

**Water Resources Control Board  
 August 15, 2017  
 Item 6 - Executive Director's Report**

**DIVISION OF FINANCIAL ASSISTANCE**

**Program Activity:  
Cleanup and Abatement Account (CAA)**

**Cleanup and Abatement Account for Urgent Drinking Water Needs – Regular CAA:**  
 To date, the SWRCB has approved a total of \$192,865 in grants from the CAA to address urgent drinking water needs. Two projects requesting a total of \$51,000 are currently pending.

**Cleanup and Abatement Account Interim Emergency Drinking Water Program - \$15 Million (SB 826):** There is currently \$10,284,804 remaining under SB 826 funding. The encumbrance deadline for the SB 826 funding was June 30, 2017. No additional projects will be funded under SB 826.

To date, the SWRCB has approved a total of **\$4,715,196** in grants to drought related emergency projects.

**Cleanup and Abatement Account Interim Emergency Drinking Water Program - \$4 Million Set-Aside for Contamination:** There is currently \$1,967,861 remaining under \$4 million Set-Aside for Contamination funding. If all the pending projects are approved, there will be approximately \$922,529 remaining under \$4 million Set-Aside for Contamination funding.

To date, the SWRCB has approved a total of **\$2,032,139** in grants to contamination related emergency projects.

<b>CAA Approved Projects (July 1, 2017 – July 31, 2017)</b>		
<b>Recipient</b>	<b>Project Purpose</b>	<b>CAA Funding Amount</b>
Orange Center School District	The funding will be used to provide bottled water and install POUs at the Orange Center School due to lead contamination that is above the action level.	\$21,470
Phillipsville Community Services District	The funding will be used to install a new well to replace the shallow well that went dry due to the drought.	\$132,865

<b>Reporting period: (July 1, 2017 – July 31, 2017)</b>	
<b>CAA SB826 Drought Emergency Funding</b>	
Number of projects approved:	0
Total amount approved:	\$0
<b>CAA \$4 million Contamination Set-Aside Funding</b>	
Number of projects approved:	1
Total amount approved:	\$21,470

<b>CAA Funding for Urgent Water Needs</b>	
Number of projects approved:	1
Total amount approved:	132,865
TOTAL NO. OF PROJECT FUNDED BY CAA:	2
TOTAL FUNDS APPROVED BY CAA:	\$154,335
<b>Reporting period: July 1, 2016 – Present (OVERALL)</b>	
<b>CAA SB826 Drought Emergency Funding</b>	
Number of projects approved:	13
Total amount approved:	\$4,715,196
<b>CAA \$4 million Contamination Set-Aside Funding</b>	
Number of projects approved:	26
Total amount approved:	\$2,032,139
<b>CAA Funding for Urgent Water Needs</b>	
Number of projects approved:	3
Total amount approved:	\$192,865
TOTAL NO. OF PROJECT FUNDED BY CAA:	42
TOTAL FUNDS APPROVED BY CAA:	\$6,940,200

### **Drinking Water for Schools Grant Program**

#### **Completed Significant Events**

Senate Bill (SB) 828 (Stats. 2016, Ch. 29) added Section 116276 to the Health and Safety Code, which requires the State Water Board to establish a grant program (the Drinking Water For Schools Program, or Program) for the purpose of improving access to, and the quality of, drinking water in public schools. SB 828 appropriated \$9.5 million from the General Fund to the State Water Board for Program grants. Among the requirements of SB 828 are to develop guidelines for the implementation of the Program, and to provide technical assistance to eligible applicants. On May 16, 2017 the State Water Board adopted Resolution No. 2017-0032 thereby adopting the Program guidelines.

The Budget Act of 2016 (SB 826 [Stats. 2016, Ch. 23]) appropriated \$500,000 from the General Fund (Item 3940-001-0001) to provide the technical assistance specified in SB 828. On April 4, 2017, the State Water Board authorized the Executive Director, or designee, to execute Program technical assistance contract(s) and amendment(s).

An invitation for bid was conducted and qualified bids were evaluated. Rural Community Assistance Corporation (RCAC) was selected on May 16, 2017 as the TA provider, and the contract has been executed.

#### **Future Significant Events**

Technical Assistance – RCAC will conduct outreach to spread awareness about the program during August and September.

Application Period – staff intends to open the application period in early September 2017, and collaborate with RCAC to host workshops for potential applicants during September and early October.

## Environmental Review

California Environmental Quality Act approvals (July 1, 2017 – July 31, 2017)	
Clean Water State Revolving Fund and Proposition 1, Small Community and Water Recycling Grants	
Project #	Entity - Description
C-06-7842-120	San Andreas Sanitary District, San Andreas Sanitary District Digester Upgrade Project. CEQA determination on an Initial Study/Mitigated Negative Declaration (MND) was approved on 7/12/2017 and a Notice of Determination (NOD) was filed with the Governor's Office of Planning and Research (OPR) on 7/17/2017.
Drinking Water State Revolving Fund and Proposition 1 Grants	
Project #	Entity - Description
2000544-002P	Madera County. Maintenance District (MD) -1 Water Distribution System Improvements Project. CEQA determination on a Categorical Exemption (CE) was approved on 6/26/2017. An Notice of Exemption (NOE) was filed with OPR on 7/5/2017. The State Water Board is a responsible agency.
2000293-002P	Madera County. MD-42 New Well and/or Treatment. CEQA Determination on a CE was approved on 6/21/2017. An NOE was filed with OPR on 7/5/2017. The State Water Board is a responsible agency.
4600012-006C	Alleghany County Water District. Storage Tank Replacement. CEQA Determination on a CE was approved on 6/30/2017. An NOE was filed with OPR on 7/6/2017. The State Water Board is a responsible agency.
1200729-003P	Orleans Community Services District. Filtration and Disinfection Water Treatment Plant Updates. CEQA Determination on a CE was approved on 7/3/2017. An NOE was filed with the OPR on 7/10/2017. The State Water Board is a responsible agency.
1510001-004P	Arvin Community Services District. Arsenic Mitigation. CEQA Determination on a CE was approved on 7/21/2017. An NOE was filed with OPR on 7/26/2017.
Water Supply Permits	
NOD/NOE & Memo Preparation by Environmental Review Staff for Future Issuance of Permits	
Water System #	Entity - Description
3010047	Golden State Water Company. Fairhaven #3 Well Construction and Operation. State Water Board is Lead Agency. An NOE was prepared by the Environmental Review Staff but not filed.
1510036	Inyo Kern Community Services District. Well 4 and Chlorination System (Replacement for Well 1 & 2). State Water Board is the Responsible Agency. An NOE was prepared by the Environmental Review Staff but not filed.
5401006	UC Davis - School of Veterinary Medicine. South Valley Animal Health Laboratory. State Water Board is the Responsible Agency. An NOD was prepared by the Environmental Review Staff but not filed.

NOD/NOE & Memo Preparation & Filing by Environmental Review Staff for Issued Permits	
Water System #	Entity - Description
0605002	Morning Star Packing Company. Site Water Protection System Improvements (AKA) North Fire Well. State Water Board is Lead Agency. An NOE was prepared by the district and filed by the Environmental Review staff at OPR on 7/05/17.
3410009	Fair Oaks Water District. Madison Well#12. State Water Board is Responsible Agency. An NOE was prepared by the district and filed by the Environmental Review staff at OPR on 7/05/17. SCH#2017038404
4900935	Virginia Dare Winery. Change Disinfection Treatment from Chlorination to UV. State Water Board is Lead Agency. An NOE was prepared by the Environmental Review Staff and Filed at OPR on 10/4/2016 SCH# 2016108042
4900843	Sonoma Ranch Mutual Water System. New Well 07. State Water Board is Lead Agency. An NOE was prepared by the Environmental Review Staff and Filed at OPR on 10/4/2016 SCH# 2016108041
4901259	Stone Street Winery. UV Replacement. State Water Board is Lead Agency. An NOE was prepared by the Environmental Review Staff and Filed at OPR on 11/16/2016 SCH# 2016118195
1910205	Suburban Water Systems. Plant 129 R-1 Replacement. State Water Board is Responsible Agency. An NOE was prepared by the Environmental Review Staff and Filed at OPR on 6/7/2017 SCH# 2017068113
1510031	The City of Bakersfield. 4 Arsenic Treatment Plants. State Water Board is Responsible Agency. An NOE was prepared by the Environmental Review Staff and Filed at OPR on July 5, 2017. SCH# 2017078022
3310021	Jurupa Community Services District. Well 23 & Teagarden IXP Modification Project. State Water Board is the lead agency. An NOE was prepared by the Environmental Review Unit and Filed at OPR by the Environmental Review staff on 06/14/17. SCH# 2017068262
3010037	Yorba Linda Water District. Well 21 & Richfield Road Pipeline Project. State Water Board is the responsible agency. An NOD was prepared by the Environmental Review Unit and Filed at OPR by the Environmental Review staff on 06/22/17. SCH# 2015021013
District Prepared NOD/NOE Documents Filed by Environmental Review Staff	
Water System #	Entity - Description
5602117	Strickland Acres Mutual Water Company - Well 3. The State Water Board is CEQA lead agency. An NOE was prepared by the district and filed at OPR by the Environmental Review staff on June 12, 2017. SCH# 2017068214
4010018	Golden State Water Company-Nipomo. Ion Exchange Treatment for Nitrate Removal for Alta Mesa Well 2 & Casa Real Well 1. State Water Board is Lead Agency. An NOE was prepared by the district and filed at OPR by the Environmental Review staff on June 5, 2017. SCH Number: 2017068044

5610017	Ventura Water Department – Golf Course Well 7. The State Water Board is the CEQA responsible agency and the CEQA lead agency is the City of Buenaventura. An NOE was prepared by the district and filed at OPR by the Environmental Review staff on June 26, 2017. SCH# 2017068487
5610017	Ventura Water Department – Hall Canyon Tanks 1 & 2. The State Water Board is the CEQA responsible agency and the CEQA lead agency is the City of Buenaventura. An NOE was prepared by the district and filed at OPR by the Environmental Review staff on June 26, 2017. SCH# 2017068486
1000061	Musick Meadows Mutual Water Company #2- New Well. State Water Board is lead agency. An NOE was prepared by the district and filed by the Environmental Review staff at OPR on 07/11/17. SCH# 2017078126.
1000017	Dowville Tract Association. New Well (Keola). The State Water Board is Lead Agency. An NOE was prepared by the district office and filed by the Environmental Review staff at OPR on 07/11/17. SCH#: 2017078127
1502759	WP&A- Lost Hills. New Storage Tank. The State Water Board is the Lead Agency. An NOE was prepared by the District office and filed by the Environmental Review staff on 06/12/17. SCH Number: 2017068208

**Groundwater Sustainability Program**

**Completed Significant Events**

The Deputy Director awarded funding of an additional 3 projects with a total funding amount of over \$48 million. So far a total funding amount of over \$68 million has been awarded to 11 projects in the initial round of grant funding under the Proposition 1 Groundwater Grant Program (Prop 1 GWGP). The grant funding is awarded to projects that will cleanup or prevent the spread of groundwater contamination to aquifers that serve as a source of drinking water.

**Future Significant Events**

The Division anticipates awarding at least 16 additional projects over the next few months, which will include the preliminary award of an additional \$43 million in Prop 1 GWGP funding.

