

**State Water Resources Control Board  
September 15, 2009 Board Meeting  
Item 15 - Executive Director's Report**

**OFFICE OF ENFORCEMENT**

**Water Quality Enforcement Policy:** The State Water Resources Control Board's (SWRCB) consideration of the proposed revisions to the Water Quality Enforcement Policy has been scheduled for October 20, 2009. The proposed revisions have been posted for public comment and the deadline for comments is 12 noon on September 21, 2009.

**Referral of Enforcement Action to Attorney General's Office:** The SWRCB has referred an investigation conducted by the UST Enforcement Unit of Office of Enforcement for consideration by the Attorney General's office for prosecution. The alleged violations include the submittal of falsified annual monitoring system records and for the illegal discharge of testing fluid.

**Notice of Proposed Settlement with the City of Stockton for NPDES Violations:** The Office of Enforcement has noticed for public comment a proposed settlement with the City of Stockton to resolve alleged violations of National Pollution Discharge Elimination System ("NPDES") Permit No. CA0079138, Waste Discharge Requirements Order No. R520020083, arising out of a discharge of approximately 8.7 million gallons of partially treated effluent to the San Joaquin River from the Stockton Regional Wastewater Control Facility on June 16, 2006. This matter was referred to the Office of Enforcement by the Central Valley Regional Board Executive Officer for enforcement before the State Water Board.

The City of Stockton and the Office of Enforcement have a tentative settlement for these alleged violations, and have agreed to jointly seek the State Water Board's approval of that settlement through the adoption of a Stipulated Administrative Civil Liability Order. The proposed Order is available on the State Water Board's website at [www.waterboards.ca.gov](http://www.waterboards.ca.gov) or the Central Valley Regional Water Board's website at [www.waterboards.ca.gov/centralvalley](http://www.waterboards.ca.gov/centralvalley). The opportunity for public comment ends after October 5, 2009.

**Enforcement Data Improvement Project:** Staff from the Office of Enforcement, Office of Information Management and Analysis, and the Office of Research, Planning, and Performance has been regularly meeting to evaluate and categorize the 53 potential projects identified in the initial Enforcement Data Summit meeting. Staff is focused on taking action in those areas which do not already have scheduled improvements to CIWQS. For these action items, staff has developed a template for use by the project teams (comprised of State Board and Regional Board staff) to fully describe the specific data improvement need, identify specific solutions and alternatives, and develop the time frame for implementation.

**DFG/Water Board Pilot Project:** The Department of Fish and Game (DFG) in coordination with the State Water Board and the Los Angeles Regional Water Board initiated a pilot project to develop a coordinated enforcement response to construction storm water violations. The Ocean Protection Counsel (OPC) initially provided coordination assistance.

The goal of the initiative is to improve the coordination and effectiveness of both agencies' enforcement efforts related to discharges of construction storm water. For a period of four months, the DFG/Regional Water Board teams completed joint inspections at specific sites. Some of these joint inspections have led to formal or informal enforcement actions, while other investigations are ongoing. A workshop was held on September 4, 2008 at the Los Angeles Regional Water Board offices to update participating staff from both agencies on the progress made during the joint inspection period, and to discuss lessons learned. The participants determined that a field manual for DFG and Water Board field staff would be developed.

The Office of Enforcement is currently working with DFG staff and Division of Water Quality staff to develop the field manual. The manual is intended to facilitate greater cooperation and understanding between DFG and Water Board staff. The development of the manual was delayed due to personnel changes at the Water Board but the completion of the manual is targeted for this fall. Once this manual is completed, it will be rolled out for Water Board staff use, and training sessions will be scheduled for Regional Water Boards and DFG staff. At this time, OPC does not have an active role.

## **DIVISION OF WATER QUALITY**

**ASBS General Exception:** Staff is completing the CEQA initial study and Notice of Preparation of an environmental impact report (EIR) for a general exception to the Ocean Plan for discharges of storm water and nonpoint source discharges to ASBS. Staff is planning to release the Notice of Preparation and the draft general exception, including the special protections for ASBS, in September 2009 and plans to release the draft EIR later this fall. The public hearing for the general exception is tentatively planned for January 2010.

**Biodiesel Blends in Underground Storage Tanks (USTs):** Proposed regulations which would provide a variance from specific independent testing and approval requirements for UST systems storing certain biodiesel blends were noticed for comment by the Office of Administrative Law on August 14, 2009. The written comment period closes Monday, September 28, 2009. These regulations make permanent the current emergency regulations adopted by the State Water Board on May 5, 2009. Rulemaking documents are posted at [www.waterboards.ca.gov/water\\_issues/programs/ust/biodiesel\\_regs.shtml](http://www.waterboards.ca.gov/water_issues/programs/ust/biodiesel_regs.shtml).

**Composting Facilities: Statewide Regulatory Approach:** A joint workshop was held August 17, 2009 to kick off development of a statewide approach to address water quality issues pertaining to composting facilities and seek initial solicit stakeholder input. The overall goal is to develop a regulatory approach that is protective of water quality and that also supports the State's goals of diverting decomposable materials from landfills.

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

**GAMA's Priority Basin Project** recently has received limited funding to continue bond-funded contracts. We anticipate significant delays in final products.

In addition, the U.S. Geological Survey's National Water Quality Assessment (NAWQA) program funded one study unit on the north coast through its NAWQA program in the amount of \$500,000. In addition, USGS is in the process of acquiring Federal matching funds in the same amount for limited work to publish information for monitoring and testing that occurred prior to the stop work order in December.

The **GeoTracker GAMA online groundwater data system** has been released to the public and was mentioned in an August Sacramento Bee article about nitrate. It has also been used for briefing legislators on the release of Cr 6 public health goal in August. The California Conference of Directors of Environmental Health requested and received a demonstration of the water quality and water level data and tools available to them.

**Landscape Irrigation General Permit:** The State Water Board adopted General Waste Discharge Requirements for Landscape Irrigation Uses of Municipal Recycled Water (General Permit) and associated California Environmental Quality Act documents on July 7, 2009. AB 1481 (DeLaTorre, Ch. 535, Stats. 2007) established a deadline for adoption of July 31, 2009. Detailed General Permit information can be found at [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).

**Ocean Plan Amendment:** Staff has prepared non-substantive amendments to the Ocean Plan. Staff released these for public comment on April 15, 2009 and had originally scheduled a public hearing to be conducted in conjunction with the June 16, 2009 Board meeting. However, the public hearing and Board consideration were postponed until September 15, 2009. The comment deadline closed on August 31, 2009.

**Once Through Cooling – CWA Section 316(b):** On June 30, 2009, staff released the draft policy for public review. On July 15, 2009, staff released the draft Substitute Environmental Document associated with the draft policy. A stakeholder meeting has been scheduled for September 8, 2009, and a public hearing on the draft policy has been scheduled for September 16, 2009. The comment deadline is September 30, 2009.

**Onsite Wastewater Regulations (Septic Tank Systems):** Staff has been meeting with different stakeholder groups and is preparing the outline of a new proposal based on these meetings and the many comments received. Staff expects to have the outline ready for review by November 2009.

**Recycled Water Policy:** On August 28, 2009, staff sent a memorandum to Regional Water Board Executive Officers describing the roles of Regional Water Boards in implementing the Recycled Water Policy. The memorandum included several attachments for the Regional Water Boards to use, including a template letter to stakeholders to initiate the salt/nutrient management planning effort.

**Sanitary Sewer Overflow (SSO) Reduction Program – Review and Update:** Staff will hold two public workshops for the review and update of the Sanitary Sewer Overflow Reduction Program. The review and update will involve the re-issuance of statewide general waste discharge requirements for sanitary sewer systems (Order No. 2006-0003-DWQ). The first workshop will be held on September 15 in Orange County, and the second will be held on September 29 in Oakland.

**Sediment Quality Objectives (SQOs):** On August 25, 2009, the United States Environmental Protection Agency (U.S. EPA) approved the Water Quality Control Plan for Enclosed Bays and Estuaries – Part 1, Sediment Quality Objectives, adopted by the State Water Board on September 16, 2008. Staff is now drafting conforming amendments to the Listing Policy, as directed during SQO adoption.

The approved Water Quality Control Plan (Phase II SQOs) largely focuses on direct effects of sediment quality to marine benthic communities. Staff is continuing to work with the Southern California Coastal Water Research Project to develop Phase II SQOs for indirect effects to human health.

**Statewide Trash Policy:** U.S. EPA has initiated the task order with its contractor, Tetra Tech, to begin development of a statewide policy for trash. Executive staff and Division of Water Quality staff met with the contractor on July 16 and August 12, 2009 to initiate the project. The contractor is reviewing the existing trash Total Maximum Daily Loads (TMDLs) and developing options for the most appropriate regulatory mechanism for adopting trash requirements. Options include a statewide Policy for Water Quality Control, or the adoption of a Water Quality Control Plan which could include a trash objective (narrative or numeric) and appropriate implementation language. In addition to trash, the contractor is reviewing other existing TMDLs to assist Water Board staff in identifying other options where statewide action, or the development of a template, would streamline the adoption of TMDLs.

**Storm Water Construction General Permit (CGP):** The State Water Board held a public hearing on the tentative CGP on June 3, 2009. The public comment period closed on June 24, 2009. On September 2, 2009, the State Water Board adopted the permit. The new permit has an effective date of July 1, 2010 and dischargers will not enroll in the permit until then.

**Storm Water Effectiveness Assessment for MS4 Permits:** Staff continues to work with a sub-committee of the Storm Water Advisory Task Force in drafting the Effectiveness Assessment document as required by AB 739 (Ch. 610, Statutes of 2007). Staff anticipates conducting public workshops on this document during the month of October.

**Toxicity Control Provisions:** Water Board staff are working on revisions to the Toxicity Control Provisions currently contained in the Policy for Implementation of Toxics Standards for Inland Surface Waters, Enclosed Bays, and Estuaries of California (the "SIP"). In early September at the Association of State and Interstate Water Pollution Control Administrations (ASIWPCA) annual meeting, the U.S. EPA released a fact sheet on an alternative statistical approach for determining when a sample is considered toxic. Water Board staff will work with U.S. EPA staff to incorporate the alternative approach, as may be appropriate, into revised Toxicity Control Provisions. Evaluating the additional alternative statistical approach is intended to ensure that the revised Toxicity Control Provisions considers the current state of the science for toxicity.

**Wetland and Riparian Area Protection Policy:** A proposed wetland definition for the policy was submitted to the Wetland Development Team by the Technical Advisory Team (TAT), which advises the team on scientific issues. This definition was approved by the wetland policy Steering Committee on August 6 (Executive Officers of Region 1, 2, 4, and 5 as well as the Deputy Director of the Division of Water Quality). On August 27, 2009, the wetland policy Interagency Coordinating Committee (ICC), made up of executive-level managers of Federal and State agencies, was briefed on the proposed wetland definition. ICC members generally agreed that the definition was scientifically sound and consistent with the U.S. Army Corps of Engineers delineation methods, including guidance for the Arid West. There were questions regarding how the definition would be implemented in the policy. The State Water Board's Resolution No. 2008-0026 requires periodic review by the State Water Board of the Wetland Development Team's progress. Accordingly, an information item is scheduled for the State Water Board's October 6 meeting to present the wetland definition.

On August 26, a meeting was held with U.S. EPA to discuss the status of the grant project that funds the Technical Advisory Team and possible additional funding. The policy team is awaiting notification of requested Economic Stimulus funding to support both Regions 1 and 2's policy and the state policy efforts.

