

**State Water Resources Control Board
October 19, 2010 Board Meeting
Item 8- Executive Director's Report**

State Water Board Management Assignments: October 1st marked the effective date of the rotation of the State Water Board's Division Chiefs into their new assignments. The goal of this change in responsibilities is to enhance the knowledge of our senior managers in all of the Water Boards' programs, provide opportunities for fresh perspectives and new ideas, and better prepare ourselves for any changes. To recap, here are the new division assignments:

Division of Administrative Services.....Darrin Polhemus
Division of Financial Assistance.....Esteban Almanza
Division of Water Quality.....Vicky Whitney
Division of Water Rights.....Barbara Evoy

Several changes were also recently made in the State Water Board's executive level reporting relationships. Recognizing the close relationship among many of the programs in the Division of Water Quality and the Division of Financial Assistance, both of these organizations are now reporting to Jonathan Bishop along with the Division of Information Technology and the Office of Information and Management Analysis. Caren Trgovcich is responsible for the Division of Water Rights and the Division of Administrative Services along with the Office of Public Affairs, the Office of Public Participation, the Office of Research, Planning and Performance as well as the day-to-day management of the staff in the Executive Office that support the Board Members, Executive Team and the Board process.

DIVISION OF FINANCIAL ASSISTANCE

Wastewater Symposium – September 29, 2010: State Water Board staff with the Division of Financial Assistance, Division of Water Quality, and Office of Enforcement presented at a Wastewater Symposium in Bakersfield California on September 29, 2010. The symposium was hosted by the Rural Community Assistance Corporation (RCAC) under a State Water Board-funded training contract targeted at assisting small disadvantaged communities with their wastewater needs. As part of the Regulatory/Financial Track, staff provided training related to: the Sanitary Sewer Overflow Reduction Program; Avoiding Common Violations; and the Clean Water State Revolving Fund Application Process.

Division Approvals: The Deputy Director of the Division approved the following Preliminary Loan/Grant Commitments from September 8, 2010 to October 6, 2010.

Water Recycling Grant/Loan:

Entity	Preliminary Funding Commitment	Project	Approved
Water Replenishment District of So. California	\$75,000	Leo J Vander Lans Advanced Water Treatment Expansion & Seawater Intrusion Analysis	9/13/2010
Santa Fe Irrigation District	\$75,000	Eastern Service Area Recycled Water Facilities Plan	9/14/10

DIVISION OF WATER QUALITY

Aquatic Pesticides NPDES Permit: Aquatic Animal Invasive Species Control Permit:

On October 1, 2010, a Notice of Public Hearing was issued for a draft Aquatic Pesticides NPDES Permit for aquatic animal invasive species. The Public Hearing is scheduled for the November 2, 2010 Board Meeting. The draft permit has been prepared in response to the *National Cotton Council of America v. U.S. Environmental Protection Agency* decision by the Sixth Circuit Court of Appeals, which requires that pesticide applications at, near, or over water be covered by an NPDES permit if it will result in a discharge of residual pesticides to surface waters. Comments on the draft permit are due by 12:00 noon on November 16, 2010.

Aquatic Pesticides NPDES Permit: Vector Control: On September 27, 2010, a Notice of Public Hearing was issued for a draft Aquatic Pesticides NPDES Permit for vector control. The Public Hearing is scheduled for the October 19, 2010 Board Meeting. This draft permit would replace the current permit for larvicides (State Water Board Order No. 2004-0008-DWQ) and would also cover adulticides. The draft permit has been prepared in response to the *National Cotton Council of America v. U.S. Environmental Protection Agency* decision by the Sixth Circuit Court of Appeals, which requires that pesticide applications at, near, or over water be covered by an NPDES permit if it will result in a discharge of residual pesticides to surface waters. Comments on the draft permit are due by 12:00 noon on November 2, 2010.

Groundwater Ambient Monitoring and Assessment (GAMA): The GAMA Program continues to look for a long-term funding source for the Priority Basin Project currently funded by Proposition 50. Bond funding ends in 2012. In the meantime, the USGS and LLNL continue to sample, assess, and report on groundwater studies throughout the state.

GAMA's Domestic Well Project sampling is scheduled for Monterey County during early 2011. GAMA is awaiting written bid responses from prospective accredited commercial laboratories.

Groundwater quality data from multiple sources are regularly uploaded and integrated with GeoTracker GAMA. GAMA has provided a draft "Safe to Drink" portal concept to the Water Quality Monitoring Council for its development of the "My Water Quality" portal.

Integrated Report [CWA Section 303(d) and Section 305(b)]:

2010 Integrated Report:

In October, 2010, staff will send to U.S. EPA the 2010 Integrated Report approved by the State Water Board on August 4, 2010, as well as supporting documents. The State Water Board's Integrated Report is posted on the State Water Board's website. It is U.S. EPA that issues the final California list of impaired water bodies (Clean Water Act 303[d] list).

2012 Integrated Report:

As a result of the data solicitation period that closed in August, 2010, the State Water Board received approximately 160 data submissions. Some of these submissions included multiple data sets. Data sources included public entities, government agencies, and non-governmental agencies. In addition, Regional Water Boards provided receiving water data from the National Pollutant Discharge Elimination System (NPDES) dischargers.

Staff have worked to improve several elements of the next Integrated Report process to make the assessment and staff recommendation more defensible and transparent, and improve consistency among the Regions of the State. All data received within the solicitation period are being reviewed by State Water Board staff for data quality assurance prior to water quality assessment. State and Regional Water Board staff continues to work together on this effort, and a two-day training for Regional Water Board staff is scheduled in January 2011. State Water Board staff will also be available to visit Regional Water Board offices for further coordination as needed and as resources allow.

Leaking Underground Fuel Tank (LUFT) Manual: A draft revision of the LUFT manual is available for public review and comment. The LUFT manual is a guidance document that explains the technical aspects of investigation and remediation of LUFT sites. The LUFT Manual was originally written in 1989 and much has been learned about LUFT cleanup over the past 20 years. The Board directed the revision of the LUFT manual in Resolution No. 2009-0042. Written comments were due by October 1, 2010.

Nitrate Project (SB X2 1, 2008) – Tulare Basin and Salinas Valley: SB X2 1 required that the State Water Board prepare a report to the Legislature by March 2012 that identifies nitrate sources in Tulare Basin and Salinas Valley and recommends funding options and solutions for resolving the nitrate problem including providing clean water for drinking. The State Water Board has executed a contract with UC Davis to perform the necessary studies. The first Nitrate Project Interagency Task Force (ITF) meeting was held on August 17, 2010. State and local agencies were well represented. Recordings of that meeting are now available on the web. The second ITF meeting will be scheduled for early summer 2011, when preliminary findings based on research can be discussed.

Ocean Plan Triennial Review: The Ocean Plan Triennial Review public hearing was held on September 22, 2010 in Sacramento. Written comments were due by 12:00 noon on September 10, 2010. The purpose of the public hearing was to solicit comments from the public regarding any and all issues relevant to the Ocean Plan. Many comments received at the public hearing focused on the issue of brine discharges from desalination facilities and the intake structures associated with desalination facilities.

Once-through Cooling Policy: On September 27, 2010 the Office of Administrative Law approved the Once-through Cooling Water Policy. The effective date of the policy is October 1, 2010, and the policy is available at http://www.waterboards.ca.gov/water_issues/programs/npdes/docs/cwa316/policy100110.pdf.

On September 30, 2010, a Notice of Adoption Hearing was issued for draft limited revisions to the implementation provisions of this Policy. The Adoption Hearing is scheduled for the December 14, 2010 Board Meeting. The limited revisions are regarding compliance options for combined-cycle power generating units, and conditions applicable to power plants with compliance dates that are extended beyond 2020. The Notice stated that the State Water Board will accept only those comment letters that are limited to the proposed revisions. The comment period closes at 12:00 noon on November 19, 2010.

