

**STATE WATER RESOURCES CONTROL BOARD
SEPTEMBER 15, 2020 – ITEM 12
EXECUTIVE DIRECTOR’S REPORT**

DIVISION OF WATER QUALITY

Santa Ana Regional Water Quality Control Board’s Consideration of the NPDES Permit Renewal and Water Code 13142.5(b) Determination for Poseidon

Resources’ Proposed Huntington Beach Desalination Facility (Facility): The Santa Ana Regional Water Quality Control Board (Santa Ana Water Board) held a three-day public hearing on July 30-31, 2020 and August 7, 2020 to hear oral public comments and consider adoption of the Poseidon Resources’ Huntington Beach Desalination Facility’s National Pollutant Discharge Elimination System permit and determination pursuant to Water Code section 13142.5(b) (collectively, Tentative Order). At the hearing, Santa Ana Water Board and State Water Board (collectively Water Boards) staff provided an overview of the Tentative Order for the Facility and summarized the comments received during the public comment period and the responses to those comments.

During the August 7, 2020 meeting, Water Boards staff recommended revisions to the June 30, 2020 Tentative Order, consistent with direction from the Santa Ana Water Board at the July 30-31, 2020 public hearing, to decrease the mitigation credit for dredging the inlet at Bolsa Chica and supplement with additional mitigation to offset the intake and mortality of all forms of marine life associated with the construction and operation of the Facility. After much deliberation, the Santa Ana Water Board determined the amount of credit for dredging the inlet at Bolsa Chica was still insufficient and directed staff to further revise the June 30, 2020 Tentative Order to include additional mitigation for the Facility’s impacts. The Santa Ana Water Board also requested staff provide more information regarding whether the human right to water can impact their decision on the Tentative Order for the Facility. Staff will present this additional information with proposed revisions to the Tentative Order to the Santa Ana Water Board at a future meeting. Staff anticipate providing these revisions with the board meeting agenda notice. The Santa Ana Water Board will continue its deliberation and consideration of the Tentative Order for the Facility at a future meeting.

For additional information:

https://www.waterboards.ca.gov/santaana/water_issues/programs/Wastewater/Poseidon.html.

Volumetric Annual Reporting of Wastewater and Recycled Water: The Recycled Water Policy requires wastewater and recycled water dischargers (including wastewater dischargers that do not produce any recycled water) to annually report monthly volumes of influent, wastewater produced, and effluent; including treatment level and discharge type. Where applicable, dischargers are additionally required to annually report recycled water use by volume and category of reuse. Per executive Order No. WQ 2019-0037-

EXEC, this reporting is required annually by April 30 of each calendar year. A 60-day extension was granted on the reporting deadline for the 2019 calendar year report, from April 30 to June 30, 2020.

After the extended June 30th deadline, staff contacted facilities that did not submit the volumetric annual report via telephone and e-mail. The outreach effort conducted throughout July yielded approximately an additional 75 reports. As of August 17, 2020, 670 of 775 facilities have submitted volumetric annual reports. Staff is performing quality assurance and control checks on data and conducting outreach to remaining facilities to assist with data entry. In addition, staff is creating data visualizations to review analysis results and release the data to the public. Staff anticipates presenting an informational item to the Board in December 2020.

A training webinar, help guide, and frequently asked questions fact sheet are available for dischargers on the Volumetric Reporting webpage. Dischargers needing additional assistance with the volumetric annual report can email recycledwater@waterboards.ca.gov or call (916) 341-5858.

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

Cannabis Cultivation Regulatory Programs: The Cannabis Cultivation Regulatory Program 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: https://www.waterboards.ca.gov/board_info/exec_dir_rpts/pol_per_view.html

DIVISION OF WATER RIGHTS

Permitting and Enforcement Branch

Bay-Delta, Hearings, and Special Projects Branch

Joint Points of Diversion Fish Protection Plan: On June 25, 2020, the U.S. Bureau of Reclamation and Department of Water Resources (Projects) submitted an operations plan for the protection of fish and wildlife and other legal users of water (Fish/Water User Protection Plan, or Plan) pursuant to the requirements of State Water Board Decision 1641 (D-1641) for the use of Stage 2 Joint Point of Diversion (JPOD). The Projects requested expedited review for planned JPOD operations through September of this year. D-1641 allows the Projects to use each other's points of diversion in the Delta to divert or redivert water under three stages. Under Stage 2 JPOD, the Projects can divert or redivert water at each other's facilities for any purpose authorized under the specified water right permits (up to specified amounts identified in D-1641) subject to development and implementation of an approved Fish/Water User Protection Plan. A prior version of the Fish/Water User Protection Plan was approved in 2007 but expired

in 2008. There has not been a Fish/Water User Protection Plan in place since that time. The Fish/Water User Protection Plan was approved on an interim basis through September of this year subject to various conditions to ensure the protection of fish and wildlife and other legal users of water and no redirected impacts to recreational or cultural resources. The State Water Board will revisit long-term approval of Plan at a later date.

Additional information is available at:

https://www.waterboards.ca.gov/waterrights/water_issues/programs/bay_delta/jpod/

Amador Water Agency Hearing – Pre-Hearing Conference: On July 7, 2020, the State Water Board issued a Notice of Public Hearing and Pre-Hearing Conference for a hearing to consider Application 5647X03 and associated petition for partial assignment of State Filed Application (SFA) 5647 filed by Amador Water Agency (AWA), and a request for a partial reversion of rights currently assigned to Jackson Valley Irrigation District (JVID). On July 15, 2020, the State Water Board issued a Notice of Rescheduling of Public Hearing for this matter. A pre-hearing conference was held on August 12, 2020 to discuss schedule and logistics of the upcoming hearing. The hearing is currently scheduled for September 29 and 30, 2020.

AWA utilizes facilities owned and operated by Pacific Gas and Electric Company (PG&E) for purposes of its Central Amador Water Project (CAWP), which provides water for municipal purposes to communities within the central portion of Amador County. Under Application 5647X03, AWA seeks to directly divert up to 5 cubic feet per second from the North Fork Mokelumne River and the Bear River, and to divert up to 1,400 acre-feet per annum (afa) to storage in PG&E's Lower Bear River Reservoir from October 1 to July 15. AWA plans to utilize existing infrastructure on the North Fork Mokelumne River and the Bear River to provide up to an additional 1,050 afa of water for beneficial use from a combination of direct diversion and rediversion from storage. Additional information is available on the [Amador Water Agency Hearing web page](#).

Sacramento River Temperature Management Plan Approval: On July 31, 2020, the U.S. Bureau of Reclamation's (Reclamation) submitted an addendum to its May 2020 Sacramento River Temperature Management Plan (TMP) prepared pursuant to State Water Board Order 90-5. The July 31 addendum indicated that there were improvements in temperature conditions this year compared to projected conditions under the May TMP. Given these improved conditions, Reclamation requested that the State Water Board reconsider a June objection to the TMP. Relevant to this issue, failure to approve the TMP would have resulted in Reclamation's inability to use Stage 2 Joint Points of Diversion (JPOD) to provide water this fall to CVP contractors south of the Delta, including to wildlife refuges. Reclamation indicated that the Stage 2 JPOD operations would not affect temperature management or reservoir releases. Given the improved conditions this year and the unintended consequences of not approving the TMP to refuges and other CVP contractors, the State Water Board reconsidered its objection to the TMP. The State Water Board approved the TMP subject to the following conditions:

- JPOD diversions do not adversely affect Sacramento River temperature management or Shasta Reservoir storage conditions;
- Reclamation develops a draft Sacramento River temperature planning protocol by September 30, 2020; and
- By September 15, 2020, Reclamation provides additional information concerning fall operations.

Additional information is available at:

https://www.waterboards.ca.gov/waterrights/water_issues/programs/drought/sacramento_river/

Sacramento River Temperature Planning Protocol: On August 31, 2020, the State Water Board sent a letter to the U.S. Bureau of Reclamation (Reclamation) identifying elements that should be included in a draft Sacramento River temperature management planning protocol. As part of the State Water Board's conditional approval of Reclamation's 2020 Temperature Management Plan (TMP), Reclamation is required to develop an initial draft protocol by September 30, 2020. The State Water Board will hold a public workshop this fall in coordination with Reclamation to receive public comment on the initial draft protocol to inform its completion. Once public comments are received, the Board intends to work with Reclamation to refine and finalize the protocol before the beginning of the next temperature planning and water supply allocation season in February 2021.

