

**State Water Resources Control Board  
June 15, 2010 Board Meeting  
Item 12 - Executive Director's Report**

**OFFICE OF ENFORCEMENT**

**Office of Administrative Law (OAL) Approval of Water Quality Enforcement Policy:**

On May 20, 2010, OAL approved the Water Quality Enforcement Policy which was adopted by the State Water Board on November 19, 2009.

**Consent Judgment entered against Franzen- Hill Corporation for Violations of Tank Tester Licensing Requirements:** The Fresno County Superior Court entered a judgment of \$40,000 against Franzen-Hill Corporation (Franzen-Hill) and its service technicians Mr. David L. Martin and Mr. Exequiel Sinco for performing integrity tests on underground storage tank (UST) systems without a State Water Board issued tank tester's license.

The judgment settles allegations that Franzen-Hill performed 30 integrity tests in Kern, Kings, Merced, and Tulare Counties by unlicensed Franzen-Hill technicians between June 2005 and March 2008.

Integrity tests are a quantitative UST release detection method capable of detecting a 0.1 gallon per hour leak, and are performed in order to assess the structural integrity of the tank or product piping. It is important that tank tests are performed by licensed and trained individuals, to ensure that the tests are performed correctly. Integrity tests are critical in assessing the integrity of UST systems to protect the public's health and safety from a discharge of hazardous substances to the environment

Under the terms of the judgment, which resulted from a negotiated settlement, Franzen-Hill will pay \$21,400 in penalties to the State Water Board. Franzen-Hill will also pay \$8,600 in reimbursement of investigation and enforcement costs to the Environmental Health Departments in Kern, Tulare, Kings, and Merced Counties and to the Western States Project. The settlement suspends an additional \$10,000 in penalties for three years, provided that Franzen-Hill or its service technicians do not perform tank integrity testing without either a State Water Board issued tank tester's license or the appropriate manufacturer's training certificate.

The State Water Board's action was the result of the cooperation and information received by Kern, Kings, Merced and Tulare County Certified Unified Program Agencies (CUPA) and the Western States Project. Each county CUPA dedicated staff resources to assist in the development of the case.

**Consent Judgment entered against The Boeing Company for \$500,000 and Stipulated Minimum Penalties for Future Violations:** On June 2, 2010, the Ventura County Superior Court entered a judgment against The Boeing Company for violations of effluents limitations associated with its permitted discharges at its facility in Santa Susana. The case resulted from a referral from the Los Angeles Regional Water Board.

The judgment resulted from a negotiated settlement. Attorneys from OE and OCC participated in the settlement negotiations and drafted key provisions of the consent judgment.

The judgment imposes \$500,000 in civil liabilities and an additional \$70,000 for the reimbursement of enforcement costs and attorneys fees. \$200,000 will be paid to the Cleanup and Abatement Account and \$300,000 will be suspended pending the implementation of a SEP paid for by Boeing. The SEP involves the development by the Southern California Coastal Waters Research Project (SCCWRP) of a Watershed Modeling Project and an optimal set of best management practices for use by storm water management agencies. The judgment also requires Boeing's compliance with its NPDES permit and provides for stipulated minimum penalties that will be assessed on an escalating scale for certain future effluent limit violations.

**Greka Oil Company – Administrative Order in the Central Coast Region for \$1,200,000:**

On May 13, 2010, the Central Coast Water Board adopted an order accepting a settlement agreement with Greka Oil & Gas, Inc., regarding allegations that Greka violated cleanup requirements applicable to numerous oil-impacted soil piles in the Santa Maria area. The settlement was negotiated by OE attorneys representing the staff prosecution team.

The order imposes overall liability of \$1.2 million. It requires Greka to pay \$400,000 to the Water Board within 30 days, and proceed with reusing or disposing of approximately 70,000 cubic yards of oily dirt generated from its petroleum excavation operations. If Greka fails to meet deadlines in the agreement, additional penalties of up to \$800,000 will become due. The agreement allows Greka to reuse most of the soil piles for asphalt it intends to apply on roads throughout its oilfield properties in Santa Barbara County. Oil-impacted soil piles commonly result from efforts to clean up oil spilled on the ground or in creeks.

This settlement does not directly address Greka's liability for oil spills. The Central Coast Water Board referred these matters to the California Attorney General's Office for civil liability. A lawsuit was filed in March 2010 in Santa Barbara Superior Court.

## **DIVISION OF WATER QUALITY**

**Integrated Report Data Solicitation (2012):** On May 24, 2010, a letter was issued announcing a deadline extension for submittal of data for the 2012 Integrated Report. The new deadline is August 30, 2010. The letter is available at [http://www.waterboards.ca.gov/water\\_issues/programs/tmdl/docs/data\\_solicitation\\_ir2012ex.pdf](http://www.waterboards.ca.gov/water_issues/programs/tmdl/docs/data_solicitation_ir2012ex.pdf)

**Wetland and Riparian Area Protection Policy:** The scientific peer review request for the wetland definition was submitted to ORPP on April 23 and is scheduled to be submitted to peer reviewers in June. The Interagency Coordinating Committee (ICC), made up of federal and state agency executives with regulatory responsibilities for wetlands, met on May 20, 2010 to review a summary of the proposed policy content. State Water Board staff requested comments from the agencies on the summary documents by July 16. A meeting is scheduled for August 25 to obtain agency comments on full draft documents which will be sent out the first week of August to all ICC members.

The summary of proposed policy content will also be sent out to participants in the second round of invitation-only focused stakeholder meetings that are scheduled for June 21 and June 30 in Sacramento. As with the previous round of these meetings, the focused stakeholder groups are invited members of the following: environmental advocacy; business and industry; regulated state and local agencies; agriculture, timber and range interests; federal agencies and tribal governments; and public health and safety agencies. Other stakeholders will be welcome to participate in the public process that will continue after these meetings.

**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 June 2010 report is attached as Appendix 2.

## **DIVISION OF WATER RIGHTS**

**Temporary Urgency Change Petition by U.S. Bureau of Reclamation (Reclamation) for Season of Rediversion on Stony Creek:** On May 7, 2010, Reclamation filed a temporary urgency change petition to extend the season of rediversion under Permit 13776 for 30 days, from May 15, 2010 to June 15, 2010. As part of the Central Valley Project (CVP), under Permit 13776 water from Stony Creek is diverted into storage at Black Butte Reservoir and is then released from storage and rediverted at the Stony Creek Siphon into the Tehama-Colusa Canal (TC Canal) from April 1 to May 15 and from September 15 to October 29. In the intervening period (from May 15 through September 15), CVP water is delivered to the TC Canal via Red Bluff Diversion Dam (RBDD) under other Reclamation rights. However, due to the June 2009 Biological Opinion on the CVP, operations at the RBDD have changed, necessitating the use of temporary pumping facilities at RBDD to deliver water to the TC Canal until a new permanent fish passage project has been completed (scheduled for 2011 completion). Because some of the fish screens at the temporary pumping facilities do not meet state and federal standards, fishery agencies have urged Reclamation to redivert Stony Creek water into the TC Canal at the Stony Creek Siphon instead of diverting from RBDD during this period. The temporary change order was issued the week of May 24. No public or agency comments were received prior to approval of the change.

