



State Water Resources Control Board



EXECUTIVE DIRECTOR'S REPORT

October 3, 2023

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California's Water Supply Strategy

California Water Supply Strategy and Implementation Actions

The Water Supply Strategy outlines California's strategy and priority actions to adapt and protect water supplies based on new data and accelerated climate change. To ensure California has the new water needed for generations to come, this strategy outlines four sets of actions the State will pursue, sets targets, and identifies specific implementation steps to prepare California for its new climate reality. The following is an update on the milestones and implementation steps since the last Executive Director's Reporting.

Division of Drinking Water

Recycled Water DPR (Action 1.1)

The Administrative Procedure Act (APA) public hearing for the proposed Direct Potable Reuse (DPR) regulations was held on September 7, 2023 at the board workshop. The purpose of the APA hearing was to obtain oral public comments on the proposed regulations. The public comment period closed on September 8, 2023. Division of Drinking Water staff is reviewing both the oral and written public comments received. In accordance with the APA, all comments received by the close of the comment period will be addressed in subsequent regulation documents developed by DDW staff and will be made available to the public. The DDW staff anticipates board adoption of the DPR regulations in December 2023 to meet the deadline established by the legislature in [AB 574 \(Water Code, Division 7, Chapter 7.3\)](#) and commitment by the State Water Board in the governor's 2022 [California's Water Supply Strategy](#).

Division of Water Rights

Water Rights Modernization (Action 4.3)

- **Updating Water Rights Data for California (UPWARD)**
The UPWARD Advisory Group held its first meeting on September 19, 2023. The group provides advice and feedback to ensure the state's new water rights data management system (CalWATRS) best accommodates California's needs. The group is comprised of 25 members representing small and large water rights holders, consultants/agents of water rights holders, water districts, non-governmental organizations, tribes, academia, agriculture, water law, and water data practitioners/coordinators. The group meets every six months and meeting recordings will be posted to the [UPWARD website](#).
- **Telemetry Pilot Project**
Staff executed a 30-month \$2.3M contract with the California Water Data Consortium for a comprehensive report that assesses existing telemetry practices and equipment across the country, evaluates useful and equitable applications of telemetric water data processes within California, and provides recommendations for a physical telemetry pilot project that will begin in 2026.

- **Supply & Demand Assessment**

Staff expects to execute a contract and begin data collection and water supply modeling efforts in three pilot watersheds within the coming month.

Simultaneously, staff will conduct a public engagement process to prioritize additional watersheds for work under this contract.

Groundwater Recharge (Action 2.1)

Groundwater Recharge Temporary Permits

Staff continues to process groundwater recharge temporary permit applications for the coming wet season. As of September 6, three applications were pending: Scott Valley Irrigation District (noticed 7/21-9/1); North San Joaquin Water Conservation District (noticed 8/29-9/29) and Stockton East Water District (noticed 8/31-10/1). The current status of pending temporary permit applications for recharge is available on the Board's [temporary recharge permit website](#).

Flood Diversions Under Executive Orders

Reports for diversions of flood waters for groundwater recharge made under the Governor's Executive Orders N-4-23 and N-7-23 were due by September 15. The reports identify the diverter, conditions that triggered the diversion, point of diversion, flooded area, when diversions occurred and ceased, and the amount of water diverted. These reports and associated maps are available on the Board's [flood diversion for recharge website](#).

Office of Research, Planning, and Performance

The rulemaking process to make conservation a California way of life started in August. The first comment period ends October 17, after a Board Hearing on October 4.

Division of Financial Assistance

The Division of Financial Assistance administers funding for recycled water projects through the Water Recycling Funding Program and Clean Water State Revolving Fund (CWSRF). The Board workshop to discuss the 2023/24 CWSRF Intended Use Plan (IUP) took place on June 20, 2023, and written public comments were due on June 23, 2023. The proposed 2023/24 CWSRF IUP was adopted by the Board on September 6, 2023.

DIVISION OF WATER QUALITY

Basin Planning, Integrated Report, and TMDL Progress & Successes

In August 2023, the Division of Water Quality in conjunction with the nine Regional Water Quality Control Boards submitted to the U.S. Environmental Protection Agency (U.S. EPA) the Fiscal Year 2022-2023 End-of-Year Report with progress updates and project successes summarized for basin planning and standards projects, surface water quality assessments completed as part of the integrated report program, total maximum daily load (TMDL) projects, and other efforts to clean up impaired waters.

From July 2022 through June 2023, the Water Boards completed four non-TMDL basin plan amendments and four TMDL basin plan amendments. These TMDL and basin planning projects support the preservation, enhancement, and restoration of waters in their respective regions and range from establishing prohibitions and bacteria control measures to designating beneficial uses and addressing anthropogenic pollutants. Notably, two of the amendments added tribal beneficial use definitions to Regional Water Board basin plans.

In addition, Water Boards staff completed initial evaluations of over 5.3 million rows of surface water data for over 1,500 waterbodies, primarily in the San Francisco Bay, Los Angeles, and Santa Ana regions and the Sacramento River watershed portion of the Central Valley Region. Decisions derived from said evaluations informed the Draft 2024 Integrated Report and List of Impaired Waters, which was released for public comment in February 2023. State and Regional Board staff is currently drafting responses to comments received and revising listing recommendations as appropriate. The Proposed Final 2024 Integrated Report and Staff Report will be released in December 2023, and State Water Board consideration of adoption is currently scheduled for January 17, 2024.

Volumetric Annual Reporting of Wastewater and Recycled Water

The 2022 dataset and interactive map for the California State Water Board's Volumetric Annual Report of wastewater and recycled water is now available. As of September 5, 2023, 727 of 749 facilities have submitted volumetric annual reports for the 2022 calendar year. The interactive map and infographic for the 2022 Volumetric Annual Report can be accessed on the [State Water Board Volumetric Annual Report Webpage](#). The full data set (includes 2019, 2020, 2021, and 2022) can be accessed on the [California Open Data Portal](#).

Recycled Water Research

In 2019, the State Water Board partnered with the Water Research Foundation (WRF) to fund the research project titled "[Identifying the Amount of Wastewater That is Available and Feasible to Recycle in California](#)" as part of the Recycled Water Research Program through Proposition 1 (Grant No. D1705003). The purpose of the project was to identify the amount of treated municipal wastewater that is available for recycled water production in California now and projected into the future considering factors such as the required minimum instream flows, water quality, proximity to potential water reuse sites, and cost. The final report is now available and WRF will host a webcast on the findings October 26, 2023, in collaboration with the research team and State Water Board staff. For additional information, including how to register, visit: [Webcasts | The Water Research Foundation \(waterrf.org\)](#).

Irrigated Lands Regulatory Program Update The Irrigated Lands Regulatory reports are included in Appendix A of this report.

Cannabis Cultivation Program Update The Cannabis Cultivation reports are included in Appendix B of this report.

Statewide Policies and Significant General Permits The Statewide Policies and Significant General Permits report can be accessed at the [Statewide and Regional Policies / Significant General Permits website](#).

DIVISION OF WATER RIGHTS

Permitting and Enforcement Branch

Flood Related Groundwater Recharge EO Diversions Division of Water Rights staff continue process reporting under the Governor's Order N-4-23 and N-7-23, related to groundwater recharge and flood control. The Division created a [website](#) providing information for those interested in Executive Orders, including Frequently Asked Questions, a fillable reporting form, and a map showing the geographic location of diversions. Diverter reports, once received, will be posted to this website. As of September 15th, the Division has received 73 reports for a total of 144,425 acre- feet of water diverted. Of the reports received, 47 are final reports (67% of final reports due).

Approval of Instream Flow Dedication in Shasta River Watershed On September 13, 2023, the Division of Water Rights approved the Cardoza Ranch petitions for change and instream flow dedication. The Ranch holds two pre-1914 appropriative rights to divert water from Parks Creek in the Shasta River watershed. The rights, which are included in the 1932 Shasta River Decree, allow for the diversion of up to 2.98 cubic feet per second. The petitions requested to move the point of diversion from Parks Creek to a point on the Shasta River located approximately 2.8 river miles downstream and included water diversion and use efficiency improvements, such as installation of a new screened diversion pump, replacement of unlined ditches with pipelines, addition of solar power, and addition of a tailwater recovery system. The approved changes allow Cardoza to dedicate the full amount of 2.98 cubic feet per second of water along the 2.8 miles of Parks Creek and the Shasta River and will have the ability to dedicate a smaller amount, up to 1.4 cubic feet per second, downstream of the new point of diversion. The approval of the petitions is independent of the National Marine Fisheries Service's Shasta River Safe Harbor Agreement and supporting Biological Opinion. The project was coordinated with several agencies, funded by the Wildlife Conservation Board's Proposition 1 Streamflow Enhancement Program, the United States Fish and Wildlife Service, and the National Fish and Wildlife Foundation; and was also supported by several non-governmental organizations include The Nature Conservancy and California Trout.

Delta, Hearings, and Special Projects Branch

Approval of Final Initial Biological Goals for Lower San Joaquin River Flow Objectives On September 6, 2023, the State Water Board adopted Resolution No. 2023-0028 approving the Final Initial Biological Goals for the Lower San Joaquin River Flow Objectives. The Bay-Delta Plan Program of Implementation requires that biological goals be used as quantitative metrics to inform the adaptive methods, evaluate the effectiveness of the program of implementation, the San Joaquin River Monitoring and Evaluation Program, and future changes to the Bay-Delta Plan. The biological goals were developed through an extensive stakeholder process including recommendations from the Stanislaus, Tuolumne, and Merced (STM) Working Group. The resolution

directs staff to review the biological goals at least every 5 years, to seek recommendations on Bay-Delta Plan implementation activities from the STM Working Group, and to coordinate with state and federal fisheries agencies to evaluate the impact of hatchery management on the viability of natural salmon populations.

Draft Staff Report in Support of Sacramento/Delta Updates to Bay-Delta Plan_On September 28, the State Water Board released a [draft Staff Report](#) in support of potential Sacramento/Delta updates to the Water Quality Control Plan for the San Francisco Bay/Sacramento-San Joaquin Delta Estuary (Bay-Delta Plan) for public review. The draft Staff Report includes scientific information and environmental and economic evaluations to support updates to the Bay-Delta Plan. The report assesses a range of possible alternatives for updating the Sacramento/Delta portions of the Bay-Delta Plan, including: an alternative based on a 2018 Framework document identifying a 55% of unimpaired flow level (within an adaptive range from 45-65%) from Sacramento/Delta tributaries and associated Delta outflows; and a proposed voluntary agreements alternative that includes voluntary water contributions and physical habitat restoration on major tributaries to the Delta. The release of the draft Staff Report initiates a 75-day public comment period. During the public comment period, staff will hold workshops to explain the draft Staff Report and provide an opportunity for the public to ask questions. These workshops will be followed by a multi-day public hearing before the State Water Board to receive oral comments.