Additional information is available at:

https://www.waterboards.ca.gov/waterrights/water_issues/programs/drought/sacramento_river/

Water Quality Certification, Public Trust, Cannabis, Administrative, & Reporting Branch

Spring Gap-Stanislaus Hydroelectric Project: On August 6, 2020 the Executive Director issued an amendment to the water quality certification for the Spring Gap-Stanislaus Hydroelectric Project (FERC Project No. 2130). The amendment includes revisions to the Labor Day Pinecrest Lake level requirements. Pinecrest Lake is located on the South Fork of the Stanislaus River, in Tuolumne County, California. The amendment and other information are available at the State Water Board's **Spring Gap-Stanislaus Hydroelectric Project webpage**, which is available at: https://www.waterboards.ca.gov/waterrights/water_issues/programs/water_quality_cert/springgap_ferc2130.html

Yuba River Development Project: On August 13, 2020, Yuba County Water Agency (YCWA) submitted a petition for reconsideration to the State Water Board for the water quality certification (certification) issued for the Yuba River Development Project (Project) on July 17, 2020, citing disagreements with conclusions contained in the certification. On August 28, 2020, YCWA submitted a supplement to its petition for reconsideration entitled *Supplemental Technical Memorandum on Yuba River Development Project Generation and August 2020 Electrical System Crisis*. The

certification and other Project-related information are available on the **Project webpage**, which is available online at:

https://www.waterboards.ca.gov/waterrights/water_issues/programs/water_quality_cert/yubariver_ferc2246.html

Yuba-Bear Hydroelectric Project: On August 14, 2020, the Executive Director issued a final water quality certification for Nevada Irrigation District's Yuba-Bear Hydroelectric Project (Project). On July 21, 2020, the Federal Energy Regulatory Commission (FERC) upheld its April 16, 2020 decision finding the State Water Board's certification authority for the Project was waived. Additional information is available on the State Water Board's **Project webpage** at:

https://www.waterboards.ca.gov/waterrights/water_issues/programs/water_quality_cert/yubabear_ferc2266.html

Merced River and Merced Falls Hydroelectric Projects: On July 20, 2020, the State Water Board filed a request for rehearing with FERC, asking for reconsideration of its June 18, 2020 order waiving the State Water Board's certification for Merced Irrigation District's Merced River and Merced Falls Hydroelectric Projects (Projects) (FERC Project Nos. 2179 and 2467). On July 31, 2020, the Executive Director issued a final water quality certification for the Projects. Issuance of this certification will become effective only if FERC's order finding waiver is overturned.

On August 20, 2020, the Federal Energy Regulatory Commission issued a *Notice of Denial of Rehearing by Operation of Law*, effectively denying the State Water Board's July 20, 2020 request for rehearing of FERC's June 18, 2020 order finding waiver of the State Water Board's water quality certification authority for the Merced River and Merced Falls Hydroelectric Projects (Projects). On August 28 and August 31, 2020, the State Water Board received petitions for reconsideration of the State Water Board's July 31, 2020 certification for the Projects from Merced Irrigation District and Gallo Vineyards, Inc./G3 Enterprises, Inc. respectively. Additional information is available on the [Merced River webpage](#) and [Merced Falls webpage](#).

Pine Creek Mine Hydroelectric Project: On August 25, 2020, the Executive Director issued a final water quality certification (certification) for the Pine Creek Mine Hydroelectric Project (Project). The Project is located adjacent to Pine Creek and Morgan Creek, in Inyo County, and involves construction of a hydroelectric turbine within an existing mine. Additional information, including the Initial Study and Negative Declaration and certification, is available on the **Project webpage** at:

https://www.waterboards.ca.gov/waterrights/water_issues/programs/water_quality_cert/pine_creek_mine_ferc12532.html

North Coast Coordination Efforts Related to Instream Flows: State Water Board staff have been involved in several coordination efforts related to flows in Northern California streams, as outlined below.

- *Upper Russian River Water Managers Meeting.* On August 12, 2020, State Water Board staff presented at the Upper Russian River Managers Meeting. Staff presented on the need for water conservation and upcoming flyer (see next bullet) and water availability analysis that staff are working on for the Russian River watershed.
- *Flyer to Promote Water Conservation.* Coastal streams in Northern California are experiencing extreme low flows this summer. The low flows are a significant threat to the survival of juvenile coho salmon and steelhead. The California Department of Fish and Wildlife, National Marine Fisheries Service, State Water Resources Control Board, and North Coast Regional Water Quality Control Board developed a joint **flyer promoting water conservation actions**. The flyer was sent to stakeholders in the Russian River watershed and other key watersheds in the North Coast on August 19, 2020, to encourage surface and groundwater diverters to conserve water and help maintain instream flows to support fish in local streams. The flyer is also posted on the State Water Board's website and is available online at: https://www.waterboards.ca.gov/waterrights/docs/north_coast_water_conservation_outreach_flyer.pdf
- *North Coast Stream Flow Coalition Meeting.* On August 25, 2020, State Water Board staff presented at a North Coast Stream Flow Coalition meeting. The North Coast Stream Coalition is made up of a conglomerate of nonprofit organizations striving to improve flows in coastal streams. Topics of discussion included current and planned actions in the North Coast to address low flows in coastal streams, drought outreach and preparedness, updates on Cannabis Cultivation Policy-related efforts, updates on the California Water Action Plan efforts, and State Water Board authorities to address groundwater management issues outside of Sustainable Groundwater Management Act basins.

DIVISION OF DRINKING WATER

The first State Small water system with centralized RO nitrate treatment had its Bottled Water Order (not Boil Water Order) lifted on Friday, August 28. The treatment system was on-line for over a month and working well. Nitrate samples were all below the MCL of 10 mg/l (as nitrogen) and a lead and copper sample confirmed the post-RO treated water, followed by a calcite contactor, was not leaching lead or copper. This was a joint project between the Monterey County Environmental Health Department, the University of California at Los Angeles and the State Water Board, Division of Drinking Water and Division of Financial Assistance.

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 16 permits were issued between August 1 and August 31, 2020.

Water System	Permit Number	Permit Purpose
CalWest Rain, Inc.	03-23-20P-012	Updated Permit & POE
Paradise Irrigation District	01-02-99(P)040001A3	Post Camp Fire reqmts
St. Peter's Catholic Cemetery	03-23-20P-013	New Permit
Carmichael Water District	01-09-20-PER-016	Permit Amendment – Barret School Well
Buck Ridge Hensley Lake	03-11-20P-022	Revised Permit
Yosemite Spring Park Utility Co	03-11-20PA-002	Permit Amendment 4-log virus removal
Golden State Water Company – West Orange County	05-08-20PA-008	Clair Well 4 Inactivation
West Valley Water District	05-13-20PA-010	Well 17 Standby
Rancho California Water District	05-20-20PA-016	Add Well 176
Crescenta Valley Water District - WS No. 1910028	1910028PA-007	Chloramination
Three Valleys Municipal Water District – WS No. 1910041	1910041PA-004	Permit Amendment for Grand Avenue Well
City of Clovis	03-12-20PA-012	Change in Treatment & Change well status
Cal Water – Visalia	03-12-20PA-013	GAC Treatment for PFAS
Grimmway Enterprises-David Road WS	03-19-20P-012	New Water System Permit
Inyokern CSD	03-19-20P-013	Updated Permit
Camp Lakota	03-19-20P-014	Updated Permit

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 documented from August 1 and August 31, 2020.

Water System	Violation	Contaminant or Rule	Enforcement Action
ANANDA RETREAT CENTER	Monitoring	COLIFORM	Notice of Violation
BURNT RANCH ESTATES	Monitoring	RTCR	Notice of Violation
CAL TRANS - CRESTVIEW REST AREA	Monitoring	NITRATE	Citation or Compliance Order
CALIFORNIA ODD FELLOW-REBEKAH	Monitoring	RTCR	
CALTRANS - MOUNTAIN PASS JPOE CVEF	Monitoring	NITRATE	Citation or Compliance Order
CAMACHO'S RESTAURANT	Monitoring	RTCR	
CAMP JACK HAZARD	Monitoring	RTCR	
CAMP ROSS RELLES	MCL	COLIFORM	Citation or Compliance Order
CAZADERO WATER COMPANY, INC. (PUC)	Treatment Technique	SWTR	Citation or Compliance Order
CEJA-REYES INC	Monitoring	RTCR	Citation or Compliance Order
COBB AREA CWD - STARVIEW	Monitoring	RTCR	Citation or Compliance Order
CRESCENT BAY IMPROVEMENT COMPANY	MCL	HAA5	Citation or Compliance Order
ENGLEBRIGHT DAM RECREATION CENTER	Monitoring	COLIFORM	Notice of Violation
ESPARTO C.S.D.	Monitoring	LCR	Notice of Violation
ETNA, CITY OF	Monitoring	RTCR	Notice of Violation
GALINDO HOUSING FACILITY	Monitoring	RTCR	Citation or Compliance Order
HEAVENLY HILLS CHRISTIAN CAMP	Monitoring	RTCR	
IID VILLAGE	MCL	ARSENIC	Citation or Compliance Order
JEHOVAH'S WITNESSES - DAVIS	Monitoring	RTCR	
LAZY J RANCH MOTEL	Monitoring	RTCR	Citation or Compliance Order
LOCH LOMOND MUTUAL WATER CO	Monitoring	RTCR	Citation or Compliance Order
LOST DUTCHMAN MINING ASSOC	Monitoring	RTCR	
MCCABE UNION SCHOOL	Monitoring	RTCR	

