

Fiscal Year 2021 / 2022 WORK PLAN

Cannabis & Enforcement Division

Programs: Cannabis Cultivation Waste Discharge Regulation Enforcement

Division Supervisor: Kason Grady



Contents

1.0 BACKGROUND 3

1.1 Cannabis Cultivation Waste Discharge Regulatory Program 3

1.2 Enforcement..... 5

2.0 DIVISION RESOURCES 7

2.1 Staffing 7

3.0 CANNABIS CULTIVATION WASTE DISCHARGE REGULATORY PROGRAM 9

3.1 Core Activities and Projects by Priority 9

3.2 Core Activity and Project Descriptions 12

3.3 Performance Targets for FY 21/22..... 23

4.0 ENFORCEMENT PROGRAM 24

4.1 Core Activities and Projects by Priority 24

4.2 Core Activity and Project Descriptions 24

4.3 Performance Targets for FY 21/22..... 31

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1.0 BACKGROUND

The Cannabis & Enforcement Division includes three units: two units dedicated to the implementation and enforcement of the statewide Cannabis Cultivation Waste Discharge Regulatory Program (a.k.a. the Cannabis Program) and one unit that implements the Enforcement Program and provides specialized enforcement assistance to all programs throughout the office.

Dedicated enforcement staff ensure that water quality violations are prioritized for direct actions including issuance of Cleanup and Abatement Orders and monetary penalties that are firm, fair, and consistent with the Water Boards Enforcement Policy.

1.1 Cannabis Cultivation Waste Discharge Regulatory Program

Cannabis cultivation in California continues to be widely prevalent in the North Coast Region and throughout the state and is often located in sensitive environmental areas where cultivation and related activities create significant impacts to water quality. Waste discharges from cultivation sites include sediment, irrigation runoff, fertilizers, pesticides/herbicides, petroleum, agricultural chemicals, cultivation-related organic waste, refuse, and human waste. Construction of access roads has resulted in significant erosion and sediment discharges to waterbodies.

The North Coast Regional Water Quality Control Board (Regional Water Board) received initial funding in Fiscal Year 2014 / 2015 (FY 14/15) to establish a pilot program to regulate discharges of waste from cannabis cultivation and, in 2015, developed the first water quality order regulating cannabis cultivation in the state (Order No. R1-2015-0023, Regional Cannabis Order). The State Water Resources Control Board (State Water Board), in consultation with California Department of Fish and Wildlife (CDFW), California Department of Food and Agriculture (CDFA), and various Regional Water Boards, developed the Cannabis Cultivation Policy – Principles and Guidelines for Cannabis Cultivation (Cannabis Cultivation Policy) in accordance with California Water Code section 13149 to protect water quality and instream flows. On October 17, 2017, the Policy was adopted by the State Water Board along with Order WQ 2017-0023-DWQ General Waste Discharge Requirements (WDRs) and Waiver of WDRs for Discharges of Waste Associated with Cannabis Cultivation (Cannabis General Order). Subsequent updates to the Policy (Resolution No. 2019-0007) and amendments to the Cannabis General Order (WQ 2019-0001-DWQ) were adopted by the State Water Board and became effective on April 16, 2019. The geographic scope of the Cannabis Cultivation Policy and General Order encompasses the entire state with priority regions established for areas with streams bearing anadromous fish habitat.

By July 1, 2019, all cannabis cultivators enrolled under the Regional Cannabis Order were required either to transition their enrollment to the Cannabis General Order or to

terminate their enrollment altogether. Approximately two-thirds of Regional Cannabis Order enrollees ultimately completed the transition. As of May 2021, there are currently 3,236 enrollments in the Cannabis General Order within the North Coast Region and a total of 5,897 enrollments statewide.

The Cannabis Cultivation Policy contains guidelines for evaluating whether a cannabis cultivation site may affect instream flows and water quality needed for the protection of aquatic habitat. It prescribes protective criteria that limit the season of diversion, establish minimum flows at specific flow gages, and establishes requirements related to water diversion and waste discharge. Enforcement requirements contained in the Policy include a framework for compliance assurance through existing water rights and water quality programs, and descriptions of available enforcement actions and procedures.

The Cannabis Program staff's primary duties include implementation and enforcement of the Cannabis Cultivation Policy and General Order, the Water Quality Control Plan for the North Coast Region (Basin Plan), the Porter-Cologne Water Quality Control Act (California Water Code), and the federal Clean Water Act to ensure protection of water quality and to address violations associated with cannabis cultivation.

Other Program Activities

- Issuing Water Quality Certifications for instream work associated with cannabis cultivation operations.
- Coordinating with State Water Board Divisions and Offices, other Regional Water Boards, CDFW, CDFA, local tribes, and local agencies.
- Conducting education and outreach to the public, media, and industry and watershed groups.
- Collaborating with partners (State Water Board, CDFW, etc.) to develop technology and enterprise tools that will improve our ability to implement the Cannabis Program more effectively and efficiently.

To address challenges faced by the Cannabis Program, an Executive Oversight Committee was established, which is made up of executive management from the State Water Board Office of Enforcement and Divisions of Water Quality, Water Rights, Administrative Services and the Central Valley, Central Coast, and North Coast Regional Water Boards. In response to budget shortfalls and a subsequent reduction in Cannabis Program staffing (approximately 50 percent for water quality programs), the Executive Oversight Committee provided direction to reduce program scope by discontinuing work in some areas while prioritizing efforts in others to achieve two primary objectives: 1) increase program enrollment of potential legal cultivation sites, and 2) address adverse water quality and water supply impacts from illegal cultivation through enforcement. As a result, this Work Plan is notably different from previous years' Work Plans by including a relatively higher staff resource allocation to implementation of enrollment enforcement (Priority 1.b.i, below) and enforcement on illegal cannabis cultivation sites (Priority 1.b.ii, below) and a reduced resource allocation

to Cannabis General Order Implementation (Priority 1.c, below) and Cannabis General Order Compliance Assessment (Priority 1.d, below).

1.2 Enforcement

Enforcement involves the strategic use of resources to address water quality violations and associated environmental crimes throughout the North Coast Region. The Regional Water Board's emphasis is on ensuring water quality protection through enforcing the federal Clean Water Act, the California Water Code, and the Basin Plan. The Regional Water Board and its staff conduct enforcement for violations identified from complaints, routine compliance assessments of permitted sites, and through warrant and consent inspections of unpermitted sites. Enforcement is also conducted through collaboration with other local, state and federal agencies. For instance, one of the Cannabis Program's primary responsibilities is to pursue violations associated with cannabis cultivation activities, in collaboration with CDFW's Watershed Enforcement Team (WET) and CDFA's cannabis program (CalCannabis). The collaboration between these agencies is collectively referred to as the statewide Cannabis Enforcement Program (CEP). The Regional Water Board's Enforcement Program also supports and encourages development of Environmental Crimes Task Forces (Task Forces) with local counties and other agencies in the region. Participation in Task Forces serves to increase enforcement effectiveness and reduce environmental crimes through strategic coordination with a diverse group of regulatory entities. Task Forces are venues that facilitate interagency coordination and support, especially in the investigation and response to complaints received from the public about environmental pollution and violations.

