

**Regional Water Quality Control Board
North Coast Region
Executive Officer's Summary Report
June 9, 2022**

ITEM: 7

SUBJECT: Fiscal Year 2022-2023 Work Plan for the North Coast Regional Water Quality Control Board (*Matt St. John*)

BOARD ACTION: This is an information item only; no action will be taken by the Regional Board.

BACKGROUND: The purpose of this information item is to present the proposed Work Plan of the North Coast Regional Water Quality Control Board (Regional Water Board) for Fiscal Year 2022-2023 (NCRWQCB FY22-23 Work Plan) and to receive feedback from Board members and the public. This year marks the fifth year the Regional Water Board has completed a comprehensive work planning process. Each of the four Regional Water Board Divisions – Point Source & Groundwater Protection, Nonpoint Source & Surface Water Protection, Planning & Watershed Stewardship, and Cannabis & Enforcement – have developed individualized, comprehensive work plans (Division Work Plans).

The Introduction to the Division Work Plans explains their purpose, outlines special considerations, and identifies several cross-program or office-wide initiatives. The purpose for the Division Work Plans is to prioritize and guide the work of Regional Water Board staff during the fiscal year, and to manage expectations regarding the scope, content and schedule associated with activity milestones and deliverables. In addition, the Work Plans serve to identify projects and tasks for which the Regional Water Board is under-resourced to adequately fulfill.

DISCUSSION: As demonstrated in each of the Division Work Plans, the staff of the Regional Water Board have plans to achieve a lot during FY 22-23; it is an impressive amount of work that is planned, with detailed milestones and numerous specific work products.

The Regional Water Board has many core programs that we implement, all of which fall within one of the following general categories:

1. Regulatory, which includes permit development and implementation, compliance assistance, and enforcement
2. Planning and assessment
3. Technical and financial assistance

Each of these categories of our work are fundamental, individually and combined, to advancing the Vision Statement of the North Coast Regional Water Board:

Healthy watersheds

Effective regulation

Strong partnerships

As an agency we can only achieve healthy watershed conditions by developing and implementing effective regulations based on sound science. And, effective regulation alone will not achieve healthy watershed conditions; we must also develop, maintain, and leverage strong partnerships. Strong partnerships are not only necessary in the development and implementation of effective regulations; strong partnerships are also critical for advancing non-regulatory actions and projects, which are also crucial for achieving healthy watershed conditions. The State Water Resources Control Board and nine Regional Water Boards are not only regulatory agencies; we are a funding agency; and we are champions for the communities – human and aquatic/wildlife – which we serve.

Cross-Program and Office-Wide Initiatives

The work of the Water Boards is getting increasingly complicated due to environmental and socioeconomic factors and conditions. The immediate and long-term threats of climate change are real and becoming increasingly tangible, with measurable and perceptible implications on the quality (as well as quantity) of surface and groundwater. All of our regulatory programs, to one degree or another, are actively confronting and attempting to address the threats, impacts, and associated mitigations of climate change; incorporating requirements for wastewater treatment facilities to develop Disaster Preparedness Assessment Reports and Action Plans is one example. Engaging actively in the implementation of the Governor's Wildfire and Forest Resilience Action Plan activities, which is largely centered on community and environmental protection, is another example. In addition, the Regional Water Board has prioritized critical non-regulatory work to address climate change; providing technical assistance and financial assistance/funding for habitat restoration projects within ecosystems that provide critical refugial habitat for aquatic species is one example on our non-regulatory actions which we implement to help address the impacts from climate change.

In FY 22-23, though, the Regional Water Board is doubling down on our commitment to develop a Climate Change Adaptation and Resilience Strategy for the North Coast Region. In advance of the retirement of our amazing Watershed Stewardship Coordinator in August of 2022, this Environmental Program Manager I Specialist position will be rescoped as a Senior Policy Advisor Climate Specialist for the Regional Water Board. This new position will lead the development of our Climate Strategy and will continue to cultivate strong partnerships to leverage the work in order to plan for, protect, adapt, and mitigate the impacts of climate change in the North Coast Region.

In addition to the climate-related environmental challenges facing the work of the Regional Water Board, there are complex socio-economic challenges which we must face in order to fulfill our agencies mission and achieve our region's vision. The North Coast Region has many disadvantaged and significantly disadvantaged communities,

and these economic realities make it more difficult to provide the technological and environmental infrastructure necessary to protect water quality. Therefore, in FY 22-23 Regional Water Board staff continue to prioritize providing technical assistance to disadvantaged communities, including services to assist these communities in successfully obtaining necessary financial assistance for water quality protection.