<b>Groundwater Sustainability Program (May 1, 2017 – July 31, 2017)</b>							
<b>Project #</b>	<b>County</b>	<b>Applicant</b>	<b>Proposal Title</b>	<b>Requested Grant Amount</b>	<b>Match Amount</b>	<b>Total Project Cost</b>	<b>Recommended Grant Award</b>
1	Los Angeles	Los Angeles Department of Water and Power	North Hollywood West Project – Treatment of 1,4-Dioxane using Advanced Oxidation Treatment System	\$46,015,412	\$46,015,412	\$92,030,824	\$46,015,412

2	Los Angeles	Los Angeles Department of Water and Power	North Hollywood Central Planning Project	\$2,839,748	\$2,839,748	\$5,679,495	\$1,000,000
3	Los Angeles	Los Angeles Department of Water and Power	Tujunga Planning Project	\$5,015,642	\$5,015,700	\$10,031,342	\$1,000,000
<b>Totals:</b>				\$53,870,802	\$53,870,860	\$107,741,661	\$48,015,412

**Office of Sustainable Water Solutions (OSWS)**

Drinking Water Projects Funded (July 1, 2017 – July 31, 2017)		
Project #	Recipient – Project Purpose	Funding Amount
46000012-006C	Alleghany County Water District - Storage Tank Replacement Project	\$700,000
5400616-001P	Lemon Cove Sanitary District - New Well and Storage Tank Planning Project	\$500,000
5410006-007P	City of Lindsay - Well 14 DBCP Mitigation and New Well Planning Project	\$500,000
0910007-002P	Lukins Brothers Water Company - Granular Activated Carbon Planning Project	\$700,000
2000544-002P	Madera County - Distribution System Replacement Project	\$280,000
2010004-002P	Madera County - Madera CMD #19 AB Parkwood Planning Project	\$500,000
Total		\$2,617,000

Wastewater Projects Funded (July 1, 2017 – July 31, 2017)		
Project #	Recipient – Project Purpose	Funding Amount
C-06-8312-110	Humboldt County - Samoa Peninsula Wastewater Planning Project	\$500,000
C-06-8278-110	Laton Community Services District - LCSD Planning Project	\$370,000
Total		\$870,000

**Stormwater Grant Program**

**Completed Significant Events**

Grants for Proposition 1 Storm Water Planning projects were awarded on June 30, 2016. The Funding List includes 28 projects totaling approximately \$9.5 million in grant funds. One awarded grant was withdrawn at the applicant's request. In total, Grant agreements for 18 planning projects have been executed, including the 4 listed in **Error! Reference source not found.**; the grantees of these projects are actively working on Storm Water Resource Plans.

Grants for 27 Proposition 1 Storm Water Implementation projects were awarded on December 1, 2016. Storm Water Resource Plans (or functionally equivalent plans), which are a prerequisite to negotiation of a grant agreement, were due by March 1. DFA staff are working

with awardees of the other projects to revise the Storm Water Resource Plans to bring those plans into compliance.

Future Significant Events

For Proposition 1 Storm Water Planning Grants, Division staff will continue to negotiate agreements for the 9 remaining projects.

For Proposition 1 Storm Water Implementation Grants, Division staff will continue to review Storm Water Resource Plans. For those projects with an acceptable Storm Water Resource Plan, Division staff will negotiate grant agreements. Grant agreements for several of these projects are near to execution.

Awarded Proposition 1 Storm Water Planning Projects (May 1, 2017 – July 31, 2017)			
Agreement No.	Applicant	Project Title	Grant Amount
D1612604	Contra Costa County	Contra Costa Watersheds Storm Water Resource Plan	\$499,180
D1612617	Madera County	Madera County Storm Water Resource Plan	\$131,347
D1612602	City of Ukiah	Russian River Regional Storm Water Resource Plan	\$500,000
D1612615	Yuba City	Yuba City Basin Storm Water Resource Plan	\$345,240
<b>Total</b>			<b>\$1,475,767</b>

Awarded DROPS Projects (May 1, 2017 – July 31, 2017)			
Agreement No.	Applicant	Project Title	Grant Amount
D1612107	Lucia Mar USD	LMUSD Ground Water Recovery Projects	\$903,933
D1612141	Monterey Peninsula USD	Watershed and Water Conservation Education Models	\$671,162
<b>Total:</b>			<b>\$1,575,095</b>

**DIVISION OF WATER QUALITY**

**2014 and 2016 California Clean Water Act 303(d) List:** The public comment period for the proposed 2014 and 2016 California Clean Water Act section 303(d) List closed on June 10, 2017. Thirty comment letters were received. The combined 2014 and 2016 California 303(d) List includes the regional 303(d) Lists from the San Francisco Bay, Central Coast, Los Angeles, Central Valley, Santa Ana, and San Diego Regional Water Quality Control Boards. Public comment is limited to the listing recommendations for which the State Water Board received timely requests for review for all regions but the Los Angeles Region. The complete 303(d) List developed by the Los Angeles Regional Water Board will be available for comment because the State Water Board will be taking approval action for this region. For more information, please see:

[http://www.waterboards.ca.gov/water\\_issues/programs/tmdl/integrated2014\\_2016.shtml](http://www.waterboards.ca.gov/water_issues/programs/tmdl/integrated2014_2016.shtml)

**Bacteria Provisions:** State Water Board is proposing to establish statewide numeric bacteria objectives for the water contact recreation (REC-1) beneficial use, implementing provisions, and a water quality standards variance policy (Bacteria Provisions). The combined proposals will be included in a statewide water quality control plan titled, “Part 3 of the Water Quality Control Plan for Inland Surface Waters, Enclosed Bays, and Estuaries of California—Establishing Bacteria Provisions and a Water Quality Standards Variance Policy” and as an amendment to the “Water Quality Control Plan for Ocean Waters of California.” The Bacteria Provisions and supporting documentation were released for public comment on June 30, 2017. A staff level workshop was held on July 10, 2017, to provide a summary of the project to stakeholders and help develop comments. A State Water Board Public Hearing was held on August 1, 2017, to allow stakeholders to provide oral testimony. The public comment period closes on August 16, 2017. For more information, please see: <http://www.waterboards.ca.gov/bacterialobjectives>

**Biostimulatory Substances and Biological Integrity:** State Water Board staff in conjunction with staff from the Southern California Coastal Water Research Project (SCCWRP) conducted public webinar meetings on various aspects of the science being developed to support the project. Those meetings were held on June 26, 2017, July 5, 2017, July 12, 2017, and July 21, 2017. An in-person meeting with the stakeholder advisory group was held on July 26, 2017, at the SCCWRP offices in Costa Mesa. For more information, please see: [http://www.waterboards.ca.gov/water\\_issues/programs/biostimulatory\\_substances\\_biointegrity/index.shtml](http://www.waterboards.ca.gov/water_issues/programs/biostimulatory_substances_biointegrity/index.shtml)

**Mercury Water Quality Objectives & Implementation:** The U.S. EPA approved the mercury provisions on July 14, 2017. The provisions include new beneficial use definitions, water quality objectives, and a plan of implementation.

**Once-Through Cooling Policy Amendment for the Encina Power Station:**

The Once-Through Cooling Policy established compliance dates for power plants’ retirement and replacement of capacity using then-current electricity planning and procurement processes. The Statewide Advisory Committee on Cooling Water Intake Structures conducted an interim study that demonstrated the need of the Encina Power Station to maintain grid reliability in the San Diego area during 2018. The State Water Board is proposing to amend the compliance deadline of the Encina Power Station from December 31, 2017, to December 31, 2018. The public comment period closed on July 10, 2017. Two comment letters were received. The Board hearing and meeting to consider adoption is scheduled for August 15, 2017. For more information, please see: [https://www.waterboards.ca.gov/water\\_issues/programs/ocean/cwa316/](https://www.waterboards.ca.gov/water_issues/programs/ocean/cwa316/).

**Once-Through Cooling Policy Interim Mitigation Payments:** The Once-Through Cooling Policy requires owners or operators of existing power plants to implement measures to mitigate the interim impingement and entrainment impacts resulting from their cooling water intake structures. Staff is reviewing the information provided by the power plants owners and operators to calculate the first annual interim mitigation payments, and writing the draft determinations. The draft determinations will be posted for twenty days for public comments in August 2017. For more information, please see: [https://www.waterboards.ca.gov/water\\_issues/programs/ocean/cwa316/#measures](https://www.waterboards.ca.gov/water_issues/programs/ocean/cwa316/#measures).



## Trash Implementation Program

### New Webpage

[https://www.waterboards.ca.gov/water\\_issues/programs/stormwater/trash\\_implementation.shtml](https://www.waterboards.ca.gov/water_issues/programs/stormwater/trash_implementation.shtml)

A new Trash Implementation Program webpage has been developed to provide information to the public and guidance for the regulated community to comply with the statewide Trash Provisions<sup>1</sup>. The webpage contains the State Water Board California Water Code section 13383 Orders recently issued to the permittees regulated under the statewide Small MS4 Permit<sup>2</sup> (Small MS4 Permittees). State Water Board staff are available during established customer service hours to assist permittees on how to use the guidance documents to comply with the Order requirements. The newly posted documents include:

- **Trash Policy Implementation Procedure:** a flowchart for the Small MS4 Permittees that explains the timeline and trash implementation requirements contained within the Orders;
- **Certified Trash Full Capture Treatment Control:** lists of the trash full-capture systems/devices certified by the Executive Director designee for installation, including five multi-benefit treatment controls;
- **Trash Treatment Control Device Application Requirements:** directions for requesting certification of new devices or treatment controls; and
- **Recommended Trash Assessment Minimum Level of Effort:** instructions for conducting the recommended trash assessment to determine baseline trash generation levels in Priority Land Uses and/or other land uses and location, and full capture equivalency.

State Water Board staff, in collaboration with the State Water Board Training Academy and the California Stormwater Quality Association (CASQA), will provide a two-day training for Water Board storm water program staff, and a follow-up 2-day training for permittees. The training events will be located in Northern and Southern California, and will consist of classroom training and field visual on-land assessments training. For more details, visit our new site at:

[https://www.waterboards.ca.gov/water\\_issues/programs/stormwater/trash\\_implementation.shtml](https://www.waterboards.ca.gov/water_issues/programs/stormwater/trash_implementation.shtml)

**Underground Storage Tank (UST):** A Memorandum of Agreement (MOA) between U.S. EPA Region 9, CalEPA, and the State Water Resources Control Board (State Water Board) has recently been authorized by all three agencies for the state's implementation of the Federal Underground Storage Tank (UST) Program. The DWQ staff in the UST Leak Prevention/Licensing Unit and UST Cleanup/GeoTracker units worked with CalEPA and U.S. EPA Region 9 staff to carefully craft a MOA that largely memorializes the relationships, roles, and communications that have already been in place for years between and among these

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<sup>1</sup> Amendment to the Water Quality Control Plan for Ocean Waters of California to Control Trash (Ocean Plan) and Part 1 Trash Provisions of the Water Quality Control Plan for Inland Surface Waters, Enclosed Bays, And Estuaries Of California (ISWEBE Plan) to be adopted by the State Water Board. Documents may be downloaded from our website at [http://www.waterboards.ca.gov/water\\_issues/programs/trash\\_control/documentation.shtml](http://www.waterboards.ca.gov/water_issues/programs/trash_control/documentation.shtml).

<sup>2</sup> National Pollutant Discharge Elimination System (NPDES) General Permit for Waste Discharge Requirements for Storm Water Discharges from Small Municipal Separate Storm Sewer Systems (MS4s), Order No. 2013-0001-DWQ, NPDES No. CAS000004.

three signatory agencies that cooperatively implement of the Federal UST Program. As a result, the proposed MOA is not expected to promulgate any significant new regulations, reporting requirements, or costs for the state. Authorization of this MOA has been a long term goal of U.S. EPA region 9, and its completion reinforces the excellent record and reputation of the State Water Board regarding its implementation of the Federal UST Program.

**State Water Board Irrigated Lands Regulatory Program (ILRP):** The ILRP reports are included in Appendix A of this report.

**Statewide Policies/Significant General Permits:** This month's Policy and Permits Table is included in Appendix B of this report.

