

**State Water Resources Control Board
December 14-15, 2010 Board Meeting
Item 17- Executive Director's Report**

DIVISION OF FINANCIAL ASSISTANCE

Clean Water State Revolving Fund:

Division-funded Project Recognized by United States Environmental Protection Agency Hermosa Beach Pier Avenue Project: On December 2, 2010, the City of Hermosa Beach received the U.S. Environmental Protection Agency-Pacific Southwest Region's 2010 Environmental Achievement Award for Low-Impact Development (LID) in recognition of exceptional work and commitment to protecting the environment. The Hermosa Beach Pier Avenue Improvement Project is among the most innovative LID projects in the State of California. The water quality improvements include full capture of trash, and reduction of flows, bacteria and other pollutants to two storm drain outfalls at Hermosa Beach.

Division Approvals:

The Deputy Director of the Division approved the following Preliminary Loan/Grant Commitments from November 16, 2010 to December 1, 2010:

County Sanitation District No. 1 of Los Angeles County Wright Road Trunk Sewer Rehabilitation Project: The Division has approved a CWSRF Preliminary Funding Commitment of \$1,500,000 with a repayment period of 20-years at one-half the general obligation bond rate. The purpose of the Project is to rehabilitate the failing sewer pipeline. The proposed Project consists of rehabilitating approximately 2,462 linear feet of existing pipeline. Rehabilitation of the sewer pipelines requires bypass of flow and cleaning of the sewer. The primary impacts associated with the Project would be restriction to traffic flow and home access.

DIVISION OF INFORMATION TECHNOLOGY

The division is finalizing requirements for email migration from GroupWise to Microsoft Exchange. The migration will be fully implemented by June 2011

DIVISION OF WATER QUALITY

City of Barstow Well Contamination Project: State Water Board staff has been assisting the Lahontan Regional Water Board in its efforts to address recently discovered perchlorate contamination in groundwater in Barstow. Regional Board staff has been working aggressively to identify and assess the problem and develop a strategy for addressing the contamination. Cleanup and Abatement Account funding has been accessed for sampling and other immediate needs. The Regional Board has identified a possible source of the perchlorate contamination in Barstow and initiated discussions with the California Department of Toxic Substances Control and U.S. EPA, Region 9 to help in the identification of the source of the contamination and subsequent cleanup efforts. On December 8th, the Lahontan Regional Water Board formally requested U.S. EPA's assistance with better defining the area of perchlorate contamination, investigation and cleanup of the sources of contamination, and providing alternative water to affected residents.

Integrated Report [CWA Section 303(d) and Section 305(b)]: On November 12, 2010, U.S. EPA issued a letter regarding California's 2010 Integrated Report's 303(d) list of impaired waters. U.S. EPA approved 99 percent of California's assessment determinations identified in the Integrated Report. Specifically, U.S. EPA approved the inclusion of each of the water bodies and associated pollutants that California identified as requiring a TMDL. U.S. EPA disapproved the omission of several water bodies and associated pollutants that meet federal listing requirements. U.S. EPA identified additional water bodies and pollutants for inclusion on the State's 303(d) list.

State Water Board staff is working with Regional Water Board staffs on developing the lines of evidence for the next Integrated Report cycle. Staff develops the lines of evidence using SWAMP data as the data become available from the SWAMP database. Staff develops lines of evidence for the non-SWAMP data when the data set submitted includes all the required information. Staff is working with members of the public who submitted data to obtain any missing information for submitted data.

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](#)). On November 8, 2010, staff released an administrative draft permit. Staff expects to release a draft for public review in early 2011.

Storm Water Construction General Permit: Limited revisions to the Construction General Permit provisions related to the Legally Responsible Person were adopted by the Board at the November 16, 2010 Board Meeting. These limited revisions are intended to assist federal, state, and other agencies in obtaining coverage under the permit.

Storm Water MS4 Effectiveness Assessment Document: On October 27, 2010, staff released a Notice of Staff Workshops and Opportunity for Public Comment on the draft Storm Water MS4 Effectiveness Assessment document. This document was prepared in response to Assembly Bill 739, Chapter 610, Statutes of 2010. The workshops were held on November 4 in the Sierra Room of the Cal/EPA Building in Sacramento, and November 9 in the City Hall in Rancho Cucamonga.

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 2009. 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: On November 16, 2010, the State Water Board held a Workshop on the draft Policy for Toxicity Assessment and Control. At the workshop, Board members heard comments on the policy, primarily from municipalities concerned about the effects of the Policy on publicly owned treatment works. The Board directed staff to extend the written comment period until January 21, 2011. A public hearing is planned for spring, 2011.