Further, the Water Boards, like many state agencies are facing the reality of the ways in which our agency has contributed to racial inequities and environmental injustice within the communities we serve. On November 16, 2021, the State Water Board adopted Resolution No. 2021-0050, *Condemning Racism, Xenophobia, Bigotry, and Racial Injustice and Strengthening Commitment to Racial Equity, Diversity, Inclusion, Access, and Anti-Racism*. The State Water Board resolution in part acknowledged the role racism plays in creating inequities in affordability and access to clean and safe water, committed to advancing racial equity within the Water Boards and the communities they serve, and directed its staff to develop a Racial Equity Action Plan. In December 2021, North Coast Regional Water Board staff outlined the process for developing a region-specific racial equity resolution for board adoption. In FY 22-23 Regional Water Board staff will engage a public process to bring a North Coast Region-specific Racial Equity Resolution to the Regional Water Board for adoption. While adopting this resolution is an important first step, staff recognize that actions are the key to advancing racial equity and environmental justice. As such, in FY 22-23 staff will also develop an action plan after resolution adoption to identify specific actions that the Regional Water Board and its staff will take to implement the resolution.

Another important office-wide initiative is the work of Regional Water Board staff's Employee Engagement Steering Committee and six sub-Committees addressing the following topics: 1) Communications; 2) Organization; 3) Expectations; 4) On-boarding; 5) Social engagement; and 6) Culture. The purpose of these committees is to implement organizational, procedural, and cultural changes within our agency to address important themes including job satisfaction, improved understanding of expectations for staff and management, support for professional development, reinvigorating efforts related to individual accountability, refresh communication strategies, and encourage leadership from each staff member.

Division Work Plan Summaries

The **Point Source Control & Groundwater Protection Division** is comprised of one division supervisor, three senior supervisors, twenty-two technical staff, and one senior Specialist position. Division staff manage the Water Board's core regulatory programs: NPDES wastewater, stormwater, waste discharge to land, land disposal (landfills), contaminated groundwater cleanups, and irrigated agriculture (excluding cannabis).

In FY 22-23, Division staff will continue core regulatory tasks such as preparing individual permits for Regional Board consideration, case handling of regulated facilities and groundwater cleanup sites, reviewing routine facility self-monitoring reports, assessing permit compliance, and conducting progressive enforcement for violations of conditions of Board-issued permits and orders. Division staff will also strive to meet

performance targets for permitting (issuance and renewal) and inspections established in the Division Work Plan and that are tracked by the State Water Board in the Water Board's annual Performance Report which is made available to the public.

In addition to completing its core regulatory functions, the Division will focus its work in the next fiscal year on reviewing special reports, such as the Disaster Preparedness Assessment Report and Action Plan and Groundwater Impact Study that are required by recently updated facility permits, reviewing and conducting follow up on Storm Water Pollution Prevention Plans and conducting other special permit compliance investigations. Division staff will also continue to provide compliance and funding assistance to disadvantaged communities, initiating in 2022 a regionwide Community Needs Assessment to identify, develop, and fund water and wastewater infrastructure projects that the Regional Water Board can support and promote for completion. Another high priority of the Division is to enact projects and initiatives identified by the Regional Water Board as priority projects, such as the actions and goals described in the draft Groundwater Protection Strategy, development of the General Permit for Vineyard Operations, Regional Water Board oversight of water quality components of the Klamath Dam Removal Project, and initiation of the Onsite Wastewater Treatment System (OWTS) Assessment Program required by the Russian River Watershed Pathogen TMDL Action Plan.

Finally, the Point Source Control & Groundwater Protection Division expects by midsummer to have filled all its vacant positions and begin operating at full strength. Onboarding of new staff requires dedicated time to conduct training on internal processes, legal authorities, and roles and responsibility and close review of work products to ensure the new employees' success, meet Division Work Plan commitments, and fulfill the Water Board's mission *to preserve, enhance, and restore the quality of California's water resources and drinking water for the protection of the environment, public health, and all beneficial uses, and to ensure proper water resource allocation and efficient use, for the benefit of present and future generations.*

The **Nonpoint Source and Surface Water Protection Division** (NPS Division) is made up of one division supervisor, four senior supervisors, twenty-two technical staff, and one dedicated Restoration Specialist. The primary responsibilities of the NPS Division programs include the oversight of forestry and fire-response activities, land use projects that impact waters of the state, regulation of dairies, and aquatic habitat enhancement and restoration projects. Although these types of land-use activities have been present in the North Coast for many years, the NPS Division's regulatory programs are increasingly having to adapt to a rapidly changing environmental paradigm due to the onset of climate change effects. Catastrophic wildfires, extreme floods, and extended droughts are all influencing the NPS Division's typical work activities as these symptoms are occurring more frequently and with increased severity.

To protect and recover beneficial uses, NPS Division staff collaborate across office-programs to optimize regulatory oversight and decision-making, while also contemplating and creating new regulatory permits to meet 21st century contemporary needs. These activities rely on strong external partnerships with other regulatory

agencies and communities of interest. In addition to its strong regulatory programs designed to protect water quality, the NPS Division's Restoration Program is intentionally focused on supporting the implementation of aquatic habitat restoration projects that assist in the recovery of beneficial uses.

During FY 22-23, the NPS Division will engage in several priority activities, including: ongoing development of a new Federal Lands Permit, active engagement in the Governor's Wildfire and Forest Resilience Task Force and its associated Action Plan, support to the State Water Board during development of statewide general orders for restoration and utility corridor maintenance activities, development of a new general order for rural roads in the North Coast Region, and ongoing oversight of activities associated with dredge and fill projects, forest and fuels management projects, county roads, and dairies.