**Public Outreach: Final Training in Online Filing of Water Right Reports:** In Riverside on May 27, Division staff held the last of a series of remote location training classes for the public. The Riverside class consisted of (1) a Powerpoint presentation on the background of the online reporting system and its benefits for both water diverters and for State Water Board data management, and (2) a demonstration of how to file a Groundwater Extraction Notice online.

During the first week of June the Division expects to post on its website an online version summarizing the public training just completed: This online version will include (1) the Division's Powerpoint presentation on the background and benefits of the newly instituted online water right reporting system, and (2) how to use the public user manuals providing guidance in online filing which were posted to the Division's website in March.

**Truckee River Watershed Hearing:** On May 27, 2010, a pre-hearing conference was held to review procedural issues prior to an evidentiary hearing on issues related to the Truckee River Operating Agreement (TROA). The purpose of the hearing is to receive evidence that will help the State Water Board to determine whether to approve four change petitions and two water right applications within the Truckee River watershed filed by the Bureau of Reclamation. The hearing will commence on July 21, 2010. State Water Board approval of the change petitions is one of several conditions that must be met before the TROA takes effect.

**Russian River Water Right Issues -- Sonoma County Water Agency Temporary Urgency Change Order:**

On April 6, 2010, the Sonoma County Water Agency submitted a temporary urgency change petition to the State Water Board requesting approval to lower the minimum flow requirements called for in its water right permit. The request was made in order to comply with mandates in the Biological Opinion issued by the National Marine Fisheries Service on September 24, 2008, to better protect the Russian River fishery. On May 24, 2010, the Division of Water Rights issued an Order approving the temporary urgency change petition. The Order approves a reduction in the minimum flow requirements for the Russian River as follows:

1. From May 25 through October 15, 2010, in-stream flow requirements for the upper Russian River (from its confluence with the East Fork of the Russian River to its confluence with Dry Creek) be reduced from 185 cubic feet per second (cfs) to 125 cfs; and
2. From May 25 through October 15, 2010 in-stream flow requirements for the lower Russian River (downstream of its confluence with Dry Creek) be reduced from 125 cfs to 70 cfs, with the understanding that the SCWA will typically maintain approximately 85 cfs at the Hacienda gage as practicably feasible.

The Order also includes terms requiring fishery monitoring activities, preparation of a Water Quality Monitoring Plan, water conservation and conjunctive use. The Order has been publicly noticed, and all interested parties have until June 23, 2010 to submit comments and/or objections.

**South Delta Cease and Desist Order (CDO) Hearings:** As of June 15, four of the eleven water right hearings requested in response to issuance of eleven CDOs for alleged illegal diversion in the south Delta should be completed. Three more hearings are scheduled for July 7-9, 2010. Three additional hearings remain to be scheduled, and one of those three may be settled by agreement between the CDO recipient and the Division of Water Rights prosecution team. These hearings will potentially resolve some key issues related to riparian and pre-1914 water rights in the Delta.

**Informational Proceeding to Develop New Flow Criteria for the Delta Ecosystem:**

The State Water Board has been conducting a public informational proceeding to receive scientific information in order to develop new flow criteria for the Sacramento-San Joaquin Delta ecosystem necessary to protect public trust resources. As part of the March 2010 Informational Proceeding, participants were asked to summarize in their closing comments what flow criteria are necessary to protect public trust resources in the Delta under current conditions. Closing comments were due April 14, 2010. Staff has since met with representatives of the State and Federal Contractors Water Agency and the Bay Institute to discuss flow criteria development. Staff also met with Dr. Patricia Glibert of the University of Maryland to discuss her research regarding nutrients and the food web of the Delta ecosystem. With assistance from the Department of Fish and Game, the Department of Water Resources, and other participants, staff will develop a report based on the information received during the Informational Proceeding. A resolution to consider adoption of the report will be considered by the State Water Board at its August 3, 2010 meeting. Closing comments and additional information are posted on the State Water Board website at:

[http://www.waterboards.ca.gov/waterrights/water\\_issues/programs/bay\\_delta/deltaflow](http://www.waterboards.ca.gov/waterrights/water_issues/programs/bay_delta/deltaflow)

**Water Transfers:** From December 2009 through May 2010, the State Water Board received eleven petitions for temporary change to authorize the temporary (one year or less) transfer of water, four of which have since been withdrawn. On May 5, 2010, the Division issued Order 2010-0017-DWR, approving a change in place of use to deliver 10,000 acre-feet of State Water Project (SWP) water (originally intended for Tulare Lake Basin Water Storage District and Empire West Side Irrigation District) to Westlands Water District. Public notices have been issued for six of the remaining active petitions for temporary change, and one petition is still in the pre-notice phase. These public notices are available for viewing online at: [http://www.waterboards.ca.gov/waterrights/water\\_issues/programs/applications/transfers\\_tu\\_notices/](http://www.waterboards.ca.gov/waterrights/water_issues/programs/applications/transfers_tu_notices/)

DWR has also petitioned for a long-term transfer involving parties and terms similar to Order 2010-0017-DWR, with a transfer period of 2011-2027. The Division expects to issue the public notice for the petition for long-term transfer in June.

Last year's consolidated place of use action for the Central Valley Project and SWP was approved by State Water Board Order WR 2009-0033. No new transfers will be initiated pursuant to Order WR 2009-0033, and all but one have been completed. The one ongoing transfer, an exchange between Arvin-Edison Water Storage District and the Metropolitan Water District of Southern California, was started in October 2009 and is scheduled to be completed by the end of May 2010. Sometime in late May or early June, DWR and USBR anticipate filing petitions for temporary change (one year or less) to authorize new consolidated place of use actions for 2010.

**Oroville Hydro Project Water Quality Certification:** The Department of Water Resources (DWR) has applied for a new Federal Energy Regulatory Commission license to continue operation of the Oroville Hydroelectric Project. DWR has also applied with the State Water Board for water quality certification for the Project. A draft water quality certification was first provided to DWR on June 23, 2009. State Water Board staff met with DWR staff multiple times to discuss potential changes to the certification, and many of the conditions were modified upon the request of DWR staff. On January 21, 2010, the State Water Board issued a Draft Water Quality Certification for public review and comment. Comments were received from 19 parties. The State Water Board will issue a revised draft of the certification in July. Division staff will ask the State Water Board to consider adoption of the water quality certification for the Oroville Project at a future meeting, tentatively scheduled for August 3, 2010.