Water Quality Certification, Cannabis, Data Modernization, Water Supply & Demand, Instream Flows, Administrative, and Reporting Branch

Scott and Shasta Rivers As of August 1, 2023, the [Drought Emergency Regulation](#) is no longer in effect.

- **Shasta River Conditions** Flows at the [Yreka United States Geological Survey \(USGS\) gage](#) dropped by more than half immediately following expiration of the regulation, to a low of 20 cubic feet per second (cfs). The summer-time minimum flow in the expired regulation was 50 cfs, until September 16 when the minimum flow would have increased to 75 cfs. The Scott Valley and Shasta Valley Watermaster District (Watermaster) continues to manage diversions within its authorities and flows have ranged between 25 cfs and 83 cfs, with an average of 49 cfs, from August through mid-September.
- **Scott River Conditions** The Scott River flow requirement in the expired emergency regulation, as measured at the [Fort Jones USGS gage](#), was 30 cfs for August and 33 cfs for September. Flows this summer have steadily declined and dropped below 30 cfs on August 10, 2023. Flows remained below minimum flow requirement in August (30 cfs) and increased to greater than the expired regulation's September flow requirement on September 4, 2023 with a very mild increasing trend thereafter (through mid-September).
- **Staff Workshop** The Division of Water Rights is hosting a [Staff Workshop Regarding Emergency Regulation Efforts in the Scott River and Shasta River Watersheds](#). The workshop will take place on October 6, 2023, with options

for virtual and in-person participation. The workshop will focus on four topics: state of the fisheries, emergency flows, groundwater local cooperative solutions, and data.

- **Outreach Efforts** Division of Water Rights staff have held the first [two educational webinars](#) to continue to establish a common knowledge base between the community, agencies, and other interested parties. The first webinar on water rights was held on August 3, 2023, and the second webinar on fisheries in the watersheds was held on September 14, 2023. The recorded presentations will be posted online at the website noted below.

Additional information on the drought emergency regulation and continuing efforts is available on the [Scott River and Shasta River Watersheds Drought Response webpage](https://www.waterboards.ca.gov/drought/scott_shasta_rivers/) (https://www.waterboards.ca.gov/drought/scott_shasta_rivers/).

Big Creek Dam No. 7 Fishwater Generator Room Repairs Project The Executive Director issued a [water quality certification](#) for Southern California Edison Company's (SCE) Big Creek Dam No. 7 Fishwater Generator Room Repairs Project (Project) on September 12, 2023. The Project is designed to address aging and damaged equipment at Big Creek Dam No. 7's generator room resulting from periodic flooding. The Project is located at Big Creek Dam No. 7, which is part of SCE's Big Creek No. 4 Hydroelectric Project (Federal Energy Regulatory Commission Project No. 2017) on the San Joaquin River.

DIVISION OF FINANCIAL ASSISTANCE

Office of Sustainable Water Solutions (OSWS)

Planning/Construction Project Summary

The tables below summarize the planning and construction agreements and amendments approved in the month of August 2023.

Drinking Water Projects Funded (August 2023)		
Project #	Recipient – Project Purpose	Funding Amount
1210010-001P	Scotia Community Services District-Scotia Community Services District (SCSD) will evaluate water system components that are beyond their useful life and need to be replaced, specifically the water treatment facility (WTF), the one-million-gallon (MG) welded raw water storage tank, and the 488,740-gallon finished water storage tank.	1,133,000
3310001-014C	Coachella Valley Water District-The Project will address the arsenic maximum contaminant level (MCL) violations and provide a more robust and reliable means for potable water use and fire protection for the Manuela Garcia, Seferino Huerta, and Saint Anthony Mobile Home Parks (MHPs) by consolidating the MHPs into Coachella Valley Water District’s public water system. The Project will also provide a backup water source for reliability to the disadvantaged communities (DACs) of Mecca, North Shore, and Bombay Beach by looping the water system.	23,439,658
5400550-002C	Tulare, County of-The Selected Construction Project is to physically consolidate Seville Water Company and Yetttem Water System. The Project will resolve source capacity issues in Seville, prevent the distribution of water exceeding the nitrate maximum contaminant level (MCL) in Yetttem, and provide overall system reliability. This is Phase 2 of 2 of the consolidation construction project.	11,520,975
Drinking Water Projects Amended (August 2023)		

Drinking Water Projects Funded (August 2023)		
Project #	Recipient – Amendment Purpose	
1510023-002C	Lake of The Woods Mutual Water Company-The purpose of amendment 1 is to extend the project completion, final invoice term end, and to incorporate the FBA.	
1510054-001C	Pinon Pines Estates Mutual Water Company-Purpose of this amendment is cost increase of \$2,171,902, and to extend the construction completions date, final reimbursement date, and records retention end date.	
3301529-001P	Western Water Conservation-The purpose of this amendment 4 is to extend the projection completion, final invoice, and end dates.	
3700018-001C	Mountain Empire Unified School District-The purpose of the amendments is to extend agreement dates.	
3710036-001C	Borrego Water District-The purpose of Amendment 2 is to incorporate the FBA and increase project funding by \$1,301,332.	
Wastewater Projects Funded (August 2023)		
Project #	Recipient – Project Purpose	Funding Amount
8233-110	Montague, City of-The Project consists of an evaluation, design, and development of documents necessary to address anticipated changes to permitting requirements as well as inflow and infiltration (I/I) in portions of the collection system.	870,000
8373-110	Laytonville County Water District-The Project will evaluate the feasibility of constructing a public sewer system to serve the community and will develop alternatives to provide wastewater service to the Laytonville area in order to provide for commercial and residential growth, correct existing problems with on-site septic systems, protect public health and protect the local groundwater supply.	880,000
Wastewater Projects Amended (August 2023)		
Project #	Recipient – Amendment Purpose	
8117-110	Anderson Valley Community Services District-The purpose of Amendment 4 is to extend the project completion, final invoice, and term end dates and to increase funding by \$69,999.	

**Drinking Water Projects Funded
(August 2023)**

8247-210	Tuolumne City Sanitary District-The purpose of this amendment is to extend completion dates and to increase funding by \$2,211,010
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Administrator Summary

No new administrator agreements or amendments were approved in the month of August 2023.

Operation and Maintenance (O&M)

Draft guidelines for the Direct Operation & Maintenance Funding Program (Direct O&M Program), funded via the Safe and Affordable Drinking Water (SADW) Fund, will be considered alongside the Draft FY 2023-24 Fund Expenditure Plan for the SADW Fund as Appendix L, at the October 3, 2023, Board Meeting.

**Operation and Maintenance Projects Funded
(August 2023)**

Recipient	Project Purpose	Funding Amount
Rio Bravo-Greeley Union School District	The funding will assist with O&M costs of the District’s water system, including contract operator salary, treatment supplies, laboratory sampling fees, disposal of brine waste to a remote location, project administration costs, and the training of District facilities staff to help with the day-to-day operation and maintenance of the treatment facility.	\$178,284

Technical Assistance Summary

The following request for emergency funding under the Self-Help Enterprises (SHE) Technical Assistance to Implement the Safe and Affordable Drinking Water Fund projects were approved in the month of August 2023.

TA Recipient	Water System No.	TA Provider	Emergency Type	Total Amount Approved
Tract 92	CA5400903	SHE	Loss of Water Supply	\$69,456

No new technical assistance agreements were approved in the month of August 2023.

DFA is providing Technical Assistance to 571 Drinking Water Systems (212 Failing and 120 At-Risk systems) and to 125 Wastewater Systems. The 54.4% of all Failing systems are receiving TA.

The table below summarizes the technical assistance work plans approved in the month of August 2023.

Work Plan Type	AR Number	TA Recipient	Project Description	TA Provider*	TA Type	Total Amount Approved	HR2W Status	Primary MCL Violation
New Work Plan	6792-A	New Auberry Water Association	CWSRF Construction app, MHI Survey, PER, CEQA docs, Rate Study, Converting NAWA from private to public entity	SHE	WW	\$515,526 (New Work Plan)	Not At-Risk	N/A
Work Plan Amendment	6049-D	Crestwood Heights Water Association	Full planning to consolidate with City of Watsonville	RCAC	DW	\$414,289 (\$17,873 Increase)	Not At-Risk	N/A
New Work Plan	6848-A	Tipton Community Services District	Construction app to make improvements to Well 5	SHE	DW	\$594,905 (New Work Plan)	Failing	Nitrate

New Work Plan	6852-A	Pleasant View West School	Full planning	SHE	DW	\$326,443 (New Work Plan)	N/A	N/A
Work Plan Amendment	5150-E	Souls Mutual Water Company	Construction App/Construction Funding Administration Assistance	SHE	DW	\$51,100 (\$6,700 Increase)	Potentially At-Risk	N/A
Work Plan Amendment	5151-D	Tipton Community Services District	Construction App/Construction Funding Administration Assistance	SHE	DW	\$48,800 (\$400 Decrease)	Failing	Nitrate
New Work Plan	6923-A	Daggett CSD	Assistance with bottled water grant administration	RCAC	DW	\$9,640 (New Work Plan)	Failing	Combined Uranium
New Work Plan	6972-A	Wildewood East Mutual Water Company	Assistance with a planning application for consolidation with City of Yuba's system.	Coleman	DW	\$488,390 (New Work Plan)	At-Risk	N/A
New Work Plan	6973-A	Dagget CSD	Assistance with Construction application.	P&P	DW	\$84,600 (New Work Plan)	Failing	Combined Uranium
New Work Plan	6958-A	Almira Water Association	Feasibility study	P&P	DW	\$61,032 (New Work Plan)	Failing	Arsenic
New Work Plan	6959-A	Milton Road Water Company	Feasibility study	P&P	DW	\$84,909 (New Work Plan)	Failing	N/A
New Work Plan	6960-A	Green River Mutual Water Company	Planning project	P&P	DW	\$398,256 (New Work Plan)	Failing	Selenium

