoping Meetings held on January 31, 2011 and February 8, 2011. Comment deadline closed on May 20, 2011. Phase I regulations are undergoing internal review.
P	Wetlands and Riparian Areas Policy – Phase II	Pending completion of Phase I.
P	Wetlands and Riparian Areas Policy – Phase III	Pending completion of Phase II.

**Note: \* indicates Board Priority**

**Status Code Key:**

White = Active effort (A)

Green = Targeted for completion in 2011 (A-11)

Orange = Targeted for completion in 2012 (A-12)

Blue = Completed (C)

Grey = Suspended or No statewide effort at this time or Pending (P)

## Policies/General Permits Completed in 2011

C	Aquatic Pesticide General Permit – Aquatic Animal Invasive Species	Adopted by State Water Board on March 1, 2011.
C	Aquatic Pesticide General Permit – Vector Control, (Adulticide/Larvicide)	Adopted by State Water Board on March 1, 2011.
C	Ocean Plan Triennial Review	Adopted by State Water Board on March 15, 2011.
C	Sediment Quality Objectives (SQOs) for Enclosed Bays and Estuaries: Phase II	Adopted by State Water Board on April 6, 2011. Approved by the Office of Administrative Law on June 13, 2011. Staff will submit to U.S. EPA.
C	Spray Applications Permit (CDFA and USFS Eradication Programs)	Adopted by State Water Board on March 1, 2011.
C	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.

## Policies/General Permits Completed in 2010

C	Integrated Report Adoption (2010)	Board approved 303(d) list on August 4, 2010. Transmitted to USEPA on October 13, 2010, and awaiting their approval.
C	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.
C*	Once-Through Cooling (316b) Policy	Approved by Office of Administrative Law (OAL) on September 27, 2010. Effective date October 1, 2010.
C*	Once-Through Cooling (316b) Policy Limited Revisions	Adoption Hearing held on December 14, 2010. No changes made to Policy.
C	South Bay Power Plant	Notice of Cancellation of Public Hearing issued on November 2, 2010 due to permit application withdrawal.
C	Storm Water Construction General Permit Limited Revisions	Adopted on November 16, 2010.
C	UST Regulatory Program Task Force	Final task force recommendations submitted to the Board in January 2010. DWQ staff updated the Board at the May 18 Board meeting in conjunction with DFA staff report on the UST Cleanup Fund.
C	Once-Through Cooling (316b) Policy Amendment	Completed/adopted on July 19, 2011.

Division of Water Rights		
Status Code	Policy/Significant General Permit	Status
(A)	Draft WQCP update for San Joaquin River flows and southern Delta salinity objectives	Draft SED science chapter was released October 29, 2010. Workshop held on SED science chapter January 6 and 7, 2011. Additional scoping meeting held June 6, 2011. Draft plan amendment to be brought to the Board for a spring 2012 hearing.
(A)	Russian River Frost Protection Regulation	On September 21, 2011, the State Water Board held a hearing during its Board Meeting to hear comments on the proposed adoption of the Russian River Frost Protection Regulation and the Draft Environmental Impact Report prepared in support of that proposed regulation. After hearing comments and staff recommendations, the Board unanimously voted to adopted the proposed regulation with a minor edit and certify the draft EIR. The Board Resolution adopting the proposed regulation and certifying the draft EIR, also directs the Executive Director to prepared a Final Statement of Reason with required responses to comments and submit the entire rulemaking documents to the Office of Administrative Law (OAL) for approval. Staff will be preparing Final Rulemaking Documents and Administrative Records to be submitted to OAL by November 29, 2011. OAL will file regulation with Secretary of State no later than December 29, 2011. Regulation becomes effective no later than January 31, 2012.
(C)	Delta outflow recommendations (SBX7 1)	The Board adopted the final report on August 3, 2010, and provided it to the Delta Stewardship Council on August 25, 2010.
(C)	Instream Flow Policy (AB 2121)	The Board adopted the Policy on May 4, 2010. The Division delivered the administrative record to OAL on August 11, 2010. OAL approved the administrative record in September 2010. The Division filed a Notice of Decision with the Secretary for Resources on September 28, 2010. The policy is now effective.