Trash Policy: State Water Board staff held California Environmental Quality Act (CEQA) Scoping Meetings 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 were due at 12:00 noon on November 3, 2010; State Water Board received 26 timely comment letters. Staff is reviewing comment letters, developing Policy alternatives, and supporting documentation.

Wetland and Riparian Area Protection Policy: On November 4, a face-to-face meeting was held in Sacramento with Regional Board senior staff to discuss policy implementation strategies. On November 18, the Interagency Coordinating Committee (ICC) reviewed the proposed policy approach to wetland delineation. The ICC is made up of federal and State agencies responsible for wetland regulation and assists the Drafting Team with agency program coordination.

The Drafting Team continues to plan for release of a Notice of Preparation of a Draft Programmatic Environmental Impact Report (NOP - EIR). The NOP-EIR will be accompanied with an Initial Study Checklist (IS). After the Drafting Team completes the NOP-EIR/IS; it will be released along with details of the CEQA scoping meetings / staff-level workshops.

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 Irrigated Lands Regulatory Program update report is attached as Appendix 2.

DIVISION OF WATER RIGHTS

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 on May 4, 2010, and the Office of Administrative Law approved it on September 22, 2010. The State Water Board filed the Policy Notice of Decision with the Secretary for Resources on September 28, 2010. As a result, the policy is now operative.

Pursuant to Section 3.4.3 of the Policy, the State Water Board has established a three-year Predecisional Review Trial Program that provides an opportunity for water right applicants, petitioners, and protestants to seek review of Division staff determinations by a designated Member of the Board before the State Water Board takes final action on the water right application, petition or registration. Program implementation procedures have been placed on the Instream Flow Policy webpage and Lyris notifications were distributed.

On November 2, 2010, the State Water Board received a copy of a CEQA lawsuit filed on October 27, 2010 in Alameda County Superior Court by Living Rivers Council regarding the adoption of the Policy for Maintaining Instream Flows in Northern California Coastal Streams. The CEQA lawsuit claims the Policy's Substitute Environmental Document fails to identify, discuss, or analyze, and the Board failed to incorporate into the Policy, any mitigation measures to substantially reduce any of the fifty-eight (58) significant adverse environmental impacts including depletion of instream flows as a result of increased groundwater extraction and use caused by adoption of the Policy. The State Water Board is coordinating a response with the Attorney General's office.

Water Right Frost Protection Regulations: The State Water Board held three workshops to receive information regarding the need for and the effect of frost protection diversions in the Russian River watershed in Mendocino and Sonoma counties. At a January 2010 workshop, the Board instructed staff to pursue regulations through the formal rulemaking process. Consistent with this process, the State Water Board must comply with the California Environmental Quality Act (CEQA) by preparing an Environmental Impact Report (EIR). On November 17, 2010, staff held a Public Scoping Meeting to receive comments regarding the development of the EIR for the Regulations. Staff gave a summary of the CEQA process, the Rule Making Process, and an overview of the draft Frost Regulations. Staff received verbal comments from members of the public. A question and answer session followed. Written comments regarding the development of the EIR were due November 30, 2010. The formal rulemaking process will begin in February 2011.

2010-11 Water Right Fee Billing: The State Water Board adopted emergency water right fee regulations on October 19, 2010, for the 2010-11 fiscal years. The annual fee schedule includes an increase in fees for the Federal Energy Regulator Commission (FERC) 401 Water Quality Certification program. The Board of Equalization is scheduled to produce and mail invoices on December 6, 2010. The billing will include approximately \$7.039 million in annual fees for water right application, permit, and license holders, including federal water contractors and \$2.187 million in FERC program fees.

Draft Technical Report on the Scientific Basis for Alternative San Joaquin River Flow and Southern Delta Salinity Objectives: On October 29, 2010, the State Water Board noticed a workshop for January 2011 and released a draft Technical Report on the scientific basis for alternative San Joaquin River flow and southern Delta salinity objectives (Draft Technical Report). The purpose of the January 6 & 7, 2011 workshop is to receive comments and other technical information related to the draft Technical Report. The information and tools described in the draft Technical Report will provide the State Water Board with the scientific information and tools needed to consider potential changes to the San Joaquin River flow and southern Delta salinity objectives included in the 2006 Water Quality Control Plan for the San Francisco Bay/Sacramento-San Joaquin Delta Estuary (2006 Bay-Delta Plan), and a program of implementation to achieve these objectives. This workshop is being held to determine whether: 1) this information and these tools are sufficient to inform the State Water Board's decision-making to establish San Joaquin River flow and southern Delta salinity objectives and a program of implementation to achieve these objectives; and 2) the State Water Board should consider additional information or tools to evaluate and establish San Joaquin River flow and

