

**State Water Resources Control Board
March 15, 2011 Board Meeting
Item 11 - Executive Director's Report**

DIVISION OF FINANCIAL ASSISTANCE

Sustainable Infrastructure Resource Fair: On February 7, 2011, Division staff participated in the Multi-Agency Sustainable Infrastructure Resource Forum for California Tribes and Tribal Organizations in Coarsegold, California. The Resource Fair provided California Tribes and Tribal Organizations with an opportunity to learn about funding and other assistance available for tribal sustainable infrastructure projects. More than ten agencies and nonprofit organizations provided presentations and met with tribes to share information on their respective resources. Division staff presented information on the Clean Water State Revolving Fund (CWSRF) Program, and showcased several sustainable projects funded through the CWSRF Program's American Recovery and Reinvestment Act of 2009 (ARRA) allotment.

Small Community Wastewater Grant (SCWG) Program:

The Tomales Village Community Services District "Small Plant of the Year": The Tomales Village Community Services District has received the "Small Plant of the Year" award for 2010 from the California Water Environment Association's Redwood Empire Section. The award came after the Tomales Village Community Services District spent \$1.2 million to upgrade its equipment and treatment process, and to add solar panels to provide 95 percent of the district's energy. The upgrades were funded with the assistance of the State Water Resources Control Board's *Small Community Wastewater Grant (SCWG) Program* in addition to federal grants, low-interest state loans, clean renewable energy bonds, and its own capital reserves. The SCWG Program provides funding to rural towns and communities throughout the state of California that would otherwise be unable to fund infrastructure and water treatment improvements. Tomales Village CSD was provided with a total of \$586,658 in SCWG Program funding for design, planning, and construction.

Tomales Village is one of Northern California's hidden treasures providing a small glimpse into rural life from years past, and now holds the proud distinction of being the "Small Treatment Plant of the Year."

Clean Water State Revolving Fund (CWSRF):

The Alta Vista Park Diversion and Re-Use Project: A ribbon cutting ceremony was held at Alta Vista Park in the City of Redondo Beach Tuesday, February 1st. Esteban Almanza, Deputy Director of the Division of Financial Assistance was among the state and regional dignitaries who took part in the ribbon cutting event.

The City of Redondo Beach requested and was awarded \$2,200,000 from the American Recovery and Reinvestment Act of 2009 (ARRA) principal forgiveness funds through the CWSRF Program for the Project. The Project, similar to one recently completed by the City of Hermosa Beach, will divert, treat, and reuse runoff from a 101-acre watershed that discharges into biologically-sensitive Santa Monica Bay, just south of the Redondo Beach Pier.

The Project is one of the implementation measures proposed in the Implementation Plan

developed for the Santa Monica Bay Beaches Bacteria TMDL. Project specific components include construction of diversion, treatment, storage, and pumping facilities to divert urban and stormwater runoff, and water re-use to supplement the irrigation of landscape throughout the Park;

U.S. EPA Energy Audit of CWSRF ARRA Project: On February 28, 2011, Division staff participated in an energy audit of the Piru wastewater treatment plant (WWTP), which is owned and operated by the Ventura County Waterworks District No. 16 (District) and serves the small disadvantaged community of Piru. The energy audit was conducted by TetraTech, under a contract funded by the United States Environmental Protection Agency (U.S. EPA). The District recently completed a WWTP upgrade and expansion project funded through the Clean Water State Revolving Fund (CWSRF) Program with American Recovery and Reinvestment Act of 2009 (ARRA) funds.

The purpose of the energy audit is to identify key points of energy loss or inefficiencies in the treatment process by talking with the WWTP operator, evaluating the District's current energy bill, and reviewing the supervisory control and data acquisition (SCADA) system operating data. The auditors plan to calculate an energy balance for the Piru WWTP and determine energy conservation measures the District may be able to implement, considering both the operating costs and benefits.

Program Activity:

California State Revolving Fund:

Monthly activity for the State Revolving Fund included:

- 3 Contracts executed totaling \$25.6 million
- 44 project disbursements totaling \$20.8 million
- 33 loan payments totaling \$26.3 million
- 71 percent of our \$269 ARRA project funding has been disbursed.

Cleanup and Abatement Account:

- 24 disbursements were made totaling \$639,180
- A request to support the Pinto Lake project was approved in the amount of \$100,000. This project will implement and test four treatment technologies which may either prevent/abate toxigenic cyanobacterial bloom formation or treat toxins released during bloom events which have contributed to noticeable declines in lake water quality.

Site Cleanup Program:

- A total of \$923,580 was collected during the month.

Underground Storage Tank Cleanup Fund (USTCF): The Fund continues to review and process reimbursement requests within the 60 day timeframe and issue payments as revenue is received. The USTCF reimbursed claimants using \$63 million in revenue received through January 2011.

- 682 reimbursement requests were paid to all Priority Classes for a total of \$31.2 million.
- 52 claims were closed - 42 claims received site closure and 10 claims reached the \$1.5 million maximum reimbursement amount.
- 494 new reimbursement requests were received for a total of \$22.3 million.

American Recovery and Reinvestment Act (ARRA), Leaking UST Trust Fund (LUST):

The U.S. EPA ARRA LUST Grant totals \$15,577,000: \$6.3 million for contracts and \$9.2 million

for personnel services and SWCAP (Statewide Cost Allocation Plan). Total draw down on the ARRA LUST Grant through January is \$8,055,736.96. This includes \$1,696,990.16 in contracts and \$6,358,746.80 in personnel costs. DFA expects to expend the full grant amount by July 2011.

Funding Approvals:

The Deputy Director of the Division approved the following Preliminary Loan/Grant Commitments from January 1, 2011 to March 1, 2011:

Earlimart Public Utility District:

Phase 1 Sutter Street Sanitary Sewer Lift Station Modification: The community of Earlimart is located between Fresno and Bakersfield in southern Tulare County. Through the Clean Water State Revolving Fund, Earlimart received \$626,000 to upgrade and replace the existing duplex sanitary sewer *lift station* with a modified duplex lift. *Lift Stations* are designed to handle sewage that is fed from underground gravity pipelines into storage units called wet wells. A pumping process is then begun to lift the sewage upward until the waste material reaches its final point of destination; the wastewater treatment plant. The existing Sutter Street duplex sanitary sewer lift station was installed in the late 1970s, and this new Project will increase the lift station's capacity, automatically notify District staff of high water levels or power outages, and will include a debris catch system upstream of the pump wet well.

As with all CWSRF-funded projects, the Sutter Street Lift Modification will provide the community of Earlimart with better and safer water quality, upgraded infrastructure, including reduced maintenance to the aging sanitary system, and will create jobs in a region of California especially hard hit during this economic downturn.

Beaumont-Cherry Valley Water District:

Recycled Water Supply Pipeline and Pump Station Plan of Study: In Southern California, the Beaumont -Cherry Valley Water District is studying the expansion of its supply of recycled water to meet the demand of a growing Inland Empire. The Division of Financial Assistance has approved a \$174,000 study to link the Yucaipa Valley Water District to Beaumont-Cherry Valley's existing 30-mile pipeline system. This cooperative, interagency agreement would look at the expansion of the Henry Wochholz Water Reclamation Plant into the reach of Beaumont-Cherry Valley. It is then anticipated that the Yucaipa Valley Water District would seek CWSRF funding for the new five-mile Yucaipa-Beaumont connection pipeline project.

The joint Yucaipa-Beaumont Project represents the future needs of an expanding California. The State Water Board, Division of Financial Assistance has available many loans and grant programs such as the Clean Water State Revolving Fund and the Water Recycling Funding Program. The Division's knowledgeable and professional staff of California's finest Engineers, Environmental Scientists and Geologists continues working with local water agencies to implement practical financing solutions to effectively keep this state supplied with a clean and reliable water supply.

Russian River County Sanitation District:

Russian River Disinfection Upgrade Project: The Russian River watershed will soon benefit from a purely physical, chemical-free wastewater disinfection process thanks, in part, to the Division of Financial Assistance and the Clean Water State Revolving Fund. The Russian River County Sanitation District was awarded \$4.2 million in funding to add ultraviolet radiation technology to its tertiary treatment process to be built at the existing WWTP near the town of Guerneville.

