

Per California Code of Regulations, title 2, section 548.5, the following information will be posted to CalHR's Career Executive Assignment Action Proposals website for 30 calendar days when departments propose new CEA concepts or major revisions to existing CEA concepts. Presence of the department-submitted CEA Action Proposal information on CalHR's website does not indicate CalHR support for the proposal.

**A. GENERAL INFORMATION**

1. Date

April 6, 2018

2. Department

State Water Resources Control Board (State Water Board)

3. Organizational Placement (Division/Branch/Office Name)

North Coast Regional Water Quality Control Board (Regional Water Board)

4. CEA Position Title

Assistant Executive Officer

5. Summary of proposed position description and how it relates to the program's mission or purpose. (2-3 sentences)

The mission of the State Water Resources Control Board (State Water Board) is 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 State Water Board proposes to create a new Career Executive Assignment (C.E.A.) Level A position to serve as Assistant Executive Officer and report directly to the Executive Officer of the North Coast Regional Water Quality Control Board (Regional Water Board). The Assistant Executive Officer is a principal policy advisor and consultant to the Executive Officer and is responsible for implementing policy, planning, regulatory and enforcement activities of the Regional Water Board. The Assistant Executive Officer reports to the Executive Officer and is responsible for the day-to-day management of the Regional Water Board office and is responsible for the oversight and management of the annual budget, program planning, and policy formulation.

6. Reports to: (Class Title/Level)

Executive Officer, Regional Water Quality Control Board/State Water Resources Control Board

7. Relationship with Department Director (Select one)

- Member of department's Executive Management Team, and has frequent contact with director on a wide range of department-wide issues.
- Not a member of department's Executive Management Team but has frequent contact with the Executive Management Team on policy issues.

(Explain):

The Assistant Executive Officer serves as a principal consultant, policy advisor and technical expert on policy direction to the Executive Officer. The Executive Officer and the Assistant Executive Officer serve as the executive management team for the North Coast Regional Water Quality Control Board. These positions involve a high level of policy involvement with the public, the regulated community, and numerous governmental and nongovernmental organizations. The Assistant Executive Officer recommends to the Executive Officer priorities for implementing the delegation authorized by the Regional Water Board. The Assistant Executive Officer also recommends to the Executive Officer policies for Regional Board consideration. The Assistant Executive Officer helps coordinate region-wide policy development and interaction with other local, state and federal jurisdictions, the eight other Regional Water Quality Control Boards, the State Water Board and the California Environmental Protection Agency. The Assistant Executive Officer also acts as the chief prosecutor in enforcement matters and acts independently of the Executive Officer.

8. Organizational Level (Select one)

- 1st
- 2nd
- 3rd
- 4th
- 5th (mega departments only - 17,001+ allocated positions)

## B. SUMMARY OF REQUEST

### 9. What are the duties and responsibilities of the CEA position? Be specific and provide examples.

The Assistant Executive Officer serves as a principal consultant, policy advisor and technical expert on policy direction to the Executive Officer. The Assistant Executive Officer recommends to the Executive Officer priorities for implementing the delegations authorized by the Regional Water Board. The Assistant Executive Officer also recommends to the Executive Officer policies for Regional Board consideration.

The Assistant Executive Officer assists the Executive Officer on the development and adoption of long-range plans related to Regional Water Board and statewide policies pertaining to water quality and water pollution control and also directs the issuance of discharge permits/requirements and water quality certifications, conducts surveillance monitoring and enforcement activities and oversees groundwater remediation projects and land disposal/site investigations.

The Assistant Executive Officer helps coordinate region-wide policy development and interaction with other local, state and federal jurisdictions, the eight other Regional Water Quality Control Boards, the State Water Board and the California Environmental Protection Agency.

The Assistant Executive Officer has the day-to-day responsibility for planning, developing, implementing, evaluating and providing management direction and setting policy to meet the departmental mission. In doing so, the Assistant Executive Officer, acting in concert with, or acting on behalf of, the Executive Officer, is responsible for establishing high expectations of those responsible for carrying out water quality control actions, to hold those individuals and organizations accountable, and to ensure there are appropriate consequences for not meeting expectations, as well as recognition for those meeting and exceeding expectations. The Assistant Executive Officer serves as the chief prosecutor for nearly all formal enforcement actions with the separation-of-function enforcement process employed by the Regional Water Board. Because of the requirement for a separation of functions, the Assistant Executive Officer acts independently of the Executive Officer in prosecuting enforcement actions.

The Assistant Executive Officer develops the staff policies, strategies, and implementation methods for the Regional Water Board staff to carry out the direction and mission of the Regional Water Board.

The Assistant Executive Officer is responsible for providing direction to Regional Water Board staff in the interpretation and implementation of statewide Policies and Regional Water Board policies and direction.

The Assistant Executive Officer has the critical role of ensuring that policy-level direction from the State Water Board and the Regional Water Board is correctly interpreted and implemented in conformance with the intent of the upper level policy-makers.