**Upper North Fork Feather River Project:** A Draft Environmental Impact Report (EIR) is being prepared by the State Water Board for Pacific Gas and Electric Company's (PG&E) application for water quality certification for the Upper North Fork Feather River (UNFFR) Project, Federal Energy Regulatory Commission (FERC) No. 2105. The UNFFR Project is a chain of three hydroelectric facilities on the North Fork Feather River, commencing with Lake Almanor in Plumas County. During scoping for the California Environmental Protection Act (CEQA), it became apparent that a more thorough analysis of measures to protect beneficial uses would be necessary to support CEQA findings and 401 certification conditions. Division staff determined that the measures previously set forth by PG&E and FERC through the National Environmental Protection Act process would not result in temperatures that would protect beneficial uses of the river, thereby prompting the need for development of a full array of feasible measures to reduce water temperatures in the UNFFR.

Division staff are in the process of final review of the Draft EIR, prior to public release. The Draft EIR contains information about water temperature reduction measures. Potential measures have been controversial. Historically, PG&E and Plumas County, who are signatories to the Settlement Agreement, have been opposed to any re-operation of the UNFFR Project that would reduce downstream temperatures via withdrawal of cold water from Lake Almanor. Proposed mitigation for temperature using a “thermal curtain” has been controversial to local residents, who remain vocal in their opposition to this mitigation measure.

**Eagle Mountain Pumped Storage Project:** In June 2010, the Division expects to release a Draft EIR for water quality certification of the Eagle Mountain Pumped Storage Project, FERC No. 13123 (Project). The Project is located in two depleted mining pits in the Eagle Mountain Mine near the town of Desert Center, immediately south of Joshua Tree National Park in the Chuckwalla Basin, Riverside County.

Using wind and solar power, the Project would pump water from a lower reservoir to an upper reservoir during periods of low energy demand in order to generate hydroelectric energy by gravity flow during periods of high energy demand. The Project proposes the use of energy generated from renewable sources to displace energy generated by fossil-fueled power plants.

The Draft EIR evaluates environmental impacts from the Project and proposes mitigation measures to reduce identified impacts. There are three impacts that cannot be reduced to “less than significant,” even with mitigation measures. If the State Water Board determines the certification should be issued, the State Water Board will be required to issue overriding considerations for those impacts, as follows:

1. Exhaust emissions from construction equipment during Project construction;
2. Visual impacts from the high voltage transmission lines;
3. Overdraft of groundwater in the Chuckwalla Basin due to cumulative impacts from the Project and other projects in the area.

**Cal-Am Cease and Desist Order Lawsuit:** On April 22, 2010, the Honorable Kevin Murphy, in Santa Clara Superior Court ruled on issues related to Order WR 2009-0060, which issued a Cease and Desist Order against California American Water Company (Cal-Am) for diversions of water from the Carmel River in Monterey County. The Court ruled on the following: (1) the Monterey Peninsula Water Management District's (District) motion for a stay of the Board's order, (2) the District and Cal-Am's motion opposing transfer and consolidation of all cases filed against the Board's order from Monterey County to Santa Clara County, and (3) Cal-Am's motion for temporary injunctive relief.

Judge Murphy ruled that consolidation was appropriate because the cases involved common issues of law and fact. He found that neither the District nor Cal-Am would suffer irreparable harm if the CDO were in place. He reversed the Monterey Superior Court decision to grant the stay as requested by the District and rejected Cal-Am's request for injunctive relief.

A case management conference is set for June 14. The Judge indicated that he would expedite this case, with the expectation that the proceedings can be completed by the end of the year.

## DIVISION OF FINANCIAL ASSISTANCE

**Division Approvals:** The Deputy Director of the Division approved the following Preliminary Loan/Grant Commitments from May 5, 2010 to June 2, 2010.

### Clean Water State Revolving Fund Loan

Entity	Preliminary Loan Commitment	Project	Approved
South Tahoe Public Utilities	\$2,650,299	Luther Pass Pump Station Project	5/24/2010
South Tahoe Public Utilities	\$2,730,000	Emergency Retention Basin Upgrade Project	5/24/10
South Tahoe Public Utilities	\$1,254,380	Wastewater Plant Headworks Replacement Project	5/24/10

## DIVISION OF ADMINISTRATIVE SERVICES

### Fiscal Year 2010-11 Budget:

Seventeen of our Budget Change Proposals (BCP) have been approved by both houses:

- Replacing \$2 million of Integrated Waste Management land disposal fees with Waste Discharge Permit fees.
- Providing \$1 million in reimbursement authority to directly pay consultants for CEQA documents and charging applicants for the cost.
- Adding five positions to the Water Rights program to process FERC 401 certifications.
- Establishing the Waste Water Certification Fund to certify operators of wastewater treatment plants.
- Adding two positions to implement AB 32 Climate Change Scoping Plan.
- Adding four positions to enforce Mandatory Minimum Penalty violations.
- Adding one position to our collections unit to help collect past due permit fees.
- Re-appropriation of \$56 million in bond funds in order to extend the encumbrance period for the funded projects.
- Add one position to implement SB 310 that allows local agencies to develop their own Watershed Improvement Plan.
- Increase the Underground Tank appropriation by \$158 million to implement AB 1188 that temporarily increased the storage fee.
- Adding one position to help implement SBx7 7 to improve water conservation measures.
- Adding 3.5 positions for the Delta Watermaster Program.
- Adding 2.5 positions to the Water Rights program to help process new and supplemental statements of water diversion and use.
- Provide \$2.7 million of GF to fund litigation costs with Pacific Lumber Company.
- A technical correction to the Governor's Budget for the administrative line item in the Water Rights program budget.
- Augmenting the Above Ground Fund appropriation by \$500 thousand to fund Certified Unified Program agencies to inspect above ground storage tanks.
- Shift \$6.1 million from GF to WDPF to fund Basin Planning.

One of our Budget Change Proposals (BCP) has been denied by both houses:

- November 2010 Bond funds.

The remaining four BCPs will be in Conference Committee:

- Replacing \$1.4 million of general fund (GF) for the NPDES program with fees.
- Replacing \$1.8 million of GF for the Irrigated Land Regulatory Program with fees.
- Replacing \$3.2 million of GF for Water Rights programs with fees.
- Adding 8.9 positions to process Basin Plan updates to be funded with reimbursement from entities seeking the amendment.

## **BOARD MEMBER DIRECTIVES**

A list of Board Member directives (assignments made by Board Members) during Board meetings) is attached as Appendix 3.

