

Colorado River Basin Regional Water Quality Control Board

TO: Regional Water Board Members
Colorado River Basin Regional Water Board

FROM: Colorado River Basin Regional Water Board Prosecution Team
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DATE: October 3, 2017

SUBJECT: REGIONAL ENFORCEMENT PRIORITIES FOR THE YEAR OF 2017-2018

The purpose of this memo is to provide background information on enforcement, including enforcement requirements and examples of criteria the Colorado River Basin Water Board (Regional Water Board) can use for prioritizing enforcement. Further, this memorandum also provides an overview of the enforcement workload in Region 7 and recommendations on regional enforcement priorities for the year of 2017-2018.

1. BACKGROUND

The State Water Resources Control Board and nine Regional Water Quality Control Boards (together referred to as “Water Boards”) have primary responsibility for the coordination and control of water quality in California. The Porter-Cologne Water Quality Control Act (Porter-Cologne) provides the Water Boards the authority to implement and enforce water quality laws, regulations, policies, and plans, which are established to protect groundwater and surface waters of the State. Timely and consistent enforcement of these laws is critical to the success of the Water Boards’ water quality control programs and to ensure that the people of the State have clean water. In addition, compliance with regulations is essential to protecting public health and the environment, and enforcement is a crucial ingredient in creating the deterrence needed to encourage the regulated community to anticipate, identify, and correct violations. The Water Quality Enforcement Policy (“Policy”, CalEPA, 2017) provides guidance to the Water Boards on enforcement actions by establishing:

- a process for ranking enforcement priorities,
- a penalty assessment methodology, and
- alternatives to address non-compliance issues from small and economically disadvantaged communities.

Every violation should trigger an enforcement response. The type of response must be consistent with the priority of the violation. The Policy contains specific criteria that Water Boards must use to determine the priority of a violation. Further, the Policy recommends that, on an annual basis, enforcement staff for each Regional Water Board: (1) seek public and Regional Water Board input at a regularly noticed public meeting on enforcement priorities; (2) and

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consider identifying general enforcement priorities based on input from members of the public and Regional Water Board members. Proper enforcement requires timely and accurate identification of violations, prioritizing the violations, and selecting a proper strategy to address the violations.

2. IDENTIFICATION OF VIOLATIONS

For Regional Water Board regulated facilities, it is the primary responsibility of the Regional Water Board staff assigned to provide regulatory oversight of the facility to timely and properly identify the violation. If it is an unregulated facility, Regional Water Board upper management determines who should follow through on the facility's violation.

Violations can be identified through self-monitoring reports (SMR), internal and external reports (e.g., staff inspection reports and reports from the Office of Emergency Services), and complaints. The Water Boards use various computer systems to track and document violations. The California Integrated Water Quality System (CIWQS) is used by Water Boards to track information about places of environmental interest (e.g., facilities regulated by the Water Boards), manage Water Boards permits and other orders, track inspections, and manage violations and enforcement activities. National Pollutant Discharge Elimination System (NPDES) permit holders and enrollees under the statewide general Sanitary Sewer Overflow (SSO) permit can submit their self-monitoring reports electronically via CIWQS. Permit holders and enrollees who are subject to land discharge and land disposal programs and permits also submit their self-monitoring reports through CIWQS. Stormwater permit holders are required to submit their monitoring/reporting information through the Stormwater Multiple Application and Report Tracking System (SMARTS). All groundwater quality, site cleanup, Department of Defense (DoD), and Underground Storage Tank (UST) permit holders and/or responsible parties need to submit their reports to the Groundwater Ambient Monitoring and Assessment Program (GAMA, also known as GeoTracker).

3. PRIORITIZING THE VIOLATIONS

3.1 VIOLATION RANKING

The first step in ranking a violation is determining its relative significance based on the criteria established in the Policy. Criteria used to identify and classify significant violations are threat to: (1) Beneficial Uses, (2) Human Health and Environment, and (3) the integrity of the Water Boards' regulatory programs. Based on these three criteria, all violations are classified into either Class A or Class B violations.