New Work Plan	6916-A	Riverdale Estates	Feasibility Study for consolidation with Indio Water Authority	GHD	DW	\$201,240 (New Work Plan)	Potentially At-Risk	N/A
New Work Plan	6919-A	Spring Valley School	Full planning project for consolidation with Del Oro (Lime Saddle)	GHD	DW	\$986,390 (New Work Plan)	Not At-Risk	N/A
Work Plan Amendment	6335-C	Renaissance High School, Pajaro Valley USD	Full planning project for consolidation with Soquel Creek Water District	RCAC	DW	\$358,136 (\$53,665 Increase)	Failing	N/A
Work Plan Amendment	6363-C	Tierra Buena MHP, Yuba Apartments, Louise Shaver	Full planning project for consolidation with City of Yuba	RCAC	DW	\$268,629 (\$176,799 Increase)	N/A	N/A
New Work Plan	6871-A	Lake Alpine Water Company	Full Planning to address DBP contamination	RCAC	DW	\$29,075 (New Work Plan)	Failing	Total Haloacetic Acids (HAA5)
Work Plan Amendment	6804-B	Salton CSD	Planning app to expand treatment plant capacity	RCAC	WW	\$12,697 (No Change)	N/A	N/A
New Work Plan	6893-A	Weott CSD	Assistance with Financial Application and DWSRF Planning Application	UEI	DW	\$79,177 (New Work Plan)	At-Risk	N/A
Work Plan Amendment	6207-E	Mesquite MWC	Assistance with easement agreements and outreach for consolidation	RCAC	DW	\$14,491 (No Change)	Not At-Risk	N/A

New Work Plan	6984-A	Chamisal MWC	Legal assistance for entity forming and in good standing with Secretary of State.	UCD	DW	\$101,052 (New Work Plan)	At-Risk	N/A
Work Plan Amendment	5295-G	Tombstone Territory	Community outreach and consolidation coordination to connect to City of Sanger for drinking water service.	LCJA	DW	\$48,140 (No Change)	N/A	N/A
Work Plan Amendment	6111-C	Lake Wohlford	Full planning project to connect Lake Wohlford to Valley Center MWD.	UEI	DW	\$214,176 (No Change)	Failing	N/A
Work Plan Amendment	6330-C	Meadow Pointe/Upper Lake County Water District	Full planning project to connect Meadow Pointe with Upper Lake CWD.	UEI	DW	\$1,191,214 (\$741,143 Increase)	Potentially At-Risk	N/A
Work Plan Amendment	5258-C	Six Acres Mutual Water Company	Full planning project to connect Six Acres and South Cloverdale with the City of Cloverdale.	UEI	DW	\$407,833 (\$15,360 Increase)	Failing	N/A
New Work Plan	6722-A	Forest Ranch Mutual Water Company	Full planning project to replace distribution system infrastructure for Forest Ranch.	UEI	DW	\$495,484 (New Work Plan)	Not At-Risk	N/A
New Work Plan	6983-A	Pierce Street Community	Assistance with environmental package for the Pierce St DW/WW PUCDC projects.	UEI	DW	\$88,200 (New Work Plan)	N/A	N/A

Work Plan Amendment	5302-F	Avenue 62 Community	Full planning project to connect the Ave 62 community to Coachella Valley Water District's sewer system.	PUC DC	WW	\$391,407 (\$24,243 Increase)	N/A	N/A
Work Plan Amendment	5305-F	Pierce Street Community (WW)	Full planning project to connect the Pierce Street community to Coachella Valley Water District's sewer system.	PUC DC	WW	\$604,655 (\$4,771 Increase)	N/A	N/A

* TA Providers:

CRWA California Rural Water Association
CWC Community Water Center
CWH Council for Watershed Health
LCJA Leadership Counsel for Justice and Accountability
PUCDC Pueblo Unido Community Development Corporation
RCAC Rural Community Assistance Corporation
SHE Self-Help Enterprises
UEI University Enterprise, Inc (CSU Sacramento)
CSUSB University Enterprise (CSU San Bernardino)
P&P Provost & Pritchard Consulting Group

** DW = drinking water; WW = wastewater

Additionally, the following Technical Assistance Requests were approved as capacity development/subvention tasks:

AR Number	TA Recipient	Project Description	TA Provider	TA Type
7009	Ramona Water Company	Emergency Response Plan	RCAC	DW
7017	Junction Elementary School	Electronic Annual Report	CRWA	DW
7035	Rapid River Mobile Home Park	Drought Reporting	RCAC	DW
7036	El Rio Estates	Drought Reporting	RCAC	DW
7037	Lakehead Subdivision MWC	Drought Reporting	RCAC	DW
7040	Rapid River Mobile Home Park	Operation & Maintenance Plan/ Training	RCAC	DW
7041	El Rio Estates	Operation & Maintenance Plan/ Training	RCAC	DW
7042	Lakehead Subdivision MWC	Operation & Maintenance Plan/ Training	RCAC	DW
7048	City of Montague	DWSRF Planning Application	CRWA	DW

Capacity development is focused on building the technical, managerial, and financial capacity of water and wastewater systems, including rate evaluation, assistance on compliance requirements, and preparing funding applications.

Safe and Affordable Funding for Equity and Resilience (SAFER) Summary (includes Safe and Affordable Drinking Water Fund, Proposition 84 Emergency, General Fund, and CAA Urgent Drinking Water Needs funding sources)

SAFER Program Approved Projects and Amendments August 2023				
Recipient	Project Purpose	Funding Amount	Funding Program	Category
Salyer Heights Water Supply, Inc.	SRF Complex Fire – Infrastructure Replacement	\$500,000	CAA	Construction - UDWN

Funding Provided for Emergency Drought Response

DFA staff continue to coordinate closely with the Department of Water Resources (DWR) on their drought funding as well as outreach to set up county-level programs to respond to either water shortage or water quality issues for those served by state small water systems and domestic wells. Combined, the State Water Board and DWR are working with 16 counties and continue to coordinate with several other counties on submitting applications.

Cleanup and Abatement Account Projects

No updates for the month of August 2023.

Drinking Water for Schools Grant Program

No updates for the month of August 2023

Clean Water State Revolving Fund (CWSRF)

CWSRF Funding Activity

CWSRF Loan Funding Agreements Executed (June 21, 2023 to September 18, 2023)			
CWSRF Project No.	Recipient	Project Purpose	CWSRF Funding Amount
8508-110 ^{RO}	Santa Barbara, City of	El Estero Wastewater Treatment Plant Electrical Distribution Renewal	\$30,188,647
		Total	\$ 30,188,647

Projects rolling over from the previous Fundable List are identified with a RO superscript.

DFA staff meet monthly to discuss progress of reviews and estimated project funding agreement execution. The State Wastewater Infrastructure Forecasting Tool (SWIFT) is updated monthly based on input from staff and used to track staff's overall progress towards funding projects on the Fundable List.

CWSRF Recent Significant Events

SFY 2023/24 Intended Use Plan (IUP)

The SFY 2023/24 IUP was adopted by the Board on September 6, 2023. This year's Fundable List, established by the IUP, includes 37 projects. 17 newly added projects to the Fundable List will be limited to \$50 million of CWSRF loan per project. The total estimated repayable loan commitment is \$1.3 billion, which is above the \$600 million sustainable funding target for the program. To balance the long-term sustainable loan capacity, it's anticipated that approximately \$750 million of new loan projects will be added in SFY 2024-25 and no new loan projects will be added in 2025-26. New projects would be added again in 2026-27. This will not impact projects for small, disadvantaged communities, which are automatically added to the Fundable List when an application is deemed complete.

The IUP also states that projects on the Fundable List since 2021-22 will be removed if the applicant has not consented to loan provisions or provided documents requested to execute a loan by November 30, 2023. Applicants may request extensions from the Deputy Director for extenuating circumstances. DFA staff are meeting with applicants impacted by this provision weekly to resolve ongoing issues and move these projects forward as quickly as possible.

CWSRF Future Significant Events

Policy Amendment

Staff are also working on a CWSRF Policy amendment and intend to hold a Board workshop in early 2024.

Annual Report

Staff are preparing an annual report for the SRF programs, which will discuss projects and communities that have received CWSRF funding among other topics. Staff are contemplating an informational Board Item on this matter to take place in early 2024.

Drinking Water State Revolving Fund (DWSRF)

DWSRF Funding Activity

DWSRF Loan Funding Agreements Executed (June 21, 2023 to September 18, 2023)			
DWSRF Project #	Recipient	Project Purpose	DWSRF Funding Amount
3610004-002C	West Valley Water District	Oliver P. Roemer Water Filtration Facility Expansion Project	\$46,665,000
1910067-057C	Los Angeles Department of Water & Power	Manhattan Wellfield On-site Hypochlorite Generation Station	\$9,574,000
		Total	\$56,239,000

DFA staff meet monthly to discuss progress of reviews and estimated project funding agreement execution. The State Wastewater Infrastructure Forecasting Tool (SWIFT) is updated monthly based on input from staff and used to track staff's overall progress towards funding projects on the Fundable List.

DWSRF Recent Significant Events

SFY 2023/24 Intended Use Plan (IUP)

The SFY 2023/24 IUP was adopted by the Board on July 18, 2023. This year's Fundable List, established by the IUP, includes 13 projects. The total estimated repayable loan commitment is \$589 million. Of the 13 projects on the Fundable List, 6 projects have a funding decision in progress and were included on the SFY 2022/23 Fundable List. The 7 remaining projects have a total estimated loan commitment of \$322 million, consistent with the sustainable loan capacity of \$300 million per year.

DWSRF Future Significant Events

Policy Amendment

Staff are also working on a CWSRF Policy amendment and intend to hold a Board workshop in early 2024.

Annual Report

Staff are preparing an annual report for the SRF programs, which will discuss projects and communities that have received DWSRF funding among other topics. Staff are contemplating an informational Board Item on this matter to take place in late 2023/early 2024.

Water Recycling Funding Program (WRFP)

Recycled water construction applications must adhere to both WRFP Guidelines and CWSRF Policy requirements. See the CWSRF section of this report for more details.

WRFP Funding Activity

WRFP Funding Agreements signed by Deputy Director WRFP Planning Projects (June 21, 2023 to September 18, 2023)			
Project No.	Recipient – Project Purpose	Source	Grant Amount
8683-110	Valley Sanitary District – VSD Recycled Water Use Planning Study	Prop 13/Prop 68	\$500,000
TOTAL			\$500,000

Budget Act of 2022 – Earmark Projects

The Budget Act of 2022 (AB-179) directed funding to 13 specific projects. There is no discretionary action for the State Water Board, and staff are working to provide funding as instructed.

Earmark Project Funding Activity

Earmark Project Agreements signed by Deputy Director (June 21, 2023 to September 18, 2023)			
Project No.	Recipient – Project Purpose	Source	Grant Amount
8699-110	City of Ridgecrest – New Wastewater Treatment Plant	General Fund	\$2,500,000
TOTAL			\$2,500,000

Office of Operator Certification

The State Water Board, Office of Operator Certification, which is comprised of the Drinking Water and Wastewater Operator Certification Program provides support to approximately 40,000 operators and new applicants entering the water industry.