**B. SUMMARY OF REQUEST (continued)**

10. How critical is the program's mission or purpose to the department's mission as a whole? Include a description of the degree to which the program is critical to the department's mission.

- Program is directly related to department's primary mission and is critical to achieving the department's goals.
- Program is indirectly related to department's primary mission.
- Program plays a supporting role in achieving department's mission (i.e., budget, personnel, other admin functions).

Description: The North Coast Regional Water Quality Control Board is an independent seven member Board authorized in Section 13200 of the Water Code. The seven Board members are appointed by the Governor and Section 13220 authorizes the Board to appoint an executive position that is exempt from civil service under Section 4 of Article VII of the California Constitution to serve at the pleasure of the Board. The Executive Officer is the highest-level executive position and must exercise the authority of the Regional Water Board, except where specifically prohibited by Statute. The semi-autonomous nature of the Regional Water Board creates an increased level of complexity, as the board members meet regularly and along with the Executive Officer, set priorities for implementing the delegation authorized by the Regional Water Board. The CEA position will serve as Assistant Executive Officer and will report directly to the Executive Officer of the North Coast Regional Water Quality Control Board.

The Regional Water Board is unique in that its jurisdiction covers watershed that flow into the Pacific Ocean from the Marin/Sonoma County line north to the Oregon Border and encompasses parts of inland California, including Sonoma, Mendocino, Humboldt, Del Norte, Siskiyou, and parts of Trinity and Modoc Counties.

Under the administrative direction of the Executive Officer, the Assistant Executive Officer serves as a principal policy advisor and consultant to the Executive Officer and is responsible for implementing policy, planning, regulatory and enforcement activities of the Regional Water Board. The Assistant Executive Officer recommends to the Executive Officer priorities for implementing the delegations authorized by the Regional Water Board. The Assistant Executive Officer also recommends to the Executive Officer policies for Regional Board consideration. In the absence of the Executive Officer, the Assistant Executive Officer assumes and executes the duties and responsibilities of the Executive Officer. In order to maintain a separation of staff functions in enforcement cases, the Assistant Executive Officer serves as the chief prosecutor in those matters and acts independently of the Executive Officer in that capacity.

The Assistant Executive Officer assists the Executive Officer on the development and adoption of long-range plans related to Regional Water Board and statewide policies pertaining to water quality and water pollution control and also directs the issuance of discharge permits/requirements and water quality certifications, conducts surveillance monitoring and enforcement activities and oversees groundwater remediation projects and land disposal/site investigations. The Assistant Executive Officer, in reporting to the Executive Officer, is responsible for the day-to-day management of the Regional Water Board office and is responsible for the oversight and management of the annual budget, program planning, and policy formulation.

**B. SUMMARY OF REQUEST (continued)**

11. Describe what has changed that makes this request necessary. Explain how the change justifies the current request. Be specific and provide examples.

In 2016, the Regional Water Board received five new positions funded for cannabis regulatory efforts. In June 2017, the Regional Water Board received eight new positions funded for cannabis regulatory efforts in the region and converted four limited term positions to permanent positions. In addition, one position for the Irrigated Lands Regulatory Program (ILRP) was received. In response to the added positions, the Regional Water Board completed a reconfiguration of the organizational structure in August 2017. The reorganization allowed the Region to: 1) implement the Legislative directive to address and mitigate the impacts of cannabis cultivation on the environment through an expansion of the evolving Cannabis Regulatory Program, 2) appropriately manage and supervise the new funded positions, and 3) address the addition of an ILRP positions and create appropriate management for that developing program. Under this structure, the existing Assistant Executive Officer has five direct subordinates: 1 Staff Services Manager, 2 Environmental Program Managers, and 2 Supervising Water Resource Control Engineers.

Over the past few years, the Regional Water Board's productivity and associated work load have increased measurable, particularly including enforcement activities. The Regional Water Board's leadership in the rapid evolution and expansion of the Cannabis Regulatory Program is a major cause of this increased work load. With approximately 3,000 currently enrolled cultivation sites in the North Coast and 10s of thousands more in need of review and possible regulatory action, this program has dramatically increased the workload of the Regional Water Board. Staff have found that many inspected sites need some level of enforcement action to bring them into compliance and these actions are done under the supervision and direction of the Assistant Executive Officer. The request to create a second Assistant Executive Officer, as a CEA, will allow for a reorganization of the office by dividing equally the duties and functions of the two CEAs, which will support efficient leadership and direction for the Regional Water Board's programs. Under the proposal, the existing CEA/Assistant Executive Officer would have three direct subordinates and a total of 49 staff, and the proposed CEA/Assistant Executive Officer would have two direct subordinates and a total of 46 staff. Both CEAs would have comparable staff-to-supervisor ratios and the programmatic functions with the highest number of projects are divided equally and equitably between the two CEAs.

