



# **State Water Resources Control Board**



## **EXECUTIVE DIRECTOR'S REPORT**

November 7, 2023

---

## Table of Contents

*\*Click to go to specific item*

### Contents

California’s Water Supply Strategy.....	1
DIVISION OF WATER QUALITY.....	3
DIVISION OF WATER RIGHTS.....	4
DIVISION OF FINANCIAL ASSISTANCE.....	8
DIVISION OF DRINKING WATER.....	16
DIVISION OF ADMINISTRATIVE SERVICES.....	26
OFFICE OF ENFORCEMENT.....	26
OFFICE OF INFORMATION MANAGEMENT AND ANALYSIS and the CALIFORNIA WATER QUALITY MONITORING COUNCIL.....	30
OFFICE OF RESEARCH, PLANNING, AND PERFORMANCE.....	31
OFFICE OF CHIEF COUNSEL.....	32
OFFICE OF PUBLIC PARTICIPATION.....	33
IRRIGATED LANDS REGULATORY PROGRAM UPDATE.....	39

# California's Water Supply Strategy

## California Water Supply Strategy and Implementation Actions

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

### Division of Water Quality

#### Recycled Water

The [California Water Supply Strategy](#) requires the State Water Board, by January 1, 2024, working with local water and sanitation agencies to identify recycled water projects that hold the potential to be operational by 2030 and by no later than 2040. The Water Supply Strategy also directs the State Water Board to convene a strike team to identify and resolve permitting and funding obstacles for recycled water projects.

The strike team has developed a preliminary list of planned recycled water projects for which the Water Boards have permitting or funding records, facility-entered information from optional fields within the Volumetric Annual Report, and/or information provided by WaterReuse California. The strike team compiled and harmonized the available information to create the preliminary list and is conducting outreach to facilities to verify and update key project information to finalize it. The next strike team meeting is scheduled for October 30, 2023.

### Division of Drinking Water

#### Recycled Water DPR (Action 1.1)

##### Direct Potable Reuse Regulation Update

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

[AB 574 \(Water Code, Division 7, Chapter 7.3\)](#) and commitment by the State Water Board in the governor's 2022 [California's Water Supply Strategy](#).

#### Groundwater Recharge (Action 2.1)

Division of Water Rights staff continue to process temporary permit applications for groundwater recharge. As of October 9, five applications are pending: Scott Valley Irrigation District, North San Joaquin Water Conservation District, Stockton East Water District, South Sutter Water District, and Dunnigan Water District. Information on the status of these projects is available on the Board's temporary permitting [website](#).

#### **Office of Research, Planning, and Performance**

The State Water Board held a hearing on the proposed Making Conservation a California way of life regulation on October 4. The first public comment period ends on October 17.

## **DIVISION OF WATER QUALITY**

### **2023 Water Board Cleanup Summit**

On September 5-7, 2023 State Water Board staff hosted a Cleanup Summit for the Underground Storage Tank (UST) Cleanup, Site Cleanup (SCP), and Department of Defense (DOD) programs. The Cleanup Summit was the first statewide meeting to bring the State Water Board's combined Cleanup Programs together since inception of the programs. The goal of the Cleanup Summit was to provide all Water Boards Cleanup Staff with training, networking opportunities, and to promote collaboration and knowledge sharing among the programs.

The Cleanup Summit was developed through the combined efforts of the U.S. Environmental Protection Agency (USEPA) Region 9 and the State Water Board's Division of Water Quality (DWQ). The State Water Board's Office of Public Affairs' (OPA) Design Team and CalEPA's Reprographic Services assisted with making workbooks and posters for the attendees to utilize during the meeting, and the State and Regional Water Boards collaborated to create and present meaningful content for the Cleanup Summit that would apply to the entirety of the Cleanup Programs.

On day one of the Cleanup Summit over 150 Water Board staff attended a field demonstration facilitated by leading industry representatives. Participants got an outdoor tour of the equipment used during remedial site investigations and an indoor presentation of soil vapor sampling equipment and methods.

The first full day of the Cleanup Summit was attended by approximately 300 staff from the Regional Water Boards, State Water Boards, USEPA, and Redhorse Corporation (USEPA-funded State contractor). Sessions included an overview of how the UST Cleanup, Site Cleanup, and DoD programs operate, application of a racial equity lens to our programs at statewide and regional levels, high-resolution site characterization and its uses, and a remediation roundtable.

The final day of the Cleanup Summit included sessions on funding sources for UST and Cleanup programs, a panel discussing how to move stalled cleanup cases towards cleanup and closure, and an interactive case study on how to address comingled plumes with both chlorinated solvents and petroleum hydrocarbons during investigations and remediation.

The Cleanup Summit accomplished its goals of staff knowledge sharing, collaboration, and a commitment to consistent implementation of cleanup program goals across California.

## DIVISION OF WATER RIGHTS

### Permitting and Enforcement Branch

**Enforcement Documents Issued by the Division of Water Rights** The Enforcement Sections regularly update the websites below with the most recently issued drought-related and non-cannabis enforcement actions. Negotiated settlements are posted under the corresponding category. For example, a settlement order negotiated to resolve an Administrative Civil Liability (ACL), will be listed under final ACLs:

[Information Orders](#)

[Notices of Violation](#)

[Cease and Desist Orders](#)

[Administrative Civil Liabilities](#)

**Compliance Letter for BlueTriton Brands Final Cease and Desist Order** On October 6, 2023, Enforcement Section staff issued a [letter](#) to BlueTriton Brands detailing the reporting and compliance actions required by the final Cease and Desist Order, and requesting a technical point of contact for compliance. That letter, and related enforcement materials for the matter are posted online at [https://www.waterboards.ca.gov/waterrights/water\\_issues/programs/enforcement/complaints/nestle.html](https://www.waterboards.ca.gov/waterrights/water_issues/programs/enforcement/complaints/nestle.html)

[Reporting and Compliance Letter](#)

[Fact Sheet](#)

[Final Cease and Desist Order](#)

### Delta, Hearings, and Special Projects Branch

**Delta Conveyance Project Tour** On September 27, staff from the Division's Drought Planning, Hearings, and Special Projects Section participated in a tour of potential future infrastructure sites for the Delta Conveyance Project (Project) hosted by the Delta Conveyance Authority (DCA). The tour began with an overview of the project at the DCA headquarters in downtown Sacramento before traveling by bus to various points of interest for the potential project, including Bethany Reservoir, future launch and maintenance shaft sites for tunnel construction, and Intake Screens, Inc., a fish screen design company that may provide screens for the project's intakes. Other state and federal agencies participated in the 7-hour tour, including the U.S. Fish & Wildlife Service, the Department of Water Resources, and the U.S. Army Corps of Engineers. The Board has not yet received a water right change petition or application for water quality certification for the proposed project.

**Compliance Letter for Lower San Joaquin River Flow Requirements in Water Right Decision 1641 (D-1641)** On October 9, 2023, the Executive Director sent a letter to the Bureau of Reclamation outlining the expectation that the October flow requirement on the Lower San Joaquin River at Vernalis in D-1641 will be achieved as obligated by water right requirements for the purpose of supporting spawning populations of migratory fish species. The favorable precipitation and reservoir conditions in water year 2023 provide more than sufficient water supplies to achieve the

flow requirement. The letter also documents non-compliance with the Lower San Joaquin River flow requirement in October of 2021 and 2022. D-1641 assigns responsibility to Reclamation water rights for New Melones Reservoir on the Stanislaus River to achieve the October Lower San Joaquin River flow requirements at Vernalis. October flows are included in D-1641 to support fish and wildlife beneficial uses and specifically to attract adult fall-run Chinook salmon returning to spawn.

### **Staff Workshop on Sacramento/Delta Draft Staff Report for Bay-Delta Plan Update**

On October 19, 2023, State Water Board staff held a public workshop to provide information and answer questions on the draft Staff Report in support of possible Sacramento/Delta updates to the Water Quality Control Plan for the San Francisco Bay/Sacramento-San Joaquin Delta Estuary (Bay-Delta Plan). The purpose of the workshop was to provide an overview of the draft Staff Report and answer questions to facilitate public comments. The draft Staff Report includes scientific information and environmental and economic evaluations to support updates to the Bay-Delta Plan. The draft Staff Report was released for public review and comment on September 28, 2023.

