

**Water Resources Control Board  
October 17, 2017  
Item 9 - Executive Director's Report**

**DIVISION OF FINANCIAL ASSISTANCE**

**Program Activity:**

**Clean Water State Revolving Fund (CWSRF)**

**Completed Significant Events**

1. Staff from Division of Financial Assistance completed the 2<sup>nd</sup> and 3<sup>rd</sup> of three stakeholder workshops (Oakland and Tulare) regarding potential process and policy improvements to the CWSRF program.
2. On September 19, 2017, the State Water Board executed the 36<sup>th</sup> and final agreement for one percent reduced interest rate financing for drought response projects.
3. On October 2, 2017, the State Water Board adopted a Resolution establishing a "debt management policy" for the CWSRF and Drinking Water SRF programs. The debt management policy describes the roles and responsibilities of Board staff, and describes the criteria and processes Board staff will use to manage debt in the SRF programs.
4. On October 2, 2017, the State Water Board adopted a Resolution increasing the leveraging limit for the CWSRF program from \$1.2 billion to \$2.2 billion. These funds will allow the CWSRF to provide complementary funds to meet the local share of projects eligible for Prop. 1 and Principal Forgiveness funds.

**Future Significant Events**

1. Staff from Division of Financial Assistance will hold a kick-off meeting in November 2017 in cooperation with staff from the IBank and State Treasurer's Office to begin the process to sell the series 2018 bonds for CWSRF.
2. On December 5, 2017, staff of Division of Financial Assistance will present an informational item to the State Water Board on the results of the three stakeholder workshops held during the summer of 2017.

<b>CWSRF Funding Agreements signed by Deputy Director (July 1, 2017 – September 30, 2017)</b>			
<b>CWSRF Project #</b>	<b>Recipient</b>	<b>Project Purpose</b>	<b>Funding Amount</b>
8047-110	Eastern Municipal Water District	Recycled Water Supply Optimization Program	\$47,632,440
8076-110	Ukiah, City of	Recycled Water Pipeline Project	\$21,809,000
8311-110	Napa, County of	MST Recycled Water Pipeline Extension	\$2,050,000
8071-110	Brentwood, City of	City of Brentwood Recycled Water Project (Phase A & B1)	\$14,596,500
8111-110	San Francisco, Public Utilities Commission of the City & County of	San Francisco Westside Recycled Water Project	\$171,220,000

8129-110	San Francisco, Public Utilities Commission of the City & County of	North Point Facility Outfall Rehabilitation	\$20,199,435
8132-110	San Francisco, Public Utilities Commission of the City & County of	CWWSIPSE04 - SEP Primary/Secondary Clarifier Upgrades	\$34,445,778
8211-110	Santa Monica, City of	Sustainable Water Infrastructure Project (SWIP)	\$56,885,903
8285-110	Central Marin Sanitation Agency	Renewable Energy Expansion Program	\$500,000
8088-110	San Francisco, Public Utilities Commission of the City & County of	CWWSIPSE05 - SEP 521/522 and Disinfection Upgrades	\$31,134,787
8220-110	South Tahoe Public Utility District	Water Meter Installations Phase 3-5	\$14,010,534
		Total	<b>\$414,484,377</b>

### **Cleanup and Abatement Account (CAA)**

#### **Completed Significant Events**

The 2016 Budget Act, Senate Bill (SB) 826, appropriated \$15 million from CAA to continue addressing drought-related drinking water emergencies and threatened emergencies within the State of California. In addition, on July 19, 2016, by Resolution No. 2016-0039, the State Water Board approved the allocation of up to \$4 million from the CAA to provide interim emergency drinking water to disadvantaged communities with a contaminated water supply, and delegated authority to administer this CAA allocation and the SB 826 drought-related appropriation consistent with the procedures and criteria prescribed in the funding guidelines approved in Resolution No. 2015-0035 until new funding guidelines are adopted. On August 16, 2016, the State Water Board adopted the new funding guidelines for the SB826 Drought funding and \$4 million contamination set-aside for disadvantaged communities. The encumbrance period for SB 826 ended in June 30, 2017 and the funding is no longer available.

#### **Cleanup and Abatement Account for Urgent Drinking Water Needs – Regular CAA:**

To date, the SWRCB has approved a total of \$257,365 in grants from the CAA to address urgent drinking water needs. Two projects requesting a total of \$33,800 are currently pending.

**Cleanup and Abatement Account Interim Emergency Drinking Water Program - \$4 Million Set-Aside for Contamination:** There is currently \$1,408,479 remaining under \$4 million Set-Aside for Contamination funding. If all the pending projects are approved, there will be approximately \$725,323 remaining under \$4 million Set-Aside for Contamination funding.

To date, the SWRCB has approved a total of **\$2,591,521** in grants to contamination related emergency projects.

<b>CAA Approved Projects (September 1, 2017 – September 30, 2017)</b>		
<b>Recipient</b>	<b>Project Purpose</b>	<b>CAA Funding Amount</b>
Alpaugh Unified School District	The funding will provide bottled water to the students and staff of Alpaugh School District for one school year until their permanent solution is in place.	\$20,000
Community Action Partnership of Madera County	The project would provide bottled water to approximately 235 households throughout Madera County that are currently receiving non-potable water via an extension of the Office of Emergency Services (OES) tank program.	\$117,805
Self-Help Enterprises	The project would provide bottled water to approximately 183 households in Merced, Kings, and Kern Counties that are currently receiving non-potable water via an extension of the OES tank program.	\$82,980.00
Turlock Unified School District	Bottled water for 225 staff and students while the School either constructs a new well or consolidates with the City of Turlock's water system, and removes lead and copper sources leaching into the water supply.	\$43,785.00
Eagles Nest Resort	Funding will be used to diagnose or repair a failed well.	\$15,000

<b>Reporting period: (September 1, 2017 – September 30, 2017)</b>	
<b>CAA \$4 million Contamination Set-Aside Funding</b>	
Number of projects approved:	4
Total amount approved:	\$264,570
<b>CAA Funding for Urgent Water Needs</b>	
Number of projects approved:	1
Total amount approved:	\$15,000
TOTAL NO. OF PROJECT FUNDED BY CAA:	5
TOTAL FUNDS APPROVED BY CAA:	\$279,570
<b>Reporting period: July 1, 2016 – Present (OVERALL)</b>	
<b>CAA SB826 Drought Emergency Funding</b>	
Number of projects approved:	13
Total amount approved:	\$4,715,196
<b>CAA \$4 million Contamination Set-Aside Funding</b>	
Number of projects approved:	36
Total amount approved:	\$2,591,521
<b>CAA Funding for Urgent Water Needs</b>	
Number of projects approved:	5
Total amount approved:	\$257,365
TOTAL NO. OF PROJECT FUNDED BY CAA:	54
TOTAL FUNDS APPROVED BY CAA:	\$7,564,082

#### **Drinking Water State Revolving Fund (DWSRF)**

DWSRF Funding Agreements signed by Deputy Director (July 1, 2017 – September 30, 2017)		
DWSRF Project #	Recipient – Project Purpose	Funding Amount
1010042-014C	Malaga County Water District - Malaga County Water District Water Meters	\$680,400.00
1500525-001C	Lakeview Ranchos Mutual Water Company - Arsenic Exceedance Compliance Project	\$2,160,000.00
1510001-004P	Arvin Community Services District - Arsenic Mitigation Phase II Test Wells and Design	\$941,000.00
2410018-002C	Santa Nella County Water District - Mobile Home Park Water Metering Project	\$3,301,014.00
2610003-005C	Bridgeport Public Utility District - Arsenic Removal Project	\$200,000.00
3210011-005P	Plumas Eureka Community Services District - Arsenic Remediation Project	\$350,000.00

## **Environmental Review**

California Environmental Quality Act (CEQA) Approvals (September 1, 2017 – September 30, 2017)	
Clean Water State Revolving Fund and Proposition 1, Small Community and Water Recycling Grants	
Project #	Entity - Description
C-06-8113-110	City of Escondido, Brine Line Broadway to Hale Avenue Resource Recovery Facility (HARRF) Project. A CEQA Determination on an Initial Study/Mitigated Negative Declaration (MND) was approved on 9/11/2017 and a Notice of Determination (NOD) was filed with the Governor's Office of Planning and Research (OPR) on 9/15/2017.
C-06-8115-110	City of Escondido, Brine Recycle Water Easterly Main and Tanks Project. A CEQA Determination on an MND was approved on 9/11/2017 and an NOD was filed with the OPR on 9/15/2017.
Drinking Water State Revolving Fund and Proposition 1 Grants	
3600009-001P	Apple Valley Heights County Water District. Storage Tank and Transmission Pipeline Improvements Project. A CEQA Determination on a Categorical Exemption (CE) was approved on 9/15/2017. A Notice of Exemption (NOE) was filed on 9/19/2017. State Water Board is Responsible Agency.
1910160-009C	Tract 349 Mutual Water Company. New Water Well and Production Facilities at Site 2. A CEQA Determination on the CE was approved on 9/21/2017. A NOE was filed on 1/23/2017. State Water Board is Lead Agency.
5000005-001P	Crows Landing Community Services District. Well 5 Remediation Project. A CEQA Determination on a CE was approved on 9/19/2017. An NOE was filed on 9/25/2017. State Water Board is Responsible Agency.
Water Supply Permits	
Water System #	Entity - Description
NOD/NOE & Memo Preparation by Environmental Review Staff for Future Issuance of Permits	
3610004	West Valley Water District. Roemer Filtration Facility GAC. State Water Board is the Responsible Agency. An NOE was prepared by the Environmental Review Staff, but not filed.
2610002	June Lake Public Utility District. June Lake Uranium Treatment Facility. State Water Board is the Responsible Agency. An NOE was prepared by the Environmental Review Staff, but not filed.

NOD/NOE & Memo Preparation & Filing by Environmental Review Staff for Issued Permits	
1510028	Mil Potrero Mutual Water Company. New/replacement Well 9 and 10. State Water Board is the Lead Agency. An NOE was prepared by the Environmental Review Staff and filed at OPR by the Environmental Review Staff on 08/24/17. SCH# 2017088587.
1502680	Orange Grove RV Park. Operation of Well 2. State Water Board is the Lead Agency. An NOE was prepared by Environmental Review Staff and filed at OPR by the Environmental Review Staff on 08/22/17. SCH 2017088498.
4310011	San Jose Water Company. Santa Rosa Tank Replacement Project. State Water Board is the Lead Agency. An NOD was prepared by Environmental Review Staff and filed at OPR by the Environmental Review Staff on 08/24/17. SCH# 2017042072.
1910155	Golden State Water Company. Southern Well 6 Manganese Treatment. State Water Board is the Lead Agency. An NOE was prepared by the Environmental Review Staff and filed at OPR by the Environmental Review Staff on 08/09/17. SCH# 2017088172
4100510	Redwood Terrace Mutual Water Company, Well 3. State Water Board is the Lead Agency. An NOE was prepared by the Environmental Review Staff and filed at OPR by the Environmental Review Staff on 09/08/17. SCH# 2017098134
5610063	Camrosa Water District. Penny Well. State Water Board is the Lead Agency. An NOE was prepared by the District Office Staff and filed at OPR by the Environmental Review Staff on 09/18/17. SCH# 2017098279
Comment Letters Provided	
4710004	City of Etna. Public Water System Improvement Project. State Water Board is the Responsible Agency. A comment letter was submitted to OPR by the Environmental Review Staff on 09/20/17. SCH# 2017082064.
Memos for Actions Determined Not to be Projects	
3310002	Beaumont Cherry Valley Water District. Well 3 & 25 Change from Standby to Active. State Water Board is the potential responsible agency. A memo was prepared suggesting permit language for the District finding the action was not a project under CEQA.
Memos for Past Funded Projects	
3610075	Chino Basin Desalter Program. Chino Desalter Phase 3 Expansion. State Water Board was the responsible agency. A memo was prepared suggesting permit language summarizing findings made in 2013 by CDPH, now State Water Board, under the funding of the project.