The Clean Water Act, California Water Code and the Basin Plan prohibit the discharge of materials that adversely affect the quality and beneficial uses of the waters of the state. The Regional Water Board has the authority to take enforcement actions, ranging from issuing Notices of Violation to issuing administrative civil liabilities (monetary penalties) against persons who violate the regulatory requirements of the Clean Water Act, California Water Code, and the Basin Plan.

The Enforcement Program's overall objective is to protect, restore and preserve the quality of waters within the North Coast Region by applying enforcement strategies in a fair and equitable manner to address violations. In October 2020, staff proposed, and the Regional Water Board endorsed, the following enforcement priorities and additional screening criteria for the North Coast Region:

- Prioritize and pursue enforcement cases for waste discharge violations associated with site development and use for cannabis cultivation without applicable permits.
- Prioritize and pursue enforcement cases for waste discharge violations associated with agricultural activities other than cannabis cultivation.
- Prioritize and pursue enforcement cases for individuals/entities conducting unauthorized dredge/fill activities in surface waters.

Cannabis & Enforcement Division
Work Plan for FY 2021 / 2022

- Pursue timely enforcement on missed deadlines in existing enforcement orders.
- Prioritize and pursue regulatory oversight and enforcement for violations of NPDES stormwater permits.

Additional Screening Criteria:

- Violation has resulted in threats/impacts to critical habitat.
- Violation has affected a water of the state that resource protection agencies, including the Water Boards, have spent money restoring.
- Violation is contributing to a watershed impairment.
- Violation has resulted in impacts to a public drinking water supply that serves a disadvantaged or severely disadvantaged community or a community with financial hardship.
- Violation was caused by or resulted from activities conducted without a required permit(s) or authorization(s) from the Regional Water Board.

The Regional Water Board and its staff may also pursue enforcement for unexpected significant cases outside of these priorities including, but not necessarily limited to those that involve high threats, significant impacts, or egregious discharger conduct.

As discussed in Section 4.2, the Regional Water Board will consider potential changes to these enforcement priorities in late 2021.

2.0 DIVISION RESOURCES

2.1 Staffing

The Enforcement Unit is the one unit dedicated to leading and implementing regionwide enforcement efforts, from all programs including those for the Cannabis Program. Two units implement the Cannabis Cultivation Waste Discharge Regulatory Program: (1) the Northern Cannabis Regulatory Unit, which is stationed in Eureka at the Regional Water Board's northern field office, and (2) the Southern Cannabis Regulatory Unit, which is stationed in Santa Rosa at the Regional Water Board's main office. Staff in all three units in the Division participate in the enforcement of violations associated with cannabis cultivation. There is one dedicated analyst for the Cannabis Program in the Administration Unit. Consistent with all divisions in the office, the Cannabis & Enforcement Division also receives support from the other staff in the Administration Unit.

On May 6, 2019, the State Water Board Deputy Director of the Division of Administrative Services froze all hiring within the statewide Cannabis Program in response to insufficient funding for the positions allocated to the program. Enrollments in the statewide Cannabis Program have been significantly below the original State Water Board projections, and revenues from the current fee schedule have not been sufficient to meet funding needs for the program. Currently, the State Water Board is considering options to address the funding shortfall, including potential fee increases. The positions frozen in 2019 were subsequently swept from Regional Water Board organizational charts in 2020. If the statewide Cannabis Program acquires additional funding through increased enrollments or increased fees, decisions to reinstate any Cannabis Program positions will be made by State Water Board executive management in consideration of statewide program needs.

Table 1 below summarizes Cannabis & Enforcement Division staff resources. References to staff classifications include WRCE for Water Resource Control Engineer, AGPA for Associate Government Program Analyst, EG for Engineering Geologist, and ES for Environmental Scientist.

Table 1 – Cannabis & Enforcement Division Staff Resources

Position	Name	Classification	PY
Division Chief	Kason Grady	Supervising WRCE	1.0
Administration Unit (Cannabis Program)	Tonya Weiper	AGPA	1.0
Southern Cannabis Unit	David Kuszmar	Senior WRCE	1.0
Southern Cannabis Unit	Colton Trent	Scientific Aid	n/a
Northern Cannabis Unit	Mona Dougherty	Senior WRCE	1.0
Northern Cannabis Unit	Shannon Utley	EG	1.0
Northern Cannabis Unit	Katherine Hawken	WRCE	1.0
Northern Cannabis Unit	Ermias Berhe	EG	1.0
Enforcement Unit	Diana Henriouille	Senior WRCE	1.0
Enforcement Unit	Doreen Kiruja	ES	1.0
Enforcement Unit	Jordan Filak	ES	1.0
Enforcement Unit	Zane Stromberg	Scientific Aid	n/a
Enforcement Unit (Cannabis Program)	Adona White	WRCE	1.0
Enforcement Unit (Cannabis Program)	Brian Fuller	EG	1.0

TOTAL: 12.0 *

* Due to the 2019 hiring freeze and subsequent 2020 sweep of all vacant positions in the statewide Cannabis Program, 6.6 of the 18.6 PY originally allocated to the Cannabis & Enforcement Division have been lost until further notice. Furthermore, given the likelihood of statewide budget cuts to employee compensation due to the economic impacts of the COVID-19 pandemic, this Work Plan accounts for an additional 10% reduction in available staff resources. In total, the actual staff resources currently available to the Division for the FY are **10.8 PY**.

3.0 CANNABIS CULTIVATION WASTE DISCHARGE REGULATORY PROGRAM

3.1 Core Activities and Projects by Priority

As noted in Section 1.1, based on guidance and direction from the Cannabis Executive Oversight Committee, this year’s Work Plan places a higher priority on enforcement-related activities for the Cannabis Program as compared to previous years’ Work Plans. Given limited Cannabis Program staff resources, this prioritization means less staff time is available to complete other important program activities and services to enrollees. The primary responsibilities of program staff are categorized based on priority levels (1, 2, 3) listed in Table 2 below. Priority Level 1 activities and projects are those that will be the focus of staff resources; Priority Level 2 represents those that may not get accomplished due to resource limitations and Priority 3 represents work that staff will not accomplish unless additional resources become available. Most activities are described in more detail in Section 3.2.

