**Lahontan Water Board Program Fact Sheet**

**FY 2017-18**

|  |
| --- |
| ***Enforcement*** |
|  |
| **Overview****The Enforcement Program’s responsibilities are:*** **Evaluating and prioritizing violations of water quality protection laws, regulations, and permits.**
* **Initiating enforcement actions/strategies intended to reestablish compliance, to address environmental damage, and to deter future violations.**
* **Coordinating with other Regional Water Boards and the State Water Board in pursuing multi-region or state-wide enforcement actions; and to improve enforcement consistency and effectiveness.**

**These actions are conducted under federal and state law, and the State Water Board’s Water Quality Enforcement Policy, with 1.9 PYs and support from other programs.** |
|  |
| **Key Efforts*** **Programs where current enforcement activities are focused include Construction and Industrial Storm Water/National Pollutant Discharge Elimination System (NPDES) Permits, Waste Discharge Requirements (WDRs), and Clean Water Act Section 401 Water Quality Certifications. Enforcement types include 1st and 2nd Notices of Non-Compliance (Storm Water Program), Verbal Enforcement, Staff Enforcement Letters, Notices to Comply, Cleanup and Abatement Orders, Cease and Desist Orders, Administrative Civil Liability Complaints, and Expedited Payment Letters.**
* **Enforce against violations that have adversely affected water quality and beneficial uses. Two key priorities are (1) protecting public health (e.g., providing safe alternative water supply when necessary), eliminating the pollutant source, and then cleanup; and (2) protecting/restoring environmental health (e.g., requiring restoration of damaged/destroy wetland, stream, river, or lake habitat due to unauthorized discharges of fill or other alterations).**
* **Initiate oversight of the U.S. Forest Service (USFS) CERCLA process for the Mammoth Stamp Mill Site (Mammoth Lakes). The USFS has identified elevated levels of antimony, arsenic, lead, and mercury at the site, and water quality data has documented mercury concentrations in Mammoth Creek, downstream of the site. Staff’s efforts will focus on ensuring the nature and extent of impacts to water quality and beneficial uses are fully characterized and addressed.**
* **Initiate a new effort to improve compliance with self-monitoring reports that are the heart of the Water Board’s compliance evaluation program for permitted facilities.**
* **Implement action items identified through the Water Board’s Enforcement Subcommittee that are intended to improve program efficiency and effectiveness.**
 |

|  |
| --- |
| **Accomplishments****Los Angeles Department of Water and Power Lee Vining Creek Diversion Project: LADWP completed four restoration projects in cooperation with the Inyo National Forest as part of a Supplemental Environmental Project approved by the Water Board in October 2015.** **Replacement Water: Water Board staff negotiated agreements with responsible parties to either provide replacement water, or to reimburse a property owner for the costs to connect to the community water system (Lake Tahoe Laundry Works, South Lake Tahoe). These agreements provided property owners with a safe water supply after their private wells had been polluted with nitrates (Dutch Dairy, Helendale; Green Valley Foods, Hinkley) or PCE (Lake Tahoe Laundry Works, South Lake Tahoe).** **Crystal Geyser Olancha: Staff participated in two public workshops (hosted by Inyo County) to inform local residents of historical unauthorized discharges (2003 - October 2014) at the Crystal Geyser Olancha Water Bottling Facility, and the known nature and extent of water quality impacts associated with those discharges (high arsenic concentrations). Staff addressed concerns regarding potential threats to local municipal and private water supply wells, and discussed next steps regarding additional investigation and regulation of the Facility’s discharge. Waste Discharge Requirements were also adopted in January 2017 for both the Olancha and Cabin Bar (under construction) water bottling facilities to prevent future impacts to ground and surface water quality.** **Supplemental Environmental Project Program: The Water Board authorized the Executive Officer to enter into two Memoranda of Understanding (MOU) with Tahoe-Sierra IRWM and Truckee River Watershed Council. The Water Board now has agreements with four local partner organizations.** **Other Restoration Projects: The Water Board approved funding (from the Water Board’s Squaw Valley Department of Justice [settlement] Fund) for the Friends of Squaw Creek’s Squaw Creek Restoration Project and the Alpine Watershed Group’s Hope Valley Restoration & Aquatic Habitat Enhancement Project. Both parties will begin implementing their projects in 2018.****Green Valley Foods, Inc.: Staff negotiated a Stipulated Agreement requiring Green Valley Foods to provide replacement water to four residences with nitrate-affected groundwater. Staff is continuing to work with Green Valley Foods to complete delineation of impacts to groundwater due to historical wastewater disposal practices at the cheese production facility.** |
|  |
| **Performance targets – Progress to date*** **Mandatory Minimum Penalties (MMP) – Performance target is to address 100 percent of MMP violations within 18 months of discovery. MMPs are currently under review for 2015-16 stormwater permit violations that were identified in the fall of 2017.**
* **Priority 1 Violations – Performance target is to take formal enforcement action against 100 percent of Priority 1 Violations within 18 months of discovery.**

**All Priority 1 violations identified in the past 18 months have been or continue to be addressed by formal enforcement actions.**  |
|  |
| **Unaddressed Work****In most programs (e.g. WDRs, Storm water), only a small percentage of regulated facilities get inspected; and therefore, potentially many violations and associated water quality impacts are not observed and go unreported.** **Follow up on monitoring and technical reports that are not submitted.** **Adequate data entry for violations to be tracked within the GeoTracker database system.** |