

**CALIFORNIA REGIONAL WATER QUALITY CONTROL BOARD
LAHONTAN REGION**

**MEETING OF JUNE 8-9, 2022
BARSTOW, CA**

ITEM 13
ANNUAL ENFORCEMENT PROGRAM UPDATE

CHRONOLOGY

March 2013 – February 2014	The Water Board, its Enforcement Subcommittee, and its staff worked through a series of Subcommittee and Water Board meetings to identify and implement several Enforcement Program elements/improvements (e.g., Program Objectives, Standardized Hearing Procedures/Public Participation Fact Sheet, and a new Supplemental Environmental Project Program).
March 2015	March 2015 Executive Officer’s Report – Staff provided its first overview and analysis of the numbers and types of violations and enforcement actions taken by the Water Board and its staff during the 2014 calendar year.
March 2016	Water Board Agenda Item – Staff presented an overview and analysis of the numbers and types of violations, and enforcement actions taken by the Water Board and its staff during the 2015 calendar year. Staff also provided a review of progress in the Water Board’s Enforcement Program over the previous three years.
March 2017	Water Board Agenda Item – Staff presented an overview and analysis of the numbers and types of violations, and enforcement actions taken by the Water Board and its staff during the 2016 calendar year.
Fall 2017	Water Board staff met with the Enforcement Subcommittee to explore opportunities for further improving the Enforcement Program, focusing on the Settlement Agreement process and Separation of Functions.
April 2018	Water Board Agenda Item – Staff presented a review of changes in the Water Board’s Enforcement Program over the previous year including reorganization, increased use of the lowest effective enforcement to restore compliance, and improving communications regarding settlement agreements by developing the concept of a Settlement Workshop.
November 2018	Water Board Agenda Item – Staff presented a summary of the updated 2017 Enforcement Policy, and State Water Board staff presented an informational update on statewide cannabis regulatory and enforcement tools.
March 2019	Water Board Agenda Item – Staff presented a review of the Water Board Enforcement Program’s priorities for 2019 and recommendations for program improvements.

July 2019	Water Board Agenda Item – Staff presented information regarding its Regulatory Compliance Assurance System that acknowledges how the Water Board regulatory and enforcement programs work in tandem towards achieving compliance with the State’s water quality laws, policies, and regulations.
May 2020	Water Board Agenda Item- Staff and Office of Enforcement provided the Water Board a Staff Report and presentation with a status update and recommendations for program improvements and priorities for 2021.
June 2021	Staff provided an update as part of the 2021 Priorities & Accomplishments agenda item.

BACKGROUND

Water Board staff has been providing annual updates regarding the Water Board’s Enforcement Program for more than seven years. Most reports have focused on violation and enforcement action numbers, with more recent reports highlighting Enforcement Program elements and changes. This agenda item will focus on a status update and accomplishment since the 2021 Annual Enforcement update, provide a summary update of 2021 violations and informal and formal enforcement actions to address those violations, and present program priorities for 2022.

DISCUSSION

This agenda item will provide a presentation to the Water Board that includes to following topics:

- Status update on Enforcement Program accomplishments in 2021
- Summary update of 2021 violations and informal/formal enforcement actions to address those violations
- Enforcement Program performance evaluation 2019-2021: Are we meeting the goals, objectives, and priorities that we have established for ourselves?
- Recommended Enforcement Program priorities for 2022

This agenda item will also include a presentation from the Office of Enforcement regarding anticipated revisions to the 2017 State Water Resources Control Board, Water Quality Enforcement Policy in the spring or fall of 2023. Office of Enforcement may provide updates on additional topics, including, but not limited to, opportunities for Office of Enforcement-led staff enforcement trainings and/or implementation of the Supplemental Environmental Projects restrictions section (Section VIII.A of the Enforcement Policy). David Boyers, Assistant Chief Counsel with the State Water Resources Control Board’s Office of Enforcement, will provide a presentation on this process.

ISSUES

Are there elements of the Lahontan Water Board’s Enforcement Program or recommended enforcement priorities for 2022 that the Water Board would like staff to evaluate and address?

PUBLIC OUTREACH/INPUT

None

PRESENTERS

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| <ol style="list-style-type: none">1. Scott C. Ferguson, Supervising Water Resource Control Engineer,
Lahontan Regional Water Quality Control Board2. Ben Letton, Assistant Executive Officer
Lahontan Regional Water Quality Control Board3. David Boyers, Assistant Chief Counsel,
State Water Resources Control Board, Office of Enforcement |
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RECOMMENDATION

This is an information item only. The Water Board may provide direction to staff as appropriate.
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