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

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

- *Shasta River Conditions.* Flows at the [Yreka United States Geological Survey \(USGS\) gage](#) have ranged between 63 cubic feet per second (cfs) and 140 cfs in the 30 days ending October 22, 2023. The minimum flow requirement in the expired regulation was 75 cfs, through the end of September and then increased to 105 cfs for October. The Scott Valley and Shasta Valley Watermaster District (Watermaster) continues to manage diversions within its authorities.
- *Scott River Conditions.* The Scott River flow requirement in the expired emergency regulation, as measured at the [Fort Jones USGS gage](#), was 33 cfs for September and 40 cfs for October. Flows have been gradually increasing since mid-August and have been greater than the expired flow requirements since September 5, 2023. In the 30-day period ending October 22, 2023, flow increased from 41 cfs to 58 cfs.
- *October Engagement Efforts.* The Division of Water Rights hosted a [Staff Workshop Regarding Emergency Regulation Efforts in the Scott River and Shasta River Watersheds](#) on October 6, 2023. Additional in-person listening sessions were held in Montague in Siskiyou County on October 30<sup>th</sup>. A transcript of those meetings will be available on the above website in the near future.

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

**Water Rights Diversion and Use Reporting for Water Year 2022-23** During the week of October 16, 2023, the Division of Water Rights mailed notifications to approximately 19,000 water rights owners and agents reminding them of their requirement to submit their water diversion and use reports online. All reports must be submitted through the Report Management System (<https://rms.waterboards.ca.gov>).

Reporting for the 2022-23 water year began on October 1, 2023. The deadline for water right holders to report on their water use for last water year (i.e., October 1, 2022 – September 30, 2023) is February 1, 2024. Water Rights staff are available via email ([rms@waterboards.ca.gov](mailto:rms@waterboards.ca.gov)) and phone (916.341.5431) to help reporters.

**Klamath Hydroelectric Project – Interim Measures Implementation Committee** On October 19, 2023, State Water Board staff participated in the final Interim Measures Implementation Committee (IMIC) meeting, created under the Klamath Hydroelectric Settlement Agreement (KHSAs). The purpose of the IMIC was to collaborate with PacifiCorp on implementation of Interim Measures set forth in the April 6, 2016, Amended KHSAs leading up to decommissioning of the Lower Klamath Project. During the final IMIC meeting, PacifiCorp shared positive effects of the Interim Measures that included:

(1) providing \$7.6 million to fund 67 projects in the Klamath Basin towards coho habitat enhancement; (2) implementing interim operations at Klamath Hydroelectric Project toward water quality improvements; (3) developing a hatchery genetics program to promote coho salmon diversity at Iron Gate Hatchery; (4) providing \$500,000 towards fish disease research in the Klamath Basin; (5) providing \$1.7 million for gravel enhancement actions in the Klamath River; and (6) providing \$3 million towards water quality improvement pilot projects.

The IMIC is transitioning towards development of a steering committee that will manage \$6.8 million in funds provided by PacifiCorp for water quality improvement projects in the Klamath Basin. The projects will focus on implementation of water quality nutrient reductions in the upper Klamath Basin. The steering committee will mainly be comprised of former IMIC members, but will no longer include PacifiCorp.

**Clean Water Act Section 401 Water Quality Certification Improvement Rule** On September 27, 2023, the [2023 Clean Water Act Section 401 Water Quality Certification Improvement Rule](#) (2023 Rule), was published in the Federal Register. The 2023 Rule will be effective on November 27, 2023. The 2023 Rule maintains the prefilling requirement implemented by the 2020 Rule, and includes revised guidance on timelines, content, and scope of water quality certifications.

### **Drought Response Actions**

**Clear Lake Hitch Drought Emergency** On September 5, 2023, State Water Board staff issued [Draft Emergency Information Order Regulations for the Clear Lake Watershed](#), which would allow the State Water Board to gather information on water use from water right holders or water users in the Clear Lake watershed. Board staff held public workshops on October 19<sup>th</sup> and October 24<sup>th</sup> to receive public comment. The workshop on October 19<sup>th</sup> was located at the Lake County Board of Supervisors



Chambers in Lakeport, CA, and approximately 25 people attended. The workshop on October 24<sup>th</sup> was held virtually, and approximately 45 people attended. The presentation slides and a recording of the October 19<sup>th</sup> workshop will be posted on the [Clear Lake Hitch website](#). Written public comments on the draft emergency regulations will be accepted through noon on October 31<sup>st</sup>. After consideration of the public comments, Board staff will brief the Board Members and finalize any updates to the emergency regulations before releasing the regulation package in anticipation of Board consideration for adoption.

Additional information is available at: [Clear Lake Hitch | California State Water Resources Control Board](#)

## DIVISION OF FINANCIAL ASSISTANCE

### Office of Sustainable Water Solutions (OSWS)

#### Planning/Construction Project Summary

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

<b>Drinking Water Projects Funded (September 2023)</b>		
<b>Project #</b>	<b>Recipient – Project Purpose</b>	<b>Funding Amount</b>
1800575-001C	Shaffer Union Elementary School District – The project will address source capacity issues at Shaffer Elementary School.	\$554,966
2410018-003C	Santa Nella County Water District -The Project will install approximately 192 water meters, 335 radio transceivers, and 335-meter box lids on existing residential service connections to remotely record water usage. Incentive Project.	\$319,153
4210009-001P	Cuyama Community Services District – The project will address various capital improvements to Cuyama’s water system.	\$570,000
D2217022	Indio Water Authority – The project will install a master meter in the right of way in Indio Blvd and connect Elms Mobile Park to the Indio Water Authority distribution system.	\$461,328
EDWG-1000187-001C	Selma Unified School District – The project will consolidate the Indianola School Water System with the California Water Services-Selma. The Project will resolve a 1,2,3-TCP maximum contaminant level (MCL) compliance order and provide overall system reliability.	\$3,118,625
EDWG-2010004-002C	Madera, County of (MD19 - Parkwood) – The project will consolidate MD19-Parkwood water system with the City of Madera.	\$5,912,523
<b>Drinking Water Projects Amended (September 2023)</b>		
<b>Project #</b>	<b>Recipient – Amendment Purpose</b>	
0410007-003C	Paradise Irrigation District – The amendment extended agreement dates and incorporated the FBA.	

<b>Drinking Water Projects Funded (September 2023)</b>		
1000359-005C	Fresno, County of – The amendment extended agreement dates.	
1500525-001C	Lakeview Ranchos Mutual Water Company – The amendment extended agreement dates, incorporated the FBA, and increased funding by \$440,953	
4210009-001C	Cuyama Community Services District – The amendment extended agreement dates	
5400795-001C	Waukena Joint Union Elementary School District – The amendment extended agreement dates and increase funding by \$226,000	
5400805-005C	Souls Mutual Water Company – The amendment revised the cover page of the agreement	
<b>Wastewater Projects Funded (September 2023)</b>		
<b>Project #</b>	<b>Recipient – Project Purpose</b>	<b>Funding Amount</b>
8562-110	Tulelake, City of – The project will complete the planning and design work needed to perform repairs and upgrades to the City’s wastewater system.	\$383,000
<b>Wastewater Projects Amended (September 2023)</b>		
<b>Project #</b>	<b>Recipient – Amendment Purpose</b>	
8108-310	Burney Water District – The amendment incorporated the FBA and increase the funding amount by \$1,334,611.	
8466-110	Gualala CSD – The amendment increases the funding amount by \$142,997.	

**Administrator Summary**

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

**Operation and Maintenance (O&M)**

On October 3, 2023, the Board adopted the FY 2023-24 Fund Expenditure Plan (Plan) for the Safe and Affordable Drinking Water (SADW) Fund. The guidelines for the Direct Operation & Maintenance Funding Program (Direct O&M Program) were included in the Plan as Appendix L.

**Technical Assistance Summary**

No request for emergency funding under the Self-Help Enterprises (SHE) Technical Assistance to Implement the Safe and Affordable Drinking Water Fund projects were approved in the month of September 2023.

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

DFA is providing Technical Assistance to 571 Drinking Water Systems (150 Failing and 79 At-Risk systems) and to 87 Wastewater Systems. 37.7% of all Failing systems are receiving TA.

