

State Water Resources Control Board
May 15, 2012
Item 7 -- Executive Director's Report

DIVISION OF WATER QUALITY

Groundwater Ambient Monitoring and Assessment (GAMA): Staff held a public advisory committee meeting on April 20, 2012, to discuss plans for the next 10-year cycle of the GAMA Priority Basin Project. Topics included revisions to the comprehensive sampling strategy.

- **Nitrate Pilot Projects in the Tulare Lake Basin and Salinas Valley** - SBX2 1 (Perata, 2008) required the State Water Resources Control Board (State Water Board), and other agencies (including Regional Boards), to develop pilot projects in the Tulare Lake Basin and the Salinas Valley to study nitrate contamination, identify remedial solutions, and funding options to clean up groundwater. It also directed staff to prepare a report to the Legislature. The State Water Board contracted with the University of California at Davis (UCD) to produce a comprehensive, independent report. This 1,300-page report was released in March 2012. Information on the UCD Report is posted on the SBX2 1 Web site (http://www.waterboards.ca.gov/water_issues/programs/nitrate_project/index.shtml). A State Water Board Workshop will be held on Wednesday, May 23, 2012, to take public input on the options outlined in the UCD Report.
- **Communities That Rely on Contaminated Groundwater** - AB 2222 (Caballero, 2008) required the State Water Board submit to the Legislature a report that identifies communities that rely on contaminated groundwater as a primary source of drinking water. Staff worked with the California Department of Public Health and solicited input, as required by law, from other state agencies. The final draft report was posted on the AB 2222 Web site for public comment (http://www.waterboards.ca.gov/water_issues/programs/gama/ab2222/index.shtml). The public comment period ended on April 2. Staff is evaluating the written comments received and may propose changes to the draft report as appropriate.

Composting Facilities Statewide Order: Following two informal workshops and several stakeholder meetings, staff drafted concepts for statewide waste discharge requirements for composting facilities. The draft concepts include Water Quality Protection Measures such as pad and pond specifications to reduce percolation of wastewater to groundwater. These specifications are tiered based on waste types and site-specific conditions.

Additional workshops are tentatively scheduled for May 24 and 25, for Southern and Northern California, respectively. A draft order is expected to be presented to the State Water Board in the fall of 2012.

Ocean Plan Amendment: Desalination/Brine Provisions: Three studies will support the desalination/brine amendments to the Ocean Plan. State Water Board staff and the Southern California Coastal Research Project (SCCWRP) held public stakeholder meetings on December 8-9, 2011 introducing a panel of experts (Brine Panel) convening to address scientific questions regarding the disposal of brine into the ocean. The Brine Panel, composed of five scientists from different disciplines, has completed its final report and provided that report to staff.

Another Expert Review Panel (ERP) for desalination intakes and seawater intake mitigation, at Moss Landing Marine Lab, has completed its draft final report. The ERP and State Water Board staff held a public stakeholder meeting on March 1, 2012 to present and receive comments on the report. The final report has been completed and provided to staff. The third scientific project conducted by the UC Granite Canyon Lab is in process to evaluate brine toxicity, and is scheduled for completion in June 2012.

A second CEQA scoping meeting took place on March 30, 2012 to supplement the original scoping meeting (held in 2007). Several written comments were received.

Staff has convened an interagency workgroup, which met on April 24, 2012, to discuss the desalination amendment. Finally, a Board Workshop is scheduled for June 6, 2012. During the workshop, lead scientists from each of the Board-funded studies will present their findings and recommendations.

On-site Wastewater Treatment System (OWTS): The 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 Substitute I Environmental Document (SED) in September 2011 for a 45-day comment period. Staff conducted four workshops during the comment period to answer questions and take comments from the public. Staff held an all-day meeting with key stakeholders on January 5, and February 1, 2012 to discuss key issues upraised in the comments. A revised public draft policy was released on March 20, 2012. Staff held a public workshop on April 4, 2012. A State Water Board Hearing was held on May 2, 2012. A final draft policy and SED will be considered by the Board for adoption on June 19, 2012. The Policy Documents and the comment letters can be found at: http://www.waterboards.ca.gov/water_issues/programs/owts/index.shtml.

Sediment Quality Objectives, Phase II: Fish and Wildlife Objectives were adopted by the Board on April 6, 2011 and approved by OAL in June 2011. Phase II Human Health objectives are in progress. Staff will be meeting jointly with Advisory Committee stakeholders and Agency Coordinating Committee representatives on May 24, 2012 to discuss the Scientific Steering Committee recommendations regarding human health amendments to the Enclosed Bays and Estuaries Plan.

Storm Water Caltrans MS4 Permit: The statewide NPDES permit for discharges by the California Department of Transportation of storm water from municipal separate storm sewer systems (MS4s) is being reissued. This permit is commonly referred to as the Caltrans Permit. The current Caltrans Permit ([State Water Board Order No. 99-06-DWQ](#)) was issued on July 15, 1999. The current permit regulates all storm water discharges from Caltrans-owned MS4s, maintenance facilities, and construction activities. A draft Tentative Order was released for public review on January 7, 2011. The public comment period closed on March 14, 2011. A public hearing on the draft Tentative Order was held on July 19, 2011. A revised draft Tentative Order was released for public review and comment on August 18, 2011. A workshop on the

revised draft was conducted on September 21, 2011. Staff met with Caltrans on a bi-weekly basis in October through December 2011, to identify and resolve concerns raised at the hearing, workshop, and in written comments. A second revised tentative draft order was posted for public comment on April 27, 2012. The comment period for the second revised tentative permit will close on June 26, 2012.

Storm Water Industrial General Permit: The statewide General NPDES permit for discharges of storm water associated with industrial activities (IGP) is being reissued. The current IGP is [State Water Board Order 97-03-DWQ](#). The revisions to the IGP 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 released the draft revised IGP for review. Staff level workshops were held on February 14, 2012 in the Cal/EPA Building and on February 23, 2012 at the Irvine City Council Chambers. A third web-based workshop was conducted on March 15, 2011. A public hearing was conducted on March 29, 2011. The comment deadline was extended and comments were due on April 29, 2011. A revised draft IGP will be released in spring 2012.

Storm Water Phase II MS4 Permit: The statewide General NPDES permit for discharges of storm water from small municipal separate storm sewer systems (Phase II MS4 Permit) is being reissued. 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. Revisions to the Phase II Small MS4 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. Comments were due on Monday, August 8, 2011. More than 50 letters requested an extension of this comment deadline. In response to these requests for additional time, the Board extended the public comment period to September 8, 2011. A workshop was held on August 17, 2011. Staff is evaluating the comments received and issues raised during the public comment period. In addition, staff has met with a broad cross-section of the stakeholder community to discuss issues. A revised draft is expected to be released for public comment in late spring 2012.

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

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. A preliminary draft Staff Report/Substitute Environmental Document (SED) has been sent to the PAG. On May 22, 2012, the PAG will meet to discuss the policy and draft SED. Following PAG, review the Draft SED will be revised and released for public comment during the summer of 2012, initiating the formal public planning process for this project.