## **Marketing and Outreach**

### **Completed Significant Events**

**Pacific Oil Conference & Tradeshow:** State Water Board staff participated in the Pacific Oil Conference (POC) Tradeshow during September 5-7 in Los Angeles. The Pacific Oil Conference draws petroleum marketers and convenience store retailers from all over the Western United States, who use this important event to stay connected and collaborate with colleagues and experts within the petroleum industry. State Water Board Staff provided information on the Replacing, Removing, or Upgrading Underground Storage Tanks (RUST) Program and the funding opportunities available to assist small business owners and operators to come into compliance with regulatory requirements by removing, replacing, or upgrading underground storage tanks. Additional information regarding the POC can be found at: <http://www.petroshow.com/>

**2017 League of California Cities Annual Conference:** The State Water Board, Marketing and Outreach Unit, had the opportunity to be exhibitors at the 2017 Annual League of California Cities. The marketing event was on September 13-14, 2017, at the Sacramento Convention Center. As exhibitors, State Water Board staff provided funding information for the Drinking and Clean Water State Revolving Fund. The League of California Cities is an association of California city officials who work together to enhance their knowledge and skills, exchange information, and combine resources so that they may influence policy decisions that affect cities.

## **Operator Certification Program**

### **Completed Significant Events**

The Drinking Water Operator Certification Program conducted an exam for all five levels of certification on September 16, 2017. This exam was conducted at 12 sites throughout the state. There were 2,535 applicants that took part in the exam which included 15 applicants that needed special accommodations due to ADA requests or incarceration. The exam results are still being finalized so an overall pass rate is not currently available.

### **Future Significant Events**

Water Distribution exam results to be sent no later than October 27, 2017.

Water Treatment exam is November 18, 2017

Reporting period: April 1, 2017 – September 30, 2017	
Drinking Water Operator Certification Program	Distribution
Applications received (Exam, Cert., Renewals)	6,541
Certificates issued (New and Renewals)	3,349

Distribution Annual Number of Certificate Holders, by grade				
Grade	2017	2016	2015	2014
1	4261	4282	4345	4452
2	9422	9084	8872	8819
3	3911	3791	3772	3915
4	1778	1650	1553	1523
5	1019	964	911	885
Total	20391	19771	19453	19594

### **Office of Sustainable Water Solutions (OSWS)**

Drinking Water Projects Funded (September 1, 2017 – September 30, 2017)		
Project #	Recipient – Project Purpose	Funding Amount
3210011-005P	Plumas Eureka Community Services District – Arsenic Remediation Project	\$350,000
1200538=002P	Myers Flat Mutual Water System – Distribution System Improvements Project	\$230,000
5810006-001P	North Yuba Water District – Forbestown Ditch Pipeline	\$500,000
	Total:	\$1,080,000

Wastewater Projects Funded (September 1, 2017 – September 30, 2017)		
Project #	Recipient – Project Purpose	Funding Amount
5810006-001P	Lake County Sanitation District – Anderson Springs Septic to Sewer Project	\$6,837,000

### **Water Recycling Funding Program (WRFPP)**

WRFPP Approvals with Prop. 13 Grant (Planning Grant Agreements) (July 1, 2017 – September 30, 2017)			
Project #	Recipient	Project Purpose	Funding Amount (grant)
8341-110	North of River Sanitary District No. 1	NORSD Water Recycling Program	\$75,000

WRFP Projects with Prop. 1 Only <sup>1</sup> (July 1, 2017 – September 30, 2017)					
Project #	Recipient	Project Purpose	Grant	Loan	Total Financed
8200-110	Los Angeles, City of	Griffith Park South Water Recycling Project	\$9,107,096	\$0	\$9,107,096
8047-110	Eastern Municipal Water District	Recycled Water Supply Optimization Program	\$15,000,000	\$32,632,440	\$47,632,440
8076-110	Ukiah, City of	Recycled Water Pipeline Project	\$10,276,000	\$0	\$10,276,000
8071-110	Brentwood, City of	City of Brentwood Recycled Water Project (Phase A & B1)	\$6,205,500	\$0	\$6,205,500
8147-110	Anaheim, City of	South Anaheim Recycled Water Project	\$3,472,000	\$0	\$3,472,000
8111-110	San Francisco, Public Utilities Commission of the City & County of	San Francisco Westside Recycled Water Project	\$15,000,000	\$0	\$15,000,000
		<b>Totals</b>	<b>\$59,060,596</b>	<b>\$32,632,440</b>	<b>\$91,963,036</b>

<sup>1</sup> Three projects also received 1% CWSRF loan financing as part of the total financing: Ukiah, Brentwood, and San Francisco PUC

## DIVISION OF WATER QUALITY

### **Proposed Amendment of General Permit For Storm Water Discharges from Small Municipalities To Designate High Speed Rail Authority and De-designating Amtrak:**

The Small Municipal Separate Storm Sewer System (MS4) General Permit regulates storm water runoff from small municipalities and other “non-traditional” facilities, including transit districts. Attachment B of the Small MS4 General Permit lists non-traditional MS4s regulated under the Small MS4 General Permit. State Water Board staff is proposing to amend Attachment B of the Small MS4 General Permit to add California High Speed Rail Authority (HSRA) and remove Amtrak. HSRA enrolled under the small MS4 general permit for regulatory coverage of storm water discharges from its system. Amtrak does not need coverage under the general permit as it does not own the facilities that discharge storm water.

On September 14, 2017, the State Water Board issued notice that public comments regarding the Amendment will be received and considered by the Executive Director before making a final determination. The public was also notified that persons may request in writing that the State Water Board conduct a public hearing on the proposed Amendment. The public comment period closed on October 14, 2017. The Executive Director's determination is projected in November 2017. For more information, please see:

[http://www.waterboards.ca.gov/water\\_issues/programs/stormwater/phase\\_ii\\_municipal.shtml](http://www.waterboards.ca.gov/water_issues/programs/stormwater/phase_ii_municipal.shtml)

**Sediment Quality Objectives:** State Water Board staff is developing Proposed Amendments to the Water Quality Control Plan for Enclosed Bays and Estuaries. Sediment Quality Provisions (SQOs). The amendments include application and implementation of the SQO protecting benthic communities from direct exposure to pollutants in sediment, and application and implementation of the SQO protecting human consumers from contaminants that bioaccumulate from the sediment into fish tissue. Several groups and committees, including the SQO Advisory Committee, the Agency Coordination Committee, and the Harbor Technical Work Group, collaborated on studies to assist in the development, testing, and implementation of the SQOs. The most recent SQO Advisory Committee meeting was held on September 6, 2017. The Draft SQO Amendments will be released for public review and comment on October 23, 2017, and a Public Hearing will be held on December 5, 2017.

**Proposed Dredge or Fill Procedures:** State Water Board staff is developing proposed Procedures for Discharges of Dredged or Fill Materials to Waters of the State (Procedures). The draft Procedures were released for a second round of public comments on July 21, 2017, and the Board held a hearing on September 6, 2017. Two public workshops were also held on August 4th in Sacramento and on August 10th in San Diego. The public comment period closed on September 18, 2016, with in excess of 6,000 timely comments received. Staff is now reviewing comments and considering proposed responses and revisions to the Procedures. A hearing to consider adoption is tentatively for scheduled December 2017.

**Update on the Proposed Huntington Beach Desalination Project:** Poseidon Water (Poseidon) submitted a request for a Water Code section 13142.5(b) determination for the proposed Huntington Beach Desalination Project (Project) on March 15, 2016 and the Report of Waste Discharge on June 30, 2016. While reviewing the supporting documentation provided by Poseidon, Santa Ana Regional Water Board and State Water Board staff has conducted formal coordinated reviews and consultations with staff from the California Coastal Commission and California State Lands Commission. On August 28, 2017, the Santa Ana Water Board deemed complete Poseidon's application for a Water Code section 13142.5(b) determination and Report of Waste Discharge for renewal/reissuance of the National Pollutant Discharge Elimination System (NPDES) permit for the Project. Currently, Water Boards staff continues to evaluate the adequacy of the application and Report of Waste Discharge and has started working on a draft NPDES permit, while analyzing Poseidon's submitted materials and developing recommendations regarding the Project's compliance with Water Code section 13142.5(b). Additionally, to address outstanding questions that arose during review of Poseidon's supporting documentation, Water Boards staff is seeking neutral third party review through the State Water Board's existing peer review process. Water Boards staff estimates that the NPDES permit and

Water Code section 13142.5(b) determination will be considered by the Santa Ana Water Board in summer 2018.

**Statewide Bacteria Provisions:** State Water Board is proposing to establish statewide numeric bacteria objectives for the water contact recreation (REC-1) beneficial use, implementing provisions, and a water quality standards variance policy (Bacteria Provisions). The combined proposals will be included in a statewide water quality control plan titled, “Part 3 of the Water Quality Control Plan for Inland Surface Waters, Enclosed Bays, and Estuaries of California—Establishing Bacteria Provisions and a Variance Policy” and as an amendment to the “Water Quality Control Plan for Ocean Waters of California.” The Bacteria Provisions and supporting documentation were released for public comment on June 30, 2017. A staff level workshop was held on July 10, 2017 to provide a summary of the project to stakeholders and help develop comments. A State Water Board Public Hearing was held on August 1, 2017 to allow stakeholders to provide oral testimony. The public comment period ended on August 16, 2017. The proposed Bacteria Provisions will be considered for adoption by the State Water Board at a meeting on December 5, 2017. For more information, please see: <http://www.waterboards.ca.gov/bacterialobjectives>

## **Oil & Gas Monitoring Program**

**Groundwater Monitoring in Areas of Well Stimulation:** Since the adoption of the Model Criteria for Groundwater Monitoring in Areas of Oil and Gas Well Stimulation (Model Criteria, Water Board Resolution No. 2015-0047), Water Boards staff received eight proposed groundwater monitoring plans associated with well stimulation. Two plans have been approved, two have been denied, and the remaining four are under review. Staff received seven new requests from oil operators for exclusion from groundwater monitoring: three have been approved, three have been denied, and one is currently under review. Water Boards staff have also received 210 well stimulation permit applications that the Division of Oil, Gas and Geothermal Resources (DOGGR) has determined complete. Water Boards staff comments have been forwarded to DOGGR for 170 applications, while the remaining 40 are currently under review. State Water Board and USGS staff continue to coordinate with local water agencies and oil operators to schedule groundwater and produced water sampling. Regional Monitoring is currently being conducted or designed in the Fruitvale, North and South Belridge, Lost Hills, Elk Hills, North Coles Levee, Orcutt, Oxnard and Montebello oil fields.

**Aquifer Exemption Hearings:** Ten public hearings have been held to date for aquifer exemption proposals. Information about proposed aquifer exemptions, including Water Boards preliminary and final concurrence letters can be found here: [http://www.waterboards.ca.gov/water\\_issues/programs/groundwater/sb4/oil\\_field\\_produced/aquifer\\_exemptions/index.shtml](http://www.waterboards.ca.gov/water_issues/programs/groundwater/sb4/oil_field_produced/aquifer_exemptions/index.shtml)

**Aquifer Exemption Proposal Review:** Staff are conducting detailed reviews of aquifer exemption proposals, in cooperation with DOGGR. The primary focus of Water Boards staff review is to ensure the protection of water of current or future beneficial use. Regular correspondence occurs between staff at the Water Boards and DOGGR for each aquifer exemption proposal. Water Boards staff have received 32 aquifer exemption proposals from DOGGR and have preliminarily concurred with over 15 proposals. Seven aquifer exemption proposals have been forwarded by DOGGR with concurrence from the State Water Board to the U.S. EPA. U.S. EPA has approved aquifer exemption proposals for the following oil fields: Tejon, Round Mountain, Fruitvale, Mount Poso and Kern Front-Vedder.

**Underground Injection Control (UIC) Well Project Review:** State Water Board and Regional Board staff are conducting technical reviews of new UIC projects in coordination with DOGGR. Water Boards staff review entails analyzing any potential contamination risks to groundwater. To date, 61 UIC project proposals have been received from DOGGR in accordance with the 1988 memorandum of agreement. Of the 61 proposals, staff have not objected to 41 UIC projects, objected to one project, requested additional information for five projects, and are currently reviewing four project proposals. Three projects were rescinded by the operator and/or DOGGR during staff review and seven projects were not reviewed by State Water Board or Regional Board staff.

**State Water Board Irrigated Lands Regulatory Program (ILRP):** The ILRP reports are included in Appendix A of this report.

**Statewide Policies/Significant General Permits:** This month's Policy and Permits Table is included in Appendix B of this report.