## **DIVISION OF WATER RIGHTS**

### **Douglas and Heidi Cole and Marble Mountain Ranch Waste and Unreasonable Use**

**Hearing:** By letter dated August 30, 2016, the Division of Water Rights' (Division) Enforcement Branch notified Douglas and Heidi Cole and Marble Mountain Ranch (collectively Marble Mountain Ranch) that the Division was requesting a hearing, and attached to the letter a draft order containing findings of: 1) waste, unreasonable use, unreasonable method of use, and unreasonable method of diversion of water; 2) unreasonable harm to public trust resources; and 3) corrective actions with interim and final implementation deadlines. Marble Mountain Ranch diverts surface water from Stanshaw Creek, a tributary to the Klamath River in Siskiyou County, under a pre-1914 claim of right. If Marble Mountain Ranch complied with the corrective actions specified in the draft order by the first interim deadline, October 15, 2016, the letter recommended that the parties request that the State Water Board postpone the hearing. In the absence of a postponement request, the State Water Board issued a Notice of Public Hearing on June 9, 2017. Prior to the August 22, 2017 commencement of the hearing, Marble Mountain Ranch requested postponement of the hearing. Some parties, including the Division's prosecution team, supported a limited postponement of the hearing. On July 19, 2017, Board Member and Hearing Officer Stephen Moore postponed the hearing. The State Water Board will provide further notification when it reschedules the hearing.

Additional information regarding this matter is available on the State Water Board's website at: [http://www.waterboards.ca.gov/waterrights/water\\_issues/programs/hearings/marblemountain/index.shtml](http://www.waterboards.ca.gov/waterrights/water_issues/programs/hearings/marblemountain/index.shtml)

**Delbert Lehr and Jeff Lehr draft Cease and Desist Order Hearing:** The State Water Board has scheduled a hearing to begin on September 27, 2017, to determine whether to adopt, with or without revision, the March 16, 2016 draft cease and desist order (draft CDO) against Delbert Lehr and Jeff Lehr (collectively Lehr). The Assistant Deputy Director for the Division of Water Rights issued the draft CDO against Lehr for the alleged violation and threatened violation of the prohibition against unauthorized diversion or use of water from the East Branch of the North Fork of the Feather River within the Sacramento River Watershed in Plumas County. Delbert Lehr holds water right Licenses 217 and 3421 to appropriate water from sources that are ultimately tributary to the Sacramento River. By letter dated April 5, 2016, Lehr requested a hearing on the draft CDO.

Additional information related to this hearing is available on the State Water Board's website at: [http://www.waterboards.ca.gov/waterrights/water\\_issues/programs/hearings/lehr\\_cdo/index.shtml](http://www.waterboards.ca.gov/waterrights/water_issues/programs/hearings/lehr_cdo/index.shtml)

**California WaterFix Water Right Petition and Hearing:** The State Water Board is in the midst of a hearing to consider whether and under what conditions to approve a water right change petition to add authorized points of diversion of water to the water right permits for the Department of Water Resources' (DWR) State Water Project and the U.S. Bureau of Reclamation's (Reclamation) Central Valley Project (collectively petitioners) for the California WaterFix Project. The hearing is subdivided into two parts with Part 1 focusing on impacts to other users of water and Part 2 focusing on fish and wildlife.

Part 1 of the hearing concluded on July 11, 2017, with the presentation and cross-examination of sur-rebuttal testimony by the hearing parties. A ruling addressing outstanding motions on admissibility of sur-rebuttal exhibits is forthcoming as well as additional information regarding closing briefs for Part 1 of the hearing.

At the conclusion of Part 1 of the hearing, the hearing officers directed the petitioners to provide notification to all parties upon completion of endangered species act (ESA) and environmental review processes for the project. On August 1, 2017, DWR notified the hearing officers and the hearing parties that federal and State ESA and California Environmental Quality Act review processes for the project have been completed and that Reclamation "continues to contemplate the Record of Decision that will accompany the Final Environmental Impact Statement" pursuant to the National Environmental Policy Act.

Additional information regarding this matter is available on the State Water Board's WaterFix change petition website at:

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

**Phase II Update to the Bay-Delta Plan:** In August, State Water Board staff plans to post the final Scientific Basis Report (Science Report) in support of the Phase II update of the Bay-Delta Water Quality Control Plan (Bay-Delta Plan), the latest version of the Sacramento Water Allocation Model (SacWAM) that will be used to evaluate the hydrologic effects of potential changes to the Bay-Delta Plan, and responses to peer reviews on the Science Report and SacWAM. At the same time, State Water Board staff plans to provide the public with an opportunity to provide written input on the further development of potential changes to the Bay-Delta Plan. State Water Board staff plans to provide excerpts from the Science Report that describe the proposed approach for changes to the Bay-Delta Plan, along with questions regarding implementation of those changes for a 30-day public comment period.

**Background:** In September of 2016, State Water Board staff released an initial version of SacWAM for public comment and peer review by an independent panel organized by the Delta Science Program (DSP). A public review workshop was held as well as trainings on the model. The DSP peer review panel comments were received this winter. Based on the peer review comments and other comments, SacWAM has been updated and responses to the peer review comments have been prepared. In October of 2016, the State Water Board released a working draft Science Report for public comment and review by the Delta Independent Science Board (DISB). In December 2016, the State Water Board held a public workshop and received written comments from the public on the Report, and in February the State Water Board received final written comments from the DISB. Based on public and agency input, the working draft Science Report was revised and submitted for independent peer review pursuant to the Public Health and Safety Code. Peer review responses received this summer determined that the Science Report is based on sound science, and indicated that no changes are needed to the report. While not required, responses to questions and comments raised by the peer reviewers have been prepared for clarity.

Additional information regarding the Phase II update of the Bay-Delta Plan is available on the State Water Board's website at:

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

**Water Quality Certifications updates for Federal Energy Regulatory Commission**

**Projects:** The following table provides the projected release dates of water quality certifications for key hydropower projects awaiting a water quality certification as part of the Federal Energy Regulatory Commission licensing process.

<b>Water Quality Certifications for Federal Energy Regulatory Commission Projects</b>				
			<b>Projected Release Date</b>	
<b>FERC Project No.</b>	<b>Project Name</b>	<b>Licensee</b>	<b>Draft</b>	<b>Final</b>
67 120 2085 2086 2174 2175	<u>Big Creek (6 Projects):</u> Big Creek 2A, 8 & Eastwood Big Creek 3 Mammoth Pool Vermillion Valley Portal Big Creek 1 & 2	Southern California Edison	Sep-2017	Feb-2018
2107	Poe	Pacific Gas & Electric Company	Jun-2017	Dec-2017
2088	South Fork Feather	South Feather Water & Power Agency	Oct-2017	Mar-2018
606	Kilarc-Cow	Pacific Gas & Electric Company	Dec-2017	May-2018
2105	Upper North Fork Feather River	Pacific Gas & Electric Company	Jan-2018	Jul-2018
2079	Middle Fork American River	Placer County Water Agency	Apr-2018	Sep-2018
2106	McCloud Pit	Pacific Gas & Electric Company	May-2018	Oct-2018

**Water Quality Certification for County Line Vineyard Project:** On July 27, 2017, the Executive Director issued a water quality certification for the County Line Vineyard Project (Project), located in Sonoma County in the Russian River watershed. The Project involves construction of an on-stream reservoir and a diversion structure for seasonal diversion to storage of up to four acre-feet of water per year. The water stored in the reservoir will be used for irrigation and heat control of 11 acres of existing vineyard. Diversion and storage of water for the Project is allowed by Water Right Permit 21371, issued by the State Water Board on April 24, 2017.

**Updates Related to the Klamath Hydroelectric Project (Federal Energy Regulatory Commission Project No. 2082) and Lower Klamath Project (Federal Energy Regulatory Commission Project No. 14803):** There are four updates related to the Klamath Hydroelectric Project and Lower Klamath Project: 1) Tribal Consultation; 2) Water Quality Certification Process; 3) Federal Energy Regulatory Commission (FERC) License Transfer; and 4) Ongoing Coordination. These items are discussed further below:

1. **Tribal Consultation:** The State Water Board is in the process of consulting with Native American tribes regarding the Lower Klamath Project. The State Water Board held meetings with the Shasta Nation (July 10 and July 31) and Shasta Indian Nation (August 1) to discuss tribal cultural resources that could be affected by the Lower Klamath Project. State Water Board staff has regularly met with the Shasta Indian Nation and Shasta Nation since February 2017. Additional consultation meetings are scheduled into September 2017.

On July 28, 2017, at the invitation of the Shasta Indian Nation, State Water Board Member Esquivel and staff participated in a tour of portions of the Klamath River watershed that are of importance to the Shasta Indian Nation. The tour was beneficial in improving State Water Board staff's understanding of Shasta Indian Nation tribal cultural resources and will facilitate improved identification of impacts and mitigation to tribal cultural resources as part of ongoing consultation with the Shasta Indian Nation for the Lower Klamath Project.

2. **Water Quality Certification Process:** The Klamath River Renewal Corporation (KRRC), applicant for the Lower Klamath Project, is conducting studies in summer 2017 to verify Lower Klamath Project details such as disposal site locations, access roads, and reservoir drawdown rates during dam removal. By September 30, 2017, the KRRC plans to submit additional information to the State Water Board, which will help inform the Board's California Environmental Quality Act and water quality certification processes.
3. **FERC License Transfer:** On July 14, 2017, FERC sent a [letter](#) to PacifiCorp and KRRC requesting additional information regarding the decommissioning of the four dam developments (Lower Klamath Project: J.C. Boyle, Copco No. 1, Copco No. 2, and Iron Gate dam developments). FERC is requesting the information by December 2017.
4. **Ongoing Coordination:** State Water Board staff continues to have regular coordination meetings with the KRRC and Oregon Department of Environmental Quality regarding the Lower Klamath Project and the State Water Board's associated water quality certification process.

On July 11, 2017, Vice Chair Moore and staff attended a Siskiyou County Board of Supervisors Meeting in Yreka. State Water Board staff presented information regarding the Lower Klamath Project's water quality certification and associated California Environmental Quality Act process.

Additional information on the two projects is available on their respective webpages.

Klamath Hydroelectric Project:

[https://www.waterboards.ca.gov/waterrights/water\\_issues/programs/water\\_quality\\_cert/klamath\\_ferc2082.shtml](https://www.waterboards.ca.gov/waterrights/water_issues/programs/water_quality_cert/klamath_ferc2082.shtml)

Lower Klamath Project:

[https://www.waterboards.ca.gov/waterrights/water\\_issues/programs/water\\_quality\\_cert/lower\\_klamath\\_ferc14803.shtml](https://www.waterboards.ca.gov/waterrights/water_issues/programs/water_quality_cert/lower_klamath_ferc14803.shtml)

**Water Quality Certification Amendment for the Upper American River Project (Federal Energy Regulatory Commission Project No. 2101):** On July 19, 2017, the Executive Director issued a water quality certification amendment for the Upper American River Project (UARP), approving a temporary variance to the lake level requirements for Loon Lake and Ice House reservoirs. The UARP is owned and operated by the Sacramento Municipal Utility District. The two reservoirs are in need of maintenance (Loon Lake for boat ramp repairs and Ice House for dam seepage repairs) that requires the reservoirs be drained to below the minimum end-of-month reservoir levels allowed by under the Federal Energy Regulatory Commission license and water quality certification. The reservoir level variances are limited to July, August, and September 2017.