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

The Statewide Advisory Committee on Cooling Water Intake Structures (SACCWIS) met on March 19, 2012 and approved its 2012 report and recommendations to the Board. SACCWIS will present its recommendations to the Board at the Board's June 5, 2012 meeting.

The Office of Administrative Law approved the July 2011 amendments to the Policy on March 12, 2012.

NPDES permitting is progressing. The first permit action will be for the Pittsburg Power Plant. State Water Board staff anticipates taking the item to the State Water Board in September 2012.

NPDES Permit Backlog: NPDES permits are effective for a fixed term not to exceed five years (40 CFR Part 122.46). They must be reissued prior to expiration to ensure that they reflect new requirements and discharges to surface waters do not adversely affect the quality of such waters. They may also be revoked or terminated. Typically, permit requirements remain in effect until the permit is reissued. Reissuing permits requires a significant amount of time and resources. It is considered a good indicator of overall program performance. According to the data extracted from the State Water Boards' database and represented by the table below, as of mid-fiscal year 2011-12 approximately 27 percent of major permits and 28 percent of minor permits are currently expired.

NPDES Permit Classification	Region	Expired	Current	Percent Expired	Percent Current
Majors	1	5	9	35.7	64.3
Majors	2	6	42	12.5	87.5
Majors	3	6	16	27.3	72.7
Majors	4	16	31	34.0	66.0
Majors	5	5	52	8.8	91.2
Majors	6	0	2	0.0	100.0
Majors	7	0	8	0.0	100.0
Majors	8	13	5	72.2	27.8
Majors	9	11	10	52.4	47.6
Total Majors		62	175	26.2	73.8
Minors	1	13	17	43.3	56.7
Minors	2	1	30	3.2	96.8
Minors	3	2	15	11.8	88.2
Minors	4	13	52	20.0	80.0
Minors	5	28	78	26.4	73.6
Minors	6	5	5	50.0	50.0
Minors	7	1	15	6.3	93.8
Minors	8	3	7	30.0	70.0
Minors	9	17	4	81.0	19.0
Total Minors		83	223	27.1	72.9

Low-Threat UST Closure Policy: The Low-Threat UST Case Closure Policy was adopted at the May 1, 2012 State Water Board meeting.

Wetland and Riparian Area Protection Policy: Staff has revised the policy document to include the proposed dredge and fill procedures. To reflect this change, the policy has been renamed the “Wetland Area Protection and Dredge and Fill Policy.” Separate regulations will not be pursued and instead, the project is now one policy document that includes all elements of Phase 1: a wetland definition, a wetland delineation method, an assessment and monitoring framework, and supplemental dredge and fill procedures. On March 9, 2012, the draft policy was posted for public informational purposes only at:

http://www.waterboards.ca.gov/water_issues/programs/cwa401/wrapp.shtml

Staff are currently revising the Substitute Environmental Document and finalizing comments on the wetland definition peer review. The policy and SED are scheduled for public review in early summer 2012.

Scientific Panel Report on Monitoring CECs in Aquatic Ecosystems: Staff provided comments on a CEC scientific advisory panel's draft report “Monitoring Strategies for Chemicals of Emerging Concern in California Aquatic Ecosystems” released on February 23, 2012. In the draft report, the panel provided recommendations for monitoring strategies to assess CECs in freshwater and coastal marine ecosystems. On March 23, 2012, the panel held a meeting to respond to comments submitted during the review period. The panel is revising the report based on the comments and discussion in the meeting. A final report will be submitted to the State Water Board at the end of May.

Amendment to the Recycled Water Policy: Staff prepared a draft amendment to the Recycled Water Policy proposing monitoring requirements for Constituents of Emerging Concern in recycled water. The amendment is based upon the recommendations of a scientific advisory panel report titled “Monitoring Strategies for Chemicals of Emerging Concern in Recycled Water.” The draft amendment will be released in May 2012. Written comments on the draft amendment are anticipated to be due in July 2012. Concurrent with the public review of the draft amendment, staff will coordinate a scientific peer review of the draft amendment and the panel report.

Sanitary Sewer System Waste Discharge Requirements (SSS WDRs):

On January 24, 2012, staff held a workshop, with Board members present. Additional stakeholder meetings were held to resolve outstanding issues. Staff recommends updating only the MRP at this time with expected re-issuance by the Executive Director in September of 2012. Staff has sent a Lyris e-mail message to all stakeholders informing them of the current SSS WDRs Review and Update status.

Suction Dredging Update: On March 16, 2012, the Department of Fish and Game (DFG) took final action to adopt updated regulations governing suction dredge mining under Fish and Game Code section 5653 et seq., the California Environmental Quality Act (CEQA), and the Administrative Procedures Act. The Interagency Agreement between DFG and the State Water Board to implement State Water Board [Resolution No. 2009-0006](#) was completed in early April. The Office of Administrative Law approved DFG's regulations on April 27, 2012. When the statutory moratorium ends on June 30, 2016, DFG's updated regulations will govern suction dredging activity.

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

Bay-Delta Comprehensive Review Proposed Workshops: A series of workshops are proposed for this Summer and Fall by the State Water Board on key topics as a part of its comprehensive review of the 2006 Bay-Delta Plan. The State Water Board must consider the competing uses of water, water quality and habitat needs as it evaluates potential changes to its Bay-Delta objectives. The proposed workshops will provide important opportunities for leading scientific experts to discuss and bring forward the state of the science in response to important questions that the State Water Board will consider as it balances the competing uses of water in its decision making. The proposed workshop topics include (1) Analytical Tools for Evaluating the Water Supply, Hydrodynamic, and Hydropower Effects of the Bay-Delta Plan, (2) Salmonids, (3) Pelagic Organisms, and (4) Ecosystem Changes and the Low Salinity Zone.

Anyone wishing to receive more information on these workshops and other topics as it becomes available can subscribe to receive Bay-Delta eNotices at:

http://www.waterboards.ca.gov/resources/email_subscriptions/swrcb_subscribe.shtml (select Water Rights Topics, Bay Delta Notices at the bottom of the page).

California Water and Environment Conference: Staff attended the California Water and Environment conference April 17, 2012 through April 19, 2012, to participate in discussions with water quality professionals regarding the overlaps between water quality and water rights and the opportunities for science professionals in water rights. The discussions included: wastewater petitions, opportunities for scientist, geologist, and engineers with the Division of Water Rights, and the implementation of the Policy for Maintaining Instream Flows in Northern California Coastal Streams.

Interagency Instream Flow Workgroup Meeting: On April 26, 2012, staff met with staffs from the California Department of Fish and Game (CDFG), U.S. Fish and Wildlife Services (USFWS), and National Marine Fisheries (NMFS) for the second 2012 quarterly meeting. These meetings began in summer 2011 to facilitate information exchange between agencies, allow for status updates regarding ongoing agency projects, and provide an opportunity for collaboration. Topics covered at the meeting include: an overview of State Water Board's Integrated Report; an update from the various agencies on their recent and upcoming activities, and a discussion on Water Code §1707, which involves a change petition for purposes of preserving or enhancing wetlands habitat, fish and wildlife resources, or recreation in, or on, the water. The next quarterly Interagency Instream Flow Workgroup meeting is anticipated in July 2012.

