

**REGIONAL WATER QUALITY CONTROL BOARD
SAN DIEGO REGION**

**EXECUTIVE OFFICER SUMMARY REPORT
FEBRUARY 8, 2023**

ITEM 4

SUBJECT

Enforcement Update from State Water Board Office of Enforcement. (Chiara Clemente, Yvonne West)

STAFF RECOMMENDATION

Informational item only; no recommendation.

KEY ISSUE

This item will provide updates on the statewide enforcement priorities and performance targets, along with some background on how these enforcement priorities are integrated into the enforcement process.

PRACTICAL VISION

Chapter 1 of the [Practical Vision: Strategize for Healthy Waters](#) is intended to ensure that Water Board staff, funding, authority, tools, and influence are put to the best possible use through an effective and transparent priority setting approach. By reviewing the statewide enforcement priorities and performance targets, the Regional Board can evaluate statewide expectations and consider synergistic opportunities for putting its limited resources to the best possible use.

DISCUSSION

San Diego Water Board Enforcement Coordinator, Chiara Clemente, will provide a refresher on the regional priority violation/enforcement identification and selection process. Yvonne West, Executive Director of the State Water Board's Office of Enforcement, will provide the Board information regarding the State Water Board's current enforcement priorities and enforcement-related performance targets for fiscal year (FY) 2022-2023.

Section II of the State Water Board's Water Quality Enforcement Policy ([Enforcement Policy](#)) is focused on selecting and implementing enforcement priorities for discretionary enforcement actions. According to the Enforcement Policy, on a biennial basis the Office of Enforcement shall propose statewide enforcement priorities and initiatives. The Enforcement Policy also lays out a process for ranking priority violations and meeting periodically to evaluate such violations. The current enforcement priorities for the State and Regional Water Boards are available [online](#).

Currently, statewide enforcement priorities include the following:

- Significantly increase the compliance rate for core enforcement programs with a focus on the most vulnerable communities as identified by CalEnviroScreen or other relevant data.
- Increase enforcement activities conducted in collaboration with federal, state, and local agencies, Tribes, district attorneys, and private attorneys to maximize effectiveness of enforcement efforts.
- Identify enforcement goals and track enforcement performance measures that drive meaningful enforcement with a focus on programs with low compliance rates.
- Promote enforcement actions to raise awareness among the media and public about the Water Board's efforts to protect water quality and the environment.

Regional enforcement priorities continue to focus on violations that affect one or more key beneficial use categories (i.e., municipal water supply, fish and shellfish consumption, recreation, and ecosystem health) in a key area for the specific use. Additional factors considered when selecting cases for formal enforcement include the degree of harm to receiving waters, program-specific enforcement priorities, and other Water Board priorities (such as equity considerations, environmental justice, and the human right to water).

On an annual basis, the State Water Board, with participation from the Regional Water Boards, develops performance measures and [performance targets](#) for most Water Board programs. State Board's Office of Information Management and Analysis (OIMA) uses data entered and available in tracking databases (e.g. CIWQS, SMARTS, and Geotracker) to prepare [annual Performance Reports](#) that attempt to identify status and trends within the regions and among the programs. The State and Regional Water Board staff are discussing ways to better align the enforcement priorities with the reporting tools available for the performance reports.

LEGAL CONCERNS

None.

PUBLIC NOTICE

The agenda notice for today's meeting was posted on the San Diego Water Board's website and sent to subscribers to the email list for Board meetings. Information was also sent to subscribers of the email list for Penalty Assessment Notices. This satisfies the Bagley-Keene Open Meeting Act requirements to publish the meeting notice and agenda.

SUPPORTING DOCUMENTS

None.