

**State Water Resources Control Board  
February 17, 2009 Board Meeting  
Item 11 - Executive Director's Report**

**OFFICE OF ENFORCEMENT**

**Mandatory Minimum Penalty Enforcement Backlog Update:** In order to address the outstanding violations subject to mandatory minimum penalties, the Office of Enforcement developed an expedited payment process which allows for the resolution of an MMP violation without the issuance of a formal administrative civil liability (ACL) complaint. Some regions prefer using an ACL complaint and that option is available to them to address their backlogged violations.

As of January 23, 2009, the State and Regional Boards have addressed approximately 12,301 MMP violations from 429 facilities statewide through enforcement activities related to the Initiative. The enforcement activities have consisted of 120 administrative civil liability complaints and 309 expedited payment letters. Approximately 152 of these matters have been resolved or settled. Thus far, the Initiative has resulted in total payment of \$6,373,251, which consists of \$1,636,500 for the Cleanup and Abatement Account, \$4,680,000 for compliance projects, and \$56,751 for supplemental environmental projects.

Of the 429 enforcement actions issued, approximately 104 have alleged 4,609 late reporting violations totaling \$13,825,500 in potential liabilities.

When the Initiative began, CIWQS reported approximately 477 facilities with 7,203 violations (through December 31, 2007) without enforcement.

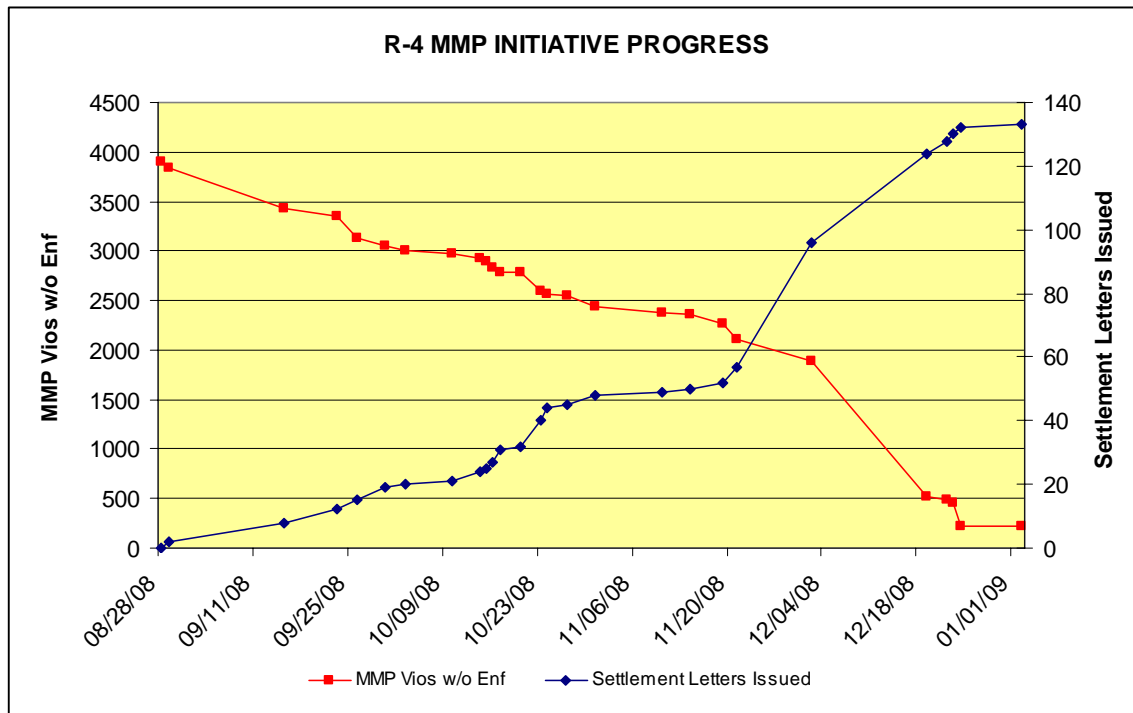
**Spotlighting Regional Efforts to Reduce the Backlog:** All of the Regional Water Boards are actively reducing their backlog of MMP cases, some with the assistance of State Board staff and others in an independent but coordinated fashion. This report spotlights the efforts of the Los Angeles Regional Water Board.

The Los Angeles Regional Board is participating in the joint statewide Water Boards MMP Enforcement Initiative. At the start of the Initiative, CIWQS indicated that 3,899 MMP violations without enforcement were reported through December 31, 2007. The Regional Board has targeted all MMP violations in its Initiative activities, not just those identified as backlogged violations. Where a facility has MMP violations in 2008, those violations also are being covered by the enforcement action.

As the Initiative began, the Regional Board was subjected to delays in processing enforcement actions while awaiting clarification of a writ issued by the Superior Court against Region 4 in the *Arcadia* matter. There was also a delay pending release of an Office of Chief Counsel memo regarding the applicability of MMPs to certain types of general permit violations.

After resolution of the writ and general permit issues, the Regional Board began issuing early settlement offers in August 2008. As of December 31, 2008, 133 expedited payment offer letters had been issued by the Regional Board. A total of 133 facilities have been addressed, with 3,678 violations identified.

In addition to the Regional Board actions, the State Board has assisted the Region, and has independently addressed violations in Region 4. The state board has addressed 101 facilities, with 1,189 violations.



The Regional Board has commenced an action against 94 percent of the violations backlogged to December 31, 2007. During January 2009, staff plans to address an additional 221 outstanding violations. A small number of facilities have been targeted for discretionary action, and early settlement offers are not proposed for these facilities. The Regional board has made great strides in taking action on outstanding MMP violations. During 2009, staff will focus on responses to the early settlement offers, determine the validity of the dischargers' responses to violations, and begin to issue administrative actions for violations that remain. It is anticipated that this workload will take several months to resolve through issuance of orders, hearings and potential petitions.

**Water Quality Enforcement Policy Update:** The revisions to the Policy on Supplemental Environmental Projects were approved by the State Water Board on February 3, 2009.

The remainder of the Water Quality Enforcement Policy is scheduled for consideration in mid 2009. A staff workshop was held on January 16, 2009 to address public comments on proposed revisions to the draft that have been made since the last Board

workshop in February 2008. The public comment deadline had been extended until February 2009. Among the revisions to the policy are a revised methodology for determining administrative civil liabilities and a refinement of the enforcement prioritization process.

**Enforcement Referrals to the Attorney General's Office:** In December 2008, the Office of Enforcement assisted in the referral of one matter to the Attorney General's Office from the Central Valley Regional Water Quality Control Board.

**Enforcement Training for Water Board Staff:** In January 2009, at the initiative of the Office of Enforcement, Jonathan Libber, U. S. EPA, has come to California from Washington, D.C., to provide training on the use of U. S. EPA's models for calculating economic benefits from environmental violations and for determining a violator's ability to pay penalties. Mr. Libber is the self-described "Godfather" of the economic benefit component for penalties assessed by U. S. EPA.

## **DIVISION OF WATER QUALITY**

### **Antidegradation Policy Implementation Triennial Review (Resolution No. 68-16):**

On November 17, 2008, a workshop was held to take comments on the triennial review of the State's Anti-degradation Policy and its implementation guidance contained in the Administrative Procedures Update 90-004 and Office of Chief Counsel guidance memos for implementation of the Antidegradation Policy in ground water. Comments were due by 12:00 noon on December 17, 2008. Staff is reviewing the comments.