## **DIVISION OF WATER RIGHTS**

**Updates Related to the Klamath Hydroelectric Project (Federal Energy Regulatory Commission Project No. 2082) and Lower Klamath Project (Federal Energy Regulatory Commission Project No. 14803):** There are two updates related to the Klamath Hydroelectric Project and Lower Klamath Project: 1) Tribal Consultation; and 2) Water Quality Certification Process. These items are discussed further below:

1. **Tribal Consultation:** The State Water Board is in the process of consulting with Native American tribes regarding the Lower Klamath Project. State Water Board staff met with the Shasta Nation (September 6) and Shasta Indian Nation (September 21) to discuss tribal cultural resources that could be affected by the Lower Klamath Project. State Water Board staff has regularly met with the Shasta Indian Nation and Shasta Nation since February 2017. Additional consultation meetings are scheduled into November 2017.
2. **Water Quality Certification Process:** On August 25, 2017, State Water Board staff submitted a letter to the Klamath River Renewal Corporation (KRRC) requesting additional information related to the Lower Klamath Project. The requested information is needed to process the water quality certification application and prepare the associated environmental document in compliance with the California Environmental Quality Act. Requested information included clarification on components of the project description, permitting, and studies the KRRC is conducting to verify Lower Klamath Project details such as disposal sites, access roads, and reservoir drawdown rates during dam removal. State Water Board staff received the KRRC's response to the information request on September 30, 2017. State Water Board staff's letter and the KRRC's submittal can be found on the Lower Klamath Project webpage at: [https://www.waterboards.ca.gov/waterrights/water\\_issues/programs/water\\_quality\\_cert/lower\\_klamath\\_ferc14803.shtml](https://www.waterboards.ca.gov/waterrights/water_issues/programs/water_quality_cert/lower_klamath_ferc14803.shtml)

State Water Board staff continues to have regular coordination meetings with the KRRC and Oregon Department of Environmental Quality regarding the Lower Klamath Project and the State Water Board's associated water quality certification process.

**Eastern Sierra Hydroelectric Power Projects Operations and Maintenance:**

On October 3, 2017, the Executive Director issued a water quality certification for Southern California Edison Company's Eastern Sierra Hydroelectric Power Projects Operations and Maintenance (Project). The Project involves routine operation and maintenance (O&M) activities at 17 sites associated with four hydroelectric projects: Bishop Creek Hydroelectric Project (Federal Energy Regulatory Commission [FERC] Project No. 1394); Rush Creek Hydroelectric Project (FERC Project No. 1389); Lee Vining Creek Hydroelectric Project (FERC Project No. 1388); and Lundy Hydroelectric Project (FERC Project No. 1390). The four projects and their facilities are located along the eastern slope of the Sierra Nevada in Inyo and Mono counties, California. The Project facilities are situated as far north as Mill Creek (near the town of Lee Vining on State Highway 395) and south to Bishop Creek (approximately two miles west of the city of Bishop on State Highway 168). SCE proposes routine O&M activities to maintain the functional and structural integrity of its facilities. Routine O&M activities associated with the Project fall into the following general categories: sediment bypass, vegetation management, material removal, facilities repair, or penstock inspections. The Project water quality certification is available online at:

[https://www.waterboards.ca.gov/waterrights/water\\_issues/programs/water\\_quality\\_cert/401\\_certifications.shtml](https://www.waterboards.ca.gov/waterrights/water_issues/programs/water_quality_cert/401_certifications.shtml)

**Water Quality Certifications Updates for Federal Energy Regulatory Commission**

**Projects:** The following table provides the projected release dates for key hydropower projects awaiting a water quality certification as part of the Federal Energy Regulatory Commission licensing process.

<b>Water Quality Certifications for Federal Energy Regulatory Commission Projects</b>				
			<b>Projected Release Date</b>	
<b>FERC Project No.</b>	<b>Project Name</b>	<b>Licensee</b>	<b>Draft</b>	<b>Final</b>
67 120 2085 2086 2174 2175	<u>Big Creek (6 Projects):</u> Big Creek 2A, 8 & Eastwood Big Creek 3 Mammoth Pool Vermillion Valley Portal Big Creek 1 & 2	Southern California Edison	<del>Sep-2017</del> <sup>1</sup> Oct-2017	<del>Feb-2018</del> <sup>1</sup> Mar-2018
2107	Poe	Pacific Gas & Electric Company	Jun-2017	Dec-2017
2088	South Fork Feather	South Feather Water & Power Agency	Oct-2017	Mar-2018
606	Kilarc-Cow	Pacific Gas & Electric Company	Dec-2017	May-2018
2105	Upper North Fork Feather River	Pacific Gas & Electric Company	Jan-2018	Jul-2018
2079	Middle Fork American River	Placer County Water Agency	Apr-2018	Sep-2018
2106	McCloud Pit	Pacific Gas & Electric Company	May-2018	Oct-2018

<sup>1</sup> At the request of Southern California Edison (SCE), pushed back one month to prioritize the certification for another SCE project, which was issued on October 3, 2017. See update related to Eastern Sierra Hydroelectric Power Projects Operations and Maintenance above.

**Relief Reach-Kennedy Meadows Riparian Restoration and Streambank Stabilization**

**Project:** On September 6, 2017, the Executive Director issued a water quality certification (certification) for Pacific Gas and Electric Company's Relief Reach-Kennedy Meadows Riparian Restoration and Streambank Stabilization Project (Project). The Project is a requirement of PG&E's license for the Spring Gap-Stanislaus Hydroelectric Project, Federal Energy Regulatory Commission Project No. 2130. The certification and related documents can be found on the Spring Gap-Stanislaus Hydroelectric Project webpage at:  
[https://www.waterboards.ca.gov/waterrights/water\\_issues/programs/water\\_quality\\_cert/springgap\\_ferc2130.shtml](https://www.waterboards.ca.gov/waterrights/water_issues/programs/water_quality_cert/springgap_ferc2130.shtml)

**Release of Draft Mitigated Negative Declaration for the Poe Hydroelectric Project:**

On September 8, 2017, the State Water Board released, for public comment, a Draft Initial Study/Mitigated Negative Declaration (IS/MND) for the Poe Hydroelectric Project. The comment deadline for the Project's Draft IS/MND is 12:00 pm (noon) on October 11, 2017. The Notice of Intent (NOI) to adopt a MND and the Draft IS/MND can be found on the Poe Hydroelectric Project webpage at:  
[http://www.waterboards.ca.gov/waterrights/water\\_issues/programs/water\\_quality\\_cert/poe\\_ferc2107.shtml](http://www.waterboards.ca.gov/waterrights/water_issues/programs/water_quality_cert/poe_ferc2107.shtml)

**Instream Flow Related Work Under the California Water Action Plan:** The State Water Board and California Department of Fish and Wildlife identified five priority streams under an action identified in the California Water Action Plan to Enhance Water Flows in Stream Systems Statewide: Mark West Creek, Mill Creek, Shasta River, South Fork Eel River, and Ventura River. Updates on work associated with this effort are provided below.

- **Ventura River:** On September 13, 2017, State Water Board and Santa Barbara Channel Keeper (SBCK) staff visited key sites on the Ventura River where SBCK has collected continuous water quality data since 2013. Additionally, State Water Board and Upper Ventura River Groundwater Sustainability Agency (UVRGA) staff conducted reconnaissance on the Ventura River near Casitas Springs for sites to measure surface flow and groundwater upwelling.

On September 14, 2017, State Water Board staff attended a regular meeting of the Ventura River Watershed Council to inform the council about an upcoming opportunity to provide input on the State Water Board's *Draft Study Plan for the Development of an Integrated Groundwater-Surface Water Model of the Ventura River Watershed* (Draft Study Plan). State Water Board staff also attended a regular meeting of the UVRGA. State Water Board and UVRGA staff discussed the need for ongoing coordination between related water management efforts, including elements of the UVRGA's Groundwater Sustainability Plan that may coincide with the State Water Board's surface water-groundwater modeling project. It is anticipated such discussions will occur when the Draft Study Plan is released for public comment.

Additional information on the State Water Board's instream flow efforts under the California Water Action Plan is available online at:  
[http://www.waterboards.ca.gov/waterrights/water\\_issues/programs/instream\\_flows/cwap\\_enhancing/](http://www.waterboards.ca.gov/waterrights/water_issues/programs/instream_flows/cwap_enhancing/)

**Mendocino County License:** On September 21, 2017, the Division of Water Rights approved a petition for change in place of use and issued License 13898 to Mendocino County Russian River Flood Control and Water Conservation Improvement District (District). The license authorizes: (a) 28 cubic feet per second by direct diversion from January 1 to December 31 of each year (at Lake Mendocino and 86 points of diversion); and (b) 82,600 acre feet per annum (afa) by storage in Lake Mendocino from October 1 of each year to September 30 of the succeeding year. The total amount of water taken from the East Fork Russian River (direct diversion plus collection to storage) is limited to 85,667 afa. The total amount of water placed to beneficial use (direct diversion plus rediversion of stored water) cannot exceed 7,940 afa. The authorized uses are domestic, municipal, industrial, recreation at Lake Mendocino, irrigation of a net area of 4,096 acres within a gross area of 16,505 acres, and use of up to 4,000 af of surplus water for domestic use and irrigation of 2,000 acres net within 3,500 acres gross in the Redwood Valley County Water District service area.

Both the District and Sonoma County Water Agency hold water rights for Lake Mendocino. Sonoma County Water Agency input was taken into consideration in developing the license. License issuance clarifies how much water the District may use, which should assist both entities in managing the water supply. License issuance also requires accounting of water right usage that allows the District to move towards compliance with [Cease and Desist Order 262.31-15](#).

**City of Healdsburg Change Petitions and Amended Rights:** On September 29, 2017, the Division of Water Rights issued amended Permits 7847, 8594, and 11039 and amended License 5625B to the City of Healdsburg. The amended rights were issued pursuant to Executive Order WR 2017-0036-Exec. Executive Order WR 2017-0036-Exec approved seven petitions for change and extension of time, cancelled two protests, approved three corrections, and clarified a combined cap on diversions. The amended rights also allow the City of Healdsburg to make changes to their water diversions that are necessary to address water quality issues, and continue to work towards full beneficial use of water under the permits.

**Douglas and Heidi Cole and Marble Mountain Ranch Waste and Unreasonable Use Hearing:** By letter dated August 30, 2016, the Division of Water Rights' (Division) Enforcement Branch notified Douglas and Heidi Cole and Marble Mountain Ranch (collectively Marble Mountain Ranch) that the Division was requesting a hearing, and attached to the letter a draft order containing findings of: 1) waste, unreasonable use, unreasonable method of use, and unreasonable method of diversion of water; 2) unreasonable harm to public trust resources; and 3) corrective actions with interim and final implementation deadlines. Marble Mountain Ranch diverts surface water from Stanshaw Creek, a tributary to the Klamath River in Siskiyou County, under a pre-1914 claim of right. If Marble Mountain Ranch complied with the corrective actions specified in the draft order by the first interim deadline, October 15, 2016, the letter recommended that the parties request that the State Water Board postpone the hearing. In the absence of a postponement request, the State Water Board issued a Notice of Public Hearing on June 9, 2017. Prior to the August 22, 2017, commencement of the hearing, Marble Mountain Ranch requested postponement of the hearing. Some parties, including the Division's prosecution team, supported a limited postponement of the hearing. On July 19, 2017, Vice-Chair and Hearing Officer Steven Moore postponed the hearing. On August 16, 2017, the State Water Board provided notice that the hearing is rescheduled to begin on November 13, 2017. On September 12, 2017, Marble Mountain Ranch requested additional postponement of the rescheduled hearing which the Division's prosecution team objected to and which was subsequently denied by Hearing Officer Moore. The hearing remains scheduled to begin on November 13, 2017.