Class A priority violations are those violations that pose an immediate and substantial threat to beneficial uses and/or that have the potential to individually or cumulatively cause significant detrimental impacts to human health or the environment. Deliberate avoidance of compliance with regulations or Water Board orders are also considered to be Class A violations because they pose a serious threat to the integrity of the Water Boards' regulatory programs. Unless unusual, unique or exceptional circumstances exist, Class A violations ordinarily include, but are not limited to, the following:

- Discharges causing exceedances of primary maximum contaminant levels for chemical constituents in receiving waters with a beneficial use of municipal and domestic supply (MUN)¹;
- Unauthorized discharges of sewage, regardless of level of treatment, within 1,000 feet of a municipal water intake;
- Discharges exceeding water quality based effluent limitations for priority pollutants as defined in the California Toxics Rule by 100 percent or more;
- Discharges causing demonstrable detrimental impacts to aquatic life and aquatic-dependent wildlife (e.g., fish kill);
- Discharges violating numeric acute toxicity effluent limitations;
- Unauthorized discharges from Class II surface impoundments;
- For discharges subject to Title 27 requirements, failure to implement corrective actions in accordance with WDRs;
- Unpermitted fill of wetlands exceeding 0.5 acre in areal extent;
- Unauthorized discharges of construction materials to receiving waters with beneficial uses of COLD, WARM, and/or WILD; and,
- Discharges causing in-stream turbidity in excess of 100 nephelometric turbidity units (NTU) in inland surface waters with beneficial uses of COLD¹, WARM¹, and/or WILD¹, except during storm events.

All other violations are Class B violations.

Once the ranking of the violation is determined, the next step is to establish enforcement priorities against specific entities, and to determine the appropriate remedial action. Regional priorities play major roles in taking appropriate enforcement responses in timely manners.

3.2 GENERAL REGIONAL ENFORCEMENT PRIORITIES

The enforcement priorities for the Colorado River Basin Region may be based on types of violations, individual regulatory programs, particular watersheds, or any other regulatory framework in which an increased enforcement presence is required. Regardless of the programs, violations typically fall into well-defined categories. Appendix 1 shows the categories. Categories are important because they convey a sense of the gravity of the violation and narrows the choices of what the appropriate enforcement response should be. The Colorado River Basin Water Board has four Units to handle all of its regulatory programs: (1) Water Quality Standards/NPS Unit; (2) Chapter 15, Non-Chapter 15 Unit (a.k.a. Land Disposal Unit); (3) NPDES, Water Quality Certification, Stormwater Unit (a.k.a. NPDES Unit); and (4) Site Cleanup Programs, UST Unit.

¹ Definition of Beneficial uses is given at Appendix 2.

Based on the categories shown at Appendix 1, potential non-compliance issues in each Unit are as follows:

- The Water Quality Standards/NPS Unit handles the Total Maximum Daily Load (TMDL) Program, Basin Planning, Non-Point Source (NPS) Program, and Agricultural Waiver of Waste Discharge Requirements (WDRs). Typical violations handled by this Unit consist of violations of Basin Plan Discharge Prohibition, of TMDL requirements, and of conditions contained in the Agricultural Conditional Waiver of WDRs.
- The Land Disposal Unit handles regulated facilities, which discharge to land, including wastewater treatment plants (WWTPs), landfills, and geothermal facilities. Typical violations handled by this Unit consist of violations of WDRs effluent limitations, WWTP overflows/spills (SSO), deficient monitoring and late reports (e.g., self-monitoring reports), unauthorized discharges, and violations of other permit provisions.
- The NPDES Unit handles of the Stormwater Program, the NPDES Program, Clean Water Act Section 401 Water Quality Certification, and Pretreatment Program. Typical violations handled by this Unit consist of violations of NPDES Permit effluent limitations, deficient monitoring and late reporting, failure to implement stormwater pollution prevention plans, failure to obtain coverage under the State Water Board's stormwater permits, failure to adequately implement [an industrial] pretreatment program, and deficient implementation of stormwater Best Management Practices (BMPs).
- The Site Cleanup, UST Unit handles the Underground Storage Tanks (UST), Site Cleanup (SCP), and Department of Defense (DoD) Programs. Typical violations handled by this Unit consist of late report and failure of a responsible party to implement cleanup actions.

In Region 7, ninety-nine percent (99%) of all violations are generated by the NPDES and Land Discharge Units. There are six Watersheds in the Colorado River Basin Region. They are: the Salton Sea, Southern Mojave, Havasu-Mohave Lakes, Piute Wash, Imperial Reservoir, and Lower Colorado Watersheds. However, the majority of Land Discharge and NPDES dischargers are within the Salton Sea watershed.