**ASBS Stormwater and Nonpoint Source Exception:** Staff is working to complete the initial study and draft mitigated negative declaration that will support a general exception to the ocean plan for discharges of storm water and on-point source discharges to Areas of Special Biological Significance (ASBS). Stakeholder meetings were conducted on September 26, 2008, October 24, 2008, and December 4, 2008. Staff is working toward release of the required CEQA document in March 2009, and plans a public hearing in April, 2009. In the meantime, regional monitoring efforts have begun at southern California ASBS, and planning meetings are being held with central and northern California stakeholders. Also, Mussel Watch sample collection has begun with monthly collection through the month of April.

### **Groundwater Ambient Monitoring and Assessment (GAMA) Program:**

**GAMA's Priority Basin Project** has been put on hold since December 18, 2008 due to the Governor's Executive Order to stop work on bond-funded contracts. The order to stop work has not only significantly delayed products (sampling and reporting) but also has resulted in redirection of some staff and, if continued through the winter, will result in layoff of dozens of staff at U. S. Geological Survey and Lawrence Livermore National Laboratory.

**GAMA's Domestic Well Project** for 2008-09 is complete. A total of 137 private domestic wells were sampled in San Diego County. The last 45 wells were sampled in Phase 2. Final results from Phase 2 are pending. In addition to analyzing for

standard drinking water contaminants, about 1/3 of the wells were tested for radionuclides at the request of San Diego County.

- Phase 1 results of 92 wells sampled:
  - 22 (24 percent) above the nitrate MCL. This is higher than three counties north of Sacramento with about three percent above MCL, and lower than Tulare County with over 40 percent above MCL.
  - 28 (30 percent) positive for total coliform bacteria. This is about the same as other county study areas.
- Phase 1 results of 32 of wells sampled for radionuclides:
  - 15 (47 percent) above uranium MCL and 17 (53 percent) above gross alpha MCL.

**Landscape Irrigation General Permit:** Staff continues to develop a draft Statewide General Order for Landscape Irrigation Uses of Recycled Water (General Order) and the supporting environmental document. Staff is working with the Regional Water Boards and the California Department of Public Health to ensure that the General Order fulfills the requirements of AB 1481 and generally helps to facilitate streamlined permitting of landscape irrigation uses of recycled water. The development of the General Order and the environmental document remains on schedule to adopt the General Order by July 31, 2009 as required by AB 1481. Staff anticipates that draft documents will be available for public review and comment this spring. For more information, please see the program website:

[http://www.waterboards.ca.gov/water\\_issues/programs/water\\_recycling\\_policy/landscape\\_irrigation\\_general\\_permit.shtml](http://www.waterboards.ca.gov/water_issues/programs/water_recycling_policy/landscape_irrigation_general_permit.shtml)

**Once Through Cooling – CWA Section 316(b):** Staff has assembled and met with an inter-agency work group, which meets bi-monthly to address cross-cutting issues and provide information needed for policy development. A meeting of the inter-agency work group was held on December 15, 2008. The next meeting is scheduled for February 10, 2009. A draft Substitute Environmental Document (SED) has been prepared by the state's contractor and is under internal review.

**TOnsite Wastewater Regulations (Septic Tank Systems):** The proposed AB 885 regulations for septic systems, statewide waiver and draft environmental impact report (EIR) were noticed for public review and comment on November 7, 2008. To date, staff has held ten of the eleven public workshops (Mariposa, San Andreas, Nevada City, Susanville, Redding, Bishop, Riverside, Eureka, Fresno, and Malibu), with Board Members presiding. These workshops, each averaging a little more than two hours, have been well attended. Santa Rosa's workshop was cancelled and rescheduled due to insufficient meeting room space.

We have received a large number of written comments and expect even more by the end of the public comment period, which has been extended to February 23, 2009. Following public input and direction from management on the proposed regulations, statewide waiver, and draft EIR, staff will prepare responses to comments and revise the documents as appropriate. Staff hopes to return to the Board with a final rule-making package for adoption by October 2009. At that time, the postponed Sacramento Hearing will be conducted.

**Recycled Water Policy:** Staff released a revised proposed Recycled Water Policy on November 21, 2008. By the written comment deadline of December 22, 2008, the State Water Board received seventy-one comment letters on the proposed Policy. The State Water Board held a hearing to receive oral testimony on the proposed Policy on January 6, 2009. Staff reviewed the comments and prepared a response to comments. The proposed Policy was adopted on February 3, 2009. The next step is to submit the record to the Office of Administrative Law.

**Sediment Quality Objectives (SQOs) Phase I:** The Office of Administrative Law approved the Phase I SQOs on January 5, 2009. The next step is to submit the Phase I SQOs for U. S. EPA approval.

**Stormwater Construction General Permit (CGP):** Staff has reviewed the comments submitted on the draft CGP (all received by deadline on June 11, 2008) and, based on this input, made revisions to the draft CGP that are significant enough to warrant one more round of public comment. Staff plans to release a new draft (without preparing individual responses to comments received on the prior version) and a notice of hearing and comment period on March 6, 2009. The deadline to submit all written comments will be April 17, 2009. The changes in this version include a slightly different risk structure (including the removal of all numeric measures from the lowest level), adjustment of the numeric measures (numeric action levels and numeric effluent limitations) and the addition of linear requirements to the draft CGP (currently linear requirements are split between two permits). Staff plans in April 2009 for a public hearing on the tentative CGP in to bring the permit to the Board for adoption in June 2009.

**Suction Dredging Update:** As part of the revision of the Department of Fish and Game's (DFG's) suction dredge regulations, DFG will contract for an Environmental Impact Report (EIR) using \$1.0 million allocated by the Legislature for this purpose. On January 6, 2009, the State Water Board approved \$500,000 from the Cleanup and Abatement Account to augment DFG's EIR allocation. This augmentation is intended to ensure that the EIR fully addresses water quality concerns related to suction dredging. Staff is working with DFG to prepare the interagency agreement that identifies the work to be completed with the \$500,000 augmentation. In addition, State Water Board staff collaborated with DFG staff to prepare the Request for Qualifications (RFQ) for the EIR contractor. On January 21, 2009, DFG released the RFQ, and the deadline for submittal of qualifications is February 19, 2009. DFG has invited State Water Board staff to collaborate on the evaluation of contractor qualifications. DFG's goal is to award the contract by March 27, 2009. As a related update, on January 26, 2009, DFG released a letter denying the petition to DFG that was discussed at the State Water Board's meeting on January 6, 2009.

**Vessel General Permit:** On December 17, 2008, the Executive Director issued a Clean Water Act Section 401 Certification for U.S. EPA's national Vessel General Permit (VGP). Subsequently, U.S. EPA on December 1, 2008, issued the final VGP, including California's certification. So that the permit did not become effective immediately and require instant compliance with its requirements, the court has stayed its effect until February 6, 2009. The VGP along with the conditions included in

California's certification will apply to all vessels over seventy-nine feet in length operating in state waters. The final VGP contained several changes from the initial draft used to prepare the certification, so staff are reviewing the changes and preparing a revised certification.

**Wetland and Riparian Area Protection Policy (WRAPP):**

\* On November 21, 2008, the Interagency Coordinating Committee met to discuss a wetland definition proposal developed by Josh Collins and his Science Team, under contract by the State Water Board. The Interagency Coordinating Committee is made up of federal and state agencies regulating wetlands, including U. S. EPA, U.S. Army Corps of Engineers, U.S. Department of Agriculture, the Department of Fish and Game, the Coastal Commission, and Department of Forestry.

\*On December 4th & 5th, 2008, a series of stakeholder meetings were held in Sacramento. Input received at these meetings has been summarized and distributed to all stakeholders. Selected representatives from six stakeholder groups attended: environmental, ag/timber/range, business, state/local agencies, federal/tribal, and public health/safety.