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

Work Plan Type	Work Plan No.	TA Recipient	Project Description	TA Provider*	TA Type	Total Amount Approved	HR2W Status	Primary MCL Violation
New Work Plan	6806-A	Castlewood MHP	Full planning to consolidate with Linda CWD	RCAC	DW	\$306,311 (New Work Plan)	Not At-Risk	N/A
New Work Plan	6394-A	Tonyville Lindsay Strathmore Irrigation District	Consolidation/Construction App	SHE	DW	\$764,184 (New Work Plan)	Failing	Nitrate; TTHM; Perchlorate; HAA5
New Work Plan	6875-A	Antelope Blvd area - Tehama County	Full planning and outreach to consolidate homes in the Antelope Blvd area to the City of Red Bluff	RCAC	DW	\$654,157 (New Work Plan)	N/A	N/A
New Work Plan	6975-A	Madison Community Service District	Assistance with a planning application for upgrades to existing water system.	Coleman	DW	\$363,707 (New Work Plan)	Potentially At-Risk	N/A
New Work Plan	6979-A	Mammoth Pool Mobile Home Park	Assistance with a construction application for meeting a compliance order on the system's wells.	Coleman	DW	\$511,877 (New Work Plan)	At-Risk	N/A
New Work Plan	6918-A	Golden State WC: Clearlake	Feasibility Study for regional consolidation of domestic well users	GHD	DW	\$169,941 (New Work Plan)	Not At-Risk	N/A

Work Plan Type	Work Plan No.	TA Recipient	Project Description	TA Provider*	TA Type	Total Amount Approved	HR2W Status	Primary MCL Violation
Work Plan Amendment	5115-B	Madera County MD-85	Valeta Water Consolidation Project	SHE	DW	\$47,200 (\$6,500 Decrease)	At-Risk	N/A
Work Plan Amendment	6356-D	City of Sanger	Full Planning for new well, project related to Tombstone consolidation project	SHE	DW	\$136,111 (\$37,911 Increase)	At-Risk	N/A
New Work Plan	6935-A	Fresno County Water Works District 18 Friant	Rate study, Facilitation of Prop 218 process, and Outreach	SHE	DW	\$137,966 (New Work Plan)	At-Risk	N/A
Work Plan Amendment	6384-C	Lakeshore Villa MWC	Full planning project for system improvements	RCAC	DW	\$795,300 (\$284,645 Increase)	At-Risk	N/A
Work Plan Amendment	5236-G	Teviston CSD	Planning Agreement support and implementation, DWSRF construction application, and general project management	SHE	DW	\$60,879 (\$2,579 Increase)	Failing	1,2,3-TCP
Work Plan Amendment	5927-C	City of Firebaugh	A study of existing water system infrastructure and TMF conditions.	SHE	DW	\$94,038 (\$18,431 Decrease)	At-Risk	N/A
New Work Plan	7019-A	Tulare County on Behalf of Harrison Road/Ave 266 Residents	Community Outreach to support existing ARPA and Small Community Drought Relief Program project.	SHE	DW	\$9,195 (New Work Plan)	N/A	N/A

Work Plan Type	Work Plan No.	TA Recipient	Project Description	TA Provider*	TA Type	Total Amount Approved	HR2W Status	Primary MCL Violation
Work Plan Amendment	6652-C	Westhaven CSD	Full planning project for a long-term solution	UEI	DW	\$433,250 (No Change)	At-Risk	N/A
Work Plan Amendment	6659-C	Di Giorgio School Water System	Preparing a preliminary engineering report (PER), including a test well.	SHE	DW	\$646,017 (\$141,386 Increase)	Failing	Arsenic; 1,2,3-TCP
Work Plan Amendment	6764-B	Klamath Community Services District	Website design and development	UEI	DW	\$32,569 (No Change)	Not At-Risk	N/A
Work Plan Amendment	6272-C	Cedar Valley MWC	Full planning project	SHE	DW	\$1,148,950 (\$1,102,640 Increase)	Failing	Arsenic
Work Plan Amendment	5115-B	Madera County MD-85	Valeta Water Consolidation Project	SHE	DW	\$47,200 (\$6,500 Decrease)	At-Risk	N/A
Work Plan Amendment	5219-B	Spring Valley School	DWSRF planning application	SHE	DW	\$14,950 (\$44,150 Decrease)	Not At-Risk	N/A
Work Plan Amendment	6451-B	North Trails Mutual Water Company	Full planning project to address arsenic and uranium MCL violations.	UEI	DW	\$135,571 (\$41,344 Increase)	Failing	Arsenic; Fluoride
New Work Plan	6920-A	South Fork Estates	Outreach/Rate Study	SHE	DW	\$45,398 (New Work Plan)	Not At-Risk	N/A
New Work Plan	7029-A	East Orosi CSD	Construction app/Outreach	SHE	WW	\$216,243 (New Work Plan)	N/A	N/A

Work Plan Type	Work Plan No.	TA Recipient	Project Description	TA Provider*	TA Type	Total Amount Approved	HR2W Status	Primary MCL Violation
New Work Plan	7032-A	Souls Tract and Lone Oak	Construction app/Outreach	SHE	WW	\$165,849 (New Work Plan)	N/A	N/A
Work Plan Amendment	5237-I	East Niles CSD	Construction app/Outreach	SHE	DW	\$680,300 (\$435,300 Increase)	Failing	Nitrate; 1,2,3-TCP
New Work Plan	6851-A	Rand Community Water District	Assistance with reviewing technical documents and run water quality tests on well.	SHE	DW	\$131,071 (New Work Plan)	Failing	Arsenic
New Work Plan	6811-A	Esterina Properties	Feasibility study to resolve manganese MCL exceedance compliance order	RCAC	DW	\$107,821 (New Work Plan)	Failing	Iron; Manganese (secondary MCLs)
New Work Plan	6872-A	Olivehurst PUD	Feasibility study to evaluate consolidation with private homeowners in the Arboga region	RCAC	DW	\$165,028 (New Work Plan)	Not At-Risk	N/A
New Work Plan	6666-A	West Water Company	Full planning project for consolidation with Sonoma County CSA 41	UEI	DW	\$360,855 (New Work Plan)	At-Risk	N/A
Work Plan Amendment	6613-D	Lake Morena Views MWC	Full planning project for consolidation	UEI	DW	\$520,569 (\$10,300 Increase)	At-Risk	N/A
New Work Plan	6644-A	Pine Grove Mobile Home Park	Full planning project to consolidate Pine Grove MHP with Fall River Valley CSD	UEI	DW	\$376,947 (New Work Plan)	Not At-Risk	N/A

Work Plan Type	Work Plan No.	TA Recipient	Project Description	TA Provider*	TA Type	Total Amount Approved	HR2W Status	Primary MCL Violation
Work Plan Amendment	6186-C	Hornbrook CSD	Full planning project to provide long term solution to the CSD	UEI	DW	\$812,117 (\$138,119 Increase)	At-Risk	N/A
New Work Plan	6876-A	Winton Water and Sanitary District	1,2,3-TCP Mitigation Project	SHE	DW	\$67,376 (New Work Plan)	Failing	1,2,3-TCP
Work Plan Amendment	6036-E	Palomino Estates WC	Full planning project to address infrastructure deficiencies and treatment technology recommendation	UEI	DW	\$560,177 (\$82,510 Increase)	At-Risk	N/A

\* TA Providers:

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

\*\* DW = drinking water; WW = wastewater

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

AR Number	TA Recipient	Project Description	TA Provider	TA Type
7052	Bud Fine MWC	The completion of the 2022 EAR	CRWA	DW
7053	Seymour's Mutual Water System	The completion of the 2022 EAR	CRWA	DW



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

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

<b>SAFER Program Approved Projects and Amendments September 2023</b>				
<b>Recipient</b>	<b>Project Purpose</b>	<b>Funding Amount</b>	<b>Funding Program</b>	<b>Category</b>
Keeler Community Services District	The purpose of the project is to purchase, deliver and distribute bottled drinking water to the residents of Keeler.	\$92,625	SADW	Interim Solutions

**Funding Provided for Emergency Drought Response**

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

**Cleanup and Abatement Account Projects**

The table below summarizes the Cleanup and Abatement Account (CAA) funding approved in the month of September 2023.

<b>CAA Funding (September 2023)</b>		
<b>Project #</b>	<b>Recipient – Project Purpose</b>	<b>Funding Amount</b>
D1811426	Leviathan Mine Project - The purpose of the project is to allow Lahontan Water Board staff to initiate emergency contracting quickly when emergency winter and spring acid mine drainage (AMD) treatment needs arise and to timely construct emergency measures to ensure slope stability adjacent to the AMD treatment Pit Clarifier.	\$3.2 million

**Drinking Water for Schools Grant Program**

No updates for the month of September 2023.

## Stormwater Unit

Mexico Border Rivers

Inauguration event for the Mexicali Fluye Project in Mexicali, Mexico Nov. 4, 2023 from 9:00 am – 11:30 am.