## Appendix 1

# Statewide Policies/Significant General Permits

<b>Division of Water Quality</b>		
<b>Status Code</b>	<b>Policy/Significant General Permit</b>	<b>Status</b>
A*	Anti-Degradation Policy / Implementation Triennial Review	Scoping meeting held on 11/17/08. Reviewing the 30+ comment letters received. Preparing recommendation for the Board. Work delayed by petitions.
A-11*	Aquatic Pesticide General Permit – Vector Control, (Adulticide/Larvicide)	The Adulticide and Larvicide requirements are being combined into one vector control permit. Expect to release formal draft September 2010. Board Workshop November 2010. Board meeting/adoption hearing targeted for January 2011.
A-11	Aquatic Pesticide General Permit – Weed Control, Aquatic Application	Expect to release formal draft in November 2010, Board Workshop in November 2010, and meeting/adoption hearing in March 2011.
P	Aquatic General Permit – Aquatic Invasive Species	Pending completion of other Aquatic General Permits.
P	Aquifer Storage and Recovery Policy	Delayed due to other priorities.
A-10	Areas of Special Biological Significance (ASBS): Special Protections	The Notice of Preparation and Initial Study for the special protections for discharges of storm water posted on the State Board's website on February 9, 2010. Comments period closed March 15, 2010 and received and posted 27 comment letters. Reviewing comments and targeting Public Hearing in fall, 2010.
A-10	Bacterial Objectives for Inland Surface Waters	Scoping meetings held 10/6/08 & 10/22/08; comment period closed 11/5/08. Staff preparing draft policy and staff report. Economic study delayed due to contract funding issues. Adoption Hearing targeted for October 2010.
A	Bio-indicator Development	Stakeholder Advisory Group formed on March 10, 2010. Next forming Regulatory and Scientific Advisory Groups in June 2010 and beginning technical studies.

## Division of Water Quality

Status Code	Policy/Significant General Permit	Status
A-10	Cadmium Objective and Implementation Policy	Scoping meeting held 10/6/08; comment period closed 10/23/08. Final internal review of draft policy and staff report prior to upcoming release for public comment. Targeting Public Hearing in October, 2010 and Board consideration in November, 2010
A-10	Constituents of Emerging Concern (CEC) Monitoring – Recycled Water Policy	Draft report released April 15, 2010. Board Information Item presented on for April 20, 2010. Water Board comments on draft report submitted May 13, 2010. Final Panel report expected June 25. Targeting Public Hearing in November, 2010.
A-10	Chlorine Residual Objectives and Implementation Policy	Delayed by loss of key staff. Scientific Peer review received. Report and policy will be revised as necessary to address peer review comments. Targeting Public Hearing / Board consideration in December, 2010.
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-10	Integrated Report Adoption (2010)	Releasing draft report and beginning public comment period on April 14, 2010. Board consideration targeted for June 15, 2010.
A-10	Leaking Underground Fuel Tank (LUFT) Manual	Draft manual update in preparation.
A-10	Listing Policy Update (Sediment Quality Objectives)	CEQA Scoping Meeting held on March 29, 2010. Comment period closed April 12, 2010. Targeting Public Hearing / Board consideration in September 2010.
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).

## Division of Water Quality

Status Code	Policy/Significant General Permit	Status
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-10*	Ocean Plan Amendment: monitoring & desal provisions	Will begin initial preparation at the completion of Once-Through Cooling 316(b) Policy.
P	Ocean Plan Amendment: vessel provisions	Pending completion of other Ocean Plan Amendments.
A	Ocean Plan Triennial Review	Public workshop targeted for Summer of 2010.
P	Off-Highway Vehicle (OHV) WDRs/Waiver	Pending staff availability.
C*	Once-Through Cooling (316b) Policy	Board adopted policy on May 4, 2010. Preparing administrative record for submittal to Office of Administrative Law.
A-11*	Onsite Waste Water Treatment Regulations/Waiver	Drafting new approach. Planning further public hearings on a new draft proposal in late Spring - early Summer 2010.
A	Rapid Diagnostic Tests for Bacterial Indicators in Coastal Waters	SCCWRP has established a sub-committee to evaluate methods readiness for usage. Sub-committee reported back in March 2010 to full commission with a recommendation to use rapid testing on several select beaches during the Summer of 2010. Full commission supported and so testing pilot will commence.
A-10	Sanitary Sewer System (SSS) WDR Update	Board Information Item planned for August, 2010. Targeting Public Hearing / Board consideration in December, 2010.
A	Sediment Quality Objectives (SQOs) for Enclosed Bays and Estuaries: Phase II	Phase II staff draft released. Scientific Steering Committee convened in July 2009. CEQA Scoping Meeting scheduled for May 19, 2010.
P	Sediment Quality Objectives (SQOs) for Enclosed Bays and Estuaries: Phase III	Pending completion of Phase II and availability of funding
A-11*	Spray Applications Permit (CDFA Eradication Programs)	Expect to release formal draft in September 2010, Board workshop in November 2010, and Board meeting/adoption hearing in January 2011.

## Division of Water Quality

Status Code	Policy/Significant General Permit	Status
A-11*	Storm Water CalTrans Permit	Incorporating TMDLs. Targeting workshops for September, 2010. Targeting Public Hearing in January, 2011 and Board consideration in March, 2011.
A*	Storm Water Industrial Permit	Evaluating status of draft permit and developing schedule of next steps. Public workshops targeted for October, 2010.
A-10	Storm Water MS4 Effectiveness Guidance (AB 739, 2009, Laird)	Worked with Storm Water Task Force to develop guidance. Targeting Public Workshops for July 2010 and Board consideration in August 2010
A-11*	Storm Water MS4 Phase II Permit	Targeting Public Workshops targeted for fall, 2010. Targeting Board Adoption Hearing February 2011.
P	Suction Dredge General Permit	On hold, and working instead with Dept of Fish and Game to coordinate with their suction dredge permitting program.
A-10*	Timber Activities on National Forest System Lands	Resolution to proceed adopted on August 4, 2009. Public workshop held on November 30, 2009. Staff work group formed to draft Water Quality Management Plan (WQMP) amendments. Stakeholder group formed and has held several meetings. The goal is to complete the draft WQMP by September 2010. Compliance with the WQMP will be the basis for a waiver.
P	Timber Activities on Non-federal Lands	Work with California Board of Forestry, Department of Forestry and Fire Protection, and Regional Water Boards. Work delayed pending the outcome of a petition.
A-10*	Toxicity Control Provisions for the SIP	Anticipate release of draft policy for informal comment in Spring, 2010. Targeting Public Hearing in September 2010.
A-10*	Trash Policy	Targeting Public Hearing / Board consideration in December, 2010.
A-10	UST Regulatory Program Task Force	Final task force recommendations submitted to the Board in January 2010. DWQ staff will update the Board at the May 18 Board meeting in conjunction with DFA staff report on the UST Cleanup Fund.

## Division of Water Quality

Status Code	Policy/Significant General Permit	Status
A-11	Wetlands and Riparian Areas (Dredge and Fill) Policy – Phase I	Scientific peer reviews being conducted for the California Rapid Assessment Methodology (CRAM) for wetland condition determination as well as the Technical Advisory Team's (TAT's) wetland definition. Targeting Public Hearing in December, 2010.
P	Wetlands and Riparian Areas Policy – Phase II	Pending completion of Phase I.
P	Wetlands and Riparian Areas Policy – Phase III	Pending completion of Phase II.