\*Through a contract with the State Water Board, San Francisco Estuary Institute scientists will release a recommendation for a statewide wetland definition. The Development Team will review the definition, and present their recommendations to the Interagency Coordinating Committee for discussion.

\*The Development Team continues to meet semi-monthly to develop the policy.

\* A draft economic analysis for Phase 1 has been completed under contract with SAIC and is currently being reviewed by the Development Team.

**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 February 2009 report is attached as Appendix 2.

## **DIVISION OF WATER RIGHTS**

**Temporary Permit Issued to San Bernardino Municipal Water District and Western Municipal Water District (Muni/Western):**

In order to provide an alternate water supply as a result of the ongoing drought in Southern California, on January 6, 2009, the Division of Water Rights issued a temporary permit to Muni/Western. Under the permit, the districts will divert or redivert water held in Seven Oaks Dam into offstream and onstream percolation facilities downstream of the dam to enhance groundwater recharge in the Santa Ana River Basin in Orange County. The project will store up to 25,000 acre-feet of water in the groundwater basin over the next 180-day period for municipal, domestic and industrial uses.

**AB 2121 Annual Pending Application Summary Report for 2008:** Water Code section 1259.2, added by AB 2121 in 2004, requires the State Water Board to prepare an annual summary of pending applications to appropriate water in Marin, Napa, Sonoma, Mendocino, and Humboldt counties. The annual summary must include a description of the status of each pending application, the actions taken in the preceding year, proposed actions for the upcoming year, and the proposed date for final action with regard to that application. The annual summary was published on the Division of Water Rights website on December 30, 2008, and includes the required information for all of the applications pending in the specified counties during calendar year 2008. Of the 293 pending applications included in the report, 40 were either permitted or canceled in 2008.

**Drought Activities Update:** In order to facilitate the availability of water to drought-stricken areas in California, the Division of Water Rights has streamlined procedures to expedite processing of temporary water transfers and temporary water right urgency change petitions to amend water right conditions. Recent notable activities include:

- On November 13, 2008, the Division received a petition for temporary urgency change to transfer 12,494 acre-feet of water to the Contra Costa Water District from Property Reserve California, Inc. Based on staff review, staff does not find an urgent need to approve the petition. Accordingly, staff will process the petition as a Petition for Temporary Change. Staff sent a request for additional fees on December 12, 2008. Fees received December 23, 2008. The Division forwarded the public notice to the petitioner for publication by January 18, 2009. The comment period for this public notice expires on February 17, 2009.
- On December 22, 2008, South Feather Water and Power Agency submitted a petition for temporary change to authorize the transfer of up to 10,000 acre-feet of water to the San Diego County Water Authority. The Division forwarded the public notice to the petitioner for publication by January 20, 2009. The comment period for this public notice expires on February 19, 2009.
- On December 31, 2008, the Division received petitions from Delta Wetlands Properties on behalf of Reclamation District No. 756 and Delta Farms Reclamation District No. 2026 for temporary urgency change and temporary change to authorize the transfer of up to 17,941 acre-feet of water to the Metropolitan Water District made available through fallowing of about 4,198 acres of land on Webb Tract and about 5,426 acres of land on Bouldin Island. Staff is currently reviewing.
- On December 16, 2008, the Division issued Order WR 2008-0047-DWR, authorizing the transfer of up to 7,000 acre-feet of water from Tulare Lake Basin Water Storage District to Westlands Water District. In addition, on January 22, 2009, Division staff received a temporary change petition for transfer of up to 8,000 acre-feet of water from Tulare Lake Basin Water Storage District to the Westlands Water District. The Division forwarded the public notice to the petitioner for publication by February 17, 2009. The comment period for this public notice expires on March 19, 2009.

All water right orders are posted on the Division of Water Rights website.

**Delta Vision:** Building on the work of the Delta Vision Blue Ribbon Task Force, the Delta Vision Committee, which includes California Environmental Protection Agency Secretary Linda Adams, held several public meetings in November and December to develop its recommendations to the Governor for implementing a Delta solution. The Committee submitted to the Governor its final implementation plan, the “Delta Vision Committee Implementation Report,” in early January. The committee largely endorses the Delta Vision Blue Ribbon Task Force strategic plan but differs in recommending a temporary governance body to develop a long term governance proposal, develop a Delta plan, and oversee other near term actions and programs. This temporary governance group (the Interim Delta Policy Group) would consist of the Delta Vision Committee members, the State Water Board Executive Director, the directors of DFG and DWR, and a member selected by the five Delta counties. Participation by appropriate federal agencies would also be requested. The committee report further recommends actions requiring legislation that would strengthen water rights accountability and water use reporting. The report is available at: <http://www.deltavision.ca.gov/>

#### **Comprehensive Review of the Bay-Delta Plan:**

- **Periodic Review Staff Report:** Division of Water Rights staff is preparing a draft staff report on periodic review of the 2006 Bay-Delta Plan which will provide recommendations to the State Water Board regarding which elements of the plan, or which potential new elements, the Board should consider for potential amendment through the basin planning process. Division staff expects to release a draft staff report in mid- to late February or early March for public review and comment. The State Water Board is expected to consider adoption of the staff report in April.
- **CEQA Scoping/Notice of Preparation (NOP) for Update of the Bay-Delta Plan and its Implementation:** In February 2009, Division staff plans to release a CEQA scoping notice and NOP for an Environmental Impact Report for the update and implementation of the Bay-Delta Plan focused on southern Delta salinity and San Joaquin River flows, with a scoping meeting planned for March 30, 2009. In June 2009, Division staff plans to provide additional scoping materials related to other elements of the Bay-Delta Plan and its implementation that may be updated, with at least one additional scoping meeting planned for August.
- **Water Quality Control Planning Staff Workshop for the Southern Delta Salinity and San Joaquin River Flow Objectives:** With the CEQA scoping notice and NOP discussed above, Division staff plans to release a notice for a water quality control planning staff workshop on April 22, 2009. In this workshop, staff will receive information on potential amendments to the Bay-Delta Plan related to the southern Delta salinity and San Joaquin River flow objectives and the program of implementation for those objectives. Following receipt of input at the April 22 workshop, staff plans to schedule additional workshop days to further discuss these issues.



- **Peer Review of Vernalis Adaptive Management Plan (VAMP):** The planned CALFED peer review of the VAMP has been delayed until the State's General Fund freeze on contracting is lifted. U.S. Fish and Wildlife Service staff is working to finalize the VAMP summary report in order to inform the peer review when contracting is once again available.

**Southern Delta Salinity Objectives:** Division staff is working with the Department of Water Resources to establish a new contract for the continuation and completion of the southern Delta crop salt tolerance investigation by Dr. Glenn Hoffman. His original contract expired on December 31, 2008, and needs to be extended to accommodate delays in acquiring modeling support from third parties, and to add an additional public review draft and comment/response cycle. Division staff scheduled a public meeting on February 18, 2009, to discuss this and other next steps in the objectives re-evaluation process with south Delta stakeholders.

As of early February, the 30-day running average of mean daily electrical conductivity at the Old River at Tracy compliance station (P12) in the southern Delta was 1.1 mS/cm. This exceeds the corresponding 1.0 mS/cm objective, and has been above the objective since December. According to a December 22, 2008 report from DWR and USBR, the exceedance "is due to local salinity accumulation and poor circulation in south delta channels," which they contend are beyond their control.

