

State Water Resources Control Board
October 16, 2012
Item 15 - Executive Director's Report

DIVISION OF WATER QUALITY

Aquatic Weed Control Permit: A public hearing was conducted on August 7, 2012 on the proposed Draft Statewide General National Pollutant Discharge Elimination System (NPDES) Permit for Residual Pesticide Discharges to waters of the United States from Algae and Aquatic Weed Control Applications (Draft Aquatic Weed Control Permit). The Draft Aquatic Weed Control Permit covers discharges of residual algaecides and aquatic herbicides from direct applications to surface waters to control algae and aquatic weeds. The public comment period closed on August 21, 2012. Staff will ask the State Water Resources Control Board (State Water Board) to consider the adoption of the Draft Aquatic Weed Control Permit at its November 6, 2012 Board Meeting.

Biosolids Program: On September 11, 2012, State Water Board staff met with CalRecycle staff to discuss regulations being developed by CalRecycle pertaining to anaerobic digestion. The issue concerned providing an exclusion in the regulations for materials injected into anaerobic digesters at wastewater treatment plants, such as fats, oils, grease, and food processing waste. The intent of the exclusion is to avoid unnecessary duplicative regulation.

Communities That Rely on Contaminated Groundwater: Assembly Bill (AB) 2222 (Caballero, 2008) required the State Water Board submit to the Legislature a report that identifies communities that rely on contaminated groundwater as a primary source of drinking water. Staff worked with the California Department of Public Health and solicited input from other state agencies. The final draft report was posted on the AB 2222 Web site for public comment (http://www.waterboards.ca.gov/water_issues/programs/gama/ab2222/index.shtml). The public comment period ended on April 2, 2012. The final report is scheduled to be delivered to the Governor's office later this fall.

Nitrate Pilot Projects in the Tulare Lake Basin and Salinas Valley: SBX2 1 (Perata, 2008) required the State Water Board and other agencies (including Regional Water Quality Control Boards), to develop pilot projects in the Tulare Lake Basin and the Salinas Valley to study nitrate contamination, identify remedial solutions and funding options to clean up groundwater. It also directed staff to prepare a report to the Legislature. The State Water Board contracted with the University of California at Davis (UCD) to produce a comprehensive, independent report. This 1,300-page report was released in March 2012. Information on the UCD Report is posted on the SBX2 1 Website (http://www.waterboards.ca.gov/water_issues/programs/nitrate_project/index.shtml). The State Water Board held a public workshop on Wednesday, May 23, 2012, to take public input on the options outlined in the UCD Report. State Water Board staff has been working with interagency group members to receive input on the initial draft outline of the report to the legislature. The final report is scheduled to be delivered to the Governor's office later this fall.

Ocean Plan Amendment - Desalination/Brine Provisions: Three studies will support the desalination/brine amendments to the Ocean Plan. A panel of five scientific experts (Brine Panel) were convened to address scientific questions regarding the disposal of brine into the ocean. The Brine Panel's [final report](#) is posted on the website.

Another Expert Review Panel (ERP) for desalination intakes and seawater intake mitigation, at Moss Landing Marine Lab, has completed its final report, which is posted to the website at

http://www.waterboards.ca.gov/water_issues/programs/ocean/desalination/docs/erp_intake052512.pdf. The third scientific project conducted by the UC Granite Canyon Lab evaluated brine toxicity and the final report is posted at: http://www.swrcb.ca.gov/water_issues/programs/ocean/desalination/.

A Board Workshop was held on August 22, 2012, to present results and recommendations from the three studies. Staff anticipates public release of the amendments in early 2013 with a Board hearing scheduled for spring 2013.

Ocean Plan Amendments - Model Monitoring, Vessels, and Marine Protected Areas (MPAs): The public hearing for the Model Monitoring and Vessels amendments was held on November 1, 2011. The public hearing for the MPA amendment was held on May 1, 2012. A Board Workshop was held on August 22, 2012. The Ocean Plan amendments are scheduled for adoption at the October 16, 2012 Board Meeting.

Once-Through Cooling (OTC) Policy: Staff is continuing to meet with the Nuclear Review Committee and the consultant (Bechtel) on the Special Studies regarding alternatives for the two nuclear generating plants (SONGS and Diablo Canyon). The Phase I of the study has been completed and presented to the Nuclear Review Committee, and a meeting was held on October 15, 2012 to discuss the Phase I report. Bechtel has also initiated work on Phase II.

NPDES permitting is progressing. A contractor with U.S. Environmental Protection Agency (U.S. EPA) funding is drafting all the permits with the exception of the Pittsburg Power Plant which has been drafted by the staff of the San Francisco Bay and State Water Boards. State Water Board staff anticipates the permit will be considered for adoption in early 2013.

http://www.swrcb.ca.gov/water_issues/programs/ocean/cwa316/

Sanitary Sewer System Waste Discharge Requirements (SSS WDRs): Staff has updated the Monitoring Response Plan (MRP) for anticipated re-issuance by the Executive Director in January 2013 and has distributed the draft MRP to stakeholders (i.e., the SSS WDRs Data Review Committee participants) for review. Stakeholder meetings were held on August 28, 2012 at the City of Vacaville and August 30, 2012 at the Orange County Sanitation District. Follow-up written comments from stakeholders were due by October 2, 2012. Staff is reviewing and addressing stakeholder comments and will update the MRP accordingly. Staff will route the revised draft MRP through management for final review in November 2012 before re-issuance and concurrent implementation of the changes in CIWQS.

Storm Water Caltrans MS4 Permit: The Second Revised Draft Tentative Order for Caltrans MS4 permit was released for public review on April 27, 2012, and a staff workshop was held on May 21, 2012. The permit addresses the storm water discharges associated with the operation of the State highway system. At the close of the comment period on June 26, 2012, 131 comments from 31 commenters has been received. A public hearing before the State Water Board was held on August 7, 2012. The State Water Board adopted this permit at the September 19, 2012 Board Meeting.

Storm Water Industrial General Permit: Staff conducted informal workshops on the revised draft Industrial General Storm Water Permit. The Industrial General Storm Water Permit regulates the storm water discharges from specific industrial sectors. Approximately 9,000 individual facilities are covered by the current permit. The first was held in Diamond Bar on August 8, 2012 and the second was held in Sacramento on August 10, 2012. The purpose of the workshops was to provide a forum for the stakeholder community to ask questions regarding the revised draft Industrial General Storm Water Permit to help them in preparing formal comments. The public comment period originally scheduled to close on September 21, 2012 has been extended to October 22, 2012. A public hearing will be conducted on October 17, 2012.

Storm Water Phase II MS4 Permit: A public hearing was conducted on the revised draft Phase II Small MS4 Storm Water Permit. This permit will address the storm water discharges from small municipal separate storm sewer systems (those that serve populations of less than 100,000 persons). At the close of the comment period, July 23, 2012, more than 105 comment letters had been received. Staff is now reviewing and preparing responses to the comments received during the public comment period and at the public hearing. Staff will ask the State Water Board to consider the adoption of the revised draft Phase II Small MS4 Storm Water Permit on December 5, 2012.