On September 6, 2023, the State Water Board executed a grant agreement with the Sonoran Institute that our Mexicali Fluye Project in an amount of \$4,323,789. The Project is to develop and implement nature-based and community-based solutions along a three-mile stretch of Mexicali's urban canals to improve the quality of the New River which flows into California.

## Office of Operator Certification

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

## Future Significant Events

On November 8th, the Office of Operator Certification will present an information item at the Board meeting. This informational item is to provide the Board a status update on the Office of Operator Certification, including recommendations that were made by the Drinking Water Operator Certification Program and Wastewater Operator Certification Program advisory committee sub-workgroups and State Water Board staff response to those recommendations.

# DIVISION OF DRINKING WATER

## Permits

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

The following 32 permits were submitted between September 16, 2023, and October 15, 2023.

<b>Water System</b>	<b>Permit Type</b>	<b>Permit Purpose</b>
HARRIS RANCH RESTAURANT	PERMIT AMENDMENTS	GAC treatment installation
PETALUMA LIVESTOCK AUCTION YARD	FULL PERMIT	REVISED FULL PERMIT
GSWC - SOUTHWEST	PERMIT AMENDMENTS	DOTY WELLS 1 & 2
LUNDY LAKE RESORT	FULL PERMIT	REVISED FULL PERMIT
POND MUTUAL WATER COMPANY	PERMIT AMENDMENTS	POU RENEWAL

GOLDEN STATE VINTNERS - FRESNO	FULL PERMIT	2023 REVISED FULL PERMIT
OAK GLEN CHRISTIAN CONFERENCE CENTER	FULL PERMIT	Change in Ownership
GOLD LEAF FARMING LLC	FULL PERMIT	2023 REVISED FULL PERMIT
GOLDEN STATE WATER DESERT VIEW	FULL PERMIT	REVISED FULL PERMIT
KETTLEMAN CITY CSD	PERMIT AMENDMENTS	WELL 3 TO STANDBY
AMERICAN UNION SCHOOL	PERMIT AMENDMENTS	POU for TCP and Uranium
MARK WEST MEADOWS MUTUAL WATER	FULL PERMIT	RESISSUE WATER PERMIT
SPICER MEADOW CAMPGROUND	FULL PERMIT	UPDATE PERMIT CONDITIONS
RMRC-ESHOM CAMPGROUND	FULL PERMIT	REFLECT CURRENT OWNERSHIP AND OPERATIONS
FAIR OAKS WATER DISTRICT	PERMIT AMENDMENTS	ACTIVATION OF WELL 14 (SKYWAY WELL)
RELAX INN	FULL PERMIT	Change of Ownership
VALLEY OF THE MOON WATER DISTRICT	FULL PERMIT	REVISED PERMIT
CHINO, CITY OF	PERMIT AMENDMENTS	EASTSIDE WATER TREATMENT FACILITY (EWTF) EXPANSION AND ADD WELL 16 AS A SOURCE FOR THE EWTF
SIERRA MASONIC WATER CO	FULL PERMIT	UPDATED PROVISIONS
BANNING, CITY OF	PERMIT AMENDMENTS	FOOTHILL WEST RESERVOIR
NACIMIENTO WATER PROJECT	PERMIT AMENDMENTS	AMENDMENT FOR DISTRIBUTION SYSTEM RECLASSIFICATION
BURBANK-CITY, WATER DEPT.	PERMIT AMENDMENTS	PFHXS BLENDING
OWENS VALLEY WATER RESOURCES, INC.	FULL PERMIT	APPENDICES
OWENS VALLEY WATER RESOURCES, INC.	FULL PERMIT	2023 FULL PERMIT
ECONOMY INN	FULL PERMIT	CHANGE IN OWNERSHIP - REPLACE TREATMENT PLANT
SONORA EAST CENTER	FULL PERMIT	UPDATE PERMIT CONDITIONS
UPLAND, CITY OF	PERMIT AMENDMENTS	APPROVE RESERVOIR NO. 15 TANK REPLACEMENT

ROMBAUER SIERRA Foothills	FULL PERMIT	CHANGE OF OWNERSHIP
THE BOEING COMPANY - HDAIT	PERMIT AMENDMENTS	WELL 4 STATUS CHANGE TO ACTIVE
KIRKWOOD CAMPGROUND	FULL PERMIT	CHANGE IN REGULATORY JURISDICTION
CWSC LOS ALTOS SUBURBAN	PERMIT AMENDMENTS	STATION 28 RESIDUAL CONTROL AND AUTOMATED DOSING SYSTEM
MODESTO, CITY OF	PERMIT AMENDMENTS	GAC REMOVAL PERMIT FROM WELL 3

### 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 September 16 through October 16, 2023.

Public Water System	Violation	Contaminant or Rule
ALPINE VILLAGE	Other	WATERWORKS STANDARD
ALTMAN PLANTS WS #01 - SPENCE 20460	MCL	NITRATE
AUSTIN INDUSTRIAL PARK WATER SYSTEM	MCL	ARSENIC
BREESE SUBDIVISION 2	Monitoring	LCR
CAMP STEVENS	Treatment Technique	RTCR
CENTRAL VALLEY BAPTIST CHURCH WS	MCL	1,2,3 TCP
CENTRAL VALLEY BAPTIST CHURCH WS	MCL	ARSENIC

CENTRAL VALLEY BAPTIST CHURCH WS	MCL	NITRATE
CUTLER PUD	MCL	NITRATE
DEL MONTE FOODS, INC. PLANT #24	Other	VIOLATION OF A PERMIT CONDITION
DHS BORDER PATROL I-8 CHECKPOINT	Monitoring	FLUORIDE
ECCO	Monitoring	LCR
ENCINAL RD WS #01	MCL	E. COLI
GICO MANAGEMENT	MCL	ARSENIC
GRIZZLY FLATS COMMUNITY SERVIC	Other	CCR §64602 – WATER OUTAGE (OTHER)
GRIZZLY LAKE CSD-DELLEKER	MCL	COMBINED URANIUM
HERITAGE RANCH CSD	MCL	HAA5
HILLTOP MWA	MCL	E. COLI
HINES NURSERIES WINTERS NORTH	MCL	NITRATE
HOWELL'S LAKESIDE WATER CO.	Monitoring	LCR
LIANA ESTATE	Monitoring	NITRATE
LOS ANGELES RESIDENTIAL COMMUNITY FOUNDA	Other	VIOLATION OF A PERMIT CONDITION
MARTINEZ APARTMENTS	MCL	ARSENIC
MARTINEZ APARTMENTS	MCL	NITRATE
MARYSVILLE FLEA MARKET	Reporting	FAILURE TO COMPLETE ANNUAL REPORT
MARYSVILLE RACEWAY PARK	Reporting	FAILURE TO COMPLETE ANNUAL REPORT
MUSD-NILE GARDEN SCHOOL	MCL	1,2,3 TCP
MUSD-NILE GARDEN SCHOOL	MCL	ARSENIC

NORCAL ADVENTURE AREA	Reporting	FAILURE TO COMPLETE ANNUAL REPORT
PISMO BEACH WATER DEPARTMENT	MCL	HAA5
PLEASANT GROVE MHP	Reporting	CCR
PNP STOCKTON #80	MCL	NITRATE
RANCHO SANTA TERESA MW CO.	Reporting	STATE REPORTING REQUIREMENT VIOLATION
RANCHO SANTA TERESA MW CO.	Public Notification	PUBLIC NOTICE
RANCHO SANTA TERESA MW CO.	MCL	MANGANESE
RANCHO SANTA TERESA MW CO.	MCL	NITRATE
RED HILL SALOON	Reporting	FAILURE TO COMPLETE ANNUAL REPORT
RINCON WATER & ROAD WORKS	MCL	HAA5
ROBINSON'S CORNER MHP	MCL	NITRATE
SAN-I-PAK INC	MCL	NITRATE
SOLVANG WATER DIVISION	Monitoring	E. COLI
SOUTH SHORE RECREATION AREA	MCL	E. COLI
SPENCER VALLEY SCHOOL DISTRICT	Treatment Technique	RTCR
SPICER MEADOW CAMPGROUND	MCL	E. COLI
STAR MOTEL	MCL	NITRATE
SUNNY ROAD WATER SYSTEM	MCL	ARSENIC
TOOLEVILLE MUTUAL NON-PROFIT WATER ASSN	Other	CCR §64554 – SRC CAPACITY

Total violations	47	
------------------	----	--

## Environmental Laboratory Accreditation Program (ELAP)

### Accreditation Activities

ELAP ACCREDITATIONS ISSUED		
	September 16 – October 15	January 1 – October 15, 2023
New Accreditations	0	10
Renewed Accreditations	20	198
Reciprocity Accreditations	5	78
Amended Accreditations	31	145
Total	56	431

### ELAP Fees Stakeholder Meeting

The State Water Resources Control Board adopted a flat fee increase of 30% to ELAP fees at its September 19<sup>th</sup> meeting. The Board further directed ELAP and Division of Administrative Services staff to continue working with its established focused stakeholder group and advisory bodies to explore alternative fee structures to limit flat fee increases in the future. ELAP is currently developing potential models that incorporate a volume-based charge.