The UV treatment process is a proven method of effectively removing bacteria by initiating a photochemical reaction with low-pressure mercury vapor lamps which destroys the genetic information within the DNA, rendering the germs harmless, including the notoriously resistant [*Cryptosporidia*](#). In addition to the UV treatment, a pre-filtering (coagulation and flocculation) facility will be built upstream from the UV system.

DIVISION OF WATER QUALITY

Aquatic Pesticide General Permit – Aquatic Animal Invasive Species: On March 1, 2011, the State Water Board adopted the Aquatic Animal Invasive Species General National Pollutant Discharge Elimination System (NPDES) permit. The permit will allow enrollees such as water districts to be in compliance with the Clean Water Act when they use pesticides to control invasive aquatic animals. The three permits contain receiving water limitations and triggers to ensure that the beneficial uses of the State's receiving waters are protected. In lieu of toxicity testing requirements in the permit, the State Water Board will contract for a toxicity study related to the application of pesticides that can inform whether there is a need to add such testing to the permit in the future.

Spray Applications Permit (CDFA and USFS Eradication Programs): On March 1, 2011, the State Water Board adopted the Spray Applications General NPDES permit. This permit will allow CDFA to be in compliance with the Clean Water Act when it uses pesticides to control agricultural pests. This permit will also allow the U.S. Forest Service to be in compliance with the Clean Water Act when it applies biological controls to control forestry pests. The three permits contain receiving water limitations and triggers to ensure that the beneficial uses of the State's receiving waters are protected. In lieu of toxicity testing requirements in the permit, the State Water Board will contract for a toxicity study related to the application of pesticides that can inform whether there is a need to add such testing to the permit in the future.

Aquatic Pesticide General Permit – Vector Control (Adulticide/Larvacide):

On March 1, 2011, the State Water Board adopted the Vector Control General NPDES permit. The permit will allow for enrollees such as mosquito abatement districts to be in compliance with the Clean Water Act when they apply pesticides to control the adult and larval stages of mosquitoes. The three permits contain receiving water limitations and triggers to ensure that the beneficial uses of the State's receiving waters are protected. In lieu of toxicity testing requirements in the permit, the State Water Board will contract for a toxicity study related to the application of pesticides that can inform whether there is a need to add such testing to the permit in the future.

Areas of Special Biological Significance (ASBS) - Hopkins Marine Station and Monterey Bay Aquarium: On January 20, staff released Notices for the proposed Ocean Plan exceptions for the Hopkins Marine Station and the Monterey Bay Aquarium. Public hearings are scheduled for Wednesday, April 20, 2011. Written comments are due by 12:00 noon on March 14, 2011.

Areas of Special Biological Significance (ASBS): Special Protections: On January 20, staff released a Notice regarding for the proposed Ocean Plan Special Protections. The public hearing is scheduled for Wednesday, April 20. Written comments are due by 12:00 noon on March 14, 2011.

Groundwater Ambient Monitoring and Assessment (GAMA): GAMA's Domestic Well Project has received over 50 respondents for its Monterey County project. Sampling is anticipated to begin in spring 2011.

The USGS completed its 35th and final Priority Basin Project study unit, completing the first "10 year cycle" in less than eight. Over 2500 wells have been sampled statewide. The USGS will continue to sample a subset of Priority Basin Project wells on a three-year cycle to evaluate trends in water quality. Priority Basin Plan data continue to be reported to GeoTracker GAMA, and reports about the testing that has been completed continue to be published.

Once Through Cooling Policy: On February 7, 2011, staff conducted a meeting with entities affected by the Once through Cooling Policy. The purpose of the meeting was to discuss the implementation plans that the power plant utilizing once through cooling are required to submit to the State Water Board. The plans will detail how the power plants intend to comply with the requirements of the policy and include a time schedule for compliance.

Sediment Quality Objectives: On January 28, 2011, staff released a Public Notice of proposed amendments to the Sediment Quality Objectives. The proposed amendments to the Sediment Quality Objectives focus on protecting resident finfish and wildlife. The proposed amendments are the subject of the Public Hearing on April 4, 2011 and the subsequent Board Meeting on April 6, 2011. Comments on the proposed amendments are due at 12:00 noon on March 15, 2011.

Storm Water Caltrans Permit: The statewide NPDES permit for discharges by the California Department of Transportation of storm water from municipal separate storm sewer systems (MS4s) is targeted for reissuance. This permit is commonly referred to as the Caltrans Permit. The current Caltrans Permit (State Water Board Order No. 99-06-DWQ) was issued on July 15, 1999. The current permit regulates all storm water discharges from Caltrans-owned MS4s, maintenance facilities and construction activities. The revisions to the Caltrans permit are expected to follow many of the approaches in the Storm Water Construction General Permit State Water Board Order No. 2009-0009-DWQ). A draft for public review was released on January 7, 2011. Comments are due at 12:00 noon on Monday, March 14, 2011.

Storm Water Industrial General Permit: The statewide General NPDES permit for discharges of storm water associated with industrial activities (commonly referred to as the Industrial General Permit) is targeted for reissuance. The current Industrial General Permit is State Water Board Order 97-03-DWQ. The revisions to the Industrial General Permit are expected to follow many of the approaches in the Storm Water Construction General Permit (State Water Board Order No. 2009-0009-DWQ), adopted in 2009. On January 28, 2011, staff issued a Public Notice to release the draft revised Industrial General Permit for review. Staff level workshops were held on February 14 in the Cal/EPA Building and on February 23 at the Irvine City Council Chambers. Comments are due at 12:00 noon on April 18, 2011.

Storm Water Phase II MS4 Permit: The statewide General NPDES permit for discharges of storm water from small municipal separate storm sewer systems (MS4s) (commonly referred to as the Phase II Permit) is targeted for reissuance. The current Phase II MS4 Permit is State Water Board Order No. 2003-0005-DWQ. It provides permit coverage for smaller municipalities, including non-traditional Small MS4s, which are governmental facilities such as military bases, public campuses, and prison and hospital complexes. The revisions to the Phase II permit are expected to follow many of the approaches in the Storm Water Construction General Permit (Order No. 2009-0009-DWQ). On February 22, 2011, staff released an administrative draft permit, with comments due on March 24, 2011. Staff expects to release a draft revised Phase II Permit in mid-2011.

Suction Dredging Update: On January 25, 2011, the U.S. Geological Survey released two reports prepared under contract to the State Water Board to investigate the effects on water quality from suction dredging for gold. The USGS reports discuss mercury levels and methylation potential in suction dredged suspended sediments. The USGS reports can be accessed at the following URLs: <http://pubs.usgs.gov/of/2010/1325A> and <http://pubs.usgs.gov/of/2010/1325B>. Additional information about USGS mercury studies in California can be found at the following URL: <http://ca.water.usgs.gov/mercury/>

On February 28, 2011, the Department of Fish and Game (DFG) released their draft Subsequent Environmental Impact Report (SEIR) and associated draft regulations. In January, 2009, the State Water Board adopted Resolution No. 2009-0006, which authorized a \$500,000 Interagency Agreement with DFG to ensure that the SEIR fully addressed water quality impacts from suction dredging. The draft SEIR and regulations are available at DFG's web site, <http://www.dfg.ca.gov/suctiondredge>. An extensive discussion of water quality can be found in Chapter 4.2, including a discussion of the effects of mercury re-suspension and discharge from suction dredging, with a draft finding of "Significant and Unavoidable" Impacts.

In March, 2011 DFG will be hosting five public hearings related to the draft SEIR and draft regulations, including a hearing on March 29, 2011 in the Byron Sher Auditorium of the Cal/EPA Building beginning at 5:00 p.m. State Water Board staff will attend the public hearings.

On March 2, 2011, staff sent the water quality portions of the SEIR out for scientific peer review under the Board's peer review contract with U.C. Berkeley. Peer review was specified in the Interagency Agreement with DFG. Peer reviewers' comments are expected by the end of April.