Table 2 – FY 21/22 Cannabis Program Core Activities and Projects by Priority

Priority Level	Activity/Project	Category	Target Date
1	a. Staff Supervision and Program Management	Core	Ongoing
1	b. Cannabis Program Enforcement i. Conduct enrollment enforcement ii. Inspect and pursue enforcement on unpermitted / illegal sites iii. Inspect and pursue enforcement on enrolled / licensed sites iv. Investigate and respond to public and agency complaints about cannabis cultivation sites	Core	Ongoing

Cannabis & Enforcement Division
 Work Plan for FY 2021 / 2022

Priority Level	Activity/Project	Category	Target Date
1	c. Cannabis General Order Implementation <ul style="list-style-type: none"> i. Coordinate with State Water Board Division of Water Quality to process requests for enrollment and termination under the Cannabis General Order ii. Provide responses to voicemail and email inquiries from applicants, enrollees, and members of the public iii. Review, process, and approve applications for Water Quality Certifications for instream work iv. Review, process, and approve Erosion and Sediment Control Plans (ESCPs) and Disturbed Area Stabilization Plans (DASPs) v. Conduct compliance inspections primarily at sites associated with reviews of Water Quality Certification applications, ESCPs, and DASPs 	Core	Ongoing
1	d. Cannabis General Order Compliance Assessment Review and analyze annual monitoring report data to identify regional compliance issues and to prioritize focused compliance assurance actions	Core	Ongoing

Cannabis & Enforcement Division
 Work Plan for FY 2021 / 2022

Priority Level	Activity/Project	Category	Target Date
1	e. Agency Coordination <ul style="list-style-type: none"> i. Collaborate with local and state agencies to ensure consistent regulation of enrolled and licensed sites, and to prioritize enrollments and enforcement actions ii. Coordinate with tribal governments throughout the region to process applications for cannabis cultivation within 600 feet of tribal lands iii. CannaVision Project: Collaborate with the State Water Board Division of Water Rights and Office of Information Management and Assessment to develop technology to automatically identify cannabis cultivation sites using satellite imagery and artificial intelligence iv. CIPS Improvement Project: Collaborate with the State Water Board Division of Water Quality on the implementation of a contract to improve the Cannabis Identification and Prioritization System (CIPS) and other program management databases 	Core / Special	Ongoing
1	f. Unplanned Work Activities	Core	Ongoing
2	a. Water Quality Certification Statewide Coordination Project <ul style="list-style-type: none"> i. Coordinate with State Water Board Divisions of Water Quality and Water Rights, as the latter develops statewide procedures for issuing approvals for projects within waters of the state under the Cannabis Cultivation Policy and General Order ii. Coordinate with State Water Board Division of Water Rights as the Division develops a process to determine under which circumstances previously constructed onstream ponds may remain at cannabis cultivation sites, and to subsequently issue Water Quality Certifications 	Special	Ongoing

Priority Level	Activity/Project	Category	Target Date
2	b. Plan Review and Approval Streamlining Project Develop guidance, processes, procedures, and a tracking system for staff to review, process, and approve plans submitted to comply with the Cannabis General Order	Special	October 2021
3	a. Cannabis General Order Implementation (not otherwise performed under Priority 1.c above) i. Issue compliance schedules to enrollees requesting deadline extensions for required site stabilization and erosion control work ii. Evaluate reports of waste discharge received and issue individual WDRs, waivers, or general enrollments as appropriate iii. Review and comment on CEQA documents, and other agency referrals associated with cannabis cultivation sites	Core	Ongoing
3	b. Cannabis General Order Compliance Assessment (not otherwise performed under Priority 1.d above) i. Review Site Management Plans (SMPs), Nitrogen Management Plans (NMPs) and other technical documents for compliance with Cannabis General Order provisions ii. Inspect enrolled sites, assess compliance, issue inspection reports and take enforcement actions when appropriate	Core	Ongoing
3	c. Education and Outreach	Core	Ongoing

3.2 Core Activity and Project Descriptions

Activities and projects are listed below and identified by the priority (1, 2, 3) and the letter (a, b, c, etc.) listed in Table 2 above.

Priority 1.a – Staff Supervision and Program Management

Summary: Staff supervision is the primary responsibility of supervisors along with management of the Cannabis Program. Therefore, the three supervisors of the Cannabis Program spend a substantial portion of their time training, coaching and mentoring staff, developing/updating individual staff work plans, and appraising performance. If opportunities arise to fill vacant positions, hiring and onboarding new

Cannabis & Enforcement Division
 Work Plan for FY 2021 / 2022

staff becomes supervisors' highest priority. Staff supervisory duties accounted for here include, among other tasks, meeting with staff to direct project work, reviewing and approving staff work products, and tracking task and project progress.

Program management duties accounted for here include both interagency and intra-agency coordination. The Cannabis Program managers work closely with State Water Board Divisions and Offices, other Regional Water Boards, and other federal, state, and local agencies to participate in statewide and regional program planning, permitting, and enforcement efforts, coordinate the review and oversight of cannabis cultivation activities, comment on proposed legislation, and communicate regularly on issues with the potential to affect statewide and local programs.

With three Cannabis Program supervisors, the 1.83 PY allocation listed below reflects most of the available time of Cannabis Program management. Due to the lasting impacts of past reductions of program staff, program supervisors must also work on special projects, including:

- a. Coordination with the State Water Board on developing procedures for determining onstream pond allowances, and for processing applications for Water Quality Certifications under the Cannabis Cultivation Policy and General Order; see the **0.05 PY management allocation in Priority 2.a**, below, and
- b. Developing guidance, standard processes and procedures, and a tracking system to enable staff to inventory, review, process, and approve Erosion and Sediment Control Plans and Disturbed Area Stabilization Plans submitted to the Regional Water Board; see the **0.05 PY management allocation in Priority 2.b**, below.

Also, due to the extent of management time spent on interagency coordination, the **0.5 PY management allocation** for that activity is separately accounted for in **Priority 1.e**, below.