Status Code Key:

White = Active effort (A)

Yellow = Targeted for completion in 2010 (A-10)

Blue = Completed (C)

Grey = Suspended or No statewide effort at this time or Pending (P)

Division of Financial Assistance		
Status Code	Policy/Significant General Permit	Status
A	Clean Water State Revolving Fund Regulations	Suspended. Currently no plans to complete the regulations package.
C	Orphan Site Cleanup Fund (OSCF) Proposed Rulemaking Package	Office of Administrative Law approved the OSCF regulations on September 15, 2009.
A	Wastewater Treatment Plant Classification, Operator Certification, and Contract Operator Registration Regulations	Regulations are drafted to include fiscal considerations and provisional operator. Anticipate being released for public review in Winter 2011.

**Status Code Key:**

Targeted for completion in 2010

Completed Items

Suspended / No statewide effort at this time

## APPENDIX 2

### IRRIGATED LANDS REGULATORY PROGRAM (ILRP) OCTOBER 2011

This month's ILRP report covers the October 2011 period and will provide an update on the activities of the North Coast, San Francisco, Central Coast, Los Angeles, Colorado River Basin, Sana Ana, and San Diego Regional Water Quality Control Board ILRPs.

Future monthly reports will alternate between the status of the ILRP from the Central Valley Water Board for one month, and the status of other Regional Water Boards for the alternate month. Current and past ILRP monthly reports can be found on the State Water Board ILRP website:

[http://www.waterboards.ca.gov/water\\_issues/programs/agriculture/](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	<a href="mailto:jgonzales@waterboards.ca.gov">jgonzales@waterboards.ca.gov</a>
Gita Kapahi	(916) 341-5501	<a href="mailto:gkapahi@waterboards.ca.gov">gkapahi@waterboards.ca.gov</a>

ILRP contact information for each Regional Water Board is found at the end of each report below.

### NORTH COAST REGION AGRICULTURAL REGULATORY PROGRAM

**Water Quality Compliance Program for Discharges from Irrigated Lands:** Staff of the North Coast Regional Water Quality Control Board is developing a water quality compliance program to address discharges from irrigated lands. The program is intended to satisfy the requirements of the State Nonpoint Source Policy and implement TMDLs in the North Coast Region.

Regional Water Board staff has contracted with the Center for Collaborative Policy (CCP) out of Sacramento State University to assist with stakeholder involvement. Staff and CCP are in the process of contacting stakeholders regarding program development and gathering information concerning agriculture in the North Coast Region. Staff has been talking to stakeholders one on one, has sent out informational emails, and has distributed two surveys to solicit feedback on the process. There has been a very good response to the surveys and Regional Water Board staff is now in the process of putting together stakeholder advisory groups. The preliminary approach is to form four subregional groups to address local issues, and also have them periodically come together as a region wide group to share ideas and finalize recommendations. The first meeting of the region wide group is planned for the second week of December 2011 and the subregional group meetings will follow into 2012.

For additional information on the North Coast Water Board's water quality compliance program for discharges from irrigated lands please see the following website or contact Ben Zabinsky at [BZabinsky@waterboards.ca.gov](mailto:BZabinsky@waterboards.ca.gov) or (707) 576-6750:  
[http://www.waterboards.ca.gov/northcoast/water\\_issues/programs/irrigated\\_land/](http://www.waterboards.ca.gov/northcoast/water_issues/programs/irrigated_land/)

**SAN FRANCISCO BAY REGION**  
**CONDITIONAL WAIVER OF WASTE DISCHARGE REQUIREMENTS FOR**  
**VINEYARDS IN THE NAPA RIVER AND SONOMA CREEK WATERSHEDS**  
**(VINEYARD WAIVER)**

**Overview:** The San Francisco Bay Regional Water Board administers the Tomales Bay grazing waiver program and is developing a vineyard waiver program for vineyards in the Napa River/Sonoma Creek Watershed.