Completed Events

During the week of September 18, 2023, phase 1 of the interactive online application portal was deployed allowing applicants submitting drinking water and wastewater examination applications for Grades 1 and 2 examinations to do so electronically. The applicants are also able to update, edit, and monitor their applications online. Subsequent phases will integrate higher grades and more complex certification and renewal applications as the portal is developed.

DIVISION OF DRINKING WATER

Permits

Permits are issued when a public water system undertakes action that may impact public health (i.e. a new source of supply, modifying treatment or adding a large distribution reservoir), when the original permit has numerous amendments, or following new regulations or conditions that DDW deems necessary for the protection of public health.

The following 33 permits were issued between August 16, 2023, and September 15, 2023.

Water System	Permit Type	Permit Purpose
EL DORADO ID - MAIN	PERMIT AMENDMENTS	CHEMICAL CHANGE REQUEST-2022-02-09
HILMAR COUNTY WATER DISTRICT	FULL PERMIT	REVISED WITH ALL APPLICABLE PROVISIONS
FOSTER FARMS DELHI FEEDMILL COLLIER ROAD	FULL PERMIT	REPLACE INTERIM APPROVAL TO OPERATE
PARREIRA ALMOND PROCESSING COMPANY, LLC	FULL PERMIT	INSTALLATION OF TWO POU TREATMENT DEVICES AND NEW WELL
RMRC-STONY CREEK CAMPGROUND	FULL PERMIT	UPDATE PERMIT PROVISIONS
CITY OF LIVINGSTON	FULL PERMIT	ADDITION OF GAC AT WELLS 14 & 16 AND As OXIDATION FILTER TRT AT WELL 16
HUGHSON NUT INC. - LIVINGSTON	FULL PERMIT	NEW PERMIT
JOHN LATORACCA CORRECTIONAL FACILITY	FULL PERMIT	UPDATED WITH ALL APPLICABLE PROVISIONS

NPS-DEVILS POSTPILE	PERMIT AMENDMENTS	APPROVE 4-LOG INACTIVATION OF VIRUSES BY FREE CHLORINE
KUNDE ESTATE WINERY	FULL PERMIT	UPDATE PERMIT
PLAINSBURG ELEMENTARY SCHOOL	FULL PERMIT	NEW PERMIT
SONOMA WEST HOLDINGS NORTH PLANT	FULL PERMIT	UPDATE PERMIT
RANCHO ESTATES MUTUAL WATER CO.	FULL PERMIT	LPA TRANSFERRED WATER SYSTEM
ENZA ZADEN RESEARCH	FULL PERMIT	NITRATE TREATMENT SYSTEM
CALIFORNIA WATER SERVICE - BEAR GULCH	PERMIT AMENDMENTS	CONSOLIDATION WITH KINGS MOUNTAIN PARK MUTUAL SYSTEM (CA 4100539)
KINGS MOUNTAIN PARK MUTUAL	PERMIT AMENDMENTS	CONSOLIDATED BEAR GULCH
CALIFORNIA WATER SERVICE - BEAR GULCH	PERMIT AMENDMENTS	SKYLONDA ACQUISITION PERMIT
BLOOMINGCAMP WATER SYSTEM	FULL PERMIT	CHANGE IN TREATMENT & JURISDICTION
EL CAPITAN BEACH STATE PARK	FULL PERMIT	INTERCONNECTION WITH EL CAPITAN MWC
LINDSAY, CITY OF	FULL PERMIT	UPDATED PERMIT CONDITIONS
RMRC-FIR & COVE GROUP CAMPGROUNDS	FULL PERMIT	REVISED UPDATED PERMIT PROVISIONS
SAN JOSE FAMILY CAMP	FULL PERMIT	CONTINUOUS CHLORINATION TREATMENT
GIUMARRA BROS FRUIT CO	FULL PERMIT	UPDATED PROVISIONS
RMRC-FIR & COVE GROUP CAMPGROUNDS	FULL PERMIT	UPDATED PROVISIONS AND REQUIRED ITEMS ATTENTION
GOLD LEAF FARMING LLC	FULL PERMIT	UPDATED PERMIT
BALCH PARK	FULL PERMIT	REVISED WITH UPDATED PROVISIONS
CITY OF SANTA ANA	PERMIT AMENDMENTS	ADDITION OF RESERVOIR MANAGEMENT SYSTEM AT SOUTH RESERVOIR
LAWNDALE MUTUAL WATER COMPANY	FULL PERMIT	ISSUE REVISED PERMIT
ROGINA WATER COMPANY INC.	PERMIT AMENDMENTS	INACTIVATE WELL 6

CAMP SILVER SPUR	FULL PERMIT	CHANGE OF OWNERSHIP
USFS CHERRY VALLEY CAMPGD	FULL PERMIT	ADDITION OF WELL NO. 1
SIERRA BUSINESS PARK OWNER'S ASSOCIATION	PERMIT AMENDMENTS	APPROVE WELL 02 AND CENTRALIZED ARSENIC TREATMENT
CAL AM WATER COMPANY - MONTEREY	PERMIT AMENDMENTS	ADDITION OF SEASIDE MIDDLE SCHOOL ASR WELL 04 AND ASR WELL 04 MERCURY WTP

Violations & Enforcement Actions

Violations for a water system include whether the system has failed to follow established monitoring and reporting schedules, failed to comply with mandated treatment techniques, violated any Maximum Contaminant Levels, or failed to communicate required information to their customers. Enforcement Actions are used to obtain water system compliance with drinking water requirements to provide a safe and reliable supply of water. The Division of Drinking Water's formal enforcement actions involve the use of statutory authority and includes issuance of citations and compliance orders.

The following enforcement actions were downloaded from August 15 through September 15, 2023.

Public Water System	Violation	Contaminant or Rule
ALMOND GROVE MOBILE PARK	Monitoring	NITRATE
ALPINE SPRINGS MOBILE HOME PARK	Other	VIOLATION OF A PERMIT CONDITION
ANGLERS SUBDIVISION 4	Monitoring	LCR
AUSTIN INDUSTRIAL PARK WATER SYSTEM	MCL	ARSENIC
BANNING HTS. MUTUAL WATER CO.	Other	BACKFLOW AND CROSS CONNECTION VIOLATION
BELLA VISTA WATER SYS	Monitoring	LCR
BETHEL ISLAND MUTUAL WATER CO	Monitoring	LCR
BLYTHE - HIDDEN BEACHES	MCL	MANGANESE

BONITA MINI MART KATYS MARKET WATER	Treatment Technique	NITRATE
CASA MEDANOS WATER SYSTEM	Monitoring	LCR
CENTRAL VALLEY BAPTIST CHURCH WS	MCL	1,2,3 TCP
CENTRAL VALLEY BAPTIST CHURCH WS	MCL	NITRATE
CENTRAL VALLEY BAPTIST CHURCH WS	MCL	ARSENIC
CHP - MISSION GRADE SCALES	MCL	E. COLI
CITY OF STOCKTON	Other	BACKFLOW AND CROSS CONNECTION VIOLATION
COLONIAL OAK WC INC	MCL	NITRATE
CSA NO. 31 STONEGATE WS	Monitoring	RTCR
DEL ORO CALIFORNIA PINES DISTRICT	Other	VIOLATION OF A PERMIT CONDITION
DEL ORO RIVER ISLAND SERV TERR #1	MCL	NITRATE
DENNISON PARK	Monitoring	RTCR
E. SILVER LAKE HOMEOWNERS	Monitoring	E. COLI
ENCHANTED VALLEY	Reporting	FAILURE TO COMPLETE AN ANNUAL REPORT
GREEN MOUNTAIN WATER COMPANY	Other	CCR §64602 – WATER OUTAGE (OTHER)
H & J WATER COMPANY	Monitoring	NITRATE
HIDDEN FALLS	Monitoring	RTCR
HILLENBRAND FARMHAUS BREWERY	Monitoring	RTCR
INDIAN CREEK TRAILER PARK	Treatment Technique	LT2ESWTR

JEHOVAH'S WITNESSES - DAVIS	Monitoring	NITRATE
KYBURZ MUTUAL WATER COMPANY	Treatment Technique	TURBIDITY
LINDSAY, CITY OF	Treatment Technique	TURBIDITY
LITTLE BALDY WATER	Monitoring	COLIFORM
LOMA MAR MUTUAL	Other	TTHM
MADERA CO SA16 SUMNER HILL-WATER SYSTEM	Treatment Technique	TURBIDITY
MARCHI CENTRAL FARM	MCL	MANGANESE
MARCHI CENTRAL FARM	Monitoring	ANTIMONY, TOTAL
MARCHI CENTRAL FARM	Monitoring	MANGANESE
MARTINEZ APARTMENTS	MCL	NITRATE
MEADOWS UNION ELEMENTARY SCHOOL	Treatment Technique	LCR
MOUNTAIN CREEK SCHOOL	Monitoring	GROSS ALPHA, EXCL. RADON & U
MUSD-NILE GARDEN SCHOOL	MCL	1,2,3 TCP
NACIMIENTO WATER COMPANY	MCL	HAA5
NACIMIENTO WATER COMPANY	MCL	TTHM
NACIMIENTO WATER COMPANY	Monitoring	HAA5
NACIMIENTO WATER COMPANY	Monitoring	BROMATE
NACIMIENTO WATER COMPANY	Monitoring	TTHM
PNP STOCKTON #80	MCL	NITRATE

SAN GABRIEL VALLEY WATER CO.-EL MONTE	Monitoring	RESIDUAL CHLORINE
SAN-I-PAK INC	MCL	NITRATE
SANCTUARY BIBLE CHURCH WS	Monitoring	NITRATE
SANTA CLARA RESOURCES	MCL	TTHM
SEA WEST RESTAURANT	Monitoring	RTCR
SPRING CANYON WA	MCL	NITRATE
SUNDALE UNION SCHOOL	Other	VIOLATION OF A PERMIT CONDITION
SUNNY ROAD WATER SYSTEM	MCL	ARSENIC
SUTTER PINES MHP	Other	VIOLATION OF A PERMIT CONDITION
TEIXEIRA FARMS - FRONTIER COOLING	Monitoring	RTCR
VALHALLA WATER ASSOCIATION	Monitoring	COLIFORM
WILLOWSIDE TERRACE WATER ASSOCIATION	MCL	COMBINED URANIUM
YOKOHL MUTUAL WATER CO	MCL	NITRATE
YOLO CO CENTRAL LANDFILL	Monitoring	LCR
YONGS BAR & GRILL WATER SYSTEM	MCL	E. COLI
Total Violations	61	

Environmental Laboratory Accreditation Program (ELAP)

Accreditation Activities

ELAP ACCREDITATIONS ISSUED		
	August 16 – September 15	January 1 – September 15, 2023
New Accreditations	2	10
Renewed Accreditations	26	178
Reciprocity Accreditations	9	73
Amended Accreditations	8	114
Total	45	375

ELAP Fees Stakeholder Meeting

ELAP and the Division of Administrative Services held a stakeholder meeting on August 4th to present the current ELAP fund condition and identify for the community that a 30% fee increase is expected for fiscal year 23/24. The proposed fee increase was presented to the State Board for consideration of adoption at its September 19th meeting.