South Bay Power Plant NPDES Permit: On September 16, 2010, a Notice of Public Hearing was issued for a draft National Pollutant Discharge Elimination System (NPDES) Permit for the South Bay Power Plant, located in the City of Chula Vista. The proposed permit would amend the date for the cessation of discharge to bring it into compliance with the State Water Board's Once-Through Cooling Policy. The adoption hearing is scheduled for a State Water Board Meeting on November 17, 2010, at the offices of the San Diego Regional Water Quality Control Board. Comments were due by 12 noon on October 18, 2010.

Spray Application NPDES Permit: On September 30, 2010, a Notice of Public Hearing was issued for a draft Spray Applications NPDES Permit. The Public Hearing is scheduled for the November 2, 2010 Board Meeting. The draft permit has been prepared in response to the *National Cotton Council of America v. U.S. Environmental Protection Agency* decision by the Sixth Circuit Court of Appeals, which requires that pesticide applications at, near, or over water be covered by an NPDES permit if it will result in a discharge of pollutants to surface waters. The draft permit would provide full coverage to the California Department of Food and Agriculture (CDFA) and provide coverage to the United States Department of Forest Services (USFS) for specified biological controls only. Comments on the draft permit are due by November 16, 2010.

Storm Water Caltrans Permit: The statewide National Pollutant Discharge Elimination System (NPDES) permit for discharges by the California Department of Transportation of storm water from municipal separate storm sewer systems (MS4s) is targeted for reissuance. This permit is commonly referred to as the Caltrans Permit. The current Caltrans Permit (State Water Board Order No. 99-06-DWQ) was issued on July 15, 1999. The current permit regulates all storm water discharges from Caltrans-owned MS4s, maintenance facilities and construction activities. The revisions to the Caltrans permit are expected to follow many of the approaches in the Storm Water Construction General Permit (State Water Board Order No. 2009-0009-DWQ). Staff has been working to incorporate applicable Total Maximum Daily Loads (TMDLs) into the permit. Staff expects to release a draft in early 2011.

Storm Water Construction General Permit: On September 29, 2010, a Notice of Adoption Hearing was issued for limited revisions to the Construction General Permit provisions related to the Legally Responsible Person. These limited revisions are intended to assist federal, state, and other agencies in obtaining coverage under the permit. The Adoption Hearing is scheduled for the November 16, 2010 Board Meeting. The Notice Hearing stated that the State Water Board will accept only those comment letters that are limited to the proposed revision. The comment period closes at 12:00 noon on November 5, 2010.

Storm Water Industrial General Permit: The statewide General National Pollutant Discharge Elimination System (NPDES) permit for discharges of storm water associated with industrial activities (commonly referred to as the Industrial General Permit or IGP) is targeted for reissuance. The current IGP is State Water Board Order 97-03-DWQ. In 2005, there was an effort to renew this permit, which resulted in a 2005 draft permit, public workshops, and public comments. At the time the State Water Board convened an expert panel to explore the role of numeric effluent limitations and benchmark values in all storm water permits. The panel's recommendations were incorporated into the Storm Water Construction General Permit (State Water Board Order No. 2009-0009-DWQ), adopted in 12009. The revisions to the IGP are expected to follow many of the approaches in the Storm Water Construction General Permit. Staff expects to release a draft in early 2011.

Storm Water Phase II MS4 Permit: The statewide National Pollutant Discharge Elimination System (NPDES) permit for discharges of storm water from small municipal separate storm sewer systems (MS4s) (commonly referred to as the Phase II Permit) is targeted for reissuance. The current Phase II MS4 Permit is State Water Board Order No. 2003-0005-DWQ. It provides permit coverage for smaller municipalities, including non-traditional Small MS4s, which are governmental facilities such as military bases, public campuses, and prison and hospital complexes. The revisions to the Phase II permit are expected to follow many of the approaches in the Storm Water Construction General Permit (Order No. 2009-0009-DWQ). Staff expects to release a draft revised Phase II Permit in mid-2011.

Toxicity Control Provisions for the SIP: In response to the direction in Resolution No. 2005-0019 to revise the State Implementation Policy (SIP), staff has developed a stand-alone policy to protect California's aquatic life uses from the deleterious effects of toxicity. The draft Toxicity Control Provisions for the SIP proposes numeric objectives and uniform monitoring requirements for chronic and acute toxicity, as well as provisions requiring the use of U.S. EPA's new statistical method, the Test of Significant Toxicity. A draft of the Policy was released for informal comment on July 7, 2010, and staff is preparing to release a revised version of the Policy for a November Board Workshop.

Trash Policy: State Water Board staff held a California Environmental Quality Act (CEQA) Scoping Meeting in Sacramento on October 7, 2010 and in Chino on October 14, 2010 on a proposed Water Quality Control Policy for Controlling Trash in Waters of the State. Comments on the Scope of the policy are due at 12:00 noon on November 3, 2010.

Vessel No Discharge Zone Federal Regulations: U.S. EPA issued a press release regarding its proposed rule to establish a No Discharge Zone covering all California coastal waters that will apply to cruise ships and to large ocean-going vessels with adequate sewage holding capacity. State Water Board Vice-Chair Spivy-Weber attended the press event on August 25, 2010. U.S. EPA is taking this action in response to the State Water Board's application in 2006 for a No Discharge Zone off the entire California coast. The State Water Board's application was in response to provisions of the California Clean Coast Act of 2005. U.S. EPA issued notice of the proposed rule on September 2, 2010, with comments due in 60 days. State Water Board staff will submit a comment letter to U.S. EPA supporting the rule.

Wetland and Riparian Area Protection Policy: The Steering Committee met on September 14, 2010 and provided the Drafting Team with guidance on a number of policy issues including several key issues raised during focused stakeholders meetings in June and July, 2010. The Drafting Team is now preparing for CEQA scoping meetings / staff-level workshops; the workshops are to accommodate stakeholder requests to hold public workshops rather than have another round of focused stakeholder meetings. These meetings are to be held in early December in Sacramento and Southern California at a location yet to be determined.

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

Irrigated Lands Regulatory Program Update Report: The October 2010 report is attached as Appendix 3.

DIVISION OF WATER RIGHTS

United States Bureau of Reclamation Change Petitions Seeking Authorization of Continued Operation of the San Joaquin River Restoration Program: The San Joaquin River Restoration Program (SJRRP) was established following a settlement between the Natural Resources Defense Council and the United States Bureau of Reclamation (Reclamation), with the goals of restoring and maintaining fish populations in the mainstream of the San Joaquin River while reducing or avoiding adverse water supply impacts to the Friant Division long-term contractors. Reclamation proposes to dedicate water released from Millerton Reservoir for instream use from Friant Dam to the confluence of the Merced and San Joaquin rivers, and use instream conveyance of water in order to meet existing Reclamation obligations in lieu of making such deliveries from the Delta-Mendota Canal. Due to capacity issues, both natural and artificial conveyance means may be utilized to facilitate flow throughout the designated stretch of the river. The settlement provides for releases of both interim flows and long-term restoration flows. The purpose of the interim flows is to collect relevant data on flows, temperatures, fish needs, seepage losses, and water recirculation, recapture and reuse. The Water Year 2010 interim flow program began on October 1, 2009.

On July 2, 2010, Reclamation filed petitions requesting authorization to continue the interim flow program during the 2011 Water Year. Objections to the petitions were filed by: (a) San Joaquin River Exchange Contractors and the San Joaquin River Resource Management Coalition, (b) San Luis and Delta-Mendota Water Authority, and (c) California Fisheries and Water Unlimited. Paramount Farming Company, Lower San Joaquin Levee District, and the Department of Fish and Game commented on the transfer. On September 30, 2010, the State Water Board, Division of Water Rights issued Order WR 2010-0029-DWR which addressed the objections and approved the petitions.