### Federal Advanced Environmental Crimes Training Program

ELAP Senior staff attended the Advanced Environmental Crimes Training Program, a two-week intense, advanced course, held in San Luis Obispo from September 11-22, 2023. Staff received advanced instruction in criminal provisions of environmental statutes, multi-media investigations, interviewing, search and seizure, report writing, and computer evidence collection.

### ELAP and Nevada Division of Environmental Protection Laboratory Certification Program Reciprocity

ELAP staff met with counterparts in the Nevada Laboratory Certification Program to discuss a potential future reciprocity agreement ahead of the TNI Standard requirements becoming effective on January 1, 2024, for all California-ELAP accredited laboratories. Nevada indicated its intention the move to the 2016 standard in the future to allow for an agreement between the states.

### DDW & DWQ PFAS Strategy Team

ELAP staff continues to regularly participate in the multi-divisional strategy team for regulation of PFAS. ELAP offers two US EPA methods for analysis of PFAS in drinking



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

**Roadmap to ELAP Accreditation**

ELAP continues to support laboratories in transitioning to new regulatory requirements through a compliance assistance initiative, the Roadmap to ELAP Accreditation, including one-on-one Transition Appointments with individual laboratories to answer questions and help them create a plan. Laboratories may request an appointment by emailing ELAP’s general email inbox. The compliance date for the TNI Standard requirements is January 1, 2024, which represents the last of the new requirements associated with the new ELAP regulations.

**DDW-SAFER**

**The SAFER Clearinghouse Summary Results for October 2023 (on 10/15/2023)**

Summary Results			
<b>HR2W Systems</b>	389	<b>Removed HR2W Systems</b>	8

**Water Systems Removed from the HR2W List September - October 2023 (on 10/15/2023)**

PWS ID	System Name	Last Status Change	County	Population
0900300	KYBURZ MUTUAL WATER COMPANY	09/25/2023	EL DORADO	150
1500252	KERN VALLEY MUTUAL WATER COMPANY	09/26/2023	KERN	130
1500579	LIFE WATER CO-OP	09/26/2023	KERN	27
1502221	POND SCHOOL WATER SYSTEM	10/02/2023	KERN	250
1610007	HOME GARDEN CSD	10/13/2023	KINGS	1,750
2000611	COARSEGOL D SCHOOL	10/02/2023	MADERA	441

3701184	BUTTERFIELD RANCH	10/10/2023	SAN DIEGO	353
5010018	RIVERBANK, CITY OF	10/06/2023	STANISLAUS	24,834

**Water Systems Added to the HR2W List September - October 2023  
(on October 15, 2023)**

PWS ID	System Name	Last Status Change	County	Population
4010008	PISMO BEACH WATER DEPARTMENT	10/11/2023	SAN LUIS OBISPO	8,036
3700918	RANCHO SANTA TERESA MW CO.	10/10/2023	SAN DIEGO	102
0400021	ROBINSON'S CORNER MHP	09/21/2023	BUTTE	20

**Needs Analysis Unit**

**SAFER Engagement Units**

**Cutler Public Utility District and Orosi Public Utility District Public Meeting**

On October 10, 2023, the SAFER Southern Engagement Unit and Office of Public Participation held a public meeting in Culter, CA regarding the consolidation of both water systems. The meeting was attended by 30 people, current residents of both water systems and private well owners surrounding the water systems. The second consolidation public meeting will take place in early 2024. During the comment period, the public communicated their general support for the consolidation and their desire for water that meets water quality standards. Frustrations with the current PUD boards and the PUD's consulting engineer, Dennis Keller, were communicated by the public and Tulare County Supervisor Eddie Valero.

## Completed Consolidations

The following water system consolidation was completed during October 2023.

Name	Type	Pop.	Conn.	Notes
HAKAM MISSON	C		14	Consolidated to the City of Turlock, Privately Funded

## Hexavalent Chromium Maximum Contaminant Level Status

The proposed hexavalent chromium maximum contaminant level notice of proposed rulemaking was published June 16, 2023. An Administrative Procedure Act public hearing to receive public comments on the proposed regulation was held Wednesday, August 2, 2023, with written comments due by noon Friday, August 4, 2023. Staff continue to review and respond to public comments.

## Cross-Connection Control Policy Handbook

The final draft of the Cross-Connection Control Policy Handbook (CCCPH) and staff report was posted on the program website on October 5. The final draft incorporates changes in response to comments from the second public hearing. A Board Workshop was held on October 18 to go over updates and identify any major concerns prior to proceeding to a Board Adoption meeting. Comments are allowed to be submitted on the final draft until October 20. Barring any major concerns, the Board Adoption hearing is scheduled for December 5. An effective date will need to be specified during adoption.

## Direct Potable Reuse Proposed Regulations

Staff reviewed written and oral comments received during the 45-day public comment period which ended September 8, 2023, and during the public hearing on September 7, 2023. DDW made changes to the proposed regulation text and is preparing for an additional 15-day comment period under the Administrative Procedure Act (APA) allow for the public to comment on the proposed changes to the regulation text and to add additional documents to the rulemaking file. The "Notice of Public Availability of Changes to Proposed Direct Potable Reuse Regulations and Addition of Material to the Rulemaking Record" is anticipated to be posted and sent out this week, with the anticipated close of the 15-day comment period around November 6th. In accordance with the APA, all comments received by the close of the 15-day comment period will be addressed in subsequent regulation documents developed by DDW staff and will be made available to the public. The DDW staff anticipates board adoption of the DPR regulations in December 2023 to meet the deadline established by the legislature in AB 574 (Water Code, Division 7, Chapter 7.3) and commitment by the State Water Board in the governor's 2022 California's Water Supply Strategy.

## DIVISION OF ADMINISTRATIVE SERVICES

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

The FY 2023-24 Drinking Water, ELAP and Water Quality fee schedule changes were approved by the Office of Administrative Law and filed with the Secretary of State. The FY 2023-24 Water Rights fee schedule is in the process of being reviewed by the Office of Administrative Law.

## OFFICE OF ENFORCEMENT

### Training

On October 3 and 12, the Office of Enforcement (OE) gave the first of four virtual training courses on how to enter administrative civil liabilities into the California Integrated Water Quality System (CIWQS). OE collaborated with the Training Academy to arrange these courses through the new Cornerstone system. Additional courses will be offered on November 1st and 6th and will provide an overview of the ACL Data Entry Wizard. They also will cover the process of issuing a pre-settlement letter, EPL, or ACL and the different pathways the enforcement can take and how to enter those pathways in CIWQS.

### Administrative Civil Liability (ACL) Complaints Issued

Region	Discharger/City	Violation(s) Addressed	ACL Order Amount	Date Issued
1	Bo Dean Co Inc/ Santa Rosa	From September 2018 through May 2019, the Facility discharged 10,519,608 gallons of stormwater polluted with sediment to waters of the United States and for failure to install, implement, and/or maintain appropriate best management practices (BMPs).	\$8,589,406	9/14/2023
8	Norco City/ Norco	Failure to require water quality management plan (WQMP), failure to train staff, and failure to provide requested documents in a reasonable time.	\$402,888.88	9/6/2023