southern Delta salinity objectives, and a program of implementation to achieve these objectives. Through this process, the State Water Board will develop the tools it will then use to prepare the Substitute Environmental Document (SED) and any revisions to the objectives. The report and other information are available at:

http://www.waterboards.ca.gov/waterrights/water_issues/programs/bay_delta/bay_delta_plan/water_quality_control_planning/

Notice of Opportunity for Public Comment on Review of and Potential Modifications to the San Joaquin River Flow and Southern Delta Salinity Objectives Included in the 2006 Water Quality Control Plan for the San Francisco Bay/Sacramento-San Joaquin Delta Estuary:

On November 22, 2010, the Division of Water Rights (Division) issued a notice of opportunity for public comment on potential changes to the San Joaquin River flow and southern Delta salinity objectives and their program of implementation included in the 2006 Bay-Delta Plan. This is a follow-up to the October 29, 2010 notice of workshop scheduled for January 6 & 7, 2011, and release of a draft Technical Report on the scientific basis for alternative San Joaquin River flow and southern Delta salinity objectives (Draft Technical Report). In this follow-up notice, the Division is requesting any additional information related to the State Water Board's review and potential modification of the objectives and program of implementation beyond that covered by its October 29, 2010 workshop notice regarding the Draft Technical Report. Information submitted pursuant to this notice is due by noon on Tuesday, February 8, 2011. The notice and other information related to this review are available at:

http://www.waterboards.ca.gov/waterrights/water_issues/programs/bay_delta/bay_delta_plan/water_quality_control_planning/

Hosting Foreign Delegations: On November 22, Division of Water Rights staff joined Board Member Doduc, staff from the Division of Water Quality, and the Office of Public Participation in providing information on California's water quality and water rights regulations to 25 delegates from China. On December 1, staff from the Division of Water Rights, Office of Chief Council, and Office of Public Participation provided information to Japanese delegates on California's water rights regulations with a focus on water transfers.

Division of Water Rights Decision Regarding Clear Ridge Mutual Water Association:

The Clear Ridge Mutual Water Association, Inc., (Applicant) filed Application 30946 (A030946) with the State Water Resources Control Board, Division of Water Rights on September 17, 1999. The Application requests the right to appropriate up to a total of 42-acre feet per annum at a rate not to exceed 0.058 cubic feet per second, during the season from January 1 through December 31, from Big Sur River Underflow, tributary to the Pacific Ocean. The requested purposes of use are domestic and fire protection. The Applicant serves 42 properties located on Pfeiffer Ridge and Clear Ridge in the Big Sur area of Monterey County. The Applicant's source of water is a 36-foot deep well that was originally developed in 1972. No construction relating to the water diversion system is proposed as part of this project. The application seeks to recognize the existing system, which has been in operation since 1972 and now serves 38 residences. Four additional parcels within the service area are vacant although three have existing water meters. Following approval of A030946, up to 4 new residences could be added, and the system could serve property upgrades (caretaker units, vacation homes converted to full time residences).

The Division issued public notice of A030946 on June 9, 2000 and received nine protests against the application. The protests were based on impacts to instream resources and prior water rights. The Department of Fish and Game (DFG), a protestant, developed bypass flow conditions for the protection of instream flows in the Big Sur River. The Applicant agreed to inclusion of the DFG bypass flow conditions in their permit. As a result, the DFG agreed to

withdraw its protest. The remaining protests were outstanding. On June 17, 2010, an Initial Study and proposed Mitigated Negative Declaration were circulated. On August 18, 2010, Division staff conducted a field investigation in an attempt to facilitate resolution of the outstanding protests. No protests were resolved at the field investigation. Subsequent to the field investigation, Division staff prepared a Division Decision. The Division Decision considers the information in the application file, the Initial Study/Mitigated Negative Declaration, and information submitted at and following the field investigation. The Division Decision dismisses the outstanding protests and orders issuance of a permit. The Deputy Director for Water Rights signed the Division Decision and Permit in December 2010.