4. ENFORCEMENT ACTIONS AVAILABLE TO THE WATER BOARDS

Enforcement actions are divided into informal and formal actions. An informal enforcement action is any enforcement action taken by Water Board staff that is not defined in statute or regulations. It can include any form of communication (oral, written, or electronic) between the Regional Water Board staff and a Discharger concerning an actual, threatened, or potential violation. Informal enforcement is appropriate to bring to the Discharger's attention relatively minor violations that can be corrected quickly (e.g., in less than a couple of months) so that the Discharger takes corrective action immediately, provided the violations do not pose a serious

threat to beneficial uses, public health, or the environment. The action can take any of the following forms:

- Documented phone call to the Discharger;
- Email to the to the Discharger;
- Non-compliance letter to the Discharger; and
- Notices of violation to the Discharger.

Regardless of the format, the action must include the following elements:

- Notification of the problem (i.e., identification of the specific actual or threatened violation(s));
- Request for corrective action; and
- Deadline for corrective action.

When the Discharger fails to correct the violation through informal enforcement, the violation is more serious (as discussed below), and staff is supposed to escalate enforcement, including recommending formal enforcement against the Discharger.

Formal enforcement actions are statute-based actions to address a violation or threatened violation of water quality laws, regulations, policies, plans, or orders. The Porter-Cologne provides the Water Boards with a variety of enforcement tools to protect and restore water quality and deal with dischargers who violate Water Boards Orders, Prohibitions, and Policy:

- Notices to Comply: An enforcement action that deals with “minor” violations, defined in California Water Code (CWC) section 13399;
- Notice of storm water noncompliance: An enforcement action that deals with stormwater dischargers for failure to file a notice of intent to obtain coverage, a notice of non-applicability, a construction certification, or annual reports (CWC section 13399.25);
- Technical Report and Investigative Order: An investigative order that requires technical or monitoring reports from a discharger who has discharged, discharges, or is suspected of having discharged or discharging, or who proposes to discharge waste.(CWC section 13267 & 13383);
- Cleanup and Abatement Order (CAO): An enforcement order issued to any person who has discharged or discharges waste into the waters of the State in violation of any permit requirements or prohibition issued by a Regional Water Board or the State Water Board, and creates a condition of pollution or nuisance (CWC section 13304);
- Time Schedule Order: An enforcement order that requires the discharger to submit a time schedule that set forth the actions the discharger will take to address actual or threatened discharges of waste in violation of requirements (CWC section 13300 & 13308);
- Cease and Desist Order (CDO): An enforcement order issued to dischargers violating or threatening to violate waste discharge requirements (WDRs) or Basin Plan prohibitions. CDOs are often issued to dischargers with chronic non-compliance problems (CWC section 13301 & 13303);
- Referrals to the District Attorney or Attorney General (various provisions of CWC); and

- **Administrative Civil Liabilities (ACL):** Liabilities that are imposed by a Regional Water Board or the State Water Board that deals with violations of Board Orders, WDRs, CDO, CAO, NPDES Permit requirements, failure to provide report of waste discharge, failure to submit monitoring report and technical report, falsifying report, and discharging without WDRs or NPDES permits.(CWC 13385, 13268, 13261, etc.)

Administrative Civil Liabilities (ACL) can further be divided into two categories based on the degree of discretion the Water Boards have: Mandatory and Discretionary penalties. CWC section 13385, subdivisions (h) and (i), identifies certain violations of NPDES permit as violations for which the Regional Water Board is required to assess a mandatory minimum penalty (MMP).

4.1 VIOLATIONS IN COLORADO RIVER BASIN REGION

Since January 2012, CIWQS has been ranking violations based on data entered by dischargers or the Regional Water Board staff. From June 1, 2016 to July 1, 2017, one hundred forty-three (143) total violations were reported. Among those violations, one Class A violation was identified (Table 1). However, it is important to note that 73% of all of these violations have not been classified. This means that further data validation is required to determine the Class for these violations. Additionally, twenty-six (26) sanitary sewer overflows (SSOs) were reported from June 1, 2016 to July 1, 2017. Among those 26 SSO violations, one (1) has been identified as a Category 1 violation.

Table 1. Violations reported in the CIWQS during June 2016 to June 2017

Program\Class	Class A	Class B	Unclassified
NPDES	0	31	98
Non-Chapter 15	1	8	5
Total (143)	1	39	103
SSO	1 (SSO Category 1) ²	8 (SSO Category 2) ³	17 (SSO Category 3) ⁴

Further, analysis of the data indicates that over 90% of the unclassified violations are violations of WDRs effluent limitations. These unclassified cases have potential to be classified either Class A or Mandatory enforcement cases. The reported Class B violations were mostly about deficient BMP implementation in the industrial stormwater permit requirements and late report submissions.