**ACL Orders Issued**

<b>Region</b>	<b>Discharger/City</b>	<b>Violation(s) Addressed</b>	<b>ACL Order Amount</b>	<b>Date Issued</b>
3	Salinas City/ Salinas	Unauthorized discharge of untreated wastewater from two sanitary sewer system manholes to Natividad Creek on April 15, 2022, with an estimated total volume of 108,600 gallons, where 55,425 gallons was recovered, and 53,175 gallons reached Natividad Creek.	\$193,879 (\$98,164 to Cleanup and Abatement Account (CAA) & \$95,715 to Enhance Compliance Action (ECA))	9/12/2023
3	Ca Dept of Corrections San Luis Obispo/ San Luis Obispo	Mandatory minimum penalties (MMPs) for: <ul style="list-style-type: none"> <li>• 7 exceedances of the maximum daily effluent limit (MDEL) for total nitrogen</li> <li>• 2 exceedances of the average monthly effluent limit (AMEL) for copper</li> <li>• 2 exceedances of the instantaneous minimum effluent limit for pH</li> <li>• Exceedance of the AMEL for dibromochloromethane</li> </ul>	\$36,000 (MMP – all to CAA)	9/26/2023
5S	Yuba City/ Yuba City	Mandatory minimum penalties (MMPs) for: <ul style="list-style-type: none"> <li>• 3 exceedances of the 7-day median effluent limit for total coliform</li> <li>• 3 exceedances of the MDEL for settleable solids</li> </ul>	\$18000 (MMP – all to CAA)	9/15/2023
5S	Quartzview Corporation/ Alleghany	Mandatory minimum penalties (MMPs) for: <ul style="list-style-type: none"> <li>• Exceedance of the both the MDEL and the AMEL for total suspended solids (TSS)</li> <li>• Exceedance of the MDEL for nickel</li> <li>• 7 exceedances of the AMEL for nickel</li> <li>• 7 exceedances of the MDEL for arsenic</li> <li>• 7 exceedances of the AMEL for arsenic</li> <li>• 7 exceedances of the MDEL for antimony</li> <li>• 7 exceedances of the MDEL for antimony</li> <li>• Exceedance of the annual average effluent limit for electrical conductivity</li> <li>• 3<sup>rd</sup> quarter 2020 self-monitoring report was due on November 1, 2020, but submitted 92 days late</li> </ul>	\$126,000 (MMP – all to CAA)	9/29/2023

Region	Discharger/City	Violation(s) Addressed	ACL Order Amount	Date Issued
9	Oceanside City/ Oceanside	MMPs for 5 exceedances of the instantaneous maximum effluent limit for settleable solids	\$15,000 (MMP – all to CAA)	9/8/2023
9	Quality Investors 1 2016 LLC/ Oceanside	Unauthorized discharge of approximately 425,670 gallons of sediment-laden stormwater discharging into the City's MS4	\$411,475 (all to CAA)	9/20/2023

### 13260 Orders

Region	Discharger/City	Violations Addressed/Action(s) Required	Date Issued
3	Betteravia Farms LLC / Santa Maria	The vegetable processing facility located at 1850 West Stowell Road in Santa Maria that does not currently have permit coverage for the disposal of vegetable wash water generated at the facility. Requires the submittal of a notice of intent for Order No. R3-2004-0066, Waste Discharge Requirements for Fruit and Vegetable Processing Waste, which will serve as a report of waste discharge.	9/18/2023

### Investigative Orders

Region	Discharger/City	Violations Addressed/Action(s) Required	Date Issued
2	Teiko Lewis c/o Daniel Lewis / Millbrae	13267 Investigative Order requires the submittal of an operation, maintenance, and monitoring plan (OMM Plan) for the Sub-Slab Depressurization System (SSDS) that is operating at the Source Property and an investigation workplan and implementation schedule to define the lateral and vertical extent of soil vapor and groundwater contamination discharged from former Peninsula Cleaners located at 285 Broadway in Millbrae.	9/11/2023
4	Refrigerant Exchange and InCorp Services, Inc. / Irwindale	13267 Order No. R4-2023-0013 requiring discharger to prepare and submit a subsurface investigation work plan the refrigerant exchange and recycling operation that released contaminants at the site located at 5263 4 <sup>th</sup> Street in Irwindale.	9/21/2023

5S	Adam Murray and PCI Holdings LLC/ Diamond Springs	13267 Order No. R5-2023-0806 requires the submittal of a technical document related to residue lime waste located at the assessor parcel numbers (APNs) 051-250-054 and APN 051-250-091 in Diamond Springs.	9/12/2023
5S	Alison Elaine Pool Living Trust/ Sonora	13267 Order No. R5-2023-0804 requires the investigation and submittal of technical reports concerning historical discharges of petroleum compounds at the former Chase Brothers Sonora Bulk Plant located at 199 East Mono Way in Sonora.	9/22/2023
9	Everde Growers/ Fallbrook	13267 Order No. R9-2023-0022 directs Everde Growers to investigate the irrigation tailwater recycling system and discharge of sediment pollutants to Rainbow Creek's Tributary.	9/1/2023

#### Health and Safety Code Section 25296.10(c) Orders

Region	Discharger/City	Violations Addressed/Action(s) Required	Date Issued
6T	Dona Ines LLC, Neil and Lorraine MacSwain, et al./ Kings Beach	Order requires a Groundwater Assessment Workplan and its implementation, a Corrective Action Workplan, technical reports, and a conceptual site model for the Old Brockway Theater, located at 8707 North Lake Boulevard in Kings Beach.	9/12/2023

#### Cleanup and Abatement Orders

Region	Discharger/City	Violations Addressed/Action(s) Required	Date Issued
3	City of Santa Barbara and Oro Financial of California, Inc., et al./ Santa Maria	Cleanup and Abatement Order (CAO) No. R3-2023-0070 directs the Dischargers to investigate, monitor, and cleanup wastes and/or abate the effects of discharges of wastes including volatile organic compounds (VOCs), primarily trichloroethene (TCE), petroleum hydrocarbons, and 1,4-dioxane that have been discharged to soil and groundwater at 2926, 2936, 2946, 2956, 2976, and 2986 Industrial Parkway in Santa Maria.	9/26/2023
5S	Xavier, Florinda / Atwater	CAO R5-2023-0702 requires the submittal of technical work plans detailing the clean out of the dairy's primary wastewater storage lagoon; the removal of weeds on the lagoon embankments; the installation of a depth gauge at both wastewater and storage lagoons, the submittal of an updated Waste Management Plan that includes an updated Operations & Maintenance Plan; and the installation of controls so all corral-run-off is conveyed to one of the dairy's wastewater storage lagoons.	9/19/2023

**Other Enforcement Actions Taken**

<b>Region/Division</b>	<b>Actions Issued</b>	<b>Region/Division</b>	<b>Actions Issued</b>
1	29	5S	100
2	3	6T	4
3	12	6V	4
4	48	7	131
5F	6	8	248
5R	8	9	7

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

The California Aquatic Bioassessment Workgroup (CABW) and the California Chapter of the Society of Freshwater Science (SFS) are hosting the 30th annual CABW and 11th annual SFS California Chapter meeting November 6-7, 2023 at the Southern California Coastal Water Research Project. This is the first time we are holding this event in southern California and are excited to welcome new partners and collaborators.

The purpose of this joint meeting is to exchange current and relevant bioassessment and freshwater science information among professionals, resource managers, policymakers, educators, students and the public; network and build partnerships; and, to support science-based policy and natural resource management to protect and restore California’s freshwater aquatic ecosystems.



## OFFICE OF RESEARCH, PLANNING, AND PERFORMANCE

**Water Conservation:** Urban retail water suppliers are required to provide the Board monthly water conservation and production reports. In June 2023, the DRINC Portal, which was the repository for monthly conservation reporting, was shut down and reporting requirements are now satisfied by completing SAFER Clearinghouse reporting. Staff are working to reconcile reported volumes in the prior DRINC dataset with reported volumes in the SAFER Clearinghouse. Due to some discrepancies between numbers reported during the same month in both platforms, staff are currently undertaking some data cleanup prior the final dataset release.

In September 2023, we received 365 water waste reports through the [Save Water](#) site.

**Emergency Management Program:** The Suspension for the Yurok Tribe was signed on September 27, 2023 by Secretary Garcia to conduct restoration work for McKinney Fire impacts. The Emergency Management Program, Office of Chief Counsel, Division of Water Quality, and Region 1 worked closely on developing suspension language and an environmental protection plan. The California Natural Resources Agency and California Department of Fish and Wildlife also joined in this effort. All involved will be monitoring the progress of these activities and documenting it for future lessons learned and planning.

## OFFICE OF CHIEF COUNSEL

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

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

PETITION NUMBER AND LINK TO PETITION	PETITION INFORMATION	DATE PETITION RECEIVED	DEADLINE FOR STATE WATER BOARD TO GRANT REVIEW
<a href="#">A-2830</a>	Petition of Los Angeles Waterkeeper for Review of Waste Discharge Requirements Order No. R4-2023-0181 For the Joint Water Pollution Control Plant in Carson, Los Angeles County; Issued by the Los Angeles Regional Water Quality Control Board	6/23/2023	9/21/2023
<a href="#">A-2838</a>	Petition of Jo Anne Kipps for Review of Waste Discharge Requirements Order No. R5-2023-0024 For the California Concentrate Company Facility in Acampo, San Joaquin County; Issued by the Central Valley Regional Water Quality Control Board	7/18/2023	10/16/2023

## **OFFICE OF PUBLIC PARTICIPATION**

The Office of Public Participation ensures the Water Boards' decision-making processes involve the public and uplift the voices of environmental justice communities and California Native American tribes. Primary program areas include the Safe and Affordable Funding for Equity and Resilience (SAFER) Drinking Water program, public participation and engagement with environmental justice communities, racial equity, language access, and tribal affairs.