Water System	Violation	Contaminant or Rule	Enforcement Action
MCCALL PARK - RIV.COUNTY PARKS	Treatment Technique		Citation or Compliance Order
MCPR-CATHEY S VALLEY PARK	MCL	E. COLI	Citation or Compliance Order
MESA WATER DISTRICT	Monitoring	COMBINED URANIUM	Citation or Compliance Order
MESA WATER DISTRICT	Monitoring	GROSS ALPHA, EXCL. RADON & U	Citation or Compliance Order
MT. GEORGE ESTATES	Monitoring	RTCR	Notice of Violation
NJUHSD MCCOURTNEY RD.	MCL	COLIFORM	Citation or Compliance Order
NPS - DEATH VALLEY, STOVEPIPE WELLS	Monitoring	NITRATE	Citation or Compliance Order
OLD STAGE SALOON AT FOUNTAIN SPRINGS	Other		Citation or Compliance Order
PANAMINT SPRINGS RESORT	Monitoring	NITRATE	Citation or Compliance Order
PCSH, LLC	Monitoring	RTCR	Notice of Violation
PENRYN OAKS PRESCHOOL	MCL	COLIFORM	State Specific Enforcement Action
PETERSONS CORNER WATER SYSTEM	Monitoring	COLIFORM	Notice of Violation
PROVIDENCE MTNS SRA	Monitoring	NITRATE	Citation or Compliance Order
ROBINSON CREEK CAMPGROUND	Monitoring	COLIFORM	Citation or Compliance Order
SANTA ANA RIVER WATER COMPANY	Other		Citation or Compliance Order
SHADY LAKE WATER ASSOCIATION	MCL	COLIFORM	Citation or Compliance Order
SWEET BRIAR CAMP	Other		Citation or Compliance Order
TAMARACK LODGE	Monitoring	RTCR	Notice of Violation
USFS SUGAR PINE RESERVOIR	MCL	COLIFORM	State Specific Enforcement Action
VALLEY FORD HOTEL	Monitoring	RTCR	Citation or Compliance Order
WESTSIDE SCHOOL	Monitoring	RTCR	

Water System	Violation	Contaminant or Rule	Enforcement Action
WINDY HILL WINERY	Monitoring	E. COLI	Citation or Compliance Order
WINDY HILL WINERY	Monitoring	RTCR	Citation or Compliance Order
YMCA CAMP ARBOLADO	Monitoring	NITRATE	Citation or Compliance Order
Total Enforcement Actions =	47		

Environmental Laboratory Accreditation Program (ELAP)

After adoption of new program regulations in May, ELAP launched a compliance assistance initiative, Roadmap to ELAP Accreditation, to assist laboratories in making the transition to new requirements that are anticipated to become effective on January 1, 2021. Significant items include:

- ELAP has held individual Transition Appointments for 36 laboratories prioritized based on certificate expiration date to answer questions and help them create their own transition plans. Each accredited laboratory will be offered an appointment. Eighteen of the 36 laboratories are early adopters of the TNI Standard.
- ELAP Senior staff assumed the chairperson role for the TNI Mentorship Committee to expand California’s initiative to the national level.
- ELAP is in the process of connecting five small California municipal laboratories with expert mentor laboratories as part of a new Mentor Initiative and born from the ACIL Mentor Initiative:
 - Contra Costa Water District
 - City of Hayward
 - City of Antioch
 - City of Pittsburg
 - City of Brentwood

ELAP released a draft Memorandum of Understanding (MOU) for Third-Party Laboratory Assessors for public comment. ELAP will present the item to the State Board at its September 15th meeting. The MOU defines the terms and conditions third-party providers must meet to perform assessments of California-ELAP laboratories. ELAP staff attended the virtual National Environmental Monitoring Conference to connect with industry colleagues and garner information about emerging environmental monitoring and laboratory accreditation issues.

The following laboratory accreditations were issued by ELAP from August 1-August 31, 2020:

ELAP ACCREDITATIONS ISSUED		
	August 2020	Year-to-Date
New Accreditations	0	16
Renewed Accreditations	25	274
Reciprocity Accreditations	11	74
Amended Accreditations	11	46
Total	47	410

ELAP conducted the following enforcement actions from August 1-August 31, 2020:

ELAP ENFORCEMENT ACTIONS			
Laboratory	Certificate Number	Action	Detail
WETLAB- Western Environmental Testing Laboratory	2523	Notice of Violation	Failure to report timely results

DIVISION OF ADMINISTRATIVE SERVICES

Update on Water Quality, Water Rights and Drinking Water Fees Stakeholder Process

The new Environmental Laboratory Accreditation Program (ELAP) emergency fee regulations were adopted at the July 21 Board Meeting and are in the process of being reviewed and will be submitted to the Office of Administrative Law in coordination with the new program regulations. Staff held the following general fee stakeholder meetings: August 5 – Drinking Water and August 6 – Water Quality and Water Rights. Also on August 6, staff held a stakeholder meeting to discuss fees for the Proposed General Waste Discharge Requirements for Winery Process Water (Winery General Order). At the September 15 Board Meeting, staff will present for the Board’s consideration the proposed changes for the FY 2020-21 Water Rights and Water Quality fee schedules.

DIVISION OF FINANCIAL ASSISTANCE

Underground Storage Tank Cleanup Fund:

Claims Program

- There are approximately 955 claims on the Priority List waiting to receive a Letter of Commitment, which enables eligible claimants to begin submitting Reimbursement Requests (RRs) for eligible cost reimbursement. The Priority List is comprised of Priority D claims where most of the cases are closed and are no longer incurring cleanup costs.
- In Fiscal Year 2019-20, 954 claims were activated from the Priority List. For Fiscal Year 2020-21, program staff anticipate activating 950 claims from the Priority List and have activated 108 claims within the first two months of this fiscal year. The remainder of the Priority List is expected to be activated in the first half of Fiscal Year 2021-22.
- There are more than 3,735 active claims that can submit RRs for eligible cost reimbursement. Over 2,660 claims are Priority Class D claims.
- For more information, see:
https://geotracker.waterboards.ca.gov/cuf_report.asp?report=ranking

Claims Reimbursements

- The Fund utilized the full \$200M in budget authority in Fiscal Year 2019-20 for claims reimbursements and reimbursed \$121M against this authority.
- Last fiscal year, a total of 2878 RRs (\$190 million) were submitted and paid. Approximately 268 RRs (\$8.9 million) have been submitted through FISCAL for payment processing during the first two months of the current fiscal year.
- For more information, see:
http://www.waterboards.ca.gov/water_issues/programs/ustcf/payments_status.shtml#waiting
- Beginning in September 2017, the Fund initiated a Project to resolve the backlog of pending appeals. Only 1 of the 240 appeals pending at that time remains to be resolved. Approximately 80 newer appeals are being evaluated.

UST Case Closure Reviews

- In Fiscal Year 2019-20, 413 Review Summary Reports (RSRs) were completed.
- For Fiscal Year 2020-21, fund staff anticipate completing 475 RSRs and have completed 53 RSRs within the first two months of this fiscal year.
- During Fiscal Year 2019-20, one UST case was issued a Uniform Closure Letter.
- For more information, see:
http://www.waterboards.ca.gov/water_issues/programs/ustcf/prop_closure_cases.shtml

Expedited Claim Account Program (ECAP)

- Since inception, there have been 225 claims accepted into the program. Over \$62 million of the \$100 million has been committed to ECAP eligible sites and approximately \$33 million has been paid for corrective action costs.

- A total of 49 cases (39%) have been closed to date with an additional 41 claims in the closure process.

Grant Programs

- The **Orphan Site Cleanup Fund (OSCF)** funded 24 projects for a total of \$4.9 million in grant agreements.
- The **Site Cleanup Subaccount Program (SCAP)** has committed over \$80 million in grants and contracts to 80 projects since inception. In Fiscal Year 2019-20, 20 projects were funded for \$27.8 million. In Fiscal Year 2020-21, 15 new projects and 15 amendments to existing contracts and grants are anticipated to be funded for \$30 million.
- For more information, see:
https://www.waterboards.ca.gov/water_issues/programs/grants_loans/scap/docs/projects_list.pdf

Replacing, Removing, or Upgrading Underground Storage Tanks Program (RUST)

- In Fiscal Year 2019-20, RUST received 75 grant, loan, or loan/grant combo applications requesting more than \$26 million. RUST executed 43 grants or loans within the fiscal year totaling nearly 9 million.
- During the fiscal year, the RUST program transitioned many of its processes to align with the Cleanup Fund’s existing processes and resources. This included utilizing the Cleanup Fund Hydrogeology and Engineering Section’s expertise when reviewing eligibility for grants and loans, as well as utilizing Fund staff for financial background reviews of loan applicants. The program is currently transitioning its tracking database and application intake into systems and databases used by the Fund.
- For more information, see:
https://waterboards.ca.gov/water_issues/programs/ustcf/rust.html

Environmental Section

Completed Significant Events

On August 27, 2020, DFA staff met with the United States Environmental Protection Agency (EPA), Region 9 and the Advisory Council on Historic Preservation to continue consultation on development of California Clean/Drinking Water State Revolving Fund Programs’ specific Programmatic Agreement for compliance with Section 106 of the National Historic Preservation Act.

California Environmental Quality Act (CEQA) Approvals (August 2020)	
Project No.	Entity - Description
CEQA Lead Agency Documents	
None to report.	
Clean Water	
None to report.	