Toxicity Control Provisions for the SIP: The formal comment period for the draft policy ended on January 21, 2011, and 84 timely comment letters were received from a variety of stakeholders. U.S. EPA and State Water Board staff held workshops on February 7 and February 8 that concentrated on educating laboratory technicians on the use of the Test of Significant Toxicity (TST) method. Staff is currently working with U.S. EPA to perform a “Test Drive” of the TST method. The Test Drive is needed to address stakeholder concerns about the accuracy of the method. After staff has responded to comments and proposed appropriate revisions to the draft Policy, a staff technical workshop will be held prior to Board consideration of the Policy. Staff anticipates holding a technical workshop during the spring of 2011.

Underground Storage Tank (UST) Stakeholder Group: Staff in the Underground Storage Tank (UST) Cleanup Program has assembled a small stakeholder group to discuss improvements to the UST Cleanup Program. One of the discussion topics is a Policy that would establish cleanup criteria for a subset of sites that have completed corrective action. Staff anticipates that the group will finish its work by early summer.

Wetland Protection Policy: On January 5, 2011, staff released a combined Notice of Preparation of a Draft Program Environmental Impact Report (NOP - EIR), Notice of Initial Study (IS) Checklist, and Notice of CEQA scoping meetings. On February 14, a Revised NOP was posted extending the comment deadline to May 20, 2011 (originally February 15, 2011) at the request of a number of interested stakeholders. Two CEQA scoping meetings were held: one on January 31 in Sacramento that sixty people attended and one on February 8 in San Diego twenty-five people attended. In general, most commenter’s had questions on how the policy would be applied or implemented rather than its need, purpose, or scope.

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

Irrigated Lands Regulatory Program Update Report: The Irrigated Lands Regulatory Program update report is attached as Appendix 2.

DIVISION OF WATER RIGHTS

Sacramento Municipal Utilities District Permits: On February 9, 2011, the Division issued permits to the Sacramento Municipal Utilities District (SMUD) and Pacific Gas and Electric Company on Applications 31595 and 31596. The applications authorize additional water for hydropower generation at SMUD’s existing Upper American River Hydroelectric Project. Water will be diverted from multiple sources in the Rubicon River and South Fork American River watersheds in El Dorado County. The permits authorize a combined diversion of 437,200 acre-feet per annum.

Water Quality Certification for Sacramento Municipal Utility District’s Upper American River Hydroelectric Project (FERC No. 2101): The Division of Water Rights will release a draft water quality certification for the relicensing of Sacramento Municipal Utility District’s Upper American River Hydroelectric Project (UARP) for public comment in March. The UARP is located within the South Fork American River, Silver Creek and Rubicon River watersheds and consists of 11 reservoirs and eight powerhouses. The draft is based upon a Settlement Agreement reached by state and federal agencies, conservation groups, whitewater rafting enthusiasts and other interested stakeholders that included instream flow recommendations, monitoring requirements, recreation improvements and other resource management actions.

While the State Water Board was not a signatory to the Settlement Agreement, staff was involved in the negotiations that led to the agreement. The most controversial issue is approval of the proposed Iowa Hill development, which is a pump-storage project that entails the construction of an off-channel reservoir and underground powerhouse on the ridge above Slab Creek Reservoir located on the South Fork American River near Camino. The pump-storage project would pump water up from Slab Creek Reservoir during periods of low power demand and release it for power generation during peak power demand. The draft certification will address potential water quality impacts of both the construction and operation of Iowa Hill through requirements to consult with various agencies regarding the project design and will require SMUD to obtain additional permits and develop and implement a storm water pollution prevention plan prior to initiating construction activities. The Division of Water Rights anticipates issuance of a final water quality certification by the end of June.

Delta Water Transfers: A notice was issued on February 19, 2011 for a temporary transfer of 10,000 acre-feet of water from the Department of Water Resources (DWR) to areas within the Westlands Water District (WWD). The petitioner requests the changes be effective from April 1, 2011 to March 31, 2012. The comment period ends on March 21, 2011.

An order is pending for the previously noticed long-term transfer, also from DWR to WWD for 10,000 acre-feet/year. The petitioner requested the changes be effective from May 2011 to April 2027. The long-term transfer notice was issued on September 28, 2010. The protest period ended on October 28, 2010 and one protest was received from the California Water Impact Network, the California Sportfishing Protection Alliance, and AquAlliance, (collectively protestant). The protestant claims that the long-term transfer will cause a shift of irrigation water from an area of lower to higher soil and shallow groundwater selenium concentrations. To date, the protest remains unresolved. The State Water Board may hold a hearing in the next few months on this issue. The notice and protest for the long-term transfer and the notice for the temporary transfer are available for viewing online at:
http://www.waterboards.ca.gov/waterrights/water_issues/programs/applications/transfers_tu_notices/

Annual Water Rights Fee Stakeholder Meeting: The Division of Water Rights, in conjunction with the Division of Administrative Services, is planning a fee stakeholders meeting at the end of March. The discussions will include changes in the Governor's Budget, the current fund condition and the proposed annual fee schedule changes including the possibility of fee increases for permit and license holders for Fiscal Year 2011-12.

OFFICE OF THE DELTA WATERMASTER

Informational Report on the State Water Resources Control Board's Role in Implementing the Delta Plan: Senate Bill X7 1 established the position of Delta Watermaster. The Delta Watermaster has been granted "specified and delegated authority" from the State Water Resources Control Board (State Water Board) over water diversions in the Delta. The position also requires the Delta Watermaster to submit regular reports to the State Water Board and Delta Stewardship Council over water rights administration, water quality, conveyance operations, and related water rights issues.

On March 15, 2011, the Delta Watermaster will present a report to the State Water Board on *The State Water Resources Control Board's Role in Implementing the Delta Plan*. The report suggests ways for the State Water Board to assist the Delta Stewardship Council in its efforts to implement the Delta Plan. As the state's principal water resources regulatory agency, the State Water Board exercises various authorities which include enforcing the Reasonable Use of Water and regulating water quality and water rights. These authorities enable the State Water Board to help implement the Delta Plan's co-equal goals of providing California a more reliable water supply and encouraging Delta ecosystem restoration. The report also suggests that Delta-related plans, including the Water Quality Control Plan for the San Francisco-San Joaquin Delta Estuary and Strategic Workplan for Activities in the San Francisco-San Joaquin Delta Estuary, which promote the co-equal goals, be incorporated into the Delta Plan.

OFFICE OF ENFORCEMENT

Government-Owned Tanks (GOT) Enforcement Initiative: The Office of Enforcement (OE) has received information regarding the current operations of government owned/operated underground storage tank (UST) facilities in 93 different CUPA (certified unified program agency) jurisdictions. For the reporting CUPAs, there are 1815 GOT facilities. This leaves approximately six CUPAs who have yet to respond to our request for information. OE staff is in the process of contacting the remaining CUPAs who have not responded to facilitate the acquisition of the needed information.

By the end of February 2011, the OE staff performed 198 file reviews at 22 of the CUPAs who had submitted their information representing about 12 percent of the total reported facilities. Actual inspections of the facilities commenced the second week of July and so far 56 inspections in eight of the CUPAs have taken place.

OE expects to begin issuing notices of violation to facilities in March as the beginning of formal enforcement action against specific government entities with significant leak prevention violations.

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

At this time, seven cases have been dismissed completely after review by state board staff addressing 140 alleged violations. An additional 20 have agreed to pay proposed liability totaling \$471,000 in MMPs. An additional two have been placed on hold because the responsible entity is in bankruptcy. One case (involving 44 violations) is part of a global settlement being negotiated by Region 4 enforcement staff. Finally, one case will be addressed with discretionary penalties.

The SB Team is scheduling State Water Board hearing panels to address the unresolved violations in the remaining 18 cases. In addition to the 20 cases where the dischargers have agreed to pay the proposed liability, it was the SB Team's intent to file ACL complaints (ACLs), ACL settlements or otherwise resolve the targeted MMP violations with as many of the 18 facilities as possible by December 31, 2010. However, as dischargers present additional evidence for consideration or the impacts of SB 1284 are evaluated, some cases were delayed for ACL complaint issuance.