Strategic Work plan for Activities in the San Francisco Bay/Sacramento- San Joaquin Delta Estuary (Strategic Work plan): Per [Resolution 2008-0056](#), adopted by the State Water Board on July 16, 2008, staff provides updates to the State and Regional Water Boards on implementation of the Strategic Workplan. A detailed schedule of Strategic Workplan elements summarizes the actions identified in the Strategic Workplan and reports changes or updates for each action.

The fourth quarterly update for 2010 Schedule of Strategic Workplan Element Actions is available at:
http://www.waterboards.ca.gov/waterrights/water_issues/programs/bay_delta/element_actions/

OFFICE OF ENFORCEMENT

Los Angeles Regional Board Prosecution Team Assistance for MMP Enforcement: Attorneys with OE are assisting the enforcement staff in the Los Angeles Regional Board with the issuance of seventeen (17) administrative civil liability (ACL) complaints that will be issued on or before December 17, 2010. These complaints will address effluent and reporting violations that occurred prior to December 31, 2007 and are part of Region 4's efforts to resolve those "backlogged" violations. The amounts at issue seek penalties ranging from more than \$1,000,000 to \$3,000. The targeted dischargers were provided the opportunity to resolve the violations prior to issuance of the ACL complaint. If the matters do not settle, they will be scheduled for a panel hearing on March 17, 2011 before the Los Angeles Regional Board.

Government-Owned Tanks (GOT) Enforcement Initiative: OE has received information regarding the current operations of government owned/operated underground storage tank (UST) facilities in 91 different CUPA (certified unified program agency) jurisdictions. This leaves approximately 7 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 November, the OE staff performed 182 file reviews at 21 of the CUPAs who had submitted their information. Actual inspections of the facilities commenced the second week of July and so far 42 inspections in six 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, 7 cases have been dismissed completely after review by state board staff addressing 140 alleged violations. An additional 19 have agreed to pay proposed liability totaling \$396,000 in MMPs. An additional 2 have been placed on hold because the responsible entity is in bankruptcy. 1 case (involving 46 violations) 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 21 cases. In addition to the 19 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 21 facilities as possible by December 31, 2010. However, as dischargers present additional evidence for consideration or the impacts of SB 1284 are evaluated, some cases may be delayed for ACL complaint issuance.

As reported in October, 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, however the hearings have been continued. Any remaining cases that are not resolved or addressed prior to December 31, 2010 will be scheduled for hearings in spring of 2011.

In summary, of the 17 ACL complaints initially scheduled for hearing, 8 have settled resulting in \$261,000 in liabilities. 7 have been continued for settlement discussions and 2 went to panel hearing on November 18, 2010. Therefore, a total of 27 out of 50 cases have resolved without hearing and have resulted in MMPs of \$657,000 and an additional two cases have gone through an evidentiary hearing.

OFFICE OF INFORMATION MANAGEMENT AND ANALYSIS

Developing Biological Objectives for California Streams: In March 2010, initiated a project to develop biological objectives for California streams. For the past 20 years, the State Water Board and other agencies have used bioassessment as a tool to assess the biological condition of the State's waters. Biological objectives will provide the benchmarks needed to interpret bioassessment data in a regulatory context (e.g., permitting, 303(d) listing, TMDL targets, etc.).

Three advisory groups will provide staff input into the project: the Stakeholder, Scientific, and Regulatory Advisory Groups. The Stakeholder and Scientific Advisory Groups were formed in the first half of 2010 and have met to review and provide input on the technical work plan for the project. Staff is in the process of assembling the Regulatory Advisory Group, which will be comprised of representatives from the nine Regional Water Boards and State Water Board program managers.

The first task in the technical work plan is to develop reference conditions for the range of ecoregions in the State. Reference conditions will be the basis for setting the thresholds of biological condition. The draft technical document will be completed and reviewed by the Scientific Advisory Group in spring 2011.

More information on the project is available on the [Biological Objectives](#) webpage. Interested persons also can subscribe to the [email list](#).