Drinking Water	
1910070-002C	Los Angeles County Waterworks District No. 40, Desert Palms Mobile Home Park Intertie Project, CEQA Determination on a Notice of Exemption (NOE) as the Responsible Agency approved on August 26, 2020, and an NOE filed with the Governor's Office of Planning and Research (OPR) on August 28, 2020.
1510016-005C	Rand Communities Water District, Arsenic Remediation New Well Project, CEQA Determination on an Initial Study/Mitigated Negative Declaration (MND) as the Responsible Agency approved on August 17, 2020, and a Notice of Determination (NOD) filed with the OPR on August 18, 2020.
Water Supply Permits	
3610012	City of Chino, Eastside Water Treatment Facility Expansion and Brine Pipeline Project, prepared a CEQA Findings Memo and an NOD on an MND as the Responsible Agency, and sent to the Division of Drinking Water (DDW) District Office to approve and file with the OPR.
1910017	Santa Clarita Valley Water Agency, Skyline Ranch Project, prepared a CEQA Findings Memo and an NOD on an Environmental Impact Report (EIR) as the Responsible Agency, and sent to the DDW District Office to approve and file with the OPR.
1910139	California American Water Company- San Marino, Danford Well 1- Replacement to Winston Well Project, prepared a CEQA Findings Memo and an NOE on a Categorical Exemption (CE) as the lead agency, and sent to the DDW District Office to approve and file with the OPR.
1502759	Wonderful Pistachios & Almonds- Lost Hills, New Water Treatment System Project, prepared a CEQA Findings Memo and a NOE on a CE as the lead agency, and sent to the DDW District Office to approve and file with the OPR.
1910067	Los Angeles- City, Department of Water and Power, Fairmont Sedimentation Plant Project, prepared a CEQA Findings Memo and an NOD on an MND as the Responsible Agency, and sent to the DDW District Office to approve and file with the OPR.
1710010	Lower Lake County Waterworks District, Lower Lake/Konocti/Highlands Emergency Interties Project, prepared a CEQA Findings Memo and an NOD on an MND as the Responsible Agency, and sent to the DDW District Office to approve and file with the OPR.
5610063	Camrosa Water District, New Well Project, prepared a CEQA Findings Memo and a NOE on a CE as the lead agency, and sent to the DDW District Office to approve and file with the OPR.

Office of Sustainable Water Solutions (OSWS)

Drinking Water Projects Funded (August 2020)		
Project #	Recipient – Project Purpose	Funding Amount
2710007-001P	City of Gonzales – Planning application to connect the drinking water system of River Road Water System NO. 25 with City of Gonzales	\$375,000: SCG-DW, S&A-DW
0610004-001C	City of Williams – Construction project that will install a manganese filtration system, backwash tank, extension of the filters control building and other key components to the water distribution center.	\$4,729,000: DWSRF, SCG-DW
4210009-001C	Cuyama CSD - Project will install and complete a backup water production well and connect it with the water system to reduce vulnerability in this location.	\$975,000: DWSRF, SCG-DW

Wastewater Projects Funded (August 2020)		
Project #	Recipient – Project Purpose	Funding Amount
8385-110	City of Gonzales – planning project aims to provide extension of sewer lines to Alpine court.	\$105,000: SCG-WW
8452-110	City of Sutter Creek – Planning project that will design, get permitting, and environmental studies for the proposed construction of a new tertiary WWTP.	\$500,000: WR, CWSRF

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

The table below summarizes the projects approved by funding category in the month of August 2020. All projects benefit a disadvantaged community that has a water quality compliance issue or an urgent drinking water need.

Funding Category	Types of Projects	Number of Projects Approved for the Month of August 2020	Total Amount Approved for the Month of August 2020	Total Amount Approved for FY 2020/21
Interim Replacement Water	Hauled Water and Bottled Water	1	\$189,000.00	\$1,187,574.00
Interim Solutions	POUs, POEs, Emergency interties etc.	1	\$13,309.00	\$13,309.00

Projects Approved in August 2020 (includes SAFER, Proposition 84 Emergency, General Fund, and CAA Urgent Drinking Water Needs funding sources)

Recipient	Project Purpose	Funding Amount	Funding Program	Category
Paskenta Community Services District	The CSD's only source of drinking water is Thomes Creek. The creek pump has shut off automatically due to low flows in the creek. In recent years, a downhole camera investigation revealed that the infiltration gallery is in poor condition. This Project would fund hauled water from the City of Corning to fill the 200,000-gallon storage tank.	\$189,000.00	General Fund 2019 AB74-Provision 2.5	Interim Replacement Water
Self-Help Enterprises for Sierra Vista Association	Pump failure just before Independence Day. SHE stepped in, providing bridge funding for pump replacement, tank repairs, follow-up disinfection and bacti-testing. SHE also used CalOES funding to provide tanks and hauled water during the outage (not included in this project). This project would reimburse SHE for their efforts.	\$13,309.00	General Fund 2019 AB74-Provision 2.5	Interim Solutions

OFFICE OF RESEARCH, PLANNING, AND PERFORMANCE

Water Conservation

The response rate for the July Urban Water Conservation Report was 76% (310 out of 409 reports submitted). The estimated total production (accounting for missing reports) is similar to the 2018 volume for July (roughly 203 billion gallons), and the statewide R-GPCD (119 GPCD) is similar to the 2018 value (118 GPCD).

The [Urban Water Conservation Reporting Regulation](#) was adopted at the April 21 Board Meeting. Conservation staff submitted the rulemaking file to the Office of Administrative Law (OAL) at the end of May. The rulemaking should become effective October 1, 2020.

Department of General Services approved contract [19-058-240](#), which will support the environmental and economic analysis of new water efficiency standards to meet California Environmental Quality Act (CEQA) and other procedural requirements, as required for the regular rulemaking process. The Water Board passed a [Resolution No. 2019-0029](#) in support of this contract on June 18, 2019.

COVID-19

The water shutoff reporting site received 24 reports for the month of August.

OFFICE OF ENFORCEMENT

Office of Enforcement holds biennial enforcement training: On August 11 & 12, 2020, the Office of Enforcement hosted a two-day virtual training event for Water Board staff across the state. Keynote speakers included CalEPA Secretary Jared Blumenthal and State Water Board Chair Joaquin Esquivel. Topics at the event ranged from introductory courses on application of the 2017 Enforcement Policy to emerging enforcement issues related to COVID-19 and equity in enforcement. V Several recent enforcement case studies were also presented, highlighting several region's collaborative and persistent enforcement programs.

Over 175 individuals attended the training over the two days, and feedback has been very positive. The Office of Enforcement works closely with the nine Regional Water Quality Control Boards to develop content for these trainings. The Statewide Enforcement Training is routinely held every two years, typically in-person. The Office of Enforcement looks forward to hosting the next training event in 2022 as an in-person event.

Phillips 66 San Francisco Refinery agrees to \$285,000 Settlement for Discharge

Violation: The San Francisco Bay Regional Water Quality Control Board [fined the Phillips 66 Co. \\$285,000](#) for discharging more than 5 million gallons of partially treated wastewater from its San Francisco Refinery to San Pablo Bay. The fine stems from a Feb. 14, 2019, discharge that exceeded the suspended solids load allowed by Phillips 66 Co.'s discharge permit. Suspended solids from petroleum refineries may contain toxic byproducts of refinery operations that can harm aquatic life although no harm was observed in San Pablo Bay from the discharge event. The settlement requires the refinery to pay \$142,500 to the State Water Pollution Cleanup and Abatement Account and \$142,500 on a supplemental environmental project to study how sediment moves through San Francisco Bay.

City of Galt agrees to six-figure settlement in sewage spill case: The [City of Galt has agreed to pay \\$110,715](#) to settle a case that began two years ago when 301,000 gallons of untreated sewage overflowed into Dead Man Gulch, a tributary of South Laguna Creek. The spill occurred during a power outage when a faulty alarm system failed to alert city staff about malfunctioning pumps at a sewage lift station.

Under the terms of the settlement, the city will pay half of the settlement to the state's Water Pollution Cleanup and Abatement Account. The remaining \$55,357 will be used to implement an Enhanced Compliance Action consisting of the installation of several "Smart Covers" that provide early detection and notification of high water levels in the sewage collection system, reducing the likelihood of another spill.

Garberville Sanitary District to pay \$40,000 for unauthorized bulk water sales:

After violating a 2012 Cease and Desist Order by repeatedly selling unauthorized bulk water that was transported to construction sites in three northern California communities, the [Garberville Sanitary District agreed to pay \\$40,000](#) in a settlement with the State Water Resources Control Board. The order requires the district to stop selling and delivering water to users outside its permitted area unless needed for emergency domestic supply. In the case of an emergency, the order requires the district to maintain accurate records of the sales, including the date, location, volume of water provided and name of the purchaser.

During an investigation prompted by complaints from local residents, staff found the district violated both provisions of the order between 2017-2019, first by selling bulk water for construction projects 99 times in Humboldt, Lake and Mendocino counties - all locations outside its authorized area - and failing to record the site locations on 106 occasions.