**Comments on the Draft Water Quality Certification for the Poe Hydroelectric Project (FERC Project No 2107):** The Pacific Gas and Electric Company (PG&E) is undergoing the relicensing of the Poe Hydroelectric Project (Project), Federal Energy Regulatory Commission (FERC) Project No. 2107. The Project is located on the North Fork Feather River in Butte County. Before FERC can issue a new license, PG&E must receive a water quality certification from the State Water Board. The State Water Board released a draft water quality certification for public comment on June 14, 2017. The comment period ended on July 17, 2017 with a total of six comment letters. The draft water quality certification and comment letters received can be found online at:

[https://www.waterboards.ca.gov/waterrights/water\\_issues/programs/water\\_quality\\_cert/poe\\_ferc2107.shtml](https://www.waterboards.ca.gov/waterrights/water_issues/programs/water_quality_cert/poe_ferc2107.shtml)

**Comments on the Draft Negative Declaration for the Relief Reach-Kennedy Meadows Riparian Restoration and Streambank Stabilization Project:** On April 8, 2016, Pacific Gas and Electric Company (PG&E) filed an application with the State Water Board for water quality certification for the Relief Reach-Kennedy Meadows Riparian Restoration and Streambank Stabilization Project (Project). The Project is a requirement of PG&E's license for the Spring Gap-Stanislaus Hydroelectric Project, Federal Energy Regulatory Commission Project No. 2130. The State Water Board released the Project's Draft Initial Study/Negative Declaration (IS/ND) for public comment on June 8, 2017. The comment period ended on July 11, 2017 with a total of two comment letters. The Notice of Intent to adopt a ND, the Draft IS/ND, and the comment letters can be found on the Spring Gap-Stanislaus Hydroelectric Project webpage at: [http://www.waterboards.ca.gov/waterrights/water\\_issues/programs/water\\_quality\\_cert/springgap\\_ferc2130.shtml](http://www.waterboards.ca.gov/waterrights/water_issues/programs/water_quality_cert/springgap_ferc2130.shtml)

**Instream Flow Related Work Under the California Water Action Plan:** The State Water Board and California Department of Fish and Wildlife identified five priority streams under an action identified in the California Water Action Plan to Enhance Water Flows in Stream Systems Statewide: Mark West Creek, Mill Creek, Shasta River, South Fork Eel River, and Ventura River. Following are updates on work associated with these streams:

- **Russian River Tributaries:** State Water Board staff will hold an outreach meeting in Santa Rosa on August 28, 2017, to update the community on information provided by landowners and water suppliers in Dutch Bill Creek, Green Valley Creek, portions of Mark West Creek, and Mill Creek under [Order WR 2015-0026-DWR](#) under the [Russian River Tributaries Emergency Regulation](#). Staff will provide a summary of the data, how the data

may be used to inform management decisions in the future, and an overview of ongoing efforts under the California Water Action Plan to enhance stream flows statewide.

- **Shasta River:** On July 11, 2017, Vice Chair Moore and State Water Board staff attended a Siskiyou County Board of Supervisors Meeting in Yreka and staff presented information regarding the California Water Action Plan and the hydrology model study plan that staff are developing for the Shasta River watershed. As background, the State Water Board entered into contract with Paradigm Environmental in February 2017 to develop hydrological models of unimpaired flow in the South Fork Eel River (see below for more information) and Shasta River watersheds. These models will provide the hydrological basis for evaluating water management scenarios and the potential effects on water supply and other beneficial uses of water. State Water Board staff anticipate the draft study plan for the Shasta River hydrology model will be released in fall 2017.
- **South Fork Eel River:** On July 10, 2017, State Water Board staff released the draft “*Watershed Characterization and Model Study Plan for the South Fork Eel River*,” technical comments to inform model development. The public comment period ends August 7, 2017.
- **Ventura River:** On July 13, 2017, State Water Board and Los Angeles Regional Water Board staff attended a meeting of the Ventura River Watershed Council and provided an update on the development of a Ventura River Watershed Surface Water-Groundwater and Nutrient Transport model. The model is being jointly funded by the State and Los Angeles Regional Water Boards. After the meeting, State Water Board staff toured fish habitat in the Ventura River Watershed with fish biology staff from the Casitas Municipal Water District. Casitas Municipal Water District staff explained their ongoing fish habitat monitoring and wet-dry mapping work. The wet-dry mapping work may support modeling surface water-groundwater interactions.

Additional information on the State Water Board’s instream flow efforts under the California Water Action Plan is available online at:

[http://www.waterboards.ca.gov/waterrights/water\\_issues/programs/instream\\_flows/cwap\\_enhancing/](http://www.waterboards.ca.gov/waterrights/water_issues/programs/instream_flows/cwap_enhancing/)

#### **Updates Related to Development of Principles and Guidelines for Cannabis Cultivation:**

State Water Board staff released the Draft Cannabis Cultivation Policy (Policy), Draft Staff Report, and Draft Order for General Waste Discharge Requirements for Cannabis Cultivation (General Order) for public comment on July 7, 2017. The 60-day public comment ends on September 6, 2017, at 12:00 p.m. (noon). State Water Board staff held informational workshops on July 20 (Eureka) and July 27 (Sacramento) to present information and answer questions regarding the three documents out for public comment. In addition, a Board workshop was held on August 2, 2017 to provide information on the draft documents and receive public comments. The State Water Board is scheduled to hold two public hearings on October 17, to receive oral comments regarding: (1) the Cannabis Policy, and (2) the General Order. The State Water Board may adopt each of these items after their respective hearings. Additional details regarding the submittal of public comments and the hearing location are available in the Notice, which is available on the Water Board’s cannabis cultivation webpage at:

<http://www.waterboards.ca.gov/cannabis>.

State Water Board staff continues to meet with staff from the California Department of Fish and Wildlife (CDFW) and the California Department of Food and Agriculture (CDFA) to ensure ongoing coordination and collaboration on agency directives required under Senate Bill 837

(Statutes 2016, Chapter 32, Committee on Budget and Fiscal Review). Topics of coordination include: the State Water Board's draft policy for water quality control to establish cannabis cultivation principles and guidelines (requirements); CDFA's regulations for cannabis cultivation; CDFW's development of a general lake and streambed alteration agreement; and each agency's plans for implementation of their cannabis cultivation programs. Additionally, on July 10, 2017, State Water Board staff presented information on the draft Policy and draft General Order at the California Growers Association Board meeting in Sacramento. On August 1, 2017, State Water Board staff meet with the Karuk Tribe in Orleans to consult regarding the Policy.

## **DIVISION OF DRINKING WATER**

**Environmental Laboratory Accreditation Program (ELAP):** The California Environmental Laboratory Accreditation Program (ELAP) is drafting regulation text to regulate environmental testing laboratories submitting data for regulatory purpose. The draft text will be presented to the community at a series of workshops held statewide in late July and early August. Visit ELAP's [regulations webpage](#) for workshop details.

ELAP has formed a Proficiency Testing Workgroup consisting of laboratory staff and regulators that has met twice to consider and advise on key technical policy issues and draft regulations related to proficiency testing, as well as propose outreach to the accredited laboratory community.

The Water Board's Department of Administrative Services Fee Branch, in partnership with ELAP, formed a Fees Stakeholder Workgroup to consider revision of the ELAP fee structure. The workgroup held a kickoff meeting on May 30<sup>th</sup> and presented their models at a subsequent meeting on June 29<sup>th</sup>. They are currently refining the options and tentatively plan on having several different fee options available for public comment this fall.

**ELAP Accreditation Revocation:** ELAP revoked in full the accreditation of Bolsa Analytical, formerly accredited under Certificate #1326. Bolsa Analytical may reapply for accreditation once the laboratory complies with all applicable statutes and regulations. For information regarding this enforcement action, read the [announcement](#) on ELAP's webpage.

**ELAP Accreditation Certificates Issued:** ELAP issued 42 certificates of accreditation in June 2017.

### **Consolidation Projects**

**Tuolumne Utilities District – Quartz-Stent Water Main Extension Project:** In 2015, Tuolumne County Environmental Health Department (TCEHD) requested assistance from the State Water Resources Control Board (SWRCB) Division of Drinking Water (DDW) to address drought conditions and conduct water quality monitoring of private wells located in the Quartz Mountain area of Tuolumne County. In addition to eight failed domestic wells serving 16 residences, the results of the water quality monitoring showed that there were several homes in the area that had private wells producing water with extremely elevated levels of arsenic and nitrate. The DDW began working with the Division of Financial Assistance (DFA) and other state agencies to allocate funding to the Tuolumne Utilities District (TUD) to get these private homes connected to the TUD-Sonora/Jamestown public water system. Through much coordination amongst state and federal agencies including SWRCB, DWR and USDA, TUD was



issued funding agreements in the amount of \$1,673,525 to extend the water main and connect these homes with contaminated or failed wells to the public water system. TUD has completed the main line extension project consisting of about 12,000 linear feet of pipeline and was successful at establishing a total of 57 new connections to the public water system to ensure that the residents at the homes have a sustainable supply of water that meets the drinking water standards. TUD has been a consolidation partner in the County and serves water to approximately 85% of the County's residents through one of their 11 public water systems. The Quartz-Stent Water Main Extension Project is an example of TUD's willingness to connect residents to their public water system in an effort to ensure that all residents have access to clean and affordable water. The project was completed under budget and ahead of the project completion deadline.

## **DIVISION OF ADMINISTRATIVE SERVICES**

### **Program Activity:**

#### **Update on Water Quality, Water Rights and Drinking Water Fees Stakeholder Process:**

Staff met with the Confined Animal Facilities Poultry stakeholders on July 10 to finalize the new fee schedule. Staff met with Oil and Gas stakeholders on July 10 and 24 to finalize the revised surcharge methodology. Staff met with the Agricultural Lands dischargers on July 26 to discuss the FY 2017-18 proposed fees and to also kick off a focused stakeholder workgroup to discuss alternative fee proposals that various segments of the stakeholders are interested in. Agricultural Lands stakeholders will meet on their own to discuss fee alternatives with State Water Board program and fee staff providing support and data as needed.

The final stakeholder meetings prior to the September 19<sup>th</sup> Board Meeting to discuss FY 2017-18 Water Quality and Water Rights fees will be held on August 3. Staff will present proposed fee schedules for Water Quality, Water Rights and Drinking Water at the September 19 board meeting.

## **OFFICE OF ENFORCEMENT**

### **CASE UPDATES**

#### **Fraud Waste and Abuse Prevention Unit Case Update**

**Aqua Science Engineers to Pay \$50,000, Cease Work with State Water Board for Alleged Abuses of Storage Tank Fund:** The State Water Resources Control Board has reached a settlement agreement with Aqua Science Engineers over allegations of overbilling and other abuses against the Underground Storage Tank Cleanup Fund (Cleanup Fund). The environmental consulting company agreed to pay an administrative civil liability of \$50,000 and to cease all work on projects funded by the State Water Board. Under the terms of the settlement, Aqua Science Engineers and its principals, David M. Schultz and David G. Allen, are disqualified from the Cleanup Fund and all its subaccounts. They are also prohibited from doing work funded by the State Water Board's Cleanup and Abatement Account and its Proposition 1 programs. Aqua Science Engineers provides environmental consulting services throughout California, including Alameda, Contra Costa, Los Angeles, Orange, Riverside, Inyo, and Imperial counties. The alleged misrepresentations with reimbursement requests containing Aqua Science Engineers costs, included billing for labor

which did not occur, charges for remediation systems that were never used, and related misrepresentations made in invoices and technical reports.

### **Legal Unit Case Update**

**Los Angeles Regional Water Board, U.S. Army Corps of Engineers Reach Settlement Over Clean Water Act Violations:** The Los Angeles Regional Water Quality Control Board and the U.S. Army Corps of Engineers have reached a settlement agreement over violations of the Clean Water Act related to two unauthorized dredge and fill operations and removal of riparian vegetation conducted by the Army Corps in the Los Angeles River and tributaries Verdugo Wash and Haskell Creek. The violations took place between 2011 and 2012. The Attorney General's Office filed a Clean Water Act citizen suit in federal court on behalf of the Los Angeles Water Board in 2015.

From 2012 to 2017, staff from the Office of Enforcement's Special Investigations Unit collaborated with the Los Angeles Regional Water Board's Standards and TMDL unit to conduct field inspections, collect and organize evidence, and assist in recordkeeping throughout the development and referral of the case by the OE Legal Unit to the State Attorney General's office.

As part of the settlement, the Los Angeles Water Board and the Army Corps entered into a Memorandum of Understanding (MOU) that lays out regulatory processes, guidelines, and best management practices for future work in the Los Angeles County Drainage Area (LACDA), which is managed by the Army Corps. The Army Corps operates six flood risk management facilities, and approximately 34 miles of flood control channels and levees within Los Angeles County.