**Note: \* indicates Board Priority**

**Status Code Key:**

White = Active effort (A)

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

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

Blue = Completed (C)

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

## Policies/General Permits Completed in 2009

Status Code	Policy/Significant General Permit	Status
C	Biodiesel Regulations	Board approved regulations on November 17. OAL has approved, and the effective date of the regulations was March 4, 2010.
C	Landscape Irrigation / Incidental Runoff Permit	Permit adopted by Board on 7/7/09. Preparing memo to Regional Boards regarding implementation.
C	Recycled Water Policy	Complete. Approved by OAL on 5/14/09. Sent memo to Regional Boards regarding implementation.

<b>Status Code</b>	<b>Policy/Significant General Permit</b>	<b>Status</b>
C	Ocean Plan Amendment: non-substantive	Board adopted on 9/15/09. Approved by OAL on 3/10/10.
C	Sediment Quality Objectives (SQOs) for Enclosed Bays and Estuaries: Phase I	Phase I completed, adopted by State Board, approved by OAL on January 5, 2009. Approved by USEPA on August 25, 2009.
C	Storm Water Construction Permit	Board adopted permit at its 9/2/09 Board Meeting.
C	Storm Water Linear Permit	Linear permit included in Construction Storm Water permit. Board adopted permit at its 9/2/09 Board Meeting.
C	Vessel General Permit – Revised Certification	Revised 401 Certification in February 2009 to reflect USEPA's final permit and make clarifying edits.

### **Policies/General Permits Completed in 2008**

<b>Status Code</b>	<b>Policy/Significant General Permit</b>	<b>Status</b>
C	Blue-Green Algae Guidance	Revisions completed in September 2008 and posted on website.
C	Compliance Schedule Policy	Board approved on 4/15/08, effective on 12/17/08.
C	Vessel General Permit – Certification	Issued 401 certification with state conditions on 12/17/08. Completed.

<b>Division of Water Rights</b>		
<b>Status Code</b>	<b>Policy/Significant General Permit</b>	<b>Status</b>
(A-10)	Draft WQCP update for San Joaquin River flows and southern Delta flow objectives	Draft SED chapter and notice of public workshop will be released by Summer 2010. Draft plan amendment to be brought to the Board in November 2010
(A-10)	Delta outflow recommendations (SBX7 1)	Hearing held March 2010, draft report and resolution for Board consideration will be circulated in early July, and Board consideration on August 3, 2010.
C	Instream Flow Policy (AB 2121)	Draft scheduled for completion by December 15, 2010. To be considered by the Board in February 2010.

**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)

<b>Office of Enforcement</b>		
<b>Status Code</b>	<b>Policy/Significant General Permit*</b>	<b>Status</b>
C	Policy on Supplemental Environmental Projects	Approved by Board and OAL.
C	Revised Water Quality Enforcement Policy	Approved by Board on November 17, 2009

**Status Code Key:**

White = Active effort (A)

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

Blue = Completed (C)

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

<b>Division of Financial Assistance</b>		
<b>Status Code</b>	<b>Policy/Significant General Permit</b>	<b>Status</b>
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 drafted, but being held waiting fiscal considerations. Anticipate being released for public review in Spring 2010.

**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 June 2010

This month's Irrigated Lands Regulatory Program (ILRP) monthly report will provide an update on activities of the Central Valley Regional Water Quality Control Board (Central Valley Water Board) ILRP, as reported in the Central Valley Water Board's May 27, 2010 Executive Officer's report. Current and past ILRP program monthly reports can be found on the State Water Boards ILRP website:

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

For specific program information on the Central Valley Water Board ILRP, contact Mr. Joe Karkoski, program manager, at 916- 464-4668.

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

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

### CENTRAL VALLEY WATER BOARD (Information from May 27, 2010 Executive Officer Report)

#### IRRIGATED LANDS REGULATORY PROGRAM (ILRP) Long-term Program / Environmental Impact Report (EIR)

On 18 February staff held a long-term program general stakeholder meeting. During this meeting, staff asked stakeholders whether they would like to see a straw proposal for a long-term irrigated lands program prior to circulation of the draft EIR. The straw proposal would not be the staff recommended alternative, but would be developed as a preliminary proposal aimed to give stakeholders an idea of what staff are considering as necessary components of the long-term program. Stakeholders responded affirmatively. Staff informed stakeholders that the straw proposal would be developed and vetted through the small workgroups (agricultural, environmental/ environmental justice, agency, organic) before circulation to all stakeholders.

On 26 March, staff released the straw proposal to the four small workgroups. During the month of April, staff met with each of the small workgroups to discuss the straw proposal. The small workgroup members provided numerous comments at these meetings. Staff intends to revise the straw proposal based on small workgroup comments prior to general public release in the first week of May. The next general stakeholder meeting is scheduled for 11 May. At this meeting, staff will hear comments on the straw proposal and provide stakeholders with an update on the status of long-term program development.

On 5 April, the Superior Court of the State of California endorsed a settlement agreement between California Sportfishing Protection Alliance and San Francisco Baykeeper; Central Valley Water Board; and Northern California Water Association, San Joaquin Valley Drainage Association, East San Joaquin Water Quality Coalition, California Farm Bureau Federation, San Joaquin Valley County Resource Conservation District. This agreement requires that the Central Valley Water Board release a draft EIR for the long-term program by 31 July 2010. Also, the agreement requires that staff present and recommend that the Board certify a final EIR by 31 March 2011.

### **Compliance & Outreach – Postcards**

In March and April, Central Valley Water Board staff issued 241 outreach postcards to potential owners of irrigated lands in Nevada, Contra Costa, and Lake Counties. Nevada and Lake County are within the Sacramento Valley Water Quality Coalition, while Contra Costa County is within the San Joaquin County and Delta Water Quality Coalition as well as part of the Delta Pilot Project. The postcard recipients were identified using county tax assessor rolls and state and federal agricultural land use databases. The postcards advise qualifying owners of irrigated lands to obtain the proper regulatory coverage.

### **Compliance & Outreach - Exemption Claim Inspections**

In March and April 2010, Central Valley Water Board staff completed 13 inspections to verify landowner claims of exemptions to the ILRP. Landowners can respond to ILRP staff's postcards or 13267 Orders by claiming their land is not used for agriculture, not irrigated, or that it has no irrigation tail water or storm water runoff. These claims create a need for verification inspections, which staff regularly conducts.

### **Enforcement**

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

In April, the Executive Officer issued 63 CWC §13267 Orders to potential owners of irrigated lands in the San Joaquin County and Delta Water Quality Coalition area; also part of the Delta Pilot Project area. These Orders were issued to landowners in Contra Costa County who first received an outreach postcard and subsequently did not respond.