**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 September 2009 report is attached as Appendix 2.

## **DIVISION OF WATER RIGHTS**

### **Russian River Water Right Issues**

**Frost Protection Task Force:** The Frost Protection Task Force meetings convened by the National Marine Fisheries Service Office of Enforcement (NMFS-OE) continue to be attended by a large number of stakeholders, including the State Water Resources Control Board (State Water Board or Board), the Department of Fish and Game, environmental non-governmental organizations, Mendocino County Russian River Flood Control and Water Conservation Improvement District (RRFC), Sonoma County Water Agency, Mendocino County, Mendocino County Farm Bureau, and affected wine grape growers and their representatives. At the July meeting, the NMFS-OE informed the group that due to a lack of specific progress to avoid future take, the NMFS-OE is considering asking the State Water Board to continue to facilitate any stakeholder-driven collaborative meetings after October so that it can concentrate its efforts on enforcement. At the August meeting, NMFS made a presentation on what elements must be present in any stakeholder-developed solution in order to satisfy NMFS concerns regarding the impact of frost protection pumping on listed fish. RRFC made a presentation on the impacts of frost protection pumping in the Spring of 2009 on river flows and stage of the Russian River in Mendocino County and offered insights on the effects of the protocol developed by the stakeholders to utilize reservoir releases from Lake Mendocino to reduce flow reductions during peak demands. RRFC also gave a presentation on construction by its contractors of off-stream water storage facilities intended to reduce instantaneous demands during peak frost pumping.

The three subcommittees set up by the Task Force (Monitoring, Permitting, and Best Management Practices (BMP)) continue to report. The monitoring subcommittee reports that the National Wildlife Federation has funded the purchase and operation of additional stage recorders in the Russian River Watershed. The subcommittee continues to meet to determine where the meters should be installed. The Permitting Subcommittee continues to develop permit templates that with sufficient support from potential water right applicants and protestants could be used to expedite permitting of off-stream reservoirs. A permit template has been developed for the mainstem pumpers, and a second permit template is in development for tributary pumpers. Growers are apparently concerned about a proposed permit condition that would limit diversions by holders of permits issued pursuant to the permit template. The proposed condition would restrict diversions under any permit issued when water is being released from Lake Mendocino in excess of release or bypass needed to satisfy Sonoma County Water Agency's obligations in regard to downstream flows. The

permit condition is similar to standard permit condition 91, which is imposed in permits issued in the Central Valley Watershed. The BMP Subcommittee continues to develop BMPs for wine grape growers. Most of the BMPs are intended to promote water conservation in frost protection practices. However the group has not addressed cumulative impacts that could result to fish even if the BMPs are established and implemented.

**Temporary Urgency Change Order Affecting Sonoma County Water Agency:** Sonoma County Water Agency (Agency) has submitted all reports required by the temporary urgency change (TUC) order as required by the Board to date. The Agency has reduced diversions from the Russian River as compared to 2004 levels by 30 percent to date. On August 15, 2009, the Agency submitted a report as required by Condition 15 of the TUC order and the subsequent plan developed pursuant to Condition 15. Condition 15 requires the Agency to report to the Deputy Director for Water Rights on its efforts to meet the conservation goals specified in the TUC order and to work with other water users to avoid waste and unreasonable use of water. The Agency developed a dedicated link on its website containing communications regarding the TUC, water quality monitoring, and fishery and water conservation plans. The Agency also conducted a series of three meetings with retail and wholesale water agencies in Marin, Sonoma, and Mendocino Counties to discuss the order and related issues. Seventeen retail water agencies have reported on how they intend to meet the water conservation goals specified in the TUC. The actions by some of the larger users who are not SCWA customers are reported below. The report, which provides information reported by all 17 reporters, is available on the Agency's website at <http://www.sonomacountywater.org/stateboard2009>

The City of Ukiah adopted a water shortage emergency declaration in April 2009 that prohibits certain water-wasting activities, and implemented alternate watering days for outside irrigation. The City reported that it intends to enforce these measures during the summer months. The City also ran advertisements on water conservation as part of a water conservation awareness program that includes several elements.

Redwood Valley Water District enacted a "stage 4" mandatory 50 percent reduction for urban water users effective May 1, 2009 and subsequently advised all agricultural water users that water service would be terminated if water use was over the accounts contract amount and over 50 percent of historical use. As a result, the District has terminated 35 of 200 agricultural water accounts. The District surveyed its water customers regarding future water supply and water conservation. Approximately one third of the surveys were completed and returned.

Mendocino County Water Agency reported that the Mendocino County Board of Supervisors proclaimed a water emergency due to drought conditions in March 2009 and adopted an Emergency Water Conservation ordinance in July that requires users of Lake Mendocino water to reduce usage by 50 percent. The agency has also participated in activities to promote water conservation awareness.

All of the Agency's retail water customers in addition to Redwood Valley Water District and the City of Ukiah have developed water waste reduction ordinances. Water use by reporting entities has been reduced by 16 (Penngrove Water Company) to 63 (Redwood Valley Water District) percent. The Agency also reports that the business and landscape community has formed a stakeholder coalition with a goal of proposing a program to significantly reduce the amount of water used to irrigate commercial sites to achieve a water budget based on 60 percent ET by 2017.

**Decision 1610:** Sonoma County Water Agency has informed the Division of Water Rights (Division) that it will file a petition to request revisions to State Water Board Decision 1610 by September 24, 2009, as required by a biological opinion issued by National Marine Fisheries Service. Division staff continue to meet with Sonoma County Water Agency staff in anticipation of the petition.

**Drought Activities Update:** Between June 23 and August 31, the State Water Board issued thirteen orders approving the transfer of up to 53,774 acre-feet (af) of water to the Department of Water Resources' (DWR) Drought Water Bank (DWB), and 2 additional orders: one order approving the transfer of up to 17,941 af of water to Metropolitan Water District, and one order approving the transfer of up to 20,000 af of water to San Diego County Water Authority, DWR initiated the DWB in the summer of 2008 to help alleviate drought conditions should they continue into 2009, in response to Governor Schwarzenegger's June 4, 2008 Executive Order declaring a state of emergency due to drought conditions. The purpose of the DWB is to purchase water from willing sellers upstream of the Sacramento-San Joaquin Delta for transfer, using State Water Project and federal Central Valley Project facilities, to willing buyers that are at risk of experiencing water shortages in 2009 due to drought conditions, and that require supplemental water supplies to meet anticipated demands. Based on the \$275 per acre-foot price established for DWB water transfers, the State Water Board has approved the transfer of water valued at around \$25 million. This water, which began moving on July 1, will help relieve the economic effects of drought in areas with otherwise limited water supplies. The thirteen Drought Water Bank orders (WR 2009-0038-DWR, WR 2009-0040-DWR through WR 2009-0048-DWR, WR 2009-0053-DWR through WR 2009-0055-DWR) are posted on the Division of Water Rights' website at

[http://www.waterboards.ca.gov/waterrights/water\\_issues/programs/applications/transfers\\_tu\\_orders/](http://www.waterboards.ca.gov/waterrights/water_issues/programs/applications/transfers_tu_orders/)

**Pine Gulch Creek Watershed Enhancement Project:** The Pine Gulch Creek Watershed Enhancement Project is a voluntary cooperative effort on the part of the participating organic farmers: Fresh Run Farms; Paradise Valley Farms; and Star Route Farms, who claim historic riparian water rights for crop production. Through this project, they propose to modify existing water operations to support sustainable agriculture and enhance aquatic habitat supporting coho salmon and steelhead trout. This project combines irrigation ponds with stabilized instream flows. Diversions to storage will occur in the winter when flows are high. Existing diversions will be reduced between April 1 and July 1, and eliminated between July 1 and December 15 of each year.

This solution was developed through consultation with the California Department of Fish and Game, National Marine Fisheries Service, and the State Water Board. This project is being used a model for similar efforts elsewhere. The California Coastal Conservancy and the Marin Resource Conservation District are preparing a landowner guidance manual as a result of this project and hope to provide information about replicating the experience elsewhere in the state. As part of the project, the farmers applied to the State Water Board for appropriate water rights, and agreed to dedicate their summer commercial irrigation riparian rights, pursuant to California Water Code section 1707, to instream flows for the benefit of fish habitat. The water right permits were the last approvals required for the project to go forward. Orders approving the permits and instream flow dedications were issued on July 31, 2009.

**San Joaquin River Restoration Flows – Temporary Transfer and Change Petitions Filed by U.S. Bureau of Reclamation (Reclamation):** On June 10, 2009, Reclamation filed petitions for the temporary transfer of water and change to existing water rights to implement restoration of San Joaquin River flows below Friant Dam. The project includes two alternatives – restoration of flows from Friant Dam on the San Joaquin River to the confluence of the Merced and San Joaquin Rivers or restoration downstream to the federal and State pumping facilities in the Sacramento-San Joaquin Delta Estuary (Delta). Reclamation proposes to transfer a maximum of 384,000 acre-feet of water to instream use for fish and wildlife preservation and enhancement, and subsequently redivert water from the San Joaquin River at various locations, including the federal and State Delta pumping facilities. Water may be temporarily stored in San Luis Reservoir. The rediverted water will serve existing Friant Division Contractors, Exchange Contractors and Wildlife Refuges. Objections to the petitions were filed by: (a) San Joaquin River Exchange Contractors Water Authority and (b) a group composed of San Luis and Delta-Mendota Water Authority, Westlands Water District and State Water Contractors. The Natural Resources Defense Council and Friant Water Users Authority filed letters of support for the project.

### **Bay Delta Water Right Issues**

**Update to the Southern Delta salinity and San Joaquin River flow objectives:** On August 13, 2009, the State Water Board held a public staff workshop at which Dr. Glenn Hoffman presented his draft report entitled “Salt Tolerance of Crops in the Southern Sacramento-San Joaquin Delta” and responded to comments and questions from attendees. The draft report was issued on July 14, 2009 and written comments are due by noon on September 14, 2009. Dr. Hoffman will respond to written comments received at the next public staff workshop scheduled for November 4, 2009, with the final report incorporating these responses by the end of November. This report will help inform the ongoing State Water Board re-evaluation of the southern Delta salinity objectives contained in the Bay-Delta Plan.

Staff has begun analysis of flow alternatives for the lower San Joaquin River and will be working with the U.S. Bureau of Reclamation and the Department of Water Resources to model water supply and water quality effects for a range of flow scenarios.

**Ammonia Summit:** Staff of the Central Valley Regional Board and the Interagency Ecological Program held an “Ammonia Summit” on August 18<sup>th</sup> and 19<sup>th</sup> to present and discuss the latest scientific findings on ammonia in Delta waters. Subject areas included food web dynamics, toxicity, and sources, fate, and transport. Next steps include summarizing discussions and recommending a prioritized list of future studies for funding. Most of the abstracts and presentations are posted at [http://www.waterboards.ca.gov/centralvalley/water\\_issues/delta\\_water\\_quality/ambient\\_ammonia\\_concentrations/index.shtml](http://www.waterboards.ca.gov/centralvalley/water_issues/delta_water_quality/ambient_ammonia_concentrations/index.shtml).

**Water Right Hearing Regarding the Kern River:** On August 24, 2009, the Division of Water Rights issued a notice of public hearing to determine if the Kern River should no longer be declared fully-appropriated so that water right applications can be accepted. The purpose of the hearing is for the State Water Board to receive evidence regarding five petitions that were received requesting revision of the Declaration of Fully Appropriated Stream Systems for the Kern River. The State Water Board has determined that the Kern River is fully appropriated throughout the year along its entire length. The Petitioners cited the Fifth District Court of Appeal’s decision in *North Kern Water Storage District v. Kern Delta Water District* (1997)



147 Cal.App.4<sup>th</sup> 555 [54 Cal.Rptr.3d 578] as the basis for filing the petitions. The Fifth District's ruling found that there was a partial forfeiture of Kern Delta Water District's pre-1914 water rights on the Kern River. A pre-hearing conference on procedural issues will be held on September 24, 2009 and the hearing will be held October 26–28, 2009.

**Release of a Draft Environmental Impact Report for the El Sur Ranch Water Right**

**Application 30166:** As the state lead agency under the California Environmental Quality Act (CEQA), the Division of Water Rights has directed the preparation of a Draft Environmental Impact Report (DEIR) that reviews the environmental effects associated with the issuance of a water right permit pursuant to water right Application 30166 seeking an appropriation of water from the Big Sur River subterranean stream to the El Sur Ranch. Release of the DEIR is expected before the end of September 2009.