4.2 MMP VIOLATIONS

² SSO Category 1: Discharges of untreated or partially treated wastewater of any volume resulting from an enrollees sanitary sewer system failure or flow condition that: 1)Reach surface water and/or reach a drainage channel tributary to a surface water; or 2) Reach a municipal separate storm sewer system and are not fully captured and returned to the sanitary sewer system or not otherwise captured and disposed of properly. Any volume of wastewater not recovered from the municipal separate storm sewer system is considered to have reached surface water unless the storm drain system discharges to a dedicated storm water or ground water infiltration basin (e.g., infiltration pit, percolation pond).

³ SSO Category 2: Discharges of untreated or partially treated wastewater of 1,000 gallons or greater resulting from an enrollee's sanitary sewer system failure or flow condition that do not reach surface water, a drainage channel, or a municipal separate storm sewer system unless the entire SSO discharged to the storm drain system is fully recovered and disposed of properly.

⁴ SSO Category 3: All other discharges of untreated or partially treated wastewater resulting from an enrollees sanitary sewer system failure or flow condition.

In addition to classified violations, 72 MMP violations in six facilities were reported during period of June 1, 2016 to July 1, 2017. Some of these facilities are in chronic violation and other facilities are in serious violation. In addition to these new violations, five (5) facilities are responsible for a backlog of just over 100 MMP violations, which must be addressed through formal enforcement. The Prosecution Team is working on a handful of facilities per year to address these backlogged MMP violations through issuance of Administrative Civil Liability Complaints (ACLCS). However, through this course of action (ACLCS), it will take more than two years to clear the backlog and the current violations due to the limited NPDES resources allocated for enforcement (0.2 Personnel Years (PY)).

Typical staff time to review violations and prepare a draft ACLC for MMP violations is approximately 40 to 80 hours. The ACLC package must include a Waiver of 90-day Hearing Requirements providing options to the Discharger to select whether the discharger wants to waive the hearing requirements and pay the fine, or to waive the hearing requirements to engage in settlement discussion. The discharger can also have an option to waive 90-day hearing requirement in order to extend the hearing date. Based on the discharger's option, the staff level of effort (in terms of PYs) and time to have the ACLC adjudicated by the Regional Water Board varies extensively, from another 40 to 80 hours and from 3 to 6 months, respectively⁵. For example, if the discharger chooses to waive the hearing and pay the fine, then the process only requires 30-day public notice and then Board adoption. If the discharger chooses to waive the hearing to discuss a settlement, the approximate average time to reach a settlement is two months. Then staff prepares a stipulated order, publishes a 30-day public notice, and then schedules the item for consideration of Regional Water Board adoption at a public hearing. On the average, the time to complete one ACLC from cradle to grave is approximately 5 months.

To deal with the backlog of MMPs, the State Water Board and many other Regional Water Boards have started using an Expedited Payment Letter (EPL) (a.k.a. Expedited Payment Program (EPP) or Conditional Offer to Settle). The EPL is a conditional offer that provides a discharger with an opportunity to resolve any outstanding violations subject to an MMP by acknowledging the violations and providing full payment of the accrued mandatory penalties identified in the payment letter. The staff time to review violations and draft an EPL is approximately 20 hours for most MMP cases. Appendix 3 shows an example of an EPL issued by Los Angeles Regional Water Board. As it is shown, the EPL does not state the findings or history of violations. This reduces the level of staff effort to prepare the deal with the MMP significantly as compared to issuing an ACLC (20 hours vs. 60-80 hours). The time to complete one EPL from cradle to grave is no more than 3 months. If the discharger accepts the offer, the Regional Water Board will solicit public comments for thirty days on the proposed resolution of the violations. If no comments are received within the 30-day comment period, the Executive Officer (EO) will execute the Discharger's Acceptance letter as a stipulated order assessing the uncontested MMP. To complete the EPL process, the Regional Water Board needs to delegate authority to the EO to sign off the stipulated order. If significant comments are received in opposition to the settlement, the EPL offer may be withdrawn, and the violations will be addressed

⁵ Some ACLC cases have taken close to a PY of staff effort and over a year to complete (e.g., Brawley and Niland).

through the ACLC process. The EPL has been applied not just to MMP violations but also to stormwater permit requirements (e.g., deficient BMP implementation, failure to develop a storm water pollution prevention plan, and failure to obtain permit coverage) in some Regional Water Boards (e.g., Regions 4 and 9). In sum, the EPL essentially cuts the level of staff effort and time that takes to deal with MMPs by at least 50%.