**CONDITIONAL WAIVER OF WASTE DISCHARGE REQUIREMENTS FOR GRAZING OPERATIONS IN THE NAPA RIVER AND SONOMA CREEK WATERSHEDS**

The Napa River/Sonoma Creek Grazing Waiver was adopted by the San Francisco Water Board on September 14, 2011. Information on this Waiver was posted on the last Bi-Monthly Report.

The draft Napa/Sonoma Grazing waiver and supporting CEQA documentation may be found at:

[http://www.waterboards.ca.gov/sanfranciscobay/water\\_issues/programs/TMDLs/grazing/index.shtml](http://www.waterboards.ca.gov/sanfranciscobay/water_issues/programs/TMDLs/grazing/index.shtml)

**CONDITIONAL WAIVER OF WASTE DISCHARGE REQUIREMENTS FOR GRAZING OPERATIONS IN THE TOMALES BAY WATERSHED (TOMALES BAY GRAZING WAIVER)**

San Francisco Water Board staff provided a report to its Board on the status of the Tomales Bay Grazing Waiver Program at its June Board hearing. The report discusses the Grazing Waiver's background and requirements, outreach efforts and funding, enrollee compliance, ongoing watershed efforts, and lessons learned.

The report also describes the efforts of the Tomales Bay Watershed Grazing Land Partnership (Partnership) in assisting the agricultural community in complying with the requirements of the Grazing Wavier.

Staff believes that the success of the Grazing Waiver Program is rooted in the local relationships established with the Partnership, the substantial amount of technical assistance provided to ranchers by Water Board staff and the Partnership, and the success of partners in obtaining grant funding.

It should also be noted that the Staff Report includes references to two recent publications that provide independent evaluations regarding the effectiveness of the Tomales Bay Grazing Waiver Program.

The Staff Report and referenced publications may be found at:

[http://www.waterboards.ca.gov/sanfranciscobay/water\\_issues/programs/TMDLs/grazing/index.shtml](http://www.waterboards.ca.gov/sanfranciscobay/water_issues/programs/TMDLs/grazing/index.shtml)

## **CONDITIONAL WAIVER OF WASTE DISCHARGE REQUIREMENTS FOR VINEYARDS IN THE NAPA RIVER AND SONOMA CREEK WATERSHEDS (VINEYARD WAIVER)**

San Francisco Water Board staff is developing a Vineyard Waiver to require that effective management practices be implemented to control human-caused discharges of pollutants from vineyard facilities. Potential pollutants from vineyard facilities include sediment, erosive forces (that cause excessive erosion and sedimentation), heat (human-caused effects on channel or riparian conditions that may cause increases to stream temperature), nutrients, pesticides, and pathogens. The Vineyard Waiver would cover existing vineyards, vineyard undergoing replanting programs, as well as new vineyard development. Preliminary estimates indicate the Vineyard Waiver will affect at least 42,000 acres of planted vineyards.

On June 10, staff held the first stakeholder meeting at the Napa County Flood and Conservation District conference room. The goals of the meeting were to:

- ❖ Exchange information
- ❖ Make improvements and refinements to the draft Vineyard Waiver
- ❖ Discuss and encourage third-party and technical assistance programs
- ❖ Discuss ways to streamline the process and avoid conflicts with local requirements or necessary growing practices
- ❖ Improve implementation of (and compliance with) the Vineyard Waiver

Stakeholders representing growers, local government, environmental groups, and other interests attended. The meeting was very productive and several key issues were discussed, including:

- ❖ Benefits to the grower of enrolling in the Vineyard Waiver program
- ❖ Definition of several terms including sensitive species, streams, and heat as a pollutant
- ❖ Reporting requirements
- ❖ Monitoring (i.e. how will people know that the program is improving stream conditions)

Staff is considering the comments received, and anticipates scheduling a second stakeholder meeting later this summer.

Additional information about the Vineyard Waiver may be found at:

[http://www.waterboards.ca.gov/sanfranciscobay/water\\_issues/programs/TMDLs/vineyard/](http://www.waterboards.ca.gov/sanfranciscobay/water_issues/programs/TMDLs/vineyard/)

For additional information on the agricultural regulatory programs described above, please contact Carmen Fewless at [cfewless@waterboards.ca.gov](mailto:cfewless@waterboards.ca.gov) or (510) 622-2316.