Trash – Amendments to Statewide Plans: Staff continues to work with the Public Advisory Group (PAG) to develop a policy to address trash in waters of the State. The PAG consists of 10 individuals who have knowledge and expertise relative to trash and debris. A preliminary draft Staff Report and Substitute Environmental Document (SED) has been prepared by Tetra Tech and staff, and sent to the PAG. A PAG meeting was held on August 13, 2012 to discuss the changes and recommendations. The target for release of the Draft SED and amendments for public comment is November 2012.

Selenium Standards: Following U.S. EPA's release of the draft rule for the California Toxics Rule (CTR), the National Marine Fisheries Service and the U.S. Fish and Wildlife Service issued a joint Biological Conference Opinion on March 24, 2000 which found that the water quality standards for selenium contained in the draft rule would were not protective of protected species. As a result of the "jeopardy opinion," U.S. EPA agreed to reserve the proposed acute and chronic aquatic life criterion for selenium in the final CTR and to conduct further studies which would be performed by the U.S. Geological Survey (USGS).

In December 2010, the USGS released a report titled, *Ecosystem-Scale Selenium Modeling in Support of Fish and Wildlife Criteria Development for the San Francisco Bay-Delta Estuary, California*, which provides the results of its modeling of selenium fate and transport in the San Francisco Bay and Delta. U.S. EPA has recently approached the State Water Board to propose that U.S. EPA and the State Water Board work collaboratively to develop water quality standards for selenium that would be adopted by the State Water Board in the future.

Irrigated Lands Regulatory Program Update Report: On September 7, 2012, Irrigated Lands Regulatory Program (ILRP) staff participated in a California Roundtable for Agriculture and the Environment (CRAE) subcommittee meeting. The CRAE water quality subcommittee recommended that CRAE focus on long-term groundwater quality and play the following roles: sharing information and networking, building shared understanding, vetting and developing proposals and ideas for solutions, and ensuring technical support and research.

On September 11, 2012, ILRP staff met with Nonpoint Source (NPS) and U.S. EPA Region 9 staff regarding the National Water Quality Initiative (NWQI). The purpose of the meeting was to discuss project selection strategy. The ILRP and NPS staff are currently working with U.S. EPA and the Natural Resources Conservation Service (NRCS) staff on securing funds under the NWQI. The funding is provided through the Environmental Quality Incentives Program (EQIP), administered by the NRCS. Projects are prioritized based on impacts to water quality. Funding and technical assistance is provided to growers for implementation of management practices to address water-quality impacts from tail water and storm water runoff. The EQIP funding provides growers a means of complying with ILRP requirements. Nutrient and sediment are targeted pollutants of the NWQI this year. Other pollutants of concern, such as pesticides will likely be targeted in the future.

On September 13, 2012, ILRP staff participated in the NRCS State Technical Advisory Committee (STAC). The NRCS State Conservationist provided opening remarks. The STAC then reviewed 2012 Initiatives, funding levels and contracts. NRCS staff discussed timelines for 2013 signup, ranking, and funding obligation dates ILRP staff, U.S. EPA Region 9 staff, and NRCS staff discussed the 2013 National Water Quality Initiative including a review of 2012 Watersheds and solicitation of input for 2013 priorities. NRCS staff discussed the Bay Delta Initiative proposal process and timeline for 2013, evaluation criteria and budget breakdown for 2012, as well as funding for existing versus new proposals. Review of 2013 EQIP Fund Allocations, EQIP Tribal Initiative, and 2012 funding also were discussed. NRCS solicited input on 2013 priorities and funding levels, 2013 State Conservation Innovation Grant (CIG) funding/timeline, and recommendations for 2013 timeline for ranking and obligation.

On September 17, 2012, ILRP staff met with U.S. EPA and NRCS staff to discuss the ILRP Team Concept and to strategize on increasing communication and collaboration on how our respective agencies can help growers comply with ILRP requirements. NRCS is to send a letter to the State Water Board regarding support of ILRP and would like to meet to discuss agency roles.

On September 18, 2012, ILRP staff met with the California Department of Food and Agriculture (CDFA) staff to discuss the Team Concept and advance discussions on developing a memorandum of understanding (MOU) between the State Water Board, CDFA, and County Agricultural Commissioner's regarding implementation projects, the Fertilizer Research and Education Program (FREP) role, fertilizer user management/application database tool, and crop adviser certification criteria.

On September 26, 2012, ILRP staff participated in a joint ILRP-NPS-TMDL roundtable in Riverside.

This month's ILRP monthly report can be found on the State Water Board Irrigated Lands Regulatory Program website:

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

This month's report provides 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 October 2012 Executive Officer's report.

Statewide Policies/Significant General Permits: Appendix 1 (attached) provides the current status of Statewide Policies and Significant General Permits. Please visit: http://waternet/dwq/policies_permits/.

DIVISION OF WATER RIGHTS

Workshops on Comprehensive Review of the Bay-Delta Plan: The State Water Board held the second of three workshops on October 1 and 2, 2012, to receive information and conduct discussions regarding the scientific and technical basis for considering potential changes to the 2006 Water Quality Control Plan for the San Francisco/Sacramento-San Joaquin Delta Estuary (Bay-Delta Plan) as part of the State Water Board's Phase II comprehensive review of the Bay-Delta Plan. The first workshop was held on September 5 and 6, 2012, and addressed Ecosystem Changes and the Low Salinity Zone. The second workshop addressed Bay-Delta Fisheries Resources. The third workshop will be held November 13 and 14 and will address analytical tools for evaluating the water supply, hydrodynamic, and hydropower effects of the Bay-Delta Plan. Comments, presentations and other material related to the workshops and the comprehensive review of the Bay-Delta Plan can be found at: http://www.waterboards.ca.gov/waterrights/water_issues/programs/bay_delta/comp_review.shtml.

Staff Workshop on Pinecrest Lake Levels, Spring Gap-Stanislaus Hydroelectric Project: On October 4, 2012, State Water Resources Control Board (State Water Board) staff held a public workshop in Sonoma to accept comments on a proposal to modify the Pinecrest Reservoir lake level requirements in the water quality certification for the Spring Gap Stanislaus Hydroelectric Project (Project). The Project is owned and operated by PG&E and is located on the Middle and South Forks of the Stanislaus River above New Melones Reservoir. Per State Water Board Order WR2009-0029, PG&E requested a modification to the Project water quality certification in order to lower the minimum lake level elevation of Pinecrest Reservoir on Labor Day of each year. The workshop covered both PG&E's requested modification and State Water Board staff's recommended modification. A fact sheet was developed to discuss PG&E's request and other related items, including a waste and unreasonable use complaint and Tuolumne Utilities District's water supply. Following the workshop and the close of the comment

period on October 18, 2012, the Executive Director may issue an amended water quality certification for the Project. A copy of the workshop notice and fact sheet is available on the Project webpage at:

http://www.waterboards.ca.gov/waterrights/water_issues/programs/water_quality_cert/ceqa_projects.shtml#ferc2130

Klamath River Water Quality Workshop: State Water Board staff participated in the Klamath River Water Quality Workshop (Klamath Workshop), which was held in Sacramento on September 11-13, 2012. The Klamath Workshop was a basin-wide water quality workshop that brought together experts from across the United States, as well as the Klamath River Basin, to identify large-scale technologies and strategies that will provide a framework to reduce nutrient and organic matter loads to the Klamath River.