Petition Received to Reopen and Amend Water Quality Certification for Oroville

Hydroelectric Project: On April 20, 2012, the Golden Gate Salmon Association (GGSA) and California Sportfishing Protection Alliance (CSPA) submitted a petition to the State Water Board related to the water quality certification the State Water Board issued for the Oroville Hydroelectric Project (Project) on December 15, 2010. The petition requests the State Water Board re-open and amend the water quality certification due to new information and concerns that the flow requirements in the water quality certification are not adequate to allow for the successful migration and spawning of green sturgeon (a federally threatened species under the

Endangered Species Act). Division of Water Rights staff is evaluating the petition, which is available on our website at:
http://www.waterboards.ca.gov/waterrights/water_issues/programs/water_quality_cert/ceqa_projects.shtml#oroville

Sonoma County Water Agency Request to Temporarily Reduce Minimum Instream Flow Requirements for the Russian River: The Sonoma County Water Agency (SCWA) filed a temporary urgency change petition on April 9, 2012. The petition requests a temporary reduction of the minimum instream flow requirements of [State Water Board Decision 1610](#) in order to comply with mandates in the 2008 National Marine Fisheries Service Biological Opinion. The Division issued public notice of the petition on April 25, 2012. The notice allows a 30-day period during which interested parties can provide comments and/or objections. Objections must be received by May 24, 2012. Pursuant to Water Code Section 1438, the Division may approve a temporary urgency change petition in advance of the public notice. On May 2, 2012 the Division issued an Order approving the requested temporary change. Should any objections be filed, the Division will consider those objections. The Division may modify the Order, if warranted, pursuant to Water Code Section 1439. The Division approved similar petitions in 2010 and 2011.

DIVISION OF FINANCIAL ASSISTANCE

Program Activity:

Funding Fairs: State Water Board staff participated in two of the 2012 California Financing Coordinating Committee (CFCC) Funding Fairs, on April 25 in Fresno, and April 26 in Santa Cruz (fairs in San Diego and Riverside were held in March). Additional CFCC funding fairs will occur May 15 in Redding, and May 17 in Sacramento. State Water Board staff have also arranged for a smaller, more focused funding fair on June 12 in Alhambra. The CFCC is comprised of eight member agencies (five state, and three federal). Member agencies conduct funding fairs each year to educate interested parties about the CFCC and the financial and technical resources available for infrastructure projects. Information on the 2012 Funding Fairs and the CFCC is available on the CFCC's webpage at: www.cfcc.ca.org.

Cleanup and Abatement Account:

- For previously approved projects, 13 disbursements were made between April 1, 2012, and April 30, 2012, totaling \$843,467.

Site Cleanup Program:

- A total of \$566,267 was collected during the month of April.

Stormwater Grant Program (SWGP): The list of applicants invited to submit "Full Proposals" for the Round 1 Implementation SWGP Solicitation are now posted on the Division of Financial Assistance website at
http://www.waterboards.ca.gov/water_issues/programs/grants_loans/prop84/docs/fp_invitationlist.pdf

State Revolving Fund: Between April 5, 2012, and May 2, 2012, the Deputy Director of the Division approved the following Preliminary Loan/Grant Commitments:

**PLANADA COMMUNITY SERVICES DISTRICT
WASTEWATER TREATMENT EXPANSION PROJECT**

The Planada Community Services District (District), located in Merced County, owns and operates a wastewater collection, treatment and disposal system. The District is currently permitted to discharge up to 0.53 million gallons per day into Miles Creek, but is under Time Schedule Order number R5-2011-0043 to change the disposal method from surface water discharge to land irrigation. The District's Plan of Study will select and evaluate the preferred alternative for the District's compliance project. The District qualifies as a small, severely disadvantaged community.

Total CWSRF Planning Financing: \$380,000 in CWSRF Small Community Grant Funds.

**CITY OF YUBA CITY
COLLECTION SYSTEM REHABILITATION AND REPLACEMENT PROJECT**

Yuba City is located 40 miles north of Sacramento in Sutter County. Routine television inspections and smoke tests show the City's aging pipeline is cracked, causing excessive operation and maintenance costs and the potential for Sanitary Sewer Overflows. The Project will line approximately 5,000 to 10,000 linear feet of pipeline and replace approximately 25,000 to 30,000 linear feet of pipeline. The City qualifies as a disadvantaged community.

Total CWSRF Preliminary Funding Commitment: \$7,700,000 (\$3,000,000 in principal forgiveness).

**TOWN OF WINDSOR
PLAN OF STUDY APPROVAL**

The Town of Windsor is located in Sonoma County, seven miles north of the City of Santa Rosa. The Planning Study will determine the feasibility of expanding the recycled water distribution system for new recycled water users, and establish preliminary design criteria for pipelines and pump stations.

Total Financing: \$75,000 in Water Recycling Planning Grant Funds.

**CITY OF SAN DIEGO
SEWER PIPELINE REHABILITATION PROJECT Q-1**

The Project will rehabilitate sewer pipelines in the City Heights and Eastern Area neighborhoods in the northeastern portion of Southeastern San Diego Community Plan Area. This portion of San Diego is also known as the Encanto Neighborhood.

Total CWSRF Financing: \$7,188,200

OFFICE OF ENFORCEMENT

Administrative Civil Liability (ACL) Actions During April 2012:

a. ACL Complaint(s) Issued

Region	Discharger/Facility	Violation(s) Addressed	ACL Complaint Amount	Date Issued
WATER QUALITY				
1	City of Ukiah / Wastewater Treatment Facility	Effluent limit violations (copper and BOD)	\$84,000 (MMP)	4/13/2012
6SLT	North Tahoe Public Utility District / Sanitary Sewer	Discharge of 129,500 gallons of untreated sewage into Lake Tahoe in December 2010	\$232,100	4/16/2012
6	Bobbit, Galen L. & Monique L. / Lassen County APN 077-354-24-11	Failure to abandon septic system or connect to sewer, per CDO No. R6T-2009-0074	\$16,490	4/20/2012
6	Cunha, Nancy L / Lassen County APN 077-191-20-11	Failure to abandon septic system or connect to sewer, per CDO No. R6T-2009-0058	\$16,490	4/20/2012
6	Estes, Kenneth P. & Mary L. JT/ Lassen County APN 077-233-47-11	Failure to abandon septic system or connect to sewer, per CDO No. R6T-2009-0081	\$16,490	4/20/2012
6	Hegstad, Miles K. / Lassen County APN 077-354-17-11	Failure to abandon septic system or connect to sewer, per CDO No. R6T-2009-0058	\$16,490	4/20/2012
6	Helmer, Nason James & Gail Ann Revocable Trust / Lassen County APN 077-372-16-11	Failure to abandon septic system or connect to sewer, per CDO No. R6T-2009-0096	\$16,490	4/20/2012
6	Korb, John & Barbara JT / Lassen County APN 077-132-16-11	Failure to abandon septic system or connect to sewer, per CDO No. R6T-2009-0100	\$16,490	4/20/2012
6	Mayer, Marie Louise Trust c/o Nicole Vanslat / Lassen County APN 077-231-30-11	Failure to abandon septic system or connect to sewer, per CDO No. R6T-2009-0102	\$16,490	4/20/2012
6	NANCO, Inc. / Lassen County APN 077-292-11-11	Failure to abandon septic system or connect to sewer, per CDO No. R6T-2009-0108	\$16,490	4/20/2012
6	Naylor, Mitchell Creig & Ginger L. JT / Lassen County APN 077-401-11-11	Failure to abandon septic system or connect to sewer, per CDO No. R6T-2009-0109	\$16,490	4/20/2012