Foul odors from Tulare County pistachio processing plant trigger cease and

desist order: The Central Valley Regional Water Quality Control Board [adopted a cease and desist order](#) yesterday directing Setton Pistachio of Terra Bella, Inc., to immediately eliminate objectionable odors coming from a large pond that contains pistachio processing wastewater. Issued at the start of pistachio season, the order also requires the pistachio producer to submit a pond compliance plan by Aug 21, a plan that would be immediately implemented upon any future detection of odors that violate

specifications. Violation of the order can lead to civil penalties and loss of the privilege to discharge wastewater to the pond.

The foul odors have disturbed nearby residents of Terra Bella, an unincorporated community in Tulare County, for nearly two years. Staff from the board's Enforcement Unit in Fresno worked with the San Joaquin Valley Air Pollution Control District in response to numerous odor complaints and documented violations of Waste Discharge Requirements during inspections in 2019 and early 2020. An investigation confirmed the odors originated in the pond and were detectable well beyond Setton's property. Between June 2019 and April 2020, board staff received 17 complaints from residents and issued three Notices of Violation to Setton. The air pollution control district also investigated more than 100 complaints and regularly provided the information and inspection findings to board staff.

Water Quality Enforcement Actions Issued August 2020

Administrative Civil Liability (ACL) Complaints Issued:

Region	Discharger/City	Violation(s) Addressed	ACL Order Amount	Date Issued
2	Param and Amandeep Dhillon/ Vallejo	Failing to submit an acceptable report on construction activities and to submit a report regarding the existence and extent of wetlands at the Property.	\$81,700	8/28/2020

ACL Orders Issued:

Region	Discharger/City	Violation(s) Addressed	ACL Order Amount	Date Issued
2	Phillips 66 Company Rodeo/ Rodeo	Unauthorized discharge of approximately 8.45 million gallons of partially-treated wastewater to San Pablo Bay.	\$285,000 (\$142,500 to CAA and \$142,500 to SEP)	8/19/2020
5S	City of Modesto/ Modesto	Mandatory Minimum Penalties (MMPs) for: <ul style="list-style-type: none"> • 3 exceedances of the 7-day median for total coliform • Exceedance of the instantaneous maximum effluent limit for total coliform 	\$18,000 (MMP – all to CAA)	8/4/2020

Region	Discharger/City	Violation(s) Addressed	ACL Order Amount	Date Issued
		<ul style="list-style-type: none"> 2 exceedances of the effluent limit for total coliform that occurred more than once in a 30-day period 		
5S	City of Galt/ Galt	Unauthorized discharge of 301,000 gallons of untreated wastewater spilled from the sanitary sewer system into Dead Man Gulch Creek.	\$110,715 (\$55,358 to CAA and \$55,357 to ECA)	8/4/2020
5S	Dutra Farms Inc. and City of Manteca/ Manteca	MMPs for four failures to meet the instantaneous minimum effluent limit for pH	\$12,000 (MMP – all to CAA)	8/4/2020
9	CAPEXCO c/o Keywest Engineering/ Poway	The following discharge monitoring reports were submitted late: third quarter of 2019 (submitted 107 days late); monthly report for October 2019 (submitted 89 days late); monthly report for November 2019 (submitted 59 days late); and monthly report for January 2020 (submitted 50 days late).	\$21,000 (MMP – all to CAA)	8/17/2020

13267 Investigative Orders:

Region	Discharger/City	Violations Addressed/Action(s) Required	Date Issued
5R	County of Plumas Chester Class III Landfill/ Chester	Failure to demonstrate financial assurances for a water-related corrective action cost estimate. The order requires the discharger to do so by September 30, 2020.	8/7/2020
9	City of Oceanside Collection System, La Salina WWTP	Unauthorized discharge of untreated wastewater to Buena Vista Creek and the downstream Buena Vista Lagoon. The Discharger shall submit evidence supporting the City's determination that the storm event that caused flooding was due to a 50-year, 24-hour frequency storm event, information about the impacts of the event, the steps take to mitigate, and an explanation why the technical report was not submitted timely to CIWQS.	8/5/2020

9	City of Oceanside San Luis Rey Water Reclamation Facility	Unauthorized discharge of untreated wastewater to Windmill Creek and the downstream Pilgrim Creek. The Discharger shall submit analysis of the source(s) of increased influent during storm event; measures taken/planned to prevent excessive influent flows, to address infiltration & inflow, and to mitigate excessive influent flows from upstream collection systems not owned or operated by the City; capacity of the Plant Storage Pond; method used to calculate the volume of the spill; and cost to treat the 820,000 gallons of wastewater that was released.	7/13/2020
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Cease and Desist Orders

Region	Discharger/City	Violations Addressed/Action(s) Required	Date Issued
5F	Setton Properties, Inc/ Terra Bella	CDO R5-2020-0038 was issued to address nuisance odor complaints from residents. It requires the Discharger to submit a Pond Compliance Plan to be immediately implemented in the event that dissolved oxygen concentrations in any pond containing wastewater violate the limits in the WDRs, or upon detection of odors that violate WDRs; submit an aeration system and/or additional pond modifications improvement report; within 120 days of receiving approval complete modifications; and submit an Operations and Maintenance Plan for the entire wastewater and stormwater collection, treatment, and disposal systems.	8/7/2020

Time Schedule Orders

Region	Discharger/City	Violations Addressed/Action(s) Required	Date Issued
8	John Wayne Airport/ Costa Mesa	TSO to allow additional time to install new Best Management Practices (BMPs) and implement additional policies to achieve compliance with numeric effluent limits for copper and zinc.	8/5/2020

Other Enforcement Actions Taken:

Region/Division	Actions Issued	Region/Division	Actions Issued
1	3	5S	9
2	4	6T	2
3	27	6V	1
4	38	7	0
5F	2	8	171
5R	1	9	3

OFFICE OF INFORMATION MANAGEMENT AND ANALYSIS

The Office of Information Management and Analysis led the fourth consecutive year of heightened testing for Freshwater Harmful Algal Blooms (FHABs) prior to Labor Day. The Water Boards, the Water Quality Monitoring Council, Office of Environmental Health Hazard Assessment, the California Department of Fish and Wildlife, and California Department of Public Health, along with tribes, water managers and county and state health officials, are coordinating efforts to investigate reported cases of health impacts linked to FHABs. Aided by our partner organizations OIMA staff coordinate the event response, including collecting water samples, tracking samples to laboratories and ensuring the data is valid. We select where to sample based on how popular the lakes and streams are and if they have a history of harmful algal blooms as part of an ongoing collaborative effort to share information with the public and work hard to share the data as close to “real time” as possible. The results of this annual holiday sampling effort, along with all the data on known FHAB events in California, are displayed on an interactive map and table app displayed at the Water Quality Monitoring Council’s website, here: https://mywaterquality.ca.gov/habs/where/freshwater_events.html

IRRIGATED LANDS REGULATORY PROGRAM UPDATE

August 2020

This month's Irrigated Lands Regulatory Program (ILRP) update provides a summary of significant activities of State Water Board from July 15, 2020 to August 15, 2020; and, the North Coast, San Francisco Bay, Central Coast, Los Angeles, Lahontan, Colorado River Basin, Santa Ana, and San Diego Regional Water Boards from June 15, 2020 to August 15, 2020. Next month's report will present activities of the Central Valley Water Board's Program and cover the time-period from July 15, 2020 to September 15, 2020.

State Water Board staff hosted a general meeting on Fees for all programs on August 6, 2020. There was interest on fees related to the agricultural programs, especially related to development of programs in other regions, enrollment in the program, and impact on future fees. Stakeholders requested to hold agricultural-specific fees-related meetings. Staff will be coordinating agricultural-specific fees meetings for future budget years.

State Water Board Order WQ-2018-0002 directed the Central Valley Water Board to convene an external expert review of the East San Joaquin Water Quality Coalition's surface water monitoring framework. Steve Weisberg of SCCWRP is facilitating the five-member panel external review. The first public Panel Meeting was held in January 2020, with two days at the Central Valley Water Board's Rancho Cordova office and one day touring the Coalition's monitoring locations. State Water Board staff serve on the advisory panel for the expert panel and will be attending the next panel meeting, which will take place from August 24 to 26, this time in a virtual environment. Additional panel and meeting information is available on the Expert Review Panel for the East San Joaquin Surface Water Quality Monitoring Program website.

North Coast Regional Water Board staff is currently developing a permit to address discharges of waste from vineyards in the North Coast Region. Staff is working to complete the administrative draft of the permit and an initial study. The vineyard permit/waiver development process will include substantial outreach to stakeholders and consultation with local Tribal interests. In July, staff held an online outreach meeting with stakeholder members of Mendocino County's Farm Bureau Association to discuss December 2019's North Coast Board meeting informational item that outlined the direction and potential content of the permit, as well as the development schedule. Staff continue to work closely with stakeholders to gather feedback and address concerns during the development process and plan on hosting public workshops in the winter of 2020 and during the public review period which is anticipated to occur in the fall/winter of 2021.