Considerations and Key Issues to Resolve: N/A

PY Allocation for FY 21/22: 1.83 (Management only)

Milestones	Target Date
Reassess staff duties to implement this FY 21/22 Work Plan, identify staff to perform specific enforcement tasks, update staff duty statements as necessary, and develop individual staff work plans.	July 2021
Conduct performance appraisals for all staff.	May 2022

Priority 1.b – Cannabis Program Enforcement

Summary: As noted in Section 1.2, pursuit of enforcement cases for waste discharge violations associated with site development and use for cannabis cultivation is a priority for the Regional Water Board. Further, as noted above, the Executive Oversight Committee has encouraged prioritization of enforcement-related activities within the Cannabis Program. At this time, our top priorities are: 1) increasing program enrollment of potential legal cultivation sites, and 2) addressing adverse water quality and water supply impacts from illegal cultivation through enforcement. Consistent with the Executive Oversight Committee’s direction, staff may also conduct some enforcement activities on sites that are enrolled under the Cannabis General Order if egregious water quality or water rights violations are observed.

The Regional Water Board, in conjunction with the State Water Board Division of Water Rights and CDFW, annually identifies priority watersheds where enrollment enforcement and enforcement on illegal sites will primarily be focused. The selection of priority watersheds is based on a variety of factors, including water quality impairments, flow impacts, sensitive species and habitats, and density of known cultivation areas. It is understood that enrollment enforcement activities can only occur in permissive counties, and that active enforcement against illegal sites can occur in both permissive and banned counties.

Enrollment enforcement involves a series of progressive steps intended to encourage cultivators who are not yet enrolled under the Cannabis General Order, but who could be, to enroll. The steps include: identifying unenrolled cultivation sites typically using satellite imagery and/or partner agency permitting records, sending notices to landowners officially directing them to cease cultivation or to enroll by a set deadline, then following up with those who fail to follow the directives by issuing (as appropriate) Notices of Violation and ultimately monetary penalties for failure to comply through the issuance of Administrative Civil Liability Complaints. Every step in the process includes some form of evidence collection (e.g. desktop reviews or site inspections), follow up and verification for special cases (e.g. evidence disputes, returned mail, or non-responsiveness), and coordination with partner agencies’ permitting and law enforcement personnel.

Enforcement on illegal sites generally involves a combination of agency planning and coordination, site inspections, and follow-through with progressive enforcement actions. Staff attend interagency enforcement-based inspections with local law enforcement, CDFW, CDFA, and other agencies. These inspections occur within focused operations led by law enforcement and as part of the statewide interagency Cannabis Enforcement Program (CEP). Since the logistics of these inspections are primarily organized by other agencies, staff does not know in advance how many inspections are planned each FY but does keep track of the number of enforcement-based inspections conducted to estimate expectations from year-to-year. Staff also review technical documents provided by others for potential enforcement (e.g. CDFW Lake and Streambed Alteration Agreements, other agency inspection reports, county reports, etc.)

Cannabis & Enforcement Division
Work Plan for FY 2021 / 2022

Based on the results of its inspections and technical reviews, staff initiates enforcement actions for those activities that threaten to adversely affect water quality and violate the Clean Water Act, the California Water Code, Basin Plan, and the Cannabis Cultivation Policy and General Order. Actions include: issuing directives to enroll, Notices of Violation, investigative orders, Cleanup and Abatement Orders (CAOs), or monetary penalties through the issuance of Administrative Civil Liability Complaints (ACLCs), entering into settlement agreements, and coordination with law enforcement agencies on criminal cases alleging environmental harm.

Discharges of hazardous materials and illegal grading in, dredge and fill of, and sediment discharges to watercourses and wetlands are examples of egregious violations that may result in immediate escalation to issuance of cleanup orders and monetary penalty assessments. Since enforcement cases cannot be anticipated or accounted for in work planning efforts until discharges to the environment are discovered, this Work Plan only accounts for those enforcement cases that are currently under development and updates will be made on a quarterly basis to reflect the ongoing state of Cannabis Program enforcement. At the time of drafting this Work Plan, we have 11 CAOs and 5 ACLCs/settlement agreements under consideration or in development (see the milestones table, below).

Considerations and Key Issues to Resolve:

- a. The Regional Water Board lacks adequate staff to participate in these activities at desired levels due to insufficient funding to support the statewide Cannabis Program.
- b. Office of Enforcement staff assisted with enforcement inspections in previous FYs and may provide some assistance during this FY. We expect Office of Enforcement staff to assist us with follow-up enforcement as appropriate for those sites inspected in previous FYs.
- c. Staff is currently developing tools to track and report on the status of individual enforcement cases to ensure effective case prioritization consistent with regional priorities, and to ensure more timely enforcement actions. Once finalized, staff will need to be trained on the use of these tools.
- d. Staff are expected to issue inspection reports to dischargers within 30 days of inspection.

PY Allocation for FY 21/22: 2.59

Milestones ¹	Target Date
Issue 2 individual Cleanup and Abatement Orders to dischargers formerly enrolled under Tier 3 of the Regional Cannabis Order that still have outstanding cleanup work.	July 2021
Complete the process of enrollment enforcement on cannabis cultivation sites located in 2021 targeted priority watersheds and counties.	October 2021
Issue 2 Administrative Civil Liability Complaints or issue Invitations to Enter into Settlement Discussions to dischargers for violations of the California Water Code and/or Clean Water Act.	December 2021
Issue 9 Cleanup and Abatement Orders to dischargers whose properties staff has already inspected and has identified the need for remedial action to resolve water quality threats and impacts.	December 2021

Priority 1.c – Cannabis General Order Implementation

Summary: As of May 2021, there are approximately 3,236 active enrollments (3,125 WDRs enrollees and 111 waivers) under the Cannabis Cultivation General Order in the North Coast Region. To put these number into context, there are approximately 5,897 active enrollments (4,375 WDRs enrollees and 1,522 waivers) statewide.

Order implementation includes responding to questions from enrollees; coordinating with the State Water Board Division of Water Quality to process requests for enrollment under the Cannabis General Order, including associated applications for Water Quality Certification and other waste discharge programs associated with cannabis; processing requests for termination of coverage under the Cannabis General Order; reviewing and approving plans required to be submitted to the Regional Water Board by Cannabis General Order enrollees; communicating with enrollees and their representatives; conducting compliance inspections; preparing inspection reports and enforcement actions when appropriate; and associated tasks.

Considerations and Key Issues to Resolve:

- a. Given the Executive Oversight Committee’s direction to prioritize activities associated with enforcement, coupled with insufficient funding to support the statewide Cannabis Program, there is a lack of adequate staff to participate in the activities listed above at desired levels.

¹ This table will be updated with additional milestones on a quarterly basis as staff conducts field investigations and prioritizes new enforcement cases.