The Board will hold a one day workshop in November to inform the Board and the public on the key issues relating to the SJRRP. Water Board staff anticipates structuring the workshop to provide an opportunity for the Natural Resources Defense Council to present a summary of the San Joaquin River Restoration Program settlement agreement; the USBR to discuss the configuration and operation of Friant, the San Joaquin River and flood control system, and the South Delta Pumps; the Friant Water Users to discuss the effect of the SJRRP on their operations, and the Exchange Contractors and San Luis & Delta Mendota Water Authority to discuss the effect of the SJRRP on their operations.

Water Right Frost Protection Regulations: In April 2009, the State Water Resources Control Board (State Water Board or Board) held a workshop to receive information regarding the need for and the effect of water diversions for purposes of frost protection of crops in Mendocino and Sonoma Counties. The workshop was held in response to a letter the Deputy Director for Water Rights received on February 27, 2009 from the Santa Rosa Office of the National Oceanic and Atmospheric Administration Fisheries Service (NOAA Fisheries Service) expressing concern over the threat to federally threatened and endangered salmonids of frost protection irrigation by vineyard owners in the Russian River watershed. In the letter, NOAA Fisheries Service requested that the State Water Board take immediate action to protect salmonids in the Russian River watershed, e.g., by implementing emergency regulations. At follow-up workshops in November 2009 and January 2010, the State Water Board received information on the status of Russian River salmonids, the impact of water diversions, voluntary actions to address impacts, and grower issues and options related to frost events. At the January 2010 workshop the Board instructed staff to pursue regulations through the formal rulemaking process.

The State Water Board is in the preliminary activities phase of the rulemaking process for adopting a regulation. The State Water Board will be the Lead Agency and will prepare an Environmental Impact Report (EIR) for the proposed regulation in order to comply with the California Environmental Quality Act (CEQA). Staff is preparing a Notice of Preparation (NOP) of an EIR and intends to file the NOP with the California State Clearinghouse by November 1, 2010. Staff also intends to hold a public scoping meeting on the NOP by November 30, 2010. The purpose of the meeting is to explain the purpose of the regulation and provide other information to trustee agencies and the interested public. The public scoping meeting will also provide agency personnel and concerned public citizens the opportunity to submit written comments concerning regulation alternatives, the potential environmental impacts of the regulation, and mitigation measures that should be included in the EIR.

North Coast Instream Flow Policy (AB 2121): Water Code Section 1259.4 requires the State Water Board to adopt principles and guidelines for maintaining instream flows in coastal streams from the Mattole River to San Francisco and in coastal streams entering northern San Pablo Bay, as part of state policy for water quality control for the purposes of water right administration. The State Water Board adopted the AB 2121 Policy was adopted by the State Water Board on May 4, 2010, and the Office of Administrative Law approval was received on September 22, 2010. The State Water Board filed the Policy Notice of Decision was filed with the Secretary for Resources on September 28, 2010. As a result, the policy is now operative.

Potential Unauthorized Reservoirs in the AB-2121 Policy Area: The Substitute Environmental Document (SED) prepared for the adoption of the AB-2121 North Coast Instream Flow Policy (Policy) included a discussion of the indirect environmental impacts resulting from existing unauthorized storage reservoirs within the Policy area. The SED conservatively estimated 1,253 unauthorized reservoirs in the five county Policy area. Enforcement staff is comparing the GIS layer that was used to develop the number of unauthorized reservoirs in the SED with aerial photography and USGS topographic maps. For Class I streams in the Policy area (those streams that have fish or habitat conditions that support fish), Enforcement staff found that 40% of the identified facilities do exist. An evaluation of the facilities identified on Class II streams (those streams that do not support fish, but support non-fish aquatic species) is in progress. Enforcement staff will soon conduct inspections of the actual existing facilities without a known basis of right and initiate enforcement, whenever appropriate. Although many of the identified facilities may be small, they still have potential to block fish passage. It is important to note that while the SED estimate was conservative for the purposes of completing a thorough CEQA evaluation for the Policy, it should not be cited for the number of existing unauthorized facilities in the Policy area.

OFFICE OF ENFORCEMENT

Fraud, Waste and Abuse (FWA) Prevention Initiative: FWA staff have received allegations of potential impropriety regarding over 40 environmental consultants who are being paid through the UST Cleanup Fund. Those complaints have been prioritized and the FWA Unit is currently conducting audits for 3 consultants that perform work at about 158 sites.

In addition, the FWA Prevention Unit is preparing a contract for the development of a guidance manual to streamline the audit process for detecting fraud, waste and abuse by consultants against the UST Cleanup Fund.

Government-Owned Tanks (GOT) Enforcement Initiative: OE has received information regarding the current operations of government owned/operated underground storage tank (UST) facilities in 79 different CUPA (certified unified program agency) jurisdictions. This leaves approximately 16 CUPAs who have yet to respond to our request for information. OE staff is in the process of contacting the remaining CUPAs who have not responded to facilitate the acquisition of the needed information.

By the end of September, the OE staff performed 145 file reviews at 18 of the CUPAs who had submitted their information. Actual inspections of the facilities commenced the second week of July and so far 29 inspections in four of the CUPAs have taken place.

State Board Mandatory Minimum Penalty Enforcement Team: This section is an update on the status of the 50 cases from Region 4 which have alleged violations subject to mandatory minimum penalties (MMPs). The personnel with State Water Board (SB Team) are handling these violations under the direction of the Office of Enforcement.

At this time, 6 cases have been dismissed completely after review by state board staff. An additional 15 have agreed to pay proposed liability totaling \$255,000 in MMPs. An additional two have been placed on hold because the responsible entity is in bankruptcy. One case is part of a global settlement being negotiated by Region 4 enforcement staff. Finally, 1 case will be addressed with discretionary penalties.

The SB Team is scheduling State Water Board hearing panels to address the unresolved violations in the remaining 25 cases. In addition to the 15 cases where the dischargers have agreed to pay the proposed liability, it is the SB Team's intent to file ACL complaints (ACLs), ACL settlements or otherwise resolve the targeted MMP violations with as many of the 25 facilities as possible by December 31, 2010. However, as dischargers present additional evidence for consideration some cases may be delayed for ACL complaint issuance.

As reported last month, OE had issued 14 ACL complaints for hearings in November, 2010. On September 9, 2010, OE issued an additional 3 ACL complaints for a hearing on December 8, 2010. Any remaining cases that are not resolved or addressed prior to December 31, 2010 will be scheduled for hearings in spring of 2011.

Rob Baker's Garage: On September 22, 2010, the FWA Prevention Unit closed a case against Rob Baker's Garage, a gas station in San Mateo County.

Mr. Baker applied for a \$48,000 grant from the State Water Board's RUST Program for Enhanced Vapor Recovery (EVR) upgrades. As criteria for receiving the grant, Mr. Baker faxed a compliance document from the local Air Board. The signatures on the compliance document for the local Air Board's executive director and counsel were confirmed by the local Air Board to be forged.

Mr. Baker was not awarded the grant. The FWA Prevention Unit referred the case to the Attorney General's Office, however, neither the Attorney General's Office nor the Sacramento County District Attorney's Office were able to pursue the case due to workload issues. On September 22, 2010, the FWA Prevention Unit sent Mr. Baker a certified letter notifying him of our investigation findings and that the findings would be memorialized in the RUST Program's file for Rob Baker's Garage.

SIGNIFICANT REGIONAL ENFORCEMENT ACTIONS SUPPORTED BY ATTORNEYS IN THE OFFICE OF ENFORCEMENT

Administrative Civil Liability Complaint for \$527,700 against CalTrans for Failure to Comply with Stormwater Permit and Water Quality Certification (Region 8):

On September 28, 2010, the Santa Ana Regional Water Board prosecution team issued an administrative civil liability complaint for a recommended liability of \$527,700. The complaint addresses alleged violations at CalTrans' Interstate 215 Widening Project (Project) in the City of San Bernardino to implement, involving (1) failure to implement appropriate stormwater best management practices (BMPs); and (2) the discharge of turbid water and sediment to waters of the State. The complaint names both contractors hired for the Project. The violations cited occurred from January 2008 through February 2010.

