CEA ACTION PROPOSAL

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: 2023-11-14

2. Department: State Water Resources Control Board

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

Division of Water Quality, Planning and Assessment Branch

4. CEA Position Title

Assistant Deputy Director

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

The Assistant Deputy Director is responsible for managing the planning and assessment branch comprised of 63 technical staff and managers. The Assistant Deputy Director plans, organizes, and directs the work of the Sustainable Water Plans and Policies Section, the Ocean Planning Section and the Water Quality Standards and Assessment Section. The Deputy Director, Assistant Deputy Directors and supervisory staff function as the management team for the Division of Water Quality. This position requires policy involvement with the public, and governmental and non-governmental agencies and organizations.

6. Reports to: (*Class Title/Level*)

Deputy Director/CEA B

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*): At the request of the Deputy Director, the Assistant Deputy Director formulates policy and strategic recommendations to implement water quality protection programs and regularly interacts with Water Board Executive Management and top management from other agencies to coordinate activities and, for those agencies that are regulated by the State Water Board, to obtain compliance with laws and regulations concerning environmental requirements of the State.

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 Deputy Director is responsible for managing the planning and assessment branch comprised of 63 technical staff and managers. The Assistant Deputy Director plans, organizes, and directs the work of the Sustainable Water Plans and Policies Section, the Ocean Planning Section and the Water Quality Standards and Assessment Section. The Deputy Director, Assistant Deputy Directors and supervisory staff function as the management team for the Division of Water Quality. This position requires policy involvement with the public, and governmental and non-governmental agencies and organizations.

Plans, organizes, monitors and coordinates the work of supervisory staff in the Sustainable Water Plans and Policies Section, the Ocean Planning Section and the Water Quality Standards and Assessment Section. This includes providing technical, procedural and policy direction on statewide water quality control planning and assessment, desalination, water recycling, and once-through cooling permitting, and stormwater resource planning; establishing priorities, responsibilities and procedures for work items; tracking progress; and managing personnel issues as appropriate. Works with the Division Executive Team to plan and implement the Water Board's Strategic Workplan and tracks progress on performance metrics. Works with the Deputy Director to implement the Board's Racial Equity Action Plan.

Maintains liaison with the Regional Water Board Assistant Executive Officers, stakeholder organizations and other parties concerned with development and implementation of water quality control plans and policies. At the request of the Deputy Director, the Assistant Deputy Director represents the Division at policy, program, and public meetings, assists the Deputy Director in coordination with other State Water Board divisions and offices, the U.S. Environmental Protection Agency, CalEPA and other State Agencies, local agencies and the public. The Assistant Deputy Director meets and confers with top management from other agencies, as directed by the Deputy Director, to coordinate activities and, for those agencies that are regulated by the State Water Board, to obtain compliance with laws and regulations concerning environmental requirements of the State.

Develops policies, strategies and plans to address complex water quality problems and implement water quality control programs to ensure water quality is protected. Interacts with senior leaders continuously and has direct responsibility for overseeing a multidisciplinary team to implement the Board's authority to protect water quality and beneficial uses inland and along the coast and to direct regulatory and non-regulatory actions.

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 Water Board's mission 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 Division of Water Quality has primary responsibility over the development of water quality standards for both surface and groundwaters, implementation of water quality control programs and statewide permits, and coordinating implementation of said programs with the other Divisions and Offices at the State Water Board and the nine Regional Water Quality Control Boards. These functions are critical to achieving the Water Board's water quality goals. The Division of Water Quality currently leads several of the high priority actions the State Water Board has identified in its annual strategic workplan. These include development of standards for nutrient discharges to the ocean to address ocean acidification and hypoxia and to inland lakes, rivers and streams to address harmful algal blooms; investigating impacts from and sources of constituents of emerging concern including PFAS; conducting a statewide assessment of sanitation and wastewater treatment needs; facilitating permitting and delivery of water recycling, brackish groundwater desalination, and stormwater capture and reuse projects to achieve the Governor's water supply goals in the 2022 Water Supply Strategy; updating standards for permitting seawater desalination projects; developing and administering general permits to streamline approval of habitat restoration projects (Cutting Green Tape) and emergency preparedness, response, and recovery projects; and reissuing statewide permits to regulate stormwater discharges from industrial sites and small municipalities and pesticide applications to waters.

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.

The Division of Water Quality (DWQ) is proposing a strategic reorganization of the Division by establishing a new Planning and Assessment Branch to be overseen by a new Career Executive Assignment (C.E.A). This additional branch will run parallel to the existing Surface Water/Regulatory Branch and the Groundwater Quality Branch.

This additional branch, led by the requested C.E.A position, is to adaptively address over-allocated sections and units within DWQ. The objective is to achieve a more cohesive alignment of workloads across the various water quality programs that DWQ oversees. This restructuring not only enhances operational efficiency but also establishes a stronger management foundation to oversee and implement strategic initiatives.

The proposed reorganization is designed to facilitate the seamless integration of pending and future high-priority budget change proposals and redirections from other Water Board organizations. By optimizing the structure, DWQ aims to position itself for increased agility and responsiveness to evolving priorities.