**Delta Smelt Biological Opinion:** On December 15, 2008, the U. S. Fish and Wildlife Service (USFWS) issued its Biological Opinion to the Bureau of Reclamation regarding the effects on Delta smelt of the continued operation of the federal Central Valley Project (CVP) and the California State Water Project (SWP). USFWS determined that the continued operation of these two water projects as described in the Biological Assessment is likely to jeopardize the continued existence of the Delta smelt and adversely modify its critical habitat. As a result, the Biological Opinion prescribes additional restrictions on the operations of the CVP and SWP (Reasonable and Prudent Alternatives, or RPAs) to avoid jeopardy. With issuance of the Biological Opinion, Judge Wanger's interim order restricting operations of the CVP and SWP no longer applies.

While the RPAs identified in the Biological Opinion are similar to the interim order issued by Judge Wanger, they differ in some important respects. Both include (1) flow requirements that restrict Old and Middle River flows during spawning, juvenile and adult life stages of Delta smelt, and (2) monitoring and surveying requirements. However, the Biological Opinion has dropped the Wanger order's blanket prohibition on operation of the Head of Old River barrier and south Delta agricultural barriers. In addition, the Biological Opinion includes a new requirement (that is not currently required by State Water Board requirements and was not included in the Wanger order) to increase Delta outflow in the fall during wet and above normal years to improve habitat quality and quantity.

**Delta Ammonia Investigations:** As part of the Bay-Delta team effort, Central Valley Water Board staff, continue to work with the Inter-agency Ecological Program and other researchers to investigate the potential impacts of elevated ammonia concentrations in the Sacramento River. To date, studies of ammonia toxicity indicate that Delta smelt are no more sensitive than Chinook salmon or other sensitive fish species in acute toxicity tests. Concentrations in the Sacramento River are below those indicated as harmful to fish using EPA methods for calculating ammonia objectives. Results of studies conducted last summer on the potential impacts of ammonia on algae growth in the Sacramento River did not indicate any significant impact of wastewater discharges during the summer months. However, monitoring indicates that this is the period of lowest background nutrient concentrations. Additional studies are planned in spring 2009 to investigate nutrient conditions and algae growth effects when background nutrient concentrations (and algae growth) are expected to be higher. Division of Water Rights and Regional Board staff are continuing to work with Sacramento Regional County Sanitation District, the CALFED Science Program, and the Interagency Ecological Program and other interested stakeholders to investigate this issue.

**Spring Gap-Stanislaus Hydroelectric Project:** On September 15, 2008, the State Water Board Executive Director issued a water quality certification for the Spring Gap-Stanislaus Hydroelectric Project (Project). The Project is owned and operated by Pacific Gas and Electric Company (PG&E). On October 15, 2008, PG&E and the Tuolumne Utilities District (TUD) each filed a petition for reconsideration and request for abeyance. The State Water Board agreed to hold the petition in abeyance until January 12, 2009. The Board and TUD also entered into a tolling agreement to stay the statute of limitations under the California Environmental Quality Act until such time as all administrative remedies have been exhausted. Division of Water Rights staff has met several times with TUD's staff and contractors to discuss the operations model developed for the Project. These parties have reached agreement that the model is functioning properly and will be useful for evaluating alternatives. On January 7, 2009, TUD requested that the petition be held in abeyance for a further 45 days to facilitate further discussions. A meeting was held January 23 between Division, TUD, and PG&E staffs and attorneys to discuss relevant water rights. Petitions are being held in abeyance until February 26, 2009, after which time Division staff will prepare an order responding to the petitions for the State Water Board's consideration.

**East Bay Municipal Utility District (EBMUD) Licensing Inspection:** On December 10, 2008, Division of Water Rights staff conducted the first phase of a licensing inspection of the project covered by three EBMUD water right permits. These permits authorize diversion and storage of water in Pardee and Camanche Reservoirs on the Mokelumne River for municipal, power and recreational uses. Mokelumne River water is collected in Pardee Reservoir, with a capacity of 198,000 acre-feet, and Camanche Reservoir, with a capacity of 417,000 acre-feet. Water from Pardee Reservoir is ultimately transported to provide water service to 1.3 million people in Alameda and Contra Costa Counties. The second phase of the inspection, conducted on February 4, 2009, tentatively scheduled for January 2009, will include inspecting EBMUD's terminal reservoirs and place of use. The Division will use information from these licensing inspections to determine the maximum rates and amounts of water diverted and stored during the permit period and EBMUD's overall water right

compliance. If appropriate, the Division will offer EBMUD three licenses based on actual water use. The diversion and storage information will also provide water use information needed for EBMUD's pending 40-year time extension petition of its project development schedule.

## OFFICE OF RESEARCH, PLANNING AND PERFORMANCE

**Water Board Training Academy:** The Training Academy has been scheduling and developing classes for this new calendar year. Below are just a few future offerings:

<p><b>Currently Scheduled*</b></p> <p><i>February, March and April</i></p>	<p><b>Water Quality Chemistry Field Sampling and Laboratory Analysis -</b> Participants will learn basic field and laboratory procedures for wastewater and surface water sampling and analyses and gain an understanding of the field and laboratory quality assurance. This course will review the appropriate field and analytical techniques to produce accurate laboratory data. The training will prepare you to review water quality data. This course is designed to be beneficial for managers, supervisors, scientists, engineers, and data managers. Note: This course does not cover toxicity testing or bioassessment. Topics will include: Chain of Custody, Field Sampling &amp; Quality Assurance, Field Testing, Laboratory Analysis and Data Review. Shakoora Azimi-Gaylon is the class sponsor and the instructor.</p>
<p><i>April &amp; May</i></p>	<p><b>Aligning your Basin Plan with Water Board Priorities -</b> Basin Plans are the key regulatory documents for water quality in the state and are an essential tool for supporting the Water Board's most important work. Currently, Water Board staff are working to align the Basin Plans with Water Board priorities and goals. In addition, Regional Board staff routinely update and amend the Basin Plan with new TMDLs, changes in Beneficial Uses, and other regulatory items. Participants will learn what a Basin Plan is and how it can be used effectively; how the Basin Plan relates to overarching efforts such as the California Water Plan, the Water Board's Strategic Plan and the Regional Board's organizational vision; and how Regional Board staff can use the Basin Plan to proactively protect water resources. Participants will also learn how to successfully navigate the Basin Plan amendment process and understand its requirements. Rik Rasmussen and Michael Buckman are the instructors.</p>

\*For more listings, go to the Academy's web site <http://waternet/training/>

The Training Academy has completed a needs assessment of the training needs of Water Board staff through a survey distributed to managers. This needs assessment is being used to identify future course offerings as well as the core curriculum needs of staff. The training needs assessment is a key action to improve our organizational effectiveness in the recently adopted Strategic Plan.

**Water Quality Coordinating Committee (WQCC):** The next meeting of the WQCC will be held on February 23-24, 2009 in Chino. This meeting will serve as the 2009 Water Education Workshop for all Board members statewide. This year's workshop theme is water recycling and integrated resources management which is very appropriate since the workshop is being held at the Inland Empire Utilities Agency (IEUA) in the Chino Basin where water recycling is a "critical component of the basin's water resources management strategy." In addition to information on Water Board programs, in particular water recycling, Board members will have the opportunity to tour several of the IEUA's facilities.