OFFICE OF INFORMATION MANAGEMENT AND ANALYSIS

California Water Quality Monitoring Council Endorses Statewide Wetland Monitoring Strategy:

The California Water Quality Monitoring Council formally endorses the California Wetland Monitoring Workgroup's (CWMW) coordinated strategy to assess the extent and health of California's wetland resources. The CWMW's [Tenets of a State Wetland and Riparian Area Monitoring Program \(WRAMP\)](#) proposes a bold new strategy to improve the State's wetland monitoring and assessment systems while minimizing new costs and maximizing public access to assessment information. The WRAMP is intended to serve all State agencies and support the State Water Resources Control Board's new [Wetland and Riparian Area Protection Policy](#).

In its [June 22 letter to the Workgroup](#), the Monitoring Council calls for every agency and program involved in California's wetlands to find ways to incorporate the California Wetland Monitoring Workgroup's statewide strategy. The Monitoring Council calls on the Workgroup to "provide broad oversight and direction" and act as the coordinating body for wetland monitoring, assessment and data management.

The [California Water Quality Monitoring Council](#), formed through a collaborative agreement between the California Environmental Protection and Natural Resources Agencies, has been tasked with enhancing the efficiency and effectiveness of water quality and associated ecosystem monitoring throughout the State. The [California Wetland Monitoring Workgroup](#) (CWMW), a formal workgroup of the Monitoring Council, coordinates the efforts of 23 state, federal, and local organizations to assess the extent and condition of California's wetlands. Their [California Wetlands Portal](#) was released in March of this year.

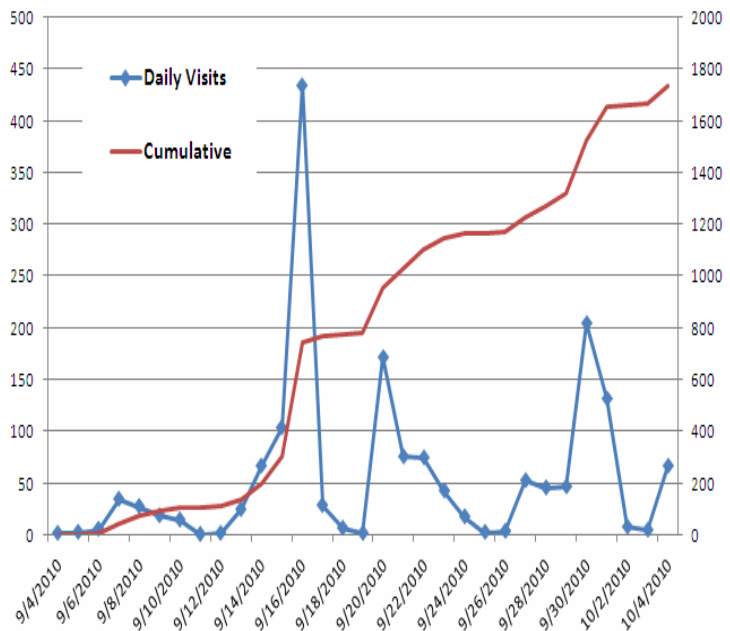
OFFICE OF LEGISLATION

Congressional Forum on Wastewater Issues: On September 27, 2010, Thomas Howard, State Water Board Executive Director, and Pamela Creedon, Central Valley Regional Water Board Executive Officer, testified at a Congressional Forum on wastewater issues held by Congressmen McClintock and Herger in Auburn, California. Also present were State Senator Aanestad and Assembly Member Logue. The forum focused on wastewater concerns raised by representatives of local publicly owned treatment works, including concerns with mandatory minimum penalties, third party lawsuits under the Clean Water Act and costs/affordability of water quality regulatory requirements. Executive Director Howard provided some historical context for Clean Water Act regulatory requirements and addressed specific questions of the elected representatives.

OFFICE OF RESEARCH, PLANNING AND PERFORMANCE

Annual Performance Report: On September 7, the Office of Research, Planning and Performance presented the Fiscal Year 2009-2010 Annual Performance Report to the State Water Resources Control Board. The web based report includes 30 more report cards than the FY 08-09 report and is also web based and available at http://www.waterboards.ca.gov/about_us/performance_report/. The report includes new cards for funding efforts and water rights. New this year is an assessment of how the Water Board organizations performed as compared to targets that were established at the beginning of the fiscal year.

This year's report demonstrates the difficulties encountered by many of the Regional Water Boards in achieving their targeted level of regulatory performance in the face of shrinking budgets and fewer staff available to handle a large, increasing and diverse workload. The report received 1,734 visits from September 7 to October 4 (see graph).



Little Hoover Commission and California Performance Management Council:

On September 15, the Office presented to the California Performance Management Council the efforts and initiatives that the Water Boards are implementing regarding performance management according to our performance management initiative and the 2008-2012 Strategic Plan. The California Performance Management Council includes agencies and government organizations in California that are implementing performance based management initiatives. The presentation included a review of our Strategic Plan and a brief presentation of the Annual Performance Report. The comments received by the Council were very positive and we were asked to give further presentations to individual agencies and to prepare a video that can be shared at the Council's <http://www.bestpractices.ca.gov/> web site.

Performance Management In California State Government: On September 30, the California Performance Management Council released the advisory report *“Performance Management in California State Government: What Gets Measured Gets Done”*. This report represents the collective work of leaders from more than two dozen state departments and agencies, known formally as the Performance Management Council. The report includes a brief description of the performance management efforts conducted at the Water Boards and includes information that has been collected about specific strategies state departments and agencies employ to improve program outcomes by tracking performance data to inform budget and management decisions. The report is available at <http://www.bestpractices.ca.gov/Performance%20Management%20In%20California%20State%20Government.ashx>

Water Board Training Academy

Recent Classes	Assuring the Reliability of Water Quality Data – This one-day course describes the quality assurance procedures that need to be included in monitoring projects. The emphasis of the course is on understanding and ensuring that water quality data are reliable for decision-making. Participants learn about “Project Quality Assurance” that must be included in monitoring plans and how to review data to ensure that project quality assurance requirements are met. This course is designed to be beneficial for managers, supervisors, scientists, engineers, and data managers.
Upcoming Classes	Episodic Streams - Imperatives for Assessment and Environmental Planning in California - The Water Boards’ Academy is proud to announce this important workshop featuring presentations from twenty-one leading scientists and practitioners in the assessment and protection of episodic streams in California. This is a rare opportunity to get up-to-date information directly from the experts. This two-day course and optional field trip, explores the physical processes, ecological adaptations, management and conservation challenges of episodic channels in California. While most of the examples presented are from the state’s drylands, the course also addresses such processes occurring on episodic streams in less-arid parts of Mediterranean-climate California (such as Napa Valley), notably alluvial fan channels, which share many characteristics of dryland streams. More information is available at http://episodic.ced.berkeley.edu/

BOARD MEMBER DIRECTIVES

A list of Board Member directives (assignments made by Board Members) during Board meetings) is attached as Appendix 3.