Under the MOU, the Army Corps agrees to provide notice to the Los Angeles Water Board by October 31 of each year of all planned LACDA projects and the operation, maintenance, repair, replacement and rehabilitation activities for that year. Depending on the project, the Corps will also provide between 45-75 days of notice prior to commencing the activity. Along with the notifications, the Army Corps will work collaboratively with the Regional Water Board and use specified accepted best management practices to reduce the amount of pollutants and sediment discharged into the Los Angeles River and its tributaries.

### **Cannabis Unit Case Update**

**Review and Approval of California Department of Fish and Wildlife Stipulation Regarding Michael Griffin:** On July 7, 2017, Acting Executive Officer Jonathan Bishop approved a Settlement Agreement and Stipulation for Order (Stipulation) between the California Department of Fish and Wildlife (CDFW) and Michael Griffin. The Office of Enforcement, Division of Water Rights, and North Coast Regional Board participated with CDFW in a multi-agency Cannabis Regulation and Enforcement Taskforce inspection and investigation of cannabis cultivation occurring on several parcels in Humboldt County owned by Michael Griffin at the time of the investigation. The Stipulation requires Mr. Griffin to comply with Cleanup and Abatement Order No. R1-2017-0024, resolve the alleged water rights violations, and pay a total of \$200,000, of which \$30,000 is to be paid to the Cleanup and Abatement Account and another \$30,000 paid to the Water Rights Fund.

## **OFFICE OF ENFORCEMENT - SPECIAL INVESTIGATIONS UNIT STRATEGIC OVERVIEW**

The Office of Enforcement will provide the State Water Board with strategic overviews for its Fraud, Waste and Abuse Prevention, Underground Storage Tank Leak Prevention, Cannabis Enforcement and Legal Units in the upcoming Executive Director's Reports. We will also provide the State Water Board with strategic overviews of the respective Regional Board's enforcement programs. This is the first report in OE's proposed series, for OE's Special Investigations Unit.

### **Special Investigations Unit (SIU) Strategic Activity Update**

#### **Sanitary Sewer and Collection System Scrutiny**

For the first two quarters of 2017, SIU has been focused on assisting the regional boards with collection system and wastewater treatment plant compliance audits, and hands on training for regional board staffs on enforcement inspections. SIU has also given enforcement, program update and best management practices presentations on the Statewide Sanitary Sewer System General Order at several regional CWEA workshops and the annual CWEA conference. SIU has provided training and technical assistance to regional board and DWQ staff on general principles and case-specific investigations relating to storm water BMP implementation, fill or discharge volume estimations and corrective action plan review. SIU staff performs the more complex economic benefit and ability-to-pay analyses for all the regional board administrative civil liability actions, and testifies in defense of those analyses at regional board hearings as necessary. OE specialists are charged with reviewing and commenting on the enforceability of draft general orders.

#### **Environmental Justice**

SIU houses the State Water Board's environmental justice enforcement coordination unit, and works with CalEPA and the other BDOs to screen locations for and roll out multi-media environmental enforcement initiatives. OE's Jasmine Oaxaca is SIU's lead for environmental justice enforcement, and is currently engaged in a local, state and federal multi-media enforcement effort in a disadvantaged area of Alameda County. SIU staff have attended community outreach and agency coordination meetings to focus the effort on meaningful outcomes in the community, and will be following up with inspection reports with compliance checklists and other enforcement actions. Ms. Oaxaca is also spearheading OE's work to update the State Water Board's Supplemental Environmental Project (SEP) Policy to harmonize it with new state laws furthering the use of SEPs in disadvantaged communities, and will be finalizing the SEP completion report to present to the State Water Board later this year.

#### **Operator Certification**

SIU follows up on drinking water and wastewater operator certification complaints in cooperation with the Division of Financial Assistance's Operator Certification section and Division of Drinking Water. SIU staff assisted DDW in an investigation of three water systems in Siskiyou County that allegedly failed to report several months of positive bacteria sample results for their drinking water systems. OE staff conducted multiple interviews with drinking water system staff, prepared inspection reports, and linked evidence resulting in a referral to the Siskiyou County District Attorney's office. The Siskiyou DA has filed misdemeanor charges against employees of the Dunsmuir, Weed, and McCloud drinking water systems based on the referral package that resulted from the combined work of OE and DDW. SIU's Dylan Seidner will be the DA's "principal investigator" and testify at the trials to be held in Siskiyou County in the coming months.

### Nitrate Water Replacement Orders

SIU is working with the regional boards, DDW and DWQ on large scale nitrate replacement water orders. Early in 2017, OE reached an agreement with a group of growers and landowners in the Salinas Valley to provide replacement water to 56 identified state small systems and local public water agencies, and to disadvantaged persons on private domestic wells, in exchange for a two-year replacement water enforcement order standstill. The number of growers and landowners participating in this cooperative solution has doubled since our initial settlement. We hope to reach a similar agreement before the end of this year in another area of the state where we are currently engaged in settlement discussions with a group of cooperative parties. SIU is also working with the Human Right to Water work group to create physical accessibility maps and information.

### CalEPA Basic Inspector Academy

Since May 2013, OE has represented the Water Boards on the CalEPA enforcement training team. Basic Inspector Academy (BIA) is a 3.5 day training course meant to provide new employees with skills related to environmental inspections. Topics covered include access and entry, evidence, report writing, and enforcement options. Dylan Seidner of OE brings 8 years of inspection experience to students of the class, along with several years of advanced inspection enforcement-related training. In 2016, OE added a second instructor to the BIA's faculty. OE's instructors convey the Water Boards' inspection and enforcement expertise to the over 200 students a year, who attend from environmental departments at cities, counties, states and federal agencies.

### Water Conservation

SIU oversees the public urban water supplier monthly conservation reporting and compiles and reports that information to the State Water Board. SIU was responsible for issuing and resolving the four administrative civil liability complaints that resulted in implementation of supplemental conservation projects by the Indio Water Authority, Coachella Valley Water District and City of Redlands, and a \$61,000 payment by the City of Beverly Hills.

## **Administrative Civil Liability (ACL) and Cleanup and Abatement Actions Issued July 2017:**

### a. ACL Complaint(s) Issued

<b>Region</b>	<b>Discharger/Facility</b>	<b>Violation(s) Addressed</b>	<b>ACL Complaint Amount</b>	<b>Date Issued</b>
<b>WATER QUALITY</b>				
4	American International Engineering and Manufacturing	Failure to re-certify under renewed general industrial stormwater permit	\$5,500 (MMP: \$5,000; staff costs: \$500)	7/14/2017
4	Hrach Karageozyan / Duarte Auto Wrecking	Failure to timely submit 2013-2014 and 2014-2015 industrial stormwater annual reports	\$2,500 (MMP: \$2,000; staff costs: \$500)	7/14/2017
4	Southern Fiber of Los Angeles, LLC	Failure to timely submit 2014-2015 industrial stormwater annual report	\$1,500 (MMP: \$1,000; staff costs: \$500)	7/14/2017

Region	Discharger/Facility	Violation(s) Addressed	ACL Complaint Amount	Date Issued
4	Leonard Thompson / Adam's Auto Wrecking	Failure to timely submit 2014-2015 industrial stormwater annual report; failure to re-certify under renewed general industrial stormwater permit	\$6,500 (MMP: \$6,000; staff costs: \$500)	7/14/2017
4	Ted & Jerry's Auto Dismantling, Inc.	Failure to timely submit 2014-2015 industrial stormwater annual report	\$1,500 (MMP: \$1,000; staff costs: \$500)	7/14/2017
5	Linda County Water District / Wastewater Treatment Plant	Six (6) effluent limit violations (1/2016 – 4/2017: total coliform organisms, pH, dichlorobromomethane,	\$18,000 (MMP)	7/24/2017
<b>WATER RIGHTS—NO ACL COMPLAINTS ISSUED JULY 2017</b>				

b. ACL Order(s) Issued

Region	Discharger/Facility	Violation(s) Addressed	ACL Order Amount	Date Issued
<b>WATER QUALITY</b>				
1	DG Fairhaven Power, LLC / Fairhaven Power Plant	4/2005 – 7/2016: ten (10) effluent limit violations (copper), deficient reporting, and six unauthorized discharges of bottom ash wastewater	\$49,800 (MMP: \$30,000; max: MMP+\$330,000; min: MMP+\$7,361; ACLC: \$172,950; all to CAA)	7/14/2017
4	121 N. San Vicente, LC / 119, 121, and 123 North San Vicente Boulevard, Beverly Hills	One (1) effluent limit violation (1/2017 – 3/2017: copper)	\$3,000 (MMP—all to CAA)	7/17/2017
4	G & L 436 Bedford, LLC / Office Building Parking Garage	Four (4) effluent limit violations (7/2016 – 12/2016: copper, zinc)	\$12,000 (MMP—all to CAA)	7/18/2017
5	Southern California Edison Company / Big Creek Powerhouse No. 1 Domestic Wastewater Treatment Plant	Five (5) effluent limit violations (6/2012 – 4/2017: aluminum, ammonia, zinc)	\$15,000 (MMP—all to CAA)	7/12/2017
5	City of Live Oak / Wastewater Treatment Plant	Four (4) effluent limit violations (4/2012 – 1/2017: arsenic, nitrate)	\$12,000 (MMP—all to CP)	7/20/2017
<b>WATER RIGHTS—NO ACL ORDERS ISSUED JULY 2017</b>				

c. Cleanup and Abatement Order(s) Issued—*NO CAOS ISSUED JULY 2017*

d. Notices of Violation Issued

Region	NOVs Issued	Region	NOVs Issued
1	1	5S	0
2	3	6T	0
3	7	6V	0

Region	NOVs Issued	Region	NOVs Issued
4	4	7	0
5F	6	8	2
5R	8	9	0

## OFFICE OF INFORMATION MANAGEMENT AND ANALYSIS

**General permit Enrollments and Compliance Information Automatically Transferring to United State Environmental Protection Agency’s (U.S. EPA) Database:** National Pollutant Discharge Elimination System (NPDES) records from the Water Boards’ California Integrated Water Quality System (CIWQS) and Stormwater Multiple Application and Reports Tracking System (SMARTS) are being electronically sent to U.S. EPA’s Integrated Compliance Information System (ICIS) on a nightly basis. Prior to implementation of this data flow, these records were either not being reported to U.S. EPA or were being manually entered into ICIS. This flow allows for more complete data to be available through U.S. EPA’s reporting tools more efficiently.

The data flow, which initiated July 14, was designed to comply with Phase I of [U.S. EPA’s Electronic Reporting Rule](#). Phase II of the rule, which has an implementation date in 2020, requires additional data, such as program reports and applications, to be electronically submitted by the regulated community and then electronically transferred to U.S. EPA.

## OFFICE OF RESEARCH, PLANNING AND PERFORMANCE

**Water Storage Investment Program (WSIP):** California’s voters approved the Proposition 1 Water Quality, Supply, and Infrastructure Improvement Act in November 2014, providing \$2.7 billion to the California Water Commission (Commission) for funding public benefits associated with water storage projects (Proposition 1, Chapter 8). The Commission developed the Water Storage Investment Program (WSIP) to fund public benefits associated with water storage projects. The Board is tasked with evaluating and scoring the water quality improvement benefits in WSIP applications. Application reviews will occur from mid-August through December 2017. During this time period, Technical Reviewers will evaluate and score projects based on the water quality benefits claimed by an applicant. Score packages (review summaries and scores) will then be submitted to State Water Board management for review and approval before being submitted to the Commission for incorporation into the overall WSIP score.

Following project evaluations, the Board will make agency findings that the claimed water quality benefits in project applications meet all the requirements of Proposition 1, Chapter 8. In addition, the Board will enter into contracts with Commission-selected applicants to manage the water quality benefits associated with water storage projects. Board staff anticipate agency findings to occur in spring 2018, with contract development beginning in 2019.

Over the last three years, State Water Board staff have been coordinating with the Commission, the Department of Fish and Wildlife, and the Department of Water Resources to develop and implement the program, including the development of WSIP regulations. Board staff are currently preparing for the application review period, using the review process outlined in the

Commission's regulations. State Water Board staff have also been meeting regularly with applicants and stakeholders, throughout the application solicitation period, to answer water quality questions related to the WSIP application and review process.