#### **Approval to Join a Coalition Group**

In April, the Executive Officer approved 90 landowners to join coalitions. These additional landowners will add 17,900 irrigated acres to the program. Thirty-two of these applications were a result of mailing informational postcards to land owners and twenty-eight were the result of mailing 13267 Orders.

#### **Unauthorized Discharges and Complaints**

On 16 March, staff responded to a CalEMA Hazmat Spill Report describing a quantity of dead fish in the Blakeley Canal (a tributary of the Kings River) in Kings County. Samples collected at that time were analyzed for physical parameters, nutrients, metals, pesticides, and water column toxicity. No toxicity was found. The herbicide Diuron was detected in all three samples at concentrations too low to be the likely cause of the fish kill. On 26 March, staff received a letter from the Kings River Conservation District describing actions taken to address the fish kill. Staff is currently drafting a response report.

### **Coalition Groups**

On 18 March, Staff met with representations from the agricultural water quality coalitions to discuss the potential increase in fees being considered by the State Water Board. The focus of the discussion was on how staff resources at the Central Valley Water Board are being used to implement the program.

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

On 10 March, a three-year Monitoring and Reporting Program (MRP) Order No. R5-2010-0805 was approved for the CRC. The MRP will be in effect until 31 December 2012. Review of the Algae Aquatic Toxicity Management Plan and the voluntary Propanil Management Plan have been completed. The Propanil Management Plan has been approved by the Executive Officer.

The Algae Toxicity Management Plan focused identifying whether rice herbicides could be causing or contributing to the observed toxicity. Concurrent chemical analysis and toxicity testing did not show a relationship between the presence of rice herbicides and aquatic toxicity. Therefore, the CRC has been informed that they have met their obligations under the management plan.

The 2009 Annual Monitoring Report has been reviewed by staff and is undergoing review by management.

Due to wet weather, monitoring for the Rice Pesticide Program will be delayed at least two weeks. The CRC will inform stakeholders when monitoring for thiobencarb begins.

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

On 1 March, the ESJWQC submitted its 2010 Annual Monitoring Report, and staff completed the report review on 30 March. Staff comments have been prepared and are undergoing management review.

On 3 March, staff held a meeting with the ESJWQC, the San Joaquin County and Delta Water Quality Coalition, and Westside San Joaquin River Watershed Coalition to discuss compliance with chlorpyrifos and diazinon TMDL implementation. The purpose of this meeting was to clarify and provide responses to coalition questions regarding implementation of the TMDL requirements within current management plan strategies. The coalitions agreed to follow up with a proposal. The ESJWQC and Westside Coalitions agreed on the submittal of a separate-single Annual Chlorpyrifos and Diazinon TMDL Report (Annual CD TMDL Report) to determine compliance with the TMDL requirements. The coalitions will follow up with a letter that includes schedules and content of the Annual CD TMDL Report.

On 1 April, the ESJWQC submitted its 2010 Management Plan Update Report. Staff is reviewing and preparing comments for the 4 May quarterly management plan meeting.

### **Goose Lake Coalition**

On 8 April, Goose Lake Coalition conducted its pre-irrigation sampling event on Lassen Creek. Subsequent sampling events will be conducted monthly during the irrigation season (April-June) and one sampling event in the fall. In April, Central Valley Water Board staff received and the Executive Officer approved a request from the Goose Lake Coalition to drop total ammonia from the list of parameters during Core monitoring years. The Coalition will continue to conduct sampling of total ammonia during Assessment monitoring years beginning in 2011. Water Board staff will travel to Goose Lake the week of May 10 to attend a meeting with Coalition leads regarding the *E. coli* management plan that is being developed for Lassen Creek.

### **Pleasant Valley Coalition**

The Pleasant Valley Coalition collected signed land owner agreements from its growers that wish to join Westlands Storm Water Coalition. The official adoption of Pleasant Valley land owners into the Westlands Storm Water Coalition is scheduled to occur prior to 30 June 2010.

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

On 1 March, the SVWQC submitted its 2010 Annual Monitoring Report (AMR), including a brief update on the Management Plan Status report. Staff is currently reviewing the AMR and preparing comments. Staff requested that the Coalition prepare a separate, comprehensive Management Plan Status Update Report and provided guidance regarding report contents. The Coalition submitted the Management Plan Status Update Report on 3 May 2010.

On 23 March, SVWQC and staff held the first 2010 Quarterly Management Plan Meeting. Participants reviewed and discussed upcoming 2010 management plan tasks, the status of 2009 management plan tasks, and management plan survey results. Additional agenda items included staff review of Source Evaluation Reports, QAPP approval, and MRPP change requests under review.

On 30 March, staff held a telephone meeting with SVWQC, El Dorado subwatershed, and Napa subwatershed representatives regarding their Pilot Watershed Management Practices Plans. The purpose of the meeting was to affirm that final Pilot Plan proposals and questionnaires were received by staff and did not need further revision. In addition, staff clarified that documentation of grower implementation (75 percent requirement) of management practices are required by 15 June (revised due date) and must be approved prior to discontinuing monitoring activities within the two subwatershed areas.

On 14 April, staff attended the SVWQC Quarterly Coalition Group meeting. Staff provided an overview of the ILRP Monitoring and Implementation Unit priorities for 2010 and an update on development of the Long Term Irrigated Lands Program.

On 15 April, a letter from the Executive Officer was sent to the Coalition and the Placer-Nevada-South Sutter-North Sacramento Subwatershed Group in response to letters dated 9 February and 23 March regarding current monitoring requirements and development of the long-term irrigated lands program. The subwatershed group proposed that they be recognized as a low-threat to water quality impacts and that their monitoring requirements should reflect this status. The letter responds to the subwatershed group's concerns.

On 16 April, the SVWQC and Upper Feather River Watershed Group submitted a letter to the Executive Officer requesting a reduction in the number of monitoring stations in the subwatershed's area from three to one. Justification for the request was based on the similarity of crops and agricultural operations throughout the area; the lack of metals, nutrients, and pesticide exceedances; and ongoing special studies and outreach activities being conducted to address pH, DO, and E. coli exceedances. The request was approved by the Executive Officer on 29 April.

On 22 April, proposals from the El Dorado subwatershed and the Napa subwatershed for a Pilot Watershed Management Practices Pilot Plan were approved by the Executive Officer. The proposal is the first of two requirements that must be met before the Pilot Plan can begin in each subwatershed area. Upon submission and acceptance of documentation that 75 percent of growers are implementing appropriate management practices, Core and Assessment Monitoring activities will be suspended in the respective subwatershed areas.

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

On 3 March, staff held a meeting with the San Joaquin County and Delta Water Quality Coalition, East San Joaquin Water Quality Coalition, and Westside Coalition to discuss compliance with the chlorpyrifos and diazinon TMDL implementation. The Coalitions requested the meeting.