The Klamath Workshop was required as part of the Klamath Hydroelectric Settlement Agreement (KHSA).^[1] In the KHSA, PacifiCorp agreed to implement certain “interim measures” in the time period prior to dam removal (projected for 2020) to address water quality problems in the Klamath River. Interim Measure No. 10 required PacifiCorp to provide \$100,000 for a basin-wide water quality workshop, the Klamath Workshop. The California Academy provided in-kind logistics support (e.g., meeting space, registration) and \$40,000 for expert travel support and meeting supplies. The California Coastal Conservancy also provided \$100,000 and assumed responsibility for contract management and oversight for the project technical support contractor. The Klamath Workshop focused primarily on the Upper Klamath Basin in Oregon, recognizing the importance of addressing water quality problems in the upper watershed. The Klamath Workshop concentrated on information sharing and evaluation of six large-scale projects or technologies that may be used to reduce nutrients in the Klamath Basin:

(1) wetland restoration; (2) treatment wetlands; (3) diffuse source treatment systems; (4) algae/biomass removal; (5) sediment removal (dredging); and (6) water column oxidation/sediment sequestration (phosphorus inactivation).

A post-workshop summary report, which will include 30 percent design documents for projects that receive a favorable review, is anticipated for release in Spring 2013. PacifiCorp and other parties to the Klamath Hydroelectric Settlement Agreement (KHSA) agreed to provide an additional \$50,000 to support development of the 30-percent design documents, which are a key outcome of the Klamath Workshop. The Klamath Workshop was designed to inform the decision-making of Interim Measure No. 11.^[2]

^[1] The KHSA is an agreement negotiated between PacifiCorp Energy (PacifiCorp) and interested state, tribal and local government agencies, non-governmental organizations, and other stakeholders. The KHSA provides a framework for decision-making regarding the possible removal of four mainstem dams on the Klamath River that are part of the Klamath Hydroelectric Project (KHP).

^[2] Interim Measure No. 11 identifies nutrient reduction projects in the Klamath watershed intended to provide water quality improvements in the mainstem Klamath River, while also addressing water quality, blue-green algae, and public health concerns in KHP reservoirs and low dissolved oxygen in the J.C. Boyle Reservoir. Interim Measure No. 11 requires that upon the effective date of the KHSA until the Secretarial Determination, PacifiCorp will spend up to \$250,000 per year for studies or pilot projects. Upon an Affirmative Secretarial Determination, PacifiCorp will fund up to \$5.4 million to implement projects approved by the Oregon Department of Environmental Quality, the State Water Board, and the North Coast Regional Water Board, and up to \$560,000 per year of annual expenses.

Background on Klamath Water Quality: The Klamath River is listed as an impaired waterbody for nutrients, temperature, microcystin and dissolved oxygen. A large fraction of the overall nutrient and organic matter loads that contribute to the biostimulatory conditions come from Upper Klamath Lake and agricultural discharges from the Lost River. Blue-green algal blooms occur in the Klamath River downstream of Iron Gate Dam and in Iron Gate and Copco Reservoirs. Two of these toxic blue-green algae are *Anabaena flos-aquae* and *Microcystis aeruginosa*. *Anabaena flos-aquae* produces neurotoxins and *Microcystis aeruginosa* produces microcystin—a liver toxin. These algal blooms have led to the annual issuance of state health advisories during the late summer and early fall, which are currently in effect this year. Water quality conditions contribute to the prevalence and severity of fish-disease below Iron Gate Dam. Water quality conditions must be improved to achieve the restoration of salmonid and other fish populations that are the goals of KHSA and the Klamath Basin Restoration Agreement (KBRA). The water quality improvement objectives of KHSA and KBRA are consistent with the Klamath Basin TMDLs.

Coordination with Fisheries Resource Agencies: On September 17-18, 2012, Division of Water Rights and California Department of Fish and Game (DFG) staff toured the Butte Creek watershed and Pacific Gas and Electric Company's DeSabra-Centerville Hydroelectric Project to promote discussion and share information on watershed-specific issues. On September 26, 2012, Division of Water Rights staff visited the Lower American River Gravel Augmentation Project with staff from United States Fish and Wildlife Service. The purpose of the visit was to observe and discuss the placement of salmonid spawning gravel at Sailor Bar on the Lower American River. Specifically, staff discussed the interaction between these habitat enhancement projects and the operations of the Folsom and Nimbus dams.

San Joaquin River Restoration Program (SJRRP): On September 18, 2012, the U.S. Bureau of Reclamation submitted petitions requesting the State Water Board's temporary approval to change the method of operation of the Friant Division of the Central Valley Project in order to implement the SJRRP. The SJRRP facilitates restoration of fish habitat in the San Joaquin River below Friant Dam. The SJRRP has two primary goals: (1) to restore and maintain fish populations, including salmon, in good condition in the mainstem of the San Joaquin River below Friant Dam; and (2) to reduce or avoid adverse water supply impacts to the Friant Division long-term contractors that may result from the restoration program.

The SJRRP flows were previously authorized by State Water Board Order. That authorization expired September 30, 2012. The temporary change petitions request authorization to continue the SJRRP flow program after October 1, 2012. The Division of Water Rights issued an order approving the temporary change petitions on October 1, 2012. The order authorizes continued operation of the SJRRP for up to 180 days.

DIVISION OF FINANCIAL ASSISTANCE

Program Activity:

Cleanup and Abatement Account:

- The Division of Financial Assistance (DFA) approved the California Conservation Corps Project No. 356 in the amount of \$16,500 on August 14, 2012.
- DFA previously approved the Mettler Groundwater Project for \$77,582.
- For previously approved projects, 10 disbursements were made in the month of September totaling \$620,224.

Site Cleanup Program:

- A total of \$167,721 was collected during the month of September.

Cleanup Fund/ Underground Storage Tanks:

The following are the dates the Cleanup Fund is currently paying out by priority:

- Priority A – Paying out all reimbursements to date
- Priority B – Reimbursement Requests received through 6/30/2012
- Priority C – Reimbursement Requests received through 6/30/2012
- Priority D – Paying out all reimbursements to date

Stormwater Grant Program (SWGP): The SWGP awarded \$8.9 million in Planning and Monitoring grants to 18 applicants with the adoption of the funding list at the July 17, 2012 Board meeting. A Post-Award Workshop with a webcast was held for the awarded projects on August 29, 2012 in Sacramento, CA. The Post-Award Workshop covered the grant agreement, invoicing, monitoring, project performance, and reporting. The workshop concluded with a presentation by the State Water Board, Office of Enforcement covering Fraud, Waste and Abuse.

The SWGP Implementation Round 1 Funding List is scheduled for adoption at the October 3, 2012 Board meeting. The Funding List includes two lists of projects: the Recommended Funding List and the Projects Pending Approval List. The Recommended Funding List includes 12 projects requesting \$18.5 million in grant funds. The Projects Pending Approval List includes 12 projects requesting \$23.6 million in grant funds. The Projects Pending Approval are those that staff recommend for funding only if the applicant makes specific changes to the project or provides information to address specific questions regarding the project.