## CENTRAL COAST REGION AGRICULTURAL REGULATORY PROGRAM

### **Extension of the 2004 Agricultural Order and Updated Monitoring and Reporting**

**Program:** The Central Coast Water Board did not have a quorum to take action to adopt a renewal of the 2004 Conditional Waiver of Waste Discharge Requirements for Discharges from Irrigated Lands (Agricultural Order No. R3-2004-0117) before it expired on September 30, 2011.

On September 30, 2011, the Executive Officer of the Central Coast Water Board issued Executive Officer Order No. R3-2011-0017, extending the 2004 Agricultural Order until September 30, 2012. Executive Officer Order No. R3-2011-0017 also requires dischargers to implement an updated Monitoring and Reporting Program, numbered R3-2011-0018. By law, all waivers of waste discharge requirements must be reviewed, and renewed, revised, or replaced at least every five years. The Central Coast Water Board is currently in the process to consider renewal of the 2004 Agricultural Order with modifications.

The Executive Officer Order extending the termination date of Order No. R3-2004-0117 does not modify the conditions in the earlier order, but issues an updated Monitoring and Reporting Program. The updated Monitoring and Reporting Program includes revisions to the Cooperative Monitoring Program, the program growers implement to comply with surface water monitoring requirements for growers who choose to participate. The Executive Officer Order is in the public interest because it continues the conditional waiver of waste discharge requirements to protect water quality that requires actions by dischargers to control discharges of waste and compliance with water quality standards, continues a monitoring and reporting program, and continues the payment of fees, pending the availability of a quorum of the Central Coast Water Board to adopt a renewed and modified waiver of waste discharge requirements or other order that supersedes the existing order.

For copies of Executive Officer Order No. R3-2011-0017, Agricultural Order R3-2004-0117, Monitoring and Reporting Program R3-2011-0018, and additional information on what growers need to do to comply with existing requirements, please go to the Central Coast Water Board's Agricultural Regulatory Program website at:

[http://www.waterboards.ca.gov/centralcoast/water\\_issues/programs/ag\\_waivers/index.shtml](http://www.waterboards.ca.gov/centralcoast/water_issues/programs/ag_waivers/index.shtml)

For additional information about the renewal of the 2004 Agricultural Order go to the Central Coast Water Board's website at:

[http://www.waterboards.ca.gov/centralcoast/water\\_issues/programs/ag\\_waivers/ag\\_order.shtml](http://www.waterboards.ca.gov/centralcoast/water_issues/programs/ag_waivers/ag_order.shtml)

**Enforcement:** As part of existing Central Coast Water Board requirements, growers that irrigate cropland for commercial production must enroll in the 2004 Agricultural Order by submitting a Notice of Intent to the Central Coast Water Board. Growers are also required to keep the information in the Notice of Intent up to date. On September 14, 2011, the Central Coast Water Board issued approximately 800 Notices of Violation to growers who failed to submit their electronic Notice of Intent (eNOI) for the existing Agricultural Order. In addition to potential monetary fines, the Water Board may terminate enrollment for individual growers who do not submit their electronic Notice of Intent, which may subject the operation to more significant enforcement actions and penalties.

On September 19, 2011, the Central Coast Water Board also issued approximately 1500 letters to growers who have already complied with the initial requirement to submit an electronic Notice of Intent. These growers must review and update the information in their electronic Notice of Intent by October 15, 2011. This is also a requirement of the existing 2004 Agricultural Order.

