



Linda S. Adams
Secretary for
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State Water Resources Control Board

Executive Office

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Arnold Schwarzenegger
Governor

Workshop to Receive Comments Regarding Draft Water Quality Enforcement Policy

Friday, January 16, 2009

1:00 P.M. - 4:00 P.M.

Joe Serna, Jr. / Cal-EPA Building
Training Room 2
1001 I Street
Sacramento, California

SUBJECT OF WORKSHOP

The Office of Enforcement will be holding a staff workshop to consider proposed revisions to portions of the Water Quality Enforcement Policy. The proposed revisions can be found at http://www.waterboards.ca.gov/water_issues/programs/enforcement/policy_revisions.shtml.

BACKGROUND

The State Water Resources Control Board (State Water Board) and the Regional Water Quality Control Boards (Regional Water Board) (together "Water Boards") are the state agencies with primary responsibility for the coordination and control of water quality. In the Porter-Cologne Water Quality Control Act (Porter-Cologne), the Legislature declared that the "state must be prepared to exercise its full power and jurisdiction to protect the quality of the waters in the state from degradation...." (California Water Code section 13000). Porter-Cologne grants the Water Boards the authority to implement and enforce the water quality laws, regulations, policies and plans to protect the groundwater and surface waters of the State. Timely and consistent enforcement of these laws is critical to the success of the water quality program and to ensure that the people of the State have clean water. It is the policy of the State Water Board that the Water Boards will strive to be fair, firm, and consistent in taking enforcement actions throughout the State, while considering the unique facts of each case.

The State Water Board has an Enforcement Policy for its Water Quality Program that has not been updated since February 22, 2002. On June 28, 2007, the State Water Board held a workshop to gather input from stakeholders prior to revising the policy. Since a previous draft was released to the public for a State Water Board workshop in February, 2008, the Water Boards have undertaken several process changes in an effort to improve the Policy.

- (1) The Water Boards established an Executive Steering Committee consisting of high-level State Water Board management and two Executive Officers from the Regional Water Boards to consider the public comments made to date on the existing draft Policy and to make recommendations for modifications to that draft;

- (2) The Water Boards segmented the draft Water Quality Enforcement Policy into two parts with one part addressing Supplemental Environmental Projects (SEPs) and Uses of the State Water Pollution Cleanup and Abatement Account for Regional Water Quality Improvement Projects (CAA Projects); and the second part addressing other enforcement policy considerations, including the prioritization of enforcement activities and a proposed methodology for determining administrative civil liability for violations of the California Water Code.

Public comment on the elements of the first part, the SEP and CAA Project sections closed on December 15, 2008. Those policies are scheduled for State Water Board consideration on February 3, 2009.

The second part is the subject of the staff workshop. At this time, there is no date scheduled for State Water Board consideration of the matters covered by this second part.

- (3) The sections of the Policy published for the staff workshop are intended to be policy directives. Therefore, unlike prior drafts or versions of the Water Quality Enforcement Policy, the Executive Steering Committee directed that these sections minimize the inclusion of guidance on the implementation of the policy except where necessary to provide clarity.

The State Water Board is now asking stakeholders to submit comments on the proposed revised Water Quality Enforcement Policy and participate in a discussion of the revisions at the Staff Workshop on January 16, 2009. The Board will consider comments and feedback from stakeholders regarding the proposed changes.

PROCEDURAL MATTERS

The workshop will be informal. There will be no sworn testimony or cross-examination of participants, but the State Water Board staff may ask clarifying questions.

Participants should submit written comments prior to the workshop. At the workshop, participants will be given an opportunity to summarize and supplement their written materials with oral presentations. To ensure a productive and efficient workshop, and to ensure that all participants have an opportunity to participate, oral presentations may be given time limits. Participants with similar comments are requested to make joint presentations.

Participants are requested to provide written comments **by 12:00 noon on Wednesday, January 14, 2009**. When submitting preliminary comments, the State Water Board requests that an original, plus one electronic copy be sent to:

Taryn Stokell
Office of Enforcement
State Water Resources Control Board
1001 I Street, 16th Floor
Sacramento, CA 95814

Written comments and electronic presentations are to be submitted to Taryn Stokell via email at tstokell@waterboards.ca.gov. Please indicate in the subject line: "**Water Quality Enforcement Policy Workshop 1/16/09.**"

Hand and special deliveries should also be addressed to Taryn Stokell at the address above.

Couriers delivering comments must check in with lobby security and have them contact Taryn Stokell at (916) 327-8039.

INFORMATION REGARDING WORKSHOP

Please direct any questions concerning this notice to Taryn Stokell at (916) 327-8039.