- b. As of April 28, 2021, staff received and (in most cases) responded to approximately 585 voicemails and approximately 3,334 emails sent to the North Coast Cannabis general voicemail and email inboxes, respectively. Due to the high volume of such inquiries, we are forced to advise enrollees that it may take up to two weeks for staff to provide a response.
- c. There is currently a backlog of unreviewed Erosion and Sediment Control Plans (ESCPs) and Disturbed Area Stabilization Plans (DASPs) submitted in accordance with Cannabis General Order requirements. Many of these plans are complex and management has identified the need to standardize plan review expectations/procedures and to train staff to ensure consistent and timely reviews. Additionally, many enrollees have failed to meet deadlines for submitting required ESCPs or DASPs for their sites. Staff will eventually need to conduct an outreach and/or noticing campaign to solicit required plans from those enrollees.
- d. Staff has thus far received 44 applications for Water Quality Certification during FY 20/21 and expect to receive more than that during FY 21/22. Currently, staff has 59 applications for Water Quality Certification that are in various stages of processing and awaiting Regional Water Board approval. The Regional Water Board Cannabis Program has issued 44 Water Quality Certifications to date this FY. Staff has made significant progress in streamlining the process of preparing Water Quality Certifications and, therefore, streamlining the review process for management. Even so, the workload required to timely complete the Water Quality Certification process for these cases is much greater than current staffing levels can support.
- e. The focus of staff resources for site inspections will be associated with Priority 1.b, enforcement of illegal cultivation sites and other sites with egregious water quality violations. Nonetheless, staff will need to conduct some inspections on enrolled sites, primarily sites identified with egregious water quality violations and other sites associated with Water Quality Certification applications and ESCP and DASP reviews. In addition, staff will respond to the highest priority complaints referred to us from the public and other agencies. Staff will prepare an inspection report for each inspection and the report will be transmitted to the discharger within 30 days of the inspection.
- f. As of May 2021, only 58 of the 216 Moderate Risk enrollees and only 28 of the 110 High Risk enrollees that are required to submit ESCPs and DASPs, respectively, to the North Coast Regional Water Board have done so by deadlines established in the Cannabis General Order; therefore staff will have to reach out to enrollees that have not complied with this requirement to notify them of their noncompliance and request submittal of the plans.

- g. There is currently a backlog of plans that have been submitted by enrollees in accordance with Cannabis General Order requirements, but most of them have not been reviewed by staff and approved by the Executive Officer.

PY Allocation for FY 21/22: 2.07

Milestones	Target Date
Review and provide comments on, or approve, 25% of backlogged submissions of Erosion and Sediment Control Plans (ESCPs) and Disturbed Area Stabilization Plans (DASPs).	September 2021
Review and provide comments on, or approve, 50% of backlogged Water Quality Certification applications.	September 2021
Review and provide comments on, or approve, 50% of backlogged submissions of ESCPs and DASPs.	December 2021
Review and provide comments on, or approve, 100% of backlogged Water Quality Certification applications.	December 2021
Review and provide comments on, or approve, 75% of backlogged submissions of ESCPs and DASPs.	March 2022
Review and provide comments on, or approve, 100% of backlogged submissions of ESCPs and DASPs.	June 2022
Review and provide comments on all new and all re-submitted applications for Water Quality Certification within 30 days of receipt.	Ongoing
Approve or deny all new applications for Water Quality Certification within 60 days of determining application completeness.	Ongoing
Contact Moderate- and High-Risk enrollees who have not timely submitted required plans to require their immediate submission.	June 2022

Priority 1.d – Cannabis General Order Compliance Assessment

Summary: Given the very limited staff resources available for compliance assessment, staff will prioritize review of annual monitoring data to maximize the efficiency of this task. The Regional Water Board does not currently have the capacity to prioritize other, less efficient, but more effective forms of compliance assessment, such as conducting site inspections, and reviewing Site Management Plans, Nitrogen Management Plans, and other technical documents submitted by enrollees.

Considerations and Key Issues to Resolve: The Regional Water Board lacks adequate staff to participate in these activities at desired levels due to insufficient

funding to support the statewide Cannabis Program. Staff are expected to issue inspection reports to dischargers within 30 days of inspection.

PY Allocation for FY 21/22: 0.1

Priority 1.e – Agency Coordination

Summary: A core obligation of implementing the Cannabis Program is coordination with local governments and other state agencies including CDFW and CDFA to ensure consistent regulation of enrolled / licensed sites, and to prioritize enrollments and enforcement actions. Regular interagency coordination meetings include standing meetings with individual counties, regional coordination meetings with CDFW permitting and law enforcement staff, and CDFA Cannabis Program subgroup meetings including the licensing, data, executive, and enforcement subgroups. Staff also must coordinate with tribal governments throughout the region to process applications for cannabis cultivation within 600 feet of tribal lands. The Executive Oversight Committee established 3 statewide program coordinator positions to consolidate much of the statewide interagency program coordination responsibilities into the State Water Board's Division of Water Right, Division of Water Quality, and Office of Enforcement. Nonetheless, regional management still must coordinate with these Water Board program coordinators and directly with other agency representatives on inspection prioritization, enforcement case management, and performance reporting, among other tasks. Additionally, regional management staff participate on the Executive Oversight Committee and attend statewide Cannabis Program Roundtables and monthly meetings.

Considerations and Key Issues to Resolve: The Regional Water Board lacks adequate staff to participate in the following activities at desired levels due to insufficient funding to support the statewide Cannabis Program:

- a. Participating in the public review process (i.e., scoping, consultation, review, and comment) for proposed changes in the regulation of cultivation sites in counties with bans, caps on licenses, and other restrictions that could affect existing and future enrollments;
- b. Assessing water quality impacts of onstream pond development and providing input to the Division of Water Rights and CDFW;
- c. Coordinating with local agencies regarding other activities associated with cannabis cultivation including wastewater discharges to onsite wastewater treatment systems and to land.
- d. CannaVision Project: The goal of this project is to develop technology to automatically identify cannabis cultivation sites using satellite imagery and computer vision machine learning tools. Water Boards staff has already

developed beta versions of the technology, but additional effort is needed to integrate the technology with Cannabis Program business processes (e.g. enrollment enforcement); and

- e. CIPS Contract Support: The goal of the current phase of this project is to enhance and upgrade the Cannabis Identification and Prioritization System (CIPS), which was developed during previous phases of work, and to integrate it with other statewide program management databases (e.g. CIWQS, eWRIMS, CannaVision, the Cannabis General Order survey portal, etc.) The State Water Board has contracted with Vestra Resources, Inc. on this project. Current contract funds extend Vestra's involvement through October 2021.