In summary, of the 17 ACL complaints initially scheduled for hearing, eight have settled

resulting in \$261,000 in liabilities. Seven have been continued for settlement discussions and two went to panel hearing on November 18, 2010. Therefore, a total of 27 out of 50 cases have resolved without hearing and have resulted in MMPs of \$609,000 and an additional two cases (with MMPs of \$98,000) have gone through an evidentiary hearing.

DFG/Water Board Pilot Project – Development of Field Manual to Address Construction Storm Water Discharges: 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 goal of the project is to improve the coordination and effectiveness of both agencies' enforcement efforts related to discharges of construction storm water. After a number of meetings refining the scope of the project, the DFG staff and the Water Board staff determined that a field manual for DFG and Water Board field staff would be developed. The development of the manual was undertaken primarily by State Water Board and DFG staff. It was delayed due to personnel changes at the Water Board, other enforcement priorities, and review requirements at both agencies.

The field manual has now been completed. The manual is intended to facilitate greater cooperation and understanding between DFG and Water Board staff.

The manual will be distributed to the Regional Water Board staff through their regional enforcement coordinators. DFG will provide the manual to its wardens and other enforcement personnel.

Fraud, Waste, and Abuse Prevention Peer Match: OE has been communicating with the Tennessee Department of Environment & Conservation (TDEC) since both states have recently begun initiatives focusing on fraud against their respective UST Cleanup Funds. OE recently shared information regarding detection of fraud, learned from the E2C Remediation, Inc. case, which has led to two new criminal cases in Tennessee.

Karen Stachowski, Managing Legal Counsel of TDEC submitted a Peer Match scholarship application to the Association of State and Territorial Solid Waste Management Officials (ASTSWMO) to seek full reimbursement of travel and per diem costs so that two OE staff can participate in a three-day meeting with representatives from Tennessee, Missouri, and North Carolina. The purpose of the meeting would be to share ideas and case studies on detecting, investigating, prosecuting, and deterring against fraud, waste, and abuse of state UST Cleanup Funds. Out-of-state travel requests are being prepared.

Administrative Civil Liability (ACL) Actions During January and February 2011:

a. ACL Complaints Issued

Region	Name of Facility	Violation	ACL Complaint Amount	Date Issued
1	Fort Bragg	Effluent Limit Violations and Sanitary Sewer Overflow Violations	\$31,069	1/14/11
Region	Name of Facility	Violation	ACL Complaint	Date Issued

			Amount	
2	East Bay Municipal Utility District	Unauthorized Discharges	\$76,000	2/18/11
2	City of Redwood City	Unauthorized Discharges	\$95,600	2/14/11
5	Cal. Dept. Parks & Rec.; Empire Mine State Historic Park	Effluent Limit Violations	\$54,000 (MMP)	1/7/11
5	City of Auburn	Effluent Limit Violations	\$15,000 (MMP)	1/7/11
5	City of Rio Vista	Effluent Limit Violations	\$3,000 (MMP)	1/7/11
5	City of Stockton	Effluent Limit Violations	\$12,000 (MMP)	1/7/11
5	City of Woodland	Effluent Limit Violations	\$3,000 (MMP)	1/7/11
5	El Dorado Hills Irrigation District	Effluent Limit Violations	\$3,000 (MMP)	1/7/11
5	Elite Concrete	Failure to submit industrial storm water (ISW) Annual Report 2008/2009 & 2009/2010	\$7,850	1/7/11
5	Placer County SMD-1	Effluent Limit Violations	\$36,000 (MMP)	1/7/11
5	Recycled Fibers	Failure to submit ISW Annual Report 2008/2009 & 2009/2010	\$6,925	1/7/11
5	Toyautomart	Failure to submit ISW Annual Report 2007/2008, 2008/2009 & 2009/2010	\$9,375	1/7/11
5	UC Davis	Effluent Limit Violations	\$9,000 (MMP)	1/7/11
5	V&O Auto Parts	Failure to submit ISW Annual Report 2008/2009 & 2009/2010	\$7,925	1/7/11
6	Susanville Sanitary District Wastewater Treatment Plant	Effluent Limit Violations	\$453,000 (MMP)	1/5/11

b. ACL Orders Issued

Region	Names of Facility/Discharger	Violations Addressed	ACL Order Amount	Date Issued
SWRCB	Eco Resources	Wastewater Treatment Facility Mismanagement	\$1,250,000	1/28/11
1	Russian River County Sanitation District and Sonoma County Water Agency	Effluent Limit Violations	\$57,000 (MMP)	1/27/11
1	Humboldt Redwood Company	Violations of CAOs	\$330,000	1/27/11
1	CalTrans, OC Jones & Sons	Storm Water Violations	\$315,000	2/16/11
2	C& H Sugar	Illegal discharge	\$ 200,000	1/07/11
4	Beverly Place, LP	Late Report Violations	\$6,000 (MMP)	1/19/11
4	Calleguas Municipal Water District	Effluent Limit Violations	\$9,000 (MMP)	1/20/11
4	CBS Corporation	Effluent Limit Violations	\$6,000 (MMP)	1/20/11
4	Chevron Env Mgt Co	Effluent Limit Violations	\$15,000 (MMP)	1/20/11
4	City of Gardena	Late Report Violations	\$3,000 (MMP)	1/24/11
4	Glenborough Cahuenga, LLC	Effluent Limit and Late Report Violations	\$54,000 (MMP)	1/18/11
4	LA Co Fair, Hotel and Exposition Complex	Late Report Violations	\$12,000 (MMP)	1/19/11
4	LA DWP	Effluent Limit Violations	\$30,000 (MMP)	1/20/11
4	Playa Capital Co., LLC	Effluent Limit Violations	\$3,000 (MMP)	1/20/11
4	Redman Equipment & Manufacturing Co.	Effluent Limit Violations	\$15,000 (MMP)	1/19/11
4	Conocco Philips Co. 6773	Effluent Limit Violations	\$84,000 (MMP)	2/1/11
4	California Water Services Co.	Effluent Limit Violations	\$6,000 (MMP)	2/10/11
4	City of San	Effluent Limit Violations	\$582,000	2/23/11

Region	Names of Facility/Discharger	Violations Addressed	ACL Order Amount	Date Issued
	Buenaventura		(MMP)	
4	American Foam & Packaging	Reporting	\$1,000	2/7/11
4	Geiger Plastics, Inc.	Reporting	\$1,000	2/7/11
4	Crown Poly, Inc	Reporting	\$1,000	2/7/11
4	Rotonics Manufacturing, Inc.	Reporting	\$1,000	2/7/11
4	Stone Roofing Company, Inc.	Reporting	\$1,000	2/7/11
4	Pyramid Auto Wrecking	Reporting	\$1,000	2/7/11
4	Hoffman Plastic Compounds, Inc.	Reporting	\$1,000	2/7/11
4	C&D Precision Components, Inc	Reporting	\$1,000	2/7/11
4	Norwalk Dairy	Reporting	\$1000	2/7/11
5	City of Placerville Hangtown Creek Water Reclamation Facility	Effluent Limit Violations	\$18,000 (MMP)	2/18/11
5	Nevada County Sanitation District, Lake of the Pines	Effluent Limit Violations	\$3,000 (MMP)	2/25/11
5	Maxwell Community Services District	Effluent Limit Violations	\$1,248,000 (MMP)	2/4/11
5	City of Live Oak	Effluent Limit Violations	\$627,000 (MMP)	2/4/11
5	City of Colusa	Effluent Limit Violations	\$3,000 (MMP)	2/4/11
5	City of Williams	Effluent Limit Violations	\$126,000 (MMP)	2/4/11
7	City of El Centro	Use of an uncertified lab	\$19,000	1/20/11
7	City of Holtville	Effluent Limit Violations	\$63,000 (MMP)	1/20/11
		Use of an uncertified lab	\$16,828	
7	Coachella Sanitary District	Effluent Limit Violations	\$69,000 (MMP)	1/20/11
7	Heber Public Utility District	Effluent Limit Violations	\$6,000 (MMP)	1/20/11