For additional information about the Agricultural Regulatory Program, including requirements related to the electronic Notice of Intent, go to the Water Board's website at:

[http://www.waterboards.ca.gov/centralcoast/water\\_issues/programs/ag\\_waivers/index.shtml](http://www.waterboards.ca.gov/centralcoast/water_issues/programs/ag_waivers/index.shtml)

**For additional information** on the Central Coast Water Board's Agricultural Regulatory Program, please contact Angela Schroeter at (805-542- 4644)

[ASchroeter@waterboards.ca.gov](mailto:ASchroeter@waterboards.ca.gov)

## **LOS ANGELES REGION CONDITIONAL WAIVER FOR IRRIGATED LANDS**

**Enrollment in Renewed Conditional Waiver:** The Los Angeles Irrigated Lands Group (LA-ILG) and the Ventura County Agriculture Irrigated Lands Group (VCAILG) are the two discharger groups in the Los Angeles Region that have formed to comply with the Conditional Waiver. Discharger groups must submit a notice of intent, a monitoring and reporting plan, and a quality assurance project plan by April 7, 2011 in order to comply with the Conditional Waiver, which was renewed on October 7, 2010. Los Angeles Board staff has reviewed the enrollment documents submitted by LA-ILG and VCAILG. The Los Angeles Water Board issued a notice of applicability to VCAILG on September 13, 2011. Los Angeles Water Board staff will issue a notice of applicability to LA-ILG once LA-ILG submits additional enrollment documents. Annual reports are due within one year of issuance of the notices of applicability. The discharger groups are currently complying with existing monitoring and reporting plans and water quality management plans that were developed in accordance with the previous waiver.

Los Angeles Water Board staff continued to work with the Los Angeles County discharger group to enroll more growers. The outreach efforts in Los Angeles County have been a success, with an 8% increase in enrollment from the previous waiver term.

**Education Workshops:** Staff approved several workshops and classes to fulfill the Conditional Waiver education requirements. Staff attended one workshop in Ventura County in September 2011 and one workshop in Ventura County in October 2011 to give presentations on the regulatory requirements of the Conditional Waiver. Twenty- five growers attended the Los Angeles County workshop and received four of the eight hours of required education.

**Grant Management:** Staff continues to manage a Clean Water Act section 319(h) grant for grower education and outreach to implement BMPs in the Calleguas Creek and Santa Clara River Watersheds. Staff is working with the grantee to ensure that the grant effectively implements the renewed Los Angeles Region Conditional Waiver for Irrigated Lands, and specifically implements BMPs according to VCAILG's WQMP.

Staff also began overseeing a Proposition 84 grant for a mobile irrigation laboratory to improve irrigation efficiency on farms in Ventura County (Grant Agreement No. 10-417-554). The grantee is the Ventura County Resource Conservation District (RCD). Under the grant, RCD staff travels to farms, evaluates irrigation efficiency, recommends improvements, and provides cost share funding to implement the recommended improvements. The goal of the grant is to reduce dry-weather loading of agriculture-related pollutants.

**For additional information** on the Los Angeles Region Conditional Waiver for Irrigated Lands, please contact Jenny Newman at (213) 576-6691 or [jnewman@waterboards.ca.gov](mailto:jnewman@waterboards.ca.gov).

## **COLORADO RIVER BASIN CONDITIONAL PROHIBITION FOR AGRICULTURAL DISCHARGES**

**Palo Verde (PV) Agricultural (Ag) Discharge Prohibition:** The State Board November 1, 2011, hearing for the Palo Verde Valley agricultural conditional prohibition has been postponed.

**Imperial Valley Sediment TMDLs:** Grower participation in the Imperial County Farm Bureau TMDL program has a high rate of enrollment because it offers growers and landowners a streamlined path to compliance with the mandatory TMDL regulations. Farmers implement a variety of Best Management Practices (BMPs) to reduce silt and mineral runoff on their own farms, maintain a record of their efforts, and attend annual meetings to keep up-to-date and share information relating to BMPs and TMDL management on their farms. Annual self-determined Sediment Control Plans (Water Quality Management Plans) for each farm (about 6,000 for 450,000 acres) must be submitted each September.

The Imperial Irrigation District is also a responsible party for the Sediment TMDLs. They were awarded a Proposition 50/84 grant for \$900,000 several years ago and the work began last year on the Precision Agricultural Drain Cleaning BMP Plan. The project implementation work includes:

- Drain Improvement Program;
- Vegetation Management Program;
- GPS-guided Drain Cleaning Program; and
- Drain Water Quality Improvement Plan monitoring.