BACWA Laboratory Committee Meeting

ELAP staff participated in a meeting of the Bay Area Clean Water Association Laboratory Committee to present information on potential changes to the ELAP fee structure and provide an enforcement update.

DDW & DWQ PFAS Strategy Team

ELAP staff continues to regularly participate in the multi-divisional strategy team for regulation of PFAS. ELAP offers two US EPA methods for analysis of PFAS in drinking water, EPA 537.1 and EPA 533, and continues to offer accreditation to the DoD Quality Systems Manual version 5.1 (or newer). Based on a request from the Division of Water Quality, ELAP now offers EPA 1633 and draft method EPA 1621 for non-potable water analysis. While EPA 1633 is like the method offered previously, EPA 1621 uses new and alternative instrumentation to look for total organo-fluorine, adding a new tool to supplement PFAS investigations.

Roadmap to ELAP Accreditation

ELAP continues to support laboratories in transitioning to new regulatory requirements through a compliance assistance initiative, the Roadmap to ELAP Accreditation, including one-on-one Transition Appointments with individual laboratories to answer questions and help them create a

plan. Laboratories may request an appointment by emailing ELAP's general email inbox. The compliance date for the TNI Standard requirements is January 1, 2024, which represents the last of the new requirements associated with the new ELAP regulations.

DDW-SAFER

The SAFER Clearinghouse Summary Results for September 2023 (on 9/15/2023)

Summary Results			
HR2W Systems	394	Removed HR2W Systems	1

Water Systems Removed from the HR2W List in September 2023

PWS ID	System Name	Last Status Change	County	Population
4100503	BUTANO CANYON MUTUAL	09/12/2023	SAN MATEO	150

Water Systems Added to the HR2W List in September 2023

PWS ID	System Name	Last Status Change	County	Population
4010027	NACIMIENTO WATER COMPANY	08/17/2023	SAN LUIS OBISPO	2181
5400647	YOKOHL MUTUAL WATER CO	08/21/2023	TULARE	95
4100551	MARCHI CENTRAL FARM	08/22/2023	SAN MATEO	50
0900300	KYBURZ MUTUAL WATER COMPANY	08/25/2023	EL DORADO	150
3301630	BLYTHE - HIDDEN BEACHES	08/28/2023	RIVERSIDE	393
5303002	INDIAN CREEK TRAILER PARK	08/30/2023	TRINITY	43
1300554	MEADOWS UNION	09/05/2023	IMPERIAL	550

	ELEMENTARY SCHOOL			
2700534	COLONIAL OAK WC INC	09/08/2023	MONTEREY	198

Completed Consolidations

The following water system consolidation was completed during September 2023.

Name	Type	Pop.	Conn.	Notes
DELTA CROSSING MHP	C	60	22	Water system consolidated with SCWA. Privately funded.

Direct Potable Reuse Regulation Update

Division of Drinking Water staff initiated the rulemaking process for the proposed direct potable reuse (DPR) regulations under the Administrative Procedure Act (APA). The notice of regulatory action was published in the California Regulatory Notice Register on July 21, 2023, and the notice, the proposed DPR regulations, and the initial statement of reasons were distributed for public comment. The public comment period was July 21 through September 8, 2023. An APA public hearing was held at the September 7, 2023, board workshop. The purpose of the APA hearing was specifically to obtain public comment on the proposed regulations. The State Water Board did not take any action on the proposed regulations at the APA hearing. In accordance with the APA, all comments received by the close of the comment period will be addressed in subsequent regulation documents developed by the State Water Board staff that will be made available to the public. A 15-day comment period will be noticed for any substantive changes proposed to the regulations. DDW staff anticipates board adoption of the DPR regulations in December 2023 to meet the deadline established by the legislature in [AB 574 \(Water Code, Division 7, Chapter 7.3\)](#) and commitment by the State Water Board in the governor’s 2022 [California’s Water Supply Strategy](#).

Hexavalent Chromium Maximum Contaminant Level Status

The proposed hexavalent chromium maximum contaminant level notice of proposed rulemaking was published June 16, 2023. An Administrative Procedure Act public hearing to receive public comments on the proposed regulation was held August 2, 2023. The written comment deadline was extended to August 18, 2023. Public comments are currently being reviewed and addressed.

DIVISION OF ADMINISTRATIVE SERVICES

Update on Water Quality, Water Rights, Drinking Water and Environmental Laboratory Accreditation Program (ELAP) Fees Stakeholder Process

The proposed FY 2023-24 Drinking Water, ELAP, Water Quality and Water Rights fee schedule changes were adopted by the State Water Resources Control Board at the September 19 board meeting. The fee regulation packages are currently undergoing internal reviews and approvals prior to being submitted to the Office of Administrative Law.

OFFICE OF ENFORCEMENT

OFFICE OF ENFORCEMENT

Public Notices:

None

Press Releases:

Blue Triton Water Rights Cease and Desist Order

On September 19, 2023, the State Water Resources Control Board [adopted an order](#) requiring Blue Triton Brands, Inc. to immediately cease its unauthorized diversions from springs in the San Bernardino National Forest. The adoption follows a multi-year investigation and adjudicative proceeding conducted by State Water Board's Administrative Hearings Office. The hearings office concluded that Blue Triton does not hold water rights in the forests and this cease and desist order compels the company to stop drawing water at 10 of its 13 diversion sites.

Administrative Civil Liability (ACL) Complaints Issued:

Region	Discharger/City	Violation(s) Addressed	ACL Order Amount	Date Issued
6T	Palisades Development LLC/ Olympic Valley	Numerous stormwater violations related to the Palisades at Squaw (Site) construction project.	\$1,650,000 (all to Cleanup and Abatement Account)	8/30/2023

ACL Orders Issued:

Region	Discharger/City	Violation(s) Addressed	ACL Order Amount	Date Issued
1	Krasilsa Pacific Farms LLC/ Cloverdale	Unauthorized discharge of approximately 53,000 gallons of wine discharged primarily via ground surface into Reiman Creek.	\$450,000.00 to CAA	8/22/2023
4	Los Angeles Cnty DPW/ Wilmington	Mandatory minimum penalty (MMP) for exceedance of the average monthly effluent limit (AMEL) for copper.	\$3,000 (MMP – all to CAA)	8/09/2023
4	Onni Group/ Los Angeles	MMPs for: <ul style="list-style-type: none"> • Exceedance of the maximum daily effluent limit (MDEL) for copper • 2 exceedances of the AMEL for copper 	\$9,000 (MMP – all to CAA)	8/09/2023
4	Burbank City DPW/ Burbank	MMPs for 2 exceedances of the MDEL for total residual chlorine.	\$6,000 (MMP – all to CAA)	8/23/2023
4	Northrop Grumman Systems Corporation/ City of Industry	MMP for exceedance of the MDEL for 1,4-dioxane.	\$3,000 (MMP – all to CAA)	8/23/2023
5R	UPRR Dunsmuir Railyard/ Dunsmuir	MMPs for: <ul style="list-style-type: none"> • 3 exceedances of the MDEL for lead • Exceedance of the AMEL for lead • Exceedance of the AMEL for zinc • Exceedance of the MDEL for methanol • Exceedance of the MDEL for flow 	\$21,000 (MMP – all to CAA)	8/30/2023
5S	Sconza Candy Company/ Oakdale	MMP for exceedance of the instantaneous minimum effluent limit for pH.	\$3,000 (MMP – all to CAA)	8/14/2023
5S	DeNova Homes/ Contra Costa County	MMPs for: <ul style="list-style-type: none"> • 3 exceedances of the AMEL for arsenic • 5 exceedances of the MDEL for arsenic 	\$24,000 (MMP – all to CAA)	8/14/2023

Region	Discharger/City	Violation(s) Addressed	ACL Order Amount	Date Issued
5S	Modesto City/ Modesto	MMPs for: <ul style="list-style-type: none"> • Exceedance of the 1-hour average effluent limit for total residual chlorine • Exceedance of the 4-day average effluent limit for total residual chlorine 	\$6,000 (MMP – all to CAA)	8/14/2023
5S	Stockton City/ Stockton	MMPs for: <ul style="list-style-type: none"> • 4 exceedances of the AMEL for ammonia • 4 exceedances of the average weekly effluent limit (AWEL) for ammonia • 3 exceedances of the 7-day median effluent limit for total coliform 	\$33,000 (MMP – all to CAA)	8/14/2023
5S	Aerojet Rocketdyne, Inc./ Sacramento	MMPs for: <ul style="list-style-type: none"> • 5 exceedances of the MDEL for acetaldehyde • 2 exceedances of the AMEL for acetaldehyde 	\$21,000 (MMP – all to CAA)	8/14/2023
5S	Nevada CSD No 1/ Auburn	MMPs for: <ul style="list-style-type: none"> • Exceedance of the AWEL for biochemical oxygen demand • Exceedance of the AMEL for biochemical oxygen demand 	\$6,000 (MMP – all to CAA)	8/14/2023
5S	Vacaville City DPW/ Elmira	MMP for an exceedance of the AMEL for dibromochloromethane.	\$3,000 (MMP – all to CAA)	8/14/2023
5S	Placerville City/ Placerville	MMP for an exceedance of the AWEL for ammonia.	\$3,000 (MMP – all to CAA)	8/14/2023
5S	Recology Hay Road/ Vacaville	MMPs for 4 exceedances of the AMEL for manganese.	\$12,000 (MMP – all to CAA)	8/14/2023

Region	Discharger/City	Violation(s) Addressed	ACL Order Amount	Date Issued
5S	Sacramento Regional CSD/ Elk Grove	MMPs for: <ul style="list-style-type: none"> • 3 exceedances of the 1-hour average effluent limit for total residual chlorine • Exceedance of the AWEL for settleable solids 	\$12,000 (MMP – all to CAA)	8/14/2023
7	Ca Dept of Corrections Imperial/ Imperial	MMPs for: <ul style="list-style-type: none"> • Exceedance of the MDEL for Escherichia coli (E. coli) • 5 exceedances of the MDEL for enterococci • 3 exceedances of the 30-day geometric mean effluent limit for enterococci • Exceedance of the 30-day average for total suspended solids (TSS) 	\$30,000 (MMP – all to CAA)	8/2/2023