PY Allocation for FY 21/22: 0.5 (Management only)

Priority 1.f – Unplanned Work Activities

Summary: Unanticipated assignments and the need to react to projects and actions initiated by others are a reality for all regulatory programs. Given the exceptionally limited staff resources available for the Cannabis Program, most unplanned work activities cannot be accommodated this FY unless corresponding reductions are made to staff resources allocated to other priority activities. Such trade-offs will require careful assessment and case-specific determination by management.

Considerations and Key Issues to Resolve: The Regional Water Board lacks adequate staff to participate in these activities at desired levels due to insufficient funding to support the statewide Cannabis Program.

PY Allocation for FY 21/22: 0.81

Priority 2.a – Water Quality Certification Statewide Coordination Project

Summary: Staff will continue to coordinate with the State Water Board Divisions of Water Quality and Water Rights on two elements of our Water Quality Certification work.

- i. The Division of Water Rights is in the process of developing, with Regional Water Board participation, statewide procedures for issuing approvals for projects within waters of the state under the Cannabis General Order. The intent of this project is to improve consistency, efficiency, and timeliness of Water Quality Certification issuance to ensure water quality improvements can be completed in a timely fashion, thus bringing enrollees into compliance with the Cannabis General Order. The team is developing a Notice of Intent (NOI) form, a template Notice of Applicability (NOA), a Frequently Asked Questions (FAQ) sheet, and other example documents to be used throughout the statewide Cannabis Program.

These documents are being developed based on versions that Regional Water Board staff previously developed for use in the North Coast Region.

- ii. The Division of Water Rights is developing a process to determine under which circumstances previously constructed onstream ponds may remain at cannabis cultivation sites. Regional Water Board staff will continue to coordinate with the Division of Water Rights as they issue the Water Quality Certifications for onstream ponds.

Considerations and Key Issues to Resolve: Internal agreement must be reached regarding how to best use available tools, how to develop processes to approve projects under the Cannabis General Order, and how to best streamline the approval process to protect limited staff resources while providing timely service to applicants.

PY Allocation for FY 21/22: 0.1 (includes 0.05 PY Management)

Priority 2.b – Plan Review and Approval Streamlining Project

Summary: Develop guidance, standard processes and procedures, and a tracking system to enable staff to inventory, review, process, and approve Erosion and Sediment Control Plans (ESCPs) and Disturbed Area Stabilization Plans (DASPs) submitted to the Regional Water Board.

The Cannabis General Order requires enrollees with sites characterized as Moderate Risk to submit an ESCP to the Regional Water Board. Similarly, enrollees with sites characterized as High Risk are required to submit a DASP. In both cases, the plans must be reviewed by staff and approved by the Executive Officer prior to implementation. Many of these plans are complex and management has identified the need to standardize plan review expectations and procedures and to train staff to ensure consistent and timely reviews.

Considerations and Key Issues to Resolve: N/A

PY Allocation for FY 21/22: 0.1 (includes 0.05 PY Management)

Milestones	Target Date
Finalize guidance, standard processes and procedures, and a tracking system to enable staff to inventory, review, process, and approve ESCPs and DASPs submitted to the Regional Water Board by Cannabis General Order enrollees.	October 2021

Priority 3.a – Low Priority Cannabis General Order Implementation Activities

Summary: Except in cases otherwise associated with activities specified under Priority 1.c above, the following are services, which would improve enrollee compliance and protect water quality, but cannot be provided due to the current number of funded staff positions:

- a. Issuing compliance schedules and enforcement orders to enrollees requesting deadline extensions for required site stabilization and erosion control work;
- b. Issuing individual WDRs to cannabis cultivators who request them in lieu of enrolling under the Cannabis General Order; and
- c. Reviewing and commenting on California Environmental Quality Act (CEQA) compliance documents and agency referrals for cannabis cultivation-related sites.

Considerations and Key Issues to Resolve: The Regional Water Board lacks adequate staff to participate in these activities at desired levels due insufficient funding to support the statewide Cannabis Program.

PY Allocation for FY 21/22: 0.0

Priority 3.b – Low Priority Cannabis General Order Compliance Assessment Activities

Summary: Staff's ideal approach for efficiently assessing the compliance of enrolled sites in the North Coast Region begins with reviewing annual monitoring data, followed by reviewing plans submitted by enrollees, then physically inspecting sites where monitoring data and plan information suggest that further investigation is warranted. Except in cases otherwise associated with activities specified under Priority 1.c above, the following are services, which would improve enrollee compliance and protect water quality, but cannot be provided due to the current number of funded positions:

- a. Reviewing and commenting on Site Management Plans (SMPs), which are required to be submitted by all enrollees under the Cannabis General Order, and Nitrogen Management Plans (NMPs), which are required to be submitted by all Tier 2 enrollees.
- b. Conducting routine compliance inspections of enrolled sites, including pre-inspection file review, onsite inspection, report issuance, and following up with subsequent education, interpretation, and/or enforcement actions, as necessary.
- c. Issuing Notices of Violation for nonsubmittal of Annual Monitoring Reports and develop enforcement cases for enrollees violating this requirement multiple years in a row.

Considerations and Key Issues to Resolve: The Regional Water Board lacks adequate staff to participate in these activities at desired levels due insufficient funding to support the statewide Cannabis Program.

PY Allocation for FY 21/22: 0.0

Priority 3.c – Education and Outreach

Summary: Education and outreach are important components of program implementation. However, given the current number of vacant (and frozen) staff positions, these activities are, by necessity, a low priority. Typically, education and outreach involve staff working with the public, local watershed groups, cannabis industry representatives, and local consulting firms to address concerns regarding water quality issues associated with cannabis cultivation. Staff also communicates with the regulated industry by speaking at conferences, town halls, and industry and community group meetings.

Considerations and Key Issues to Resolve:

- a. The Regional Water Board lacks adequate staff to participate in these activities at desired levels due to insufficient funding to support the statewide Cannabis Program.
- b. The Regional Water Board cannot continue (as it has successfully done in the past) to educate the general public and regulated community (many of whom are located in rural areas across the North Coast Region, lack access to reliable internet services, and/or whose primary language is not English) regarding complex regulatory requirements, enrollment and termination processes, and best practices for compliance.

PY Allocation for FY 21/22: 0.0

3.3 Performance Targets for FY 21/22

There are currently no Performance Targets for the Cannabis Cultivation Waste Discharge Regulatory Program. The statewide Cannabis Program Roundtable has convened and begun discussions with program coordinators from the State Water Board Office of Enforcement, Division of Water Quality, and Division of Water Rights about the establishment of performance targets for this program statewide.