PARKING AND ACCESSIBILITY

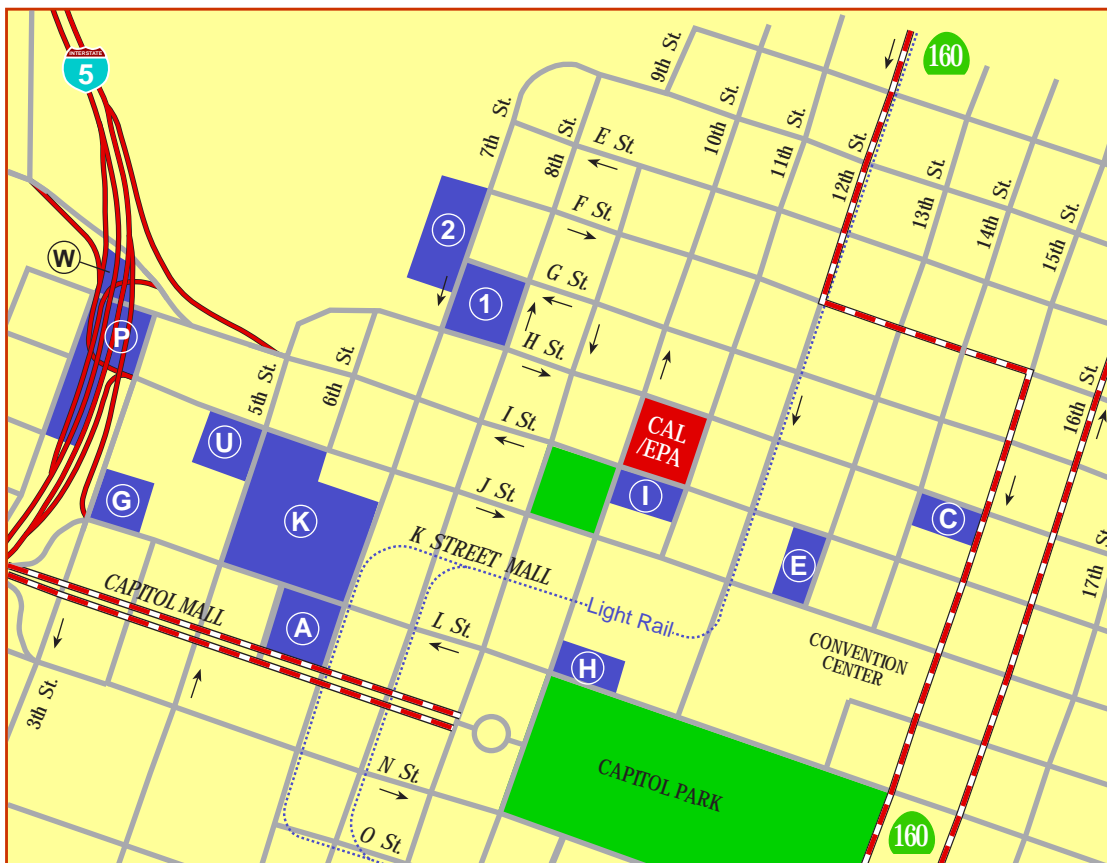
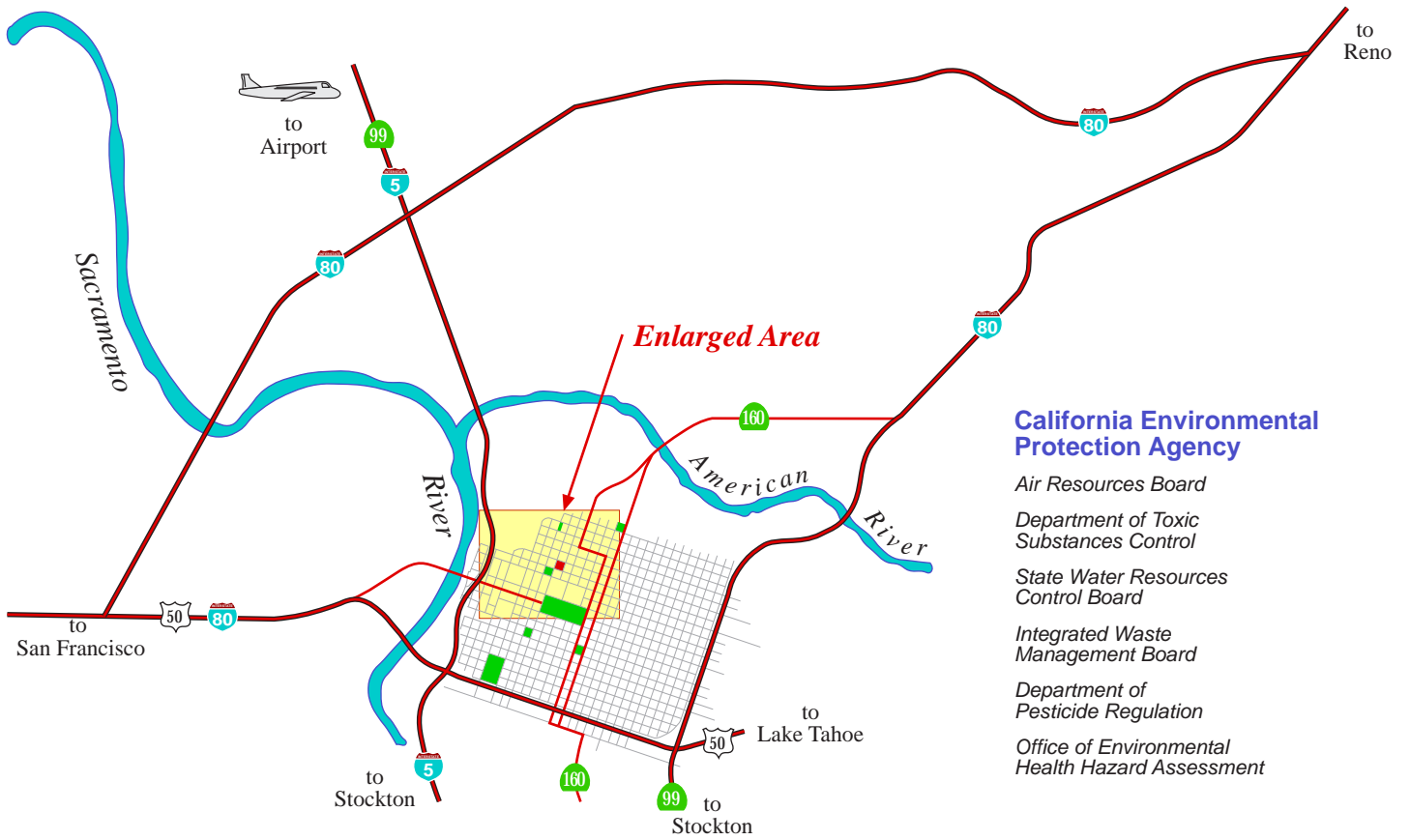
Joe Serna Jr. / California Environmental Protection Agency Building (Cal/EPA), Sacramento. There is a parking garage across from the building with entrances on 10th and 11th Streets between "I" and "J" Streets, and metered parking spaces are in the vicinity of the building. A map is attached and also is available on our Web site at: <http://www.calepa.ca.gov/EPAbldg/location.htm>.