Region	Names of Facility/Discharger	Violations Addressed	ACL Order Amount	Date Issued
		Use of an uncertified lab	\$20,553.32	
7	Imperial Irrigation District	Effluent Limit Violations	\$21,000 (MMP)	1/20/11
8	Irvine Ranch Water District	Unpermitted Discharge (SSO)	\$43,099	1/21/11
8	Hoag Hospital and Veolia ES Industrial Services, Inc.	Unauthorized Discharges	\$10,000	
9	Eastern Municipal Water District, Temecula Regional Water Reclamation Facility	Sewerage Spill	\$353,200	1/12/11
9	Fallbrook Public Utility District	Effluent Limit Violations	\$3,000 (MMP)	1/12/11
9	Russo Tile and Marble, Inc.	Failure to submit annual monitoring report	\$1,700	1/12/11
9	San Diego Truck & Body Equipment, Inc.	Failure to submit annual industrial stormwater reports; failure to pay annual industrial stormwater permit fees.	\$4,916	1/12/11
9	Sea World Inc.	Effluent Limit Violations	\$6,000 (MMP)	1/12/11
9	Lite Stone Concrete	Failure to submit annual Industrial stormwater reports	\$3.766	2/9/11

OFFICE OF INFORMATION MANAGEMENT AND ANALYSIS

Tissue Monitoring Data Available through the California Environmental Data Exchange Network (CEDEN):

The State Water Board and the CEDEN Regional Data Centers are working to facilitate the connection of scientists and other researchers with California's water monitoring data in a timely and easily accessible fashion. The release of tissue data, in conjunction with other data already available through CEDEN, will further help California manage its water resources. Tissue data provide indication of the amount of pollutants in California's waters that accumulate in the tissue of aquatic organisms. These data also provide a basis for developing fish consumption advisories.

Using the **Advanced Query Tool** at www.ceden.org, a variety of meta-data such as location, parameter, and time sampled can be selected to tailor specific queries for the user. The Advanced Query Tool also includes **interactive maps** that help the user visualize where

sampling has been conducted for various projects, or informs users what kinds of monitoring was conducted at specific locations.

CEDEN data can be queried and downloaded at: <http://www.ceden.us/AdvancedQueryTool>

OFFICE OF RESEARCH, PLANNING AND PERFORMANCE

Development of Performance Targets for Fiscal Year 11/12: The Water Boards continue the transition to becoming performance-based organizations where clear and measurable goals, objectives, and targets are established and reported. On February 17, 2011, ORPP held a kick-off meeting to initiate development of Water Board performance targets for the upcoming fiscal year (FY11/12). In the coming months, State and Regional Water Board management will work together to develop our final performance targets. This will mark the third year that our organizations have established targets and tracked progress in meeting our goals. The performance targets continue to be refined and expanded upon each year with the goal of measuring outputs that lead to improved efficiency and the most meaningful water quality outcomes.

The Water Boards' 2009-2010 Performance Report can be viewed at http://www.waterboards.ca.gov/about_us/performance_report/

Water Board Training Academy:

<p>Recent Classes</p>	<p>Bill Analysis The Office of Legislative Affairs sponsored Bill Analysis training for managers, supervisors, and staff who review bills or prepare bill analyses. The course content covered the following topics:</p> <ul style="list-style-type: none"> ▪ How a bill becomes a law ▪ Elements of a bill ▪ Elements of an analysis ▪ How to write a bill analysis ▪ The role of program staff/Regional Boards ▪ The role of OLA ▪ The analysis review process
<p>Upcoming Classes</p>	<p>Overview of the Water Boards' Quality Management Plan U.S. EPA policy and Clean Water Act regulations stipulate that the Boards develop a quality management system and document that system in a Quality Management Plan (QMP). This class will provide an overview of the State Board's recently revised and approved QMP. The QMP requires that all environmental measurement activities performed by, or for, the State Board and Regional Water Quality Control Boards follow specific procedures and guidelines and requires integration of quality assurance principles into all of our data collection, assessment and analytical work. Full implementation of the plan will provide management with the secure foundation needed to make sound environmental decisions.</p> <p>This class will describe the roles, responsibilities, authorities and activities necessary to plan, implement, assess and ensure the effectiveness of quality assurance and quality control operations applied to data collection. Bill Ray, from the Office of Information Management and Analysis will be taking this 2-hour class on the road to most of our Regional Board offices.</p>

Appendix 1

Statewide Policies/Significant General Permits

Division of Water Quality		
Status Code	Policy/Significant General Permit	Status
A*	Anti-Degradation Policy / Implementation Triennial Review	Scoping meeting held on 11/17/08. Reviewing the 30+ comment letters received. Preparing recommendation for the Board. Work delayed by petitions.
A-11	Aquatic Pesticide General Permit – Weed Control, Aquatic Application	Expect to release formal draft in February 2011, Public Hearing targeted for March 2011 and Board consideration targeted for May 2011.
P	Aquifer Storage and Recovery Policy	Delayed due to other priorities.
A-11	Areas of Special Biological Significance (ASBS): Special Protections	Public Notice released on January 20, 2011. Public Hearing scheduled for April 20, 2011. Written comments due March 14, 2011.
A-11	Bacterial Objectives for Inland Surface Waters	Staff preparing draft policy and staff report. Economic study delayed due to contract funding issues. Adoption hearing targeted for May 2011.
A	Biological Objectives Development	Established Stakeholder Advisory Group and held meetings in May and November 2010. Established Scientific Advisory Group and held first meeting in October. First meeting of the Regulatory Advisory Group is planned for early 2011. Initiated planning for the CEQA Scoping meeting.
A-11	Cadmium Objective and Implementation Policy	Final internal review of draft policy and staff report prior to upcoming release for public comment. Targeting Public Hearing in May 2011 and Board consideration in June 2011.
A-11	Constituents of Emerging Concern (CEC) Monitoring – Recycled Water Policy	Staff report released November 18, 2010. Public Hearing held on December 15, 2010. Comment deadline extended until 12:00 noon on January 10, 2011.

Division of Water Quality

Status Code	Policy/Significant General Permit	Status
A-11	Chlorine Residual Objectives and Implementation Policy	Scientific Peer review received. Report and policy will be revised as necessary to address peer review comments. Adoption hearing targeted for November 2011.
A	Composting Facilities Statewide Waiver	Continuing to meet with CalRecycle and Regional Boards on preparing draft statewide waiver.
P	Grazing	No Statewide effort at this time, Regions are issuing watershed based waivers. Grazing on national forest system lands will be considered under Statewide Water Quality Management Plan and waiver.
A-11	Listing Policy Update (Sediment Quality Objectives and Procedural Changes)	CEQA Scoping Meeting held on March 29, 2010. Comment period closed April 12, 2010. Targeting Adoption Hearing in July 2011.
A	Marina Permit	Permit is postponed while working with other agencies and Marina and Boating groups to develop interim approaches.
P	Mercury Offset Policy	Partial economic analysis received from contractor (SAIC). No further contract funding available to complete economic analysis.
P	Methylmercury Objectives	Delayed by loss of key staff. Preparing economic analysis (SAIC).
A	Nutrient Numeric Endpoints Tools	Freshwater: to be peer reviewed. Contract with SCCWRP to develop estuary nutrient framework and numeric endpoints underway. Technical, stakeholder, and regulatory (Water Boards and U.S. EPA) advisory groups have been formed.
A-11*	Ocean Plan Amendment: model monitoring provisions	Drafting delayed by Once-Through Cooling 316(b) Policy Revisions Consideration. Public Hearing targeted for June 2011 and Board consideration targeted for August 2011.
A	Ocean Plan Amendment: desal provisions	Public Hearing targeted for November 2011 and Board consideration targeted for February 2012.
P	Ocean Plan Amendment: vessel provisions	Pending completion of other Ocean Plan Amendments.
A-11	Ocean Plan Triennial Review	Public workshop held September 22, 2010. Adoption Hearing scheduled for March 15, 2011.
A	Off-Highway Vehicle (OHV) WDRs/Waiver	Developing concepts for WDRs/waiver for OHVs at State Parks.

