

**State of California
California Regional Water Quality Control Board
Santa Ana Region**

July 22, 2022

STAFF REPORT

ITEM: 9

SUBJECT: Enforcement Priorities and Updates

DISCUSSION:

SANTA ANA REGION ENFORCEMENT PRIORITIES FOR 2022-2023

The Santa Ana Water Board's programs are designed to preserve, enhance, and restore the quality of Region'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. Though the preference is to attain compliance through cooperation, collaboration, and partnerships, at times, enforcement actions are necessary to meet the region's mission.

Each fiscal year the Santa Ana Water Board sets its enforcement priorities intending to ensure that violations of orders and permits result in firm, fair, and consistent enforcement through informal and formal actions. Specifically, the Santa Ana Water Board initiates and continues enforcement on permit or regulatory violations that: (a) adversely affect or threaten water quality; (b) undermine the integrity of the self-reporting regulatory structure; and/or (c) demonstrate behavior that shows a pattern for failing to implement permit requirements. There is a further attention towards impacts to Environmental Justice, especially in economically disadvantaged communities, in accordance with the Region's Human Right to Water Resolution (R8-2019-0078).

For FY22/23, the following enforcement priorities by branch are listed below.

Groundwater Protection Branch:

- Ensure the timely implementation of cleanup of contaminated sites, including industrial spill sites, underground storage tanks, and Department of Defense facilities, prioritized by risk to human health and the environment, threat to beneficial uses, and Environmental Justice,
- Ensure compliance with waste discharge requirements (WDRs) for municipal solid waste facilities, surface impoundments, and in-situ remediation to minimize impacts to groundwater quality and drinking water supply, and
- Prioritize projects where Dischargers have demonstrated a pattern of failing to meet requirements specified in WDRs, voluntary cleanup agreements, Investigative Orders or Cleanup and Abatement Orders.

Surface Water & Agriculture Branch:

- Focus on compliance with stormwater discharge permits for industrial facilities that incurred Total Maximum Daily Load Numeric Effluent Limitation exceedances,
- Pay particular attention to the efforts by the MS4 Authorities toward meeting water quality objectives for receiving waters through implementation of monitoring programs, as presented in their annual reports,
- Focus on illegal Cannabis Cultivation sites, those unpermitted sites that have potential to impact streams, listed impaired water bodies, and wild and scenic waters. In addition, consideration will be made for the size and density of cultivation sites, potential to threaten drinking water supplies, and those sites near disadvantaged communities, over-drafted groundwater basins, and other conserved lands,
- Focus on compliance with effluent limitations in discharge permits for the wastewater program; and to encourage dischargers to connect to local sanitary sewer systems.
- Concentrate on working with the agricultural permittees to submit their notices, compliance reports, and enroll in the program, and
- Focus on the permittees in the dairy program that have failed to submit annual reports.

Regional Planning Branch:

- Concentrate on facilities that fail to submit annual reports, provide notification for beginning remediation work, or who fail to provide notification of termination of remediation projects.

RECOMMENDATION:

Information and discussion only.