Additional information regarding this matter is available on the State Water Board's website at: [http://www.waterboards.ca.gov/waterrights/water\\_issues/programs/hearings/marblemountain/index.shtml](http://www.waterboards.ca.gov/waterrights/water_issues/programs/hearings/marblemountain/index.shtml)

**Delbert Lehr and Jeff Lehr draft Cease and Desist Order Hearing:** The State Water Board has rescheduled this hearing to begin on January 11, 2018, to determine whether to adopt, with or without revision, the March 16, 2016 draft cease and desist order (draft CDO) against Delbert Lehr and Jeff Lehr (collectively Lehr). The Assistant Deputy Director for the Division of Water Rights (Division) issued the draft CDO against Lehr for the alleged violation and threatened violation of the prohibition against unauthorized diversion or use of water from the East Branch of the North Fork of the Feather River within the Sacramento River Watershed in Plumas County. Delbert Lehr holds water right Licenses 217 and 3421 to appropriate water from sources that are ultimately tributary to the Sacramento River. By letter dated April 5, 2016, Lehr requested a hearing on the draft CDO. By notice dated July 8, 2017, the State Water Board scheduled the hearing to begin on September 27, 2017. On August 28, 2017, the Division's prosecution team and Lehr requested a 60-day postponement of the hearing and associated deadlines to finalize and formalize an agreement to resolve the draft CDO. The request was approved by Vice-Chair and Hearing Officer Steven Moore. On September 13, 2017, the State Water Board provided notice that the hearing is rescheduled to begin on January 11, 2018.

Additional information related to this hearing is available on the State Water Board's website at: [http://www.waterboards.ca.gov/waterrights/water\\_issues/programs/hearings/lehr\\_cdo/index.shtml](http://www.waterboards.ca.gov/waterrights/water_issues/programs/hearings/lehr_cdo/index.shtml)

**California WaterFix Water Right Petition and Hearing:** The State Water Board is in the midst of a hearing to consider whether and under what conditions to approve a water right change petition to add authorized points of diversion of water to the water right permits for the Department of Water Resources' (DWR) State Water Project and the U.S. Bureau of Reclamation's (Reclamation) Central Valley Project (collectively petitioners) for the California WaterFix Project. The hearing is subdivided into two parts, with Part 1 focusing on impacts to other users of water and Part 2 focusing on fish and wildlife. Part 1 of the hearing concluded on July 11, 2017. Part 2 is scheduled to start on January 18, 2018.

Parties were invited to propose topics for a pre-hearing conference for Part 2 of the hearing by September 8, 2017. The hearing officers received 13 letters from multiple parties covering a wide range of potential topics for the tentatively scheduled pre-hearing conference. The hearing officers are in the process of reviewing parties' submissions and assessing the need for a pre-hearing conference. If a pre-hearing conference is needed, staff will send out an agenda before the tentative meeting date of October 19, 2017.

Additional information regarding this matter is available on the State Water Board's WaterFix change petition website at: [http://www.waterboards.ca.gov/waterrights/water\\_issues/programs/bay\\_delta/california\\_waterfix](http://www.waterboards.ca.gov/waterrights/water_issues/programs/bay_delta/california_waterfix)

**Phase II Update to the Bay-Delta Plan:** On October 4, 2017, the State Water Board posted several documents on its website related to the Phase II update of the [Bay-Delta Water Quality Control Plan](#) (Bay-Delta Plan). Those documents include a fact sheet on the current status of the Phase II process, questions for optional public input to inform potential Phase II changes to the [Bay-Delta Plan](#), the final Scientific Basis Report supporting potential changes to the plan, an updated hydrologic model (the Sacramento Water Allocations Model or SacWAM) to support Phase II, and responses to peer reviews on the Scientific Basis Report and SacWAM. A notice

was also mailed out to water users (over 4,000 water users) who use water from the watershed informing them of the posting of these documents, and informing them of how to stay updated on the Phase II process. This posting of materials provides stakeholders with an early opportunity to review the proposed Phase II approach and supporting materials prior to release of a staff report/environmental document and proposed Phase II changes to the Bay-Delta Plan for formal public comment in early 2018.

These documents and related materials can be found on the State Water Board's website at: [http://www.waterboards.ca.gov/waterrights/water\\_issues/programs/bay\\_delta/comp\\_review.shtml](http://www.waterboards.ca.gov/waterrights/water_issues/programs/bay_delta/comp_review.shtml)

**Background:** The Bay-Delta Plan is being updated in two separate phases. Phase I addresses flow requirements in the San Joaquin River watershed for the protection of fish and wildlife, and salinity requirements in the southern Delta for the protection of agriculture. Phase II addresses requirements for flows and cold water habitat in the Sacramento River, its tributaries and tributaries to the Delta; Delta outflows; and State Water Project and Central Valley Project (Project) operations in the interior Delta. In September of 2016, State Water Board staff released an initial version of SacWAM for public comment and peer review by an independent panel organized by the Delta Science Program (DSP). A public review workshop was held as well as trainings on the model. The DSP peer review panel comments were received this winter. Based on the peer review comments and other comments, SacWAM has been updated, and responses to the peer review comments have been prepared. In October of 2016, the State Water Board released a working draft Science Report for public comment and review by the Delta Independent Science Board (DISB). In December 2016, the State Water Board held a public workshop and received written comments from the public on the Report, and in February the State Water Board received final written comments from the DISB. Based on public and agency input, the working draft Science Report was revised and submitted for independent peer review pursuant to the Public Health and Safety Code. Peer review responses received this summer determined that the Science Report is based on sound science, and indicated that no changes are needed to the report. While not required, responses to questions and comments raised by the peer reviewers have been prepared for clarity.

## **DIVISION OF DRINKING WATER**

**2017 Water System Consolidation Summary:** The following is a summary table of the 32 water systems that have been consolidated statewide from January 1, 2017 through July 20, 2017.

The table includes the type of water system, its population, associated violations and the primary funding source for the consolidation.

System No.	Water System Name	Type	Pop	Violations	Funding Source
0310015	RABB PARK COMMUNITY SER. DIST.	C	268	--	Private/Self-funded
5601206	LIMONEIRA CO. – MCKEVETT	C	36	--	Private/Self-funded
5400966	WESTLAKE VILLAGE MHP	C	350	water outage	Private/Self-funded
1510041	NORTH OF THE RIVER MWD	C	0	--	Private/Self-funded
2910007	NEVADA IRRIGATION DISTRICT-CASCADE SHORES	C	959	landslide	Private/Self-funded
5400600	GOLDEN KEY APARTMENTS	C	48	--	Private/Self-funded
5400570	CHINOWTH APARTMENTS	C	28	water outage	Private/Self-funded
0600011	DEL ORO WATER CO.-WALNUT RANCH	C	182	arsenic/outage	SWRCB
3302093	COUNTY WATER OF RIVERSIDE	C	420	nitrate	SWRCB
5403202	SALLY TRACH WATER SYSTEM	C	25	--	Private/Self-funded
1500508	TWIN PINES MOBILEHOME PARK	C	92	--	Private/Self-funded
1805009	WEST PATTON VILLAGE CSD	C	465	--	SWRCB
0910010	PLACERVILLE, CITY OF - SIERRA GOLF & CC	C	320	DBPs	Private/Self-funded
1200698	MOBILE ESTATES FN	C	120	DBPs	Private/Self-funded
0900655	ROCKWATER APTS.	C	50	PCE	SWRCB
3400332	OXBOW MARINA (SWS)	C	200	arsenic	SWRCB
3310015	ELSINORE VALLEY MWD – TEMESCAL	C	2,294	--	Private/Self-funded
1310017	CHP CALEXICO PORT OF ENTRY	NTN C	223	TTHM	CalTrans
5000308	B & H MANUFACTURING	NTN C	90	arsenic	Private/Self-funded
1600296	OLAM SPICES AND VEGETABLES INC	NTN C	75	arsenic	Private/Self-funded
5403010	VISALIA CITRUS PACKERS-WOODLAKE	NTN C	150	nitrate	Private/Self-funded
2702624	UNI-KOOL WS	NTN C	180	nitrate	Private/Self-funded
2000578	PETE'S PLACE (WATER)	NC	150	bacti	Private/Self-funded
1300611	SHUEY SHELL CANYON WATER CO.	NC	25	water outage	SWRCB

3303012	BEL AIR GREENS, LP	NC	150	--	Private/Self-funded
4900922	SMOTHER'S WATER SYSTEM	NC	45	bacti	Private/Self-funded
3400359	HAMILTON STREET PARK	NC	100	bacti	Private/Self-funded
0800613	CRIVELLI'S WATER SYSTEM	NC	100	bacti	Private/Self-funded
0900539	SUNRAY TAHOE HOTEL	NC	120	--	Private/Self-funded
1502163	LINNS VALLEY SCHOOL	NP	106	bacti	SWRCB
2202048	INDIAN FLAT R V PARK AND CAMPGROUND	NP	100	bacti/nitrate	Private/Self-funded
2400176	ST. PAUL LUTHERAN DAY CARE	NP	50	--	Private/Self-funded

#### **California's Annual Capacity Development Program Implementation Report:**

DDW submitted California's Annual Capacity Development Program Implementation Report to U.S. EPA Region 9 on September 5, 2017. The report documents the Water Boards existing capacity development program, including new legislative directives targeted toward consolidation of public water systems and the Water Boards human Right to Water resolution. The report identified only 56 new public water systems during the last fiscal year that included six community and 50 non-community water systems. Over 72,000 hours were logged into activities that support capacity development with our public water systems and Local Primacy Agencies. Technical Assistance Providers met expectations for group training and individual public water system assistance. These providers include RCAC, CRWA and SHE. Additionally, the Water Board moved forward on six mandatory consolidations under the authority granted by SB 88, now codified in Health and Safety Code Section 116681. A total of 33 voluntary consolidations also occurred during the last fiscal year.

**Environmental Laboratory Accreditation Program:** ELAP staff completed classroom training with NV5/Dade Moeller's expert environmental laboratory assessors under the ELAP Assessor Training Contract. The second portion of the training, during which ELAP assessors will shadow NV5's professional assessors during on-site assessments of California drinking water laboratories, is scheduled to begin this Fall.

ELAP and NV5 hosted four public workshops for members of the laboratory community on implementation of the 2016 TNI Standard. The goal of these sessions was to educate attendees on the standard requirements and provide a strategy to begin implementation. Video of the Sacramento workshop and a copy of the presentation are available on ELAP's [Event Calendar](#).

The public comment period for ELAP's preliminary draft regulations text closed on September 7th. ELAP's Regulations Team is reviewing the 70 comment letters received and considering revisions to the draft text.

**ELAP Accreditation Certificates Issued:** ELAP issued renewed certificates of accreditation to 26 existing laboratories in September 2017.

ELAP Annual Proficiency Testing Reviews Performed: ELAP performed review of annual proficiency testing studies for 42 laboratories in September 2017.

ELAP Enforcement Unit: ELAP's Enforcement Unit is currently investigating 13 open cases. The unit performed one unannounced on-site investigation and one off-site data investigation in September 2017. Formal enforcement actions taken on existing cases include:

- Two Notices of Violation issued
- One Preliminary Finding Letter issued
- One laboratory voluntarily self-suspended

## **DIVISION OF ADMINISTRATIVE SERVICES**

### **Program Activity:**

#### **Update on Water Quality, Water Rights and Drinking Water Fees Stakeholder Process:**

Staff presented the proposed FY 2017-18 fee schedules for Drinking Water, Water Rights and Water Quality fees at the September 19 Board Meeting. The fee schedules for Drinking Water and Water Quality were approved as proposed. The Water Rights fee schedule was approved as proposed with the exception of the proposed increase for small irrigation, livestock and small domestic registration irrigation fees, which were kept at the FY 2016-17 levels. Staff is now preparing the emergency regulation packages for submittal to, and approval by, the Office of Administrative Law.

The Board Members directed staff to work with the California Cattlemen's Association and other agricultural and farming organizations to discuss the Water Rights registration fees. Staff is planning to meet with these stakeholders in October at a date to be determined. The Board Members also directed staff to work with the Agricultural Lands (Ag Lands) program stakeholders to discuss methodology options for assessing fees. Staff is planning a series of meetings with Ag Lands stakeholders to begin at the end of October or beginning of November. Staff is planning to meet with Environmental Laboratory Accreditation Program stakeholders to revise the program's fee schedule. Staff met with the Cannabis Business Alliance on October 2 regarding the Water Boards' various cannabis fees. Based on that meeting staff anticipates holding a series of informational meetings in various parts of the state with the Cannabis program stakeholders to explain our fee methodologies and answer questions from the stakeholders. The commercial cannabis industry as a whole, and many of these individual stakeholders are new to the Board's regulatory program(s) and fee collection processes.