North Coast Regional Water Board staff also completed the administrative draft of the Smith River Plain Water Quality Management Plan (SRPWQMP), which addresses the water quality impacts associated with lily bulb cultivation. The Watershed Stewardship Team, a group comprised of local, state, and federal agencies, the Tolowas Dee-ni' Nation, and the lily bulb growers, completed their review and submitted their comments to the Regional Water Board. Staff is reviewing those comments, making revisions, and

will soon release a public review draft for public comment. After further revisions to the SRPWQMP, the Regional Water Board's Executive Officer (EO) will consider approving the plan. Elements of the plan are already being implemented and full implementation of the plan will begin after EO approval.

San Francisco Regional Water Board staff received enrollment information from the four approved Third-Party programs and are in the process of analyzing these data. This information will be used to develop additional outreach strategies and enforcement priorities for the program. Staff also received several requests via the Third-Party programs from growers who are having difficulty meeting WDR deadlines due to COVID-19 interruptions.

San Francisco Regional Water Board staff is also working with GeoTracker staff to post an annual report that will likely be available in August. The format of the annual report provides a mechanism to assess compliance, refine acreage counts, and resolve annual invoicing discrepancies.

Central Coast Regional Water Board staff will present an informational agenda item at their September 10-11, 2020 board meeting. September 10-11 is devoted to a workshop where stakeholders will provide comment on Draft Ag Order 4.0; this is following a 60-day comment period on Draft Ag Order 4.0. The agenda item will be continued at the September 23-24, 2020 board meeting, where staff will provide an overview of Draft Ag Order 4.0 requirements and comments received. The Board will discuss the draft requirements and comments and could provide direction to staff on the preparation of a revised or proposed draft Ag Order 4.0.

Los Angeles Regional Water Board staff participated in an effort to develop an application for the National Water Quality Initiative readiness phase for the Ventura River Watershed, which would provide funding for the growers in the watershed to implement best management practices for nutrient control. Other participating agencies include the Natural Resources Conservation Service, United States Environmental Protection Agency, Ventura County Resource Conservation District and Ventura County Agricultural Irrigated Lands Group. The application was submitted by the Natural Resources Conservation Service on July 1, 2020.

The existing Conditional Waiver for Discharges from Irrigated Lands (Order No. R4-2016-0143) was adopted on April 14, 2016 and expires on April 14, 2021. Los Angeles Water Board staff is reviewing conditions set forth in the existing Order and making recommendations for waiver renewal. Staff is analyzing the monitoring data for the 2005-2020 period and working on estimating the implementation costs of the Conditional Waiver program. Los Angeles Water Board staff is also incorporating the precedential requirements, identified in the State Water Board Order WQ 2018-0002, into the draft conditional waiver and the monitoring and reporting requirements.

On July 29, 2020, the Los Angeles Water Board staff had conference calls with Coastkeeper Alliance and the facilitator of the Expert Review Panel for the East San Joaquin surface water quality monitoring program to discuss information needed in response to the Panel's request of a presentation from the Los Angeles Water Board staff to describe the scope and design of the Ventura County surface water monitoring program.

Lahontan Regional Water Board staff is preparing a Staff Report to bring to the Regional Board in November 2020 with options and a recommended approach for developing the ILRP in the region. The draft Staff Report will likely be released at the end of September for a 30-day public review.

Colorado River Basin Regional Water Board adopted a time extension for the Conditional Waiver for Agricultural Dischargers in the Coachella Valley on June 24, 2020, which was scheduled to expire on June 26, 2020. The Regional Water Board extended the Waiver for a period of six months to allow efforts to protect water quality to continue while staff develops the new General WDRs, which will implement the precedential requirements of the Eastern San Joaquin Order and serve as the next phase of the irrigated lands program in Coachella Valley. The Coachella Agricultural Conditional Waiver will now expire on December 26, 2020.

On June 24, 2020, the Regional Water Board also adopted amendments to the Palo Verde and Bard Valley Agricultural General WDRs. These amendments extended the initial submittals of electronic Notices of Intent, and Water Quality Management Plans (Farm Plans). These time extensions will allow additional time for outreach by the coalitions to their membership, and to ensure the proper formatting of Farm Plans and Farm Plan Summaries.

Staff is continuing with the development process of General WDRs to replace the Coachella Agricultural Conditional Waiver. Staff held a virtual public workshop via Zoom video and teleconference on July 9, 2020 to discuss the proposed General WDRs and are accepting written comments until September 24, 2020. Colorado River Basin Water Board staff plan to take the General WDRs to the Regional Board for action on September 3, 2020.

There are no significant program updates reported in the Santa Ana and San Diego Regions from June 15, 2020 to August 15, 2020.

Appendix B CANNABIS CULTIVATION PROGRAM STATEWIDE IMPLEMENTATION, OUTREACH, AND ENFORCEMENT August 2020

This Water Boards' Cannabis Cultivation Program update provides a summary of significant activities of the State Water Board's Division of Water Quality, Division of Water Rights, Office of Enforcement, and nine Regional Water Boards from June 15, 2020 to August 15, 2020. 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 (Cannabis SIUR), and enforcement efforts, is available on the [Water Boards Cannabis Cultivation Program webpage](#) at: www.waterboards.ca.gov/cannabis/.

STATE WATER RESOURCES CONTROL BOARD

Water quality staff in the Cannabis Cultivation Program is being reduced by approximately 50 percent due to funding shortfalls. To achieve this reduction, current cannabis position vacancies will remain vacant and some existing staff are being redirected to other programs. The focus of the remaining program staff will be divided between core regulatory functions and enforcement aimed at negative impacts from illegal cultivation. These staffing reductions will require changes to the scope of the Cannabis Program and quantity of cannabis related work that can be performed. The Water Boards' Cannabis Executive Oversight Committee is in the process of developing recommendations on how the Cannabis Cultivation Program should prioritize the workload and reduce the scope of the program to accommodate these reduced staffing levels.

COVID IMPACTS

The Cannabis Cultivation Program continues to perform essential services and provide support to stakeholders remotely during the COVID-19 emergency. The Water Boards are continuing their efforts to protect public health, safety, and the environment consistent with all federal, state, and local public health directives and guidelines related to COVID-19. The Cannabis Cultivation Program continues to accept applications, process fees, issue NOAs, and assist cannabis cultivators. However, for staff health and safety, the Cannabis Cultivation Program has limited site visits, access to the Water Rights Records Room, and in-person fee payments.

COORDINATED OUTREACH – CANNABIS CULTIVATION PROGRAM

The Cannabis Cultivation Program successfully hosted an online cannabis cultivation permitting workshop and continues to coordinate with partner agencies to provide outreach and education for cultivators. See event details below for participating agencies, stakeholder participation, and links to the live video recording.

<i>Event and Date</i>	<i>Event Description</i>
Wednesday, July 22, 2020: Sacramento, CA (webcast)	<p>The Division of Water Quality hosted and presented an online workshop. Other presentations were given by the Division of Water Rights, California Department of Fish and Wildlife (CDFW), California Department of Food and Agriculture's CalCannabis Cultivation Licensing Division (CalCannabis), Franchise Tax Board, Employment Development Department, California Department of Fair Employment and Housing, and California Agricultural Labor Relations Board. The live online workshop was attended by 243 outside viewers. This online workshop was advertised in advance through a joint press release (https://cdfgnews.wordpress.com/2020/07/09/free-online-commercial-cannabis-permitting-workshop-july-22/) and through multiple news articles, including the North Coast Journal, The Reporter, Del Norte Triplicate, Benito Link, and The Desert Review. The online workshop was also advertised in advance using our social media platforms and Cannabis Cultivators email subscription list. The recording of the online workshop, (https://youtu.be/kVblKnFRZy8) along with clips of each agency's presentation, are available on the Board Web Support YouTube Channel (https://www.youtube.com/user/BoardWebSupport/featured). After the online workshop, the YouTube links were advertised on social media and through the Cannabis Cultivators email subscription list. Audio voice-over of the recorded online workshop into Spanish and Hmong has been requested.</p>
Thursday, August 6, 2020: Sacramento, CA (webcast)	<p>The Division of Administrative Services hosted water quality and water rights fees meetings online, which included updates on cannabis program funding. Staff from the Division of Water Quality and Division of Water Rights were available to answer questions.</p>

INTERAGENCY COORDINATION – CANNABIS CULTIVATION PROGRAM

Water Boards staff continue to meet with staff from CDFW, CalCannabis, and other regulatory agencies to ensure ongoing coordination and collaboration. Due to COVID-19 impacts, many of the regularly occurring meetings were canceled. Topics of coordination include: Water Boards' implementation of the Cannabis Policy through the Cannabis Cultivation General Order and Cannabis SIUR Program, CalCannabis regulations and license requirements for cannabis cultivation, CDFW's Lake and Streambed Alteration (LSA) Agreement, inspection and enforcement in priority watersheds, data sharing, and each agency's ongoing implementation efforts related to their cannabis cultivation programs. Specific interagency coordination activities are summarized in the table below.