OFFICE OF RESEARCH PLANNING AND PERFORMANCE

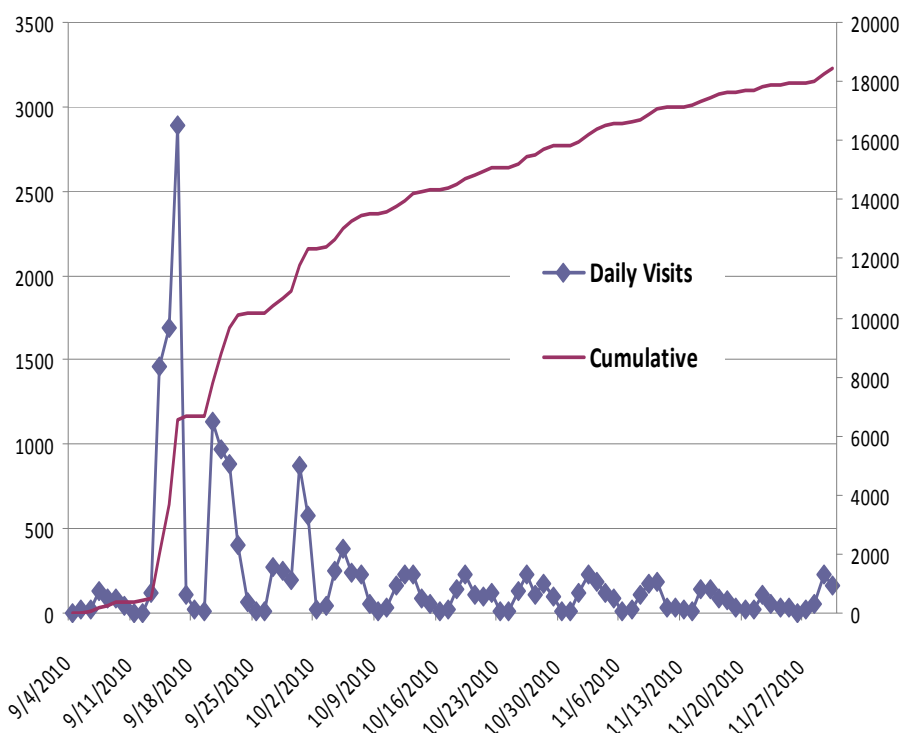
Water Board Training Academy:

Recent Classes	<p>Episodic Streams November 8, 9, 10 - This two-day course and optional field trip, explored the physical processes, ecological adaptations, management and conservation challenges of episodic channels in California. While most of the examples presented were from the state's drylands, the course also addressed 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.</p> <p>Introduction to Social Media Theory and Practice for Use in State Government November 30. This half day training explored the best way to share information by using social media and other social networking techniques within the context of public information and government. As a case study, the sharing of aquatic bioassessment information was explored making this course especially helpful to those involved in the SWAMP program.</p>
Upcoming Classes	<p>Introduction to ARC/GIS with a Water Rights Focus will be offered on December 14 and 15. Combining lectures by professionals and hands-on experience working with ArcGIS (version 9.3), this course will provide you with a basic working knowledge of GIS and its terminology, as well as a concrete sense of the planning and design work involved in using GIS. A water rights focus will be presented for this class.</p> <p>Administrative Classes – The Academy is assisting the Division of Administrative Services to deliver Contract and Procurement training at the State Board and Regional Boards.</p>

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 is available at http://www.waterboards.ca.gov/about_us/performance_report/.

The report received 18,418 visits from September 7 to November 30, 2010 (see graph).



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	Public Hearing held on November 2, 2010. Board consideration targeted for early 2011.
A-11*	Aquatic Pesticide General Permit – Vector Control, (Adulticide/Larvicide)	Public Hearing held on October 19, 2010. Board consideration targeted for January 2011.
A-11	Aquatic Pesticide General Permit – Weed Control, Aquatic Application	Expect to release formal draft in February 2011, Public Hearing targeted for March 2011 and Board consideration targeted for May 2011.
P	Aquifer Storage and Recovery Policy	Delayed due to other priorities.
A-11	Areas of Special Biological Significance (ASBS): Special Protections	Targeting Public Hearing in January 2010 and Board consideration in March 2011.
A-11	Bacterial Objectives for Inland Surface Waters	Staff preparing draft policy and staff report. Economic study delayed due to contract funding issues. Adoption Hearing targeted for February 2011.
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	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 December 2010.

Division of Water Quality

Status Code	Policy/Significant General Permit	Status
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 Cal Recycle 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.
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.
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: model monitoring provisions	Drafting delayed by Once-Through Cooling 316(b) Policy Revisions Consideration. Public Hearing targeted for March 2011 and Board consideration targeted for May 2011.
A	Ocean Plan Amendment: desal provisions	Public Hearing 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 held September 22, 2010. Adoption Hearing targeted for February 2011.