The work of the **Planning and Watershed Stewardship Division** is to provide the regulatory basis for our agency's permit and enforcement programs, as well as the non-regulatory tools that augment and confirm the veracity of our water quality protection efforts. The Planning and Watershed Stewardship Division is comprised of one division supervisor, two senior supervisors, three senior specialists, and ten technical staff. Division staff implement numerous programs in service of the planning and stewardship functions of the office, including: monitoring, assessment, grants, watershed-scale assessment and focused research, and development of policy and regulation.

In FY 22-23, staff will continue to lead as program managers and regional experts several key statewide/nationwide programs including: Surface Water Ambient Monitoring Program (SWAMP), Freshwater and Estuarine Harmful Algal Blooms (FHAB) Program, 303(d)/305(b) Integrated Report Program, Nonpoint Source (319h) Grant Program, and Total Maximum Daily Loads (TMDLs) Program. Staff will also continue to lead as program managers and regional experts several North Coast Regional Water Board initiatives, including: Flow and Riparian Protection and Watershed Stewardship in strategic watersheds, namely the Scott and Shasta watersheds and the Elk River watershed.

In addition to these core programs, staff will also in FY 22-23 be invested in several key special projects. The active special projects currently under development include: TMDLs for the Laguna de Santa Rosa, a narrative flow objective, a 5-year review of the Elk River Sediment TMDL, a Climate Change Adaptation and Resilience Strategy, pathogen assessment in multiple pathogen impaired waters, a Restoration Catalogue, the Russian River Regional Monitoring Program and associated Russian River Confluence, and completion of the approval process for the Russian River Pathogen TMDL.

Also planned for this fiscal year is the Triennial Review of the Basin Plan, which will be initiated as staffing allows. The Triennial Review process results in a renewed list of planning priorities as it relates to the development of TMDLs and other Basin Plan Amendments (e.g., new water quality objectives, plans, or policies). In recent years,

Planning and Watershed Stewardship Division staff have sometimes been diverted from high priority assigned work to drought response, fire response, fish kills, and other similar events that require planning, monitoring, analysis, and or grant support. Our Flow and Riparian Protection Specialist is readied for continued drought response in FY 22-23, as is our Scott and Shasta Steward who is formally working for the Division of Water Rights part time (0.40 PYs) to support drought response work in that part of the region.

The **Cannabis & Enforcement Division** is comprised of one division supervisor, three senior supervisors, and seven technical staff. Division staff implement the cannabis cultivation waste discharge regulatory program (Cannabis Cultivation Program) and provide enforcement assistance and expertise to the entire office, including all other regulatory programs and for activities that are not otherwise regulated.

The core regulatory and enforcement functions that staff provide include providing timely public service, coordinating with other local, state, and federal agencies, coordinating the officewide response to complaints, inspecting regulated and unregulated properties, assessing impacts and threats to water quality and assessing compliance with orders, policies, and regulations. Division staff work with staff throughout the office to prepare enforcement actions consistent with the statewide Water Boards Enforcement Policy, engage in settlement negotiations consistent with the Supplemental Environmental Project (SEP) Policy, and present actions to the board for consideration and adoption. Annually, enforcement staff bring the regional enforcement priorities to the Board and public to solicit input for an annual update. Concurrently, enforcement staff reviews all available SEP proposals to update the Board-approved SEP List for use in settlement negotiations. Division staff strive to meet the goals of issuing reports within 30 days of conducting inspections, reviewing submitted compliance plans, determining completeness of applications for water quality certification within 30 days of submission, approving or denying applications for water quality certification within 60 days of determining application completeness while also meeting performance targets for enforcement.

In addition to these core technical functions, the Division has prioritized two special projects. For the first project, Division staff will work with staff from the Planning & Stewardship Division and other Water Boards staff throughout the State in the use of the Water Boards' CannaVision machine learning-based model to identify cannabis cultivation sites and to support a research study involving the extent of cultivation in a given area and the change in that extent over time; the exact research questions are still under development. The second project will involve the establishment of a process to recover staff costs during the implementation of Cleanup and Abatement Orders.

Currently, the Division also provides some administrative support services, including managing the office vehicle fleet; tracking CEQA documents that are submitted to the office and coordinating with all staff to provide comments; and remediation of documents to comply with accessibility requirements of the American Disability Act (ADA). The office anticipates shifting these administrative functions in time to staff outside of the Division as administrative staff positions are filled.

At the June 9, 2022 Regional Water Board meeting executive staff will provide a general overview and summary of the Work Plans. We look forward to feedback from Board members on these priorities for FY 22-23, welcome comments by interested stakeholders, and we will be available to answer questions.

RECOMMENDATION: N/A

SUPPORTING DOCUMENTS:

1. FY 22/23 Work Plan Introduction & Office-Wide Initiatives
2. Point Source & Groundwater Protection Division FY 22/23 Work Plan
3. Nonpoint Source & Surface Water Protection Division FY 22/23 Work Plan
4. Planning & Watershed Stewardship Division FY 22/23 Work Plan
5. Cannabis & Enforcement Division FY 22/23 Work Plan