Division of Water Quality

Status Code	Policy/Significant General Permit	Status
A-12*	Onsite Waste Water Treatment Regulations/Waiver	Drafting new approach. Staff is developing a schedule for completion of the regulations and other associated documents for review by the State Water Board members. Draft regulations, public participation plan, and legal review of the proposed approach to be completed by March 2011.
A	Rapid Diagnostic Tests for Bacterial Indicators in Coastal Waters	Pilot testing on 9 Orange County beaches completed. Evaluation meeting held by Rapid Methods Task Force on September 27, 2010. Task Force prepared final recommendation to present to SCCWRP Commission at December 3, 2010 meeting.
A-11	Sanitary Sewer System (SSS) WDR Update	Information Item presented to Board on September 21, 2010. Public Hearing / Board workshop targeted for April 2011. Targeting Board consideration in July 2011.
A-11*	Sediment Quality Objectives (SQOs) for Enclosed Bays and Estuaries: Phase II	Sediment Quality Objectives for Wildlife released on January 28, 2011. Comments due at 12:00 noon March 15, 2011. Public Hearing scheduled for April 4, 2011, followed by Board consideration on April 6, 2011.
P	Sediment Quality Objectives (SQOs) for Enclosed Bays and Estuaries: Phase III	Pending completion of Phase II and availability of funding
A-11*	Storm Water CalTrans Permit	Released on January 7, 2011. Comments due 12:00 noon on March 14, 2011. Board consideration in October 2011.
A-11*	Storm Water Industrial General Permit	Released on January 28, 2011. Staff workshops held February 14 and 23, 2011. Additional on-line staff workshop scheduled for March 15, 2011. Public Hearing scheduled for March 29, 2011. Comments due 12:00 noon on April 18, 2011. Board Workshop scheduled for April 20, 2011. Board consideration in September 2011.

Division of Water Quality

Status Code	Policy/Significant General Permit	Status
A-11	Storm Water MS4 Effectiveness Assessment Document (AB 739, Ch. 610, Statutes of 2007)	On October 27, 2010, staff issued a revised Notice of Staff Workshops and Opportunity for Public Comment on draft document. Workshops scheduled for November 4 in Sacramento and November 9 in Rancho Cucamonga. Comments due 12:00 noon on November 30, 2010. Targeting April 2011 for Information Item presentation to the Board.
A-12*	Storm Water MS4 Phase II Permit	Revising to incorporate similar provisions to Construction General Permit and to incorporate TMDLs. Administrative draft released on February 22, 2011, with comments due on March 24, 2011. Planned release in mid-2011 with consideration in early 2012.
P	Suction Dredge General Permit	On hold, and working instead with Dept of Fish and Game (DFG) to coordinate with their suction dredge regulation and permit revision. On February 28, 2011, DFG released the SEIR/draft regulation and permit revision package for public comment. On March 2, 2011, State Water Board staff submitted the water quality portions of the SEIR to experts for scientific peer review.
A-11*	Timber Activities on National Forest System Lands	Drafting Statewide Waiver for USFS, based on Region 1 waiver. Public hearing and adoption in August 2011.
P	Timber Activities on Non-federal Lands	Work with California Board of Forestry, Department of Forestry and Fire Protection, and Regional Water Boards. Work delayed pending the outcome of a petition.
A-11*	Toxicity Control Provisions for the SIP	Workshop held on November 16, 2010. Comment period extended until 12:00 noon on January 21, 2011. Practitioners' Workshop scheduled for February 7, 2011 for those who will doing analyses called for under the draft provisions (e.g., laboratory staff). Staff-level technical workshop targeted for April 2011.
A-11*	Trash Policy	CEQA Scoping Meetings held on October 7 in Rancho Cordova and October 14 in Chino. Targeting Adoption Hearing in June 2011.

Division of Water Quality

Status Code	Policy/Significant General Permit	Status
A-11	UST Low-Threat Case Closure Policy	Staff has convened a small work group to develop recommendations regarding low-threat UST sites. Targeting Board consideration for 2011.
A-11	Wetlands and Riparian Areas (Dredge and Fill) Policy – Phase I	Request for scientific peer review for the Technical Advisory Team's (TAT's) wetland definition. Initial Study released for public comment on January 5, 2011. CEQA Scoping Meetings held on January 31, 2011 and February 8, 2011. Comment deadline extended until 12:00 noon on May 20, 2011.
P	Wetlands and Riparian Areas Policy – Phase II	Pending completion of Phase I.
P	Wetlands and Riparian Areas Policy – Phase III	Pending completion of Phase II.

Note: * indicates Board Priority

Status Code Key:

White = Active effort (A)

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

Orange = Targeted for completion in 2012 (A-12)

Blue = Completed (C)

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

Policies/General Permits Completed in 2011

C	Aquatic Pesticide General Permit – Aquatic Animal Invasive Species	Adopted by State Water Board on March 1, 2011.
C	Aquatic Pesticide General Permit – Vector Control, (Adulticide/Larvicide)	Adopted by State Water Board on March 1, 2011.
C	Spray Applications Permit (CDFA and USFS Eradication Programs)	Adopted by State Water Board on March 1, 2011.

Policies/General Permits Completed in 2010

C*	Once-Through Cooling (316b) Policy Limited Revisions	Adoption Hearing held on December 14, 2010. No changes made to Policy.
C	Leaking Underground Fuel Tank (LUFT) Manual	The LUFT manual was drafted as a guidance document with state-of-the-art information on the cleanup of leaking UST sites. The LUFT manual is considered a draft/evergreen document that will be updated periodically in response to comments.
C	Storm Water Construction General Permit Limited Revisions	Adopted on November 16, 2010.
C	Integrated Report Adoption (2010)	Board approved 303(d) list on August 4, 2010. Transmitted to USEPA on October 13, 2010, and awaiting their approval.
C*	Once-Through Cooling (316b) Policy	Approved by Office of Administrative Law (OAL) on September 27, 2010. Effective date October 1, 2010.
C	South Bay Power Plant	Notice of Cancellation of Public Hearing issued on November 2, 2010 due to permit application withdrawal.
C	UST Regulatory Program Task Force	Final task force recommendations submitted to the Board in January 2010. DWQ staff updated the Board at the May 18 Board meeting in conjunction with DFA staff report on the UST Cleanup Fund.

Division of Water Rights		
Status Code	Policy/Significant General Permit	Status
(A)	Draft WQCP update for San Joaquin River flows and southern Delta salinity objectives	Draft SED science chapter was released October 29, 2010. Workshop held on SED science chapter January 6 and 7, 2011. Draft plan amendment to be brought to the Board for a spring 2012 hearing.
(A)	Russian River Frost Protection Regulation	Public Scoping Meeting on draft EIR held on November 17, 2010. A Rulemaking Notice package will be submitted to Office of Administrative Law in March 2011. A Target date for release of draft EIR is May 15, 2011.
(C)	Delta outflow recommendations (SBX7 1)	The Board adopted the final report on August 3, 2010, and provided it to the Delta Stewardship Council on August 25, 2010.
(C)	Instream Flow Policy (AB 2121)	The Board adopted the Policy on May 4, 2010. The Division delivered the administrative record to OAL on August 11, 2010. OAL approved the administrative record in September 2010. The Division filed a Notice of Decision with the Secretary for Resources on September 28, 2010. The policy is now effective.

Status Code Key:

White = Active effort (A)

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

Blue = Completed (C)

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

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

Status Code Key:

Targeted for completion in 2010

Completed Items

Suspended / No statewide effort at this time

Appendix 2

IRRIGATED LANDS REGULATORY PROGRAM MONTHLY REPORT

This month's Irrigated Agricultural Lands Regulatory Program (ILRP) report covers the February 2011 period and will provide an update on the activities of the North Coast, Central Coast, Los Angeles, Colorado River Basin, Santa Ana, and San Diego Regional Water Quality Control Board programs.

Future monthly reports will alternate between the status of the ILRP from the Central Valley Water Board for one month, and the status of other Regional Water Boards for the alternate month. Current and past ILRP monthly reports can be found on the State Water Board Irrigated Agricultural Waiver Program website:

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

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

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

ILRP contact information for each Regional Water Board is found at the end of each report below.