Appendix 1

Statewide Policies/Significant General Permits

Division of Water Quality		
Status Code	Policy/Significant General Permit	Status
A*	Anti-Degradation Policy / Implementation Triennial Review	Scoping meeting held on 11/17/08. Reviewing the 30+ comment letters received. Preparing recommendation for the Board. Work delayed by petitions.
A-11	Aquatic Pesticide General Permit – Aquatic Animal Invasive Species	Notice of Public Hearing issued on October 1, 2010. Public Hearing targeted for November 2, 2010. Board consideration targeted for December 2010.
A-11*	Aquatic Pesticide General Permit – Vector Control, (Adulticide/Larvicide)	Notice of Public Hearing issued on September 27, 2010. Public Hearing scheduled for October 19, 2010. Board consideration of adoption targeted for January 2011.
A-11	Aquatic Pesticide General Permit – Weed Control, Aquatic Application	Expect to release formal draft in January 2011, Public Hearing targeted for March 2011 and Board consideration targeted for April 2011.
P	Aquifer Storage and Recovery Policy	Delayed due to other priorities.
A-11	Areas of Special Biological Significance (ASBS): Special Protections	The Notice of Preparation and Initial Study for the special protections for discharges of storm water posted on the State Board's website on February 9, 2010. Comments period closed March 15, 2010 and received and posted 27 comment letters. Reviewing comments and targeting Public Hearing in December 2010.
A-11	Bacterial Objectives for Inland Surface Waters	Scoping meetings held 10/6/08 & 10/22/08; comment period closed 11/5/08. Staff preparing draft policy and staff report. Economic study delayed due to contract funding issues. Adoption Hearing targeted for February 2011.

Division of Water Quality

Status Code	Policy/Significant General Permit	Status
A	Bio-indicator Development	Stakeholder Advisory Group formed on March 10, 2010. Scientific Advisory Group meeting on October 20-21 to review technical workplan and provide recommendations. Working on forming the Regulatory Advisory Group.
A-11	Cadmium Objective and Implementation Policy	Scoping meeting held 10/6/08; comment period closed 10/23/08. Final internal review of draft policy and staff report prior to upcoming release for public comment. Targeting Public Hearing in March 2011 and Board consideration in June 2011.
A-10	Constituents of Emerging Concern (CEC) Monitoring – Recycled Water Policy	Final report released June 25, 2010. Targeting Public Hearing on staff recommendations in November 2010.
A-11	Chlorine Residual Objectives and Implementation Policy	Scientific Peer review received. Report and policy will be revised as necessary to address peer review comments. Adoption hearing targeted for June 2011.
A	Composting Facilities Statewide Waiver	Continuing to meet with CalRecycle and Regional Boards on preparing draft statewide waiver.
P	Grazing	No Statewide effort at this time, Regions are issuing watershed based waivers. Grazing on national forest system lands will be considered under Statewide Water Quality Management Plan and waiver.
C	Integrated Report Adoption (2010)	Board approved 303(d) list on August 4, 2010. Preparing for transmittal to U.S. EPA and awaiting their approval.
A-10	Leaking Underground Fuel Tank (LUFT) Manual	Final draft manual circulating for comments.
A-11	Listing Policy Update (Sediment Quality Objectives)	CEQA Scoping Meeting held on March 29, 2010. Comment period closed April 12, 2010. Targeting Public Hearing / Board consideration in February 2011.
A	Marina Permit	Permit is postponed while working with other agencies and Marina and Boating groups to develop interim approaches.
P	Mercury Offset Policy	Partial economic analysis received from contractor (SAIC). No further contract funding available to complete economic analysis.

Division of Water Quality

Status Code	Policy/Significant General Permit	Status
P	Methylmercury Objectives	Delayed by loss of key staff. Preparing economic analysis (SAIC).
A	Nutrient Numeric Endpoints Tools	Freshwater: to be peer reviewed. Contract with SCCWRP to develop estuary nutrient framework and numeric endpoints underway. Technical, stakeholder, and regulatory (Water Boards and U.S. EPA) advisory groups have been formed.
A-11*	Ocean Plan Amendment: monitoring & desal provisions	Drafting delayed by Once-Through Cooling 316(b) Policy Revisions Consideration. Public hearing targeted for January 2011 and Board consideration targeted for May 2011.
P	Ocean Plan Amendment: vessel provisions	Pending completion of other Ocean Plan Amendments.
A-10	Ocean Plan Triennial Review	Public workshop scheduled for September 2010.
A	Off-Highway Vehicle (OHV) WDRs/Waiver	Developing concepts for WDRs/waiver for OHVs at State Parks.
A-10*	Once-Through Cooling (316b) Policy Limited Revisions	Notice of Public Hearing issued on September 27, 2010. Comment <u>letters</u> strictly limited to proposed revisions of policy. Comments due at 12:00 noon on November 19, 2010. Adoption Hearing scheduled for December 14, 2010.
A-11*	Onsite Waste Water Treatment Regulations/Waiver	Drafting new approach. Planning further public hearings on a new draft proposal in Fall 2010.
A	Rapid Diagnostic Tests for Bacterial Indicators in Coastal Waters	Pilot testing on 9 Orange County beaches underway. Will evaluate results and report out in September 2010.
A-11	Sanitary Sewer System (SSS) WDR Update	Information Item presented to Board on September 21, 2010. Targeting Public Hearing / Board workshop in December, 2010 and Board consideration in February 2011.
A	Sediment Quality Objectives (SQOs) for Enclosed Bays and Estuaries: Phase II	Phase II staff draft released. Scientific Steering Committee convened in July 2009. CEQA Scoping Meeting held on May 19, 2010. Public Hearing targeted for February 2011.
P	Sediment Quality Objectives (SQOs) for Enclosed Bays and Estuaries: Phase III	Pending completion of Phase II and availability of funding
A-10	South Bay Power Plant	Notice of Public Hearing issued on September 16, 2010. Public Hearing/Consideration of Adoption scheduled for November 17, 2010, in San Diego.

Division of Water Quality

Status Code	Policy/Significant General Permit	Status
A-10*	Spray Applications Permit (CDFA and USFS Eradication Programs)	Notice of Public Hearing issued on September 30, 2010. Public Hearing scheduled for November 2, 2010. Board consideration targeted for December 2010.
A-11*	Storm Water CalTrans Permit	Revising to incorporate similar provisions to Construction General Permit and to incorporate TMDLs. Planned release in early 2011 and Board consideration in late 2011.
A-10	Storm Water Construction General Permit Limited Revisions	Notice of Adoption Hearing issued on September 29, 2010. Revisions limited to Legally Responsible Person provisions. Comment <u>letters</u> strictly limited to proposed revisions of permit. Comments due by 12:00 noon on November 5, 2010. Adoption Hearing scheduled for November 16, 2010.
A-11*	Storm Water Industrial General Permit	Revising to incorporate similar provisions to Construction General Permit and to incorporate TMDLs. Planned release in early 2011 and Board consideration in late 2011.
A-11	Storm Water MS4 Effectiveness Guidance (AB 739, 2009, Laird)	Worked with Storm Water Task Force to develop guidance. Targeting Public Workshops for Fall 2010 and Board consideration in January 2011.
A-11*	Storm Water MS4 Phase II Permit	Revising to incorporate similar provisions to Construction General Permit and to incorporate TMDLs. Planned release in mid-2011 with consideration in early 2012.
P	Suction Dredge General Permit	On hold, and working instead with Dept of Fish and Game to coordinate with their suction dredge regulation and permit revision.
A-10*	Timber Activities on National Forest System Lands	Drafting Statewide Waiver for USFS, based on Region 1 waiver. Public hearing and adoption in December 2010.
P	Timber Activities on Non-federal Lands	Work with California Board of Forestry, Department of Forestry and Fire Protection, and Regional Water Boards. Work delayed pending the outcome of a petition.
A-10*	Toxicity Control Provisions for the SIP	Draft policy released in July for informal comments. Targeting Workshop in November 2010, and Adoption Hearing in January 2011.