Region	Discharger/Facility	Violation(s) Addressed	ACL Complaint Amount	Date Issued
6	Neil, Gerald & Janet / Lassen County APNs 077-361-23-11, 077-143-10-11, 077-163-06-11, 077-271-09-11, 077-272-43-11, 077-133-10-11	Failure to abandon septic system or connect to sewer, per CDO Nos. R6T-2009-0088, -0089, -0090, -0091, -0092, and -0093	\$98,940	4/20/2012
6	Robinson, Gary L. / Lassen County APNs 077-200-02-11 and 077-200-03-11	Failure to abandon septic system or connect to sewer, per CDO Nos. R6T-2009-0115 and R6T-2009-0116	\$32,980	4/20/2012
6	Speciale, George D. / Lassen County APN 077-392-22-11	Failure to abandon septic system or connect to sewer, per CDO No. R6T-2009-0067	\$16,490	4/20/2012
6	Sutton, Dennis J. & ETAL Deborah L. JT / Lassen County APN 077-271-19-11	Failure to abandon septic system or connect to sewer, per CDO No. R6T-2009-0126	\$16,490	4/20/2012
6	Winters, Laurel G. / Lassen County APN 077-162-03-11	Failure to abandon septic system or connect to sewer, per CDO No. R6T-2009-0130	\$16,490	4/20/2012
7	City of Holtville / Municipal Wastewater Treatment Plant	Effluent limit violations (Escherichia coli)	\$6,000 (MMP)	4/6/2012
7	Valley Sanitary District / Wastewater Treatment Plant	Effluent limit violations (fecal coliform)	\$3,000 (MMP)	4/23/2012
7	Imperial Irrigation District / Grass Carp Hatchery	Effluent limit violations (total suspended solids)	\$3,000 (MMP)	4/24/2012
WATER RIGHTS (YEAR-TO-DATE)				
Delta WM	Ronald E. Buhler	Failure to file supplemental statement of water diversion and use	\$10,000	3/6/2012
WR	GRR Vineyard LLC	Unauthorized diversion of water (Napa River watershed)	\$15,700	3/8/2012
WR	Michele M. Amendola and Jack A. Chandler	Unauthorized diversion of water (Napa River watershed)	\$13,000	3/15/2012
WR	Newton Dalpoggetto Successor Trust and Newton Dalpoggetto	Unauthorized diversion of water (Napa River watershed)	\$22,800	3/16/2012
WR	Giese Neill and Coelingh Kathleen Trust and Neill Giese and Kathleen Coelingh	Unauthorized diversion of water (Napa River watershed)	\$6,300	3/16/2012

Region	Discharger/Facility	Violation(s) Addressed	ACL Complaint Amount	Date Issued
WR	Younan and Sandra Dawood	Unauthorized diversion of water (Napa River watershed)	\$12,100	3/16/2012
WR	Arthur Temple III and Arthur Templ III, <i>et al.</i> Trust	Unauthorized diversion of water (Napa River watershed)	\$6,300	3/22/2012
WR	Douglas K. Ivey	Unauthorized diversion of water (Napa River watershed)	\$8,000	3/23/2012
WR	John C. Coleman, Jr.	Unauthorized diversion of water (Napa River watershed)	\$9,900	3/23/2012
WR	Gwaltney Corbin Trust and Corbin and Pamela Gwaltney	Unauthorized diversion of water (Napa River watershed)	\$7,400	4/2/2012
WR	Dana Radtkey	Failure to file statement of water diversion and use (Gualala River watershed)	\$2,000	4/18/2012
WR	Kent Ritchie / Poplar Vineyards	Failure to file statement of water diversion and use (Mark West Creek watershed)	\$2,000	4/18/2012
WR	Domb Family Trust and George and Anik Domb	Failure to file statement of water diversion and use (tributary to Flat Creek)	\$1,000	4/18/2012
WR	Hidden Valley Lake Community Services District	Continued diversion of water whiling failing to provide required supplemental natural flows in Putah Creek	\$11,500	4/19/2012

b. ACL Order(s) Issued

Region	Discharger/Facility	Violation(s) Addressed	ACL Order Amount	Date Issued
2	Atlantic Richfield Company and Union Oil Company of California / 401 and 411 High Street, Oakland	Failure to timely submit acceptable draft remedial action plan required by CAO	\$143,253	4/9/2012
2	Alameda County / Municipal Separate Storm Sewer System	Failure to require site design measures to minimize stormwater pollution and failure to implement enhanced performance standards	\$67,300	4/23/2012
4	Ultramar, Inc. / Marine Tank Farm	Effluent limit violations (metals, solids, turbidity, sulfides)	\$42,000 (MMP)	4/17/2012
5S	Dallas Barcelos and Elias Silveira / Elias Silveira Dairy	Late submittal of 2008 annual report	\$2,000	4/4/2012
5S	Town of Discovery Bay Community Services District / Wastewater Treatment Plant	Failure to submit required reports; creation of nuisance conditions; discharge of 1,784,950 gallons, over seven spill events, of partially or untreated sewage to surface water (not from CIWQS)	\$241,000 (CAA: \$220,000; WDPF: \$21,000)	4/20/2012
OE (4)	Whittaker Corporation / Former Whittaker Bermite Facility	Effluent limit violations (metals, perchlorate, nitrogen, volatiles)	\$36,000 (MMP)	4/13/2012

c. Cleanup and Abatement Order(s) Issued

Region	Discharger/Facility	Action(s) Required	Date Issued
1	Leo L. Bleier Jr. and Roxanne Bleier / Redwood Valley Shopping Center	Submittal of interim and final corrective action plans to address soil and groundwater impacts	4/19/2012

OFFICE OF RESEARCH, PLANNING & PERFORMANCE

Water Board Academy

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

Current classes	Environmental Negotiations This class presents the concepts, processes and techniques of interest-based or “principled” negotiation using case studies and real-world water resources examples.
	Bioassessment / Algae Field Sampling In February 2007, the Water Boards' Standard Operating Procedures (SOP) for bioassessment field sampling were approved by the SWAMP Roundtable. The new SOPs must be incorporated into a substantial portion of the Water Boards' monitoring and investigative efforts. The training sessions will consist of two days in the field and will focus on procedures for sampling stream invertebrates, benthic algae and measuring physical/habitat characteristics. Other requirements for conducting bioassessments such as permits, laboratory analysis and sampling design will be discussed.
Recent classes	Resumes That Work & Interviewing With Confidence This two-part class explains how to write a resume that shines and how to answer tough interview questions.
	Advanced Public Speaking This class builds on the basic information presented in the 2011 Public Speaking class and offers students the opportunity to practice what they are learning in a supportive, constructive environment. Some practice sessions are filmed so students can realistically evaluate their own strengths and weaknesses.