**Complaints Filed against Three Water Right License Holders in the Southern Delta:**

On July 20, 2009, Modesto Irrigation District, San Luis & Delta Mendota Water Authority and the State Water Contractors jointly filed three complaints with the Division of Water Rights (Division). The complaints allege that three property owners located on Roberts Island in the Southern Delta are pumping from Delta estuaries in excess of the amounts authorized by their licenses issued by the State Water Board, and that the excess diversions cannot be covered by other prior rights. The Division is requesting answers to the complaints from the three license holders and will investigate the allegations as part of its ongoing compliance activities identified in the State Water Board's Strategic Workplan for Activities in the San Francisco Bay/Sacramento-San Joaquin Delta Estuary dated July 2008.

**Petitions for Reconsideration of Time Extension Denial for Permits of U.S. Bureau of Reclamation (Reclamation) in the Santa Margarita River Watershed:**

On June 15, 2009, the Division denied the time extension petitions for Permits 8511, 11357 and 15000B of Reclamation. The permits were issued between 1951 and 1965 and authorize construction of a two-dam project, diverting a maximum of 185,000 acre-feet per annum (afa) from the Santa Margarita River. The project has been found to be environmentally and economically infeasible and has not been built. No water has been used under the permits. Reclamation had previously been granted a series of time extensions on the permits, with the most recent extension granted in 1998.

On July 14 and 15, 2009, Reclamation, Fallbrook Public Utility District (Fallbrook) and the Department of Water Resources (DWR) filed petitions for reconsideration of the time extension denial. The petitioners assert that although the permitted project has not been built, diligence has been exercised because the existing permits could be used for an alternative project, the Santa Margarita Conjunctive Use Project, which is currently in the planning stage. In lieu of constructing the permitted facilities, the conjunctive use project would move the point of diversion downstream and route up to 16,000 afa into percolation basins for groundwater recharge. The U.S. Naval Station, Camp Pendleton and Fallbrook would use the water supply developed by the conjunctive use project. DWR has been a funding source for the proposed project.

This matter has been scheduled for Board action at its September 15 meeting.

**Delegation Authority**

The State Water Board has delegated specific actions relating to the general operation of the water rights program to the Deputy Director for Water Rights. (See Resolution 2007-0057.)

Each month, mid-month, the Division of Water Rights posts on its webpage a report on the actions it has completed in the previous month. The table below provides a summary of the activities of the Division during fiscal year 2008-2009 and during July 2009. Information on activities completed in August 2009 will be posted by September 15. Permitting, Licensing, Petitions, Transfers, Monitoring and Reporting, and proposed Enforcement activities are delegated or conditionally delegated to the Deputy Director for Water Rights. Water Quality Certification activities are delegated to the Executive Director. In general, a conditionally delegated activity is delegated unless the affected water right holder is entitled to a hearing on the action and a hearing is requested. The table below also provides the activity goals for fiscal years 2008-2009 and 2009-2010. The 2009-2010 goals reflect an anticipated reduction in work products due to mandated furloughs.

	FY 08-09 Goal	FY 08-09	FY 09-10 Goal	July 09
<b>Permitting</b>				
Applications Rejected	--	23		2
Applications Cancelled	--	31		1
Registrations Issued	--	29		0
Registrations Renewed	--	123		41
New Statements Processed	--	150		12
New Groundwater Recordations Processed	--	57		8
Permits Issued	16	22	12	6
Temporary Urgency Permits Issued	2	3	2	0
<b>Licensing</b>	footnote <sup>1</sup>			
Licenses Issued		28		0
Amended Licenses Issued		26		2
<b>Petitions</b>	40		30	
Time extension Orders Issued		2		0
Change Orders Issued		31		2
<b>Transfers Approved<sup>2</sup></b>				
Orders Issued on Temporary Urgency Change Petitions	--	9		0
Orders Issued on Temporary Change for Transfer Petitions	--	17		2
Orders Issued on Long Term Transfer Petitions	--	0		0
<b>Monitoring and Reporting</b>				
Annual Reports of Permittee and Licensee Processed	3700	4346	3145	812
Supplemental Statement of Diversion & Use Processed	--	153		0
Annual Groundwater Recordation Processed	--	1540		49
Ownership Changes Processed	--	1121		104
<b>Enforcement</b>	footnote <sup>3</sup>			
Permit and License Revocations Issued	--	115		2
Complaint Actions Closed	40	38	38	3
Cease and Desist Orders Issued	--	6		1
Administrative Civil Liability Complaints Issued	--	5		0
Administrative Civil Liability Orders Paid	footnote <sup>4</sup>	6		1
Settlement Agreement Orders Issued by Executive Director		5		0

<sup>1</sup> The goal is to issue licenses, amended licenses or prepare Orders of Revocation for 85 permits in FY 08-09 and 72 permits in FY 09-10.

<sup>2</sup> Transfers may also be accomplished under change petitions filed pursuant to Water Code section 1700 *et seq.*

<sup>3</sup> The goal is to initiate 40 to 55 enforcement actions (Administrative Civil Liabilities, Non-voluntary revocations, and Notices of Cease and Desist Orders).

<sup>4</sup> The goal is that 100 percent of ACLs imposed be paid.

Water Quality Certifications				
Certifications on FERC projects	4	5	4	0
Application Denials on FERC projects	--	0		0
Certifications on Non-FERC projects	4	6	4	0
Application Denials on Non-FERC projects	--	0		0
Adjudicatory				
Division Decisions Issued	--	0		0
Orders on Petitions for Reconsideration	--			
By the Executive Director		13		1
Administrative Records Completed	--	0		0

## OFFICE OF RESEARCH, PLANNING AND PERFORMANCE

**First Annual Performance Report:** September marked the release of the Water Boards' *First Annual Performance Report*. This report, covering Fiscal Year 2008-09, highlights important measures of the Water Boards' performance and is presented in a simple, web-based format. Visitors to the site will be able to view key statewide and regional statistics relating to our water quality programs. Currently under development are measures describing the work of our water rights and financial assistance programs. The site can be accessed at: [http://www.waterboards.ca.gov/about\\_us/performance\\_report/](http://www.waterboards.ca.gov/about_us/performance_report/)

**Water Board Training Academy:** The summer schedule for the Academy was much lighter than usual this year as the Academy retooled itself to more efficiently deliver classes and other educational opportunities while minimizing travel and other expenses. Classes include:

<b>Recent Classes</b>	
<i>August</i>	<b>Stormwater 101</b> - This class provided an overview of the current Stormwater Program. State and regional Board staffs were given a refresher of the laws and regulations driving the State Boards Stormwater program, as well as the components for the program itself.
	<b>Introduction to ArcGIS</b> - GIS allows professionals to analyze and manage spatially distributed data more effectively than ever before. This class will show how desktop GIS software (ArcGIS) can be used for displaying and analyzing groundwater and surface water monitoring data, grants, permits and water rights.
<b>Currently Scheduled*</b>	
<i>September</i>	<b>Facilitation Level 2</b> - <b>This is the second of two classes designed to develop a pool of staff available to assist all Water Boards and programs with meeting facilitation and public involvement. This second class focuses on facilitating conflict, meeting management, and the practical application of additional process tools for facilitators. This class will be offered twice in Sacramento and once in Riverside.</b>
	<b>Webinar Support</b> - <b>The Academy is providing registration and limited logistic support for a series of webinars on CIWQS, SWAMP, and CalATERS.</b>

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

The Academy is in the planning stages for a number of classes including a joint project with the Department of Pesticide Regulation, a week-long NPDES Permit Writer's class, Waste Water Treatment Plant Operations and Maintenance for Mexico, and a possible series of classes on Public Speaking.

## **DIVISION OF ADMINISTRATIVE SERVICES**

**Budget:** The Governor's Office directed all state agencies to abolish 1/3 of our vacant positions by September 1<sup>st</sup>, regardless of funding source. We have 92.6 vacant positions, so we abolished 30.9 positions. In addition, we had to terminate our retired annuitants effective September 1, 2009. We had 16 retired annuitants and received a reprieve for six.

## **DIVISION OF FINANCIAL ASSISTANCE**

**Groundbreaking Ceremony, August 24, 2009; Eastern Municipal Water District - Moreno Valley Regional Water Reclamation Facility (RWRF) Acid Phase Anaerobic Digestion (APAD) Project (Project) - Funded by the American Recovery and Reinvestment Act of 2009 (ARRA):** On August 24, 2009, the Groundbreaking Ceremony for the Project was held at the Moreno Valley RWRF. On July 1, 2009, the District was awarded with a combination of 0% and 3% financing from the CWSRF Program, for a total of \$46.3 million. The District will be receiving approximately \$10.3 million in 0% financing through ARRA. The exact amount will be determined when the final agreement is prepared. The Project counts towards the Green Project Reserve as it meets the Energy Efficiency criteria defined in Section 212 of the Clean Water Act. The Project will be installing a new two-phase digestion process, which will increase overall system efficiency and increase available energy by greater than 20 percent. This reduces energy production and associated greenhouse gas emissions that would have been generated at offsite facilities and helps to control ratepayer energy costs.

**Groundbreaking Ceremony, September 1, 2009**  
**City of Long Beach – Colorado Lagoon Beaches Project (Project) - Funded by the American Recovery and Reinvestment Act of 2009:** On September 1, 2009, member of the Los Angeles Regional Board and Division staff attended the Groundbreaking Ceremony for the Project. The City of Long Beach received a principle forgiveness loan in the amount of \$3.2 million by the American Recovery and Reinvestment Act of 2009 (ARRA) funding from the State Water Resources Control Board (Water Board). This Project will assist Water Boards in reaching the 2008-2012 Strategic Plan goal of reducing wet weather beach postings by 75 percent by 2020 and eliminating dry weather beach closures and postings by 2012. The Project includes installation of a low flow diversion pump station with trash separation devices, for three large storm drain outfalls that discharge runoff into the lagoon. Also, included in this implementation Project is the installation of vegetated bioswales for four storm drain outlets to treat local drainage. In addition to this work, the existing 860-foot culvert (12' x 8') that connects the Colorado Lagoon to nearby Marine Stadium, and the Pacific Ocean, will be cleaned to improve tidal flushing.

**Groundbreaking Ceremony, September 3, 2009 Inland Empire Utilities Agency (Agency)– Northeast Project Area – Package 1 Project (Project) Funded by the American Recovery and Reinvestment Act of 2009, the Clean Water State Revolving Fund and the Water Recycling Funding Program:**

On September 3, 2009, the Groundbreaking Ceremony for the Project was held in Rancho Cucamonga. The Agency received a zero percent (0%) loan in the amount of \$13.9 million from funding provided by the American Recovery and Reinvestment Act (ARRA), a one percent (1%) loan in the amount of \$2.1 million provided from the State Water Resources Control Board’s (Water Board) Clean Water State Revolving Fund (CWSRF) and a grant provided by the Water Board’s Water Recycling Funding Program (WRFPP) in the amount of \$4.2 million. This Project will assist Water Boards in reaching the 2008-2012 Strategic Plan Objective 3.2 to increase the acceptance and promote the use of recycled water. The Project will provide facilities for the conveyance of recycled water to reuse customers and groundwater recharge basins. The Project will provide approximately 603 acre-feet per year (AFY) for irrigation uses and 740 AFY for groundwater recharge.

**Division Approvals:**

The Deputy Director of the Division approved the following Preliminary Loan/Grant Commitments from July 9, 2009 to September 2, 2009.