**Strategic Plan:** A summary version of the recently adopted Water Board Strategic Plan has been posted on the Web site ([http://www.waterboards.ca.gov/water\\_issues/hot\\_topics/strategic\\_plan/2007update.shtml](http://www.waterboards.ca.gov/water_issues/hot_topics/strategic_plan/2007update.shtml)). This short read highlights the objectives and actions of the plan. For those that would like more background, the full text of the Strategic Plan is available as well. The updated plan contains many important actions for the next five years. Workplans have been developed for most actions and will be discussed later this Spring during the semi-annual Strategic Plan implementation update before the State Water Board.

**Enforcement Reports:** The Water Code section 13385 Enforcement Report ([http://www.waterboards.ca.gov/water\\_issues/programs/enforcement/docs/13385o\\_2008.pdf](http://www.waterboards.ca.gov/water_issues/programs/enforcement/docs/13385o_2008.pdf)) covering discharges to surface waters was released on January 2, 2009, fulfilling the statutory mandate to provide a summary of violations and enforcement actions by January of each calendar year. A more comprehensive Annual Enforcement Report is currently being prepared covering all of the Water Boards' core regulatory programs. This Annual Enforcement Report will include resource, inspection, violation and enforcement action information for all of these programs and will be presented to the State Water Board in March 2009.

**AB 32 Scoping Plan Implementation – Recycled Water Workshop:** The Scoping Plan, approved by the Air Resources Board at its December 2008 meeting, contains six measures to reduce Green House Gas emissions affecting the water sector. The Water Energy sub-Team of the Climate Action Team (WET-CAT) is holding workshops to address implementation for a number of the water related measures in the plan with the first workshop scheduled for March 4<sup>th</sup> in the Coastal Hearing Room. This first workshop is designed to facilitate implementation of the Recycled Water measure (W-2) described in the Appendices to the AB 32 Scoping Plan (<http://www.arb.ca.gov/cc/scopingplan/document/appendix1.pdf>) beginning on page 131. The notice and agenda for this workshop is posted on the State Water Board's Web site.

## **DIVISION OF ADMINISTRATIVE SERVICES**

**Furlough:** On January 29, 2009, the Sacramento County Superior Court affirmed the Governor's executive authority to order furloughs for state employees. Accordingly, we are implementing the Administration's plan to close state offices the first and third Fridays of the month, beginning February 6, 2009.

Based on projected expenditures the furlough is expected to produce salary savings of approximately \$6 million in the current year, of that approximately \$1 million will be General Fund (GF). Next fiscal year, we have a budgeted salary amount of \$166 million and the full year furlough would generate approximately \$15 million in savings of which \$3 million is GF. We expect the Department of Finance to reduce our budget by the full amount of savings.

**Budget:** The Governor released his proposed budget for fiscal year 2009-10. The budget released does not include General Fund reductions. Current budget negotiations will address necessary general fund reductions for the current fiscal year. These negotiations will also address necessary general fund reductions for next fiscal year.

The Water Boards budget changes are as follows:

<i><b>FUND SOURCE</b></i>	<i><b>FY 2008-09</b></i>	<i><b>FY 2009-10</b></i>	<i><b>Change</b></i>	
			<i><b>Amount</b></i>	<i><b>Percentage</b></i>
General Fund	\$40,283	\$40,575	+ \$292	+ 0.7%
Special Funds	\$376,224	\$407,411	+ \$31,187	+ 7.6%
Bond Funds	\$226,206	\$14,305	- \$211,901	- 148.1%
Federal Funds	\$128,470	\$128,975	+ \$505	+ 0.4%
Other Funds	\$6,198	\$8,062	+ \$1,864	+ 2.3%
<b>Total: All Funds</b>	<b>\$777,381</b>	<b>\$599,328</b>	<b>- \$178,053</b>	<b>- 29.7%</b>
<b>Personnel Years</b>	<b>1,596.5</b>	<b>1,574.3</b>	<b>- 22.2</b>	<b>- 1.4%</b>

The Governor's proposed Budget for fiscal year 2009-10, provides \$599.3 million and 1,574 personnel years for the State and Regional Water Boards. The major changes include:

- An overall decrease mainly due to one-time bond allocations in the current fiscal year. The Board is currently working on distributing all of the current year bond resources. Additionally, 22.2 PYs are being reduced as some of the bond programs continue to wind down.
- \$1 million in grant funds to assist small and disadvantaged communities with the costs associated with the planning and design of their wastewater projects.
- A redirection of 4.8 PYs from expiring bond programs to the Underground Storage Tank Brownfield Initiative. These positions will review 850 claims each year that have been active for more than five years.
- A redirection of 4.8 PYs from expiring bond programs to assist in the elimination of the backlog of pending "non-15" Waste Discharge Requirement applications.

This budget is subject to change as the legislature develops a balanced budget for fiscal year 2009-10.

## **DIVISION OF FINANCIAL ASSISTANCE**

### **Meetings:**

**Proposition 84 Storm Water Grant Program (SWGP) Draft Guidelines Workshops: November 18 – December 18, 2008:** The Proposition 84 SWGP Draft Guidelines were available for public review and comment from November 18 - December 18, 2008. Three workshops were held to answer questions and to accept comments on the draft

Guidelines, as follows: (1) December 1, 2008, in San Luis Obispo, (2) December 3, 2008, in Sacramento, and (3) December 11, 2008, in Los Angeles. More than 300 comments were received; the primary comment was a request to expand the eligible project type to include “urban storm water pollution needs like structural trash controls and treatment solutions for current runoff problems.” Comments are being considered and the Guidelines are being updated accordingly. It is anticipated that the Guidelines will be presented to the State Water Board for adoption at the February 17, 2009, meeting.

**Storm Water Advisory Task Force (SWATF) Meeting: December 9, 2008:**

The SWATF held their fifth meeting on December 9, 2008. Meeting topics included: (1) an update on the Department of Water Resources (DWR) funding programs; (2) a discussion of comments received on *Draft Proposition 84 SWGP Guidelines*; and (3) work on Effectiveness Assessment Document for evaluating and measuring the effectiveness of municipal storm water management programs. The next SWATF meeting is scheduled for February 25, 2009.

**Malibu Technical Advisory Committee: January 9, 2009:** Staff attended this meeting hosted by the City of Malibu and their consultants. The purpose of the meeting was to share information and report on the status of Legacy Park Project that was partially funded through the Clean Beach Initiative Grant Program. The City of Malibu also is seeking CWSFR funding in the future and discussed the status of their CWSRF application package.

**WaterReuse Foundation Research Advisory Committee: January 12-13, 2009:**

Staff attended this annual facilitated strategic planning session as members of the WaterReuse advisory committee. The objective of the meeting was to: 1) review and assess the WaterReuse Foundation’s mission and research priorities, 2) ensure that funded projects are meeting the mission and addressing subscriber needs and 3) identify near and longer term “research gaps.”

**Rural Water Collaborative Latino Leadership Series: January 30, 2009:**

Staff attended the first event in this series, presented by the Rural Water Collaborative, and provided information on the State Water Board’s funding opportunities. Speakers, including Assemblymember Juan Arambula, Senator Dean Florez, Dr. Karl Longley, Supervisor Michael Rubio (Kern County), and City Manager Jose Antonio Ramirez (Firebaugh), discussed potential solutions (e.g., regionalization, proper operations and maintenance, capital improvement planning, public, and community education, grants, etc.) for rural, small, and disadvantaged communities with wastewater and drinking water problems. Latino Issues Forum, Clean Water Fund, and Community Water Center formed the collaborative in 2004, in an effort to draw attention and resources to the plight of rural communities in the San Joaquin Valley, many of which lack clean and safe drinking water, and the resources and influence to obtain a potable supply. The series is intended to be an ongoing forum and resource for Latino water leaders to learn more about the issues their communities face, and potential solutions.