The CEA category is more appropriate to serve in the role as Assistant Executive Officer due to the organizational placement of the position, due to the high policy-level decisions, and the influencing role of the position in the Regional Water Boards. The CEA position will serve as Assistant Executive Officer and will report directly to the Executive Officer of the North Coast Regional Water Quality Control Board.

The Assistant Executive Officer supervises a variety of professional and non-technical classifications including engineers, engineering geologists, scientists and administrative staff. We are asking to establish a CEA Level A for the Assistant Executive Officer position.

### **C. ROLE IN POLICY INFLUENCE**

12. Provide 3-5 specific examples of policy areas over which the CEA position will be the principle policy maker. Each example should cite a policy that would have an identifiable impact. Include a description of the statewide impact of the assigned program.

Under the administrative direction of the Executive Officer the Assistant Executive Officer will serve as the principal consultant, policy advisor and technical expert in formulating and directing the Regional Water Quality Control Programs. The Executive Officer and the Assistant Executive Officer are charged with the responsibility for carrying out the Regional Water Board's task of protecting, preserving and enhancing the many uses of water, including the needs of industry, agriculture, municipalities, public and private districts and the environment in the regional area.

The Assistant Executive Officer will continually participate in direct policy development and decision-making responsibilities regarding the adoption and implementation of long-range plans, policies, and regulations of regional and statewide significance pertaining to water quality and water pollution control including issues regarding waste discharge permits/requirements and water quality certifications, conducting surveillance monitoring and enforcement activities and overseeing groundwater remediation projects and land disposal/site investigations which often become sensitive and controversial for the region.

The consequences of the Assistant Executive Officer's role in policy-making or implementation are enormous. Under the direction of the Executive Officer, the Assistant Executive Officer is responsible for developing and implementing region-wide policy and program coordination with other local, State and Federal jurisdictions, the eight other Regional Boards, the State Board and the California Environmental Protection Agency, including executing the responsibilities of the Regional Water Board office in planning, developing, implementing, evaluating and providing management direction and setting policy to meet the agency's mission. The Assistant Executive Officer ensures that the policies developed by the Regional Water Board are implemented.

The Assistant Executive Officer has the critical role of ensuring that policy-level direction from the State Water Board and the Regional Water Board is correctly interpreted and implemented in conformance with the intent of the upper level policy-makers. Because the Assistant Executive Officer acts independently of the Executive Officer in enforcement matters, the Assistant Executive Officer has primary responsibility for ensuring effective implementation of the State Water Board's Enforcement Policy and in ensuring that the Region's enforcement actions are consistent with others statewide.

**C. ROLE IN POLICY INFLUENCE (continued)**

13. What is the CEA position's scope and nature of decision-making authority?

In the absence of the Executive Officer, the Assistant Executive Officer acts with the full authority delegated from the Regional Water Board to the Executive Officer. The Assistant Executive Officer must have independent capability to act in a manner that provides a seamless transition from the Executive Officer, for the purposes of carrying out and enhancing the mission of the Regional Water Board. The Assistant Executive Officer must interact with and effectively function with senior policy-level representatives of local, regional, statewide and federal government jurisdictions, environmental and other stakeholder groups, the State Water Board, Regional Water Board staff and the Regional Water Board itself. This is critical to the role of the Assistant Executive Officer.

14. Will the CEA position be developing and implementing new policy, or interpreting and implementing existing policy? How?

Under the administrative direction of the Executive Officer, North Coast Regional Water Board, the Assistant Executive Officer serves as the principal consultant, policy advisor/maker and technical expert on policy direction of the Regional Water Board for formulating and directing the regional water quality control program. The Assistant Executive Officer will assist in setting priorities for implementing the delegation authorized by the Regional Water Board. The Assistant Executive Officer will assist in direct decision-making responsibilities and influence the development and adoption of long-range plans of department and statewide policies pertaining to water quality and water pollution control, issues waste discharge permits/requirements and water quality certifications, conduct surveillance monitoring and enforcement activities and oversee groundwater remediation projects and land disposal/site investigations. The Assistant Executive Officer will assist implementing region-wide policy development and program coordination with other local, state and federal jurisdictions, the eight other Regional Water Quality Control Boards, the State Water Board and the California Environmental Protection Agency. The position will also assist in completing the responsibility of the Regional Water Board office in planning, developing, implementing, evaluating and providing management direction and setting policy to meet the departmental mission. The Regional Water Board develops and enforces water quality objectives and implementation plans that will best protect the beneficial uses of the region's waters, recognizing local differences in climate, topography, geology and hydrology, and the Assistant Executive Officer ensures the policies developed by the Regional Water Board are implemented. The task of protecting and enforcing the many uses of water, including the needs of industry, municipal districts, and the environment is an ongoing challenge of which the Assistant Executive Officer will be involved in overseeing, developing, interpreting and implementing policy affecting the Regional Water Board, the eight other Regional Water Quality Control Boards and the State Water Board.