**Clean Water State Revolving Fund Loan**

<b>Entity</b>	<b>Preliminary Loan Commitment</b>	<b>Project</b>	<b>Approved</b>
City of Live Oak	\$16,000,000	Wastewater Treatment Plant 2007 Upgrade Project	7/13/09
City of Santa Barbara	\$1,789,388	Catch Basin Inlet Storm Drain Screens Project	7/23/09
City of Santa Barbara	\$1,652,197	Upper Las Positas Creek Restoration & Stormwater Management Project	7/29/09
Kelseyville County Waterworks District No. 3	\$3,775,108 (which may include up to \$1,775,108 SCWG funds)	Kelseyville Wastewater System Upgrade	7/30/09
City of Wasco	\$1,903,868	2009 Wastewater Centrifuge Project	7/31/09
Gateway IRWM Authority	\$10,000,000	Gateway IRWM Authority Storm Drain Catch Basin Retrofit Project	8/3/09

Entity	Preliminary Loan Commitment	Project	Approved
City of Oakland	\$3,450,000	Removal of Stormwater Pollutants at Lake Merritt and the Oakland Estuary	8/10/09
Laguna Beach County Water District	\$75,000	Water Recycling Demonstration Facility in Laguna Canyon	8/17/09
Placer County	\$3,000,000	Kings Beach Watershed Improvement Project-Fox Clean Water Pipe Project	8/20/09
City of Piedmont	\$4,171,500	Citywide Sanitary Sewer Rehabilitation Program Project	8/27/09
Ventura County Service Area No. 34	\$18,700,000	EI Rio Sewer System Project, Phases 5B-5D	8/28/09
South Lake Tahoe	\$1,675,000	Sierra Tract Erosion Control Project	9/2/09

#### Cleanup and Abatement Account

Entity	Preliminary Loan Commitment	Project	Approved
Division of Water Quality	\$16,000	OEHHA Consultation on Human Health Risk Assessment for Development of SQOs	8/3/09

### DIVISION OF INFORMATION TECHNOLOGY AND OFFICE OF INFORMATION MANAGEMENT AND ANALYSIS

**Server Virtualization and Consolidation Project:** The Division of Information Technology has completed the first phase of a project to replace individual physical servers with multiple virtual servers running on any of four physical host machines residing within the same platform.

This type of infrastructure vastly increases system capacity and allows for continuous balancing of all server workloads. In the event of a host failure, servers are automatically migrated to a new host with zero downtime for users and applications. Additional benefits of moving to this virtual platform include savings on hardware costs, environmental costs, and management and infrastructure administration resources.

When fully implemented, this new platform will: Save approximately 400 tons of carbon emissions, equivalent to taking 75 cars off the road; allow the existing 170 physical servers to be doubled to 340 virtual servers over time; save \$550,000 in Capital Expenditures over the next three years.

**CIWQS Reports:** Since the release of the CIWQS Review Panel's final report (May 2008), staff have completed all benchmarks related to "Recommendation 6, Producing Key Reports" as listed in the [Final Report](#). There are now over 30 reports available to staff and the public via the Water Board web sites.

A prioritized list of reports was created and approved by the CIWQS Steering Committee. Ten new reports are available since the last CIWQS review. In May, the Summary and Detailed Inspection reports were released. In July, the General Order and Enrollees report was released. In November, there are plans to release the Penalty Project Report that lists details on Supplemental Environmental Projects and Compliance Projects. A data warehouse was developed to put together a number of statewide enforcement reports, build cleanup reports, and meet public requests for information not available in our existing public reports. In addition, 88 fixes and enhancements to existing reports were completed.

A new business area was developed in Discoverer for non-enforcement regulatory measures. (Discoverer is an ad hoc reporting tool and a business area is an organized flat file where the user can choose which fields to display.)

Staff has demonstrated the validity of the database design by developing reports that pull data from every CIWQS area, by utilizing GIS mapping for spill locations, and by identifying areas that need improvement and determining the enhancements or controls needed in CIWQS application or database.

To communicate with our various audiences, staff has developed Status Reports, written articles in the CIWQS newsletter, participated in program roundtables, and hosted five webinars on reports-related topics.

## **SWAMP**

**Pyrethroid Pesticide Toxicity:** UC Davis has conducted toxicity monitoring at several locations throughout the Delta since 2005 as part of the investigation into the cause of the recent severe decline in abundance of Delta species.

Data collected in 2007 suggested that pyrethroid pesticides may have contributed to toxicity in some of the samples. To follow up on these findings, the Central Valley Water Board SWAMP contracted with UC Berkeley to evaluate the relative contributions of these chemicals from potential sources: wastewater treatment plants, urban runoff, and agricultural discharges from Delta islands.

Preliminary results show that the highest magnitude toxicity occurs in urban runoff. Toxicity attributable to pyrethroid pesticides also was detected in every effluent sample from one of the three wastewater treatment plants sampled, but at lower magnitude than in urban runoff samples. The relatively fewest number of toxic samples were collected from Delta island agricultural drains. Toxicity in those samples was attributed to either a pyrethroid or organophosphate pesticide.

Results will be presented in peer reviewed publications. This study builds on an earlier SWAMP study, "Statewide Investigation of the Role of Pyrethroid Pesticide in Sediment Toxicity in California's Urban Waterways." The final report for that study can be found on the SWAMP website at [http://www.waterboards.ca.gov/water\\_issues/programs/swamp/reports.shtml](http://www.waterboards.ca.gov/water_issues/programs/swamp/reports.shtml).

**Rapid Trash Assessment Protocol:** The San Francisco Bay Region SWAMP developed a Rapid Trash Assessment protocol which allows trash to be assessed objectively. Local agencies and volunteer groups have utilized the protocol.

From 2002 through 2005 The San Francisco Bay Water Board staff used the rapid trash assessment to measure trash in 14 watersheds. The studies were conducted during both wet and dry seasons to assess the sources and loads of trash to the watershed. The "Rapid Trash Assessment Report" can be downloaded at:  
<http://www.waterboards.ca.gov/sanfranciscobay/docs/swamptrashreport.pdf>.

These data were used to support the Board's decision to include impairments due to trash on the 303(d) list and to require trash control efforts in the Municipal Regional Permit.

**Status of California Wetlands Report and Fact Sheet:** SWAMP funded a project to assess the status of wetlands in California's estuaries. The project is the most comprehensive evaluation ever conducted on the overall health of any class of wetlands in California. It provides an estimate of how much estuarine wetland exists in California and the health of those wetlands. The final report and recently posted fact sheet are available on the SWAMP website at: [http://www.waterboards.ca.gov/water\\_issues/programs/swamp/wetlands.shtml](http://www.waterboards.ca.gov/water_issues/programs/swamp/wetlands.shtml)

**Biological Assessment Quality Assurance Project Plan:** One of the cornerstones of the Surface Water Ambient Monitoring Program (SWAMP) is its quality assurance and quality control program. This program is a framework involving planning and management activities to ensure that data generated are of sufficient quality.

SWAMP, in collaboration with southern California stormwater dischargers, recently completed a project to enhance the quality of bioassessment data collected in California.

The project was designed to ensure comparability between data collected by the SWAMP and data collected locally so that detailed region-wide assessments of biological condition can be produced.

The project culminated in a Quality Assurance Project Plan that will be incorporated into both SWAMP and the southern California stormwater NPDES permits. The quality assurance program will be tested this summer when more than 100 sites in 17 watersheds from Ventura to San Diego will be sampled and analyzed by at least a dozen different agencies. The Biological Assessment Quality Assurance Project Plan is available on the SWAMP website at:  
[http://www.waterboards.ca.gov/water\\_issues/programs/swamp/docs/smcqappfinal.pdf](http://www.waterboards.ca.gov/water_issues/programs/swamp/docs/smcqappfinal.pdf)



**How to be SWAMP Comparable:** There are many misconceptions about what it means to be SWAMP comparable. SWAMP recently published a SWAMP Comparability Fact Sheet at <http://swamp.mpsl.mlml.calstate.edu/swamp-comparability> to help program participants understand the concept of “SWAMP Comparability”. The fact sheet provides answers to frequently asked questions, tools to simplify achieving SWAMP comparability, and a consolidated list of online resources.

**Data Assessed for 2009 (2010) Integrated Report:** SWAMP is a significant source of data in the draft 2008 Integrated Report. The table below summarizes the lines of evidence generated by each region as they assessed data. Approximately 55 percent of the assessments are based on SWAMP data. In comparison, only 15 percent of the 2004 assessments relied on SWAMP data.

<b>Lines of Evidence Created for 2008 Integrated Report</b>			
<b>Region</b>	<b>Total</b>	<b>No. Using SWAMP Data</b>	<b>Percent Using SWAMP Data</b>
<b>1</b>	762	391	51%
<b>2</b>	432	388	90%
<b>3</b>	11,541	7,499	65%
<b>4</b>	444	17	4%
<b>5</b>	3,021	1,330	44%
<b>6</b>	1,735	1,327	76%
<b>7</b>	1,057	657	62%
<b>8</b>	653	7	1%
<b>9</b>	1,944	166	9%
<b>Totals:</b>	<b>21,589</b>	<b>11,782</b>	<b>55%</b>

**State Water Board Quality Management Plan Awaits EPA Region 9 Approval:** The State Water Board’s Quality Assurance Program has finalized its Quality Management Plan (QMP) and has submitted it to U.S. EPA Region 9 for review and approval. The revised QMP will bring the Board’s quality management system in compliance with EPA requirements.

The QMP represents a management system for quality assurance activities conducted by Board programs whether the program directly collects data or requests the data from others, such as from permitted facilities. The management structure provides centralized information on viable practices and a resource for those writing plans.

## **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

<b>Division of Water Quality</b>		
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.
A-10	Aquatic Pesticide General Permit – Vector Control, Aerial Application (Adulticide)	Drafting permit for public release. Planning release of tentative for public comment Fall of 09.
A-10	Aquatic Pesticide General Permit – Vector Control, Aquatic Application (Larvacide)	Work delayed, will follow Aerial Application permit.
A-10	Aquatic General Permit – Weed Control, Aquatic Application	Work delayed, will follow Aerial Application permit.
P	Aquatic General Permit – Aquatic Invasive Species	Pending completion of other Aquatic General Permits.
P	Aquifer Storage and Recovery Policy	Delayed due to other priorities.
A-10	Areas of Special Biological Significance (ASBS): Special Protections	Economic estimates done. Revising CEQA initial study. Planning to release draft in August 2009 and hold Public Hearing in October 2009.
A-10	Bacterial Objectives for Inland Surface Waters	Scoping meetings held 10/6/08 & 10/22/08; comment period closed 11/5/08. Staff preparing draft policy and staff report. Economic study delayed due to contract funding issues. Targeting Public Hearing in November, 2009.
A-10	Biodiesel Regulations	Preparing final regulation package to replace emergency regulations.
A	Bio-indicator Development	Preparing initial planning effort for future development work.
C	Blue-Green Algae Guidance	Revisions completed in September 2008 and posted on website.
A-10	Cadmium Objective and Implementation Policy	Scoping meeting held 10/6/08; comment period closed 10/23/08. Final internal review of draft policy and staff report prior to upcoming release for public comment. Targeting Public Hearing in November, 2009.

A-10	Chlorine Residual Objectives and Implementation Policy	Delayed by loss of key staff. Scientific Peer review received. Report and policy will be revised as necessary to address peer review comments.
C	Compliance Schedule Policy	Approved by USEPA – completed.
A	Composting Facilities Statewide Waiver	Holding Joint workshop with CIWMB 8/17/09 to gather information before 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	Integrated Report Adoption (2008 / 2010)	Regional Boards are adopting their lists and preparing to submit. Last Regional Board adoption anticipated October, 2009.
C	Landscape Irrigation / Incidental Runoff Permit	Permit adopted by Board on 7/7/09. Preparing memo to Regional Boards regarding implementation.
A-10	Leaking Underground Fuel Tank (LUFT) Manual	Draft manual update in preparation
A-09	Listing Policy Update (Sediment Quality Objectives)	Targeting release late Summer, 2009. Targeting Public Hearing in October, 2009.
A	Marina Permit	Initial drafting and data gathering.
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. Technical Team meeting August 2009 to discuss secondary indicators and refining the classification of estuary and enclosed bay systems. STRTAG meetings scheduled for August and September 2009. Coastal SAG meetomg August 2009 to discuss Estuary classification and defining a set of target systems.
A-09	Ocean Plan Amendment: non-substantive	Public hearing scheduled 9/15/09.
P	Ocean Plan Amendment: monitoring & desal provisions	Pending completion of Ocean Plan Amendment: non-substantive.
P	Ocean Plan Amendment: vessel provisions	Pending completion of other Ocean Plan Amendments.
A	Ocean Plan Triennial Review	Public workshop targeted for September, 2009.