Division of Water Quality		
Status Code	Policy/Significant General Permit	Status
A-11*	Trash Policy	Held CEQA scoping meetings in October 2010. Targeting workshop in February 2011 and public hearing/consideration for adoption in June 2011.
A-10	UST Regulatory Program Task Force	Final task force recommendations submitted to the Board in January 2010. DWQ staff updated the Board at the May 18 Board Meeting in conjunction with DFA staff report on the UST Cleanup Fund.
A-10	UST Low-Threat Case Closure Policy	Targeting Board consideration for December 2010.
A-11	Wetlands and Riparian Areas (Dredge and Fill) Policy – Phase I	Scientific peer review conducted for the California Rapid Assessment Methodology (CRAM) for wetland condition determination and will be conducted for the Technical Advisory Team's (TAT's) wetland definition. Targeting Public Hearing in March 2011.
P	Wetlands and Riparian Areas Policy – Phase II	Pending completion of Phase I.
P	Wetlands and Riparian Areas Policy – Phase III	Pending completion of Phase II.

Note: * indicates Board Priority

Status Code Key:

White = Active effort (A)

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

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

Blue = Completed (C)

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

Policies/General Permits Completed in 2010

C*	Once-Through Cooling (316b) Policy	Approved by Office of Administrative Law (OAL) on September 27, 2010. Effective date October 1, 2010.
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Policies/General Permits Completed in 2009

Status Code	Policy/Significant General Permit	Status
C	Biodiesel Regulations	Board approved regulations on November 17. OAL has approved, and the effective date of the regulations was March 4, 2010.
C	Landscape Irrigation / Incidental Runoff Permit	Permit adopted by Board on 7/7/09. Preparing memo to Regional Boards regarding implementation.
C	Recycled Water Policy	Complete. Approved by OAL on 5/14/09. Sent memo to Regional Boards regarding implementation.
C	Ocean Plan Amendment: non-substantive	Board adopted on 9/15/09. Approved by OAL on 3/10/10.
C	Storm Water Construction Permit	Board adopted permit at its 9/2/09 Board Meeting.
C	Storm Water Linear Permit	Linear permit included in Construction Storm Water permit. Board adopted permit at its 9/2/09 Board Meeting.
C	Vessel General Permit – Revised Certification	Revised 401 Certification in February 2009 to reflect U.S. EPA's final permit and make clarifying edits.

Policies/General Permits Completed in 2008

Status Code	Policy/Significant General Permit	Status
C	Blue-Green Algae Guidance	Revisions completed in September 2008 and posted on website.
C	Compliance Schedule Policy	Board approved on 4/15/08, effective on 12/17/08.

Status Code	Policy/Significant General Permit	Status
C	Sediment Quality Objectives (SQOs) for Enclosed Bays and Estuaries: Phase I	Phase I completed, adopted by State Board September 2008, approved by OAL on January 5, 2009. Approved by U.S. EPA on August 25, 2009.
C	Vessel General Permit – Certification	Issued 401 certification with state conditions on 12/17/08. Completed.

Division of Water Rights		
Status Code	Policy/Significant General Permit	Status
(A)	Draft WQCP update for San Joaquin River flows and southern Delta salinity objectives	Draft SED science chapter and notice of November 2010 public workshop will be released by October 1, 2010. Draft plan amendment to be brought to the Board for a July 2011 hearing.
C	Delta outflow recommendations (SBX7 1)	The Board adopted the final report on August 3, 2010, and provided it to the Delta Stewardship Council on August 25, 2010.
C	Instream Flow Policy (AB 2121)	The Board adopted the Policy on May 4, 2010. The Division delivered the administrative record to OAL on August 11, 2010.

Status Code Key:

White = Active effort (A)

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

Blue = Completed (C)

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

Office of Enforcement		
Status Code	Policy/Significant General Permit*	Status
C	Policy on Supplemental Environmental Projects	Approved by Board and OAL.
C	Revised Water Quality Enforcement Policy	Approved by Board on November 17, 2009

Status Code Key:

White = Active effort (A)

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

Blue = Completed (C)

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

Division of Financial Assistance		
Status Code	Policy/Significant General Permit	Status
A	Clean Water State Revolving Fund Regulations	Under development. Process has slowed considerably to accommodate getting the ARRA stimulus funds out to projects. Currently project 2010/2011
C	Orphan Site Cleanup Fund (OSCF) Proposed Rulemaking Package	Office of Administrative Law approved the OSCF regulations on September 15, 2009.
A	Wastewater Treatment Plant Classification, Operator Certification, and Contract Operator Registration Regulations	Regulations are being drafted to include fiscal considerations and provisional operator. Anticipate being released for public review in Spring 2011.

Status Code Key:

Targeted for completion in 2010

Completed Items

Suspended / No statewide effort at this time

Appendix 2

IRRIGATED LANDS REGULATORY PROGRAM MONTHLY REPORT

This month's Irrigated Lands Regulatory Program (ILRP) monthly report will provide an update on activities of the Central Valley Regional Water Quality Control Board (Central Valley Water Board) ILRP, as reported in the Central Valley Water Board's September 22-23, 2010 Executive Officer's report. Current and past ILRP program monthly reports can be found on the State Water Boards ILRP Waiver Program website:

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

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

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

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

CENTRAL VALLEY WATER BOARD

(Information From September 22-23, 2010 Executive Officer Report)

Long-term Program / Environmental Impact Report (EIR): On 28 July 2010, staff released a Draft Programmatic Environmental Impact Report (PEIR) and Economics Report for the long-term program. The Draft PEIR provides programmatic analysis of impacts resulting from the implementation of the five programmatic alternatives developed by the Stakeholder Advisory Workgroup and a staff preferred alternative for regulating waste discharges from irrigated agricultural lands. The public comment period for the Draft PEIR, Economics Report, and recommended ILRP is from 28 July – 27 September 2010.

During the month of August 2010 staff has had informal discussions with several Stakeholder Advisory Workgroup members regarding the Draft PEIR and Economics Report. These meetings included representatives from the agricultural industry, water quality coalitions, and environmental/ environmental justice groups. Staff has also met with Board members Walters and Isham to provide an informational briefing on the preferred alternative and the approaches used in conducting the economic and environmental analysis. Briefings are scheduled with Board members Hart, Longley, Meraz, and Odenweller prior to the Board's September meeting.

In September 2010, four public workshops will be held throughout the Central Valley to discuss the Draft PEIR and Economics Report. Workshop dates and locations are as follows: September 8th – Tulare; September 9th – Modesto; September 10th – Rancho Cordova; September 10th – Chico.

The next major milestones of the project include circulation of a Final EIR and recommended long-term ILRP in early 2011 and a Central Valley Water Board hearing to follow release of the final documents. The 5 April 2010 settlement agreement, endorsed by the Superior Court, requires that staff present and recommend that the Board certify a Final EIR by 31 March 2011. Orders to implement the long-term ILRP are proposed to be developed for Board consideration during the year following Board certification of the PEIR.

Compliance & Outreach – Postcards: In July 2010, Central Valley Water Board staff issued 262 outreach postcards to potential owners of irrigated lands in Stanislaus and Butte Counties. The Stanislaus county postcards were mailed to landowners in the East San Joaquin Water Quality Coalition and the Westside San Joaquin River Watershed Coalition; the Butte county postcards were mailed to landowners in the Sacramento Valley Water Quality Coalition area. The postcard recipients were identified using county tax assessor rolls and state and federal agricultural land use databases. The postcards advise qualifying owners of irrigated lands to obtain the proper regulatory coverage.

Compliance & Outreach - Exemption Claim Inspections: In July and August 2010, Central Valley Water Board staff completed 29 inspections to verify landowner exemption claims to the ILRP. Staff verified that lands associated with all 29 inspections were exempt from regulatory coverage under the ILRP. Landowners can respond to ILRP staff's postcards or 13267 Orders by claiming their land is not used for agriculture, not irrigated, or that it has no irrigation tail water or storm water runoff (no waste discharges). These claims create a need for verification inspections, which staff regularly conducts.