Division of Water Quality

Status Code	Policy/Significant General Permit	Status
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. Workshops expected in spring 2011.
A	Rapid Diagnostic Tests for Bacterial Indicators in Coastal Waters	Pilot testing on 9 Orange County beaches completed. Evaluation meeting held by Rapid Methods Task Force on September 27, 2010. Task Force preparing final recommendation to present to SCCWRP Commission at December 3, 2010 meeting.
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	Adoption hearing by April 2011.
P	Sediment Quality Objectives (SQOs) for Enclosed Bays and Estuaries: Phase III	Pending completion of Phase II and availability of funding
A-10*	Spray Applications Permit (CDFA and USFS Eradication Programs)	Public Hearing held on November 2, 2010. Comment period extended until December 16, 2010, with Board consideration targeted for January 2011.
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	.Revisions limited to Legally Responsible Person provisions. Adopted at November 16, 2010 Board Meeting.
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.

Division of Water Quality

Status Code	Policy/Significant General Permit	Status
A-11	Storm Water MS4 Effectiveness Assessment Document (AB 739, Ch. 610, Statutes of 2007)	On October 27, 2010, issued revised Notice of Staff Workshops and Opportunity for Public Comment on draft document. Workshops scheduled for November 4 in Sacramento and November 9 in Rancho Cucamonga. Comments due 12:00 noon on November 30, 2010. Targeting 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 workshop targeted for spring 2011.
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	On October 20, 2010, issued Notice of Workshop and Public Comment on draft policy. Workshop scheduled for November 16, 2010 Board Meeting. Comments due by 12:00 noon on November 22, 2010. Additional workshop scheduled for March 2011.
A-11*	Trash Policy	CEQA Scoping Meetings held on October 7 in Rancho Cordova and October 14 in Chino. Staff reviewing comments.
A-10	UST Low-Threat Case Closure Policy	Targeting Board consideration for 2011.
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.

Division of Water Quality		
Status Code	Policy/Significant General Permit	Status
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	Integrated Report Adoption (2010)	Board approved 303(d) list on August 4, 2010. Transmitted to U.S. EPA on October 13, 2010, and awaiting their approval.
C*	Once-Through Cooling (316b) Policy	Approved by Office of Administrative Law (OAL) on September 27, 2010. Effective date October 1, 2010.
C	South Bay Power Plant	Notice of Cancellation of Public Hearing issued on November 2, 2010 due to permit application withdrawal.
C	UST Regulatory Program Task Force	Final task force recommendations submitted to the Board in January 2010. DWQ staff updated the Board at the May 18 Board meeting in conjunction with DFA staff report on the UST Cleanup Fund.

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.
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 January 6, 7 2011 public workshop was released October 29, 2010. Draft plan amendment to be brought to the Board for a December 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. OAL approved the administrative record in September, 2010. The Division filed a Notice of Decision with the Secretary for Resources on September 28, 2010. The policy is now effective.

Status Code Key:

- White = Active effort (A)
- Yellow = Targeted for completion in 2010 (A-10)
- Blue = Completed (C)
- Grey = Suspended or No statewide effort at this time or Pending (P)

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 December 9-10, 2010 Executive Officer's report. Current and past ILRP program monthly reports can be found on the State Water Board Irrigated Agricultural 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

**(The following information is from December 9-10, 2010
Central Valley Executive Officer Report)**

Long-term Program / Environmental Impact Report (EIR)

In September, four public workshops were held throughout the Central Valley to discuss the Draft Programmatic Environmental Impact Report (PEIR), Economics Report, and recommended long-term ILRP for regulating waste discharges from irrigated agricultural lands. Workshop dates and locations were as follows: September 8th – Tulare; September 9th – Modesto; September 10th – Rancho Cordova; September 10th – Chico. Written comments on the Draft PEIR were due on 27 September. Comment letters from agencies and water quality coalitions are posted on the Central Valley Water Board's website at:

http://www.waterboards.ca.gov/centralvalley/water_issues/irrigated_lands/long_term_program_development/index.shtml

On October 26 and November 2 and 8, respectively, staff held preliminary discussions to discuss potential steps in the implementation of the recommended long-term ILRP with the East San Joaquin Water Quality Coalition, San Joaquin County and Delta Water Quality Coalition, and California Rice Commission.

The next major milestones of the project include circulation of a Final EIR and recommended long-term ILRP in early 2011. The Final EIR and recommended ILRP will be considered for certification at the April 6-8 Central Valley Water Board hearing. 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 - Exemption Claim Inspections

In September and October 2010, Central Valley Water Board staff completed 59 inspections to verify landowner exemption claims to 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 to surface waters). These claims create a need for verification inspections, which staff regularly conducts. Staff verified that lands associated with 55 inspections were exempt from regulatory coverage under the ILRP. The outcome of the remaining inspections is pending further investigation.