A-09	Once-Through Cooling (316b) Policy	Noticed for comments and public hearing on 7/9/09; public hearing on 9/16/09, comments due by 9/30/09.
A	Onsite Waste Water Treatment Regulations/Waiver	Comment period closed; reviewing comments and preparing revision based on comments. Possibly ready for further public hearings on a new proposal Winter of 2010.
A	Rapid Diagnostic Tests for Bacterial Indicators in Coastal Waters	SCCWPRP has established a sub-committee to evaluate methods readiness for usage. Sub-committee to report back in April 2010 to full commission with recommendation based on further testing.
C	Recycled Water Policy	Complete. Approved by OAL on 5/14/09. Preparing memo to Regional Boards regarding implementation.
A-10	Sanitary Sewer Overflow (SSO) WDR Update	Scheduling staff workshops for August and September, 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. Submitted to USEPA for approval.
A	Sediment Quality Objectives (SQOs) for Enclosed Bays and Estuaries: Phase II	Phase II staff draft released. Scientific Steering Committee convened in July 2009.
P	Sediment Quality Objectives (SQOs) for Enclosed Bays and Estuaries: Phase III	Pending completion of Phase II and availability of funding
A-10	Storm Water CalTrans Permit	Incorporating TMDLs. Plan workshops in November 2009.
C	Storm Water Construction Permit	Board adopted permit at its 9/2/09 Board Meeting.
A	Storm Water Industrial Permit	Evaluating status of draft permit and developing schedule of next steps.
C	Storm Water Linear Permit	Linear permit included in Construction Storm Water permit. Board adopted permit at its 9/2/09 Board Meeting.
A-09	Storm Water MS4 Effectiveness Guidance (AB 739, Laird)	Working with Storm Water Task Force to develop guidance. Task Force guidance delayed until late Fall. Targeting Public Workshops in October 2009.
P	Storm Water MS4 Phase II Permit	Delayed due to other priorities.
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	Timber Activities on National Forest System Lands	Resolution to proceed will be considered by the Board at its August 4, 2009 Board meeting.
P	Timber Activities on Non-federal Lands	Work with California Board of Forestry, Department of Forestry and Fire Protection, and Regional Water Boards. Pending the outcome of a petition.

A-10	Toxicity Control Provisions for the SIP	Preparing draft policy alternatives and environmental documents. U.S. EPA and Water Board staff completion of method review targeted for August 2009. Anticipate release of draft policy and SED for comment soon after release of review. Targeting Public Hearing in November, 2009.
A	Trash Policy	Preparing scope of work for contractor (TetraTech).
A-10	UST Cleanup Task Force	Held meeting July 8, 2008. Next meeting in early August
C	Vessel General Permit – Certification	Issued 401 certification with state conditions on December 17, 2008. Completed.
C	Vessel General Permit – Revised Certification	Revised 401 Certification in February 2009 to reflect USEPA's final permit and make clarifying edits.
A-10	Wetlands and Riparian Areas (Dredge and Fill) Policy – Phase I	Development Team (R1, R2, DWQ) drafting Phase I policy. Board presentation of proposed wetland definition targeted for October, 2009.
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. No active effort at this time.

**Status Code Key:**

White = Active effort (A)

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

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

Blue = Completed (C)

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

<b>Division of Water Rights</b>		
<b>Status Code</b>	<b>Policy/Significant General Permit</b>	<b>Status</b>
.	Delta Water Quality Control Plan Review, Update, and Implementation	CEQA Scoping meeting March 30, 2009; workshop for San Joaquin River flow and southern delta salinity on April 22, 2009.
A-09		Prepare periodic review of Bay-Delta Plan and present to State Board to consider for adoption.
A-09		Develop plan for water quantity/quality modeling, and hold public meetings to update and solicit input.
A-09		Preparing request for qualifications for preparation of CEQA documents
A-09		Complete Dr. Hoffman's crop salinity tolerance study and initiate transient-state model evaluation.
A	North Coast Instream Flow Policy	Sensitivity analysis nearing completion. Reviewing 600+ public comment letters. Preparing responses to comments. Received a proposed alternative from stakeholder representatives for the State Water Board's consideration in developing the policy. Reviewing this proposal with anticipation of having it formally peer reviewed.

**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)

<b>Office of Enforcement</b>		
<b>Status Code</b>	<b>Policy/Significant General Permit</b>	<b>Status</b>
C	Policy on Supplemental Environmental Projects	Approved by Board on February 3, 2009 – will be submitted to OAL for approval.
A-09	Enforcement Policy	Staff is preparing to circulate draft Policy in anticipation of June 4th Board Workshop.

**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)

## Division of Financial Assistance

Policy/Significant General Permit	Status
Clean Water State Revolving Fund Regulations	Under development. Process has slowed considerably to accommodate getting the Stimulus fund out to projects. Currently project 2010/2011
Orphan Site Cleanup Fund (OSCF) Proposed Rulemaking Package	Posted on UST Cleanup Fund website; 45-day comment period ended March 31, 2009. The final regulations will be considered by the Board at its July 7, 2009 meeting.
Wastewater Treatment Plant Classification, Operator Certification, and Contract Operator Registration Regulations	Regulations are drafted, but being held waiting fiscal considerations. Anticipate being released for public review in Spring 2010.

Targeted for completion in 2009

Completed Items

Suspended / No statewide effort at this time



## North Coast Regional Water Board (R1)

Status Code	Policy/Significant General Permit	Status
C	Renewal/Update Categorical Waiver for non-industrial Timber Harvest Activities	Done
C	Integrated Report	Done
C	Low Threat Discharge Amendment	Done
C	Low Threat General Permit	Done
A-09	Renewal/Update Categorical Waiver for USFS Timber Harvest Activities	Delayed new date – draft permit issued December 2009
A-09	Revised DO Objective for Klamath	Regional Board Workshop September 10, 2009
A-09	Klamath River Temp., DO, Nutrient TMDLs	Regional Board Workshop September 10, 2009
A-09	General WDR for In-Situ Treatment of Contaminated Groundwater	For adoption in December 2009
A-09	MS4 for Santa Rosa	For adoption Oct 2009
A-09	MOU with USFS for Scott Valley non timber activities	MOAs on Forest Supervisor's desk
A-09	Internal procedures to streamline clean up and closures of underground tank sites	delayed due to work on SWRCB resolution regarding tanks – New date December 2009
A-10	Editorial (Non-Regulatory) Amendment	2010
A-10	Update Groundwater Objective	2010
A10	Elk River TMDL	2010
A10	Regulatory framework for dairies	2010
A10	Siskiyou county road waiver/permit	2010
A-10	Region-wide DO objective	2010
P	Region-wide Sediment Amendment	Piloting in the Elk and Klamath TMDLs
P	Stream and Wetlands Policy	Region 2 lead
P	In-stream Flow Objective	Unscheduled, to be part of Stream and Wetlands Policy
P	Mixing Zone	Unscheduled
P	Hatcheries Amendment	Will initiate work in 2009
P	Freshwater TMDL	Under development
P	Laguna de Santa Rosa TMDL	Under development

## San Francisco Bay Regional Water Board (R2)

A-09	Basin Plan Amendment to establish a TMDL for sediment in the Napa River, including a Habitat Enhancement Plan.	Currently out for public comment, scheduled for Regional Water Board consideration at its September 2009 hearing.
A-09	Basin Plan amendment to update bacterial standards for SF Bay to make consistent with those in Ocean Plan.	Work on Staff Report, implementation plan, and amendment language underway.
A-09	Basin Plan amendment for Beneficial Use update.	Basin Plan amendment being drafted. Staff have invited public input via Lyris email notices and web site postings; communicated with resource agency employees across the region; and solicited input from each technical division in-house.
A-10	Stream and Wetland Systems Protection Policy	Basin Plan amendment and supporting Staff Report being drafted. Coordinating Regional Water Board policy with State Board Wetland and Riparian Area Protection Policy.
C	General NPDES Permit for discharge of groundwater from the cleanup of volatile organic compounds	Board adopted on August 12, 2009, permit posted at <a href="http://www.swrcb.ca.gov/sanfranciscobay/board_decisions/adopted_orders/2009/R2-2009-0059.pdf">http://www.swrcb.ca.gov/sanfranciscobay/board_decisions/adopted_orders/2009/R2-2009-0059.pdf</a>
A-09	Municipal Regional Stormwater Permit to reissue 6 MS4 Phase I permits	Plan to go to the Board in October for an adoption hearing
A-09	Multi-year stream maintenance permit to Sonoma County Water Agency	Plan to go to the Board in December; work closely with R1 staff on a similar permit to be considered in July by R1
A-10	Napa/Sonoma Grazing Waiver	Staff meeting with local agencies and other representatives, inspections & site visits. Expect Board adoption in summer 2010.
A-10	Napa/Sonoma Vineyard Waiver	Initial drafting of the waiver for internal review is in progress. Stakeholder communication plan is in development. Expect Board adoption in late 2010.

<b>Central Coast Regional Water Board (R3)</b>		
C	Timber permitting streamlining	Adopted at July 10 Regional Board meeting
A-09	On site system Basin Plan Amendment (update of 25 year old criteria) & waiver	Approved by Regional Board; Submitted to State Board
A-09 & A-10	Ag Regulation	Will recommend extension of existing Ag order at July 10 Regional Board meeting. Have on-going advisory group meetings while staff is developing update to existing order.
<b>Los Angeles Regional Water Board (R4)</b>		
A-09	General NPDES Permit for Discharges from Potable Water Distribution and Water Supply Systems to Surface Waters in Coastal Watersheds of Los Angeles and Ventura Counties.	The tentative permit was initially referred to SWRCB for consideration due to lack of Regional Board quorum. However, SWRCB has referred the tentative permit back to Regional Board and provided a guidance to eliminate distribution system discharges from the permit. The tentative permit will be revised accordingly with December 2009 target date for adoption.
C	General NPDES Permit for Discharges of Nonprocess Wastewater to Surface Waters in Coastal Watersheds of Los Angeles and Ventura Counties.	Adopted April 3, 2009. This general permit introduced new effluent limitations to regulate iron and manganese in filter backwash wastewater from water treatment facilities.
A-09	General NPDES Permit for Discharges of Low Threat Hydrostatic Test Water to Surface Waters in Coastal Watersheds of Los Angeles and Ventura Counties.	Adopted at June 4, 2009 Board meeting. This is a renewal of the waste discharge requirements. No significant new issue is included in this tentative permit

A	Los Angeles Region Conditional Waiver for Irrigated Lands (Order No. R4-2005-0080)	<p>The Los Angeles Region Conditional Waiver for Irrigated Lands (Order No. R4-2005-0080) was adopted by the Regional Board on November 3, 2005. The Conditional Waiver has a 5 year term. Growers/landowners may choose to enroll under the waiver individually or as a member of a Discharger Group. The vast majority of growers elected to enroll as a member of a group. The Regional Board has approved two Discharger Groups, the Ventura County Agricultural Irrigated Lands Group and the Nursery Growers Association - Los Angeles County Irrigated Lands Group. These groups have completed two years of water quality monitoring and are currently implementing Water Quality Management Plans, which include BMPs to mitigate discharges from agriculture lands to waters of the state. Water quality monitoring is ongoing throughout the term of this waiver. Growers and/or landowners who failed to enroll under the Conditional Waiver were sent a Notice of Violation (NOV). Many growers/landowners responded to the NOV and enrolled in the program. Recently, 5 ACLs were issued to growers/landowners for failure to enroll in the program. Staff plans to continue enforcement actions, as necessary, to ensure the integrity of the program.</p>
<b>Central Valley Regional Water Board (R5)</b>		
A	Aquifer Storage and Recovery (City of Roseville)	In discussion with City
A	Regulation of Ready-mix Concrete Waste Products	In discussion with Industry
A	Irrigated Lands Regulatory Program-Coalition Group Conditional Waiver	Coalition groups are conducting monitoring and implementing management plans for identified water quality problems. Compliance activities are ongoing for non-participants in the program.