Enforcement

California Water Code section 13267 Orders & Notices of Violation: In July and August 2010, the Executive Officer issued 60 CWC §13267 Orders to potential owners of irrigated lands in Contra Costa, Lake and San Joaquin Counties. These Orders were issued to landowners who first received an outreach postcard and subsequently did not respond. (WO/BLS)

Unauthorized Discharges and Complaints: On 2 August 2010, Central Valley Water Board staff responded to a complaint of irrigation discharges containing excessive sediment being discharged from Victoria Island, a Delta island near the town of Discovery Bay. Board staff inspected the site along with the agricultural operators and a representative from the San Joaquin County & Delta Water Quality Coalition. No turbid discharges were observed during the inspection, and pollution management practices were generally found to be good. Staff will follow up with additional inspections as needed.

Coalition Groups

California Rice Commission (CRC): The Regional Water Board review for the CRC Quality Assurance Program Plan (QAPP) submitted under Monitoring and Reporting Program Order No. R5-2010-0805 has been completed. The CRC will submit a hard copy of the QAPP with the required signatures to finalize the document.

Monitoring results for the Rice Pesticides Program from the CRC, the City of Sacramento, and the City of West Sacramento have been received for the season. The results will be evaluated to determine if modifications are needed for the next season. The Regional Water Board will schedule a meeting with stakeholders in October 2010 to discuss monitoring results and any changes to the implemented management practices.

East San Joaquin Water Quality Coalition (ESJWQC): On 16 August 2010 the Coalition submitted a status report regarding Performance Goal 1, which is to individually contact members on adjacent properties to waterways where dischargers have been identified to fill out surveys for the second set of high priority areas.

A meeting is being schedule with the Coalition for October 2010 to discuss the status of management practices implementation for the first set of high priority areas and status on overall management plan implementation.

Goose Lake Coalition: Staff has commented on a draft Management Plan for *E. coli* on Lassen Creek. Goose Lake RCD is incorporating changes and making revisions and will have a second draft available for Staff review by 15 September 2010.

Pleasant Valley Coalition: The Pleasant Valley Coalition set a 28 August 2010 due date for collection of fees from its irrigating land owners wishing to join Westlands Coalition. Upon collection of the fees, Pleasant Valley will sign a Memorandum of Agreement with Westlands ratifying the agreement to add Pleasant Valley growers to Westlands Coalition. Westlands plans to add the additional acreage to their participant list on 1 January 2011.

Sacramento Valley Water Quality Coalition (SVWQC): On 8 July 2010, regional board staff met with staff from the Yolo County Flood Control and Water Conservation District, Reclamation District 108, and the SVWQC to be introduced to the conditions that influence water quality and water supply in Yolo County. The visit included a tour of some of the irrigation and drainage infrastructure between Woodland and the Yolo Bypass.

On 8 July 2010, regional board staff met with staff and subwatershed coordinators from SVWQC for a quarterly review of the Sacramento Valley Management Plan. Information reviewed included Management Plan activities for the current year, Source Evaluation Reports (SERs) submitted by the Coalition in March 2010, and the status of surveys being conducted in various subwatersheds. Discussions of management plan activities presented in the SERs continued through two phone conferences between SVWQC representatives and regional board staff.

The SVWQC held its Quarterly Coalition Meeting with representatives of each of the nine subwatersheds on 22 July 2010 in Yuba City. Water Board Staff attended the meeting. Regional board staff presented information on the current activities of the Irrigated Lands Program in the Sacramento Valley, and reviewed the progress and planning for the Long-Term Irrigated Lands program.

San Joaquin County and Delta Water Quality Coalition (SJCDWQC): On 2 July 2010, staff conducted a field inspection in response to a discharge complaint. Tail water from agricultural fields had a turbidity reading of 260 nephelometric units (ntu) compared to the supply water of 11 ntu. The tail water discharges into an underground pipe which

appears to connect to a Marsh Creek Road roadside ditch. This water travels east until it enters Kellogg Creek and then into the residential neighborhood in Discovery Bay. Staff has contacted the San Joaquin County and Delta Water Quality Coalition (Coalition) and the land owner to take corrective action measures.

On 23 July 2010, staff conducted a field inspection in response to a discharge complaint. The complaint indicated that tail water from agricultural fields is transporting sediment to Old River from Victoria Island. Although the discharge was not observed during the site visit, staff will contact the San Joaquin County and Delta Water Quality Coalition (Coalition).

On 3 August 2010, staff held the eighth quarterly meeting with the San Joaquin County and Delta Water Quality Coalition (Coalition) to discuss progress of implementing the Coalition's Management Plan.

On 12 August 2010, staff completed the San Joaquin County and Delta Water Quality Coalition (Coalition) April 2010 Management Plan Update Report review. It is under supervisor review.

Southern San Joaquin Valley Water Quality Coalition (SSJWQC): On 9 July 2010, staff issued a Quality Assurance Project Plan (QAPP) Completeness Review memo that identified MRP Order requirements missing from the SSJWQC QAPP. On 9 August, staff received a revised QAPP, which is currently under review.

On 26 July 2010, the Executive Officer approved the SSJWQC Monitoring and Reporting Program Plan.

Westside Coalition: On 9 August 2010, regional board staff met with Coalition representative to discuss a draft of the Hospital and Ingram Creek Focus Plan Update report. On 25 August, regional board staff met with Coalition representatives to discuss quarterly updates to the Coalition Management Plan and Focus Plan's for Hospital Creek, Ingram Creek, Del Puerto Creek, Westley Wasteway, and Orestimba Creek watersheds.

Water Districts with Regulatory Coverage under the Individual Conditional Waiver Order

Oakdale Irrigation District (OID): Staff completed its review of the annual monitoring report and submitted comments to the Irrigation District.

South San Joaquin Irrigation District (SSJID): Staff completed its review of the annual monitoring report and submitted comments to the Irrigation District.

Merced Irrigation District (Merced ID): Staff completed its review of the annual monitoring report and submitted comments to the Irrigation District.

Modesto Irrigation District (Merced ID): Staff is currently reviewing the annual monitoring report.

Fees: On 24 August 2010, regional board staff attended a fee meeting hosted by the State Water Board. The meeting provided irrigated agricultural representatives an opportunity to hear about proposed fee increases and provide feedback to the State Water Board staff. The Governor's Budget Act for FY 10-11 includes a requirement to fund the state-wide irrigated lands program solely from fees, which shifts \$1.7 million from the general fund to fees. In order to generate the \$2.6 million in needed revenue, the State Water Board staff will propose a fee increase from the current \$0.12 / acre to \$0.49 / acre.

MOU Pilot Program: The Quarterly Report for the second quarter (April thru June) of 2010 has been posted on the ILRP website. A meeting on 31 August 2010 will discuss the staff recommended alternative for the long-term program and the role and effect it may have on the Agricultural Commissioner. Feedback from other Agricultural Commissioners on the proposed alternative is expected to be conveyed in the meeting.

Prop 84 Grant Funding: A draft grant agreement with a detailed Scope of Work has been submitted to the State Water Board Department of Financial Assistance (DFA) for review. A finalized grant agreement is expected to be completed by the end of October 2010. This grant was awarded to the Coalition for Urban/Rural Environmental Stewardship (CURES) who will provide program management for the implementation of management practices to address water quality exceedances identified in the Central Valley due to agricultural sources.