### **Imperial Valley Pesticide TMDL**

The Colorado River Water Board is developing a TMDL to address impairments in the Alamo and New Rivers by the current use of the pesticides chlorpyrifos and diazinon. Agriculture is currently the dominant user and discharger of these two pesticides in both watersheds. Colorado River Water Board staff is working with Imperial County Farm Bureau (ICFB) to develop a regulatory certified program to correct the impairment. The TMDL may be taken to the Colorado River Board for adoption in 2012.

**For additional information** on the Colorado River Basin Conditional Prohibition for agricultural discharges, please contact Doug Wylie at (760) 346-6585 [dwylie@waterboards.ca.gov](mailto:dwylie@waterboards.ca.gov)

**SANTA ANA REGION  
CONDITIONAL WAIVER OF WASTE DISCHARGE REQUIREMENTS FOR  
AGRICULTURAL  
DISCHARGES (CWAD PROGRAM)**

Santa Ana Water Board staff is proposing that all operators of irrigated land, dry-farmed land subject to inundation by flooding, and of other agricultural operations not already regulated by the Santa Ana Water Board, enroll in a conditional waiver of waste discharge requirements. Santa Ana Water Board staff is calling this the Conditional Waiver (of waste discharge requirements) for Agricultural Discharges (CWAD). The Santa Ana Water Board staff proposes that the CWAD program be developed and implemented using watershed-based phased approach. The first phase of this program is being developed for waste discharges from agricultural operations in the Lake Elsinore / San Jacinto Watershed. The Santa Ana Water Board adopted separate nutrient total maximum daily loads (TMDLs) for Canyon Lake and Lake Elsinore. The CWAD program is being designed to be part of the implementation program for these TMDLs.

Santa Ana Water Board staff has developed a "CWAD Program Advisory Group", which consists of about 15 members including agricultural farmers, local growers, industry groups, and major stakeholders. The next CWAD Program Advisory Group meeting is scheduled to be held on November 17, 2011, at the Riverside County Farm Bureau office. Santa Ana Water Board staff solicited the advisory group's general consensus on choosing specific conditions and prohibitions on application of fertilizers and herbicides during the wet season in view of the flooding situation in the project area during and after the rain events. The following listed action items and proposed topics for the next meeting are scheduled to be discussed along with the action items from the previous CWAD Advisory Group (July 28, 2011) meeting:

- CWAD Program Coalition forming, monitoring program and pollutants trading project-by WRCAC staff
- CWAD program schedule updates
- CEQA Negative Declaration and draft Initial Study Checklist
- CWAD Program Cost Analysis Study
- CWAD Program Draft Notice of Intent (NOI)
- CWAD Program draft Ag. Waiver Requirements (Ag. Waiver Order)

***For more information, please contact:***

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## **SAN DIEGO WATER BOARD IRRIGATED LANDS REGULATORY PROGRAM (CONDITIONAL AG WAIVER)**

**Non-Compliance Letters:** On August 5, 2011, approximately 1,800 letters were sent to owners of properties with agricultural land use that have not enrolled under the Ag Waiver. As of October 26, 2011 over 150 individuals have called with questions regarding the letters and 604 Response Forms have been received. The response rate for the Non-Compliance Letters is 34 percent. For comparison, according to the Direct Marketing Association 2010 Response Rate Trend Report the response rate for similar direct mailing is three percent.

The following table summarizes information obtained from the Response forms regarding enrollment status.

<b>Enrollment Status</b>	<b>Total</b>	<b>Percent of Responses</b>
Enrolled	123	21
Will Enroll	16	3
Exempt	465	78

**Enforcement:** Enforcement actions have commenced against growers who have not yet enrolled in the Ag Waiver. A phased approach will be used for the enforcement actions.

### **Warning Phase**

Warning letters will be mailed to individuals who have not returned the Response Form and who are permits with the County of San Diego Agricultural Weights and Measures for the use of pesticides. This comparison was done to ensure that the property listed as “agricultural” by the San Diego County Assessor’s Office is being used for agricultural purposes. The Warning Letters will be sent via Certified-Return Receipt mail to document that the addresses received the letters. The Warning Letters will request the property owner to complete the Response Form and return it by a given date, and notify them that if they fail to do so enforcement actions will be taken against them.