Enforcement

California Water Code section 13267 Orders & Notices of Violation

In September, the Executive Officer issued 18 and 26 Notices of Violation (NOVs) to landowners in Contra Costa and Colusa Counties, respectively. The NOVs were issued to potential owners of irrigated lands who first received a CWC §13267 Order, but failed to submit a technical report.

In October, the Executive Officer issued 73 CWC §13267 Orders to potential owners of irrigated lands in Butte County. These Orders were issued to landowners who first received an outreach postcard and subsequently did not respond.

Also in October, the Executive Officer issued 50 CWC §13260 Orders to irrigated lands dischargers who received Executive Officer approval to join a grower water quality coalition, but have not done so to date. These dischargers are located in the East San Joaquin Water Quality Coalition area and the San Joaquin County & Delta Coalition area.

On 29 October, the Executive Officer and staff met with representatives from the California Cattlemen's Association (CCA) to discuss concerns regarding the issuance of CWC §13267 Orders to their members. One of the concerns is that the postcards and Orders may not be clear that recipients should respond to the postcard or Order, even if they do not believe they discharge. CCA will provide suggested language to help clarify this issue.

Coalition Groups

California Rice Commission (CRC)

On 26 August, Regional Water Board staff met with the CRC to answer questions regarding a potential CRC Order for the long-term ILRP specific to rice operations. The CRC has brought up questions that will be relevant to whatever form the long-term ILRP will take.

On 1 October, Regional Water Board staff met with the CRC and stakeholders to discuss the 2010 monitoring results for the Rice Pesticides Program. The CRC will be providing more information on the 2010 results in its Annual Monitoring Report (AMR) due 31 December.

East San Joaquin Water Quality Coalition (ESJWQC)

On 20 October, staff received a revised MRP Plan and QAPP. The updated MRP Plan and QAPP consolidate the approved amendments since the September 2008 MRP Plan approval, typographical errors, and updates of some laboratory analytical methods.

On 26 October, staff met with the ESJWQC to answer questions regarding a potential ESJWQC Order for the long-term ILRP. Some of the items discussed included surface and groundwater requirements under the proposed structure of the long term program. The Coalition is planning to meet again with staff to discuss in more detail some of the long-term program's proposed groundwater requirements. The next meeting will be schedule for January 2011.

On 1 November, the Coalition submitted the San Joaquin River Chlorpyrifos and Diazinon TMDL Annual Monitoring Report (Annual SJR C-D Report) based on 2010 monitoring conducted by the East San Joaquin Water Quality Coalition and the Westside Coalition at the six compliance points. Staff will be reviewing the 2010 Annual SJR C-D Report and submitting comments.

On 2 November, staff held the ninth quarterly meeting with the Coalition to discuss progress in implementing the Coalition's Management Plan.

Goose Lake Coalition

The ILRP's Technical Issues Committee (TIC) decided that *E. coli* management plans are an issue of highest concern for all coalition groups and a Pathogen Focus Group formed to develop a regional *E. coli* Management Plan. As a result, the Goose Lake Coalition's Lassen Creek Management Plan for *E. coli* has been deferred. When the Pathogen Focus Group has developed an acceptable regional approach, the Goose Lake Coalition will review their management plan, make revisions as needed, and resubmit their plan for approval. It is expected that the Goose Lake Coalition will participate in the TIC's development of a regional approach to address *E. coli* Management Plans.

Pleasant Valley Coalition

On 5 October 2010, a Memorandum of Agreement was signed between Westlands Coalition and Pleasant Valley Coalition allowing Pleasant Valley irrigating landowners to join Westlands Coalition. Westlands Coalition is scheduled to submit an updated participant list that includes the additional irrigating landowners on 1 January 2011.

Sacramento Valley Water Quality Coalition (SVWQC)

On 30 September staff met with representatives of the SVWQC for the quarterly review of the Sacramento Valley Management Plan. Presentations were given by John Currey, Dixon RCD and Yolo-Solano subwatershed representative, and Jim Cornelius, Sutter RCD and Butte-Sutter-Yuba subwatershed. Both representatives reported on outreach efforts in each of their areas that are addressing Coalition Management Plan elements. The remainder of the meeting centered on an examination of monitoring schedules for Sacramento Valley waterways in 2011. In two follow up meetings on 13 and 27 October, Regional Board staff reviewed with Bruce Houdesheldt, NCWA and Claus Suverkropp, Larry Walker Associates, the status of Management Plan tasks to be completed by the end of 2010.