319(h) Non-Point Source Grant Program: DFA and the Division of Water Quality opened a Solicitation from August 6, 2012, through September 13, 2012, to accept applications for the 319(h) Non-Point Source Grant Program. Approximately \$4.5 million is available for the Solicitation. This federally-funded annual grant program provides funding to support implementation and planning/assessment projects to improve water quality and restore beneficial uses in total maximum daily load watersheds with comprehensive watershed-based plans that are identified by the non-point source program preferences. A total of 19 implementation and 12 planning/assessment concept proposals are undergoing review to determine which proposals will be invited to submit a full application. Applicants will be notified regarding the status of their proposals by late November 2012.

Clean Beaches Initiative Grant Program: Approximately \$50 million is available for the Clean Beaches Initiative Grant Program Solicitation, utilizing remaining funds from Propositions 13, 40, 50, and 84. The program provides matching grants for the purpose of protecting beaches and coastal waters from pollution and toxic contamination pursuant to the Clean Beaches Program. DFA temporarily closed the Clean Beaches Initiative grant program solicitation on August 23, 2012. A total of 28 concept proposals for research and implementation projects were received. The proposals are undergoing review by the Clean Beaches Task Force, as well as staff from DFA and the Regional Water Boards. Staff will meet with the Task Force on October 22, 2012 to review the applications and determine which proposals to invite to submit a detailed application. If invited back, the applicant will be assigned a grant manager from DFA to assist them in completing the application. The Solicitation will then be re-opened to allow additional applications to be submitted.

Clean Water State Revolving Fund (CWSRF): Between September 19, 2012, and October 3, 2012, the Deputy Director of DFA approved the following Preliminary Loan/Grant Commitments:

- On September 24, 2012, DFA, in Determination No. 2012-27, approved \$453,000 in Principal Forgiveness funding from the CWSRF Program for Tulare County, for planning financing for the Plainview Wastewater Collection, Treatment, and Disposal Project; CWSRF No. C-06-5939-110.
- On September 24, 2012, DFA, in Determination No. 2012-28, approved \$223,621 in Principal Forgiveness funding from the CWSRF Program for Tulare County, for planning financing for the Matheny Tract Wastewater Collection, Treatment, and Disposal Project; CWSRF No. C-06-7836-110.

OFFICE OF DELTA WATERMASTER

Delegation Of Duties – Delta Watermaster: In October 2010, the State Water Board adopted Resolution 2010-0048 delegating authority to the Delta Watermaster over water rights and unauthorized diversions of water in the Delta. The resolution authorized the Delta Watermaster to oversee monitoring and reporting of water rights, and to enforce violations of permit and license conditions. On October 3, 2012, the State Water Board considered a resolution proposing changes to Resolution 2010-0048. This resolution would replace the 2010 resolution and authorize the Delta Watermaster to include the monitoring and reporting of statements of water diversion and use in the Delta and to approve temporary permits.

Watermaster Enforcement Actions for Violations Regarding Online Reporting: In 2009, the Senate passed Senate Bill X7-8, which authorized the State Water Board to adopt online filing. As a result, the State Water Board adopted regulations requiring online reporting of water use for water right licensees and permittees, and statement holders. In March 2012, the State Water Board sent notification letters to water right licensee and permittees to submit their 2011 annual use reports by July 1, 2012 and sent notification letters to water right statement holders to submit their 2011 triennial use reports by July 1, 2012. In August 2012, the State Water Board mailed delinquency letters to licensees in the Delta who did not submit their 2011 annual use reports and to statement holders who did not submit their 2011 triennial use reports. On October 16, 2012, the Delta Watermaster Office will mail out six Cease and Desist Orders to the Licensees who failed to file online their 2011 annual use reports.

OFFICE OF ENFORCEMENT

Administrative Civil Liability (ACL) and Cleanup and Abatement Actions Issued September 2012:

a. ACL Complaint(s) Issued

Region	Discharger/Facility	Violation(s) Addressed	ACL Complaint Amount	Date Issued
WATER QUALITY				
5S	City of Lone / WWTF	Failure to submit report of waste discharge required by CDO for unpermitted pond discharging to surface water	\$143,552	9/10/2012
WATER RIGHTS*				
WR	Carol Anderson-Ward / Cosumnes River	Failure to submit 2010 annual use report	\$2,000/ \$25,000	9/13/2012
WR	Joseph E. Awender / Unnamed Stream (Solano County)	Failure to submit 2010 annual use report	\$2,000/ \$25,000	9/13/2012
WR	Carl A. Elkins / Calaveras River	Failure to submit 2010 annual use report	\$2,000/ \$25,000	9/13/2012
WR	John H. Friend / Unnamed Stream (Sacramento County)	Failure to submit 2010 annual use report	\$2,000/ \$25,000	9/13/2012
WR	Hidden Vineyard, LLC / Calaveras River	Late submittal of 2010 annual use report	\$500/ \$25,000	9/13/2012
WR	Edward Machado / Sweany Creek (Solano County)	Late submittal of 2010 annual use reports	\$1,000/ \$8,000	9/13/2012
WR	Joel Mandujano / Patty Creek (San Joaquin County)	Late submittal of 2010 annual use report	\$500/ \$3,000	9/13/2012
WR	Fred F. Podesta, Jr. / Unnamed Stream (San Joaquin County)	Late submittal of 2010 annual use report	\$500/ \$7,000	9/13/2012
WR	Sacramento Area Flood Control Agency / Dry Creek	Late submittal of 2010 annual use reports	\$2,000/ \$66,000	9/13/2012
WR	Slavic Missionary Church / Morrison Creek (Sacramento County)	Late submittal of 2010 annual use report	\$500/ \$2,000	9/13/2012
*The ten water rights ACL complaints issued offered two choices to the recipients:				

Region	Discharger/Facility	Violation(s) Addressed	ACL Complaint Amount	Date Issued
(1) Pay smaller amount by submitting check for smaller amount, waiver, and delinquent annual report within 20 days <p style="text-align: center;">OR</p> (2) Proceed to hearing with proposed liability at higher amount listed.				