**Sustainable Groundwater Management Act (SGMA)**: The deadline for formation of groundwater sustainability agencies (GSAs) under the Sustainable Groundwater Management Act (SGMA) passed on June 30, 2017. This is a major milestone for SGMA, and also results in the triggering of the State Water Resource Control Board's (State Water Board, or Board) authority to intervene in areas that did not meet the GSA formation deadline.

Areas outside of the management of a GSA are referred to as unmanaged areas. The State Water Board will be identifying unmanaged areas, and is coordinating its efforts with the Department of Water Resources (DWR). DWR is responsible for receiving GSA formation filing notices and posting those notices online, and maintains the GSA filing information that Board staff use to identify unmanaged areas. The Board and DWR staff have been coordinating closely through the GSA formation process and have jointly provided informational resources to local agencies related to GSA formation. As of mid-July 2017, most areas subject to SGMA are within the management area of a GSA. An interactive compliance map that identifies unmanaged areas is available on the Groundwater Management Program webpage (<http://www.waterboards.ca.gov/gmp>). State intervention activities during the current water year will be focused on collection of groundwater extraction reports from unmanaged extractors. That process includes identification of groundwater extractors, outreach and notification, and collecting information from groundwater users in unmanaged areas. The information collected from groundwater extraction reports, which are required by Water Code section 5200 et. seq., will be used by Board staff in conjunction with data from other GSAs in the basin, to help determine whether probationary status is necessary for the basin.

Board staff will present an informational update on SGMA implementation at the August 15, 2017 Board meeting and will then proceed to begin contacting landowners in unmanaged areas to let them know about their obligation to report information about extraction activities to the State Water Board. These extraction reports will be due on December 15, 2017.

# Appendix A

## Irrigated Lands Regulatory Program Monthly Report July 2017

This month's Irrigated Lands Regulatory Program update provides a summary of significant activities of the State Water Board from June 15, 2017 to July 15, 2017 and the Central Valley Water Board from May 15, 2017 to July 15, 2017. Next month's report will present activities of the North Coast, San Francisco Bay, Central Coast, Los Angeles, Lahontan, Colorado River Basin, Santa Ana, and San Diego Water Board programs and cover the time period from June 15, 2017 to August 15, 2017.

### **STATE WATER BOARD:**

On June 19, 2017, Irrigated Lands Regulatory Program staff (staff) and Fee Unit staff met with poultry dischargers to discuss fee schedule revisions for the 2017-18 fiscal year.

On June 20, 2017, staff met with California Association of Sanitation Agencies representatives to discuss some growers' hesitance to use biosolids as fertilizer in contrast to other growers that support the use of biosolids as fertilizers.

On June 22, 2017, staff participated in a workshop to discuss agricultural-related groundwater recharge and recycled water use. The workshop reviewed the status of the WaterReuse Research Foundation 16-03 Groundwater Recharge with Recycled Water on Agricultural Lands in California white paper effort. Potential regulatory issues and solutions with implementation of agricultural groundwater recharge-recycled water projects were also discussed.

On June 26, 2017, staff participated in a California Bioresources Alliance steering committee meeting to finalize the agenda for the November 1-2, 2017 Annual Symposium. The symposium title is "Building California's Sustainable Bioresource Economy."

On July 12, 2017, staff participated in a California Roundtable on Agriculture and the Environment forum. Discussion included a presentation from [Dave Metz](#), a consultant with FM3 who has researched public opinion about agriculture and working lands in California on behalf of the Environmental Defense Fund and others, and with the California Almond Board about their work understanding public perception of agriculture in California. Discussions involved developing a shared systems perspective on underpinning positive and negative perceptions of California agriculture in order to develop a shared concept for how to portray agriculture as a partner in delivering California's quality of life and identify next steps. In addition, the group reviewed an initial set of key messages on the Farm Bill based on the roundtable discussion, and discussed an update on the Farm Bill Reception fall meeting schedule.

On July 13, 2017, staff participated in a Certified Crop Advisers meeting to discuss the results of the last exam.



## **REGIONAL WATER QUALITY CONTROL BOARDS:**

Central Valley Regional Water Quality Control Board (Central Valley Water Board) staff holds quarterly stakeholder meetings to provide an open forum for communication between staff, agricultural coalitions, environmental justice groups, and other interested parties in the Central Valley Region. The July 12, 2017 stakeholder meeting focused on the recent Bovine and Dairy General Orders and their overlap with the Irrigated Lands Regulatory Program.

During the June 8, 2017 Central Valley Water Board Meeting, the Board heard an information item on the Management Practices Evaluation Program (MPEP). The MPEP is required to identify if management practices are protective of groundwater and estimate the effect of agricultural discharges on groundwater quality.

Central Valley Water Board staff concentrated compliance, outreach, and enforcement efforts in agricultural parcel inspections, Water Code section 13260 Directives, Notices of Violation for failure to respond to a Water Code section 13260 Directive and failure to comply with Orders, Pre-Administrative Civil Liability Notification Letters, and Administrative Civil Liability Complaints.

Additional information can be found at the following link:

[http://www.waterboards.ca.gov/centralvalley/water\\_issues/irrigated\\_lands/index.shtml](http://www.waterboards.ca.gov/centralvalley/water_issues/irrigated_lands/index.shtml)

## APPENDIX B

### Statewide Policies and General Permits Table

**Status Code Key:**

White = Active effort (A)
Light Green = Targeted for completion in 2016 (A-16)
Lavender = Targeted for completion in 2017 (A-17)
Pink = Targeted for completion in 2018 (A-18)
Light Lavender = Targeted for completion in 2019 (A-19)
Green = Targeted for completion in 2020 (A-20)
Gold = Completed 2017 (C2017)
Blue = Completed 2016 - 2010 (C2016 - C2010)
Gray = Suspended or No statewide effort at this time or Pending (P)
Note: * indicates Board Priority

#### I. State Board (SB)

Status Code ▼	Policy/Significant General Permit	Last Updated / Status	Statewide / Regional Project	Org. Lead	Target Release Public Comment	Target Board Meeting Date
*A	Russian River Frost Protection Regulation	<b>2016-07-13</b> The State Water Board began a phased implementation of the Russian River Frost Regulation for the 2015 frost season. In February of 2015, the Division approved three major Initial Water Demand Management Plans (WDMPs) and two individual WDMPs. The Governing Bodies for these WDMPs submitted their first Annual Reports in September 2015 and submitted updated frost protection system inventories and schedules for consultation with fisheries agencies in February 2016. The Division notified the Governing Bodies in February of 2016 that the WDMPs remain in compliance with the Regulation for the 2016 frost season (March 15 to May 15). The second Annual Reports are due September 1, 2016.	Statewide	SB		

Status Code ▼	Policy/Significant General Permit	Last Updated / Status	Statewide / Regional Project	Org. Lead	Target Release Public Comment	Target Board Meeting Date
*A-16	Phase I update of the Bay-Delta Plan: San Joaquin River flows and southern Delta salinity	2016-08-03 The Draft Substitute Environmental Document (SED) was released on December 31, 2012 for public comment. Hearing to receive comments on the SED was held on March 20-21, 2013, and comments were received by March 29, 2013. Revised Draft SED to be recirculated for public comment in summer of 2016. Draft plan amendment to be brought to the Board for consideration in early 2017.	Statewide	SB	Summer 2016	Winter 2016
*A-17	Procedures for Discharges of Dredged or Fill Materials to Waters of the State (Proposed for Inclusion in the Water Quality Control Plan for Inland Surface Waters and Enclosed Bays and Estuaries)	2017-06-29 State Water Board staff is developing proposed Procedures for Discharges of Dredged or Fill Materials to Waters of the State. The draft procedures were released for public comments on June 17, 2016 and the Board held a hearing on July 19, 2016. The Comment period closed on August 18, 2016. Staff is reviewing comments and working on revisions to the policy, with a second public release in July 2017, a public workshop in August, and a board hearing on September 6, 2017.	Statewide	SB	2017-07-21	2017-12-19
*A-17	Maximum Contaminant Level (MCL) for 1,2,3-Trichloropropane (1,2,3-TCP)	2017-04-24 2017-04-24 Division of Drinking Water staff completed the regulatory documents needed to proceed to public comment, and as of April 21, 2017 have managed and finished the public comment period, including a public hearing on April 19. Staff are currently in the process of reviewing and responding to the public comments in a final document prior to bringing the final regulation package to the Board for adoption. Staff anticipate a Board Adoption date in the spring/summer of 2017, after which the adopted regulations will be sent to OAL for final review and approval. The MCL is anticipated to be effective in the summer or fall of 2017.	Statewide	SB	2017-03-04	2017-05
*A-17	Phase II update of the Bay-Delta Plan: Comprehensive Review	2016-07-13 State Water Board staff is in the process of a phased review and update of the 2006 Water Quality Control Plan for the Bay-Delta (2006 Bay-Delta Plan). The second phase of the review focuses on the following issues: (1) Delta outflow objectives, (2) export/inflow objectives, (3) Delta Cross Channel Gate closure objectives, (4) Suisun Marsh objectives; (5) potential new reverse flow objectives for Old and Middle Rivers; (6) potential new floodplain habitat flow objectives; (7) potential changes to the monitoring and special studies program, and (8) other potential changes to the program of implementation. Staff is preparing a Scientific Basis Report that will provide the underlying scientific support for proposed flow and water quality objectives. The Report will consider recommendations provided in the Delta Science Program's Workshops Panel Summary Reports on Delta Outflows and Related Stressors (May 2014) and Interior Delta Flows and Related Stressors (July 2014). The working draft Scientific Basis Report is expected to be released for public review in late spring/early summer 2016. Staff is also developing a Substitute Environmental Document that will provide an evaluation of the potential environmental impacts of the proposed changes to the Bay-Delta Plan. This document is expected to be released for public review in 2017.	Statewide	SB	2017	TBD

Status Code ▼	Policy/Significant General Permit	Last Updated / Status	Statewide / Regional Project	Org. Lead	Target Release Public Comment	Target Board Meeting Date
*A-17	Sediment Quality Objectives (SQOs) for Enclosed Bays and Estuaries: Phase II*	2017-06-19 Water Board staff is developing a methodology to assess sediment quality in relation to the narrative human health SQO that protects human consumers from contaminants that bioaccumulate from the sediment into fish tissue. Staff is using the Los Angeles Long Beach Harbors TMDL as a case study to address many of the issues associated with the human health implementation framework as well as addressing other questions related to the application of SQOs as TMDL targets. Several groups and committees, including the SQO Advisory Committee, the Agency Coordination Committee, and the Harbor Technical Work Group, are collaborating on studies that will assist in the development, testing, and implementation of Phase II SQOs. Staff anticipates that the case study and test drive will be completed by August 2017, followed by release of draft documents in late 2017. A public workshop and board hearing are anticipated for December 2017 and March 2018 respectively.	Statewide	SB	2017-10-22	2018-03-20
A	Approval of the CWA Section 303(d) List portion of the 2018 California Integrated Report	2017-06-21 The 2018 California Integrated Report will consist of a complete assessment of data and information for the North Coast, Lahontan, and Colorado River regions. The other six regional water boards will have the opportunity to include high priority listings and delistings off-cycle. The data solicitation period ended on May 3, 2017. State and Regional Water Board staff will be assessing the data with a tentative State Water Board approval scheduled for May of 2019.	Statewide	SB	2019-01/18	2019-05-14
A	Harmful Algal Bloom Response	2017-06-30 State Water Board staff are working with a multi-entity workgroup consisting of the Water Boards, California Department of Public Health, Office of Environmental Health Hazard Assessment, United States Environmental Protection Agency, California Fish and Wildlife, the Department of Water Resources, tribes, water managers, and other interested parties to collaboratively work toward solutions in protecting the public, pets, livestock, and wildlife from the effects of harmful algal blooms (HABs). The California Cyanobacteria Harmful Algal Bloom Network meets quarterly in January, April, July, and October.	Statewide	SB		NA
A	Once-Through Cooling Policy - Diablo Canyon Closure	2017-06-30 In December 2016, Pacific Gas and Electric Company provided information to the State Water Board regarding the OTC-Policy interim mitigation fee requirements for Diablo Canyon Nuclear Power Plant. Currently, staff is evaluating the information, and plans to release a draft determination by July 7, 2017.	Statewide	SB		
A	Once-Through Cooling [OTC] Policy-Implementation, interim mitigation payments	2017-06-30 OTC-Policy requires owners or operators of existing power plants to implement measures to mitigate interim impingement and entrainment impacts resulting from their cooling water intake structures. State Water Board staff is preparing draft determinations with interim mitigation payment calculations for the 2015-2016 interim mitigation period for the following plants: Alamitos Generating Station, Harbor Generating Station, Haynes Generating Station, Huntington Beach Generating Station, Mandalay Generating Station, Ormond Generating Station, Redondo Beach Generating Station, Scattergood Generating Station, Diablo Canyon Nuclear Power Plant, and Encina Power Station. The draft determinations will be posted for a twenty-day comment period.	Statewide	SB		