Appendix 1

Statewide Policies/Significant General Permits

Division of Water Quality		
Status Code	Policy/Significant General Permit	Status
P	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-12	Aquatic Pesticide General Permit – Weed Control, Aquatic Application	Expect to release formal draft in Summer 2012.
A-12	Aquifer Storage and Recovery Policy	Region 5 and State Board staff have completed review of the draft statewide order and a final draft is being prepared for State Board management review. The draft CEQA document is being updated to reflect changes made to the order as part of the review. A revised schedule incorporating all State Board processes is being developed. Staff will review the CEQA document and the revised scheduled to meet in May 2012.
A-12	Bacterial Objectives for Inland Surface Waters	DWQ staffers are preparing a draft policy and a staff report for public release targeted for late 2012. Staff anticipates being able to release a policy shortly after U.S. EPA releases the final updated bacteria criteria document which is scheduled for release in October 2012 with the U.S. EPA document being final in December 2012.

Division of Water Quality		
A	Biological Objectives Development	The technical team currently is responding to comments on the draft report on establishing statewide reference condition and is beginning to develop scoring tools for statewide application. The team also has scheduled the first of a series of three workshops to conduct pilot causal assessment studies. The Regulatory and Stakeholder Advisory Groups met in early January to review the Scientific Advisory Group's input on the technical work-to-date and to continue discussion of policy alternatives and implementation options.
P	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.
A-12	Constituents of Emerging Concern in Aquatic Ecosystems	The panel is the Southern California Coastal Water Research project, under contract to the State Water Board, convened a Scientific Panel to prepare recommendations revising the report based on the comments and discussion at the March 23, 2012 meeting. A final report will be submitted to the State Water Board at the end of May.
P	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-12	Composting Facilities Statewide General Order (WDR)	Continuing to meet with CalRecycle and Regional Boards on preparing draft statewide WDR. Targeting State Water Board consideration of statewide order for October 2012.

Division of Water Quality		
A-13*	Desalination and Brine Discharges	Water Board staff is working on amendments to the Water Quality Control Plans for Ocean Waters and Enclosed Bays and Estuaries to address Desalination Facilities and Brines Disposal. The amendment is currently envisioned to contain the following elements: (1) provisions to minimize adverse impacts to aquatic life associated with the intakes for desalination facilities; (2) a narrative water quality objective for salinity to ensure that brine discharges from desalination facilities and other sources do not cause adverse impacts; (3) implementation provisions. Scoping meeting took place on March 30, 2012, and several written comments were received by the April 6, 2012 deadline. Two scientific studies to support the amendments are complete. A third study on brine toxicity will be completed in June 2012. A Board Workshop is scheduled for June 6, 2012.
A-12	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, R4, 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 2011; MCC accepted the workplan and schedule. Since then, the work team completed the Objectives/Problem Statement, one of the products identified in the workplan. The work team plans to submit the Objectives/Problem Statement to the MCC per its request and for its concurrence -- at the same time, it will also submit to MCC some minor revisions to the overall RAP schedule. The work team has started development of potential implementation tools. Also, as the first of several planned stakeholder outreach actions, a short summary of the overall RAP process to date is being drafted and will be posted, along with staff contact information, on the State Board's Nonpoint Source Unit's Web site.

Division of Water Quality		
A	Listing Policy Update (Sediment Quality Objectives and Procedural Changes)	CEQA Scoping Meeting held on March 29, 2010. Comment period closed April 12, 2010. There was a delay due to loss of key staff. Staff has prepared amendment language to address the Sediment Quality Objectives component but further work is contingent on prioritization after the May 24, 2012 SQO meeting, see "Sediment Quality Objectives (SQOs) for Enclosed Bays and Estuaries: Phase II."
P	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.
A	Mercury TMDL (Reservoirs)*	A draft "framework" is being reviewed by the participating Regional Boards. The framework draws on existing TMDLs. The framework will go to Management in October. CEQA Scoping meetings were held in Sacramento, Oakland, Riverside and Redding. The comment period for CEQA Scoping ended March 30, 2012.
A-12	Methylmercury Objectives	Staff are working on a draft staff report and coordinating with efforts to develop statewide mercury TMDL. Updating economic analysis. Board Workshop targeted for Summer 2012.
A	Natural Sources	A draft natural source issue paper has been submitted to the Basin Planning Roundtable for review and comment. Issues include recommendation for how to deal with designations where natural background exceeds the water quality objectives.

Division of Water Quality		
A	Nutrient Numeric Endpoints Tools	A CEQA Scoping meeting was held on October 27, 2011. Working with technical advisory groups to produce an implementation strategy document. U.S. EPA has contracted to have Nutrient Numeric Endpoint protocol updated with results of case studies and lessons learned. Technical aspects are to be peer reviewed by Fall 2012.
A-12	Ocean Plan Amendment: model monitoring provisions, vessel discharges and non-substantive changes.	A Public Hearing was conducted on November 1, 2011. Staff is responding to comments and making edits to the Substitute Environmental Documentation and the Amendment. A workshop to present staff's proposed changes to the amendments is being planned for the summer of 2012.
A-12	Ocean Plan Amendment: MPAs and SWQPAs	Draft amendment, draft SED, and public notice released January 12, 2012. The comment period ended April 18, 2012 and several comments were received. The public hearing was held on May 1, 2012. Staff is working on responses to comments and plans to bring the amendment back to the Board for adoption in late summer 2012.
A	Off-Highway Vehicle (OHV) WDRs/Waiver	Developing concepts for WDRs/waiver for OHVs at State Parks.
A	Once-Through Cooling Policy Amendment	Staff are drafting an amendment which will direct the Regional Water Quality Control Boards to incorporate the policy into NPDES permits for affected power plants.
A-12*	Onsite Waste Water Treatment Regulations/Waiver	Staff held the final two all-day meetings with key stakeholders on January 5 and February 1, 2012 to discuss stakeholder's key issues which were raised in their comment letters. A public draft Policy and SED were released on March 20, 2012 for a 45-day comment period. A staff workshop was held at 10:00 a.m. on April 4, 2012. The State Water Board Hearing was held on May 2, 2012. The State Water Board will consider adoption of the Policy and SED at a meeting on June 19, 2012, at 1001 I Street, Sacramento, CA 95814. The Policy Documents and the comment letters can be found at: http://www.waterboards.ca.gov/water_issues/programs/owts/index.shtml

P	Potable Water General Order	Not assigned due to higher priorities.
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 the City of Los Angeles as the next possible pilot testing location.
A-12	Recycled Water Policy - Constituents of Emerging Concern (CECs) Monitoring	DWQ is revising the Recycled Water Policy to implement the CEC Scientific Advisory Panel Report Recommendations. The draft policy is scheduled to be released for public review in May 2012.
A-12	Sanitary Sewer System (SSS) WDR Update	On March 24, 2011, staff released the Draft revised SSS WDRs for public comment. The comment period closed on May 13, 2011. Staff received 176 comment letters containing approximately 2,500 comments. On January 24, 2012, staff held a Workshop, with Board members present. In response to comments received at the Workshop, Board members directed staff to conduct more stakeholder meetings to resolve outstanding issues stakeholders have with the draft revised SSS WDRs. Staff recommend proceeding with updating only the MRP at this time with expected re-issuance by the Executive Director in September of 2012. A Lyris email message was sent to all stakeholders informing them of the current SSS WDRs Review and Update status.
A-13	Sediment Quality Objectives (SQOs) for Enclosed Bays and Estuaries: Phase II	Fish and Wildlife Objectives adopted by the Board April 6, 2011 and approved by OAL in June 2011. Phase II Human Health objectives in progress. Training sessions for regional board implementation of SQOs being planned. A joint meeting of the advisory committee and the agency coordinating committee is scheduled for May 24, 2012.