On 23 March, staff completed review of the San Joaquin County and Delta Water Quality Coalition 1 March 2010 Annual Monitoring Report. Staff comments have been prepared and are undergoing management review.

On 1 April, the San Joaquin County and Delta Water Quality Coalition (Coalition) submitted its 2010 Management Plan Update Report. Staff is reviewing and preparing comments for the 4 May quarterly management plan meeting.

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

On 22 March, staff met with the SSJVWQC to discuss its draft MRP Plan. Representatives of the Coalition discussed issues they have with the conditions for approval. Staff is drafting a memo to address the issues and provide clarification on Irrigated Lands Regulatory Program requirements.

On 14 & 15 April, staff conducted sampling on the Tule River above Lake Success and on the South Fork of the Kern River above Lake Isabella. The sampling is the result of an agreement with the Coalition to jointly assess potential influences from irrigated agriculture above the reservoirs that may warrant additional Coalition monitoring. The Coalition will collect a second set of samples during the middle or end of the 2010 irrigation season. The samples will be analyzed for Irrigated Lands Regulatory Program Assessment site parameters.

### **Westlands Coalition**

This storm season produced higher than normal flows in each of Westlands Storm water Coalition's three monitored ephemeral streams, with most streams flowing intermittently since December. Westlands was able to collect monthly samples from most of its monitoring sites.

### **Westside Coalition**

On 28 April, staff met with coalition leads for the quarterly update on management plan activities. Several key components of the management plan were updated as well as a detailed discussion on planning for the new focused management plans for Del Puerto Creek, Orestimba Creek, and Westley Wasteway. Staff also discussed the past irrigation season Semi-Annual Monitoring Report submitted in November 2009 and additional information that will be added to the next monitoring report in the June non-irrigation season.

### **Water Districts with Regulatory Coverage under the Individual Conditional Waiver Order**

#### **Merced Irrigation District (Merced ID)**

On 26 February, staff received the Merced Irrigation District 2010 Annual Monitoring Report (AMR) for the 2009 reporting period. The AMR was due on 1 March 2010.

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

On 24 February, staff received an email from Modesto ID stating that submittal of the 2010 Annual Monitoring Report (AMR) would be delayed.

On 10 March, staff received the Irrigation District 2010 Annual Monitoring Report (AMR) for the 2009 reporting period, which was dated 5 March 2010. The AMR was due on 1 March 2010.

#### **Oakdale Irrigation District (OID)**

On 1 March staff received the Oakdale Irrigation District 2010 Annual Monitoring Report for the 2009 reporting period. On 25 March, staff completed its review of the annual monitoring report; comments have been prepared and are in the final stages of edits and senior review.

#### **South San Joaquin Irrigation District (SSJID)**

On 22 February, the South San Joaquin Irrigation District submitted an extension request for the 1 March 2010 Annual Monitoring Report. The District requested a 29 March extension because the final monitoring results for the reporting period were not received until mid February giving the District 2 weeks to prepare the report. The Executive Officer approved the District's request on 25 February.

On 27 March, staff received the South San Joaquin Irrigation District's 2010 Annual Monitoring Report for the 2009 reporting period as per the 25 February extension approval. On 16 April, staff completed its review of the annual monitoring report; comments have been prepared and are in the final stages of edits and senior review.

#### **Turlock Irrigation District (TID)**

On 24 February, staff received the Merced Irrigation District 2010 Annual Monitoring Report (AMR) for the 2009 reporting period. The AMR was due on 1 March 2010.

#### **Data Management**

The ILRP Participant Monitoring Data web site is scheduled for an update in early summer to add data through the end of 2009 for all Coalitions and the CRC who have submitted quarterly or annual monitoring reports through 1 March 2010. All reports received through this time frame that arrived in an electronic SWAMP comparable format are currently being loaded into a California Environmental Data Exchange Network (CEDEN) comparable daughter database provided by the UC Davis Data Center. These reports and future data sets will be sent to the UC Davis Data Center to be uploaded into CEDEN for state-wide assessment efforts.

The consolidated ILRP data warehouse project is nearing completion and is slated for release to staff on 1 June. The data warehouse consolidates and formats older data to be combined with newer SWAMP formatted data being received. This warehouse will allow rapid and large scale data analysis to be performed for the program on a time line much shorter than waiting for all the historical data to be SWAMP formatted. The San Joaquin Watershed SWAMP unit has provided assistance in this project as well as support for the continued efforts of formatting and loading data into the CEDEN comparable database.

#### **MOU Pilot Program**

Requests to amend and extend the MOU contracts were denied. Requests to extend the contracts, at no additional costs, to 31 December 2011 were submitted and are being processed. The Quarterly Report for January to March 2010 is under final review and should be approved and posted on the ILRP website by the May Board meeting.

**APPENDIX 3**

**Current Board Member Directives Checklist as of 6/14/2010**

Board Meeting	Staff	Requested by Board member	Issue	Due Date	Direction	Current Status
9/16/2003	Rik Rasmussen	WQO 2003-12	Toxicity Revisions to the SIP	Release draft revisions - January 2009 - Adoption - Spring 2009.	Modify the SIP to include policy direction on the use of the numeric chronic toxicity effluent limits in NPDES permits for POTWs that discharge to inland waters.	Staff is currently working to revise the toxicity control provisions in the SIP. Proposed changes include: 1) clarifying the appropriateness of numeric toxicity effluent limits in NPDES permits, and 2) expanding and standardizing implementation requirements for toxicity control. Staff worked with USEPA to develop options for determining highly defensible statistical methods for the analysis of toxicity testing data. Staff worked with USEPA on incorporating newly-released statistical methods for determining compliance with permit toxicity limits. Results of this project are intended to lead to defensible options for toxicity control. SAIC has completed the EPA funded economic analysis of the proposed changes. Staff anticipate releasing a draft policy document for a 60-day review period is anticipated to start in Spring, 2010. Adoption Hearing anticipated September, 2010.
11/15/2006 (during Klamath River TMDL proceedings)	John O'Hagan	All	Inclusion of the Klamath River watershed in the enforcement provisions of the policy being developed pursuant to AB 2121	late 2009	Upon adoption of the policy for the five counties described in Water Code section 1259.4, the Board should consider the expansion or amendment of AB 2121 policy to include the Klamath River and its tributaries.	The Division of Water Rights previously released a draft policy for protection of instream flows in five coastal counties described in Water Code section 1259.4 as added by AB 2121. The policy will affect the geographic area for which the Board is required to adopt a policy; this area does not include the Klamath River. The Board directed the staff to consider amending the policy or developing a policy specific to the Klamath River system following the adoption of the policy for the required area. The Board adopted the Policy on May 4, 2010 and will be submitting the Policy to OAL for review. The policy effective date will be dependant upon OAL approval. The Division of Water Rights will prepare a resolution for Board consideration that will extend the enforcement provisions of the policy to the Klamath Basin. This work will commence as soon as the Division completes its hiring of new water rights enforcement staff.
2/19/2008	Shakoora Azimi-Gaylon	Resolution No. 2008-0014	Plan for Enclosed Bays/ Estuaries- Part 1 Sediment Quality	Feb-09	Directs staff to initiate appropriate proceedings to amend the section 303(d) listing policy by February 2009.	Held CEQA scoping meeting on March 29, 2010. Comments were due April 12, 2010. Adoption Hearing anticipated September, 2010.