<i>Event and Date</i>	<i>Event Description</i>
California Environmental Protection Agency (CalEPA) – Tribal Advisory Committee Meeting: Wednesday June 17, 2020	Division of Water Rights and Office of Enforcement staff gave a presentation to the CalEPA Tribal Advisory Committee on Cannabis Policy requirements related to protection of tribal lands and resources and the Cannabis Cultivation Program’s enforcement policy regarding non-permitted cannabis cultivation.
California Association of Resource Conservation Districts (CARCD) Meeting: Monday, June 22, 2020 Wednesday, August 5, 2020	The Division of Water Quality and Division of Water Rights joined CARCD to discuss implementation of CARCD’s Growing Responsible and Socially Sustainable Cannabis (GRASS-C) certification program. Representatives from the marketing firm JumpStartNOW also joined at the August meeting to discuss its marketing strategy and better understand how the Cannabis Cultivation Program could benefit from its outreach efforts.
Trinity County Cannabis Coordination Meeting: Thursday, July 2, 2020	North Coast Regional Water Board staff hosted a coordination meeting with Divisions of Water Rights and Water Quality, CDFW, and Trinity County Planning and Code Enforcement staff. Topics of discussion included program updates, staffing updates, joint inspection planning, and site-specific enforcement.
Licensing Subgroup: Wednesday, July 8, 2020	CalCannabis hosted the Division of Water Quality, Division of Water Rights, North Coast Regional Water Board, and CDFW at the Licensing Subgroup meeting. Topics of discussion included program updates, COVID-19 impacts, inspection coordination, and CalCannabis notice letters to licensees with expired Cannabis Cultivation General Order coverage.

<i>Event and Date</i>	<i>Event Description</i>
Public Affairs/Outreach Subgroup: Wednesday, July 8, 2020 Thursday, July 23, 2020	On July 8, the Division of Water Quality hosted the Division of Water Rights, CDFW, CalCannabis, and other agencies for an online workshop dress rehearsal, to practice presentation style and timing, and to address any technical issues prior to the live online workshop. On July 23, CDFW hosted CalCannabis, the Division of Water Rights, and Division of Water Quality, for a public outreach strategy meeting. The group discussed the completed online workshop; future outreach strategy and press release opportunities and website update coordination.
CDFW and Water Boards Cannabis Water Quality Certification and LSA Agreement Coordination Meeting: Monday, July 13, 2020	North Coast Regional Water Board staff hosted a coordination meeting with CDFW and Divisions of Water Rights and Water Quality staff to discuss issuance of water quality certifications and LSA Agreements for cannabis sites. Topics of discussion included dry season work planning, staffing updates, and site-specific enforcement.
CDFA/CDFW/Water Boards Executive Committee Meeting: Wednesday, July 22, 2020	This is a newly established executive level meeting with representatives from each of the three cannabis enforcement task force agencies to discuss issues of programmatic concern. Staff from the Governor's Office attend at the beginning of the meetings to provide updates and unified direction to all three agencies.
Humboldt County Cannabis Coordination Meeting: Wednesday, July 22, 2020	North Coast Regional Water Board staff hosted a coordination meeting with Division of Water Rights and Humboldt County Planning and Code Enforcement staff. Topics of discussion included program updates and coordination of NOA issuance.
Legal Subgroup: Friday, July 24, 2020	The Office of Enforcement hosted CDFA and CDFW attorneys at the Legal Subgroup meeting. Topics of discussion included industrial hemp regulatory issues and online multi-data information sharing legal requirements.

<i>Event and Date</i>	<i>Event Description</i>
Cannabis Enforcement Program (CEP) Subgroup Meeting: Thursday, August 13, 2020 Friday, August 21, 2020	The primary purpose of the newly-formed CEP Subgroup is to discuss new potential enforcement cases identified during inspections, and to assign (triage) those cases to CDFA, CDFW, the Water Boards, or some combination of those agencies, depending on the circumstances at each site. The June and July occurrences of the CEP meetings were canceled as none of the agencies had new cases to triage due to the pandemic. The North Coast Regional Water Board submitted a case for discussion ahead of the August 13 meeting. At the time of this drafting, it is anticipated that the August 13 meeting will occur as scheduled. at the August 13 meeting. The CEP group will next meet on Friday, August 21.

Helpful information and reminders are posted on the [Water Boards' Cultivation Program Facebook](https://www.facebook.com/CAWaterBoardsCultivation/) (<https://www.facebook.com/CAWaterBoardsCultivation/>) and on the [Water Boards' Cultivation Program Instagram](https://www.instagram.com/cawaterboardscultivation/) (<https://www.instagram.com/cawaterboardscultivation/>).

STATE WATER BOARD – DIVISION OF WATER RIGHTS

Cannabis Small Irrigation Use Registration Program

As of August 15, 2020, cannabis cultivators submitted 826 applications for Cannabis Small Irrigation Use Registrations (SIURs), an increase of 18 from June 15, 2020. Cannabis cultivators have paid the required fees for 800 of these registrations and the Division of Water Rights has issued 650 Cannabis SIUR certificates, an increase of 12 since June 15, 2020. Eighteen parties are more than 30 days late in paying the required filing fee. Eighty applications have been canceled before certification because the cultivators:

- a. are no longer cultivating cannabis;
- b. identified use of an alternative source of water; or
- c. were unresponsive to staff's requests for follow-up.

Registration applications are submitted online via the [Cannabis Cultivation Program Application Portal](https://public2.waterboards.ca.gov/cgo) (<https://public2.waterboards.ca.gov/cgo>).

Enforcement

The Cannabis Enforcement Section (CES) continues to coordinate with the North Coast Regional Water Board, Central Valley Regional Water Board, CalCannabis, CDFW, El Dorado County, and Trinity County on enrollment enforcement notice letters and on enforcement inspections on properties with illegal cannabis cultivation.

On July 15, 2020 and July 17, 2020, the CES issued 163 enrollment enforcement Directive Notice (Notice) letters to private property owners with cannabis cultivation in El Dorado and Trinity counties. Property owners issued the notice did not have the following: a valid water right that would authorize diversions of water for cannabis cultivation, enrollment in the statewide Cannabis Cultivation General Order, CDFW LSA Agreement, CalCannabis license, or local cannabis permit on file with the County (except for four Notice letters sent to landowners in Trinity County). Each Notice included a 2018 aerial image of the property showing cannabis cultivation, provided information about the Water Boards Cannabis Cultivation Program, instructions on how to file a response to the Notice, and a reference to the Water Boards Cannabis Cultivation Program's website for more information on Cannabis SIUR and Cannabis Cultivation General Order requirements. The Notice also provided contacts and website information for CDFW's LSA Agreement Program, CalCannabis Licensing Program, and the local cannabis permitting program. The Notice provided each landowner 30 days from the date of receipt to submit a response to the State Water Board or come into compliance by filing for a Cannabis SIUR and enrolling in the Cannabis Cultivation General Order. The CES has confirmed receipt of 117/163 Notice letters and has received 10 responses from the 117 property owners who received the Notices. CES continues to track the 46 Notices that have not been delivered for the following reasons: have not been picked up at the PO Box, recipient refused to accept the Notice, Notice was not deliverable as addressed, or the Notice was returned for non-pick up at PO Box. The CES is also tracking compliance status to determine the number of appropriate water rights filed with the Division of Water Rights as a result of the Notice mailout. A status update on this effort will be provided in the next Executive Director's Report.

The CES issued 11 Notice of Violation (NOV) letters to cannabis cultivators without a valid water right for cannabis cultivation. The CES continues to develop formal enforcement actions for cultivators who continue to cultivate and do not comply with the State Water Board's Cannabis Program after notice was provided.

The CES has conducted four high priority enforcement related inspections coordinated with state and local partner agencies. COVID-19-related staff safety concerns and internal agency overnight travel limitations have limited the CES from conducting a number of cannabis enforcement inspections on illegal cannabis sites. The CES will continue to assess participation on multi-agency enforcement inspections based on high priority water right factors.

STATE WATER BOARD – DIVISION OF WATER QUALITY

Enrollment under the Cannabis Cultivation General Order increased by 212 between June 15 and August 15, 2020, bringing the total active Cannabis Cultivation General Order NOA count to 5,271. A total of 178 Cannabis Cultivation General Order applications were submitted during the reporting period. Cannabis Cultivation General Order and Cannabis SIUR applications are completed online via the [Cannabis Cultivation Program Application Portal \(https://public2.waterboards.ca.gov/cgo\)](https://public2.waterboards.ca.gov/cgo).

A total of 136 enrollees have terminated enrollment under the Cannabis Cultivation General Order, an increase of 19 since June 15, 2020.

Tier 1 and Tier 2 enrollees in the Cannabis Cultivation General Order were required to submit Cannabis Cultivation General Order 2019 Monitoring and Reporting Program annual monitoring report surveys by March 1, 2020 through the Cannabis Cultivation Program Application Portal. As of August 15, staff has received 1,585 annual reports, or 47 percent of the required annual reports, an increase of 119 since June 15. Staff continue to assist the North Coast Regional Water Board with application change requests and general customer service-related emails and phone calls received by the North Coast Regional Water Board.

Staff continue coordination efforts with CalCannabis regarding violation notices to be issued to licensees continuing to cultivate under an expired NOA.