**Executed Interagency Agreement for Use of the Water Boards Financial Assistance Application Submittal Tool (FAAST) by Other State Agencies:**

**November 18, 2008:** An Interagency Agreement executed between the Department of Conservation (DOC) and the State Water Board on November 18, 2008, allows the DOC to utilize the on-line FAAST for their Watershed Coordinator Grant Program. FAAST is a web-based system designed to accept and store application submittals electronically. FAAST greatly reduces the time and expense associated with soliciting, reviewing, and selecting Program applications, and will eliminate numerous meetings and telephone conversations.

Various Grants and Loans Programs within the State Water Board have used FAAST since its inception in 2004, and more recently by the Department of Water Resources – Office of Water-Use Efficiency. Two (2) additional interagency agreements are anticipated with other State agencies.

**2009 California Financing Coordinating Committee (CFCC) Funding Fairs:**

The CFCC is comprised of seven member agencies (six state, one federal) whose members conduct statewide Funding Fairs each year to educate interested parties about the CFCC and the financial and technical resources available. In 2009, the CFCC will conduct five Funding Fairs throughout California (Chino - February 3; Bakersfield - February 5; Eureka - March 10; Merced - April 2; and Sacramento - May 7). Register today for the Funding Fair near you. Information on the 2009 Funding Fairs (including the registration form) and CFCC is available on the CFCC webpage at: [www.cfcc.ca.org](http://www.cfcc.ca.org).

**Proposition 84 Areas of Special Biological Significance (ASBS) Meeting:**

**November 12-14<sup>th</sup>, 2008:** State and Regional Water Board staff met with ASBS Task Force members at SCCWRP to develop the recommended funding list from the full proposals. All 17 projects were recommended for funding, with one project falling under the available funding line. State Water Board staff took this list to the Board on January 20, 2009 for approval. In addition, \$1.05 million was set aside for effectiveness monitoring of these projects recommended for funding.

**319(h) Nonpoint Source Concept Proposal Review Meeting: November 19, 2008:**

The Technical reviewers from the Regional Boards, EPA, and State Water Board attended the concept proposal review meeting for the 319(h) NPS grant program on November 19th. Due to the large number of proposals submitted and large amount of funding requested, proposals that scored low were not invited back to submit a full proposal. Twenty projects are going to be invited back to submit a full proposal out of the 41 submitted.



**Economic Recovery Workshops:** Division staff conducted a series of informational workshops for stakeholders on the potential Federal Economic Recovery legislation. California could receive between \$280 and \$450 million in additional capitalization funding; however, the total allotment could increase. Once the Bill is enacted, the priority will be on "shovel-ready" projects that will create jobs immediately. The workshops were held at the following locations and dates:

FRESNO – January 13, 2009  
 SANTA ROSA – January 15, 2009  
 RIVERSIDE – January 21, 2009  
 SACRAMENTO – January 22, 2009  
 OAKLAND – February 4, 2009  
 WEBCAST – February 18, 2009

**Division Approvals:**

The Deputy Director of the Division approved the following Preliminary Funding Commitments from November 5, 2008 to February 3, 2009.

**Clean Water State Revolving Fund Loan**

<b>Entity</b>	<b>Preliminary Loan Commitment</b>	<b>Project</b>	<b>Approved</b>
San Andreas Sanitary District	\$11 million	2008 Wastewater Treatment Plant Upgrade Project	11-17-2008
Rosamond Community Services District	\$8.3 million	Wastewater Treatment Plant Expansion	12-5-2008
City Of Brawley	\$25 Million	Wastewater Treatment Plant Upgrade	12-9-2008
City of Palo Alto	\$10.84 Million	Ultraviolet Disinfection Project	1-7-2009
City of Millbrae	\$34 Million	Water Pollution Control Plant Renovations Project	1-29-2009
Ironhouse Sanitary District	\$62.4 Million	Wastewater Treatment Plant Expansion and Upgrade	2-2-2009

## Water Recycling Grant/Loan

Entity	Preliminary Funding Commitment	Project	Approved
Delta Diablo Sanitation District	\$3,181,721	Antioch Recycled Water Distribution System	11-12-2008
City Of South San Francisco	\$75,000	Water Recycling Facilities Planning Studies	11-17-2008
Rosamond Community Services District	\$75,000	Expanded Recycled Water Facilities Planning Study	12-2-2008

## Cleanup and Abatement Account

Entity	Preliminary Funding Commitment	Project	Approved
Central Valley Regional Water Quality Control Board	\$100,000	RWHS Diablo Grande Legends, LCC Emergency Erosion and Sediment Control Measure Plan	11-18-2008
Santa Ana Regional Water Quality Control Board	\$100,000	Rialto Enforcement	11-18-2008
Mettler County Water District	\$52,039	Mettler Wastewater Project	1-6-2009
Richgrove Community Services District	\$43,846	Richgrove Wastewater Treatment And Disposal Facilities Improvement Project	1-6-2009

## 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

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.
P	Aquifer Storage and Recovery Policy	Pending completion of Recycled Water Policy and Landscape Irrigation Permit.
A	Areas of Special Biological Significance (ASBS): Special Protections	Economic estimates done. Preparing CEQA initial study. Tentative public hearing in April 2009.
A-09	Bacterial Objectives for Inland Surface Waters	Scoping meetings held 10/6/08 & 10/22/08; comment period closed 11/5/08. Reviewing comment letters.
C	Blue-Green Algae Guidance	Revisions completed in September 2008 and posted on website.
A-09	Cadmium Objective and Implementation Policy	Scoping meeting held 10/6/08; comment period closed 10/23/08. Reviewing comment letters.
A-09	Chlorine Residual Objectives and Implementation Policy	Delayed by loss of key staff. Pending scientific peer review.
C	Compliance Schedule Policy	Approved by U. S. EPA – completed.
P	Compost (Green Waste) – with Reg 5	Pending
C	Policy on Supplemental Environmental Projects	Approved by Board – will be submitted to OAL for approval.
A-09	Enforcement Policy	Workshop scheduled for 2/19/09, staff working on response to comments.
P	Grazing	No Statewide effort at this time, Regions are issuing watershed based waivers.
A-09	Landscape Irrigation / Incidental Runoff Permit	Final drafting (w/ R1, R4, R5, and R9 staff)
A-09	Listing Policy Update (Sediment Quality Objectives)	Initial drafting
A	Marina Permit	Initial drafting – querying Regions on support of effort.

A	Mercury Offset Policy	Preparing economic analysis (SAIC)
P	Methylmercury Objectives	Delayed by loss of key staff. Preparing economic analysis (SAIC)
A	Nutrient Numeric Endpoints Tools	Freshwater: to be peer reviewed. Estuaries: performing validation studies (SCWRRP and TetraTech)
A	Ocean Plan Amendment: non-substantive	Public hearing scheduled for April.
P	Ocean Plan Amendment: vessel provisions	Pending completion of Ocean Plan Amendment: non-substantive
P	Ocean Plan Amendment: monitoring & desal provisions	Pending completion of other Ocean Plan Amendments
A-09	Once-Through Cooling (316b) Policy	Working on CEQA document (TetraTech)
A-09	Onsite Waste Water Treatment Regulations/Waiver	Workshops held December, 2008 with more scheduled for January, 2009. Final Hearing in February 2009; Board consideration Fall 2009.
A	Rapid Diagnostic Tests for Bacterial Indicators in Coastal Waters	Assessing tests (SCCWRP study)
A-09	Recycled Water Policy	Board adopted policy on 2/3/09. Preparing to submit to OAL for approval.
P	Sanitary Sewer Overflow (SSO) WDR Update	Targeted to begin May, 2009
C	Sediment Quality Objectives (SQOs) for Enclosed Bays and Estuaries: Phase I	Phase I completed, adopted by State Board, approved by OAL on January 5, 2009
A	Sediment Quality Objectives (SQOs) for Enclosed Bays and Estuaries: Phase II	Phase II staff draft released.
P	Sediment Quality Objectives (SQOs) for Enclosed Bays and Estuaries: Phase III	Pending completion of Phase II and availability of funding
A-09	Storm Water CalTrans Permit	In progress
A-09	Storm Water Construction Permit	Revising in response to comments; tentative release early 2009.
P	Storm Water Industrial Permit	Pending completion of construction permit
A-09	Storm Water Linear Permit	To be included in construction permit.
A-09	Storm Water MS4 Effectiveness Guidance (9, 2 739, Laird)	Pending
A	Storm Water MS4 Phase II Permit	In progress