13260 Orders

Region	Discharger/City	Violations Addressed/Action(s) Required	Date Issued
8	Don Bean Ranch/ Riverside County	Failure to enroll under the R8-2017-0023 Conditional Waiver of Agricultural Dischargers order and the subsequent Order No. R8-2023-0006, General Waste Discharge Requirements for Discharges of Waste from Irrigated Lands in the San Jacinto River Watershed.	8/23/2023

Investigative Orders

Region	Discharger/City	Violations Addressed/Action(s) Required	Date Issued
1	Northcrest MHP, LLC (Northcrest Trailer City)/ Crescent City	13267 Investigative Order No. R1-2023-0050 requires that an appropriately qualified professional shall conduct and report on, in writing, an assessment of the condition and functionality of the Facility's physical components including all leach fields, septic tanks, pumps, and any other components related to the condition and function of the Facility's wastewater system.	8/24/2023
4	Porter Ranch Development/ Northridge	13383 directive for violations related to poor housekeeping, lack of effective perimeter controls, sediment originating from the project site visible on the sidewalk along Mason Avenue, and wet and dry debris	8/3/2023

		of concrete/stucco and other waste materials were directly observed on the ground without appropriate Best Management Practices (BMPs) in place.	
4	Mr. Victor Bruno and Ms. Patricia New/ Vernon	13267 Order No. R4-2023-0304 requiring Atlas Galvanizing, LLC to submit the groundwater monitoring well installation report in accordance with the approved work plan and to conduct quarterly groundwater monitoring thereafter for the site located at 2601, 2615, and 2639 Leonis Blvd. in Vernon.	8/4/2023
4	Nestor Saporiti and Trans-National Builders, Inc./ Culver City	13267 Order No. R4-2023-0303 requiring Mr. Nestor Saporiti and Mr. Jack Levine to prepare and submit a subsurface work plan to address unauthorized discharges of volatile organic compounds (VOCs) containing tetrachloroethylene (PCE) and trichloroethylene (TCE) at the Site located at 11124 Washington Blvd. in Culver City.	8/8/2023
8	Barlen Enterprises/ Santa Ana	Order No. R8-2023-0060 requiring the responsible party to conduct additional subsurface investigations concerning VOCs in Groundwater for the property located at 1410-1424 St. Gertrude street in Santa Ana.	8/11/2023
8	Shepard Brothers Inc/ La Habra	13383 Order for the failure to submit a Water Quality-Based Corrective Action (WQBCA) addressing sampling results above the Numeric Effluent Limitation for Zinc in the 2020-2021 and 2021-2022 Reporting Periods.	8/28/2023
8	Stepan Co/ Anaheim	13383 Order for the failure to submit a Water Quality-Based Corrective Action (WQBCA) addressing sampling results above the Numeric Effluent Limitation for Zinc in the 2020-2021, 2021-2022, and 2022-2023 Reporting Periods.	8/28/2023

Health and Safety Code Section 25296.10(c) Orders

Region	Discharger/City	Violations Addressed/Action(s) Required	Date Issued
4	Cat City, LLC and Andy and Hratch Andonian/ Long Beach	Requires the submittal of a workplan to determine the extent of groundwater contamination, a feasibility study to evaluate remedial alternatives to address the soil and groundwater contamination, monitoring and removal of free product until free product has been removed to the maximum extent practicable, and groundwater monitoring for Discount Tire Center located at 3340 East Anaheim street in Long Beach.	8/25/2023

4	Equilon Enterprises LLC dba Shell Oil Products US/ Santa Monica	Requires the submittal of an interim remedial action plan (RAP) to identify the method and schedule for free product removal, a work plan to investigate groundwater near MW-10 in multiple directions to characterize the extent of free product and dissolved-phase groundwater impacts, and groundwater monitoring for the site located at 1866 Lincoln Blvd. in Santa Monica.	8/31/2023
4	Multiple/ Santa Monica	Requires the submittal of a Chemical Storage and Use Questionnaire for the following sites: 1) 1812 Lincoln Boulevard 2) 1828 Lincoln Boulevard 3) 1848 Lincoln Boulevard 4) 1836 Lincoln Boulevard	8/31/2023

Cleanup and Abatement Orders

Region	Discharger/City	Violations Addressed/Action(s) Required	Date Issued
3	Apple River & Company, Limited Partnership/ San Luis Obispo	Cleanup and Abatement Order (CAO) R3-2023-0060 requires clean up and abate the effects of trichloroethylene (TCE)-associated volatile organic compounds (VOCs), and petroleum related pollution to soil, soil gas, groundwater, and water supply wells serving rural residences, agricultural, and industrial/commercial facilities in the Buckley Road TCE Plume Area.	8/8/2023
5S	Andco Farms, Inc. and Dennis and DeLynn Micheletti/ Sacramento	CAO Order No. R5-2023-0703 requires site assessment activities, the delineation of the full extent of the off-site groundwater plume, and to resume remediation of the Site and of the off-Site groundwater plume for impacts from volatile organic compounds (VOCs) including trichloroethylene (TCE), tetrachloroethylene (PCE), cis-1,2-dichloroethylene (cis-1,2-DCE) and 1,1,2-trichloroethane (TCA) to soil and groundwater for the site located at 2147 Barstow street in Sacramento.	8/2/2023
5S	Joe Xavier Dairy/ Atwater	CAO Order No. R5-2023-0702 requires the immediate cessation of discharge from the dairy's primary wastewater storage lagoon to the adjacent land (Keith Moss Dairy).	8/11/2023
9	Stars Petroleum Inc. and GVS Systems Inc./ Ramona	CAO Order No. R9-2023-0051 requires the responsible parties cleanup and abate the impacts of the unauthorized release of petroleum products associated with leaking underground storage tanks at the Stars Petroleum (formerly known as Ramona Day & Nite Mobil, Ramona Day N Nite, Ramona Mobil, Mobil Mart, and Mobil Station #18-LH8) located at 1910 Main Street in Ramona.	8/4/2023

Cease and Desist Orders (CDOs)

Region	Discharger/City	Violations Addressed/Action(s) Required	Date Issued
7	Desert Vista Village HOA & Desert Vista Village LLC/ Yucca Valley	Cease and Desist (CDO) R7-2023-0033 requires the dischargers to connect to the Hi-Desert Water District centralized sewer collection system and decommission the Desert Vista Village WWTF and seepage pits.	8/10/2023
7	K Partners Twentynine Palms LP, et al./ Twentynine Palms	CDO R7-2023-0032 requires the upgrade to the WWTF and seepage pits and the installation of a flow meter that is calibrated to measure the discharge from both the Hotel WWTF and laundry septic tank.	8/10/2023

Other Enforcement Actions Taken:

Region/Division	Actions Issued	Region/Division	Actions Issued
1	49	5S	16
2	1	6T	7
3	3	6V	2
4	62	7	1
5F	16	8	369
5R	7	9	11
		State Water	1

OFFICE OF INFORMATION MANAGEMENT AND ANALYSIS and the CALIFORNIA WATER QUALITY MONITORING COUNCIL

Water Data Challenge Awards Ceremony 2023

In August, OIMA and West Big Data Innovation Hub hosted the “Our Water Data Future” event, an open water data event that took place on August 9-10 at the Scripps Seaside Forum. It was attended by more than 60 researchers, professionals, and students. Attendees, including OIMA staff, participated in featured discussions about the utilization of data science and related applications in water resource fields. The event also featured results from California’s Water Data Challenge, a contest promoting the use of open water data to foster water data innovation and more informed decision making. More information on the Water Data Challenge and this year’s winners is available here <https://waterchallenge.data.ca.gov/>. The website with the program for the August event is here: <https://www.westbigdatahub.org/event-la-jolla>

Freshwater and Estuarine Harmful Algal Bloom (FHAB) - Fall 2023 Update

The FHAB Program is collaborating with the U.S. Environmental Protection Agency Office of Research and Development (USEPA ORD) to test benthic cyanobacteria bloom (HCB) sampling and assessment strategies at the North Fork American River and the South Fork Eel River in Fall 2023. State Water Board FHAB Program, CA Department of Fish and Wildlife, and the Central Valley Regional Water Board are leading the monitoring at the North Fork American River and the North Coast Regional Water Board are the leads for the South Fork of the Eel River. This is a multi-state effort with sites located in Virginia, Ohio, Kansas, Utah, California, and Washington.

Lessons learned from the procedures tested in 2023 will be used to refine methodology and possibly expand the sites sampled in 2024. Results from the sampling and subsequent analytical work by USEPA ORD will be used to propose a more specific benthic HCB sampling and monitoring protocol to support decisions and considerations regarding benthic HCB monitoring made by state and tribal partners regarding cyanobacteria compositions in a stream system and public health threat. The Water Boards appreciate the opportunity for this collaboration and testing out different methods as the FHAB Program is currently in the process of evaluating their current [standard operating procedures](#) for cyanobacteria water sample collection for benthic HCBs.

OFFICE OF RESEARCH, PLANNING, AND PERFORMANCE

No Submittal for October 2023

OFFICE OF CHIEF COUNSEL

Water Quality Petitions Currently Under Consideration for Review by the State Water Board (as of September 14, 2023)

The State Water Board is considering whether to grant review of the following current active petitions for review of regional water quality control board actions or failures to act in accordance with Water Code section 13320. These petitions for review will be dismissed by operation of law if (1) the State Water Board does not issue a letter granting review or (2) the State Water Board does not receive a written request from the petitioner that the petition be held in abeyance, prior to 5:00 p.m. on the corresponding deadline. Any exhibits identified in the petitions are available upon request by emailing waterqualitypetitions@waterboards.ca.gov.

PETITION NUMBER AND LINK TO PETITION	PETITION INFORMATION	DATE PETITION RECEIVED	DEADLINE FOR STATE WATER BOARD TO GRANT REVIEW
A-2830	Petition of Los Angeles Waterkeeper for Review of Waste Discharge Requirements Order No. R4-2023-0181 For the Joint Water Pollution Control Plant in Carson, Los Angeles County; Issued by The Los Angeles Regional Water Quality Control Board	6/23/2023	9/21/2023
A-2837	Petition of City of Los Angeles for Review of the Denial of the Request for a Time Schedule Order for Permit Requirements Regarding the Ballona Creek Bacteria TMDL as relates to the Regional Municipal Separate Storm Sewer System (MS4) Permit Order No. R4-2021-0105; Issued by The Los Angeles Regional Water Quality Control Board	9/7/2023	12/6/2023

OFFICE OF PUBLIC PARTICIPATION

OPP Submits Quarterly Reports

IRRIGATED LANDS REGULATORY PROGRAM UPDATE

September 2023

Appendix A

This month's Irrigated Lands Regulatory Program (ILRP) update provides a summary of significant activities of State Water Board staff for the month of August 2023. This update also covers the Central Valley Regional Water Quality Control Board's (Regional Water Board) compliance and outreach activities from July 1, 2023 to August 15, 2023. Also included is the Central Valley's annual update of implementation of State Board Order WQ-2018-0002. Next month's report will present activities from the North Coast, San Francisco Bay, Central Coast, Los Angeles, Lahontan, Colorado River Basin, Santa Ana, and San Diego Regional Water Boards from August 1, 2023 to September 30, 2023.