### **Safe and Affordable Funding for Equity and Resilience (SAFER)**

The Office of Public Participation's role within the SAFER drinking water program includes developing and implementing effective community engagement and outreach strategies that ensure Californians who lack safe, adequate, and affordable drinking water receive it as quickly as possible and that the water systems serving them establish sustainable solutions.

### **SAFER Advisory Group**

On August 11, 2023, the SAFER Advisory Group met to discuss the Fund Expenditure Plan, give feedback on changes to the SAFER website, get updates on the SAFER program, share announcements from Advisory Group members, and gather public comments. The application period for becoming a member of the SAFER Advisory Group ended on September 30, with 25 applications received. The selected Advisory Group members will be announced in December. On December 7, 2023, the Office of Public Participation will bring together the SAFER Advisory Group for a meeting and tour to see the drinking water regionalization efforts in the Coachella Valley. This meeting will cover several SAFER program updates and celebrate the 100th SAFER consolidation and community leadership efforts for drinking water projects in the Coachella Valley.

### **Drinking water public meetings and special projects**

#### **Cutler/Orosi Consolidation Public Meeting**

On October 10, 2023, the Office of Public Participation hosted a public meeting in partnership with the Division of Drinking Water and Division of Financial Assistance in the community of Cutler. The meeting aimed to discuss drinking water quality issues and explain the consolidation process between Cutler and the community of Orosi. During the meeting, staff explained the difference between voluntary and mandatory consolidations and announced that the decision regarding voluntary consolidation would be made on November 8, 2023. This meeting took place in person, was conducted in both English and Spanish, and had over 25 participants.

## **San Lucas Community Listening Session**

On October 20, 2023, the Office of Public Participation organized a public listening session in collaboration with residents from the San Lucas community, the San Lucas County Water District, the Central Coast Regional Water Quality Control Board, the Division of Drinking Water, and the Division of Financial Assistance. The purpose of this gathering was to address drinking water concerns and understand the priorities of the residents. This meeting took place in person, was conducted in both English and Spanish. More community meetings are planned for 2024.

## **Lead Service Line Replacement Funding Program**

On October 20, 2023, the Office of Public Participation hosted a workshop in collaboration with the Division of Financial Assistance to promote and provide technical guidance for the Lead Service Line Replacement Funding Program. The meeting received significant participation, with over 50 questions and representation from water systems, environmental justice organizations, and others. The meeting was conducted online and had more than 100 participants.

## **Big Basin Water Company Receivership**

On July 13, 2023, the Office of Public Participation hosted a public meeting in collaboration with several entities, including the Big Basin community, California Public Utilities Commission, Santa Cruz County, Santa Cruz Community Emergency Response Team, the Central Coast Regional Water Board staff, Division of Drinking Water Monterey District office, and Office of Chief Counsel. The meeting aimed to discuss the process of receivership and address questions related to the drinking water and wastewater needs of the community. The Office of Public Participation, along with its partners, released a frequently asked questions document before and after the meeting to address community concerns. The meeting was held both in person and online and had more than 150 participants.

## **Hexavalent Chromium Maximum Contaminant Level Rulemaking**

On August 2, the State Water Board held a hearing on the proposed maximum contaminant level rulemaking for hexavalent chromium in drinking water. The Office of Public Participation collaborated with the Division of Drinking Water to provide live Spanish interpretation at the hearing and translate 100% of the hearing materials into Spanish. The rulemaking team is currently reviewing public comments and considering whether revisions to the proposed regulation are necessary.

## **Public Participation**

The Office of Public Participation's Public Participation program promotes inclusive, equitable, and transparent public engagement in Water Boards decision-making processes for all Californians, especially for environmental justice communities.

## **Site-Cleanup Sub-account Program**

On July 27 and September 30, the Office of Public Participation and the Division of Financial Assistance held two focused Site Cleanup Sub-Account Program stakeholder workshops. The meetings were held remotely, and the first meeting offered Korean interpretation services. These meetings had 14 and 17 participants, respectively. The feedback gathered included modifying ranking scores, establishing funding levels, and hosting an annual stakeholder meeting in April 2024.

## **Sustainable Groundwater Management**

The Department of Water Resources found local groundwater sustainability plans inadequate in six groundwater subbasins under the Sustainable Groundwater Management Act's sustainability requirements. These subbasins have been referred to the State Water Board for possible probation. The Office of Public Participation is coordinating outreach and engagement leading to probationary hearings in each subbasin. The first probationary hearing for the Tulare Lake subbasin is scheduled for April 16, 2024. The State Water Board released a draft staff report for Tulare Lake on October 12, with an executive summary available in English and Spanish. Workshops are planned for November 3 and November 8, where staff will present the draft report and seek input from the public. Spanish interpretation will be available at both workshops.

## **Bay-Delta Plan Updates**

On September 28, State Water Board released a draft staff report that assesses alternatives for the Bay-Delta Plan, a water quality control plan for the San Francisco Bay/Sacramento-San Joaquin Delta Estuary. Later this fall, staff will host informational workshops for interested parties and hold a three-day hearing to receive public comments. A workshop exclusively for tribal representatives is also planned. The Office of Public Participation assisted in outreach and engagement efforts related to the report's release.

## **Results Based Accountability**

The Office of Public Participation has collaborated with the Office of Research Planning and Performance and the Office of Information Management Analysis to offer a five-part Results Based Accountability course as a complement to the Advancing Racial Equity course. Results-Based Accountability is a method for learning, planning, and taking action to improve the quality of life for communities and measure program performance using a racial equity lens. These efforts aim to equip staff with the tools and knowledge to implement the Racial Equity Action Plan and be better able to apply a racial equity lens into all aspects of their programmatic work.

## **Racial Equity Train-the-Trainer**

The Water Boards have developed a Racial Equity Train-the-Trainer program to equip employees with the skills to deliver a three-part racial equity course to their colleagues within the agency. The goal of the train the trainer program is to build our internal capacity to deliver racial equity trainings to as many Water Boards employees as possible. This course, titled “Advancing Racial Equity at the Water Boards” was adapted from a similar course developed by the California Environmental Protection Agency and has been modified to add content specific to the Water Boards. This course is an opportunity to engage with peers who are exploring and developing a shared understanding of fundamental racial equity concepts, a model of change to become an antiracist organization, and an overview of racial equity tools. Ten staff were certified as trainers as part of the first train-the-trainer cohort, and 270 Water Boards staff have taken the “Advancing Racial Equity at the Water Boards” training so far. The second cohort of staff will go through the train-the-trainer process this fall and once certified as trainers, will join the current trainers in delivering the training to approximately 800 staff over the next year.

## **Language Access**

The Office of Public Participation’s Language Access program ensures that the Water Boards comply with state and federal language access laws by providing all Californians with meaningful and consistent language access services.

## **Oral Interpretation Services**

Between July and September 2023, the Office of Public Participation provided ten interpretation services for meetings and conversations between staff members of the public. For example, some meetings include the SAFER Advisory Group meeting, the SCAP Stakeholder Workshop, the Central Coast Agricultural Order, the Once-Through Cooling, and the Hexavalent Chromium Administrative Procedures Act (APA) hearing. the Office of Public Participation provided nine interpretation services in Spanish and one in Korean during the preceding quarter.

## **Written Translation of Documents**

Between July and September 2023, the Office of Public Participation delivered 156 translations, including various materials like slide decks, public notices, fact sheets, meeting flyers, press releases, email announcements, web content, executive summaries, guidance documents, training materials, and social media text. These translations were provided in 13 languages: Spanish, Vietnamese, Hmong, Laotian, Simplified Chinese, Tagalog, Armenian, Hindi, Punjabi, Bulgarian, Korean, Russian, and Traditional Chinese.

## **Tribal Affairs**

The Office of Public Participation's Tribal Affairs program strengthens the Water Boards' relationships with California Tribes, conducts meaningful government-to-government consultations, deepens the staff's understanding of tribal needs, and supports tribal participation in Water Boards' decision-making processes, meetings, events, and hearings.