b. ACL Order(s) Issued

Region	Discharger/Facility	Violation(s) Addressed	ACL Order Amount	Date Issued
WATER QUALITY				
2	Tesoro Refining and Marketing Co. / Golden Eagle Refinery WWTP	Effluent limit violations (pH, dioxin, coliform)	\$9,000 (MMP)	9/10/2012
2	Atlantic Richfield Company / ARCO Service Station #5384	Effluent limit violation (total petroleum hydrocarbon – diesel)	\$3,000 (MMP)	9/11/2012
2	Guadalupe Rubbish Disposal Company, Inc. / Guadalupe Recycling and Disposal Facility	Discharge of 31,202 gallons of landfill condensate-contaminated stormwater to surface water in December 2010	\$167,285	9/20/2012
4	Vopak Terminal Long Beach, Inc. / Vopak Terminal Long Beach	Effluent limit violations (pH, zinc, copper)	\$15,000 (MMP)	9/4/2012
4	Antea Group / Former 76 Service Station #1715	Effluent limit violations (lead)	\$27,000 (MMP)	9/6/2012
4	Lakside Boats, Inc. / Lakeside Boats and Marine	Failure to enroll under industrial stormwater general permit	\$3,000	9/20/2012
5R	City of Dunsmuir / WWTP	Effluent limit violations (chlorine, dichlorobromomethane, copper, zinc)	\$36,000 (MMP; all to CP)	9/24/2012
5S	City of Jackson / WWTP	Effluent limit violations (coliform, ammonia, nitrate, turbidity, dichlorobromomethane, copper, cyanide, zinc)	\$411,000 (MMP; all to CP)	9/7/2012
6B	Victor Valley Wastewater Reclamation Authority / WWTP	Three sanitary sewer overflows and two partially-treated wastewater dischargers to surface waters (July 2010 – January 2011)	\$700,000 (CAA: \$377,394; SEP: \$322,606)	9/12/2012
WATER RIGHTS				
WR	Douglas K. Ivey / Napa watershed	Unauthorized diversion	\$8,000	9/18/2012

c. Cleanup and Abatement Order(s) Issued

Region	Discharger/Facility	Action(s) Required	Date Issued
<i>NO CLEANUP AND ABATEMENT ORDERS ISSUED SEPTEMBER 2012</i>			

On October 3, 2012, the Central Coast Board entered an Administrative Civil Liability Order to the South San Luis Obispo County Sanitation District in the amount of \$1.1 million for a large sewer spill into the Pacific Ocean. As of the date of this report, we have yet to receive a copy of the order.

In September, the State Water Resources Control Board obtained a \$400,000 judgment against Jaco Oil Company and related entities, including Fastrip Food Stores, Inc., Fastrip Oil Company, LP, Basic Properties, LP, Jaco Hill Company, and Jamieson Hill Company for monitoring and testing violations found at 14 underground storage tank facilities owned and operated by Jaco Oil in Kern, Merced, and San Luis Obispo counties.

OFFICE OF INFORMATION MANAGEMENT AND ANALYSIS

California Environmental Data Exchange Network Update: The California Environmental Data Exchange Network (CEDEN) integrates surface water monitoring data collected by a variety of entities statewide. The system was launched to the public in 2010 and since then grown significantly. The system now includes biological assessment data, data collected by groups who have received grant funding, and a growing number of records of water quality, toxicity and tissue data types already in the system. In the future the system will be modified to include time series data, receiving water data currently housed in the California Integrated Water Quality System (CIWQS), improved integration of data from the USGS, EPA and other state agencies data systems and additional grant funded data sets. Several of the California Water Quality Monitoring Council's *My Water Quality* web portals display assessments based on data housed in the CEDEN system. Information about how to upload data into CEDEN as well as tools for querying data already in the system is available online at www.ceden.org.

Appendix 1

Statewide Policies/Significant General Permits

Status Code Key:

White = Active effort (A)	Note: * indicates Board Priority
Orange= Targeted for completion in 2012 (A-12)	Lavender= Targeted for completion in 2013 (A-13)
Green= Targeted for completion in 2014 (A-14)	
Grey = Suspended or No statewide effort at this time or Pending (P)	
Blue = Completed 2012, 2011, 2010 (C2012, C2011, C2010)	

Statewide Policies/Significant General Permits		
P	Antidegradation Policy / Implementation Triennial Review	(updated: 2012-08-22) Scoping meeting held on 11/17/08. Work delayed by petitions.
A-12	Aquatic Pesticide General Permit – Weed Control, Aquatic Application	(updated: 2012-08-30) The public notice was published in newspapers and posted on website on July 6, 2012. A public hearing was held on August 7, 2012. Staff plans to present the draft permit to the State Water Board on Nov. 6, 2012 for adoption consideration.
A-13	Bacterial Objectives for Inland Surface Waters	(updated: 2012-09-26) DWQ staff are preparing a draft policy and a staff report for public release targeted for late 2012. Staff anticipates being able to release a policy shortly after U.S. EPA releases the final updated bacteria criteria document which is now expected to be released no later than November 30, 2012.
A-12	Biological Objectives Development	(updated: 2012-10-04) CEQA scoping meetings were held in early September. Written comments on the scoping document and alternatives are due on October 19th. The Scientific Review Panel will meet to review the draft final technical work on October 17th and 18th.

P	Blue Green Algae Action Levels	(updated: 2012-07-12) The State Water Board funded OEHHA to develop action Levels for Blue Green Algae toxins (Cyanotoxins) in water and fish. OEHHA completed a draft report, which was then submitted to peer review. The Peer Review was complete in 2011 and the Final Report was completed in May 2012. A possible next step is to adopt statewide objectives for cyanotoxins, pending management prioritization.
A-13	Cadmium Objective and Implementation Policy	(updated: 2012-08-06) New staff was hired in July to work on this project and is currently reviewing background information.
P	Chlorine Residual Objectives and Implementation	(updated: 2012-08-06) Scientific Peer review received. Report and policy will be revised as necessary to address peer review comments. Due to loss of key staff this project is currently on hold.
A-12	Composting Facilities Statewide General Order	(updated: 2012-10-02) Two public workshops to solicit input on the draft order were held on August 27th and 28th in Sacramento and Riverside, respectively. Staff plan to present the order and the environmental documents to the State Water Board for consideration on November 6, 2012.
A-12	Constituents of Emerging Concern (CEC) in Aquatic Ecosystems	(updated: 2012-08-29) The State Water Board received a final report from the scientific advisory panel on April 27, 2012. Staff plans to present an information item on the report at the October 16, 2012, State Board Meeting. The report was partially funded by a grant from the State Water Board.
A-13*	Draft WQCP update for San Joaquin River flows and southern Delta salinity objectives	(updated: 2012-09-04) Draft SED science chapter was released October 29, 2010. Workshop held on SED science chapter January 6 and 7, 2011. Additional scoping meeting held June 6, 2011. Final Draft Technical Appendices released for public review in February 2012. Informational session on economic impacts and hydropower impacts appendices held on March 20, 2012. Draft SED planned for release in fall of 2012 with a workshop in late fall/early winter. Draft plan amendment to be brought to the Board for consideration in early 2013.
A	Grazing	(updated: 2012-09-20) The Water Boards have formed a work team to develop this project (titled Statewide Grazing Regulatory Action Project or Grazing RAP). The work team is under the lead of Region R6 with active participants from R1, R2, R3, R4, R5 and DWQ. The work team has been convened and meets monthly. At the November 2011 MCC meeting, the Grazing RAP workplan and schedule were approved by MCC. As part of the August 2012 update to MCC by the work team, MCC approved the Objectives/Problem Statement and the short summary of the work team's activities to date that will be posted on the NPS DWQ website (the first formal public outreach activity) The work team is continuing its work on grazing implementation tools, and is planning its first stakeholder outreach meetings.
A-13	Instream Flow Policy (AB 2121)	(updated: 2012-08-17) 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 Alameda Superior Court set aside the Policy on August 9, 2012 for inadequate CEQA compliance. The Board must decide by the 2nd week of October to appeal the decision or vacate the Policy and correct the CEQA deficiencies.
A-13	Integrated Report Adoption (2012)	(updated: 2012-08-30) State Water Board Staff is developing the lines of evidence (LOEs) for the 2012 report. Regional Boards will then review the LOEs and make assessments recommendations. State Board staff will review Regional Board staff's recommendation before Regional Board Staff present their recommendations to their respective Boards for approval. Following approval by all Regional Boards, the State's Integrated Report will be presented to the State Water Board for approval before being sent U.S. EPA. U.S. EPA make the final approval decision on the Integrated Report and may change the State's recommendations.