State Water Board staff hosted a Fees Stakeholder meeting virtually on August 3, 2023. The projected ILRP fee increase for FY 2023-24 is 5.8%. Interested parties had the opportunity to comment or raise questions about the upcoming fiscal year. State Water Board staff is also working on a petition of Central Coast ILRP General Order. Both the fees and the petition order are anticipated to be presented to the Board for consideration for adoption in mid-September.

Throughout August, staff participated in California Agriculture Partnership Forum meetings to discuss National Water Quality Initiative watershed projects and source water protection areas based on priority surface water maps.

Central Valley Water Board staff provides regular bimonthly updates on compliance and outreach accomplishments and other key activities. The write-up for this month will also serve as the update for the implementation of State Water Board [Order WQ 2018-0002](#). [This is the first written but fourth annual update on implementation of the State Water Board Order. The last update was provided to the State Water Board on September 20, 2022 and can be viewed on YouTube.](#)

The following table provides summary information on the Central Valley Water Board's Irrigated Lands compliance and outreach activities. More information can be found in the Central Valley Water Board's [Executive Officer's Reports website](#). The start date for the first 4 items of the table is July 1, 2023. The end date for all items is August 15, 2023.

Reminder letters (INMPSR) – Informal outreach reminding growers to submit late Irrigation Nitrogen Management Plan Summary Report (INMPSR).

Water Code section 13260 Directives – Directives are sent to owners of parcels who do not respond to our initial outreach package requesting they enroll in the ILRP or claim an exemption. The directive requires the recipients to enroll with a third-party group within 15 days of receipt of the letter.

Notices of Violation (NOV) for failure to respond to Directive – NOV's are sent to owners of parcels who did not respond to the Directive, informing them that they are in violation of the Directive and failure to respond may result in an Administrative Civil Liability Order.

Reminder to Sample Postcard – Postcard sent to members of the Sacramento Valley Water Quality Coalition reminding them to sample their domestic well for nitrate.

Number of Drinking Water Wells Sampled – Number of drinking water wells that have been sampled.

Drinking Water Well Samples – Number of drinking water well samples collected and reported in GeoTracker.

Notifications Required – Number of members required to notify users and Central Valley Water Board that their drinking water well samples exceeded the drinking water standard.

Notifications Received – Number of notification responses received from members whose drinking water well sample results exceeded the nitrate drinking water standard.

Indicated Only Member or Family User – Number of wells with samples exceeding the nitrate drinking water standard where the grower or grower’s immediate family is the only user(s) of the well, precluding the grower from indicating if replacement water was provided.

Indicated Replacement Water Provided – Number of notification responses received indicating replacement water is provided. Note that growers are not required to indicate if replacement water is provided; therefore, this may not accurately reflect the number of people receiving replacement water.

Number of Wells Potentially Needing Replacement Water – Number of wells potentially needing replacement water for users beyond immediate family members. This was calculated by subtracting the combination of “Indicated Only Member or Family User” and “Indicated Replacement Water Provided” from the total number of “Notifications Required”.

Reminder Letter for Late Report (INMPSR)	273
Water Code Section 13260 Member Directives	155
NOV for failure to respond to Directive	3
Reminder to Sample Postcards	3126
Number of Drinking Water Wells Sampled	13,038
Drinking Water Well Samples	20,109
Notifications Required	4,150
Notifications Received	4,104
Indicated Only Member or Family User	1,804

Indicated Replacement Water Provided	1,030
Number of Wells Potentially Needing Replacement Water	1,316

Of the 1,316 wells potentially needing replacement water, many fall within Management Zones under the Board’s CV-SALTS Nitrate Control Program. For these wells, the Board is working with the Management Zones to ensure that replacement water will be provided. An additional number of these wells likely fall under in Priority 2 areas, where directives requiring the creation of Management Zones and drinking water solutions will be issued in late 2023. The Board is also working with the Irrigated Lands Coalitions to find solutions for the remaining wells that may not be covered by a Management Zone Early Action Plan/Replacement Drinking Water Program.

Groundwater Protection Targets

On June 30, 2023, the Central Valley Water Board’s Executive Officer conditionally approved Groundwater Protection Targets for 379 townships in the region, as required by State Water Board Order WQ-2018-0002. The Groundwater Protection Targets estimate the nitrogen loading rate necessary to meet the receiving water limitation in a given township.

To develop the Groundwater Protection Targets, the Central Valley agricultural coalitions conducted an initial assessment of current agricultural loading based on grower-reported data and modeling tools (Groundwater Protection Values). The coalitions then utilized a groundwater flow and transport model developed by UC Davis (CV-NPSAT) to estimate the resulting water quality in domestic wells within the townships under reduced loading scenarios.

Development of the Groundwater Protection Targets was discussed at the Board’s Irrigated Lands stakeholder meetings and more focused meetings with coalitions and environmental justice organizations. By July 1, 2024, the coalitions will incorporate the targets into respective coalition Groundwater Quality Management Plans, along with milestones that can be quantified, met, and tracked over time. The plans will be made available for public review and input prior to approval. The Executive Officer also tasked the coalitions with conducting additional research to support ongoing verification and refinement of the model. Staff will continue to engage interested stakeholders in this process and ensure that the Groundwater Protection Targets are reviewed and revised as necessary every five years based on best available information.

Irrigated Lands Stakeholder Meeting

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. The July 26, 2023, stakeholder meeting was held at the Stanislaus County Farm Bureau and on Zoom, with a focused discussion on the conditional approval of the Groundwater Protection Targets and Groundwater Quality Management Plan updates.

Enrollment Summary

Irrigated Lands staff continues to conduct significant compliance and outreach efforts associated with obtaining appropriate enrollment in the program. Staff completed the incorporation of the new 2021 Department of Water Resources land use data into our GIS maps while incorporating other information including current membership lists, WDR land application sites and past inspection data. Staff is also continuing to work with the Central Valley Water Board's Confined Animal Program to identify irrigated agricultural operations that are covered by their Program. There are fluctuations in irrigated agricultural acreage due to various factors such as, land use conversions, water allocations, retirements, land fallowing, ownership transfers, and regulatory coverage in other programs. Our current efforts are helping to provide a much clearer picture of commercial irrigated lands in our Region and the status of enrollment our Program. Irrigated Lands staff continues to identify and follow up with potential non-filers in our Region with the goal of enrolling all commercial irrigated lands in our Program. Trends in Irrigated Lands enrollment can be found in the [California Water Boards' Annual Performance Report](#).

Domestic Well Monitoring

All Irrigated Lands enrollees are required to monitor drinking water wells on enrolled parcels for nitrate plus nitrite as nitrogen if the wells are used for human consumption.

Approximately 13,000 wells were sampled with 32 percent of the wells exceeding the nitrate drinking water standard, triggering the user notification requirement. Irrigated Lands staff prioritized tracking notification submittals and conducting follow-up, successfully achieving approximately 99% compliance.

While the monitoring data are publicly available on GeoTracker, Irrigated Lands staff provide assistance as needed to Nitrate Control Program management zones to inform their Early Action Plan efforts.

Small Diversified Grower Forms

In February 2023, The Central Valley Water Board's Executive Officer approved a proposal from the Kings River Water Quality Coalition to allow qualifying members to use alternative Irrigation and Nitrogen Management Plan (INMP) and INMP Summary Report forms. These templates were developed specifically for small, highly diversified growers, which meet the following criteria:

- Maximum total acreage of 45 acres or less
- Gross annual sales of less than \$350,000
- Crop diversity greater than 0.5 crops per acre (one crop for every two acres)
- Crop yields difficult to quantify
- Specialty crops or mixed vegetables

The alternative forms were developed as a result of a multi-year process to understand and address some of the difficulties small, highly diversified growers face when complying with the Irrigated Lands requirements.

In conjunction with the above work, the Central Valley Water Board provided the University of California Division of Agriculture and Natural Resources with a Discretionary Funding Contract (Agreement 23-007-150) to provide education and technical assistance to small-scale, diversified, and socially disadvantaged farmers in Fresno County. The work will focus on resources and tools for complying with the Irrigated Lands Regulatory Program and will run from July 1, 2023, to June 30, 2026.

Additional program information can be found at the [Central Valley Regional Board ILRP website](#).

Appendix B

CANNABIS CULTIVATION PROGRAMS

October 2023

This Water Boards' Cannabis Cultivation Program (Cannabis Cultivation Program or Program) update provides a summary of significant actions and achievements accomplished by the State Water Board's Division of Water Quality, Division of Water Rights, Office of Enforcement, and nine Regional Water Board staff (collectively referred to as the Water Boards) since the April 2023 Executive Director's Report. Additional information on the Cannabis Cultivation Program, including the [Cannabis Cultivation Policy – Principles and Guidelines for Cannabis Cultivation](#) (Cannabis Policy), [General Waste Discharge Requirements and Waiver of Waste Discharge Requirements for Discharges of Waste Associated with Cannabis Cultivation Activities](#) (Cannabis Cultivation General Order), Cannabis Small Irrigation Use Registration (SIUR), and enforcement efforts, is available on the [Water Board's Cannabis Cultivation Program webpage](#) at: www.waterboards.ca.gov/cannabis/.

WATER BOARDS' CANNABIS CULTIVATION PROGRAM

The Cannabis Cultivation General Order is collectively Waste Discharge Requirements (WDRs) and Waiver of WDRs (conditional waiver). Water Code section 13269(a)(2) establishes that a waiver may not exceed five years in duration without being renewed by the State or Regional Water Board. The conditional waiver is set to expire on February 5, 2024. On July 11, 2023, the Notice of Opportunity for Public Comment and Consideration of Adoption to renew the waiver portion of the Cannabis Cultivation General Order was released to the public through the cannabis distribution lists, social media, and emailed to approximately fifteen hundred interested parties. On August 18, 2023, the comment period closed with only one comment letter received. The State Water Board will consider readopting the Cannabis Cultivation General Order at the November 7, 2023, Board Meeting. A more in-depth review and update of the Cannabis Policy is planned in 2025 or early 2026.