A-12*	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 being reissued. This permit is commonly referred to as the Caltrans Permit. The current Caltrans Permit (State Water Board Order No. 99-06-DWQ) was issued on July 15, 1999. The current permit regulates all storm water discharges from Caltrans-owned MS4s, maintenance facilities, and construction activities. A draft Tentative Order was released for public review on January 7, 2011. The public comment period closed on March 14, 2011. A public hearing on the draft Tentative Order was held on July 19, 2011. A revised draft Tentative Order was released for public review and comment on August 18, 2011. A workshop on the revised draft was conducted on September 21, 2011. Staff met with Caltrans on a bi-weekly basis in October through December 2011, to identify and resolve concerns upraised at the hearing, workshop, and in written comments. A second revised tentative draft order was posted for public comment on April 27, 2012. The comment period for the second revised tentative permit will close on June 26, 2012.
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Division of Water Quality

A-12*	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 being reissued. 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. The comment deadline was extended and comments were due on April 29, 2011. In revising the draft IGP, staff has evaluated and addressed the comments received and issues raised during the public comment period. is in the process of evaluating over 250 individual comment letters received. The revised draft IGP will be posted for public comment on May 25, 2012. The comment period for the revised draft IGP will for 60 days.
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. Public notice of revised permit is targeted for May 18, 2012.

Division of Water Quality		
A-12*	Storm Water Construction General Permit	DWQ staff has prepared an amendment to the Construction General Permit to address direction received from the superior court. The amendment will replace the numeric effluent limits for pH and turbidity with receiving water monitoring triggers. A public notice was posted on the Water Board's Web site on March 30, 2012. The State Water Board will take action on the proposed amendments on July 17, 2012.
P	Suction Dredge General Permit	On March 16, 2012, the Department of Fish and Game (DFG) took final action to adopt updated regulations governing suction dredge mining under Fish and Game Code section 5653 et seq., the California Environmental Quality Act (CEQA), and the Administrative Procedures Act. The Office of Administrative Law approved DFG's regulations on April 27, 2012. When the statutory moratorium ends on June 30, 2016, DFG's updated regulations will govern suction dredging activity.
A	Timber Activities on National Forest System Lands	At the December 6, 2011 Board meeting, the State Water Board (adopted the MND, for this project but did not adopt the Statewide Conditional Waiver. Next steps and alternatives for regulation of non-point source discharges on NFS lands have been developed. These alternatives include statewide regulatory actions with the option of exempting certain Regional Water Boards (Regional Boards) where the regulated activities do not currently exist. The determination of these exempted Regional Boards will be discussed with Regional Board AEO's in the near future after which the State Water Board members will be individually briefed on the alternatives to determine future actions.
P	Timber Activities on Non-federal Lands	Staff has worked with California Board of Forestry, Department of Forestry and Fire Protection (CAL FIRE), and Regional Water Boards. Work has been delayed pending the outcome of a petition.

Division of Water Quality		
A-12	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 released the response to comments for the U.S. EPA peer review and it has been posted on the project internet page. State Board staff has initiated independent peer review of the policy. Two favorable peer reviews of the draft policy have been received on the draft policy and will be posted to the project Web page. Staffers are working on responses to peer-review comments and anticipate releasing a revised policy in May.
A-13*	Trash Policy	CEQA Scoping Meetings held on October 7, 2010 in Rancho Cordova and October 14, 2010 in Chino. A Public Advisory Group (PAG) has been appointed to provide input to Water Board staff on the development of this policy. PAG has met on July 26, 2011, August 30, 2011, and October 12 and 13, 2011. The draft Substitute Environmental Document has been prepared and provided to the PAG for review and comments. A meeting of the PAG has been scheduled for May 22, 2012. The release of the draft SED and policy is planned for the summer of 2012.
A	Wastewater Discharges to Land (Revision to Order 97-10) General Order	"Master" General Order drafted. Land Disposal (WDR) Program Review Steering Committee Briefed.
P	Water Effects Ratios	No staff assigned and no start date

Division of Water Quality		
A-12	Wetland and Riparian Areas (Dredge and Fill) Policy – Phase I	At management's direction, staff has revised the policy document to include the proposed dredge and fill procedures. To reflect this change, the policy has been renamed the "Wetland Area Protection and Dredge and Fill Policy." Separate regulations will not be pursued and instead, the project is now one policy document that includes all elements of Phase I: a wetland definition, a wetland delineation method, an assessment and monitoring framework, and supplemental dredge and fill procedures. On March 9, 2012, the draft policy was posted for public informational purposes only at: http://www.waterboards.ca.gov/water_issues/programs/cwa401/wrapp.shtml . Staff are currently revising the Substitute Environmental Document and also finalizing comments on the wetland definition peer review. The policy and SED are scheduled for public review early during summer 2012.
P	Wetlands and Riparian Areas Policy – Phase II	With U.S. EPA grant funding, preliminary work has begun on Phase II. This work is focused on categorizing wetland beneficial uses.
P	Wetlands and Riparian Areas Policy – Phase III	Pending completion of Phase II.

Policies/General Permits Completed in 2012

C	Areas of Special Biological Significance (ASBS): Special Protections	Public notice released on January 20, 2011. Public hearing held on 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. The State Water Board adopted the Special Protections on March 20, 2012.
C	UST Low-Threat Case Closure Policy	Adopted by the State Water Board May 1, 2012.
C	General Vector Control Pesticide Permit Amendment	Amendments to the Vector General Permit were considered and adopted by the State Water Board at its April 3, 2012 meeting.

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 has submitted 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.