NORTH COAST REGION AGRICULTURAL REGULATORY PROGRAM Update to SWRCB – February 2011

Water Quality Compliance Program for Agriculture

Regional Water Board staff are in the process of developing a water quality compliance program for agriculture in the North Coast Region. Staff are considering a range of options regarding the scope of the program. As of January 2011, the proposed scope included discharges associated with both irrigated agriculture and grazing in the Klamath Basin. Staff are considering expanding the geographic scope of the program to include all of the North Coast Region, while at the same time limiting the types of discharges covered to those associated with irrigated lands. The scope would be expanded to address potential impacts to water quality across the Region in a more efficient way by making better use of staff resources by consolidating program development efforts. Expanding the geographic scope also provides an opportunity for all the ag-based stakeholders to participate in the development of this key program. Having a regionwide program will create a level playing field, while maintaining the flexibility for growers to form watershed or commodity-based groups and develop management plans specific to their area.

Staff are also considering removing discharges associated with grazing from the scope of the regional program in consideration of the statewide process to address grazing that is currently underway. This effort is being led by the Lahontan Region (South Lake Tahoe) in coordination with the other regions. North Coast Regional Water Board staff will be actively involved in the process to ensure the statewide program adequately addresses the water quality concerns and needs of the ranching communities in the North Coast Region.

Regional Water Board staff have contracted with the Center for Collaborative Policy (CCP) to assist in program development. Staff are currently working with CCP to develop a stakeholder involvement plan based on the new scope of the program. Staff are maintaining the timeline and workplan with the endpoint of a Board adoption hearing in December 2012. Staff are planning a presentation to the Board in May 2011 on the initial approach and progress towards implementing the workplan presented to the Board in June 2010. Staff intend to develop a program that is both feasible for growers to implement and reasonably protective of water quality.

For additional information on the North Coast Water Board's water quality compliance program for grazing and irrigated agriculture please see the following website or contact Ben Zabinsky at BZabinsky@waterboards.ca.gov or (707) 576-6750:

http://www.waterboards.ca.gov/northcoast/water_issues/programs/grazing_and_irrigated_agriculture/

CENTRAL COAST REGION AGRICULTURAL REGULATORY PROGRAM Update – February 2011

February 3, 2011 Board Meeting

At the February 3, 2011 Central Coast Water Board Meeting, Board Members heard three items related to the Agricultural Regulatory Program. Item 18 was an information item to summarize Water Board grant funds available to projects related to agriculture. Since the year 2000, the Water Boards have made over \$608 Million of public grant funds (Proposition 13, 40, 50, and 84) available statewide to provide assistance on a variety of agricultural water quality related projects, including watershed protection, nonpoint source pollution control. Of these funds, approximately \$55 million were awarded to agricultural water quality projects in the Central Coast region in the past 10 to 15 years. Item 19 was an information item to discuss technical services available to the agricultural industry. As part of this item, consultants gave presentations on emerging technologies available for nitrate remediation, and assistance related to certified crop advisors and nutrient management. Item 20 was a public workshop item related to the Draft Agricultural Order. As part of this item, the Central Coast Water Board Executive Officer and Assistance Executive Officer provided a brief overview of the Draft Agricultural Order released in November 2010 and the remaining process for renewing the Agricultural Order. Staff was available to answer questions related to the Draft Agricultural Order and members of the public provided comments to the Board. Information related to the February 3, 2011 Board Meeting is available on the Internet at: http://www.waterboards.ca.gov/centralcoast/board_info/agendas/2011/feb/FEB11agn.shtml

Agricultural Order Renewal – Update

On November, 19, 2010, Central Coast Water Board staff released recommendations for a revised Draft Agricultural Order. The public comment period ended on January 3, 2011. Staff is in the process of reviewing and responding to public comments received during the public comment period. Staff is also in the process of evaluating changes to the staff report, Draft Agricultural Order, and Monitoring and Reporting Program, and supporting documents, in preparation for a full Agricultural Order Renewal item for Board panel consideration at the March 17, 2011 Board Meeting. Information related to the Agricultural Order Renewal, including public comment letters received during the public comment period, is available on the Internet at:

http://www.waterboards.ca.gov/centralcoast/water_issues/programs/ag_waivers/ag_order.shtml

Electronic Notice of Intent (eNOI)

On November 15, 2010, the Central Coast Water Board issued a Water Code Section 13267 letter, requiring all growers enrolled in the existing Agricultural Order to submit an updated Notice of Intent (NOI) by January 31, 2011. In an effort to simplify enrollment and future updates to information, and improve Agricultural Regulatory Program data management, the Water Board developed an electronic online NOI submittal tool that utilizes the Water Board's GeoTracker system. Water Board staff provided 75 days to meet the submittal deadline and provided technical assistance with the electronic online NOI for growers via phone, appointments and face-to-face clinics or workshops. As of the submittal deadline, approximately 1379 NOIs were submitted electronically, representing approximately 316,935 acres or about 75% of irrigated land enrolled in the Agricultural Order. Information related to the electronic online NOI submittal tool is available on the Internet at:

http://www.waterboards.ca.gov/centralcoast/water_issues/programs/ag_waivers/noi_submittal.shtml

For additional information on the Central Coast Water Board's Agricultural Regulatory Program, please contact Angela Schroeter at (805-542- 4644)

ASchroeter@waterboards.ca.gov

LOS ANGELES REGION CONDITIONAL WAIVER FOR IRRIGATED LANDS STAFF UPDATE TO THE SWRCB February 2011

Enrollment in Renewed Conditional Waiver

The Regional Water Board renewed the Conditional Waiver of Waste Discharge Requirements for Discharges from Irrigated Lands (Conditional Waiver) at their October 7, 2010 meeting as Order No. R4-2010-0186. The renewed Conditional Waiver requires dischargers to enroll by April 7, 2010. In the previous waiver term, the Los Angeles County discharger group, headed by the Nursery Growers Association (NGA), struggled with low enrollment. Los Angeles County is confronted with unique challenges, such as the small amount of irrigated acreage and the difficulties in identifying and communicating with small growers. In response to these challenges, staff is planning several enrollment workshops in the next few months in LA County with NGA and Southern California Edison (SCE), who leases its land to growers. These enrollment workshops are aimed at enrolling growers in the new waiver by the April 7, 2011 enrollment deadline. Staff believes that the workshops, especially with the cooperation

of SCE, will increase the enrollment percentage in Los Angeles County. Staff met with representatives from SCE on January 11, 2011 and NGA on January 18, 2011 to begin planning these workshops, which will occur on March 9, 2011 and March 21, 2011. Staff is also working with the Ventura County Agriculture Irrigated Lands Group (VCAILG) to plan workshops to maintain the high levels of enrollment in Ventura County and increase implementation of BMPs. Staff met with representatives from VCAILG on January 4, 2011 to discuss these workshops. Staff will continue to meet with stakeholders in both Los Angeles and Ventura Counties on an ongoing basis to ensure successful implementation of the Conditional Waiver program.

Grant Management

Additionally, staff continues to manage a Clean Water Act section 319(h) grant for grower education and outreach in the Calleguas Creek and Santa Clara River Watersheds. Staff is working with the grantee to ensure that the grant effectively implements the renewed Los Angeles Region Conditional Waiver for Irrigated Lands, and specifically implements BMPs according to VCAILG's WQMP.