APPENDIX 3

Board Meeting	Staff	Requested by Board Member	Issue	Due Date	Direction	Current Status
9/16/2003	Rik Rasmussen	WQO 2003-12	Toxicity Revisions to the SIP	Release draft revisions - January 2009. Adoption - Spring 2009.	Modify the SIP to include policy direction on the use of the numeric chronic toxicity effluent limits in NPDES permits for POTWs that discharge to inland waters.	Staff is currently working to revise the toxicity control provisions in the SIP. Proposed changes include: 1) clarifying the appropriateness of numeric toxicity effluent limits in NPDES permits, and 2) expanding and standardizing implementation requirements for toxicity control. Staff worked with USEPA to develop options for determining highly defensible statistical methods for the analysis of toxicity testing data. Staff worked with USEPA on incorporating newly-released statistical methods for determining compliance with permit toxicity limits. Results of this project are intended to lead to defensible options for toxicity control. SAIC has completed the EPA-funded economic analysis of the proposed changes. Staff released a draft policy document for a 60 day review period. Release of proposed final policy is anticipated for October 2010. Targeting Public Hearing in November 2010, and Board consideration in December 2010.
11/15/2006 (during Klamath River TMDL proceedings)	Steven Herrera, Karen Niiya, Eric Oppenheimer	All	Inclusion of the Klamath River watershed in the policy being developed pursuant to AB 2121	late 2009	Upon adoption of the policy for the five counties described in Water Code section 1259.4, the Board should consider the expansion or amendment of AB 2121 policy to include the Klamath River and its tributaries.	The Division of Water Rights previously released a draft policy for protection of instream flows in five coastal counties described in Water Code section 1259.4 as added by AB 2121. The policy will affect the geographic area for which the Board is required to adopt a policy; this area does not include the Klamath River. The Board directed the staff to consider amending the policy or developing a policy specific to the Klamath River system following the adoption of the policy for the required area. Staff anticipates taking the AB 2121 policy to the Board in March 2010. Litigation is likely to follow, filed by either grape growers or environmental groups.
2/19/2008	Shakoora Azimi-Gaylon	Resolution No. 2008-0014	Plan for Enclosed Bays/ Estuaries-Part 1 Sediment Quality	Feb-09	Directs staff to initiate appropriate proceedings to amend the section 303(d) listing policy by February 2009.	Held CEQA scoping meeting on March 29, 2010. Comment period closed April 12, 2010. Targeting Public Hearing / Board consideration in February 2011.
4/15/2008	Wetland Policy Development Team	All	Regional Policy Progress Updates	Summer 09	State Board has directed in the Board Wetland Policy resolution (April 15, 2008) that the Wetland Policy Development Team report back to the Board following the peer review of Region 1 & 2's Stream and Wetlands System Protection Policy and also within the public comment period prior to Regional Board adoption.	Held focused stakeholder meetings in June and July, 2010, to discuss policy framework and wetland definition presented to the Board on October 6, 2009. Currently revising draft policy and regulations in response to input received from stakeholders and federal/state agency partners (Interagency Coordinating Committee).
6/1/2008	Executive	Frances Spivy-Weber	Aerial Deposition		Executive staff and Board lead will coordinate with ARB to evaluate joint solutions to aerial deposition that impacts water quality.	
9/2/2008	Jon Bishop	All	Recycled Water Policy	Nov-08	Bring suggested staff changes to stakeholder draft recycled water policy back to the Board.	Completed.

APPENDIX 3

Board Meeting	Staff	Requested by Board Member	Issue	Due Date	Direction	Current Status
9/16/2008	Barbara Evoy	All	SRF Loans	Mar-09	Bring to the Board for consideration options on how to address 218 vote. One option must include no new SRF loans until the issue is resolved.	Item 7 at the November 18, 2008 Board meeting presented options and recommendations to the Board. The State Board accepted the staff recommendations to continue offering financial assistance to eligible applicants while simultaneously implementing additional measures to ensure the security of CWSRF payments; and directed staff to make the State Water Board aware of developments that signal a deterioration of CWSRF finances. Staff did add in additional measure to ensure security of CWSRF payments.
10/7/2008	Miles Burnett	Gary Wolff	Development of Environmental User Fees	May-09	Such a fee was adopted for NPDES permittees. Similar fees should be developed for other permit types.	Alternative fee strategies are being developed.
11/4/2008	DWQ	Frances Spivy-Weber	Beaches	Jul-09	Include the use of rapid indicators in discussions on long term funding for beach monitoring.	SCCWRP rapid indicator workgroup to deploy pilot using rapid indicators at 6 to 9 Southern CA beaches in the Summer of 2010. Developing approaches for long term funding and including rapid indicators.
11/18/2008	DFA	All	SRF Loans	Jul-09	Work with CASA and Tri-TAC to develop alternatives to explore safety fund for the SRF to protect against rate rollbacks.	Work on this issue was suspended due to additional workload demand of the American Recovery and Reinvestment Act. Staff will resume its effort in January 2010 to find a backstop for the CWSRF against rate rollbacks in conjunction with the Stakeholder Advisory Group, CASA/TriTAC, and its financial advisor. Recommendations will be presented to the Board as part of the CWSRF Regulations or a Policy amendment.
1/6/2009	Liz Haven	All	Suction Dredge	Jul-09	Work with DFG to define scope of work for suction dredge EIR. Brief Board members on process and contents.	Latest update on status was in the April 20, 2010, Executive Director's Report.
2/3/2009	DWQ and DFA	Resolution No. 2009-0011	Recycled Water Policy		Request the Department of Water Resources to provide funding for recycled water projects.	Completed (DWR replied that funding is not available).
2/17/2009	DWQ	All	Blue Green Algae	Apr-09	Report back to the Board on Blue Green Algae work being conducted on the Klamath.	Completed.
2/17/2009	DWQ	All	LID	Jul-09	Staff will follow up with the Coastal Commission and DWR IRWM on outreach for LID education for the Municipalities and report back in a future ED report.	Completed.
2/17/2009	Darrin Polhemus	Charles Hoppin	Monitoring	Jan-10	Report back from time to time in the ED report on work with the shipping industry regarding monitoring requirements.	No further work to date pending outcome of lawsuits on the VGP.
5/19/2009	DWQ	WQO 2009-0003	Salt Management		Work collaboratively with Central Valley Water Board to identify, scope, and implement short-term, intermediate-term, and long-term regulatory options for addressing salts.	Developing discussion document. Will be meeting with R5 staff.

APPENDIX 3

Board Meeting	Staff	Requested by Board Member	Issue	Due Date	Direction	Current Status
8/4/2009	DWQ	Resolution No. 2009-0064	Forestry	Jan-11	Develop a statewide approach addressing forest activities on National Forest System Lands, including Timber Harvesting, Grazing, Off-Road Vehicle Recreation, and Fire Suppression.	Stakeholder group established on 11/30/09. Staff working group meetings underway with Regional Boards and USFS. A Management Group meeting is scheduled for September 23. A draft statewide waiver will be circulated for internal comments by October 1, 2010.
11/17/2009	DWQ	Resolution No. 2009-0081	USTs	Continuing	Conduct UST case reviews similar to the Cleanup Fund's Five Year Review process for all petroleum cases and recommend closure as appropriate.	Ongoing.
11/17/2009	Darrin Polhemus and Val Connor	All	CIWQS	Feb-10	Report back to the Board on ways to inform dischargers of MMPs and non-reporting issues.	Developing approaches with ACWA and on third and final version of proposal; will report back at the October 19, 2010 Board Meeting.
2/23/2009	DWQ	Tam Doduc	Recycled Water Policy	Jun-10	Status on implementation of the recycled water policy.	Staff are planning an Information Item for the January 18, 2011 Board Meeting.
5/4/2010	DWR	Resolution No. 2010-0021	North Coast Instream Flow Policy (AB 2121)	2015	Directs staff to initiate a study to determine whether the volume depletion approach alternative criteria for Class II and Class III streams is protective and should be adopted in a future policy revision as a regional criteria.	Next step is to estimate scope and cost of study and to identify funding source.
5/18/2010	DFA	Tam Doduc	Sources of Drinking Water Policy	Jul-10	Provide status of CV Regional Board Drinking Water Policy and shift funding to another entity, if appropriate.	Staff investigating
5/18/2010	DWQ	Tam Doduc	UST Closure Policy	Jul-10	Provide recommendation to Board whether a UST Closure Policy should be developed.	Staff preparing recommendation. Anticipate taking to Board in December 2010.
10/5/2010	DWQ	Frances Spivy-Weber	Grasslands Project	Apr-11	Progress on the Grasslands Project.	Report back to the Board in April 2011