## **OFFICE OF ENFORCEMENT**

### **Legal Unit**

Overview – The Legal Unit represents the Assistant Executive Officers and other enforcement staff for the nine Regional Water Boards and the State Water Board in administrative enforcement actions before the Water Boards. The Legal Unit also serves as the primary legal contact point for criminal and civil enforcement actions for water quality violations and fraud, waste and abuse against the UST Cleanup Fund referred by the Water Boards to outside prosecutors such as the Attorney General's Office or district attorneys. The Legal Unit provides general legal advice and counsel to the Water Boards regarding enforcement related issues,

provides training to Water Board enforcement staff, and assists with case prioritization and implementation of the State Water Board's Enforcement Policy to ensure that enforcement matters are prosecuted in a firm, fair and consistent manner.

### **Significant 2017 Cases:**

- **City of Industry – Los Angeles Water Board (December 2016)**

The Legal Unit assisted the Los Angeles Water Board in imposing \$5,000,000 in administrative civil liability, through settlement, against the City of Industry for alleged violations of the Clean Water Act and Water Code for grading in the Eastern Fork of the San Gabriel River and discharging dredge and fill material without a permit. The unpermitted grading of 2.38 acres of riverbed resulted in the discharge of roughly 880,607 gallons of river cobbles and sediment into the San Gabriel River, which is designated as a critical habitat for the federally threatened Santa Ana suckerfish.

Under the settlement agreement, the city paid \$2,500,000 to the State Water Pollution Cleanup and Abatement Account. The remaining \$2,500,000 will be suspended if the city completes a stormwater quality improvement Enhanced Compliance Action. The proposed project will collect runoff through a storm drain system and deliver it to a stormwater treatment facility for reuse as reclaimed water.

[https://www.waterboards.ca.gov/press\\_room/press\\_releases/2016/pr120816\\_cityofindustry.pdf](https://www.waterboards.ca.gov/press_room/press_releases/2016/pr120816_cityofindustry.pdf)

- **Compressed ACL; City of Sutter Creek – Central Valley Water Board (April 2017)**

The Legal Unit assisted the Central Valley Water Board in developing a streamlined administrative civil liability enforcement process ("Compressed ACL") for construction sites with violations of the Construction General Permit during the 2016-2017 rainy season. The streamlined process was successfully utilized for a number of dischargers, including the City of Sutter Creek, resulting in more enforcement and a better deterrent effect. In that matter, the Legal Unit assisted the Central Valley Water Board in imposing \$86,112 in administrative civil liability, through settlement, against the city for alleged discharge of sediment-laden stormwater and failure to implement appropriate best management practices at its Badger Street Bridge construction project.

As part of the settlement, the city will contribute \$38,385 to the California Product Stewardship Council for its Sustainable Medication Take Back Program for Amador County, which includes a pharmaceutical disposal education and outreach effort to protect surface waters. The remainder has been deposited into the State Water Pollution Cleanup and Abatement Account.

[https://www.waterboards.ca.gov/press\\_room/press\\_releases/2017/pr040617\\_sutter\\_creek.pdf](https://www.waterboards.ca.gov/press_room/press_releases/2017/pr040617_sutter_creek.pdf)

- **Army Corps of Engineers – Los Angeles Water Board (July 2017)**

The Legal Unit assisted the Los Angeles Water Board and the Attorney General's Office in resolving a complex Clean Water Act citizen suit brought by the Los Angeles Water Board against the U.S. Army Corps of Engineers for alleged violations of the Clean Water Act resulting from two Army Corps dredge and fill operations in the Los Angeles Region. Specifically, the Army Corps engaged in two separate maintenance dredging projects at Verdugo Wash and Sepulveda Basin during 2011 and 2012, respectively, without obtaining

401 certification from the Los Angeles Water Board. OE counsel assisted the Los Angeles Water Board in mediation with the Army Corps, with the goal of creating a framework for future recurring Army Corps maintenance projects, fostering better communication between two sovereigns, and working to identify areas of agreement with respect to certain best management practices that could be implemented to protect water quality.

As part of the settlement, the Los Angeles Water Board and the Army Corps entered into a Memorandum of Understanding (MOU) that lays out regulatory processes, guidelines, and best management practices for future work in the Los Angeles County Drainage Area (LACDA), which is managed by the Army Corps. Under the MOU, the Army Corps agrees to notify the Los Angeles Water Board by October 31 of each federal fiscal year with a list of the planned LACDA projects and the operation, maintenance, repair, replacement and rehabilitation activities for that year. Depending on the project, the Corps will also provide between 45-75 days advance notice prior to commencing the activity. Along with the notifications, the Army Corps will work collaboratively with the Los Angeles Water Board and use agreed to best management practices to reduce the amount of pollutants and sediment discharged into the L.A. River and its tributaries.

[https://www.waterboards.ca.gov/press\\_room/press\\_releases/2017/pr072417\\_armycorps\\_settlement.pdf](https://www.waterboards.ca.gov/press_room/press_releases/2017/pr072417_armycorps_settlement.pdf)

- **City of San Diego – San Diego Water Board (August 2017)**

The Legal Unit assisted the San Diego Water Board in imposing \$3,200,000 in administrative civil liability, through settlement, against the City of San Diego for alleged violations that occurred between 2010-2015 related to the city's failure to ensure that construction sites throughout the city protected local streams and coastal lagoons from loose sediment, as required by the San Diego Water Board's municipal stormwater permit. The alleged violations affected waterbodies from Los Peñasquitos Lagoon in the north to the Tijuana River Estuary in the south.

Under the agreement, the city will use \$1,610,332 to fund four Supplemental Environmental Projects (SEPs) in the San Diego Region. The four SEPs are: Los Peñasquitos Lagoon inlet restoration, San Diego River restoration and *Arundo* removal, a bioassessment tool development project, and a Chollas Creek restoration opportunities assessment. The remaining liability of \$1,610,332 has been deposited into the State Water Pollution Cleanup and Abatement Account.

[https://www.waterboards.ca.gov/press\\_room/press\\_releases/2017/pr080917\\_san\\_diego\\_settlement.pdf](https://www.waterboards.ca.gov/press_room/press_releases/2017/pr080917_san_diego_settlement.pdf)

**Administrative Civil Liability (ACL) and Cleanup and Abatement Actions Issued  
September 2017:**

a. ACL Complaint(s) Issued

Region	Discharger/Facility	Violation(s) Addressed	ACL Complaint Amount	Date Issued
<b>WATER QUALITY</b>				
4	100 N. Crescent LLC c/o Kennedy Wilson Properties Ltd	Mandatory minimum penalties for copper and zinc effluent violations and a late report.	\$24,000 (MMP – all to CAA)	09/07/2017
5S	Constellation Wines US Operations Inc dba Woodbridge Winery	Mandatory minimum penalties for six Biochemical Oxygen Demand (BOD) and six Total Suspended Solids (TSS) effluent violations.	\$36,000	09/11/2017
5S	Original Sixteen to One Mine, Inc.	Mandatory minimum penalties for one arsenic, two total suspended solids, one cadmium, one iron, four antimony, one nickel, and two copper effluent violations.	\$33,000	09/11/2017
5S	Nevada CSD No 1 Cascade Shores WWTP	Mandatory minimum penalties for five nitrate nitrogen, total (as N) violations, and four total coliform violations.	\$18,000	09/11/2017
5S	City of Stockton Stockton Regional WW Control Facility	Mandatory minimum penalties for one total ammonia violation.	\$3,000 (MMP – all to CAA)	09/11/2017
5S	City of Nevada Nevada City WWTP	Mandatory minimum penalties for 11 dichlorobromomethane violations and two total coliform violations.	\$39,000	09/11/2017
5S	City of Davis City of Davis WWTP	Mandatory minimum penalties for seven total chlorine residual violations.	\$21,000	09/11/2017
5S	City of Modesto City of Modesto WQCF	Mandatory minimum penalties for 55 total coliform violations.	\$165,000	09/11/2017
5S	Ca Dept. of Corrections & Rehabilitation Deuel Vocational Institution	Mandatory minimum penalties for five total coliform violations.	\$15,000	09/11/2017
5S	Rene Larranaga Irrigated Agricultural Land	Failure to submit a report of waste discharge	\$30,758	09/18/2017
<b>WATER RIGHTS—No ACL COMPLAINTS ISSUED AUGUST 2017</b>				

b. ACL Order(s) Issued

Region	Discharger/Facility	Violation(s) Addressed	ACL Order Amount	Date Issued
<b>WATER QUALITY</b>				
2	San Francisco PUC Aquatic Pesticide Permit	Discharge of 1,500 gallons of algaecide equipment rinse water resulting in fish kill	\$15,000 to CAA	09/06/2017
2	Hillsborough (San Mateo STOPPP Member)	Non-stormwater discharge of chlorinated potable water to San Mateo Creek causing fish kill.	\$211,030 \$106,665 to CAA \$114,365 to CDFW	09/08/2017
2	Mitch Cohen Pioneer Liquid Transport, Inc.	Mandatory minimum penalty for failing to recertify for continued permit coverage by July 1, 2015.	MMP \$2,500 to SEP Fund \$2,500 to WDPF	09/20/2017
2	Hibiscus Properties, LLC Facebook Hibiscus	Mandatory minimum penalty for exceedance of the Daily Maximum for Freon 113	\$3,000 (MMP – all to CAA)	09/28/2017
3	<a href="#">16th District Agricultural Association</a>	Failure to obtain coverage under general waste discharge requirements by July 1, 2013.	\$65,946 to CAA	09/07/2017
4	Ralphs Grocery Co. Store #289	Mandatory minimum penalties for daily maximum and monthly average effluent limitations for zinc.	\$6,000 (MMP – all to CAA)	09/08/2017
5F	City of Merced Merced Wastewater Treatment Facility	Mandatory minimum penalties for 24 total coliform effluent violations and one nitrite plus nitrate (as N) violation.	\$57,000 (MMP – all to CAA)	09/22/2017
<b>WATER RIGHTS—NO ACL ORDERS ISSUED SEPTEMBER 2017</b>				

c. Cleanup and Abatement Order(s) Issued

Region	Discharger/Facility	Action(s) Required	Date Issued
5S	Amador Regional Sanitation Authority Amador County Regional Outfall	Beginning on September 15, 2017, submit weekly emails with daily flows from the WWTP; freeboard levels and total volume of reservoirs; volume of applied wastewater and acres irrigated; and all previously reported data. By September 15, 2017, submit a plan to eliminate the threat of discharge of wastes to surface waste and by-passes/overflows of untreated/partially treated waste. By November 1, 2017, a report certifying that wastewater that was pumped to CDCR's reservoir has been returned to Preston Reservoir and that the combined volume of wastewater in Henderson Reservoir, Preston Forebay, and Preston Reservoir is at or below 25 acre-feet.	09/08/2017

d. Other formal and informal enforcement actions taken (e.g., Notice of Violation, Notice of Noncompliance)

Region/Division	Actions Issued	Region/Division	Actions Issued
1	0	5S	41
2	38	6T	2
3	10	6V	1
4	117	7	0
5F	10	8	110
5R	2	9	10

  

Water Rights	1
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## OFFICE OF INFORMATION MANAGEMENT AND ANALYSIS

**Water Contact Sanitary Survey Workshops in California:** This past September, the U.S. EPA collaborated with OIMA's Clean Water Team and co-sponsored three workshops to demonstrate the use of Beach Sanitary Surveys including the new Marine [Sanitary Survey App](#). These workshops support water contact activities (Rec1, REC2, CULTURAL, FISH, SUBS). The three workshops were held in Region 8 (Santa Ana River and hosted by the Inland Empire Water Keeper and the Riverside Corona RCD), Region 4 (Los Angeles River and hosted by Heal the Bay), and Region 5 (Clear Lake and hosted by the Big Valley Rancheria band of Pomo Indians). At each workshop, EPA and the Clean Water Team demonstrated the utility of the survey and the app to local watershed managers, citizen scientists, environmental justice organizations and tribal members. The overall approach of the collaborations presenting these workshops was to improve water quality for water contact activities and "support the use of sound, up-to-date science in the beach monitoring programs through greater use of beach sanitary surveys, predictive modeling, and rapid methods." At each workshop participants learned how to conduct Annual and Routine Beach Sanitary Surveys and each workshop also completed a routine beach sanitary survey.