P	Listing Policy Update (Sediment Quality Objectives)	(updated: 2012-08-07) CEQA Scoping Meeting held on March 29, 2010. Comment period closed April 12, 2010. Delay due to loss of key staff. Staff has prepared amendment language to address the Sediment Quality Objectives component but further work is contingent on completion of the current 303(d) listing cycle.
P	Marina Permit	(updated: 2012-08-02) Permit is postponed while working with other agencies and Marina and Boating groups to develop interim approaches.
P	Mercury Offset Policy	(updated: 2012-06-06) Partial economic analysis received from contractor (SAIC). No further contract funding available to complete economic analysis.
A	Mercury TMDL (Reservoirs)	(updated: 2012-08-07) In March 2012, staff held CEQA Scoping meetings in Sacramento, Oakland, Riverside and Redding. Staff has developed a straw policy document for the reservoir TMDL and its implementation plan. The straw policy is currently under review by legal. Staff from regions 2 and 5 is working on a draft staff report (source analysis, linkage, targets, implementation plan) and CEQA analysis, and is coordinating efforts with the State Water Board team working on the methylmercury objectives project.
A	Methylmercury Objectives	(updated: 2012-07-30) Staff are working on a draft staff report and coordinating with efforts to develop statewide mercury TMDL.
A	Natural Sources	(updated: 2012-06-06) A draft natural source issue paper has been submitted to the Basin Planning Roundtable for review and comment. Issues include recommendation for how to deal with designations where natural background exceeds the water quality objectives.
A-13	Nonpoint Source (NPS) Implementation and Enforcement Policy Amendments	(updated: 2012-08-02) The NPS Implementation and Enforcement Policy (NPS Policy) is being updated at the direction of the SWRCB to preclude the use of prohibitions of waste discharge for addressing NPS discharges for those land uses (e.g.; irrigated lands) already covered under other regulatory mechanisms (e.g.; waivers of waste discharge requirements) for which discharger enrollment fees are being assessed. Recommended language to amend the NPS Policy has been provided to OCC for their consideration and comment.
A	Nutrient Numeric Endpoints Tools	(updated: 2012-08-29) A CEQA Scoping meeting was held on October 27, 2011. Staff is currently working with technical advisory groups to produce an implementation strategy document. U.S. EPA has contracted to have Nutrient Numeric Endpoint protocol updated with results of case studies and lessons learned. Technical aspects are to be peer reviewed by winter 2013.
A-13*	Ocean Plan Amendment: desal/brine provisions	(updated: 2012-08-30) State Water Board staff is working on amendments to the Water Quality Control Plans for Ocean Waters and Enclosed Bays and Estuaries to address Desalination Facilities and Brines Disposal. The amendment is currently envisioned to contain the following elements: (1) provisions to minimize adverse impacts to aquatic life associated with the intakes for desalination facilities; (2) a narrative water quality objective for salinity to ensure that brine discharges from desalination facilities and other sources do not cause adverse impacts; (3) implementation provisions. Scoping meeting took place on March 30, 2012, and several written comments were received by the April 6, 2012 deadline. The three scientific studies to support the amendments are complete. A Board workshop was held on August 22, 2012, where the results and recommendations from the three projects were presented. During the workshop the three lead scientists from the studies, environmental groups and industry participated.

A-12	Ocean Plan Amendment: Marine Protected Areas and Water Quality Protection Areas	(updated: 2012-09-26) Draft amendment, draft SED, and public notice released January 12, 2012. The comment period ended April 18, 2012 and several comments were received. The public hearing was held on May 1, 2012. A Board workshop was held on August 22 in the afternoon. The written comment period ended on August 31, 2012. Staff has developed responses to comments and is bringing the amendment to the Board for adoption on October 16, 2012.
A-12	Ocean Plan Amendment: model monitoring and vessel provisions	(updated: 2012-09-26) A Public Hearing was conducted on November 1, 2011. Changes to the draft Substitute Environmental Documentation and staff's proposed changes to the amendments were presented at the Board Workshop on August 22, 2012. The written comment period ended on August 31, 2012. Staff has developed responses to comments and is bringing the amendment to the Board for adoption on October 16, 2012.
P	Off-Highway Vehicle (OHV) WDRs/Waiver	(updated: 2012-06-05) Developing concepts for WDRs/waiver for OHVs at State Parks.
A-13	Once-Through Cooling (316b) Policy Amendment	(updated: 2012-08-07) An amendment to change section 3(c), from State to Regional Board re-issuance of NPDES permits for existing Once-Through Cooling plants, is planned by staff, based on prioritization by management, for completion in early 2013.
P	Potable Water General Order	(updated: 2012-06-06) Not assigned due to higher priorities.
A	Rapid Diagnostic Tests for Bacterial Indicators in Coastal Waters	(updated: 2012-06-06) This project is being coordinated by the Southern California Coastal Water Research Project (SCCWRP) in collaboration with the Water Boards. Results and lessons learned transmitted to U.S. EPA for consideration in national standards setting work for a new Rapid Method. The pilot demonstration that began in Orange County (2010) was partially repeated in Los Angeles County in summer 2011. The SCCWRP Task Force, with participants from the Water Boards, will be preparing a final results report in 2012.
A-12	Recycled Water Policy Amendment - Constituents of Emerging Concern	(updated: 2012-09-27) Staff released a draft amendment to the Recycled Water Policy proposing monitoring requirements for constituents of emerging concern in recycled water on May 9, 2012. Written comments on the draft amendment were due on July 3, 2012. Concurrently with the public review, a scientific peer review was conducted on the draft amendment and the scientific advisory panel report with comments due on August 1, 2012. Comments from the peer reviewers and public are being reviewed. The amendment is scheduled for consideration of adoption on October 16, 2012.
P	Russian River Frost Protection Regulation	(updated: 2012-10-02) On September 21, 2011, the State Water Board held a hearing during its Board Meeting to hear comments on the proposed adoption of the Russian River Frost Protection Regulation and the Draft Environmental Impact Report prepared in support of that proposed regulation. After hearing, the Board unanimously voted to adopt the proposed regulation with a minor edit and certified the draft EIR. The Board Resolution adopting the proposed regulation and certifying the draft EIR, also directs the Executive Director to prepare a Final Statement of Reasons with required responses to comments and submit the entire rulemaking documents to the Office of Administrative Law (OAL) for approval. OAL filed the regulation with Secretary of State on December 29, 2011 when it became effective. However, in January 2012, two lawsuits were filed against the regulation and the Mendocino County Superior Court issued an order that stayed the enforcement of the regulation. A court hearing was held in June 2012. On September 26, the court issued a decision invalidating the regulations.