A	Federal Land Management Agency Sites Memorandum of Understanding	Negotiating a MOU between USFS, BLM, DTSC, DFG, DOC, SWRCB, Regional Boards, that will establish principles for the parties to work cooperatively within the State to identify, prioritize, investigate and cleanup inactive and abandoned mine lands. Recently renewed
A	Conditional Waiver for Disaster-Related Wastes During a State of Emergency	R5-2008-0093 to provide a mechanism for management and disposal of disaster related wastes, in compliance with the California Water Code, that results from fires, floods, storms, earthquakes, and mass mortality of animals when a state of emergency has been declared by the Governor.
A	GENERAL ORDER for petroleum cleanup waste to land	Actively used (Order R5-2003-0044)
A	Waiver of low threat discharges to land	Actively used (Resolution R52008-0182)
A	Modify the Beneficial Uses for Freshwater Aquatic Habitat and Remove Spawning for West Squaw Creek - Amendment to the Sacramento River and San Joaquin River Basin Plan	Regional Water Board responding to EPA comments.
A	Implement Mercury and Nutrient TMDL/Control Program in Clear Lake Watershed - Sacramento River and San Joaquin River Basin Plan	Staff working with local stakeholder committee to implement control program, including implementing improved management practices, coordinating control actions and implementing grant projects. Staff has been working with Lake County to address nuisance algae blooms that have occurred this summer.
A	Implement Mercury TMDL/Control Program in Cache Creek Watershed - Sacramento River and San Joaquin River Basin Plan	Mercury hot spot surveys completed in 2009 and an abatement project has been implemented at Abbott Mine. Cleanup and Abatement orders were adopted by Regional Board in August for 2 mines in the watershed and 2 additional Cleanup and Abatement Orders will be considered by the Regional Board in October 2009.

A	Establish New Water Quality Objectives and Total Maximum Daily Loads for Salinity and Boron in the Lower San Joaquin River - Amendment to the Sacramento River and San Joaquin River Basin Plan.	Regional Board completed CEQA Scoping meeting in March 2009. The TMDL is scheduled for consideration by the Regional Board in 2011.
A	Establish Organochlorine Pesticides TMDL Control Program in Several Central Valley Waterbodies - Amendment to the Sacramento River and San Joaquin River Basin Plan.	Regional Board completed CEQA Scoping meeting in July 2009. TMDL is scheduled for Regional Board consideration in 2011.
A	CV-SALTS – Developing a Salinity and Nitrate Management Plan for all basins in the Central Valley – Basin Plan Amendment for the Sacramento River and San Joaquin River Basin Plan, Tulare Lake Basin Plan and the Delta Water Quality Control Plan.	Preparing for CEQA Scoping meeting by Fall 2009. BPA consideration by Board in 2012.
A	Evaluate Municipal and Domestic Supply Beneficial Uses for Atwater Drain - Amendment to the Sacramento River and San Joaquin River Basin Plan.	Conducting technical investigations.
A-09	Small Winery and Food Processor GENERAL ORDER or waiver	Being Drafted
A-09	Groundwater Strategy	Recently started, will include public participation
A-09	(Name of Policy, General Permit, or Waiver)	
A-09	Determine Certain Beneficial Uses are not Applicable and Establish Water Quality Objectives in Sulphur Creek - Amendment to the Sacramento River and San Joaquin River Basin Plan	At USEPA for approval
A-09	Development of the Delta Regional Monitoring Program	Staff developing short and long-term alternatives for Regional and State Board consideration by December 2009.

A-09	Non-Regulatory Amendment to the Water Quality Control Plan for the Sacramento River and San Joaquin River Basins to Correct Editing Errors and Update Language	Amendment scheduled for Regional Board consideration in August 2009.
A-09	Integrated 303(d)/305(b) Report	Integrated Report scheduled for Regional Board consideration in June 2009
A-09	General NPDES Permit for Fish and Hatcheries	In drafting stage. Scheduled for December 2009 Regional Board Meeting
A-10	Basin Plan Amendment – City of Colusa (removal of MUN from surface water body)	Actively Under Development
A-10	Sacramento Regional County Sanitation District – NPDES Permit Renewal	In progress. Controversial permit renewal. Largest, inland surface water discharger in Central Valley to Delta. Staff currently working with State and Federal agencies in reviewing facility discharge and receiving water data.
A-10	Irrigated Lands-Long Term Program Development	A stakeholder advisory group has been formed to provide input on programmatic alternatives for the Long Term Irrigated Lands Regulatory Program. Workgroup members and Regional Board staff have drafted potential ground water and surface water alternatives. A programmatic EIR should be presented to the Central Valley Water Board by December 2010
A-10	Rubicon Trail-Cleanup and Abatement Order-EI Dorado County and Eldorado National Forest	Highly controversial matter. Nationally recognized OHV trail recently situated in the EI Dorado National Forest is subject to a Cleanup and Abatement Order to establish a plan to protect water quality. The County and Forest Service required to complete Saturated Soil Water Quality Protection Plan by October 2010. USFS has petitioned State Board to remove their name from the order.
A-10	Waiver and General Order for Silviculture Activities	October-Joint Regional/State Board workshop in the planning stage for the Regional Board action, scheduled for April 2010

A-10	Waste Discharge Requirements for Westlands Water District (potentially controversial)	Waste Discharge Requirements from Irrigated Agricultural lands and associated reverse osmosis treatment units. In discussion with Westlands. Individual Order to regulate surface and groundwater discharges from irrigated ag.
A-10	General Order for Poultry Facilities (potentially NPDES in accordance with Federal CAFO regulations)	General Order (or group of orders) for poultry raising and egg laying facilities. Multiple orders may be needed to address the different types of facilities and their dischargers. Not yet started, but requested by poultry industry.
A-10	New winery waste guidelines	In discussion with Industry
A-10	Sand/gravel wash water to land GENERAL ORDER or waiver	Not yet started
A-10	External Groundwater Monitoring Workgroup	Have assembled a group of groundwater monitoring experts to provide input on how the Regional Water Board addresses complex groundwater monitoring issues.
A-10	Delta Methyl Mercury and Total Mercury TMDL Control Programs - Amendment to the Sacramento River and San Joaquin River Basin Plan	Scheduled for Regional Board consideration in Jan/Feb 2010
A-10	Establish Site-Specific Objectives for Chloroform, Chlorodibromomethane and Dichlorobromomethane for New Alamo and Ulatis Creeks and Permit Implementation Provisions - Amendment to the Sacramento River and San Joaquin River Basin Plan	To be submitted for peer review. Tentatively scheduled for Regional Board consideration in July 2010
A-10	Central Valley Pesticide TMDL Control Plan - Amendment to the Sacramento River and San Joaquin River Basin Plan	Amendment addressing chlorpyrifos and diazinon in hundreds of valley floor rivers, streams and creeks scheduled for Regional Board consideration in June 2010. Other pesticides will be considered in 2011.
A-10	Drinking Water Policy for the Central Valley	Staff working with stakeholder group on a policy for Regional Board consideration by December 2010.
A-10	Revise Selenium Control Program - Amendment to the Sacramento River and San Joaquin River Basin Plan	CEQA Scoping meetings held in 2008.



C	NPDES Low Threat General Order	Actively Used (R5-2008-0081)
C	NPDES Limited Threat General Order	Actively Used (R5-2008-0082)
C	NPDES Petroleum Clean Up General Order	Actively Used (R5-2008-0085)
C	General Order for In-Situ Groundwater Remediation at Sites with VOCs, nitrogen compounds, perchlorate, pesticides, semi-volatile compounds, hexavalent chromium and/or petroleum hydrocarbons.	General WDRs for in-situ groundwater remediation/cleanup are actively used. This permit a) applies to a wide variety of pollutants; b) simplifies the application process for dischargers; c) allows efficient use of Regional Board staff time.
C	Implementation of San Joaquin River at Vernalis Salt and Boron Control Program through MAA with Reclamation - Sacramento River and San Joaquin River Basin Plan	In December 2008, the Regional Board entered into a management agency agreement (MAA) with the US Bureau of Reclamation (Reclamation) to address salt imported via the Central Valley Project. A Draft Compliance Monitoring and Evaluation Plan (including the first quarterly report) was released in May 2009.
C	Revise Water Quality Objectives for pH and Turbidity - Amendment to the Sacramento River and San Joaquin River Basin Plan	U.S. EPA approved the standards in July 2009 and the amendment is fully effective.
P	Evaluate Municipal and Domestic Supply Beneficial Uses for Groundwater in the vicinity of the Littlejohns Fault and Establish Groundwater Protection Regulations for these Site-Specific Conditions - Amendment to the Sacramento River and San Joaquin River Basin Plan	Pending execution of a reimbursement agreement.
<b>Lahontan Valley Regional Water Board (R6)</b>		
A10	Renew Waiver of filing a report of waste discharge and obtaining waste discharge requirements for septic systems in the Lahontan Region	Scheduled for late 2010 or early 2011

A10	Renew Waiver of filing a report of waste discharge and obtaining waste discharge requirements and associated Memorandum of Understanding with the Tahoe Regional Planning Agency regarding construction and new development in the Lake Tahoe Basin	Scheduled for late 2010 or early 2011
A10	Basin Plan Amendment and TMDL adoption for Lake Tahoe Sediment and Nutrient TMDL	Scheduled for May 2010
A10	Basin Plan Amendment to provide exemption criteria to allow aquatic pesticides in the Lahontan Region for specific circumstances	Scheduled for May 2010
A10	Basin Plan Amendment to lift pier prohibition in spawning habitat and address shorezone impacts at Lake Tahoe	Amendment and environmental analyses in development. Action by Water Board anticipated in Spring 2010 pending results of two lawsuits filed against TRPA's action on shorezone development at Lake Tahoe.
A10	Basin Plan Amendment to revise waste discharge prohibitions concerning Lake Tahoe and the Truckee River hydrologic units	Scheduled for March 2010
A10	Update Lake Tahoe Basin Municipal Storm Water NPDES Permit	Scheduled for October 2010
A10	Update Lake Tahoe Basin Construction Storm Water NPDES Permit	Scheduled for October 2010
<b>Colorado River Regional Water Board (R7)</b>		
A-09	General NPDES Permit, Waste Discharge Requirements for Discharges of Extracted and Treated Groundwater Resulting from the Cleanup of Groundwater Polluted by Volatile Organic Constituents into Surface Waters within the Colorado River Basin Region	Schedule for Regional Board consideration of adoption September 2009.
A-09	General NPDES Permit, Waste Discharge Requirements for Low Threat Discharges to Surface Waters within the Colorado River Basin Region.	Schedule for Regional Board consideration of adoption September 2009.

<b>Santa Ana Regional Water Board (R8)</b>		
A-09	Task Force to Develop Monitoring Program for Emerging Contaminants	The Emerging Contaminants Task Force expects to complete proposed monitoring programs for emerging contaminants and personal care products, for surface water and groundwater wastewater discharges, as well as for imported water used in groundwater recharge projects, before the end of 2009. The proposed emerging contaminants monitoring programs would be presented for consideration by the Regional Board.
C	Orange County MS4 Municipal Storm Water Permit Reissuance	Adopted by Regional Board on May 22, 2009.
A-09	Riverside County MS4 Municipal Storm Water Permit Reissuance	Anticipated adoption date is December 10, 2009.
A-09	Riverside County MS4 Municipal Storm Water Permit Reissuance	Anticipated adoption date is December 10, 2009.
A-09	Basin Plan Amendment to adopt TMDLs and establish Site-Specific Objectives for selenium in San Diego Creek, Big Canyon Creek, and Upper Newport Bay that includes compliance requirements for the Newport Bay watershed permits.	To be submitted for peer review and public review Sept. 2009. Currently planned for Regional Board consideration of adoption December 2009.
A-10	Conditional waiver for agricultural waste discharges (CWAD) program in the San Jacinto River Watershed	Hearings and Regional Board consideration expected in first half of 2010.
<b>San Diego Regional Water Board (R9)</b>		
A	Tijuana River Valley Recovery Team--Trash and Sediment Project	The Recovery team, consisting of local, state, and Federal agencies, are coordinating, directing, and overseeing efforts to identify and remove trash and sediment in the valley. The team's efforts also include prevention of sediment and trash into the valley and the long-term restoration of the river/lagoon/watershed system.