Due to enhanced security precautions at the Joe Serna, Jr. (Cal/EPA) Building, all visitors are required to sign in prior to entering the building. Visitors can sign in and obtain badges in the Visitor and Environmental Services Center, which is just inside and to the left of the building's public entrance on 10th Street. Visitors may be asked to show valid picture identification. Valid identification can take the form of a current driver's license, military identification card, or state and federal identification cards. Depending on the size and number of meetings scheduled on any given day, the security check-in could take from three to fifteen minutes. Please allow adequate time to sign in before being directed to your meeting.

The Joe Serna, Jr. (Cal/EPA) Sierra Hearing Room is accessible to persons with disabilities. Individuals who require special accommodations are requested to contact Taryn Stokell at (916) 327-8039, at least five working days prior to the public meeting date. Persons with hearing or speech impairments can contact us by using the California Relay Service Telecommunications Device for the Deaf (TDD). TDD is reachable only from phones equipped with a TDD Device. HEARING IMPAIRED RELAY SERVICE: TDD to voice 1 800-735-2929; voice to TDD 1-800-735-2922.

December 22, 2008
Date


Jeanine Townsend
Clerk to the Board



- Lot 1 (7th & G St.)**
\$0.75 ea. 1/2 hr.
- Lot 2 (7th & G St.)**
\$0.75 ea. 1/2 hr.
- Lot A (7th & Capitol)**
\$0.75 ea. 1/2 hr. for first 2 hrs.
\$1.50 ea. additional hr.
\$8.00 maximum charge
- Lot C (14th & H St.)**
\$5.00 flat rate
- Lot G (3rd & L)**
\$0.75 ea. 1/2 hr. for first 2 hrs.
\$1.25 ea. additional 1/2 hr.
\$13.00 daily maximum charge
- Lot H (10th & L)**
\$1.25 each 1/2 hr.
\$15.00 daily maximum charge
- Lot I (10th & I, 11th & I)**
\$1.00 each 1/2 hr.
\$12.00 daily maximum charge
- Lot K (6th & J/L, 7th & K)**
\$0.75 ea. 1/2 hr. for first 2 hrs.
\$1.25 ea. additional 1/2 hr.
\$13.00 daily maximum charge
- Lot P (2nd & I)**
\$0.75 ea. 1/2 hr. for first 3 hrs.
\$1.00 each additional 1/2 hr.
\$12.00 daily maximum charge
- Lot U (5th & J)**
\$0.50 ea. 1/2 hr. for first 2 hrs.
\$1.00 ea. additional 1/2 hr.
\$12.00 maximum charge
- Lot W (2nd & I St.)**
\$5.00 flat rate