Over the last five years, DWQ has grown in staff number, acquired new water quality programs, has been tasked with new assignments resulting from the Board’s adoption of new policies and amendments to existing policies, and is currently responsible for completing 24 major actions in the State Board’s Strategic Work Plan. For the Groundwater Branch, the high priority actions include investigating the extent and sources of PFAS contamination, evaluating wastewater needs and consolidating failing wastewater and septic systems into community connections, vapor intrusion policy development, and identifying and removing barriers to increasing water recycling, stormwater capture and use and seawater and brackish water desalination. For the Surface Water Branch, the high priority actions include addressing the impacts from recent Supreme Court decisions requiring increased state regulation to protect waters of the state, developing and administering general permits to streamline approval of habitat restoration projects (Cutting Green Tape) and emergency preparedness, response, and recovery projects, promoting sustainable forest health conditions that protect water quality while reducing risk from wildfires, developing regulations to manage nutrients to reduce ocean acidification and harmful algal blooms, and reissuing critical statewide permits to regulate municipal and industrial stormwater and pesticide discharges.

Recent legislative changes, directives from the State Administration, and new policies from the Federal Administration of significantly increased DWQ's workload. Adapting to these challenges has highlighted the inefficiency of DWQ's current structure. The existing two branches are overburdened and misallocated, resulting in an excess workload in certain sections and units.

Since 2018, DWQ has expanded from 141 authorized positions to approximately 185 positions. The expansion of Recycled Water Program to meet the water recycling goals outlined in the Water Supply Strategy, along with activities to incentivize increased stormwater capture and beneficial use, has further contributed to the increased workload. New positions granted through Budget Change Proposals and redirections from other Water Board organizations were logically placed within DWQ at the time of allocation. This proposed reorganization aims to address over-allocated sections and units, aligning workloads to effectively implement water quality programs. The realignment is essential for the division optimal functioning and is in the best interest of the Water Boards.

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.

The CEA position will be responsible for managing the Sustainable Water Plans and Policies section, the Ocean Planning Section and the Water Quality Standards and Assessment Section. As such, the CEA position will be the principle policy maker in the following areas:

Nutrient Standards Development and Implementation - Excess nutrient discharges cause ocean acidification and hypoxia that impact marine life, harmful algal blooms in lakes, rivers and streams often resulting in fish kills and even dog deaths, and exceedances of nitrate standards in drinking water supplies. Standards are needed to effectively regulate discharges of nutrients (e.g., wastewater treatment plants, irrigated agriculture, and dairies) to protect public health and the environment.

Recycled Water Policy - The Water Quality Control Policy for Recycled Water (Recycled Water Policy) encourages the safe use of recycled water from wastewater sources that meets the definition in California Water Code in a manner that implements state and federal water quality laws and protects public health and the environment. The Recycled Water Policy provides direction to the regional water boards, proponents of recycled water projects, and the public regarding the methodology and appropriate water quality control criteria for the State Water Board and the regional water boards to use when issuing permits for recycled water projects.

Constituents of Emerging Concern Strategy - Implement the strategy to ensure that constituents of emerging concern (e.g., PFAS, 6-PPD quinone) are effectively and efficiently identified, assessed, and managed in drinking water and aquatic ecosystems to minimize or eliminate risk to human and ecological health.

Ocean Plan Desalination Provisions - The Ocean Plan includes requirements to ensure the construction and operation of seawater desalination facilities minimize intake and mortality of all forms of marine life. Mitigation measures are required to address harmful impacts to marine life that occur even when a desalination facility uses the best available site, design, and technology feasible. State Water Board Resources Control Board Resolution 2015-0033 describes the responsibility regarding the siting, planning, construction, and operation of desalination plants in the state of California.

Once-through Cooling Policy - The Statewide Policy on the Use of Coastal and Estuarine Waters for Power Plant Cooling establishes clear standards to implement the Clean Water Act in a consistent manner to reduce the harmful effects on marine life in the ocean and estuaries associated with the cooling water intakes. Policy implementation requires close coordination across state agencies to ensure that compliance with the Policy doesn't impact electrical grid reliability.

C. ROLE IN POLICY INFLUENCE (continued)

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

The Board is the principle policy maker, but the proposed CEA will be delegated extensive responsibilities and will be responsible for making recommendations in critical policy areas. Under the general direction of the Deputy Director, the CEA will make decisions related to Recycled Water Policy, Once Through Cooling Policy, and water quality standards development and implementation, inter-agency policy coordination, climate change/drought management and advancing racial equity and diversity goals. The CEA will oversee a multidisciplinary team and make decisions on resource allocations, staffing, and work planning. The CEA will make decisions pertaining to the provision of technical assistance or development of policy guidance. Regulatory decisions involve identifying waters not meeting standards, issuing and ensuring compliance with statewide waste discharge permits, and issuance of investigative orders.
The CEA will implement policies generated by the State Water Board, Executive Order, Legislation, court orders, CalEPA or the Governor's Office. This position will be responsible for water quality management strategic planning, workload management, contract approval, and review and approval of correspondence and reports with significant policy implications. The CEA also will be responsible to ensure a broad spectrum of stakeholder input is considered and incorporated into major State Water Board water quality management decisions.

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

The CEA will be developing and implementing new policy as well as interpreting and implementing existing policy in the program areas described above. The Water Board existing policies need updating periodically based on new information or science. For example, recent increases in environmental impacts from nutrients (i.e., harmful algal blooms and ocean acidification) will require the CEA to direct development of more stringent standards to protect human health and the environment. Similarly, recent science demonstrates that California's water supply will be reduced by 10% by 2040, which will require implementation of existing and developing new policies to promote water recycling and stormwater capture and permitting desalination facilities. Constituents of emerging concern are unregulated pollutants for which regulations may need to be developed in the future. The CEA will be responsible for proposing new policies in all of these areas while implementing the policies already established.