P	Suction Dredge General Permit	On hold, and working instead with Dept of Fish and Game to coordinate with their suction dredge permitting program.
A-09	Toxicity Control Provisions for the SIP	Working with U. S. EPA on reviewing methods for determining compliance. Preparing draft policy alternatives and environmental documents.
C	Vessel General Permit – Certification	Issued 401 certification with state conditions on December 17, 2008. Completed.
A-09	Vessel General Permit – Revised Certification	Need to revise the 401 certification to reflect U. S. EPA's final permit and make clarifying edits.
A	Wetlands and Riparian Areas (Dredge and Fill) Policy – Phase I	Stakeholder meetings held December, 2008. Development Team (R1, R2, DWQ) drafting Phase I policy. Planning for Board adoption Winter of 2010.
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.
P	Winery Waste Guidance	Pending response from Wine Institute; staff redirected to Water Recycling Policy

**Status Code Key:**

White = Active effort (A)

Yellow = Targeted for completion in 2009 (A-09)

Blue = Completed (C)

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

## Appendix 2

### IRRIGATED LANDS REGULATORY PROGRAM MONTHLY REPORT FEBRUARY 2009

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 2008 Executive Officer's report. Future ILRP monthly reports will alternate between the Central Coast, Los Angeles, Colorado River Basin, San Diego, and Central Valley Regional Water Quality Control Board programs. English and Spanish translations of current and past ILRP program monthly reports can be found on the State Water Boards Irrigated Agricultural Waiver Program website:

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

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

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

Johnny Gonzales	(916) 341-5510	<a href="mailto:jgonzales@waterboards.ca.gov">jgonzales@waterboards.ca.gov</a>
Gita Kapahi	(916) 341-5501	<a href="mailto:gkapahi@waterboards.ca.gov">gkapahi@waterboards.ca.gov</a>

#### **CENTRAL VALLEY WATER BOARD IRRIGATED LANDS REGULATORY PROGRAM**

(As reported in the Central Valley Water Board's December 2008 Executive Officer's report)

#### **Long-term Program / Environmental Impact Report (EIR)**

On 9 October, staff conducted a public meeting to establish a long-term program stakeholder advisory workgroup. The meeting was facilitated by the Regional Water Board's contractor, CSU Sacramento Center for Collaborative Policy (CCP). The workgroup's primary role will be to help staff develop alternatives and evaluation measures for a long-term program. Staff will evaluate the alternatives and select the most promising alternatives for further analysis in the EIR.

At the first workgroup meeting staff and stakeholders discussed the workgroup structure, goals, and rules. Staff and CCP have developed a workgroup charter document that contains a plan for communicating workgroup recommendations to the Regional Water Board, establishes the work group structure, and clarifies roles and responsibilities. The next advisory workgroup meeting is planned for 17 December. On 22 October, staff met with County Agricultural Commissioners from the Sacramento

and San Joaquin Valley Area Groups to discuss the current and long-term irrigated lands regulatory programs. At this meeting the Agricultural Commissioners assigned delegates to attend future long-term program advisory workgroup meetings.

On 27 October, Regional Water Board staff met with representatives of the California Cattlemen's Association (CCA) to discuss whether non-irrigated grazing lands should be included in the long-term program. CCA feels that non-irrigated grazing lands should not be a part of the irrigated lands program because these lands do not have the same impacts as farmed irrigated lands and the addition would significantly increase the size and complexity of the program. However, CCA is committed to working with staff on developing non-irrigated grazing lands program alternatives if the Regional Water Board intends to include these lands in the long-term program.

The Regional Water Board's contractor, Jones and Stokes Associates (JSA) is continuing to update the ground water chapters of the Existing Conditions Report (ECR). In addition, JSA is updating the management practices section of the ECR. Information gaps that were identified during the ECR public comment period are being addressed. JSA is planning to finish the ECR by 31 December 2008.

### **Enforcement**

#### **California Water Code (CWC) Section 13267 Orders**

On 8 October, 40 CWC 13267 Orders were issued to growers in Stanislaus County who were identified as not being enrolled in the ILRP. This issuance is part of staff's ongoing efforts to maximize participation in the program.

Also in October, the Executive Officer issued five Notices of Violations (NOVs) to landowners and operators in Contra Costa County for the discharge of sediment that contributed to a nuisance condition, violated water quality objectives, and occurred in violation of the conditional waiver for coalition groups. The recipients of these NOVs are required to submit a technical report within 30 days describing steps being taken to reduce the sediment load discharged from their fields.

#### **Outreach Postcards to Growers**

On 15 October, 105 postcards were mailed to growers within the legal Sacramento-San Joaquin Delta who are not currently enrolled in a coalition. The intent of the postcards is to inform growers of the ILRP and their responsibility for waste discharge from irrigated agriculture. The postcards provide a potentially more cost effective means (over 13267 Orders) to notify non-participating growers they are required to enroll in the ILRP.

## **Coalition Groups**

### **California Rice Commission (CRC)**

The CRC and staff are continuing to work on the Monitoring and Reporting Program (MRP). On 16 October, staff received a draft MRP Plan with updated information on pesticide usage and aquatic toxicity. Staff met with the CRC on 22 October to discuss the MRP Plan and the proposed monitoring schedule and parameters. Another meeting is scheduled for 14 November to further discuss the MRP Plan and subsequent MRP Order for the CRC.

### **East San Joaquin Water Quality Coalition (ESJWQC)**

On 30 September, the ESJWQC submitted its management plan for exceedances in the coalition area. Staff reviewed and submitted comments to the ESJWQC on 14 October, followed by a conference call on 20 October. The ESJWQC submitted an addendum on 31 October, which included revisions to the management plan and additional required information. Staff is reviewing the information submitted and prompt completion of this revision is anticipated.

### **Sacramento Valley Water Quality Coalition (SVWQC)**

On 30 September, staff received the SVWQC Draft Management Plan. On 22 October, staff provided comments and met with the SVWQC to discuss the management plan priorities and schedule details. The SVWQC agreed to submit a revised management plan on 1 December. On 12 September, an interim approval for 2009 was given for the SVWQC's 25 July 2008 MRP Plan. A coalition-specific order will be developed in 2009 to be effective in 2010. On 28 October, staff received the revised Quality Assurance Project Plan (QAPP), which was four weeks past the deadline established by the Executive Officer. The revised QAPP will be reviewed by ILRP staff and the Regional Water Board's Quality Assurance Officer, who will provide final approval of the QAPP. On 26 September, staff met with board of the Placer, Nevada, South Sutter, North Sacramento sub-watershed. Staff discussed the long-term program, management plan issues, and enforcement efforts.