Status Code	Policy/Significant General Permit	Last Updated / Status	Statewide / Regional Project	Org. Lead	Target Release Public Comment	Target Board Meeting Date
A	Once-Through Cooling [OTC] Policy-Encina Amendment	<b>2017-06-30</b> The OTC Policy established compliance dates for power plants' retirement and replacement of capacity using then-current electricity planning and procurement processes. The Statewide Advisory Committee on Cooling Water Intake Structures conducted an interim study that demonstrated the need of the Encina Power Station to maintain grid reliability in the San Diego area during 2018. The State Water Board is proposing to amend the compliance deadline of the Encina Power Station from December 31, 2017, to December 31, 2018. Staff released the Draft Report for the OTC- Encina Amendment on May 23, 2017 for public comments. Written comments must be received no later than noon on July 7, 2017.	Statewide	SB	2017-05-23	2017-08-15
A	SB 83, Section 45 - Produced Water Pond Report	<b>2017-02-02</b> The State Water Board posted on its website a status report on the regulation of oil field produced water ponds within each region on July 29, 2016. Link to report: <a href="http://www.waterboards.ca.gov/water_issues/programs/groundwater/sb4/index.shtml">http://www.waterboards.ca.gov/water_issues/programs/groundwater/sb4/index.shtml</a> . Produced water is water extracted during oil production. The report included a tally of produced water ponds statewide by region, the number of permitted and unpermitted ponds, enforcement actions taken, and the status of permitting the unpermitted sites. The report will be updated every six months.	Statewide	SB	Twice Annually	
A	Statewide Storm Water Construction General Permit Reissuance	<b>2017-07-21</b> State Water Board staff is developing the draft permit language for the reissuance of the Statewide Storm Water Construction General Permit (also referred to as the CGP). The proposed CGP reissuance will include implementation of Total Maximum Daily Loads and revisions to update the CGP requirements per information collected during the term of the existing permit. Information on the development of the proposed permit reissuance, including stakeholder outreach information, is posted on the State Water Board's Construction Storm Water Program website at: <a href="http://www.waterboards.ca.gov/water_issues/programs/stormwater/construction.shtml">http://www.waterboards.ca.gov/water_issues/programs/stormwater/construction.shtml</a> . A proposed public comment period for the draft permit has not yet been determined.	Statewide	SB	2018-00-00	2018-00-00
A	Suction Dredge Mining Activity	<b>2017-06-01</b> Senate Bill 637 amended the California Water Code and the California Fish and Game Code to address the existing moratorium on suction dredge mining. As amended, the Water Code requires the State Water Board to gather stakeholder input to assist in its determination regarding how to regulate suction dredge mining activities. State Water Board staff, conducted five public outreach workshops throughout the State in January and February 2017. Staff is evaluating the information gathered during the workshops.	Statewide	SB		
A-16	Big Creeks Projects - Clean Water Act, Section 401, Water Quality Certification	<b>2016-10-25</b> The State Water Board is developing a water quality certification and associated California Environmental Quality Act (CEQA) document for six hydroelectric projects that are owned and operated by Southern California Edison Company in Fresno and Madera counties: Big Creek Nos. 2A, 8, and Eastwood; Big Creek No. 3; Mammoth Pool; Vermillion Valley; Portal; and Big Creeks Nos. 1 and 2. The water quality certification will become part of the Federal Energy Regulatory Commission licenses for the six projects. The draft certification and draft CEQA document are expected to be released for public review in the Fourth Quarter 2016.	Statewide	SB	2016-12-31	Not applicable

Status Code	Policy/Significant General Permit	Last Updated / Status	Statewide / Regional Project	Org. Lead	Target Release Public Comment	Target Board Meeting Date
A-17	Approval of the CWA Section 303(d) List portion of the 2014 and 2016 California Integrated Report	<b>2017-07-17</b> Clean Water Act section 303(d) List portion of the 2014 and 2016 California Integrated Report (303(d) List) is a combination of the 303(d) Lists approved by the San Francisco Bay, Central Coast, Central Valley, Santa Ana, and San Diego Regional Water Boards. The 303(d) List portion of the 2014 and 2016 Integrated Report along with the recommendations for the Los Angeles region was released for public comment on June 9, 2017. The State Water Board will consider the Los Angeles Water Board recommendations at a State Water Board hearing currently scheduled for October 3, 2017. The complete 303(d) List portion of the California 2014 and 2016 Integrated Report will also be considered at a State Water Board meeting also scheduled for October 3, 2017.	Statewide	SB	2017-06-09	2017-10-03
A-17	Bacteria Standards for Ocean and Inland Surface Waters	<b>2017-07-10</b> The State Water Board is developing proposed statewide bacteria water quality objectives and a proposed control program to protect human health in waters designated for water contact recreation (REC-1) from the effects of bacteria. The implementation elements also includes a general water quality standards variance policy. Staff released the draft documents for public comment on June 30, 2017. A Staff Workshop was held on July 10, 2017 and Public Hearing is scheduled for August 1, 2017. State Board Web site: <a href="http://www.waterboards.ca.gov/bacterialobjectives/">http://www.waterboards.ca.gov/bacterialobjectives/</a>	Statewide	SB	2017-06-30	2017-12-05
A-17	Discharges from Hydrostatic Testing Of Natural Gas Pipelines and Related Activities	<b>2017-07-21</b> State Water Board staff has worked with stakeholders (including gas companies and Native American Tribal representatives) to develop a draft mitigated negative declaration, and a proposed Statewide General Order to regulate discharges from construction, hydrostatic testing, operation, and maintenance of natural gas facilities. The proposed Statewide General Order will provide regulatory coverage for discharges to surface water and land, and will allow the use of recycled water as hydrostatic testing source water. The draft mitigated negative declaration and proposed General Order is scheduled to be released for public comments in October 2017.	Statewide	SB	2017-10-18	2018-03-03
A-17	General WDRs for Discharges of Waste Associated with Cannabis Cultivation Activities	<b>2017-07-06</b> DWQ, DWR, OE, and the Regional Water Boards are preparing statewide WDRs for discharges of waste associated with cannabis cultivation. The WDRs are being prepared in conjunction with DWR to address water rights issues and the CDFA (issuing cannabis cultivation licenses).	Statewide	SB	July 2017	October 2017
A-17	Industrial General Storm Water Permit Amendment for TMDL Implementation	<b>2017-07-21</b> State Water Board staff is developing an Industrial General Permit Amendment to incorporate proposed TMDL implementation language into the statewide permit. The proposed permit amendment is being developed in collaboration with the four Regional Water Boards that have adopted TMDLs applicable to industrial storm water discharges as a pollutant source to impaired water bodies (San Francisco Bay, Los Angeles, Santa Ana, and San Diego Regional Water Boards). The public comment periods for the four Regional Water Board's draft TMDL implementation language have ended. State Water Board staff is reviewing all comments received during the Regional Water Boards' public comment periods, developing proposed TMDL implementation language, and identifying the TMDL watersheds for a subsequent public comment period. State Water Board staff anticipates release of the proposed TMDL implementation language for public comment in late 2017. A State Water Board public hearing for the proposed permit amendment is anticipated in 2018.	Statewide	SB	2017-12-00	2018-09-00

Status Code	Policy/Significant General Permit	Last Updated / Status	Statewide / Regional Project	Org. Lead	Target Release Public Comment	Target Board Meeting Date
A-17	Mercury TMDL and Implementation Plan (Statewide Reservoirs)	2017-07-10 Staff from Regions 2 and 5 and State Water Board are developing a TMDL and implementation plan to address fish mercury(Hg) impairments in about 150 reservoirs statewide. Staff prepared the scientific and technical analysis (source analysis, linkage, targets, allocations, and implementation plan options), and regulatory provisions for the implementation plan. The staff report is currently in scientific peer review.	Statewide	R5	TBD	TBD
A-17	Nonpoint Source (NPS) Implementation and Enforcement Policy Amendments	2017-06-05 The NPS Implementation and Enforcement Policy (NPS Policy) is being updated as directed by Resolution 2012-0004 to reflect the current funding mechanisms for State Water Board and Regional Water Board regulation of nonpoint source wastewater discharges.	Statewide	SB	TBD	TBD
A-17	Petition Order for Central Valley Regional Board's Eastern San Joaquin Agricultural Order	2017-06-01 On February 8, 2016, the State Water Board released a proposed order, SWRCB/OCC File A-2239(a)-(c), in response to petitions for review of the Central Valley Regional Water Quality Control Board's Eastern San Joaquin Agricultural Order. On May 4, 2016, a Board workshop was held at the Cal/EPA Building in Sacramento, followed by an additional Board workshop in Fresno, CA on May 17, 2016. The deadline for written public comments was June 1, 2016. Staff workshops were held in Sacramento at CalEPA on October 19, 2016, and November 18, 2016 to provide an opportunity for petition staff to ask detailed questions in response to comments received.	Statewide	SB	2017-02-20	2017-05
A-17	Revised Total Coliform Rule	2017-04-24 The Federal Revised Total Coliform Rule became effective on April 1, 2016. Division of Drinking Water staff are in the process of drafting state regulations that are at least as stringent as federal regulations but include California-specific requirements. Staff anticipate releasing draft regulations in the spring of 2017 during public workshops, with a public review period later in 2017 and a proposed Board Adoption date in mid 2018.	Statewide	SB	2017	2017/2018
A-17	Small Municipal Separate Storm Sewer System (MS4) Permit Amendment, Attachment G	2017-07-21 State Water Board staff developed a proposed amendment for the Small MS4 Statewide General Permit, Attachment G (titled Region-specific Total Maximum Daily Loads (TMDL) Implementation Requirements). The proposed amendment includes:(1) new and revised implementation requirements based on corresponding TMDL waste load allocations, and (2) final compliance dates for the new and revised implementation requirements. The proposed TMDL Amendments were released to the Public on June 5, 2017, and written comments were due to the Clerk of the State Water Board by July 20, 2017. The State Water Board heard oral comments during a hearing on July 5, 2017. In response to commenters letters requesting additional time, the State Water Board Chair approved the additional time and the comments are now due to the Clerk of the State Water Board by August 21, 2017. Documents may be viewed at: <a href="http://www.waterboards.ca.gov/water_issues/programs/stormwater/phase_ii_municipal.shtml">http://www.waterboards.ca.gov/water_issues/programs/stormwater/phase_ii_municipal.shtml</a>	Statewide	SB	2017-06-05	2017-12-19
A-17	Statewide Aggregate General Order	2017-02-15 DWQ is preparing a statewide general order for aggregate processing facilities that discharge to land.	Statewide	SB	January 2017	Sept 2017
A-17	Supplemental Environmental Projects (SEP)	2017-04-18 Assembly Bill 1071 requires us to update SEP policy. MCC meeting in March, with planned workshop in June/July and fall adoption hearing.	Statewide	SB	2017-06-15	2017-10-15