### **Utu Utu Gwaite Paiute Tribe Funding**

In June 2023, the State Water Board committed more than \$152,000 to support operational assistance and an interim solution for the Utu Utu Gwaite Paiute Tribe in Mono County to address elevated arsenic in wells on the Benton Reservation. The SAFER program funding will ensure the Tribe has access to safe and affordable drinking water while a long-term solution is developed through a well-drilling and treatment project lead by the Indian Health Service with possible additional funding from federal partners. This funding will help support the Tribe's consistent management and maintenance of the point-of-use system to health-based drinking water standards. As part of its funding agreement with the Tribe, the board has committed to pay half the salary for four years of a water system operator with expertise in managing the point-of-use system while the sustainable solution is implemented. The board's funding will also cover the costs of installing or replacing devices, as well as ongoing operations and maintenance, including water quality testing and filter replacement. Indian Health Service expects the new well and treatment infrastructure to be completed within three years, after which point-of-use devices will no longer be necessary. The board's funding will retain the operator for an additional year, during which time the operator can complete all required certifications to run the new water system. At the end of that year, with the new infrastructure in place and certifications complete, the Tribe will have a sustainable water system that requires only an operator's salary and a normal operation-and-maintenance budget. This is the first operations and maintenance tribal project funded by the SAFER program and is an example of the unique ways the SAFER program is collaborating to help address federal funding gaps.

### **The California Environmental Protection Agency Tribal Advisory Committee**

On September 12 and 13, the Advisory Committee had its first in-person meeting in several years at the Hoopa Valley Reservation in Humboldt County. The Tribal Advisory Committee consists of eight members from various tribes throughout the State and informs the California Environmental Protection Agency and its boards, divisions, and offices on policies and procedures relevant to tribal communities and governments.

### **56th Native American Day, Cultural Heritage Pavilion**

Native American Day is a statewide event at the State Capitol, honoring California tribes. The event includes cultural performances, a flag ceremony, and honoring elders. The Office of Public Participation coordinated the Cultural Heritage Pavilion, where more than ten cultural practitioners shared their cultural practices, including tule boat



making, bear grass braiding, basket weaving, language revitalization, and rawhide, with over 4,500 event attendees. This annual event is organized by the California Tribal Chairman's Association and the Native American Heritage Commission on the third Friday of September, with support from numerous tribes and state agencies.

### **Water Quality Coordinating Committee**

On October 23, the Water Quality Coordinating Committee held its annual meeting to bring together all board members from the State and Regional Water Boards for training, updates, and discussions on challenges and coordination. This year, the committee had a 2-hour discussion on Tribal Beneficial Uses.

### **Tribal Environmental Protection Agency and US Environmental Protection Agency Annual Conference**

On October 24, the Water Boards hosted a workshop on tribal beneficial uses and staffed a table with information on Water Boards' programs. at the annual Tribal EPA and US EPA Region 9 conference. The workshop provided a background on tribal beneficial uses and how they were designated and had a panel with representatives from the Central Valley and San Diego regional water boards as well as three tribal partners who are working with those specific regional water boards. The Office of Information Management and Analysis and a tribal partner also held a workshop on tribal water data initiatives. Yana Garcia, California Environmental Protection Agency Secretary, held a session to discuss efforts in California to support tribes.

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

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



## IRRIGATED LANDS REGULATORY PROGRAM UPDATE

October 2023

This month's Irrigated Lands Regulatory Program (ILRP) update provides a summary of significant activities of State Water Board staff for the month of September 2023; and the North Coast, San Francisco Bay, Central Coast, Los Angeles, Lahontan, Colorado River Basin, Santa Ana, and San Diego Regional Water Boards from August 1, 2023 to September 30, 2023. Next month's report will present the activities of the Central Valley Water Board's recent program activities and up to date data on compliance and outreach activities.

**State Water Board** adopted Order WQ 2023-0081, *In the Matter of Review of General Waste Discharge Requirements for Discharges from Irrigated Lands Order No. R3-2021-0040* (Petition Order), on September 20, 2023. The Petition Order contains remands for the Central Coast Regional Water Board's Order No. R3-2021-0040 and includes directions for staff to evaluate data collected within the program and consider convening an expert panel.

Staff immediately began the data review process outlined in the Petition Order. Staff is reviewing nitrogen applied and removed data submitted since the adoption of Order WQ 2018-0002. By September of 2024, staff will present an overview of the data and recommend whether an expert panel should be convened. A public workshop will be held to discuss potential expert panel questions with interested parties.

**North Coast Regional Water Board's** Draft Vineyard Order public comment period closed at the end of August 2023. Staff is reviewing comments and developing responses. In response to public and board member input received at the August 2023 Board workshop, engagement with interested parties will be extended through this winter to include farm tours, field trips, grower workshops, focus group meetings, and possibly another Board workshop. Staff expect to prepare a Proposed Order and Final Environmental Impact Report to be considered for adoption by the Board at a Summer 2024 public hearing at the earliest.

**San Francisco Bay Regional Water Board** staff emphasized outreach to increase Annual Reporting compliance. The Annual Reporting data will be combined with invoicing data for a reduction of invoice adjustments and to streamline the process. The Annual Report form includes more questions about the property and compliance with performance standards than it did in previous years. The emphasis on completing Annual Reports led to an increase in interaction with enrollees regarding GeoTracker, details about the Annual Report, and the Vineyard Program in general. The Annual Report data will help staff identify gaps in program compliance and prioritize future actions.

**Los Angeles Regional Water Board's** public comment period for tentative *General Waste Discharge Requirements for Discharges from Irrigated Lands in the Los Angeles Region* (General WDR) ended on August 18, 2023. Comments were received from agricultural interested parties, environmental groups, local governments, and

community members. Staff reviewed all comment letters and revised the Draft Order and staff report, as appropriate. The response to comments, revised General WDR, and revised staff report were released on September 18, 2023. The General WDR was adopted at the September 28, 2023, Board meeting.

**Santa Ana Regional Water Board** staff is working with the San Jacinto Coalition, a coalition group that represents agricultural operations enrolled in Order No. R8-2023-0006, *General Waste Discharge Requirements for Discharges of Waste from Irrigated Lands in the San Jacinto River Watershed, Riverside County* (General Order), to update reporting programs to meet the new requirements. On September 15, 2023, the San Jacinto Coalition submitted a draft Farm Plan and Irrigation Nitrogen Management Plan template for review. Staff is coordinating with the San Jacinto Coalition to assure the template meets the General Order requirements.

Staff is also focused on identifying agricultural operations that are either not enrolled in the General Order or have not met the reporting requirements of the previous Order. In August and September 2023, staff mailed out two pre-Administrative Civil Liability Complaints and Notice of Violations to 2 agriculture operations not in compliance with the General Order. As of September 30, 2023, one of these agricultural operations has contacted staff to correct the violations and determine the next steps needed to meet the General Order requirements. Staff also identified 12 additional landowners that have agricultural parcels not enrolled in the General Order and are working to send out Failure to Comply notices.

**San Diego Regional Water Board** staff held three public workshops on August 15, 18, and 22, 2023 for the renewal of Order No. R9-2016-0004, *General Waste Discharge Requirements for Discharges from Commercial Agricultural Operations for Dischargers that are Members of a Third-Party Group in the San Diego Region*, and Order No. R9-2016-0005, *General Waste Discharge Requirements for Discharges from Commercial Agricultural Operations for Dischargers Not Participating in a Third-Party Group in the San Diego Region* (collectively, Ag Orders). The [public notice](#), released on July 14, 2023, is available on the program webpage. At the public workshops, staff discussed proposed changes to the Ag Orders and received informal comments from interested parties. Staff will consider the comments and information received during the public workshops while revising the Ag Orders.

San Diego Water Board staff met with Sierra Pacific Farms, Inc., to discuss the process of becoming a Third-Party Group. Sierra Pacific Farms, Inc., provides farm management services for growers located in the Temecula-Fallbrook area. The growers that they manage were formally members of the Frog Environmental Group, which ceased participation as a Third-Party Group on December 31, 2021. Staff will continue assisting Sierra Pacific Farms, Inc., as they explore options for moving their growers back into compliance with the Ag Orders.

Staff is conducting joint compliance inspections of agricultural operations with San Diego County Department of Agriculture, Weights & Measures staff and, when feasible, other local jurisdictions.

There were no significant program updates reported in the **Central Coast, Lahontan Region, and Colorado River Basin Regions** from August 1, 2023 to September 30, 2023.