# **Appendix A**

## **Irrigated Lands Regulatory Program Monthly Report September 2017**

This month's Irrigated Lands Regulatory Program update provides a summary of significant activities of State Water Resources Control Board from August 15, 2017 to September 15, 2017 and the Central Valley Regional Water Quality Control Board from July 15, 2017 to September 15, 2017. Next month's report will present activities of the North Coast, San Francisco Bay, Central Coast, Los Angeles, Colorado River Basin, Santa Ana, and San Diego Regional Water Quality Control Board's Program and cover the time period from August 15, 2017 to October 15, 2017.

### **STATE WATER RESOURCES CONTROL BOARD:**

On August 15, 2017, Irrigated Lands Regulatory Program staff (staff) participated in a multi-agency meeting hosted by the California Association of Sanitation Agencies. Presentations included an overview of legislative mandates and collaborative opportunities/challenges for wastewater sector; SB 1383 implementation update; and case studies on the realities, challenges, and benefits of co-digestion, biogas and biosolids use. Case studies were presented by staff from the Los Angeles County Sanitation Districts, the Inland Empire Utility Agency, and the East Bay Municipal Utility District.

On August 22, 2017, staff participated in the California Association of Pest Control Advisers/Certified Crop Advisers Board of Director's quarterly meeting. Issues discussed included liability concerns for nutrient management plans certified by Crop Advisers, exam scoring and results, and finance reports.

On August 23, 2017, staff participated in a California Roundtable on Agriculture and the Environment workshop. Discussions included Farm Bill updates and highlights from the August 5, 2017 and August 10, 2017 Farm Bill listening sessions, update on the Farm Bill Letter; the letter on Fire and Forestry in the Farm Bill, recap and discussion of the next steps around supporting viability of working lands, brainstorm ideas on working with elected officials, developing a social media campaign, and developing a working lands program. On August 28-29, 2017, staff participated in a workshop with a Korean Delegation. Presenters included staff from the State Water Board Irrigated Lands Regulatory Program, the Office of Research, Planning and Performance, the Central Valley Water Board Irrigated Lands Regulatory Program, and UC Davis Agricultural and Natural Resources. Presentation topics included policy for groundwater protection from nitrate contamination, regulatory options for nitrate groundwater contamination, groundwater contamination and mitigation in California, and Central Valley Water Board issues related to nitrate contamination control. The Korean Delegation presented on "Nitrate Management in Groundwater" by Dr. Sunhwa Park of the Korean National Institute of Environmental Research and "Status and Management Challenges of Nitrate Contamination of Groundwater in South Korea" by Professor Seong Taek Yun of Korea University. A field trip to the UC Davis Russel Farm research plots was arranged for the Korean Delegation.

On August 30-31, 2017, staff attended an Agrochemical Fate and Transport course held at the Central Coast Regional Water Quality Control Board Office.

On September 13, 2017, staff participated in a steering committee meeting with the California Bioresources Alliance to coordinate the annual symposium scheduled for November 1-2, 2017 to be held in Sacramento. The symposium theme is "Building California's Sustainable Bioresource Economy."

## **REGIONAL WATER QUALITY CONTROL BOARDS:**

**Central Valley Regional Water Quality Control Board** - Central Valley Regional Water Quality Control Board staff hold quarterly stakeholder meetings to provide an open forum for communication between staff, agricultural coalitions, environmental justice groups, and other interested parties in Central Valley Region. The October 11, 2017<sup>th</sup> stakeholder meeting will be held in Modesto and will either focus on the updated State Water Resources Control Board petition response (if released), or the Management Practices Evaluation Program. There will also be an update on the Regional Groundwater Quality Trend Monitoring effort being developed by the agricultural coalitions.

During the October 2017 Central Valley Water Board Meeting, the Board will participate in a Pit River Watershed tour and hear a discussion regarding the beneficial uses of the River as well as irrigated lands regulation in the Watershed. Central Valley Water Board staff continues to concentrate compliance, outreach, and enforcement efforts on the following areas: agricultural parcel inspections; Water Code section 13260 Directives; Notices of Violation for failure to respond to a Water Code section 13260 Directive and failure to comply with Orders, and Administrative Civil Liability Complaints.

Additional information can be found at the following link:

[http://www.waterboards.ca.gov/centralvalley/water\\_issues/irrigated\\_lands/index.shtml](http://www.waterboards.ca.gov/centralvalley/water_issues/irrigated_lands/index.shtml)

## APPENDIX B

### Statewide Policies and General Permits Table

#### Status Code Key:

White = Active effort (A)
Light Green = Targeted for completion in 2016 (A-16)
Lavender = Targeted for completion in 2017 (A-17)
Pink = Targeted for completion in 2018 (A-18)
Light Lavender = Targeted for completion in 2019 (A-19)
Green = Targeted for completion in 2020 (A-20)
Gold = Completed 2017 (C2017)
Blue = Completed 2016 - 2010 (C2016 - C2010)
Gray = Suspended or No statewide effort at this time or Pending (P)
Note: * indicates Board Priority

#### State Board (SB)

Sort columns by clicking on a table header.

Status Code ▼	Policy/Significant General Permit	Last Updated / Status	Statewide / Regional Project	Org. Lead	Target Release Public Comment	Target Board Meeting Date
*A	Russian River Frost Protection Regulation	<b>2016-07-13</b> The State Water Board began a phased implementation of the Russian River Frost Regulation for the 2015 frost season. In February of 2015, the Division approved three major Initial Water Demand Management Plans (WDMPs) and two individual WDMPs. The Governing Bodies for these WDMPs submitted their first Annual Reports in September 2015 and submitted updated frost protection system inventories and schedules for consultation with fisheries agencies in February 2016. The Division notified the Governing Bodies in February of 2016 that the WDMPs remain in compliance with the Regulation for the 2016 frost season (March 15 to May 15). The second Annual Reports are due September 1, 2016.	Statewide	SB		

Status Code ▼	Policy/Significant General Permit	Last Updated / Status	Statewide / Regional Project	Org. Lead	Target Release Public Comment	Target Board Meeting Date
*A-16	Phase I update of the Bay-Delta Plan: San Joaquin River flows and southern Delta salinity	<b>2016-08-03</b> The Draft Substitute Environmental Document (SED) was released on December 31, 2012 for public comment. Hearing to receive comments on the SED was held on March 20-21, 2013, and comments were received by March 29, 2013. Revised Draft SED to be recirculated for public comment in summer of 2016. Draft plan amendment to be brought to the Board for consideration in early 2017.	Statewide	SB	Summer 2016	Winter 2016
*A-17	Procedures for Discharges of Dredged or Fill Materials to Waters of the State (Proposed for Inclusion in the Water Quality Control Plan for Inland Surface Waters and Enclosed Bays and Estuaries)	<b>2017-09-22</b> State Water Board staff is developing proposed Procedures for Discharges of Dredged or Fill Materials to Waters of the State (Procedures). The draft Procedures were released for a second round of public comments on July 21, 2017, and the Board held a hearing on September 6, 2017. Two public workshops were also held on August 4th in Sacramento and on August 10th in San Diego. The public comment period closed on September 18, 2016, with in excess of 6,000 timely comments received. Staff is now reviewing comments and considering proposed responses and revisions to the Procedures. Adoption is tentatively for scheduled December 2017.	Statewide	SB	2017-08-22	2017-12-19
*A-17	Maximum Contaminant Level (MCL) for 1,2,3-Trichloropropane (1,2,3-TCP)	<b>2017-04-24</b> 2017-04-24 Division of Drinking Water staff completed the regulatory documents needed to proceed to public comment, and as of April 21, 2017 have managed and finished the public comment period, including a public hearing on April 19. Staff are currently in the process of reviewing and responding to the public comments in a final document prior to bringing the final regulation package to the Board for adoption. Staff anticipate a Board Adoption date in the spring/summer of 2017, after which the adopted regulations will be sent to OAL for final review and approval. The MCL is anticipated to be effective in the summer or fall of 2017.	Statewide	SB	2017-03-04	2017-05
*A-17	Phase II update of the Bay-Delta Plan: Comprehensive Review	<b>2016-07-13</b> State Water Board staff is in the process of a phased review and update of the 2006 Water Quality Control Plan for the Bay-Delta (2006 Bay-Delta Plan). The second phase of the review focuses on the following issues: (1) Delta outflow objectives, (2) export/inflow objectives, (3) Delta Cross Channel Gate closure objectives, (4) Suisun Marsh objectives; (5) potential new reverse flow objectives for Old and Middle Rivers; (6) potential new floodplain habitat flow objectives; (7) potential changes to the monitoring and special studies program, and (8) other potential changes to the program of implementation. Staff is preparing a Scientific Basis Report that will provide the underlying scientific support for proposed flow and water quality objectives. The Report will consider recommendations provided in the Delta Science Program's Workshops Panel Summary Reports on Delta Outflows and Related Stressors (May 2014) and Interior Delta Flows and Related Stressors (July 2014). The working draft Scientific Basis Report is expected to be released for public review in late spring/early summer 2016. Staff is also developing a Substitute Environmental Document that will provide an evaluation of the potential environmental impacts of the proposed changes to the Bay-Delta Plan. This document is expected to be released for public review in 2017.	Statewide	SB	2017	TBD

Status Code ▼	Policy/Significant General Permit	Last Updated / Status	Statewide / Regional Project	Org. Lead	Target Release Public Comment	Target Board Meeting Date
*A-17	Sediment Quality Objectives (SQOs) for Enclosed Bays and Estuaries: Phase II*	<b>2017-09-22</b> Water Board staff is developing a methodology to assess sediment quality in relation to the narrative human health SQO that protects human consumers from contaminants that bioaccumulate from the sediment into fish tissue. Several groups and committees, including the SQO Advisory Committee, the Agency Coordination Committee, and the Harbor Technical Work Group, are collaborating on studies that will assist in the development, testing, and implementation of Phase II SQOs. The case study and test drive was completed in August 2017 and release of draft documents is anticipated for October 2017. A public hearing and board adoption meeting are anticipated for December 2017 and March 2018 respectively.	Statewide	SB	2017-10-22	2018-03-20
A	Approval of the CWA Section 303(d) List portion of the 2018 California Integrated Report	<b>2017-08-22</b> The 2018 California Integrated Report will consist of a complete assessment of data and information for the North Coast, Lahontan, and Colorado River regions. The other six regional water boards will have the opportunity to include high priority listings and delistings off-cycle. The data solicitation period ended on May 3, 2017. State and Regional Water Board staff will be assessing the data with a tentative State Water Board approval scheduled for May of 2019.	Statewide	SB	2019-01/18	2019-05-14
A	Harmful Algal Bloom Response	<b>2017-06-30</b> State Water Board staff are working with a multi-entity workgroup consisting of the Water Boards, California Department of Public Health, Office of Environmental Health Hazard Assessment, United States Environmental Protection Agency, California Fish and Wildlife, the Department of Water Resources, tribes, water managers, and other interested parties to collaboratively work toward solutions in protecting the public, pets, livestock, and wildlife from the effects of harmful algal blooms (HABs). The California Cyanobacteria Harmful Algal Bloom Network meets quarterly in January, April, July, and October.	Statewide	SB		NA
A	Once-Through Cooling Policy - Diablo Canyon Closure	<b>2017-09-19</b> In December 2016, Pacific Gas and Electric Company provided information to the State Water Board regarding the OTC-Policy interim mitigation fee requirements for Diablo Canyon Nuclear Power Plant. Staff evaluated the information, and released a draft determination for public comment on Sept 5, 2017. The comment period will close on Sept. 28, 2017 at noon.	Statewide	SB		
A	Once-Through Cooling [OTC] Policy-Implementation, interim mitigation payments	<b>2017-09-19</b> OTC-Policy requires owners or operators of existing power plants to implement measures to mitigate interim impingement and entrainment impacts resulting from their cooling water intake structures. State Water Board staff prepared draft determinations with interim mitigation payment calculations for the 2015-2016 interim mitigation period for the following plants: Alamitos Generating Station, Harbor Generating Station, Haynes Generating Station, Huntington Beach Generating Station, Mandalay Generating Station, Ormond Generating Station, Redondo Beach Generating Station, and Scattergood Generating Station. The draft determinations were posted for a twenty-day public comment period. Currently, staff is working on the response to comments.	Statewide	SB		