Status Code	Policy/Significant General Permit	Last Updated / Status	Statewide / Regional Project	Org. Lead	Target Release Public Comment	Target Board Meeting Date
A-17	Surface Water Augmentation with Recycled Water Regulations	2017-04-24 The Division of Drinking Water is currently finalizing the regulation package regarding the use of recycled water to augment surface water reservoirs used for drinking water supplies. As required by Water Code sections 13562 and 13565, an Expert Panel was assembled to review the criteria and to ultimately make a finding that the criteria are protective of public health. The Expert Panel reviewed the initial draft regulation, which was then submitted for completion of the peer review process required via H&SC section 57004. The Expert Panel reviewed the peer review comments, subsequent revisions to the draft regulations, and made a finding that the criteria are protective of public health.	Statewide	SB	2017-05	2017-06
A-17	Unified Program Underground Storage Tank Surcharge Increase	2017-06-19 Underground Storage Tank (UST) Leak Prevention Program, as part of the CalEPA Unified Program, is funded by a surcharge applied to each operating UST. Surcharge funding is authorized by California Health and Safety Code. Revenue from the surcharge is intended to cover operating costs at the State Water Resources Control Board to oversee and implement the program, however the current amount fails to do so. CalEPA has completed the rulemaking process, and the Office of Administrative Law has approved the regulations which increase the UST surcharge which becomes effective August 2017. A Budget Change Proposal for increased spending authority is under development.	Statewide	SB	July 2017	
A-18	Amendment to the Recycled Water Policy	2017-07-06 The State Water Board adopted a resolution December 6, 2016 directing staff to amend the Recycled Water Policy and re-convene the Science Advisory Panel for Constituents of Emerging Concern. While the resolution outlined a preliminary list of topics to be updated or added to the policy, the resolution directs staff to work with stakeholders to develop an amendment to the Recycled Water Policy and release a draft for public comment by March 2018. State Water Board staff is also developing a project charter and timeline for the next update of the Recycled Water Policy. State Water Board staff conducted initial targeted stakeholder listening sessions in the beginning of March 2017 and is planning to conduct additional stakeholder outreach this summer and continue outreach throughout the amendment process.	Statewide	SB	2018-03	
A-18	Biostimulatory substances and Biological integrity Project	2017-07-17 The State Water Resources Control Board (State Water Board) is proposing to adopt a statewide water quality objective for biostimulatory substances along with a program of implementation as an amendment to the Water Quality Control Plan for Inland Surface Water, Enclosed Bays and Estuaries of California. This project will also now include a water quality control policy to establish and implement biological condition assessment methods, scoring tools, and targets aimed at protecting the biological integrity in wadeable streams. A series of webinars and stakeholder advisory group meetings are being scheduled as new science related to the project is released from the Southern California Coastal Watershed Research Program.	Statewide	SB	2018-11-01	2019-12-06
A-18	Environmental Laboratory Accreditation Regulations	2017-04-24 Division of Drinking Water staff will draft new regulations governing the accreditation of laboratories regulated by the Environmental Laboratory Accreditation Program (ELAP). The draft regulations will be clearly written and ensure standards for laboratory compliance is auditable and enforceable. The draft regulations are in development and staff anticipate holding staff workshops on the draft regulations Summer 2017, initiate the formal rulemaking process late 2017 and bring the proposed draft regulations to the State Board early 2018 for adoption.	Statewide	SB	2017-01-10	2018-01-01



Status Code ▼	Policy/Significant General Permit	Last Updated / Status	Statewide / Regional Project	Org. Lead	Target Release Public Comment	Target Board Meeting Date
A-18	Permanent (Regular) Regulations for Point Of Use/Point of Entry Treatment Devices	<b>2017-04-24</b> The State Water Board will be adopting permanent regulations governing the use of point-of-use and point-of-entry treatment devices by a public water system (PWS), in lieu of centralized treatment. Existing law requires the State Water Board to first adopt emergency regulations, followed by standard regulations, to establish criteria for applicable PWS that choose to provide treatment for drinking water through the use of POU or POE treatment devices. Emergency regulations were adopted by the Board on March 15, 2016 and became effective on April 1, 2016. Permanent regulations have to be effective by January 1, 2018 and Division of Drinking Water staff are in the process of drafting the permanent regulations.	Statewide	SB	2017	2017
A-18	Statewide General Waste Discharge Requirements for Wineries	<b>2017-06-23</b> State Water Board staff has prepared a concept paper for developing a statewide general order for wineries. Staff is collaborating with stakeholders to prepare a draft requirements matrix. Staff continues to hold meetings with wine industry representatives and additional outreach meetings will be scheduled.	Statewide	SB	February 2018	June 2018
A-18	Statewide Urban Pesticide Reduction	<b>2017-06-01</b> The State Water Board is developing a statewide multi-agency framework for urban pesticide reduction that will be proposed as amendments to both the Inland Surface Waters, Enclosed Bays, and Estuaries Plan, and to the Ocean Plan. A multi-stakeholder project team (shifted into an advisory committee in April 2017) provided information and materials for development of the following amendment components(1) an inter-agency coordination framework, (2) a regional monitoring framework, and (3) suggested permit language for MS4 permittees. Staff anticipates public release of the proposed amendments in Winter 2017.	Statewide	SB	2017	2018
A-18	Toxicity Amendments to the Inland Surface Waters, Enclosed Bays, and Estuaries Plan	<b>2017-06-28</b> State Water Resources Board staff are preparing provisions for toxicity, which if adopted by the Board will be included in the Water Quality Control Plan for Inland Surface Waters, Enclosed Bays and Estuaries of California. If adopted, the proposed Provisions would establish numeric acute and chronic objectives for aquatic toxicity; establish effluent limits for non-storm water NPDES dischargers; incorporate the United States Environmental Protection Agency's (U.S. EPA's) Test of Significant Toxicity (TST) statistical approach for data analysis; and establish monitoring requirements for wastewater discharges to inland surface waters, enclosed bays, and estuaries in California. Staff held outreach meetings in April 2017 to receive feedback from stakeholders and interested parties on the proposed Provisions. Public release of the draft staff report and proposed amendment is anticipated for November 2017 with a staff workshop in December 2017 and a board hearing in January 2018. The proposed amendment is anticipated to be presented to the Board for consideration in May 2018.	Statewide	SB	2017-11-28	2018-5-15

Status Code	Policy/Significant General Permit	Last Updated / Status	Statewide / Regional Project	Org. Lead	Target Release Public Comment	Target Board Meeting Date
C	Onsite Wastewater Treatment Systems (OWTS) Policy Implementation	<b>2017-06-05</b> The Local Agency Management Plan (LAMP) Guidance document was transmitted to the Regional Water Boards on June 4, 2015. All of the Regional Water Boards have amended their Basin Plans to implement the OWTS Policy. The State Water Board approved the amendments for Regions 1 through 9. State and Regional Water Board staff have been meeting with local agencies to facilitate LAMP development. On June 24, 2016, State Water Board staff held an informational forum with the Regional Boards to discuss policy implementation, LAMP submittals and reviews, challenges & successes, and statewide program coordination. To date, 21 LAMPs have been approved by Regional Boards. State Water Board staff have begun the OWTS Policy conditional waiver update process. (The conditional waiver expires on May 13, 2018.)	Statewide	SB	N/A	N/A
C	State Water Board Water Quality Enforcement Policy Amendments	<b>2017-04-12</b> State Water approved amendmended Enforcement Policy at 4/4/2017 meeting. Administrative record is being prepared for the Office of Administrative Law. The Enforcement Policy will become effective after OAL approval.	Statewide	SB	2016-08-04	2017-2-7
P	Antidegradation Policy	<b>2017-07-10</b> The State Water Board issued a draft scoping document and held follow-up focused stakeholder meetings in June and July 2015. Comments from these meetings are summarized and posted on the program website. State Water Board staff is not actively working on a statewide policy for implementation of the Antidegradation Policy for discharges to groundwater. The draft Eastern San Joaquin River Watershed Agricultural Order addresses some of the larger issues the stakeholders identified during staff's outreach efforts. Staff will consider what additional guidance or regulatory action is necessary after the State Water Board issues a final order in the Eastern San Joaquin matter.	Statewide	SB		
P	Cadmium Objective and Hardness Implementation Policy	<b>2017-06-28</b> Staff are working to update the cadmium objectives to insure that the objectives are protective of threatened and endangered species in accordance with the Endangered Species Act. Cadmium is a hardness dependent metal, so the project is linked with a Hardness Implementation Policy to provide guidance to Regional Board staff in determining hardness for setting effluent limits. The project is currently on hold pending available staff resources.	Statewide	SB	TBD	TBD
P	Chlorine Amendment	<b>2017-02-28</b> The draft Total Residual Chlorine and Chlorine-Produced Oxidants Policy of California is being converted into an amendment to the Water Quality Control Plan for Inland Surface Waters, Enclosed Bays, and Estuaries of California.	Statewide	SB	TBD	TBD
P	Water Effects Ratios	<b>2016-07-25</b> The project will establish criteria for developing site specific objectives for metals based on the water effect ratios for a specific water body. Staff will prepare a proposed Water Effects Ratio Policy at a future date.	Statewide	SB	TBD	TBD

## Division of Water Rights

Status Code	Policy/Significant General Permit	Last Updated / Status	Statewide/Regional Project	Org. Lead
(A-16*)	Phase 1 update of the Bay-Delta Plan: San Joaquin River flows and southern Delta salinity.	The original Draft Substitute Environmental Document (SED) was released in December 2012 for public comment with a hearing to receive comments on the SED and written comments on the SED in March of 2013. A draft revised SED was then prepared and released for public comment on September 15, 2016. Hearings on the draft revised SED were held in November (Sacramento) and December 2016 (Stockton, Merced, and Modesto), and January 2017 (Sacramento). Written comments were due by March 17, 2017. Staff are in the process of preparing written responses to comments. Staff anticipates that the final SED and Plan Amendment will be released for public review in the fall of 2017 and will be brought to the Board for consideration in early 2018.	Yes	SB (DWR) Les Grober
(A-17*)	Phase II update of the Bay-Delta Plan: Inflows to the Sacramento River and its tributaries and Delta eastside tributaries, Delta outflows, cold water habitat and interior Delta flows	The working draft Scientific Basis Report (Science Report) and a beta version of the Sacramento Water Allocations Model (SacWAM) for Phase II were released in the fall of 2017 with public meetings on both, including a training on SacWAM. The Science Report was subject to public comment and reviewed by the Delta Independent Science Board and SacWAM was reviewed by an expert panel convened by the Delta Science Program. Following the reviews and public comments, the working draft Science Report and SacWAM were revised as necessary. The final Science Report was then submitted for independent peer review pursuant to the Public Health and Safety Code which found that the Science Report is based on sound science. The final Science Report and response to peer review comments, the updated version of SacWAM and the response to peer review comments, and additional information regarding the Phase II process and opportunities for input will be posted on the State Water Board's website in August 2017. Staff anticipates release of a draft Staff Report identifying potential environmental, economic and other effects of potential Phase II modifications to the Bay-Delta Plan in late 2017/early 2018 for public comment.	Yes	SB (DWR) Diane Riddle
(A*)	Russian River Frost Protection Regulation	In March 2017, the Division notified the Governing Bodies of the approved Water Demand Management Programs (WDMP), which include two group-based WDMPs and two WDMPs with only a single participant of the State Water Board's ongoing approval of their programs. On March 06, 2017, the Division approved a new group-based WDMP for diverters from the Main Stem of the Russian River in Mendocino County. The new WDMP is a consolidation of the many individual WDMPs for Main Stem diverters. The Division received updated participation lists and inventories of frost protection diversion systems from each WDMP prior to the start of the 2017 frost protection season on March 15. Annual Reports are due on September 1, 2017.	No	SB (DWR) John O'Hagan