A-12	Sanitary Sewer System (SSS) MRP Update	(updated: 2012-09-27) Staff have performed or are performing the following actions during this reporting period: (1) updated the MRP for anticipated re-issuance by the Executive Director in January 2013; (2) distributed the draft MRP to stakeholders (i.e., the SSS WDRs Data Review Committee participants) for review; and (3) held stakeholder meetings on August 28, 2012 at the City of Vacaville and August 30, 2012 at the Orange County Sanitation District. Follow-up written comments from stakeholders are due by October 2, 2012. Staff are reviewing and addressing stakeholder comments and will update the MRP accordingly. Staff will route the revised draft MRP through management for final review in November 2012 before re-issuance and concurrent implementation of the changes in CIWQS.
A-13	Sediment Quality Objectives (SQOs) for Enclosed Bays and Estuaries: Phase II*	(updated: 2012-08-01) Phase II Human Health objectives are in progress. Training sessions for regional board implementation of SQOs being planned. A joint meeting of the advisory committee and the agency coordinating committee took place on May 24, 2012. Staff informed upper management through MCC presentation (July 27, 2012) about the different Tier I, II and III. Staff is working on the suggestions from advisory committee and the agency coordinating group.
A-12*	Storm Water Construction General Permit Amendments (NELs removed)	(updated: 2012-08-02) Staff prepared an amendment to the State Water Board to delete narrative effluent limits to respond to a decision by Superior Court. The State Water Board adopted amendments to the Construction General Permit on July 17, 2012. Staff is waiting for the Order number from the Clerk to publish the final documents.
A-12	Storm Water Industrial General Permit	(updated: 2012-08-29) 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 conducted on March 29, 2011. Permit was revised to address the comments received during 2011 and was noticed for public comment on July 18, 2012. The public comment period originally scheduled to close on September 21, 2012 has been extended to October 22, 2012. Staff workshops were held on August 8, 2012 in Diamond Bar and August 10, 2012 in Sacramento. A public hearing has been scheduled for October 17, 2012.
A-12*	Storm Water MS4 Phase II Permit	(updated: 2012-08-29) The draft permit was revised to address comments received during 2011. The revised draft permit was noticed for public comment on May 21, 2012. Public comment period closed on July 23, 2012 and a Public Hearing was held on August 8, 2012. The revised draft permit will be presented to the State Water Board for consideration of adoption on December 5, 2012.
A	Storm Water Statewide Permitting (MS4 Phase 1)	(updated: 2012-06-06) Staff are meeting with stakeholders to determine how to improve statewide permitting consistency for Phase 1 Storm Water Permits. Options may include a statewide general permit, multi-region permit for coastal southern California or a standard permit template with standard conditions common to all MS4 Phase 1 permits. The workgroup anticipates it will complete the initial stages of this work by September 2012.
P	Suction Dredge General Permit	(updated: 2012-08-06) Suspended indefinitely now that the suction dredging moratorium has been extended indefinitely. Senate Bill 1018 (ch. 39, stats. 2012) removed the previous date on which the existing suction dredging moratorium had been scheduled to end. Suction dredging, including the method known as "booming", continues to be prohibited within 100 yards of any California river, stream or lake (Fish & G. Code, § 5653 subd. (d).).

A-13	Timber Activities on National Forest System Lands	(updated: 2012-08-28) On December 16, 2011 the Board adopted a mitigated negative declaration for a Statewide Conditional Waiver for USFS, but did not adopt the Waiver. Since then alternatives have been developed including state-wide regulatory actions with the option of exempting certain Regional Boards where the activities do not currently exist. The next step will be a determination of these exempted Regional Boards in consultation with Regional Board AEOs. A new staff person has been hired as the project lead and to address other wildland issues (e.g., forestry and grazing). Individual State Water Board member briefings were scheduled for late August through early September 2012 to present the recommended alternative(s).
P	Timber Activities on Non-federal Lands	(updated: 2012-08-02) 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-12*	Toxicity Control Provisions for the SIP	(updated: 2012-09-26) In June, staff released for public review the revised policy and supporting documentation. A Board hearing was held on August 21, 2012, concurrent with the close of the public comment period. Staff is currently responding to the 59 comment letters received. Consideration for adoption is expected at the November 6, 2012 Board Meeting.
A-13*	Trash Policy	(updated: 2012-09-26) Statewide water quality control plans to be amended to include trash policy. CEQA Scoping Meetings held on October 7, 2010 in Rancho Cordova and October 14, 2010 in Chino. A Public Advisory Group (PAG) has been appointed to provide input to Water Board staff on the development of this policy. PAG met previously on July 26, 2011, August 30, 2011, October 12 and 13, 2011, May 22, 2012 and August 13, 2012. The draft Substitute Environmental Document has been prepared and provided to the PAG for review and comments. Staff expects to release the draft SED and amendments to statewide water quality control plans in November 2012.
A-12	UST LUFT Manual Update	(updated: 2012-06-08) The Leaking Underground Fuel Tank (LUFT) Manual is being updated to reflect the Low-Threat UST Case Closure Policy that was adopted by the Board on May 1, 2012. Targeted for completion in October, 2012.
A-13	Wastewater Discharges to Land (Revision to Order 97-10) General Order	(updated: 2012-09-05) The draft order and initial study were a topic of discussion at the August 2012 MCC. The permit writing team is waiting for comments from S/RB Management as well as the RB Program Managers and key participants. The comments are due back by September 21st. Then comments will be reviewed and discussed so that the final documents can be prepared for a presentation at the November WDR Roundtable and for a final legal review before public notice beginning about the first week of December.
P	Water Effects Ratios	(updated: 2012-08-07) No staff assigned and pending completion of other priorities.
A-12	Wetland Area Protection and Dredge and Fill Permitting Policy – Phase I	(updated: 2012-08-06) Phase 1 of the Wetland Area Protection and Dredge and Fill Permitting Policy (Policy/project) now includes all of the following elements: a wetland definition, a wetland delineation method, an assessment and monitoring framework, and supplemental dredge and fill procedures. This is a change from the project description in the 2011 Notice of Preparation (NOP) for the project Environmental Impact Report (EIR). The project description in the NOP included a wetland policy and dredge and fill regulations as separate elements. Now the Policy includes all elements with the addition of the dredge and fill procedures. On March 9, 2012, the draft Policy was posted for public informational purposes only at: http://www.waterboards.ca.gov/water_issues/programs/cwa401/wrapp.shtml Since all project elements will be addressed by the Policy, a Substitute Environmental Document (SED) was prepared instead of an EIR. Staff are currently revising the draft Substitute Environmental Document and also finalizing comments on the wetland definition peer review. The Policy and SED are scheduled for public release in fall 2012. A public hearing will be scheduled during the 60-day public comment period.

A	Wetlands and Riparian Areas Policy – Phase II	(updated: 2012-08-02) With U.S. EPA grant funding, preliminary work has begun on Phase II. This work is focused on categorizing wetland beneficial uses.
P	Wetlands and Riparian Areas Policy – Phase III	(updated: 2012-08-02) Pending completion of Phase II.