Staff continue to respond to CalCannabis regarding Cannabis Cultivation General Order NOA status and follow up with the appropriate Regional Water Board, as necessary.

STATE WATER BOARD – OFFICE OF ENFORCEMENT

From June 15 to August 15, 2020, the Office of Enforcement's Cannabis Enforcement Unit (CEU) has been teleworking in accordance with the agency's COVID-19 response. Unit highlights from this time period include the following:

Enforcement: Two NOVs were issued to property owners within the North Coast Regional Board's jurisdiction. One NOV was for failure to comply with the terms for an issued cleanup and abatement order managed by CEU; the other NOV was issued for failure to enroll in the Cannabis General Order prior to conducting major site grading and development that resulted in water quality impacts. A previously issued NOV to an unenrolled site in the North Coast was re-issued to confirm delivery of the notice.

Reports: Two reports were written for enrolled sites CEU staff inspected in collaboration with Central Coast Regional Water Board staff. Central Coast staff packaged the reports with NOVs to address violations assessed on inspection.

Inspections: None currently; however, the unit is prepared to inspect high-priority enforcement and warrant sites on request from Regional Boards.

Correspondence: One closure letter for a cleanup and abatement order that was managed by CEU in the North Coast Region.

Case prioritization and planning: CEU organized two enforcement case prioritization and planning meetings with management and executive officers of the North Coast and Central Coast Regional Water Boards.

Public contact and complaints: CEU forwarded four complaints or public contacts to the Division of Water Rights for follow-up.

Case management and informal enforcement: The unit continues to provide compliance assistance and informal enforcement follow-up on NOVs issued to permitted cannabis cultivation sites with the Central Coast Regional Water Board and on NOVs issued to unpermitted sites with the North Coast Regional Water Board.

NORTH COAST REGIONAL WATER QUALITY CONTROL BOARD

From June 15 to August 15, 2020, North Coast Regional Water Board cannabis staff issued 154 NOAs for enrollment under the Cannabis Cultivation General Order, issued nine NOAs for instream work to be conducted under the Cannabis General Water Quality Certification, issued two individual Water Quality Certifications, received one enrollment termination request, conducted 10 site inspections, reviewed 29 technical reports, issued eight NOV's and one cleanup and abatement order.

As of August 15, 2020, there are approximately 3,108 active enrollments (2,914 waste discharge requirement enrollees and 194 waivers) under the Cannabis Cultivation General Order in the North Coast Region. These numbers represent approximately 59 percent of total enrollments statewide, including approximately 77 percent of non-waiver enrollments. Staff is currently processing 51 new applications for enrollment. Since the North Coast Region's last update to the Executive Director, staff has received approximately 112 voicemails and 988 emails from automated systems, applicants, enrollees, and members of the public in the North Coast Region's general inboxes.

When the reporting period for this update began, the North Coast Region's cannabis staff consisted of 11 occupied positions and six frozen vacancies. Since then, one position has been abolished and two positions have been proposed for redirection as part of the Cannabis Program's statewide staffing reduction plan. This leaves the North Coast Region with a total of nine occupied positions and seven frozen positions. The occupied positions represent approximately 23 percent of total non-Water Rights staffing statewide. Due to the current COVID-19 pandemic, and in conformance with state and local orders, all cannabis regulatory and enforcement staff in the North Coast Region's Santa Rosa and Eureka offices are teleworking with remote network access.

In the North Coast Region's last update to the Executive Director, staff introduced an initiative ultimately intended to enable cannabis regulatory agencies (including the Water Boards, CDFWA, CDFW, and counties) to cross-check statewide enrollment / license records against each other. The first steps of this process included cleaning up and standardizing statewide Assessor Parcel Number (APN) records in the Cannabis Cultivation Program's CIWQS enrollment database consistent with County formats and assessing the degree of overlap between Water Boards enrollment records and CDFWA license records.

At a recent coordination meeting with Humboldt County, staff announced that the North Coast Regional Water Board will no longer withhold issuing NOAs for Cannabis Cultivation General Order applications that haven't yet secured Humboldt County permits, as had been the arrangement to date per the County's request. Instead, staff will rely upon each applicant's self-certification that they are in compliance with all other agencies' requirements, which is consistent with the Water Boards' enrollment process statewide. County officials accepted this change and welcomed the inclusion of new language in the North Coast Region's NOA template clearly explaining that the NOA alone does not authorize cannabis cultivation to proceed. Staff subsequently issued 78 NOAs (dated July 28, 2020) that had been held up due to lack of county permits and will enjoy the newly streamlined process for issuing NOAs to Humboldt County applicants going forward.

At its June 18, 2020 meeting, the North Coast Regional Water Board adopted a resolution referring Shadow Light Ranch LLC, Joshua Sweet, and the Hills LLC to the Office of the Attorney General for judicial civil enforcement of violations of the California Water Code.

SAN FRANCISCO BAY REGIONAL WATER QUALITY CONTROL BOARD

From June 15 to August 15, 2020, San Francisco Bay Regional Water Board staff issued four NOAs. As of August 15, 2020, there are approximately 245 active enrollments (42 waste discharge requirement enrollees and 203 waivers) under the Cannabis Cultivation General Order in the San Francisco Bay Region. Staff is currently processing nine new applications for enrollment. We are also in the process of assessing Cannabis Program priorities given recent staff reductions. Program staff has been reduced to one.

San Francisco Bay Regional Board staff has been teleworking since March 16, 2020 due to the current COVID-19 pandemic.

CENTRAL COAST REGIONAL WATER QUALITY CONTROL BOARD

From June 15 to August 15, 2020, Central Coast Regional Water Board staff issued 17 NOAs, re-issued 18 NOAs, processed or continued processing 86 annual monitoring reports, processed or continued processing 27 proposals for restoration and stabilization work, issued two approval letters for restoration and stabilization work, and issued 42 NOVs.

Staff has not performed inspections during this time period due to COVID-19 concerns. Instead, staff is using this time to continue to upload documents to GeoTracker, improve our regional case management tracking capabilities, and continue to develop an electronic inspection report form intended to reduce the amount of staff time required to develop inspection reports.

One staff person was redirected to perform COVID-19 contact tracing duties. The program was reduced from eight positions, five of which were previously filled, down to three positions due to the Cannabis Program redirections. Staff is updating the priorities and internal metrics for the program given the recently reduced resources.

SOUTH COAST REGIONAL CANNABIS UNIT

From June 15 to August 15, 2020, South Coast Regional Cannabis Unit staff representing the Los Angeles, Santa Ana, and San Diego Regional Water Boards issued nine NOAs. To unpermitted illicit sites, staff issued one NOV, one approval letter for site restoration and stabilization, and closed one site after remediation.

As of August 15, 2020, there are approximately 558 active enrollments under the Cannabis Cultivation General Order in the South Coast Region. Staff has issued four total NOVs to unpermitted illicit sites; two NOVs are pending proposals for site restoration and stabilization.

Staff is currently processing five new applications for enrollment and approximately 200 NOVs to unpermitted illicit sites.

South Coast staff was reduced from seven positions, five of which were previously filled, down to two positions due to the Cannabis Program redirections.

Due to the current COVID-19 pandemic, and in conformance with state and local orders, South Coast staff is teleworking with remote network access. Staff is performing limited inspections of unpermitted illicit sites and prioritizing sites with the greatest impact to water quality.

CENTRAL VALLEY REGIONAL WATER QUALITY CONTROL BOARD

From June 15 to August 15, 2020, Central Valley Regional Water Board staff issued 50 NOAs, processed 19 enrollment termination requests, conducted one compliance inspections, 12 enforcement inspections, and issued 21 NOVs.

Staff is finalizing one Administrative Civil Liability (ACL) settlement agreement that recently went through a 30-day public comment period. Staff will be presenting a second ACL Complaint at an upcoming Board Meeting. Staff is processing the most recent batch of approximately 100 enrollment enforcement letters.

EASTERN CALIFORNIA REGIONAL CANNABIS UNIT

From June 15 to August 15, 2020, Eastern California Regional Cannabis Unit staff, representing the Lahontan and Colorado River Basin Regional Water Boards, issued eight NOAs, two enrollment termination requests, conducted in-person and virtual inspections, and worked on settlement for three ACL complaints at regulated sites in the Colorado River Basin Region, conducted a comment period for a proposed cleanup and abatement order for an illicit site in the Lahontan Region, and reviewed cleanup documentation in relation to an NOV for an illicit site.

Unit resources were reduced on an emergency basis due to COVID-19 and medical issues. One staff person was redirected to perform contact tracing, starting full time on June 8, 2020 and continuing through this period. Unit resources were also reduced and redirected from the unit. The unit was reduced from six positions, including a supervisor, to two staff-level positions.

Staff is currently reworking compliance and environmental impact priorities from regulated site inspections, CEQA document commenting, working with local jurisdictions on compliance to illicit site compliance enforcement. This work will focus on finding and prioritizing unregulated sites for enforcement inspections and actions. To that end, staff began assisting in the CannaVision project to identify unregulated sites, moved forward on existing enforcement for illicit sites (e.g., CAO, ACLC), fielded complaints from the public, and continued efforts to work with local law enforcement entities.