### **Enforcement Phase**

Enforcement actions will be taken against property owners who do not return the “Response Forms”. The Compliance Assurance Unit will be responsible for the enforcement actions. Enforcement actions may include issuance of a Notice of Violation and an Administrative Civil Liability.

**Ag Waiver Review and Re-Issue:** By law, all waivers must be reviewed, and renewed, revised, or replaced at least every five years. Because the State Water Board recently revised its fee schedule to require fees for Agricultural Waivers it was decided to begin the review process to include fee collection.

### Schedule

The revised Ag Waiver will be considered for adoption by the Board at its August 2012 Board Meeting. Stakeholder meetings will be held during November and December 2011 and January 2012, with Public Workshops during 2012. To maximize public involvement three workshops will be held. One workshop will be at the San Diego Water Board and two evening workshops, one in Escondido and one in Temecula are planned.

The appropriate CEQA documentation will not be evaluated until a “draft” document is completed. Because of the different resource needs and time requirements between the various CEQA documents a “draft” waiver will be completed by February 2012 and the determination of the appropriate CEQA documentation will be made in early March 2012.

### Discussion Topics

Based on discussions among the regulated community, Santa Ana Water Board staff, and State Water Board staff, the following topics will be discussed in the review/revision process for the Ag Waiver.

**Definition of Commercial Grower:** The definition of a commercial grower is a producer of agricultural products with average gross sales over the most recent three years of \$1,000 per year. This definition will be reviewed to determine if it needs to be revised during the five-year renewal process in 2012.

**Coordination with Other Agricultural Programs:** The County of San Diego and several municipalities have existing regulatory programs for nursery operations. Non-Governmental Organizations (NGOs) currently provide oversight and inspection of agricultural activities. An evaluation of these programs will be made to determine the need and/or requirements for growers under the direction of these governmental agencies and NGOs.

**Electronic Reporting:** The implementation of an electronic reporting system, such as the electronic Notice of Intent filing required by Region 3 will be considered.

**Tiered Approach:** Currently all growers regardless of their potential/actual impact to water quality have the same requirements. An evaluation will be conducted to determine if a tiered approach can be used that will have requirements based on the potential/actual impacts to water quality. Factors to be considered include size and type of operation, farming methods, water use, and location of operation.

**Fees:** The State Water Board recently adopted a new fee schedule that requires fees for all agricultural and irrigated lands waivers. The Waiver will be revised to include these fees.

**For additional information** on the San Diego Regional Water Boards Irrigated Lands Program, please contact Barry Pulver at (858.467.2733) [bpulver@waterboards.ca.gov](mailto:bpulver@waterboards.ca.gov)

## **Other Projects:**

**Data Management:** Data reports received through 1 September 2011 that arrived in an electronic SWAMP comparable format 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). These reports and future data sets will be sent to the CV RDC to be uploaded into CEDEN for state-wide assessment efforts. At this time, 38 reports have been successfully processed and loaded into the CEDEN comparable database.

Concurrent to processing and loading of submitted electronic data, data submission feedback packages have been developed to assist the Coalitions with formatting and reviewing data prior to submission to meet the electronic data submittal requirements of the program. The feedback packages contain guidance documents, electronic versions of quality assurance project plans, review checklists and code look up lists. The Sacramento Valley Water Quality Coalition received a feedback package on 8 August 2011 for their 1 June 2011 quarterly data submittal. The Westside San Joaquin Water Coalition received their feedback package on 19 August 2011 for their 30 June 2011 semi-annual monitoring report.

**Prop 84 Grant Funding:** On 30 August 2011, the Coalition for Urban/Rural Environmental Stewardship (CURES) held a meeting with its Advisory Selection Committee (ASC) to discuss the ranking for the first round of grower applications for funding. The ASC is made up of members from state agencies (the Department of Food and Agriculture, the Department of Pesticide Regulation, State Water Board, and Central Valley Water Board), the Natural Resources Conservation Service, the UC Cooperative Extension, and the ILRP Coalition Groups. The first round of successful applicants are now being processed and should be able to start project implementation work within a month.