C	Integrated Report Adoption (2010)	Board approved 303(d) list on August 4, 2010. Transmitted to U.S. EPA on October 13, 2010, and awaiting their approval.
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.
Policies/General Permits Completed in 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	Once-Through Cooling (316b) Policy Amendment	Completed/adopted on July 19, 2011. Approved by OAL on March 12, 2012.
Note: * indicates Board Priority		Lavender = Targeted for completion in 2013 (A-13)
Status Code Key:		Blue = Completed (C)
White = Active effort (A)		Grey = Suspended or No statewide effort at this time or Pending (P)
Orange = Targeted for completion in 2012 (A-12)		

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. Final Draft Technical Appendices released for public review in February 2012. Informational session on economic impacts and hydropower impacts appendices held on March 20, 2012. Draft SED to be released in May 2012. Draft plan amendment to be brought to the Board for consideration in November 2012.
(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, the Board unanimously voted to adopt the proposed regulation with a minor edit and certified the draft EIR. The Board Resolution adopting the proposed regulation and certifying the draft EIR, also directs the Executive Director to prepare a Final Statement of Reasons with required responses to comments and submit the entire rulemaking documents to the Office of Administrative Law (OAL) for approval. OAL filed the regulation with Secretary of State on December 29, 2011 when it became effective. However, in January 2012, two lawsuits were filed against the regulation and the Mendocino County Superior Court issued an order that stayed the enforcement of the regulation. Hearings on the Court opinion are pending.
(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)

APPENDIX 2

IRRIGATED LANDS REGULATORY PROGRAM

This month's Irrigated Lands Regulatory Program (ILRP) report covers the April 2012 period and will provide an update on the activities of the North Coast, San Francisco, Central Coast, Los Angeles, Colorado River Basin, Santa 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 Board ILRPs 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/

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

Johnny Gonzales (916) 341-5510 jgonzales@waterboards.ca.gov

Gita Kapahi (916) 341-5501 gkapahi@waterboards.ca.gov

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

NORTH COAST REGION AGRICULTURAL REGULATORY PROGRAM

Water Quality Compliance Program for Discharges from Agricultural Lands

North Coast Regional Water Board staff is developing a water quality compliance program to address water quality impacts associated with discharges from agricultural lands. The program is intended to improve water quality, satisfy the requirements of the State Nonpoint Source Policy, and implement TMDLs in the North Coast Region.

To help develop the program, staff has formed a stakeholder advisory group composed of people that represent the various stakeholder interests related to agriculture in the North Coast Region. The stakeholder group's purpose is to provide input to Regional Water Board staff on the different elements of the program. Stakeholder group meetings are scheduled throughout this year and through April 2013, with a Regional Water Board adoption hearing scheduled for fall 2013. See the March 2012 update for more information on the stakeholder group.

On April 18, 2012, the Regional Water Board held a teleconference/webinar meeting of the stakeholder group that focused on Regional Water Board agricultural programs statewide. Johnny Gonzales of the State Water Board staff gave a presentation comparing and contrasting the programs. He also presented the fee schedule for agricultural lands. Meetings of stakeholder subgroups will be held from May 3 – May 9 around the North Coast Region. Each stakeholder subgroup will be discussing the program scope and a draft program framework developed by Regional Water Board staff. The program framework is based on discharger tiers that correspond to risk to water quality, similar to tier-based programs developed in other regions.

For additional information on the North Coast Regional Water Board's water quality compliance program for discharges from agricultural lands, please see the following website http://www.waterboards.ca.gov/northcoast/water_issues/programs/agriculture_and_irrigated_lands/ or contact Ben Zabinsky at BZabinsky@waterboards.ca.gov or (707) 576-6750

SAN FRANCISCO BAY REGION

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

San Francisco Regional Water Board staff is developing a conditional waiver for vineyard properties (Vineyard Waiver) in the Napa and Sonoma watersheds to require that effective management practices be implemented to control human-caused discharges of pollutants from vineyard facilities. The Vineyard Waiver would cover existing vineyards, vineyard replants, as well as new vineyard development. The Vineyard Waiver will affect about 67,000 acres of planted vineyards in the two watersheds.

Staff is continuing its outreach efforts with a stakeholder advisory group, which consists of representatives from Napa and Sonoma counties, Sonoma County Grape Growers, Napa County Vintners, Sonoma and Napa County Farm Bureau, the Resource Conservation Districts, UC Cooperative Extension, other agencies, and environmental groups.

Staff held their third stakeholder advisory group meeting on March 1, 2012 at the Schellville Fire Station, located in lower Sonoma Valley. Johnny Gonzales, State Water Board, and San Francisco Regional Water Board staff discussed State Water Board fees for agricultural waivers and received input on a revised working draft of the terms and conditions of the Vineyard Waiver. In addition, requirements for the contents of a farm water quality plan (a key component of the waiver) and procedures of approving third-party technical assistance groups were discussed. The next meeting of the stakeholder advisory group is scheduled for May 15, 2012.

Additional information about the Vineyard Waiver may be found at:

http://www.waterboards.ca.gov/sanfranciscobay/water_issues/programs/TMDLs/vineyard/index.shtml

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

The Water Board adopted a conditional waiver of waste discharge requirements for grazing operations (Grazing Waiver) in the Napa River and Sonoma Creek watersheds on September 14, 2011. The goals of the Grazing Waiver are to reduce the discharge of sediment and pathogens to the Napa River and Sonoma Creek, and to protect stream and riparian areas. This program is a key element to implementing TMDLs for these two watersheds.

Ranchers were required to submit a Notice of Intent (NOI) to comply with the Grazing Waiver by November 15, 2011. To date, we have received 31 NOIs out of the approximately 50 that were projected.

Board staff is continuing with stakeholder outreach to make sure all eligible ranchers have been notified and are aware of the Grazing Waiver and its requirements. As part of the outreach, staff made a presentation at the Watershed Information Center and Conservancy Board

meeting on March 22 to provide an overview of the grazing requirements. We are working with UC Cooperative Extension (UCCE), and the Napa and Sonoma Resource Conservation Districts in identifying and contacting those eligible ranch operations that have yet to enroll.

Staff participated in UCCE sponsored trainings held on March 15, and April 17. Topics included waiver requirements, ranch plan preparation, mapping, evaluation of ranch activities, and selection potential best management practices. Future trainings are planned for June and August to discuss proper ranch road management and monitoring methods. Staff also provided comments on UCEE's proposed ranch plan and reporting templates intended to help ranchers comply with their waiver paperwork.

Additional information about the Grazing Waiver may be found at:

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)

No update for this period.

CENTRAL COAST REGION AGRICULTURAL REGULATORY PROGRAM

2012 Conditional Waiver of Waste Discharge Requirements from Irrigated Lands

On March 15, 2012, the Central Coast Water Board voted unanimously to adopt an updated Conditional Waiver of Waste Discharge Requirements from Irrigated Lands (2012 Agricultural Order). The Board's action comes after nearly four years of hearings, public comment and workshops on the 2012 Agricultural Order, and several revisions to address the concerns of the agricultural community. The updated 2012 Agricultural Order is designed to improve water quality and protect public health and sources of drinking water in areas of heavy agricultural use. It improves accountability through more effective monitoring and reporting of irrigation practices and nutrient use. The 2012 Agricultural Order and Monitoring and Reporting Program, as well a Fact Sheet, are available at the link below.

The 2012 Agricultural Order places farms in one of three tiers, based on risk to water quality. For many farms (Tier 1 and Tier 2), the new requirements are similar or less stringent than the previous order. Farms in Tier 3 have more stringent requirements. The Fact Sheet summarizes the requirements for farms in each tier. Growers can view which tier their farm is in by accessing their eNOI in GeoTracker.