**APPENDIX 3**

**Current Board Member Directives Checklist as of 6/14/2010**

Board Meeting	Staff	Requested by Board member	Issue	Due Date	Direction	Current Status
4/15/2008	Wetland Policy Development Team	All	Regional Policy Progress Updates	Summer 09	State Board has directed in the Board Wetland Policy resolution (April 15, 2008) that the Wetland Policy Development Team report back to the Board following the peer review of Region 1 & 2's Stream and Wetlands System Protection Policy and also within the public comment period prior to Regional Board adoption.	Next round of focused stakeholder meetings scheduled for June 21 and 30, 2010, to discuss policy framework and wetland definition presented to the Board on October 6, 2009.
6/1/2008	Executive	Frances Spivy-Weber	Aerial Deposition		Executive staff and Board lead will coordinate with ARB to evaluate joint solutions to aerial deposition that impacts water quality.	
9/2/2008	Jon Bishop	All	Recycled Water Policy	Nov-08	Bring suggested staff changes to stakeholder draft recycled water policy back to the Board.	Completed.
9/16/2008	Barbara Evoy	All	SRF Loans	Mar-09	Bring to the Board for consideration options on how to address 218 vote. One option must include no new SRF loans until the issue is resolved.	Item 7 at the November 18, 2008 Board meeting presented options and recommendations to the Board. The State Board accepted the staff recommendations to continue offering financial assistance to eligible applicants while simultaneously implementing additional measures to ensure the security of CWSRF payments; and directed staff to make the State Water Board aware of developments that signal a deterioration of CWSRF finances. Staff did add in additional measure to ensure security of CWSRF payments.
10/7/2008	Miles Burnett	Gary Wolff	Development of Environmental User Fees	May-09	Such a fee was adopted for NPDES permittees. Similar fees should be developed for other permit types.	Alternative fee strategies are being developed.
11/4/2008	DWQ	Frances Spivy-Weber	Beaches	Jul-09	Include the use of rapid indicators in discussions on long term funding for beach monitoring.	SCCWRP rapid indicator workgroup to deploy pilot using rapid indicators at 6 to 9 Southern CA beaches in the Summer of 2010. Developing approaches for long term funding and including rapid indicators.

**APPENDIX 3**

**Current Board Member Directives Checklist as of 6/14/2010**

Board Meeting	Staff	Requested by Board member	Issue	Due Date	Direction	Current Status
11/18/2008	DFA	All	SRF Loans	Jul-09	Work with CASA and Tri-TAC to develop alternatives to explore safety fund for the SRF to protect against rate rollbacks.	Work on this issue was suspended due to additional workload demand of the American Recovery and Reinvestment Act. Staff will resume its effort in January 2010 to find a backstop for the CWSRF against rate rollbacks in conjunction with the Stakeholder Advisory Group, CASA/TriTAC, and its financial advisor. Recommendations will be presented to the Board as part of the CWSRF Regulations or a Policy amendment.
1/6/2009	Liz Haven	All	Suction Dredge	Jul-09	Work with DFG to define scope of work for suction dredge EIR. Brief Board members on process and contents.	Latest update on status was in the April 20, 2010, Executive Director's Report.
2/3/2009	DWQ and DFA	Resolution No. 2009-0011	Recycled Water Policy		Request the Department of Water Resources to provide funding for recycled water projects.	Completed (DWR replied that funding is not available).
2/17/2009	DWQ	All	Blue Green Algae	Apr-09	Report back to the Board on Blue Green Algae work being conducted on the Klamath.	Contacting R1 to work up report. Propose Summer of 2010 to report back on status at that time.
2/17/2009	DWQ	All	LID	Jul-09	Staff will follow up with the Coastal Commission and DWR IRWM on outreach for LID education for the Municipalities and report back in a future ED report.	Working with DFA to develop LID outreach.
2/17/2009	Darrin Polhemus	Charles Hoppin	Monitoring	Jan-10	Report back from time to time in the ED report on work with the shipping industry regarding monitoring requirements.	No further work to date pending outcome of lawsuits on the VGP.
5/19/2009	DWQ	WQO 2009-0003	Salt Management		Work collaboratively with Central Valley Water Board to identify, scope, and implement short-term, intermediate-term, and long-term regulatory options for addressing salts.	Developing discussion document. Will be meeting with R5 staff.
8/4/2009	DWQ	Resolution No. 2009-0064	Forestry	Jan-11	Develop a statewide approach addressing forest activities on National Forest System Lands, including Timber Harvesting, Grazing, Off-Road Vehicle Recreation, and Fire Suppression.	Stakeholder group established on 11/30/09. Staff working group meetings underway with Regional Boards and USFS.
11/17/2009	DWQ	Resolution No. 2009-0081	USTs	Continuing	Conduct UST case reviews similar to the Cleanup Fund's Five Year Review process for all petroleum cases and recommend closure as appropriate.	DWQ brought non-Cleanup Fund cases to the Board for closure in April 2010. Will prepare another batch for late Summer 2010.
11/17/2009	Darrin Polhemus and Val Connor	All	CIWQS	Feb-10	Report back to the Board on ways to inform dischargers of MMPs and non-reporting issues.	Developing approaches with ACWA and on third and final version of proposal; will report back Summer of 2010.
2/23/2009	DWQ	Tam Doduc	Recycled Water Policy	Jun-10	Status on implementation of the recycled water policy.	Staff are planning an Information Item for the July 6, 2010 Board Meeting.

**APPENDIX 3**

**Current** Board Member Directives Checklist as of 6/14/2010

Board Meeting	Staff	Requested by Board member	Issue	Due Date	Direction	Current Status
5/4/2010	DWR	Resolution No. 2010-0021	North Coast Instream Flow Policy (AB 2121)	2015	Directs staff to initiate a study to determine whether the volume depletion approach alternative criteria for Class II and Class III streams is protective and should be adopted in a future policy revision as a regional criteria.	Next step is to estimate scope and cost of study and to identify funding source.
5/18/2010	DFA	Tam Doduc	Sources of Drinking Water Policy	Jul-10	Provide status of CV Regional Board Drinking Water Policy and shift funding to another entity if appropriate	Staff investigating
5/18/2010	DWQ	Tam Doduc	UST Closure Policy	Jul-10	Provide recommendation to Board whether a UST Closure Policy should be developed.	Staff preparing recommendation.