4.0 ENFORCEMENT PROGRAM

4.1 Core Activities and Projects by Priority

The primary responsibilities of the North Coast Region’s dedicated enforcement staff are categorized based on priority listed in Table 3. Most activities are described in more detail in Section 4.2.

Table 3 – FY 21/22 Enforcement Program Core Activities and Projects by Priority

Priority Level	Activity/Project	Category	Target Date
1	a. Enforcement Staff Supervision and Program Management	Core	Ongoing
1	b. Violation Review and Prioritization; Case Development and Discretionary Penalty Assessments	Core	Ongoing
1	c. Mandatory Minimum Penalty Assessments	Core	Ongoing
1	d. Complaint Response Coordination	Core	Ongoing
2	a. Conduct Enforcement Inspections and Investigations	Core	Ongoing
2	b. Case Management of Complex, Long-Term Enforcement Cases	Core	Ongoing
2	c. Draft Resolution to Fund Regional Monitoring Programs through Supplemental Environmental Projects	Special	March 2022
2	d. CEQA tracking and coordination	Special	Ongoing

4.2 Core Activity and Project Descriptions

Activities and projects are listed below and identified by the priority (1, 2) and the letter (a, b, c, etc.) listed in Table 3 above. In this Work Plan, Priority 2 projects are those that may not get accomplished due to resource limitations. As a consequence of the 0.9 PY reductions due to COVID-19 during FY 20/21 and other staff resource impacts, the Enforcement Unit has existing backlogs in case work that will affect all core and special

projects. Cannabis enforcement resources are accounted for separately, above, in section 1.b of this Work Plan.

Priority 1.a – Enforcement Staff Supervision and Program Management

Summary: Staff supervision is the primary responsibility of supervisors along with management of the Cannabis Program. Therefore, the three supervisors of the Cannabis Program spend a substantial portion of their time training, coaching, and mentoring staff, developing/updating individual staff work plans, and appraising performance. In the event opportunities arise to fill vacant positions, hiring and onboarding new staff becomes the supervisors' highest priority. Program management accounted for here includes meeting with staff to direct project work, reviewing and approving staff work products, tracking project and task progress, and program planning, among other tasks.

Other tasks performed by the Enforcement Unit supervisor with support from the Division supervisor include those associated with serving as the Enforcement Coordinator for the region, such as: participating and coordinating with staff from other Regional Water Boards and the State Water Board Office of Enforcement in statewide Enforcement Program activities (e.g. developing and reviewing enforcement policy and guidance, and participating in statewide roundtables and training); developing and assisting with implementation of regional enforcement templates and processes; coordinating enforcement actions throughout the office with staff from other programs; tracking status of enforcement cases from all programs in the office; hosting and conducting periodic (i.e. quarterly) officewide enforcement prioritization meetings with the Office of Enforcement and regional management; updating the officewide enforcement priorities annually; maintaining the regionwide Supplemental Environmental Project (SEP) list; regular analysis of Enforcement Target data and reporting of performance to the State Water Board; and maintaining the office motor pool.

Considerations and Key Issues to Resolve:

With a recently hired Scientific Aid, the Enforcement Unit supervisor will need to spend time training and orienting this new staff member. At the start of FY 21/22 one of our Environmental Scientists will be returning to work in the Enforcement Unit from an approximate yearlong deployment as a COVID-19 Contact Tracer; this will require some management oversight to redistribute staff workloads and duties and consider relevant training needs. Staff needs a case tracking tool that works for management and staff to comprehensively track active cases to ensure compliance with enforcement deadlines. This need remains from prior years and has been identified as a priority for this FY.

PY Allocation for FY 21/22: 0.9 (management only)

Milestones	Target Date
Reassess staff duties to implement this Work Plan, identify staff to perform specific enforcement duties, update staff duty statements as necessary, and develop individual staff work plans.	July 2021
Review Enforcement Target data for FY 21/22 and update annual performance report.	September 2021
Update regional enforcement priorities and bring to the Regional Water Board and public for input.	December 2021
Review new SEP proposals and update the regionwide SEP list.	December 2021
Develop a comprehensive violation and case tracking tool that integrates the various databases (CIWQS, SMARTS, etc.) and enables management to ensure compliance with enforcement deadlines and performance targets.	December 2021
Conduct performance appraisals for all staff.	May 2022
Reassess staff duties to implement this Work Plan, identify staff to perform specific enforcement duties, update staff duty statements as necessary, and develop individual staff work plans.	June 2022

Priority 1.b – Violation Review and Prioritization, Case Development, and Discretionary Penalty Assessments

Summary: The development and prioritization of enforcement cases is a core function of the Enforcement Unit. Last FY, the Regional Water Board provided input regarding regional enforcement priorities, which have been incorporated into the case prioritization process. Any updates to these priorities will again need to be incorporated into the case prioritization process. We review and prioritize cases by meeting regularly (quarterly) with regional management and the Office of Enforcement.

Considerations and Key Issues to Resolve: During the 2020 calendar year (the period covered by Performance Target #1 for FY 21/22), there are currently no Class A priority violations identified in CIWQS or SMARTS and, therefore, none to report for this Performance Target. Staff will need to review all violations that have been entered into CIWQS and SMARTs to determine if any of the violations that occurred in 2020 have been incorrectly classified and, if so, reclassify them and issue formal enforcement actions to achieve Performance Target #1. Regions throughout the state appear to be using different criteria to determine what are Class A priority violations and we see similar needs for internal training for all staff to better understand what should be categorized as Class A priority violations. There is a need for training to ensure statewide consistency in classification of violations as Class A.

PY Allocation for FY 21/22: 0.25

Milestones	Target Date
Review all existing Class A priority violations that do not have associated formal enforcement or investigative orders within 18 months for accuracy and validity and reclassify any that are deemed misclassified.	September 2021
Address 50% of all Class A priority violations that do not have associated formal enforcement or investigative orders within 18 months.	December 2021
Address 100% of all Class A priority violations that do not have associated formal enforcement or investigative orders within 18 months.	June 2022

Priority 1.c – Mandatory Minimum Penalty Assessment

Summary: The California Water Code mandates the assessment of mandatory minimum penalties (MMPs) for certain violations of effluent limitations in National Pollutant Discharge Elimination System (NPDES) permits within 18 months for facilities with 5 or more violations resulting in \$15,000 or more in penalties. As noted below, this core activity is associated with a long-standing, statewide performance target.