During this reporting period the Regional Water Board approved the completion of two Sacramento Valley Management Plans: Toxicity to *Ceriodaphnia* in Laguna Creek in the Sacramento-Amador subwatershed, and Chlorpyrifos in Coon Creek in the Placer-Nevada-South Sutter-North Sacramento subwatershed. Toxicity in Laguna Creek had not been identified again since early 2007 (after 19 sampling events) and chlorpyrifos had not been detected in Coon Creek since 2005. Also, the latest QAPP for the SVWQC received final approval in September 2010.

San Joaquin County and Delta Water Quality Coalition (SJCDWQC)

On 24 August, staff sent the SJCDWQC staff's review of their April 2010 Management Plan Update Report. The Coalition provided the necessary information for the components of the Management Plan Update Report, Basin Plan – TMDL requirements, with only minor omissions.

On 20 October, staff received a revised MRP Plan and QAPP. The updated MRP Plan and QAPP consolidates the approved amendments since the September 2008 MRP Plan approval, repairs typographical errors, and revises some laboratory analytical methods.

On 2 November, staff held the ninth quarterly meeting with the Coalition to discuss progress of implementing the Coalition's Management Plan.

Southern San Joaquin Valley Water Quality Coalition (SSJVWQC)

On 1 November 2010, staff received an addendum to the SSJVWQC draft Quality Assurance Program Plan (QAPP) intended to address missing elements described in a 13 September 2010 staff email. The draft QAPP and QAPP addendum are currently under staff review.

Westlands Coalition

Staff reviewed the Westlands Coalition Quality Assurance Program Plan (QAPP) and completed the associated QAPP review checklist. On 9 November 2010, staff sent the Westlands Coalition QAPP and review checklist to the Central Valley Water Board Quality Assurance Officer (QA Officer). The QA Officer will review the QAPP, request changes as needed, and grant final approval of the document.

Westside Coalition

On 20 October, Regional Board staff sent the Westside Coalition staff's review of their June 2010 Non-Irrigation Semi-Annual Monitoring and Management Plan Report review. The Coalition provided the necessary information for the components of the SAMR, Management Plan Update Report, and Basin Plan – TMDL requirements, with only minor omissions.

On 28 October, Regional Board staff met with Coalition representatives Joe McGahan and Chris Linneman 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.

On 2 November, Regional Board staff attended the Coalition's monthly water quality meeting in Los Banos.

Water Districts with Regulatory Coverage under the Individual Conditional Waiver Order

Merced Irrigation District

Staff completed its review of the annual monitoring report and has submitted comments to the Irrigation District.

Modesto Irrigation District

Staff is currently reviewing the annual monitoring report.

Data Management

Data reports received through September 1st 2010 that arrived in an electronic SWAMP comparable format are currently being prepared for loading into a California Environmental Data Exchange Network (CEDEN) comparable daughter database provided by the Central Valley Regional Data Center (CV RDC). These reports and future data sets will be sent to the CV RDC to be uploaded into CEDEN for state-wide assessment efforts. Data loading for larger coalitions has begun for sets starting with those received in June 2009.

Datasets submitted prior to June 1st 2009 are being processed for loading by the CV RDC as a historical data project. These datasets were initially processed by the ILRP and are at various stages of readiness for loading. The CV RDC, funded by a portion of SWAMP funds, have been contracted to complete the processing and begin loading priority sets. Progress will be overseen by ILRP staff.

The consolidated ILRP data warehouse project is complete and was released to staff in August. The data warehouse consolidated and formatted older data to be combined with newer SWAMP formatted data being received. This warehouse allows rapid and large scale data analysis to be performed for the program on a time line much shorter than waiting for all the historical data to be SWAMP formatted. The San Joaquin Watershed SWAMP unit provided assistance in this project. An outside contractor was hired to design queries and tools to assist staff with data analysis. The analysis queries and tools were completed in September 2010.

MOU Pilot Program

The Quarterly Report for the third quarter (July-September) of 2010 is being reviewed and should be posted on the ILRP website by the end of November. Staff has sent in requests to extend the MOU Pilot Program contracts, at no added cost, to 31 March 2011. The contract extensions are in the process of being approved by Butte and Glenn Counties.

Prop 84 Grant Funding

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. The draft grant agreement has undergone legal review due to requested changes by CURES, and the Scope of Work is now being reviewed by the Division of Financial Assistance.