5. RECOMMENDATIONS FOR GENERAL REGIONAL ENFORCEMENT PRIORITIES

Colorado River Basin Regional Water Board Unit seniors, the Regional Water Board Lead Prosecutor, the Enforcement Coordinator and attorneys from the State Water Board Office of Enforcement have been meeting regularly over the last six months to identify the highest priority enforcement cases in the Region. Enforcement prioritization enhances the Regional Water Board's ability to leverage its limited enforcement resources and to achieve the general deterrence needed to encourage the regulated community to anticipate, identify, and correct violations. Based on these meetings, the Policy's evaluation criteria, monitoring reports, inspection reports, current tracking systems, the Prosecution Team recommends the following three regional enforcement priorities for FY17/18:

1. **Comprehensive update of reporting and record tracking systems:** Most water quality control programs have database systems (e.g., CIWQS, SMARTS, and GeoTracker) to track Dischargers' activities and compliance. These databases may not be getting the needed attention to timely track and follow through on violations. Accurate records from these databases play crucial roles not just for enforcement purposes but also for other state businesses, including evaluating progress on SFY performance measures/targets and generating required enforcement reports. There are a number of legislatively mandated reports that Water Boards must produce on a regular basis. For example, Water Code section 13225, subdivision (k), requires each Regional Water Board to post on the Internet a summary list of all enforcement actions undertaken in that region, and to update the list at least quarterly. In response to this requirement, the prosecution team recently updated enforcement webpage and posted 13225 (k) report on the Internet along with other legislative mandated reports and information. To carry on these legislative-mandated reports and to take appropriate enforcement actions against violations, all Unit Seniors must ensure as a matter of priority that the Unit's database systems contain accurate and current information.
2. **Utilize EPL as an alternative to formal ACLC for MMPs and other fines that would result in up to \$15,000 or less in the assessed amount of liability:** The EPL is a simpler method to deal with the fines and requires significantly less staff time to prepare and complete as compared with the ACLC process. The estimated penalties for four (4) out of six (6) MMP cases, including backlogged MMP, are \$3,000 to \$6,000. Each of these MMP cases will require at least 4 months to complete through a traditional ACLC. At that pace, it will take more than two years to address all of these MMPs. Although the EPL process has significant advantages, it may not work well if a Discharger proposes a Compliance Project⁶ (CP) because the time required to review and approve the CP

⁶ CPs are authorized by statute only in connection with MMPs for small communities with a financial hardship (Water Code § 13385 , subd. (k))

essentially nullifies the time saved through the EPL. In consideration of the several small communities with a financial hardship within the Region, The Prosecution Team recommends the use EPLs for MMPs and other fines of up to \$15,000.

- 3. Focus on Category 1 SSO and Class A violations:** One Class A and one Category 1 SSO violations were reported during FY16/17. These violations potentially pose an immediate and substantial threat to beneficial uses, water quality, and human health. Therefore, the Prosecution Team proposes to deal with these types of violations through formal enforcement.

The Prosecution Team will be presenting this report at the upcoming Regional Water Board Enforcement Workshop. In the meantime, please let us know if you have questions regarding the foregoing. Thank you.