### **San Joaquin County and Delta Water Quality Coalition (SJCDWQC)**

On 30 September, the San Joaquin County and Delta Water Quality Coalition submitted its management plan for exceedances in the coalition area. Staff is preparing comments for potential revisions. The Executive Officer approved the SJCDWQC MRP Plan on 15 September with the condition of submittal of a management plan by the previously established 30 September deadline. On 24 October, staff held a San Joaquin County and Delta Water Quality Coalition Management Plan conference call to discuss management plan development items.

### **Westside San Joaquin River Watershed Coalition (WSJRWC)**

On 26 September, the WSJRWC re-submitted the Management Plan and Focused Watershed Improvement Plan for the Hospital and Ingram Creek Watersheds. The WSJRWC had reviewed recent comments and additions supplied to them, and made only slight changes to the dates identified in the plans for scheduled action items. The revisions were acceptable, and staff recommended that the WSJRWC submit a final



version for review and approval by the Executive Officer. Final versions of the plans were submitted for approval on 23 October. Staff is preparing an approval letter for signature by the Executive Officer. On 4 November, the Executive Officer and staff attended a regular meeting of the San Joaquin Valley Drainage Authority (SJVDA) Board. A steering committee of the SJVDA oversees the Westside San Joaquin River Watershed Coalition. Potential participation of the SJVDA in the Water Board's CVSALTS Initiative and implementation of the WSJRW management plan were discussed.

### **Goose Lake Coalition**

On 23 October, the Goose Lake Coalition submitted a draft of the Lassen Creek Management Plan final report. Staff will provide comments to the Coalition and the final draft will be submitted by 15 November. With approval of the final report, this management plan will not require further actions by the Goose Lake Coalition.

### **Westlands Coalition**

The MRP Plan is under senior review while staff awaits submittal of the revised and signed QAPP. Staff reviewed USGS Report 02-4286 in response to the Westlands Coalition's request to waive a management plan requirement for electrical conductivity on Panoche-Silver Creek. A formal response has been drafted and is under senior review. The Annual Monitoring Report for the 2007-2008 storm season is currently under staff review.

### **Southern San Joaquin Valley Water Quality Coalition (SSJVWQC)**

Staff has met with representatives of the Tule River and Kern River sub-watershed groups to provide them with guidance and examples to aid in the preparation/revisions of the management plans for toxicity. A format and tentative dates for meetings is being developed with the SSJVWQC and its member subwatershed groups to discuss revisions to the Coalition's MRP Plan.

### **Data Management**

Some concerns were raised by the Southern San Joaquin Valley Water Quality Coalition regarding the Coalition's ability to achieve SWAMP comparable data, and meet laboratory hold time requirements because of laboratory performance issues. In order to help the Coalition resolve these issues a meeting is being developed in which the SWAMP Quality Assurance Team from SWRCB will brief the Coalition on tools that they can use to achieve compliance. Other Coalitions will be invited to the meeting. It is anticipated that it will be held in December 2008 or January 2009 in Fresno.

### **Coalition/Dairy Coordination**

On 28 October, staff from the Dairy Program and ILRP met with Coalition groups and the dairy industry in Modesto to discuss coordination issues. Topics included ensuring that irrigated lands were regulated in the appropriate program and coordinating on addressing surface water quality problems. The dairy industry and Coalitions will begin a pilot program to conduct joint outreach in a high priority watershed in the East San Joaquin Water Quality Coalition area.

## **Individual Dischargers**

### **BerryBlest Farms**

On 8 October, the BerryBlest Farm enrolled with a coalition group after receiving Executive Officer approval. A Notice of Termination was completed, which terminated its coverage under the Individual Conditional Waiver.

### **Modesto Irrigation District**

Executive Officer requested a management plan from Modesto ID on 20 August to address exceedances of herbicides and physical parameters. The management plan was submitted on 18 September and is currently under review.

### **Turlock Irrigation District**

The Turlock ID 2007/2008 Annual Monitoring Report has been reviewed and a letter of acknowledgement and recommendations is being prepared by staff.

### **Merced Irrigation District**

The Merced ID 2007/2008 Annual Monitoring Report was reviewed and a letter of acknowledgement and recommendations was submitted by staff on 23 September 2008 and a meeting was held with Merced ID to go over ILRP staff comments on 9 September 2008. Merced Id submitted the required additional information on 3 November 2008.

## **Grant Management**

**Proposition 84** - Applications for the Request for Qualifications closed on 14 October. Only one complete application was received. As specified in the RFQ, the applicant will give a presentation on 5 November that includes a proposed scope of work and answer a series of questions from Regional Water Board staff.

**Proposition 50** - On 24 October, staff received the San Joaquin County Resource Conservation District's grant invoice and progress report for the grant entitled Measuring the Effectiveness of Agricultural Management Practices. The invoice and progress report are under staff review.

## **MOU Pilot Program**

The MOU Pilot Program contracts with the Agricultural Commissioners of Butte and Glenn Counties were suspended from 31 July to 15 October. A meeting scheduled 7 November in Oroville discussed integrating the pilot program work with ILRP management plans in the Central Valley.

## **Report to Legislature**

The Legislature adopted the following language in their Supplemental Report to the Budget Act: "On or before March 30, 2009, SWRCB shall submit a report to the JLBC and to the relevant policy committees that details: (a) the precise actions the SWRCB would have to undertake to obtain a 30 percent reduction to agricultural pollution runoff in to the Sacramento-San Joaquin Delta and its tributary watersheds by 2012, (b) the estimated costs of those actions, and (c) which of those actions can be completed administratively and which would require legislation to implement." On 27 October, staff, met with Legislative staff to clarify what was needed in the report and discuss options for providing the required information.

## **Committee Meetings**

### **Technical Issues**

On 10 and 27 October, staff participated in the ILRP Technical Issues Focus Group meeting to discuss some tools that may help Coalitions with their Management Plans. These include: Definition of terms, Frequently Asked Questions and development of performance goals.

On 4 November, the last quarterly meeting of the year was held for the Technical Issues Committee. There was a presentation by National Resource Conservation District staff in Davis, and discussions about Management Plan development and focus Group activities.

**APPENDIX 3**

**Current Board Member Directives Checklist as of 2/13/2009**

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.	Modiy 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. Proposal 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 is working with USEPA on developing options for determining highly defensible statistical methods for the analysis of toxicity testing data. Staff are working with USEPA to verify possible statistical methods for determining compliance with permit toxicity limits. Results of this project will lead to defensible options for toxicity control. USEPA has funded a contract with SAIC for an economic analysis of the proposed changes.
11/15/2006 (during Klamath River TMDL proceedings)	Steven Herrera, Karen Niya, 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 has developed a draft policy for protection of instream flows in five coastal counties described in Water Code section 1259.4 as added by AB 2121. Upon adoption of this policy, the Board may consider amending the policy or developing a policy specific for the Klamath River and its tributaries. The policy for the Klamath River and its tributaries should include all limitations and mitigations developed as part of any 303(d) listing and TMDL requirements. The Division recomends that the Board wait until it has adopted the policy for the five coastal counties before expanding instreamflow protections policies elsewhere in California.
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.	In progress. Expected Board consideration February, 2009
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.	The peer review process has been delayed.
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.	

**APPENDIX 3**

**Current Board Member Directives Checklist as of 2/13/2009**

Board Meeting	Staff	Requested by Board member	Issue	Due Date	Direction	Current Status
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.	Scheduled for adoption in February 2009.
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.	In progress.
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.	
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.	In progress.
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.	Update on status in February and April Executive Director's Report.