Policies/General Permits Completed in 2012

Status Code	Policy/Significant General Permit	Status
C2012	Aquifer Storage and Recovery Statewide General WDRs	Adopted by the State Water Board on September 19, 2012.
C2012	Areas of Special Biological Significance (ASBS)	General exception adopted by the State Water Board on March 20, 2012, and the State Water Board made non-substantive edits to the exception in June 2012. Staff is now working with stakeholders on implementation and monitoring. A particular emphasis is being placed on organizing and approving regional monitoring programs on the southern, central and north coasts. In addition, staff is also reviewing waterfront management plans for those ASBS dischargers with piers and mooring fields.
C2012	Once-Through Cooling (316b) Policy Amendment	Staff released draft amendment on May 17, 2011. Amendments were adopted on July 19, 2011. OAL approved on March 12, 2012.
C2012	Onsite Waste Water Treatment Systems Policy	The Onsite Waste Water Treatment Systems Policy was adopted by the State Water Board On June 19, 2012. Staff are preparing the administrative records to send to the Office of Administrative Law (OAL) for approval. Staff are working on implementation of the policy.
C2012	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 being reissued. 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. A draft Tentative Order was released for public review on January 7, 2011. The public comment period closed on March 14, 2011. A public hearing on the draft Tentative Order was held on July 19, 2011. A revised draft Tentative Order was released for public review and comment on August 18, 2011. A workshop on the revised draft was conducted on September 21, 2011. Staff met with Caltrans on a bi-weekly basis in October through December 2011, to identify and resolve concerns upraised at the hearing, workshop, and in written comments. A second revised draft tentative order was posted for public comment on April 27, 2012, and a staff workshop was held on May 21, 2012. The comment period for the second revised draft closed on June 26, 2012. A public hearing was held on August 7, 2012. The State Water Board adopted the permit at its September 19, 2012 meeting along with minor revisions as proposed by staff. The new permit will take effect July 1, 2013.
C2012	UST Low-Threat Case Closure Policy	The Low-Threat UST Case Closure Policy was adopted by the State Water Board on May 1, 2012. OAL approved the administrative record on July 30, 2012. Staff are working on implementation of the policy.
C2012	Aquatic Pesticide General Permit – Aquatic Animal Invasive Species	The State Water Board adopted this permit on March 1, 2012.

Policies/General Permits Completed in 2011

Status Code	Policy/Significant General Permit	Status
C2011	Aquatic Pesticide General Permit – Aquatic Animal Invasive Species	(updated: 2012-06-05) Adopted by State Water Board on March 1, 2011.
C2011	Aquatic Pesticide General Permit – Vector Control, (Adulticide/Larvicide)	(updated: 2012-06-05) Adopted by State Water Board on March 1, 2011.
C2011	Ocean Plan Triennial Review	(updated: 2012-06-05) Adopted by State Water Board on March 15, 2011.
C2011	Sediment Quality Objectives (SQOs) for Enclosed Bays and Estuaries: Fish and Wildlife	(updated: 2012-08-01) Adopted by State Water Board on April 6, 2011. Approved by the Office of Administrative Law on June 13, 2011. Staff has submitted to U.S. EPA.
C2011	Aquatic Pesticide General Permit – Spray Applications Permit (CDFA and USDA-Forest Services)	(updated: 2012-06-05) Adopted by State Water Board on March 1, 2011.
C2011	Storm Water MS4 Effectiveness Assessment Document (AB 739, Ch. 610, Statutes of 2007)	(updated: 2012-06-05) 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 were due 12:00 noon on November 30, 2010. Information Item presented to the Board on April 19, 2011.
C2011	Integrated Report Adoption (2010)	(updated: 2012-08-07) Board approved 303(d) list on August 4, 2010. Transmitted to U.S. EPA on October 13, 2010, and awaiting their approval. On October 11, 2011, U.S.EPA issued its final decision regarding the water bodies and pollutants added to the California 303(d) List.
C2011	Leaking Underground Fuel Tank (LUFT) Manual	(updated: 2012-06-05) 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.

Policies/General Permits Completed in 2010

Status Code	Policy/Significant General Permit	Status
C2010	Once-Through Cooling (316b) Policy*	(updated: 2012-06-06) Approved by Office of Administrative Law (OAL) on September 27, 2010. Effective date October 1, 2010. Staff is working with stakeholders and state agencies on implementation.
C2010	Once-Through Cooling (316b) Policy Limited Revisions	(updated: 2012-06-05) Adoption Hearing held on December 14, 2010. No changes made to Policy.
C2010	South Bay Power Plant	(updated: 2012-06-05) Notice of Cancellation of Public Hearing issued on November 2, 2010 due to permit application withdrawal.

Division of Water Rights

Status Code	Policy/Significant General Permit	Status	Statewide Collaborative Project	Lead	Active Participants
(A-13*)	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. Additional scoping meeting held June 6, 2011. Final Draft Technical Appendices released for public review in February 2012. Informational session on economic impacts and hydropower impacts appendices held on March 20, 2012. Draft SED planned for release in fall of 2012 with a workshop in late fall/early winter. Draft plan amendment to be brought to the Board for consideration in early 2013.	Yes	SB (DWR) Diane Riddle	SB (DWR) Bay Delta Unit, R5 Jerry Bruns
(P)	Russian River Frost Protection Regulation	On September 21, 2011, the State Water Board held a hearing during its Board Meeting to hear comments on the proposed adoption of the Russian River Frost Protection Regulation and the Draft Environmental Impact Report prepared in support of that proposed regulation. After hearing, the Board unanimously voted to adopt the proposed regulation with a minor edit and certified the draft EIR. The Board Resolution adopting the proposed regulation and certifying the draft EIR, also directs the Executive Director to prepare a Final Statement of Reasons with required responses to comments and submit the entire rulemaking documents to the Office of Administrative Law (OAL) for approval. OAL filed the regulation with Secretary of State on December 29, 2011 when it became effective. However, in January 2012, two lawsuits were filed against the regulation and the Mendocino County Superior Court issued an order that stayed the enforcement of the regulation. A court hearing was held in June, 2012. On September 26, 2012 the court issued a decision invalidating the regulations.	No	SB (DWR) John O'Hagan	SB (DWR) Aaron Miller, Jim Kassel SB (OCC) David Rose

A-13	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 Alameda Superior Court set aside the Policy on August 9, 2012 for inadequate CEQA Compliance. The Board must decide by the 2 nd week of October to appeal the decision or vacate the Policy and correct the CEQA deficiencies.	No	SB (DWR) Phil Crader	SB (DWR) Kathy Washburn, Karen Niiya, SB (OCC) Dana Heinrich
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Status Code Key: White = Active effort (A)
Orange = Targeted for completion in 2012 (A-12)
Lavender = Targeted for completion in 2013 (A-13)
Green = Targeted for completion in 2014 (A-14)
Blue = Completed 2012, 2011, 2010 (C2012, C2011, C2010)
Gray = Suspended or No statewide effort at this time or Pending (P)
Note: * indicates Board Priority