Attachments

Appendix 1. Definition of Violation Types

Deficient Monitoring	Monitoring is missing or incorrect in some way, such as incorrect analysis method, wrong sampling location, QA/QA criteria not met, etc.
Basin Plan Prohibition	Violation of a Basin Plan prohibition not in the permit (e.g., discharge to prohibited zone, etc.)
Best Management Practice (BMP)	BMPs not maintained, deficient, or not implemented. Also "SW - Deficient BMP Implementation."
Enforcement Action	Enforcement Action is violated (e.g., if interim limits in a Time Schedule Order are exceeded).
Fees	Annual fees not paid on time or in full.
Storm Water - Failure to Obtain Permit	Failure to obtain coverage under the appropriate storm water NPDES permit.
Storm Water - Unauthorized NSWD	A non-storm water discharge with the appropriate permit/WDRs or without coverage under a General Order or discharges not covered by the discharger's Order
Order Conditions	Violations of prohibitions, provisions, and maintenance-type requirements (e.g., pond freeboard) contains in the permit/WDRs.
Pretreatment	Failure to adequately implement the pretreatment program.
Storm Water - Incomplete/Insufficient SWPPP	Storm Water Pollution Prevention Plan (SWPPP) not on site or not implemented.
Unauthorized Discharge	Dischargers without permit/WDRs or without coverage under a General Order or discharges not covered by the discharger's Order
Deficient Reporting	Incomplete report or failing to notify Water Board of violations
Failure to Notify	Failure to notify the Water Board of a spill within a defined period of time.
Late Report	Report is not received or received after its due date.
Acute Toxicity (ATOX)	Violation of an acute toxicity effluent limit.
Chronic Toxicity (CTOX)	Violation of an chronic toxicity effluent limit.
Category 1 (CAT1)	Violation of an effluent limitation for a Group II Pollutant (e.g., chlorine, copper, cyanide, etc.). A full list is available in Appendix D of the current Enforcement Policy.
Category 2 (CAT2)	Violation of an effluent limitation for a Group I Pollutant (e.g., BOD, TSS, nitrate, etc.). A full list is available in Appendix C of the current Enforcement Policy.
Other Effluent Violation (OEV)	Violation of any constituent-specific effluent limit not included in Group I or II (e.g., pH, turbidity, temperature, coliform, etc.)
Receiving Water – G.W	Violation of receiving water limit where discharge is to surface water (S.W).
Receiving Water – S.W	Violation of receiving water limit where discharge is to groundwater (G.W).
Hydromodification	Noncompliance with dredge and fill requirements.
Sanitary Sewer Overflow/Spill (SSO)	Discharge from collection system (except private laterals); other spills and/or bypassing of treatment unit(s).

Appendix 2. Definitions of the Beneficial Uses of Water

Category		Definition
MUN	Municipal and Domestic Supply	Uses of water for community, military, or individual water supply systems including, but not limited to, drinking water supply.
AGR	Agriculture Supply	Uses of water for farming, horticulture, or ranching including, but not limited to, irrigation, stock watering, or support of vegetation for range grazing.
AQUA	Aquaculture	Uses of water for aquaculture or mariculture operations including, but not limited to, propagation, cultivation, maintenance, or harvesting of aquatic plants and animals for human consumption or bait purposes.
IND	Industrial Service Supply	Uses of water for industrial activities that do not depend primarily on water quality including, but not limited to, mining, cooling water supply, hydraulic conveyance, gravel washing, fire protection, and oil well repressurization.
GWR	Ground Water Recharge	Uses of water for natural or artificial recharge of ground water for purposes of future extraction, maintenance of water quality, or halting salt water intrusion into fresh water aquifers.
REC I	Water Contact Recreation	Uses of water for recreational activities involving body contact with water, where ingestion of water is reasonably possible. These uses include, but are not limited to, swimming, wading, water-skiing, skin and scuba diving, surfing, white water activities, fishing, and use of natural hot springs.
REC II	Non-Contact Water Recreation	Uses of water for recreational activities involving proximity to water, but not normally involving contact with water where ingestion of water is reasonably possible. These uses include, but are not limited to, picnicking, sunbathing, hiking, beachcombing, camping, boating, tide pool and marine life study, hunting, sightseeing, or aesthetic enjoyment in conjunction with the above activities.
WARM	Warm Freshwater Habitat	Uses of water that support warm water ecosystems including, but not limited to, preservation or enhancement of aquatic habitats, vegetation, fish, or wildlife, including invertebrates.
COLD	Cold Freshwater Habitats	Uses of water that support cold water ecosystems including, but not limited to, preservation or enhancement of aquatic habitats, vegetation, fish, or wildlife, including invertebrates.
WILD	Wildlife Habitat	Uses of water that support terrestrial ecosystems including, but not limited to, the preservation and enhancement of terrestrial habitats, vegetation, wildlife (e.g., mammals, birds, reptiles, amphibians, invertebrates), or wildlife water and food sources.
POW	Hydropower Generation	Uses of water for hydropower generation.
FRSH	Freshwater Replenishment	Uses of water for natural or artificial maintenance of surface water quantity or quality.
RARE	Preservation of Rare, Threatened, or Endangered Species	Uses of water that support habitats necessary, at least in part, for the survival and successful maintenance of plant or animal species established under state or federal law as rare, threatened or endangered.