Growers must do the following to comply with the 2012 agricultural order:

1. Enroll in the 2012 Agricultural Order by filing an electronic-Notice of Intent (eNOI).
2. Develop and implement a farm plan.
3. Implement management practices to protect water quality.
4. Conduct surface water receiving monitoring and reporting (cooperatively or individually).
5. Conduct groundwater monitoring and reporting (cooperatively or individually).
6. Install backflow prevention devices.
7. Submit an annual compliance form (Tier 2 and Tier 3 ONLY).
8. Conduct individual discharge monitoring and reporting (Tier 3 ONLY).
9. Develop and implement a certified irrigation and nutrient management plan (Tier 3 ONLY).
10. Develop and implement a water quality buffer plan (Tier 3 ONLY).

In May 2012, Regional Water Board staff will contact enrolled growers to confirm the appropriate tier for their farm(s). Each grower enrolled in the 2012 Agricultural Order will receive a packet of information (including a copy of the 2012 Agricultural Order, a list of requirements for each tier, a 5-year compliance calendar, a list of Water Board contacts, and a list of resources and assistance available to growers). In addition, Water Board staff will also announce dates for upcoming workshops in May and June 2012 to inform growers of the new requirements.

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

More information is also available on the Central Coast Regional Water Board's website at: http://www.waterboards.ca.gov/centralcoast/water_issues/programs/aq_waivers/index.shtml

LOS ANGELES REGION CONDITIONAL WAIVER FOR IRRIGATED LANDS

Compliance with the Renewed Conditional Waiver

The Nursery Growers Association Los Angeles County Irrigated Lands Group (NGA-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. The Conditional Waiver requires dischargers to conduct a Bacteria Special Study to characterize potential discharges of bacteria from irrigated lands. The Regional Water Board received a Bacteria Special Study work plan from VCAILG on October 11, 2011. Regional Water Board staff reviewed the document and approved the work plan on April 9, 2012. This study will last two years and will characterize wet and dry weather discharges and allow comparison to bacterial water quality objectives. The discharger groups are currently complying with existing monitoring and reporting programs and water quality management plans (WQMPs) that were developed in accordance with the previous waiver.

Enrollment

VCAILG staff informed the Regional Water Board that several growers who were enrolled in the 2005 Conditional Waiver did not re-enroll in the new Conditional Waiver. Regional Water Board staff responded on April 16, 2012 by sending letters to over 300 growers in Ventura County as

notification that they need to re-enroll in the Conditional Waiver program. In response to the letter, dozens of growers have contacted the Regional Water Board and the Farm Bureau to enroll in the Conditional Waiver.

Education Workshops

VCAILG has planned five education events for growers in Ventura County for April and June of 2012. One event, sponsored by the UCCE in Ventura County, is being conducted entirely in Spanish. Since renewal of the waiver, both VCAILG and NGA-ILG have provided numerous opportunities for their members to receive all eight hours of education credit required by the Conditional Waiver.

Grant Management

Staff continues to manage a Clean Water Act section 319(h) grant for grower education and outreach to implement best management practices (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 Conditional Waiver and specifically implements BMPs according to VCAILG's WQMP.

Staff is 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.

On March 7, 2012, a new Clean Water Act section 319(h) grant was executed for the purpose of identifying the contribution of and reducing metal loadings from nurseries and other irrigated agricultural lands in the San Gabriel River Watershed (Grant Agreement No. 11-098-554). The grantee is the Council for Watershed Health. The grantee will identify priority locations for BMP implementation, implement procedural BMPs at the priority locations, evaluate BMP effectiveness, and submit an implementation recommendation report to Regional Water Board staff. The grantee submitted their first invoice and progress report on April 19, 2012.

For additional information on the Los Angeles Region Conditional Waiver for Irrigated Lands, please contact Jenny Newman at, (213) 576-6691 jnewman@waterboards.ca.gov or Barbara Barry at, (213) 576-6681 bbarry@waterboards.ca.gov.

COLORADO RIVER BASIN CONDITIONAL PROHIBITION FOR AGRICULTURAL DISCHARGES

Colorado Regional Water Quality Control Board staff held a CEQA scoping meeting on April 3, 2012 in Blythe, CA regarding a proposed waiver of waste discharge requirements (WDRs) for discharges of wastes from agricultural operations in the Palo Verde Valley in Riverside and Imperial Counties along the Colorado River.

For background: At its January 20, 2011 meeting, the Regional Water Board approved a conditional prohibition as a basin plan amendment by adopting Resolution No. R7-2011-0014 to regulate the abovementioned agricultural wastewater discharges. The Regional Water Board also complied with the CEQA environmental review requirements applicable to amendments of basin plans. The Basin Planning Program, which includes amendments of basin plans, was certified by the Secretary for the California Natural Resources Agency, pursuant to Public Resources Code section 21080.5, as having an environmental review program equivalent to that specified under CEQA and thus, the Basin Planning program is exempt from CEQA. (Section 15251(g) of the CEQA Guidelines, Cal. Code Regs., tit. 14. § 15000 et seq.) Agencies with certified regulatory programs that are exempt from CEQA may prepare substitute environmental documents in lieu of the traditionally required CEQA environmental documents - initial studies, negative declarations, and environmental impact reports. Accordingly, the Regional Water Board prepared substitute environmental documents when it conducted its environmental review of the proposed conditional prohibition basin plan amendment.

Section 13245 of the Water Code requires that any basin plan or basin plan amendment must be approved by the State Water Board before it can become effective. In accordance with this statutory requirement, the Regional Water Board submitted the conditional prohibition adopted at its January 20, 2011, meeting to the State Water Board for its review and approval. However, at its meeting on January 10, 2012, the State Water Board decided to disapprove the conditional prohibition. Its disapproval decision is reflected in State Water Board Resolution No. 2012-0004. A copy of this resolution, which includes links to the underlying Regional Water Board resolution and conditional prohibition, may be viewed at the following link:

http://www.waterboards.ca.gov/board_decisions/adopted_orders/resolutions/2012/rs2012_0004.pdf. In its resolution, the State Water Board remanded the conditional prohibition back to the Regional Water Board and directed it to adopt WDRs or a waiver of WDRs in lieu of, or in addition to, a conditional prohibition for agricultural wastewater discharges. In accordance with this directive and because the proposed waiver of WDRs is not exempt from the traditional CEQA review process and is, from a practical perspective, a different “project” for the purposes of CEQA, the Regional Water Board is starting a new CEQA review process for the proposed waiver.

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

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

On April 5, 2012, Santa Ana Regional Water Board staff held a meeting of the proposed Conditional Waiver of Agricultural Discharges for the San Jacinto Watershed Advisory Group, the latest in a series of more-or-less quarterly stakeholder meetings. Discussions included new information about pollutant loading from sub-watersheds, updated information concerning acreage of various agricultural land uses, updated information concerning the number of agricultural operators who will be subject to the waiver (approximately 343), a proposed waiver condition concerning continuing education, the remand of the Santa Ana Regional Water Board Basin Plan's agricultural prohibition, and updated information about the watershed's hydrology.

Internal draft agricultural waiver and draft CEQA negative declaration is circulating in-house for edits, comments and revisions.

For more information, please contact:

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

No report was submitted this month.

For additional information on the San Diego Regional Water Board's Irrigated Lands Program, please contact Barry Pulver at (858.467.2733) bpulver@waterboards.ca.gov