A-10	Hydrostatic Testing and Potable Water Discharge General Permit—NPDES Permit Reissuance	Was tentatively scheduled for the Regional Board consideration and approval on August 8, 2009. Regional Board postponed action for 90 days at the request of the dischargers. Targeted for permit reissuance early 2010.
A-10	General De Minimis Discharges NPDES Permit	Was tentatively scheduled for the Regional Board consideration and approval on Aug. 8, 2009. Regional Board postponed action for 90 days at the request of the dischargers. Targeted for permit reissuance early 2010.
A-10	Ocean Discharge Receiving Water Monitoring Program Updates—Revisions to NPDES monitoring programs of POTW discharges to the Pacific Ocean	To be considered by the Regional Board in early 2010.
C	City of San Diego Point. Loma Ocean Outfall NPDES Permit Reissuance	Regional Board adopted this reissuance on June 10, 2009. This permit provides for a waiver of federal secondary treatment standards as recommended by the USEPA. Recent denial of the waiver by the California Coastal Commission may require additional review and revision by Regional Board in 2010.
A-10	US Navy Yards—San Diego Bay NPDES Permit Reissuance—Point Loma and Naval Base/San Diego	Regional Board deferred adoption of the NPDES permit reissuance for Navy Base San Diego for 90 days at the Aug. 8, 2009 meeting. Adoption of the Point Loma NPDES Permit reissuance is delayed indefinitely pending the outcome of the petition for review for Naval Station Coronado and the permit reissuance for Naval Base San Diego.
C	US Navy Yards – San Diego Bay NPDES Permit Reissuance - Coronado	Regional Board adopted the permit reissuance for Coronado on June 10, 2009. The Regional Board's action was petitioned to State Board in July 2009.
C	BAE Shipyards NPDES Permit Re-issuance	Regional Board adopted the NPDES permit for BAE Shipyards on June 10, 2009.
C	NASSCO Shipyards NPDES Permit Re-issuance	Regional Board adopted the NPDES permit for NAASCO Shipyards on August 8, 2009.

A-10	San Diego Bay Shipyards Toxic Bay Sediment Clean Up Order	The Regional Board issued a revised draft Clean Up and Abatement Order and Technical Report in April 2008. The Regional Board and Responsible Parties have been engaged in confidential settlement mediation since June 2008. A Clean Up and Abatement Order revised per a settlement with one or more Responsible Parties will be considered by the Regional Board in March 2010.
A-09	2008 Fed. CWA Section 303 (d) Listing of Water Quality Segments	Hearing scheduled for the 303(d) List and 305(b) Integrated Report on October 7, 2009. Adoption of Integrated Report anticipated in late 2009
A-09	2008 Basin Plan Triennial Review	Tentatively scheduled for approval by the Regional Board on December 9, 2009
A-10	Gregory Canyon Landfill—Waste Discharge Requirements	Hearing and adoption date have been suspended because CEQA has not yet been satisfied for the project.
A-09	Orange County MS4 Municipal Stormwater Permit Reissuance	Initial hearing held on July 1, 2009. The sixth draft of the Tentative Order was released for public comment in August 12, 2009. Adoption of the NPDES Permit is anticipated on November 10, 2009.
A-10	Riverside County MS4 Municipal Stormwater Permit Reissuance	Initial Hearing and adoption scheduled for the first half of 2010.
A-09	Carlsbad Energy Center Power Plant in Carlsbad—New NPDES Permit	New power plant facility utilizing dry cooling technology. Scheduled adoption late 2009
A-09	Total Max. Daily Load (TMDL) Bacti Beaches and Creeks and Tecolote Creek Bacteriological Indicators.	Hearing on Basin Plan Amendment scheduled for November 10, 2009; adoption planned by December 9, 2009.
A	Agricultural Waiver of Waste Discharge Requirements—Conditional Waiver No. 4 Discharges from Agricultural and Nursery Operations	In May 2009 notification by mail to all agricultural and nursery operators of the need to conduct monitoring of water quality. The notification explains the option for the operators to join a monitoring group.
A	Lake San Marcos--Water Quality Improvement Project	Review proposal to improve water quality of the lake. Performed reservoir and stream monitoring of Lake San Marcos and San Marcos Creek in May 2009.

A	Hydromodification Policy	Staff working on a policy that will be an outgrowth of the hydromodification plan requirement in the tentative MS4 Permit for Orange County scheduled for adoption in either November 10, 2009.
A-09	Dynegy Power Plant in So. San Diego Bay— NPDES Permit Reissuance	Adoption of the permit reissuance not yet scheduled. A status report will be considered by the Regional Board on this NPDES Permit at its September 9, 2009 meeting.

**Status Code Key:**

White = Active effort (A)

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

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

Blue = Completed (C)

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

## Appendix 2

### IRRIGATED LANDS REGULATORY PROGRAM MONTHLY REPORT September 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 August 13, 2009 Executive Officer's report. 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 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	<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

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

On 19 May, staff conducted an advisory workgroup meeting to discuss proposed long-term irrigated lands program alternatives. The workgroup is composed of over 40 participants representing federal, State, and local government agencies; agricultural, environmental and environmental justice groups. The alternatives were developed by staff and various workgroup participants. The workgroup recognized that some of the alternatives were viable components of a programmatic alternative, but did not represent a complete alternative. The workgroup instructed staff to develop complete program alternatives and work with those participants who had made proposals to ensure their concepts were incorporated.

Following the workgroup direction, staff developed five programmatic alternatives based on the staff and workgroup participant proposals. In late June and early July, staff met separately with each of the agricultural water quality coalition and environmental justice representatives who had made proposals to discuss how their concepts were incorporated into a programmatic alternative. These stakeholders generally agreed with the approach taken by staff and provided further recommendations for refinement.

The proposed alternatives will be circulated to the whole workgroup during the first week of August. The goal of the August 20, 2009 workgroup meeting will be to get workgroup consensus that the proposed alternatives should be considered in the EIR analysis that

will be conducted. Central Valley Water Board staff then intends to discuss the programmatic alternatives as part of an information item at the October Board meeting.

On 28 May, staff met with the Glenn and Butte County Agricultural Commissioners to discuss potential commissioner roles in the long-term program. On 4 June, staff met with the National Resource Conservation Service and the California Association of Resource Conservation Districts to discuss potential ways of coordinating the long-term program with conservation service programs aimed at providing support for agriculture.

### **Postcards**

In May and June 2009, Central Valley Water Board staff issued a total of 343 outreach postcards to potential owners of irrigated lands in the East San Joaquin, Sacramento Valley, and San Joaquin County & Delta Water Quality Coalition areas. The postcard recipients were identified using county tax assessor rolls and a federal agricultural land use database. The postcards advise owners of irrigated lands to gain the proper regulatory coverage.

On 18 June, Central Valley Water Board staff issued 23 outreach postcards to owners or operators of irrigated agricultural land near Byrd Slough on the Kings River. The postcards provide owners or operators who do not have regulatory coverage with an opportunity to submit an application for Water Board approval to join a coalition group.

### **Enforcement**

#### **California Water Code section 13267 Orders**

In May and June 2009, the Executive Officer issued a total of 198 CWC §13267 Orders to potential owners of irrigated lands in the East San Joaquin, Sacramento Valley, and San Joaquin County & Delta Water Quality Coalition areas. Most of the recipients of these Orders first received an outreach postcard. Those who received a postcard and did not respond subsequently received 13267 Orders.

On 15 June, the Executive Officer issued 43 Notices of Violation (NOVs) to landowners and operators in Alameda, Contra Costa, Sacramento, San Joaquin, Solano, Stanislaus and Yolo Counties for failure to respond to a CWC §13267 Order. The 13267 Orders required landowners to fill out a one-page form briefly describing why their parcel was not enrolled in the ILRP.

### **Laboratory Audit**

Central Valley Water Board staff worked with U.S. EPA Region 9 staff to complete an audit of a laboratory conducting work for coalition groups, as well as a review of the ILRP requirements for toxicity testing. The findings of the audit were quite favorable and provided staff with confidence that high quality data is being produced for the ILRP. The laboratory provided responses to U.S. EPA's Laboratory Audit Report on 26 June. Some of U.S. EPA's findings were programmatic in nature and may require modifications to the Monitoring and Reporting Program Order. Staff sent the coalitions the U.S. EPA programmatic findings on 16 July 2009 and will discuss the issues identified by U.S. EPA at the next TIC meeting in September.

### **Technical Issues Committee (TIC)**

On 9 June, the TIC met to provide a status of the Management Plan Focus Group progress. Central Valley Water Board staff provided an update on diuron criteria development, and responded to some of the TIC members' questions and concerns



regarding the development of a pesticide Basin Plan Amendment. Staff provided a status of the work done by the Laboratory Round Table Focus Group on the standardization of algae toxicity methods. Other items discussed at the meeting included sample collection for low-flow or no-flow conditions and field quality control requirements. Central Valley Water Board staff is following up on these items with the appropriate guidance and clarifications. A variety of interested parties attended the TIC meeting, including coalition and irrigation district representatives, the Department of Pesticide Regulation, commercial analytical laboratories, private consultants, universities, and Board Chair Longley. The next TIC meeting is scheduled for September.

### **Management Plan Focus Group**

The Management Plan Focus Group chose diuron as the trigger limit to evaluate first; the September meeting will include an analysis of diuron references and proposed potential trigger values. This selected pesticide was based on the analysis of the coalitions' exceedance summary information. Coalitions will also provide a status of management plan implementation and challenges being faced at the September meeting.

### **Coalition Groups**

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

On 29 May, Central Valley Water Board staff and the CRC participated in a conference call to discuss monitoring of propanil as part of the CRC's program. Propanil monitoring is required at core sites by the Algae Toxicity Management Plan, but not under the MRP. After discussion, the CRC decided to monitor in June and July for propanil at assessment sites as well as the core sites. The monitoring is being conducted to assess propanil levels and determine whether a correlation exists in concentration levels between the upstream (assessment) and downstream (core) sites.

On 3 June, Central Valley Water Board staff attended a CRC rice tour that visited CRC monitoring sites and two rice growers. The tour included information on growing rice, pesticide application, and different planting methods.

On 4 June, the CRC held a workshop on rice pesticides and management practices at the Central Valley Water Board office. Members of the Management Practices Focus Group and Central Valley Water Board staff were invited to listen to presentations from DPR and DF&G staff.

On 5 June, the Executive Officer approved modifications to CRC's MRP Order R5-2009-0809 that would allow the use of alternative analytical methods for a number of herbicides. Quality control data to support the alternative methods have been received and meet criteria specified by the U.S. EPA. The complete validation packages for the two methods were submitted on 1 July and are being reviewed by the Central Valley Water Board's QA Officer.

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

On 5 June, the ESJWQC submitted a request to extend the completion dates for key tasks in its management plan.

On 16 June, Central Valley Water Board staff met via conference call with ESJWQC representatives to discuss the ESJWQC's request and plans to meet their commitment

to contact all targeted growers in the priority watersheds. The ESJWQC believes the most effective means of ensuring growers implement practices to protect water quality is to meet with growers individually; however, that process has proven more time consuming than initially estimated. Staff expressed concern that the growers would not be contacted before they begin applying pesticides this irrigation season. The ESJWQC described the steps they have taken to inform their growers of chlorpyrifos water quality issues and the ESJWQC and Water Board staff agreed on additional steps that would be taken to contact growers and ensure that necessary practices are in place this year.