The Cannabis Cultivation Program continues to operate with significant staff reductions associated with the 2020-21 Budget. Water quality staff in the Program was reduced due to fee funding shortfalls. These staffing reductions caused significant impacts to the scope of the Program. Additionally, funding for approximately 70 percent of the remaining program resources was set to expire on June 20, 2023. Fortunately, Program staff were successful in obtaining permanent positions and funding for the Program this budget year so that the Water Boards can achieve our statutory mandates in a larger geographic area and contribute wholistically to

statewide multi-agency programs with a focus on combatting unregulated cultivation which continues to be responsible for egregious environmental harm and impacts to local communities.

The approved 2023-24 Governor's Budget included permanent authorization for not only current staff levels but up to 36 additional positions (phased in over multiple years and somewhat dependent on fee revenue) and ongoing program funding that no longer requires triennial reauthorization.

In addition to staffing improvements, legislation was recently adopted that should help address enforcement of illegal cultivation. On September 1, 2023, the Senate Bill 756 was signed into law. This new statute articulates the important contributions the State Water Resources Control Board lend to enforcement inspections both under its own authority as well as via search warrants and expands the methods of service the Board can use to serve its formal enforcement actions. This important law will greatly assist the Water Boards in pursuing enforcement actions against illegal cannabis cultivation throughout the state.

Enrollment

The Program has seen an increase in the number of multi-year Cannabis Cultivation General Order annual fee delinquencies. These fees are important as they directly support and maintain water quality staff. There are several reasons cultivators might not pay their enrollment fees including abandonment of the cultivation operation without properly terminating coverage, billing addresses that are no longer current, and until recently no significant consequences for non-payment. In February 2023, staff issued 400 notice letters and emails to enrollees with multi-year outstanding fees directing them to pay the associated fees within 45 days. The consequences of not complying with these demands are termination of their Cannabis General Order coverage and notification to the Department of Cannabis Control (DCC) of their lack of permitting coverage, which would jeopardize applicable DCC licenses. On May 15, 2023, notices of termination were issued to 350 dischargers enrolled in the Cannabis Cultivation General Order and notification was sent to DCC.

To continue with the initial outstanding invoice terminations, in August, staff issued 923 notice letters to all dischargers with multiple years of outstanding fees. These dischargers have been notified that they are required to pay all outstanding fees by November 1, 2023, or their Cannabis Cultivation General Order coverage will be terminated. Additionally, termination of nonpaying enrollees will improve Program financial projections by aligning anticipated revenues with enrollment numbers.

The Division of Water Quality processes all applications for enrollment statewide under the Cannabis Cultivation General Order, and enrolled 109 applicants between January 1, 2023 and August 15, 2023, bringing the total active Cannabis Cultivation General Order enrollments to 5,866. Between January 1, 2023 and August 15, 2023, the Division of Water Rights enrolled 9 SIURs, bringing the total registered SIURs to 644. Table 1 below shows the Regional Water Board 2023 metrics and Table 2 shows the Division of Water Rights and Water Quality, and the Office of Enforcement 2023 metrics, as well as the Program totals for the reporting period.

Enforcement

Significant coordination with many of the counties throughout the state is currently underway resulting in an increased number of requests by local prosecutors for Water Board staff assistance with their criminal prosecutions. Several trainings have been held, spearheaded by CalEPA, to inform local law enforcement of Water Code violations that can be pursued by local prosecutors. The most recent training was held on May 31, 2023, in San Luis Obispo. Additional training dates later in the year are anticipated. Program staff have also assisted with the development of guidance documents for local prosecutors that describe Water Code violations that can be pursued as criminal charges against illegal cultivations. Water Board staff work with local prosecutors by reviewing supporting documentation and/or observations obtained during inspections, providing direct testimony at preliminary hearings or through interviews with law enforcement to be submitted during preliminary hearings, and by providing testimony at trial.

The Water Board recently submitted, in coordination with the Attorney General's office, an amicus brief to the Fourth District Court of Appeals regarding a San Bernardino County case. The general purpose of the brief is to assist the Court in its interpretation of applicable Water Code provisions. The brief addresses the Water Boards' interpretation of Water Code section 13260 and its applicability to both actual and proposed discharges of waste that could affect state water quality. While this brief was provided in a criminal appeal of a cannabis matter, the Water Boards' have a broader interest in ensuring that the Court interprets and applies the law in a manner that does not adversely impact the broad applicability of that water code section in the Water Boards' water quality programs. The brief was accepted by the Court on August 29, 2023.

Since the staffing reductions in 2020, the Program has focused enforcement efforts on unregulated cannabis cultivation sites due to the potential for adverse environmental impacts from such sites. Inspections on unregulated cannabis sites typically require a search warrant. Unlike our partner agencies, the Water Boards do not have a law enforcement branch and thus are dependent upon partner agencies to accompany us on these inspections. Inspections are important because, in most enforcement cases, they serve as a primary source of evidence for documenting environmental harm resulting from non-compliance with regulatory protections, they help facilitate enrollment in our regulatory programs when applicable and serve as a deterrent for illegal cultivation. This year, enforcement staff has already participated in over 200 search warrant inspections of illegal cultivation sites with partner agencies. The North Coast Water Board issued one cleanup and abatement order, one Administrative Civil Liability (ACL) Complaint, and two ACL Orders. The Division of Water Rights has issued 1 ACL Complaints, 2 draft cease and desist orders (CDO), 2 final ACL orders, and 3 final CDOs for illegal cultivation sites this year.

Outreach

Remote events continue to be popular with both regulatory agencies and stakeholders, but local in-person meetings are also starting to be scheduled and attendance is on the rise. The Central Valley Regional has continued to provide its enrollees with outreach events addressing various topics including how to enroll, understanding the Policy requirements, site development, road design, and enforcement. Table 3 lists the significant outreach events hosted or attended by Program staff during the reporting period.

Conclusion

As shown in the tables below, the program is doing well overall in meeting their 2023 goals. The current cultivation season is still underway and final numbers will be available during the next program report in April 2024.

Table 1 – Cannabis Cultivation Metrics Reported for Regional Water Boards (January 1, 2023 – August 15, 2023)

		Region 1		Region 2		Region 3		Regions 4,8,9		Region 5		Regions 6,7	
Measure		Current	Goal	Current	Goal	Current	Goal	Current	Goal	Current	Goal	Current	Goal
Illegal Sites	Directive to Enroll ¹	1	0	0	2	3	10	0	0	37	15	0	0
	Enforcement ²	2	4	0	0	0	0	0	2	0	5	0	2
	Inspections ³	56	40	3	3	3	10	37	25	56	40	8	15
Inspection Reports	Issued > 30 Days	10	0	2	0	4	0	11	0	22	0	0	0
	Issued ≤ 30 Days	31	40	0	6	13	30	23	25	16	40	14	45
New Enrollments ⁴		17	30	11	30	8	10	36	50	21	100	16	45
Outreach Events ⁵		0	1	0	0	0	1	2	4	9	6	1	1

¹ Directive to Enroll: Water Code section 13260 Letters

² Enforcement: Administrative Civil Liability, Cleanup and Abatement Orders, or Cease and Desist Orders issued to unregulated cultivation sites

³ Inspections: Performed on unregulated cultivation sites

⁴ New Enrollments: Cannabis Cultivation General Order 2019-0001-DWQ (Water Quality)

⁵ Events attended or hosted by program staff to train and inform other agency staff and/or the public on cannabis related information including but not limited to the Cannabis Policy, Cannabis Cultivation General Order, and Cannabis SIUR

Table 2 – Cannabis Cultivation Metrics Reported for State Water Board (January 1, 2023 – August 15, 2023)

		Division of Water Quality		Division of Water Rights		Office of Enforcement		Program Summary (Tables 1&2)
Measure		Current	Goal	Current	Goal	Current	Goal	Current Total
Illegal Sites	Directive to Enroll ¹	-	-	60	100	19	0	120
	Enforcement ²	-	-	8	7	1	2	11
	Inspections ³	-	-	130	100	47	36	340
Inspection Reports	Issued > 30 Days	-	-	71	0	2	0	122
	Issued ≤ 30 Days	-	-	59	100	29	24	185
New Enrollments ⁴		-	-	9	40	-	-	118
Outreach Events ⁵		0	6	6	8	0	0	18

¹ Directive to Enroll: Water Code section 13260 Letters (Water Quality) and Notices of Violation (Water Rights)

² Enforcement: Cleanup and Abatement Orders (Water Quality), Cease and Desist Orders, or Administrative Civil Liability issued to unregulated cultivation sites

³ Inspections: Performed on unregulated cultivation sites

⁴ New Enrollments: Small Irrigation Use Registrations (Water Rights)

⁵ Events attended or hosted by program staff to train and inform other agency staff and/or the public on cannabis related information including but not limited to the Cannabis Policy, Cannabis Cultivation General Order, and Cannabis SIUR

¹Table 4 - COORDINATED PUBLIC OUTREACH – CANNABIS CULTIVATION PROGRAM¹ (February 16, 2023 – September 1, 2023)

Date and Location	Event Details	Participating Agencies
Thursday, February 23, 2023 Virtual	Central Valley Water Board New Enrollees Event	Central Valley Water Board
Tuesday, February 28, 2023 Riverside	Marijuana Environmental Prosecution Training	Santa Ana Water Board
Thursday, March 30, 2023 Virtual	Enforcement Outreach	Central Valley Water Board
Thursday, April 20, 2023 Penn Valley	Municipal Advisory Council, Nevada County EE Outreach	Central Valley Water Board Nevada County
Thursday, April 27, 2023 Virtual	Site Development	Central Valley Water Board
Thursday, May 25, 2023 Virtual	Central Valley Water Boards – Cannabis Policy	Central Valley Water Board
Wednesday, May 31, 2023 San Luis Obispo	Marijuana Environmental Prosecution Training	Central Coast Water Board Division of Water Rights Office of Enforcement
Thursday, June 29, 2023 Woodland	Yolo County Outreach	Central Valley Water Board
Thursday, June 29, 2023 Virtual	Road Design	Central Valley Water Board

This table represents public outreach. Staff from the Regional Water Boards, Division of Water Rights, Division of Water Quality, and Office of Enforcement coordinate closely throughout the state with the California Department of Fish and Wildlife, Department of

¹ Tables 1, 2 & 4 were added March 15, 2024 due to October 2023 clerical oversight.

Cannabis Control, and counties on enforcement efforts but these ongoing coordination efforts are not included as Program metrics and therefore not included in this table.