Status Code ▼	Policy/Significant General Permit	Last Updated / Status	Statewide / Regional Project	Org. Lead	Target Release Public Comment	Target Board Meeting Date
A	Once-Through Cooling [OTC] Policy-Encina Amendment	<b>2017-09-19</b> The OTC Policy established compliance dates for power plants' retirement and replacement of capacity using then-current electricity planning and procurement processes. The Statewide Advisory Committee on Cooling Water Intake Structures conducted an interim study that demonstrated the need of the Encina Power Station to maintain grid reliability in the San Diego area during 2018. Staff proposed to amend the compliance deadline of the Encina Power Station from December 31, 2017, to December 31, 2018. Staff released the Draft Report for the OTC- Encina Amendment on May 23, 2017 for public comments. Written comments were received on July 7, 2017, and response to comments posted by August 2, 2017. State Water Boards adopted the OTC- Encina Amendment on August 15, 2017. Currently, staff is working on the Office of Administrative Law Package.	Statewide	SB	2017-05-23	2017-08-15
A	SB 83, Section 45 - Produced Water Pond Report	<b>2017-08-29</b> The State Water Board posted on its website a status report on the regulation of oil field produced water ponds within each region. Link to report: <a href="http://www.waterboards.ca.gov/water_issues/programs/groundwater/sb4/index.shtml">http://www.waterboards.ca.gov/water_issues/programs/groundwater/sb4/index.shtml</a> . Produced water is water extracted during oil production. The report included a tally of produced water ponds statewide by region, the number of permitted and unpermitted ponds, enforcement actions taken, and the status of permitting the unpermitted sites. The report will be updated every six months.	Statewide	SB	Twice Annually	
A	Statewide Storm Water Construction General Permit Reissuance	<b>2017-09-19</b> State Water Board staff is developing the draft permit language for the reissuance of the Statewide Storm Water Construction General Permit (also referred to as the CGP). The proposed CGP reissuance will include implementation of Total Maximum Daily Loads and revisions to update the CGP requirements per information collected during the term of the existing permit. Information on the development of the proposed permit reissuance, including stakeholder outreach information, is posted on the State Water Board's Construction Storm Water Program website at: <a href="http://www.waterboards.ca.gov/water_issues/programs/stormwater/construction.shtml">http://www.waterboards.ca.gov/water_issues/programs/stormwater/construction.shtml</a> . The proposed public comment period for the draft permit is May 2018.	Statewide	SB	2018-05-21	2018-12-11
A-16	Big Creeks Projects - Clean Water Act, Section 401, Water Quality Certification	<b>2016-10-25</b> The State Water Board is developing a water quality certification and associated California Environmental Quality Act (CEQA) document for six hydroelectric projects that are owned and operated by Southern California Edison Company in Fresno and Madera counties: Big Creek Nos. 2A, 8, and Eastwood; Big Creek No. 3; Mammoth Pool; Vermillion Valley; Portal; and Big Creeks Nos. 1 and 2. The water quality certification will become part of the Federal Energy Regulatory Commission licenses for the six projects. The draft certification and draft CEQA document are expected to be released for public review in the Fourth Quarter 2016.	Statewide	SB	2016-12-31	Not applicable

Status Code ▼	Policy/Significant General Permit	Last Updated / Status	Statewide / Regional Project	Org. Lead	Target Release Public Comment	Target Board Meeting Date
A-17	Approval of the CWA Section 303(d) List portion of the 2014 and 2016 California Integrated Report	<b>2017-08-22</b> Clean Water Act section 303(d) List portion of the 2014 and 2016 California Integrated Report (303(d) List) is a combination of the 303(d) Lists approved by the San Francisco Bay, Central Coast, Central Valley, Santa Ana, and San Diego Regional Water Boards. The 303(d) List portion of the 2014 and 2016 Integrated Report along with the recommendations for the Los Angeles region was released for public comment on June 9, 2017. The State Water Board will consider the Los Angeles Water Board recommendations at a State Water Board hearing currently scheduled for October 3, 2017. The complete 303(d) List portion of the California 2014 and 2016 Integrated Report will also be considered at a State Water Board meeting also scheduled for October 3, 2017.	Statewide	SB	2017-06-09	2017-10-03
A-17	Bacteria Standards for Ocean and Inland Surface Waters	<b>2017-09-11</b> The State Water Board is developing proposed statewide bacteria water quality objectives and a proposed control program to protect human health in waters designated for water contact recreation (REC-1) from the effects of bacteria. The implementation elements also includes a general water quality standards variance policy. Staff released the draft documents for public comment on June 30, 2017. A Staff Workshop was held on July 10, 2017 and Public Hearing was held on August 1, 2017. Thirty-three comment letters were received. Staff is presently responding to the comment letters. State Board Web site: <a href="http://www.waterboards.ca.gov/bacterialobjectives/">http://www.waterboards.ca.gov/bacterialobjectives/</a>	Statewide	SB	2017-06-30	2017-12-05
A-17	Discharges from Construction and Maintenance of Natural Gas Facilities	<b>2017-09-22</b> State Water Board staff has worked with stakeholders (including gas companies and Native American Tribal representatives) to develop a draft mitigated negative declaration, and a proposed Statewide General Order to regulate discharges from construction, hydrostatic testing, operation, and maintenance of natural gas facilities. The proposed Statewide General Order will provide regulatory coverage for discharges to surface water and land, and will allow the use of recycled water as hydrostatic testing source water. The draft mitigated negative declaration and proposed General Order was released for public comments on August 27, 2017, with the mitigated negative declaration provided to the State Clearinghouse for distribution. State Water Board conducted a public hearing on October 3, 2017 to hear stakeholders' comments, prior to the end of the public comment period on October 10, 2017. The State Water Board is scheduled to consider adoption of these items on December 5, 2017.	Statewide	SB	2017-08-25	2017-12-05
A-17	General WDRs for Discharges of Waste Associated with Cannabis Cultivation Activities	<b>2017-07-06</b> DWQ, DWR, OE, and the Regional Water Boards are preparing statewide WDRs for discharges of waste associated with cannabis cultivation. The WDRs are being prepared in conjunction with DWR to address water rights issues and the CDFA (issuing cannabis cultivation licenses).	Statewide	SB	July 2017	October 2017

Status Code ▼	Policy/Significant General Permit	Last Updated / Status	Statewide / Regional Project	Org. Lead	Target Release Public Comment	Target Board Meeting Date
A-17	Industrial General Storm Water Permit Amendment for TMDL Implementation	<b>2017-09-19</b> State Water Board staff is developing an Industrial General Permit Amendment to incorporate proposed TMDL implementation language into the statewide permit. The proposed permit amendment is being developed in collaboration with the four Regional Water Boards that have adopted TMDLs applicable to industrial storm water discharges as a pollutant source to impaired water bodies (San Francisco Bay, Los Angeles, Santa Ana, and San Diego Regional Water Boards). The public comment periods for the four Regional Water Board's draft TMDL implementation language have ended. State Water Board staff reviewed all comments received during the Regional Water Boards' public comment periods in the development of the proposed TMDL implementation language. Staff is also identifying the applicable TMDL watersheds for the public noticing to the regulated community. State Water Board staff anticipates release of the proposed TMDL implementation language for public comment in late 2017. A State Water Board public hearing for the proposed permit amendment is anticipated in 2018.	Statewide	SB	2017-12-00	2018-09-00
A-17	Mercury TMDL and Implementation Plan (Statewide Reservoirs)	<b>2017-09-19</b> Staff from Regions 2 and 5 and State Water Board are developing a TMDL and implementation plan to address fish mercury(Hg) impairments in about 130 reservoirs statewide. Staff prepared the scientific and technical analysis (source analysis, linkage, targets, allocations, and implementation plan options), and regulatory provisions for the implementation plan. The scientific peer review version of the staff report is posted on the project website.	Statewide	R5	TBD	TBD
A-17	Petition Order for Central Valley Regional Board's Eastern San Joaquin Agricultural Order	<b>2017-06-01</b> On February 8, 2016, the State Water Board released a proposed order, SWRCB/OCC File A-2239(a)-(c), in response to petitions for review of the Central Valley Regional Water Quality Control Board's Eastern San Joaquin Agricultural Order. On May 4, 2016, a Board workshop was held at the Cal/EPA Building in Sacramento, followed by an additional Board workshop in Fresno, CA on May 17, 2016. The deadline for written public comments was June 1, 2016. Staff workshops were held in Sacramento at CalEPA on October 19, 2016, and November 18, 2016 to provide an opportunity for petition staff to ask detailed questions in response to comments received.	Statewide	SB	2017-02-20	2017-05
A-17	Revised Total Coliform Rule	<b>2017-04-24</b> The Federal Revised Total Coliform Rule became effective on April 1, 2016. Division of Drinking Water staff are in the process of drafting state regulations that are at least as stringent as federal regulations but include California-specific requirements. Staff anticipate releasing draft regulations in the spring of 2017 during public workshops, with a public review period later in 2017 and a proposed Board Adoption date in mid 2018.	Statewide	SB	2017	2017/2018

Status Code ▼	Policy/Significant General Permit	Last Updated / Status	Statewide / Regional Project	Org. Lead	Target Release Public Comment	Target Board Meeting Date
A-17	Small Municipal Separate Storm Sewer System (MS4) Permit Amendment, Attachment G	<b>2017-09-19</b> State Water Board staff developed a proposed amendment for the Small MS4 Statewide General Permit, Attachment G (titled Region-specific Total Maximum Daily Loads (TMDL) Implementation Requirements). The proposed amendment includes: (1) new and revised implementation requirements based on corresponding TMDL waste load allocations, and (2) final compliance dates for the TMDL waste load allocations. The proposed TMDL Amendments were released to the Public on June 5, 2017, for a 45-day review and comment period. In response to commenters' letters requesting additional time, the State Water Board Chair approved additional time and the comments were due to the Clerk of the State Water Board by August 21, 2017. Staff is reviewing the comment letters and developing the responses to the comments and staff report. These documents will be available to the public prior to the Board Hearing to consider adoption of the TMDL Amendments on December 19, 2017.	Statewide	SB	2017-06-05	2017-12-19
A-17	Statewide Aggregate General Order	<b>2017-02-15</b> DWQ is preparing a statewide general order for aggregate processing facilities that discharge to land.	Statewide	SB	January 2017	Sept 2017
A-17	Supplemental Environmental Projects (SEP)	<b>2017-08-29</b> Assembly Bill 1071 requires us to update SEP policy. MCC meeting in March. Workshop held on 8/16/17 and public hearing on 9/20/17. Close of public comment on 9/25/17. Adoption hearing scheduled for 11/9/17.	Statewide	SB	2017-07-21	2017-11-9
A-17	Surface Water Augmentation with Recycled Water Regulations	<b>2017-04-24</b> The Division of Drinking Water is currently finalizing the regulation package regarding the use of recycled water to augment surface water reservoirs used for drinking water supplies. As required by Water Code sections 13562 and 13565, an Expert Panel was assembled to review the criteria and to ultimately make a finding that the criteria are protective of public health. The Expert Panel reviewed the initial draft regulation, which was then submitted for completion of the peer review process required via H&SC section 57004. The Expert Panel reviewed the peer review comments, subsequent revisions to the draft regulations, and made a finding that the criteria are protective of public health.	Statewide	SB	2017-05	2017-06
A-17	Unified Program Underground Storage Tank Surcharge Increase	<b>2017-08-29</b> Underground Storage Tank (UST) Leak Prevention Program, as part of the CalEPA Unified Program, is funded by a surcharge applied to each operating UST. Surcharge funding is authorized by California Health and Safety Code. Revenue from the surcharge is intended to cover operating costs at the State Water Resources Control Board to oversee and implement the program, however the current amount fails to do so. CalEPA has completed the rulemaking process, and the Office of Administrative Law has approved the regulations which increase the UST surcharge which becomes effective August 2017. A Budget Change Proposal for increased spending authority is under development, along with an additional surcharge increase.	Statewide	SB	July 2018	