On 5 July, Water Board staff provided a response to the ESJWQC's request. The staff response approved the steps proposed by the ESJWQC during the 16 June teleconference, and provided a date of 15 July for expected completion of the individual contact strategy for management plan implementation.

On 10 July, the ESJWQC provided an update on the status of the individual contact strategy for the three high priority areas. The ESJWQC also provided the names of two growers that did not respond to the Coalition's second mailing to encourage growers to schedule an appointment for the individual contact interview. The Executive Officer will require the necessary information from these two growers via 13267 Order.

On 4 August, Water Board staff is meeting with the ESJWQC as part of the quarterly management plan meetings scheduled at the beginning of the year. The purpose of the meeting is for the Coalition to provide a status report on the performance goals and measures outlined in the approved management plan.

#### **Goose Lake Coalition**

On 23 June, Central Valley Water Board staff met with the Goose Lake Coalition Board to discuss monitoring results from the 2009 irrigation season. Other items that were discussed relevant to the ILRP included: federal dollars for development of conservation planning on individual ranches and farms; development of a set of coalition-specific best management practices and the scheduling of outreach/education activities to distribute this information; first rainfall sampling events; and potential dates for future coalition member meetings.

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

On 18 May, staff participated in an El Dorado Subwatershed field tour provided for Central Valley Water Board and NCWA staff. The tour group included representatives and members of the El Dorado County Agricultural Water Quality Management Corporation. El Dorado Subwatershed President provided an overview of their administrative structure and committee organization. El Dorado Agricultural Commissioner described agricultural crops and operations. El Dorado Irrigation District discussed water supply, irrigation practices, and his work as Irrigation Management Service Coordinator for EID. El Dorado RCD described watershed characteristics and the selection of monitoring sites. TAC described their toxicity source evaluation and the County's requirements for agricultural grading permits. Farm Bureau provided an overview of the Sub-watershed Group's history, education and outreach program. Member and Treasurer discussed membership, acres enrolled, costs, and concerns with declining membership. Participants were then provided a field tour of the major agricultural districts and operations, monitoring stations, and on-farm visits to observe practices first-hand. Doug Leisz (Vice President) summarized the group's issues and concerns at the end of the day.

On 27 May, staff held the first in a series of meetings with SVWQC representatives to discuss development of a Coalition-specific MRP Order, including timeline, contents, and requirements.

On 28 May, staff participated in a Lake County Sub-watershed field tour provided for Water Board and NCWA staff. The tour group also included supervisors from Lake County District 2 and District 3, Lake County Water Resources Division, Lake County Health Department, Lake County Agricultural Commissioner, and Lake County Farm Bureau. Group Coordinator provided an overview of agricultural operations, commodities and acreage, irrigation practices, and membership and enrollment. Additionally, he described monitoring site selection, monitoring parameters, and monitoring results. During the field tour the participants observed agriculture in drainages throughout the watershed area and visited monitoring sites.

On 29 May, the SVWQC submitted a Draft Management Plan Addendum, which describes how the Coalition's program addresses TMDLs in the Sacramento River Watershed. On 10 June, staff held a meeting with the Coalition to provide comments on the Addendum. The submittal deadline for the Management Plan Addendum is 15 July.

On 10 June, staff held the second meeting with the SVWQC to discuss development of the MRP Order, including a potential Pilot Watershed Management Practices Plan and selection of monitoring parameters.

On 11 June, staff participated in an Upper Feather River Subwatershed field tour provided for Water Board and NCWA staff. The tour group included the subwatershed coordinator. Grower members provided visits to their ranch and farm operations and described irrigation methods, agricultural operations and management practices. Participants observed monitoring site locations, water diversion and control structures, and NRCS projects. Several representatives from agencies providing technical and monetary support to the UFRW group were present (i.e. NRCS, CRM, Feather River Watershed Authority, Plumas County Flood Control & Water Conservation, and Sierra County Watershed Council).

On 15 June, staff participated in a Shasta-Tehama Subwatershed field tour provided for Water Board and NCWA staff. The tour group included the subwatershed coordinator, UC Cooperative Extension, Group leader, and Tehama Agricultural Commissioners Office. Coalition representatives provided an overview of agricultural operations, management practices, and crop types and distribution. They also provided a description of monitoring sites selection and RCD/NRCS projects that benefit water quality. Participants observed the subwatershed's monitoring sites during the field tour.

On 26 June, staff held the third meeting with the SVWQC to discuss development of the MRP Order, including monitoring parameters and the potential Pilot Watershed Management Practices Plan. A full draft of the Order (not including attachments) was provided by Central Valley Water Board staff. On 26 June, staff held a quarterly management plan meeting with the SVWQC to discuss Management Plan progress. Upcoming deadlines and deliverables were discussed. The Coalition provided an overview of the status of their current tasks, including legacy pesticide sampling, pesticide source identification, and toxicity source evaluation. Three years of pesticide use data has been compiled. The SVWQC is developing a management practices

survey template that can be adapted to each subwatershed group and submitted electronically.

On 1 July, staff participated in the SVWQC quarterly coalition group meeting. An update was provided on the Long-term Irrigated Lands Regulatory Program. Many questions were answered about the process, schedule and alternatives in the EIR and program development. Staff provided an update on preparation of the SVWQC-specific MRP Order, including the objectives, timeline, process, and key differences from the current Order. The meeting agenda also included discussion of management plan requirements, BMP surveys, monitoring results and participant list updates.

On 2 July, staff participated in a Napa County Subwatershed field tour provided for Water Board and NCWA staff. The tour group included the subwatershed coordinator, Napa County Supervisor, NRCS representative, Napa RCD biologist, and Agricultural Commissioner. Grower members hosted visits at their vineyards and described management practices, irrigation methods, and erosion control projects. Participants also observed the Pope Valley monitoring site.

On July 8, staff attended the Shasta-Tehama Subwatershed Coalition board meeting in Red Bluff. The June 15 watershed tour, participant list progress, and alternatives for the long-term ILRP were discussed. There were questions regarding the process to identify non-participants by Central Valley Water Board staff. Additionally, there is concern among the Shasta-Tehama Subwatershed board that a grower survey being developed by NCWA staff will be used by the Central Valley Water Board for enforcement purposes.

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

On 20 May, Central Valley Water Board staff held the second quarterly meeting with the SJCDWQC to discuss the Coalition's management plan and its 1 April management plan update. Staff presented some of its Management Plan Update Report review findings and will formally present them at a later date.

On 10 June, staff held a teleconference with Coalition representatives to discuss the impact of any Notices of Violation issued to the Coalition.

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

Central Valley Water Board staff continues to meet with representatives of the SSJWQC to address concerns regarding the Coalition's MRP Plan.

#### **Westlands Stormwater Coalition**

On 26 March, the Executive Officer conditionally approved the Westlands Stormwater Coalition MRP Plan, pending minor revisions and approval of the QAPP. On 4 June, Westlands submitted a revised MRP Plan addressing the requested revisions. The revised MRP Plan and QAPP are currently under staff review.

On 24 June, Pleasant Valley Water District submitted a letter stating that the Westlands Board of Directors is scheduled to meet on 21 July for final review and approval of a Memorandum of Agreement, which would allow owners or operators of irrigated agricultural lands within Pleasant Valley Water District to enroll in Westlands Stormwater Coalition.

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

On 29 June, staff met with WSJRW representatives in Patterson to discuss Monitoring and Reporting Program progress and implementation. After the meeting, staff toured a portion of the Coalition area and observed grower practices to improve water quality.

On 7 July, Staff attended the Open Session of the monthly WSJRW Steering Committee meeting at the San Luis Delta Mendota Canal Water District offices in Los Banos. A summary of water quality from January to July 2009 of Coalition sites was presented.

### **Data Management**

Staff continues to work closely with the Surface Water Ambient Monitoring Program (SWAMP) in synch with the SWAMP work plan as it relates to the Region 5 SWAMP/CEDEN Data Node. Portions of the SWAMP workplan include the limited continued support and tool development for ILRP SWAMP comparability. An ILRP specific web-based SWAMP format checking tool is currently in development and slated to be ready for use near the end of this summer. This tool will streamline data transfer from coalitions to Central Valley Water Board staff as well as provide feedback on the format and business rules of SWAMP compatibility for electronic data submittals. Both programs are reaching out to the Water Board Training Academy to potentially aid in the training of coalition groups for use of this tool once it is made available.

Staff will continue to work closely and coordinate efforts with the Region 5 SWAMP/CEDEN Node staff to ensure the future successful and timely upload and transfer of ILRP data to CEDEN.

The ILRP Participant Monitoring Data web site currently has data available up to 2007 for the large coalitions and up to 2008 for all Irrigation Districts and the CRC. The next major update is planned to occur in August and will add 2008 data for the large coalitions and data from the Irrigation Districts that submitted reports in March 2009. The posting of remaining Irrigation District reports will follow as soon as possible.

The schedule for the release of the Proposition 50 funds targeted for the SWAMP QA team remains unclear at this time. The intent of these funds was for the SWAMP QA team to meet with coalitions and assist with laboratory contracts and data quality assurance measures. The Southern San Joaquin Valley Water Quality Coalition made a request for this assistance and a tentative meeting was scheduled for 29 January 2009 and subsequently postponed when those funds were frozen by the Department of Finance. This meeting will be rescheduled as soon as those funds are made available.

### **Individual Dischargers**

Turlock Irrigation District (Turlock ID)

On 29 May, staff received the Turlock ID Management Plan. Staff will be reviewing and preparing a response letter.

Staff is reviewing and preparing comments to the 26 February Modesto ID Annual Monitoring Report.

### **Modesto Irrigation District (Modesto ID)**

On 26 May, Central Valley Water Board staff met with Mike Niemi from Modesto ID to discuss the status of Modesto ID Management Plan implementation. Modesto ID has

implemented all management practices proposed in the Management Plan by the proposed time frames. Staff will follow up with Modesto ID on some guidance for the next steps on Management Plan implementation.

Staff is reviewing and preparing comments to the 23 February and 17 April Modesto ID Annual irrigation and storm season monitoring reports.

**Merced Irrigation District (Merced ID)**

Staff is reviewing and preparing comments to the 26 February Merced ID Annual Monitoring Report. Staff will be reviewing and preparing a response letter.

**South San Joaquin Irrigation District**

Staff is reviewing and preparing comments to the 27 February South San Joaquin Irrigation District 2008 Annual Monitoring Report.

**Oakdale Irrigation District**

Staff is continuing review of the 27 February Oakdale Irrigation District 2008 Annual Monitoring Report.

**Grant Management**

**San Joaquin County Resource Conservation District Prop 50 Grant**

On 17 June, the State Water Resources Control Board directed staff to mail the San Joaquin County Resource Conservation District Prop 50 Grant, Measuring the Effectiveness of Management Practices, to its office for grant management. This transfer was due to staffing changes and loss of funding to support Central Valley Water Board oversight. The grant continues to be suspended.

**Proposition 84**

Funding is still suspended.

**MOU Pilot Program**

The extension and amendment for the MOU contracts are awaiting approval by the Butte and Glenn County Agricultural Commissioners. The changes will extend the contract to 30 June 2010.

**APPENDIX 3**

**Current Board Member Directives Checklist as of 9/10/2009**

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 9/10/2009**

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.	Completed.
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.
2/17/2009	DWQ	All	Blue Green Algae	Apr-09	Report back to the Board on Blue Green Algae work being conducted on the Klamath.	
2/17/2009	DWQ	All	LID	Jul-09	Staff will follow up with the Coastal Commission and DWR IRWM on outreach for LID education for the Municipalities and report back in a future ED report.	
2/17/2009	Darrin Polhemus	Charles Hoppin	Monitoring	Jan-10	Report back from time to time in the ED report on work with the shipping industry regarding monitoring requirements.	