Considerations and Key Issues to Resolve: Performance Target 2 was not met last FY due to limited staff resources available for this activity, which were impacted due to position vacancies, a mandatory assignment of one of two dedicated enforcement staff to assist the California Department of Public Health with COVID-19 contact tracing, and the need to train new staff. This FY, the Enforcement Unit is fully staffed and, as a result, will focus on addressing this backlog and achieving this performance target. According to CIWQS, as of April 2021, there are currently 10 facilities with more than 4 violations subject to MMPs that need to get resolved by the end of this FY. The Regional Water Board’s ability achieve Performance Target 2 and the milestones in the table below depends to a large degree on the assistance of staff from the Point Source and Ground Water Protection Division; according to activity 1.d of section 3.2 of that Division Work Plan, 0.3 PY staff resources is allocated to assist the Enforcement Unit in this activity for this FY.

PY Allocation for FY 21/22: 1.05 (+0.3 from the Point Source & Groundwater Protection Division)

Cannabis & Enforcement Division
 Work Plan for FY 2021 / 2022

Milestones	Target Date
Issue an Administrative Civil Liability Complaint, Expedited Payment Letter or an invitation to enter into settlement discussions to the Eel River Power Company and Town of Scotia, LLC for mandatory minimum penalty violations of the California Water Code and Clean Water Act associated with the wastewater treatment facility and steam electric power plant, respectively.	September 2021
Issue an Administrative Civil Liability Complaint, Expedited Payment Letter or an invitation to enter into settlement discussions for mandatory minimum penalty violations of the California Water Code and Clean Water Act associated with the following wastewater treatment facilities: <ul style="list-style-type: none"> - City of Fortuna - Town of Redway - City of Eureka - City of Willits - City of Ukiah - City of Ferndale 	September 2021
Issue an Administrative Civil Liability Complaint, Expedited Payment Letter or an invitation to enter into settlement discussions to the Town of Loleta for mandatory minimum penalty violations of the California Water Code and Clean Water Act associated with its wastewater treatment facility.	December 2021
Issue an Administrative Civil Liability Complaint, Expedited Payment Letter or an invitation to enter into settlement discussions to the Town of Graton for mandatory minimum penalty violations of the California Water Code and Clean Water Act associated with its wastewater treatment facility.	March 2022

Priority 1.d – Officewide Complaint Response Coordination

Summary: CalEPA is committed to responding to all environmental complaints received by the agency. The Water Boards receive from CalEPA approximately 5-10 complaints per week that need to be tracked, investigated, and responded to in a timely manner by the Regional Water Boards assigned to them.

Considerations and Key Issues to Resolve: Licensing for the database that supports complaint tracking, investigation, and response activities is limited. Our enforcement staff have one license that must be shared with other staff in the region who must access the database to complete their complaint response work. Our Environmental Scientist that previously managed our complaint database was temporarily assigned to COVID-19 contact tracing and the reassigned work was not able to be fully managed with remaining resources, resulting in a backlog of unaddressed complaints. With the return of our Environmental Scientist, this backlog will begin to get addressed.

PY Allocation for FY 21/22: 0.10

Priority 2.a – Conduct Enforcement Inspections and Investigations

Summary: Conducting timely enforcement inspections and investigations is a core function of Enforcement Program staff. This work sets the stage for the development of quality enforcement cases and supports other staff throughout the office to do the same. To ensure we provide timely compliance assistance to the regulated community, we have set a goal of finalizing inspection reports and transmitting them to dischargers within 30 days of the inspection date.

Considerations and Key Issues to Resolve: We will screen sites and cases and attempt to direct our limited resources to those sites that pose significant threats to water quality and where our participation will provide the most benefit to water resource and beneficial use protection.

PY Allocation for FY 21/22: 0.05

Priority 2.b – Development and Management of Complex, Long-Term Enforcement Cases

Summary: Once an investigative order has been issued or an enforcement action has been taken (e.g. Cleanup and Abatement Order, Cease and Desist Order, or penalty assessment with a Supplemental Environmental Project, Compliance Project, or Enhanced Compliance Action), the case requires significant amounts of staff time to ensure compliance or, if necessary, further enforcement. As discussed above, one of

our regional enforcement priorities is pursuing timely enforcement on missed deadlines in existing enforcement orders.

Considerations and Key Issues to Resolve: Enforcement Unit staff has drafted an updated template to use for the development of Cleanup and Abatement Orders. Staff anticipate that this template will improve processing times for issuing Cleanup and Abatement Orders and will improve the clarity for responsible parties through improved document organization. As a result, staff anticipate being able to require site cleanup more effectively and efficiently when deemed necessary.

PY Allocation for FY 21/22: 0.20

Priority 2.c - Draft Resolution to Fund Regional Monitoring Programs through Supplemental Environmental Projects

Summary: The December 2017 Supplemental Environmental Project policy allows that, with authorization by the State Water Resources Control Board, SEP funds may be directed to an account or fund managed by a Water Board to fund SEP projects and/or programs, “including, but not limited to, those that fund regional monitoring programs.” Region 1 has multiple regional monitoring programs underway, in particular the Klamath Basin Monitoring Project (KBMP) and the Russian River Regional Monitoring Program (R3MP). Over this fiscal year, enforcement unit staff will investigate feasibility of obtaining State Water Board authorization to create such an account. If feasible, and with direction from the Executive Officer, enforcement unit staff will work with staff of the State Water Board to develop a resolution for State Water Board approval authorizing establishment of an account to fund regional monitoring programs in Region 1.

Considerations and Key Issues to Resolve: Staff has not yet determined the scope of work associated with this project, nor the requirements and steps needed to maintain and use such a fund, once established. As noted in the narrative, staff plan to investigate this further, and review with the Executive Officer before initiating this project.

PY Allocation for FY 21/22: 0.10 **PY Allocation for FY 21/22:** 0.10 (includes 0.05 PY Management)

Priority 2.d - CEQA Tracking and Coordination

Summary: Providing a service of interest and benefit to the office as a whole, Enforcement Unit staff receive, track, and inform all staff weekly of new California Environmental Quality Act (CEQA) and National Environmental Policy Act (NEPA) documents available for comment for projects in the North Coast Region. While this task is not enforcement-related, and technically constitutes “other duties as required,” it allows enforcement staff to be aware of new projects and activities throughout the

region, sometimes with a nexus to enforcement cases underway, and sometimes alerting staff to potential concepts for Supplemental Environmental Projects.

Considerations and Key Issues to Resolve: N/A

PY Allocation for FY 21/22: 0.05

4.3 Performance Targets for FY 21/22

Target 1: 100% of Class 1 priority violations will Result in Formal Enforcement or an Investigative Order Pursuant to California Water Code section 13267 within 18 Months of Discovery.

Target 2: 0 Facilities with Over \$12,000 in MMPs (4 or More Violations) Not Assessed within 18 Months of Accrual.