For additional information on the Los Angeles Region Conditional Waiver for Irrigated Lands, please contact Rebecca Veiga Nascimento at (213) 576-6784 rveiga@waterboards.ca.gov or Jenny Newman at (213) 576-6691 jnewman@waterboards.ca.gov

COLORADO RIVER BASIN CONDITIONAL PROHIBITION FOR AGRICULTURAL DISCHARGES Update from a February 2011 staff report

Palo Verde (PV) Agricultural (Ag) Discharge Prohibition

The Palo Verde Ag Prohibition was adopted by the Regional Water Board on January 20th. Regional Water Board staff are currently completing actions needed to bring the amendment before State Water Board. A public notice is scheduled to be circulated by State Water Board staff in March 2011. The PV Ag Discharge Prohibition and supporting documents can be viewed at the Regional Water Board website: http://www.waterboards.ca.gov/coloradoriver/water_issues/programs/basin_planning/ The intent of this prohibition is to ensure Ag wastewater discharges and drain maintenance discharges occur in a manner that does not adversely affect the beneficial uses of the Palo Verde Valley Drains, and the Palo Verde Valley Lagoon and Outfall Drain. Accordingly, the amendment establishes a conditional prohibition for Ag wastewater discharges originating within the Palo Verde Valley and Palo Verde Mesa, and incorporates an implementation plan. The amendment also establishes a conditional prohibition for drain operation and maintenance discharges occurring in these regions.

For additional information on the Colorado River Basin Conditional Prohibition for agricultural discharges, please contact Doug Wylie at (760) 346-6585 dwyllie@waterboards.ca.gov

SANTA ANA REGION
CONDITIONAL WAIVER OF WASTE DISCHARGE REQUIREMENTS FOR
AGRICULTURAL DISCHARGES (CWAD PROGRAM)
An update to the SWRCB-ILRP Coordinator
February 14, 2011

Board staff is proposing that all operators of irrigated land, dry-farmed land subject to inundation by flooding, and of other agricultural operations not already regulated by the Regional Water Board, enroll in a conditional waiver of waste discharge requirements. Board staff is calling this the Conditional Waiver (of waste discharge requirements) for Agricultural Discharges (CWAD). The Regional Water Board staff proposes that the CWAD program will be developed and implemented in a watershed-based, phased approach. The first phase of this program is being developed for waste discharges from agricultural operations in the Lake Elsinore / San Jacinto Watershed. The Regional Water Board adopted separate nutrient Total Maximum Daily Loads (TMDLs) for Canyon Lake and Lake Elsinore. The CWAD program is being designed to be part of implementation program for these TMDLs.

In order to formulate a strategy to develop a CWAD program, the Regional Water Board staff has been conducting meetings with key stakeholders, including the Western Riverside County Agricultural Coalition (WRCAC) and the Lake Elsinore San Jacinto Watershed Authority (LESJWA). LESJWA, a joint-powers authority, includes the Cities of Canyon Lake and Lake Elsinore, Riverside County Flood Control and Water Conservation District, the County of Riverside, and the Santa Ana Watershed Project Authority.

During last few months, the Regional Water Board staff have also met with other potential stakeholders and related agencies, including the Riverside County Farm Bureau and Riverside County Agricultural Commissioner. Board staff is coordinating with representatives of WRCAC and LESJWA to explore establishing a CWAD monitoring program for the San Jacinto River watershed that uses both probabilistic and targeted monitoring.

During summer of 2009, Regional Water Board staff conducted field surveys of various agricultural operations in the CWAD Program project area and met with local growers and farmers to introduce upcoming CWAD program meetings to get stakeholder feedback. Regional Water Board staff is also coordinating with TMDL staff and staff of other Regional Water Boards, particularly Los Angeles and San Diego, to establish criteria for the minimum acreage threshold for enrollment in its CWAD program. Stakeholder meetings discussion included the following .

- CWAD program introduction and status;
- Are all farming operations going to be covered or will there exemptions from the program?
- Criteria to establish minimum acreage enrollment requirement for the program.
- Have “third party representatives” been formed? Will there be a cost to be represented?
- How will the Regional Water Board identify operators who will be required to be in the CWAD program?
- What is the schedule for putting the CWAD program in place?

At the end of Regional Water Board’s presentation, there was a question and answer

session in which several program related questions and concerns by the representatives of growers and ag. groups, were discussed. Although, the meeting attendance was light, some new ag. growers and farmers attended and actively participated in the discussions during this meeting.

Regional Water Board has developed a "CWAD Program Advisory Group" which consists of about 13 members belonging to ag. farmers, local growers, industry groups, and major stake-holders, etc.

On January 20, 2011, the third CWAD Advisory Group meeting was held in the Riverside County Farm Bureau meeting room. In this meeting, various ag. operations related definitions and draft ag. waiver conditions were discussed. On follow up questions from various group members, the board staff presented an update on Confined Animal Feeding Operations (CAFO) Federal permitting thresh-hold requirements and designation requirements of small, medium and large size CAFO. The advisory group members were also briefed about Regional Water Board's CAFO/dairy general permit and it was explained to the group that dairies under Regional Water Board's general CAFO permit would be exempted from the ag. waiver requirements.

In a January 20, 2011 advisory group meeting, group members discussed available regulatory options to regulate agricultural discharges (i.e. waste discharge requirements (WDRs), basin plan prohibitions, and ag. waiver). The group members' collective consensus was to recommend the conditional waiver option.

An advisory group member from the Riverside County Ag. Commissioner's office gave a presentation regarding winter cropping in San Jacinto watershed area. The group also discussed current status of CWAD program, and discussions on various program related topics were expanded in order to get feed back from the group members. Topics of discussion included the selection of wet weather months and use of fertilizers and herbicides during these wet season months. It was recommended that there is a need for a separate prohibition requirement for herbicide application since its window of effectiveness is relatively short.

Regional Water Board CWAD program staff have continued working on comments and feedback received from CWAD advisory group on draft ag. waiver conditions, definition of agricultural operations, and agricultural discharges, CWAD program coalition groups formation, and pro/cons of different regulatory options available for implementation of CWAD program.

Staff member from WRCAC presented on ag. program's "coalition forming". Further discussion and feedback from the group on this topic will be discussed at the next meeting.

The next Advisory Group meeting is to be held on April 10, 2011, at the Riverside County Farm Bureau's office. The agenda topics include discussion on follow up and feedback from Regional Water Board staff and group members on action items regarding definitions, waiver conditions, prohibitions, wet season, updates on aerial mapping data, coalition forming updates and monitoring station selection, etc. The following listed action items and proposed topics for the next meeting include:

- Presentation of a draft CWAD program time schedule;

- Proposed Ag. operation categories in the CWAD program: to be presented by Regional Water Board staff
- Coalition Forming-fee, and monitoring: to be presented by WRCAC staff
- Discussion on proposed CWAD program monitoring station map;
- Follow up on CAFO permitting program updates- Federal and State
- Recycled water use in the project watershed and the boron issue: to be presented by Eastern Municipal Water District (tentative-subject to confirmation);
- Wet season and flooding season clarification: to be presented by Riverside County Flood Control staff

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**SAN DIEGO WATER BOARD IRRIGATED LANDS REGULATORY PROGRAM
(CONDITIONAL AG WAIVER)**

Because of staff turn-over in the San Diego Water Board ILRP, no February 2011 report was submitted. The follow ILRP Monthly Report is a carry-over from the December 2010 report.

Conditional Waiver No. 4 (the Ag Waiver) requires growers in the San Diego Region to enroll in the waiver by December 31, 2010. There are currently three monitoring groups in the San Diego Region, all of which have closed their enrollment periods in order to prepare the group Notices of Intent. They will reopen enrollment at the beginning of January of 2011. In January, using information supplied in the monitoring group Notices of Intent, the San Diego Water Board will determine which growers have not enrolled and take appropriate enforcement action. On January 9th, Regional Water Board staff will meet with the Region's three monitoring groups to discuss the status of enrollment as well as the monitoring plans which the groups are required to submit by the last day of 2011. At February's board hearing, staff will present a proposal to amend the waiver to include a definition of "agricultural and nursery operation" in the waiver. It is proposed in the amendment that this term be changed to "commercial agricultural and nursery operation" and that such commercial operations be defined as only those operations which gross (not net) over \$1,000 per year (on average). The amendment is a Basin Plan amendment since the Ag Waiver was included in the Region's Basin Plan as an amendment and therefore, both Regional and State Board approval of the amendment is required. Public noticing documents for the February hearing will be sent out during the week of December 20th.

For additional information on the San Diego Conditional Waiver for Irrigated Lands, please contact Cynthia Gorham at (858) 467-2957 cgorham@waterboards.ca.gov