Status Code ▼	Policy/Significant General Permit	Last Updated / Status	Statewide / Regional Project	Org. Lead	Target Release Public Comment	Target Board Meeting Date
A-18	Amendment to the Recycled Water Policy	<b>2017-07-06</b> The State Water Board adopted a resolution December 6, 2016 directing staff to amend the Recycled Water Policy and re-convene the Science Advisory Panel for Constituents of Emerging Concern. While the resolution outlined a preliminary list of topics to be updated or added to the policy, the resolution directs staff to work with stakeholders to develop an amendment to the Recycled Water Policy and release a draft for public comment by March 2018. State Water Board staff is also developing a project charter and timeline for the next update of the Recycled Water Policy. State Water Board staff conducted initial targeted stakeholder listening sessions in the beginning of March 2017 and is planning to conduct additional stakeholder outreach this summer and continue outreach throughout the amendment process.	Statewide	SB	2018-03	
A-18	Biostimulatory substances and Biological integrity Project	<b>2017-09-11</b> The State Water Resources Control Board (State Water Board) is proposing to adopt a statewide water quality objective for biostimulatory substances along with a program of implementation as an amendment to the Water Quality Control Plan for Inland Surface Water, Enclosed Bays and Estuaries of California. This project will also include a water quality control policy to establish and implement biological condition assessment methods, scoring tools, and targets aimed at protecting the biological integrity in wadeable streams. A series of webinars and a stakeholder advisory group meeting have been held over the last few months as new science related to the project is released from the Southern California Coastal Watershed Research Program.	Statewide	SB	2018-11-01	2019-12-06
A-18	Environmental Laboratory Accreditation Regulations	<b>2017-04-24</b> Division of Drinking Water staff will draft new regulations governing the accreditation of laboratories regulated by the Environmental Laboratory Accreditation Program (ELAP). The draft regulations will be clearly written and ensure standards for laboratory compliance is auditable and enforceable. The draft regulations are in development and staff anticipate holding staff workshops on the draft regulations Summer 2017, initiate the formal rulemaking process late 2017 and bring the proposed draft regulations to the State Board early 2018 for adoption.	Statewide	SB	2017-01-10	2018-01-01
A-18	Nonpoint Source (NPS) Implementation and Enforcement Policy Amendments	<b>2017-09-22</b> The NPS Implementation and Enforcement Policy (NPS Policy) is being updated as directed by Resolution 2012-0004 to reflect the current funding mechanisms for State Water Board and Regional Water Board regulation of nonpoint source wastewater discharges.	Statewide	SB	TBD	TBD
A-18	Permanent (Regular) Regulations for Point Of Use/Point of Entry Treatment Devices	<b>2017-04-24</b> The State Water Board will be adopting permanent regulations governing the use of point-of-use and point-of-entry treatment devices by a public water system (PWS), in lieu of centralized treatment. Existing law requires the State Water Board to first adopt emergency regulations, followed by standard regulations, to establish criteria for applicable PWS that choose to provide treatment for drinking water through the use of POU or POE treatment devices. Emergency regulations were adopted by the Board on March 15, 2016 and became effective on April 1, 2016. Permanent regulations have to be effective by January 1, 2018 and Division of Drinking Water staff are in the process of drafting the permanent regulations.	Statewide	SB	2017	2017

Status Code ▼	Policy/Significant General Permit	Last Updated / Status	Statewide / Regional Project	Org. Lead	Target Release Public Comment	Target Board Meeting Date
A-18	Revised UST Regulations	<b>2017-08-29</b> State Water Resources Control Board staff is updating the underground storage tank (UST) regulations contained in California Code of Regulations, title 23 (UST regulations) to be at least as stringent as the revised 2015 Federal UST regulations contained in 40 Code of Federal Regulations, part 280 (Federal UST regulations). Until the UST regulations are updated to be at least as stringent as the Federal UST regulations, UST owners and operators must meet both the UST regulations and the Federal UST regulations. On January 24, 2017 a focus workgroup, composed of various stakeholders, was held to review language drafted to reconcile UST regulations with Federal UST regulations. Staff held two public workshops with additional stakeholders on March 13, 2017 and March 28, 2017. The required documents to submit the proposed text and Initial Statement of reasons to the Office of Administrative Law for public noticing and an official 45 day written public comment period are currently being prepared. Staff anticipates the public noticing and the first official 45 day written public comment period to occur in October of 2017. State Water Board staff submitted a draft of the proposed regulations to U.S. EPA Region 9 and requested a review from the U.S. EPA and U.S. EPA Region 9 to evaluate if the proposed language is at least as stringent as, or provides equivalency to, the Federal UST Regulations. Finally, State Water Board staff conducted a trial with UST inspection and testing companies of the proposed forms documenting required UST inspections and testing. State Water Board staff considered and, as appropriate, incorporated into the proposed regulations the comments received from the workgroup, workshops, UST inspection and testing companies, U.S. EPA, and U.S. EPA Region 9.	Statewide	SB	Fall 2017	TBD
A-18	Statewide General Waste Discharge Requirements for Wineries	<b>2017-06-23</b> State Water Board staff has prepared a concept paper for developing a statewide general order for wineries. Staff is collaborating with stakeholders to prepare a draft requirements matrix. Staff continues to hold meetings with wine industry representatives and additional outreach meetings will be scheduled.	Statewide	SB	February 2018	June 2018
A-18	Statewide Urban Pesticide Reduction	<b>2017-09-22</b> The State Water Board is developing a statewide multi-agency Strategy to Minimize Urban Pesticides that will be proposed as amendments to both the Inland Surface Waters, Enclosed Bays, and Estuaries Plan, and to the Ocean Plan. A multi-stakeholder project team (shifted into an advisory committee in April 2017) provided information and materials for development of the following amendment components(1) an inter-agency coordination framework, (2) a regional monitoring framework, and (3) suggested permit language for MS4 permittees. Staff anticipates public release of the proposed amendments in Early 2018.	Statewide	SB	2017	2018
A-18	Suction Dredge Mining Activity	<b>2017-09-22</b> Senate Bill 637 amended the California Water Code and the California Fish and Game Code to address the existing moratorium on suction dredge mining. As amended, the Water Code requires the State Water Board to gather stakeholder input to assist in its determination regarding how to regulate suction dredge mining activities. State Water Board staff conducted five public outreach workshops throughout the State in January and February 2017. Staff is evaluating the information gathered during the workshops to determine the appropriate proposed permitting action for the State Water Board to consider for regulation of suction dredge mining activities.	Statewide	SB	2018-08-04	2018-12-04

Status Code ▼	Policy/Significant General Permit	Last Updated / Status	Statewide / Regional Project	Org. Lead	Target Release Public Comment	Target Board Meeting Date
A-18	Toxicity Amendments to the Inland Surface Waters, Enclosed Bays, and Estuaries Plan	<b>2017-06-28</b> State Water Resources Board staff are preparing provisions for toxicity, which if adopted by the Board will be included in the Water Quality Control Plan for Inland Surface Waters, Enclosed Bays and Estuaries of California. If adopted, the proposed Provisions would establish numeric acute and chronic objectives for aquatic toxicity; establish effluent limits for non-storm water NPDES dischargers; incorporate the United States Environmental Protection Agency's (U.S. EPA's) Test of Significant Toxicity (TST) statistical approach for data analysis; and establish monitoring requirements for wastewater discharges to inland surface waters, enclosed bays, and estuaries in California. Staff held outreach meetings in April 2017 to receive feedback from stakeholders and interested parties on the proposed Provisions. Public release of the draft staff report and proposed amendment is anticipated for November 2017 with a staff workshop in December 2017 and a board hearing in January 2018. The proposed amendment is anticipated to be presented to the Board for consideration in May 2018.	Statewide	SB	2017-11-28	2018-5-15
C	Onsite Wastewater Treatment Systems (OWTS) Policy Implementation	<b>2017-06-05</b> The Local Agency Management Plan (LAMP) Guidance document was transmitted to the Regional Water Boards on June 4, 2015. All of the Regional Water Boards have amended their Basin Plans to implement the OWTS Policy. The State Water Board approved the amendments for Regions 1 through 9. State and Regional Water Board staff have been meeting with local agencies to facilitate LAMP development. On June 24, 2016, State Water Board staff held an informational forum with the Regional Boards to discuss policy implementation, LAMP submittals and reviews, challenges & successes, and statewide program coordination. To date, 21 LAMPs have been approved by Regional Boards. State Water Board staff have begun the OWTS Policy conditional waiver update process. (The conditional waiver expires on May 13, 2018.)	Statewide	SB	N/A	N/A
P	Antidegradation Policy	<b>2017-07-10</b> The State Water Board issued a draft scoping document and held follow-up focused stakeholder meetings in June and July 2015. Comments from these meetings are summarized and posted on the program website. State Water Board staff is not actively working on a statewide policy for implementation of the Antidegradation Policy for discharges to groundwater. The draft Eastern San Joaquin River Watershed Agricultural Order addresses some of the larger issues the stakeholders identified during staff's outreach efforts. Staff will consider what additional guidance or regulatory action is necessary after the State Water Board issues a final order in the Eastern San Joaquin matter.	Statewide	SB		
P	Cadmium Objective and Hardness Implementation Policy	<b>2017-06-28</b> Staff are working to update the cadmium objectives to insure that the objectives are protective of threatened and endangered species in accordance with the Endangered Species Act. Cadmium is a hardness dependent metal, so the project is linked with a Hardness Implementation Policy to provide guidance to Regional Board staff in determining hardness for setting effluent limits. The project is currently on hold pending available staff resources.	Statewide	SB	TBD	TBD
P	Chlorine Amendment	<b>2017-02-28</b> The draft Total Residual Chlorine and Chlorine-Produced Oxidants Policy of California is being converted into an amendment to the Water Quality Control Plan for Inland Surface Waters, Enclosed Bays, and Estuaries of California.	Statewide	SB	TBD	TBD

Status Code ▼	Policy/Significant General Permit	Last Updated / Status	Statewide / Regional Project	Org. Lead	Target Release Public Comment	Target Board Meeting Date
P	Water Effects Ratios	<b>2016-07-25</b> The project will establish criteria for developing site specific objectives for metals based on the water effect ratios for a specific water body. Staff will prepare a proposed Water Effects Ratio Policy at a future date.	Statewide	SB	TBD	TBD

## Division of Water Rights

Status Code	Policy/Significant General Permit	Last Updated / Status	Statewide/ Regional Project	Org. Lead
(A-16*)	Phase 1 update of the Bay-Delta Plan: San Joaquin River flows and southern Delta salinity.	The original Draft Substitute Environmental Document (SED) was released in December 2012 for public comment with a hearing to receive comments on the SED and written comments on the SED in March of 2013. A draft revised SED was then prepared and released for public comment on September 15, 2016. Hearings on the draft revised SED were held in November (Sacramento) and December 2016 (Stockton, Merced, and Modesto), and January 2017 (Sacramento). Written comments were due by March 17, 2017. Staff are in the process of preparing written responses to comments. Staff anticipates that the final SED and Plan Amendment will be released for public review in the fall of 2017 and will be brought to the Board for consideration in early 2018.	Yes	SB (DWR) Les Grober
(A-17*)	Phase II update of the Bay-Delta Plan: Inflows to the Sacramento River and its tributaries and Delta eastside tributaries, Delta outflows, cold water habitat and interior Delta flows	The working draft Scientific Basis Report (Science Report) and a beta version of the Sacramento Water Allocations Model (SacWAM) for Phase II were released in the fall of 2017 with public meetings on both, including a training on SacWAM. The Science Report was subject to public comment and reviewed by the Delta Independent Science Board, and SacWAM was released for public review and was reviewed by an expert panel convened by the Delta Science Program. Following the reviews and public comments, the working draft Science Report and SacWAM were revised as necessary. The final Science Report was then submitted for independent peer review pursuant to the Public Health and Safety Code which found that the Science Report is based on sound science. The final Science Report and response to peer review comments, the updated version of SacWAM and the response to peer review comments, and additional information regarding the Phase II process and opportunities for input were posted on the State Water Board's website on October 4, 2017. Staff anticipates release of a draft Staff Report identifying potential environmental, economic and other effects of potential Phase II modifications to the Bay-Delta Plan in early 2018 for public comment.	Yes	SB (DWR) Diane Riddle
(A*)	Russian River Frost Protection Regulation	In March 2017, the Division notified the Governing Bodies of the approved Water Demand Management Programs (WDMP), which include two group-based WDMPs and two WDMPs with only a single participant of the State Water Board's ongoing approval of their programs. On March 06, 2017, the Division approved a new group-based WDMP for diverters from the Main Stem of the Russian River in Mendocino County. The new WDMP is a consolidation of the many individual WDMPs for Main Stem diverters. The Division received updated participation lists and inventories of frost protection diversion systems from each WDMP prior to the start of the 2017 frost protection season on March 15. Annual Reports that were due on September 1, 2017, have been received and are currently being reviewed.	No	SB (DWR) Laura Lavalee