

Regulatory Alignment Study

Irrigated Lands Regulatory Program (ILRP) Workshop

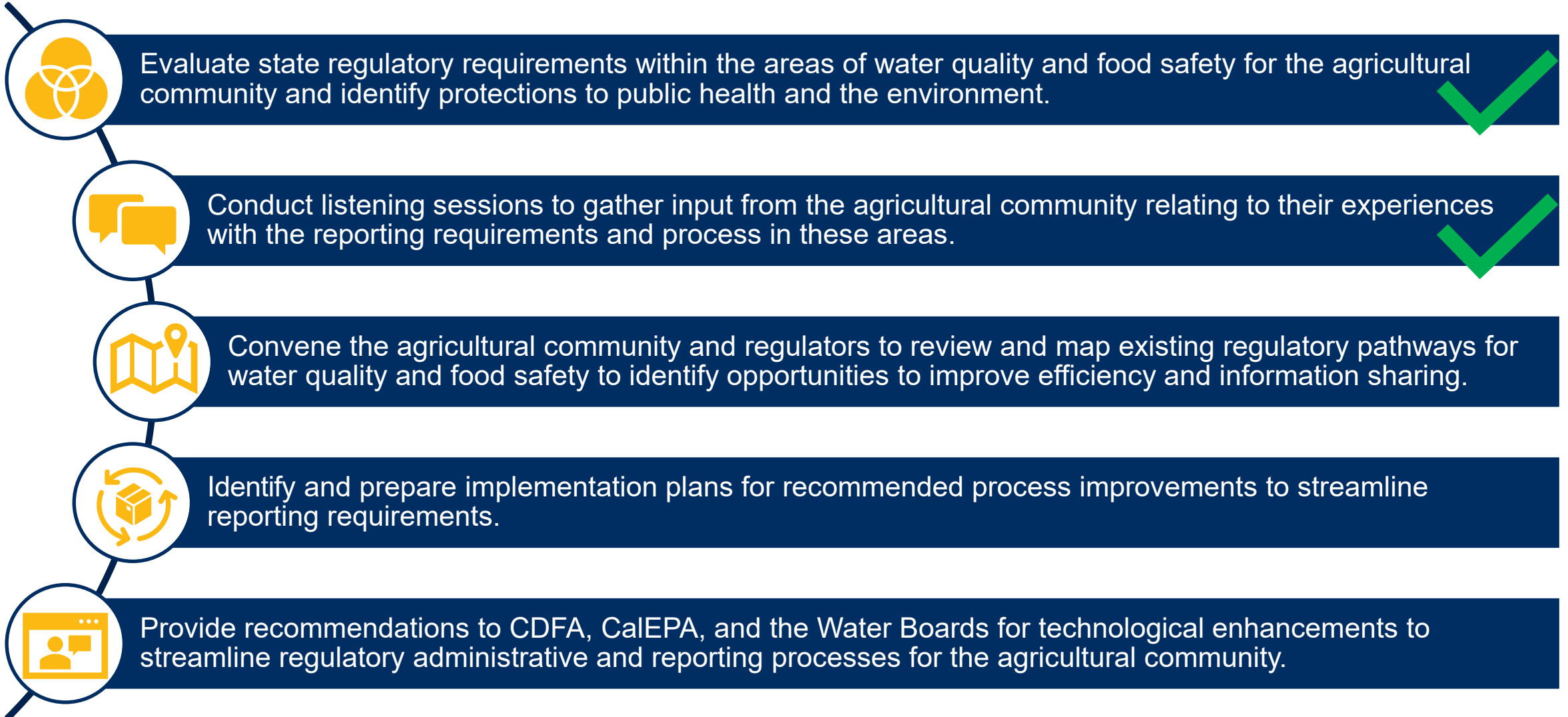


Agenda

- Regulatory Alignment Study Objectives and Upcoming Milestones
- Workshop Objectives
- Approach to Regulatory Alignment
- Proposed Regulatory Pathways by Focus Area
 - Data and Information Sharing
 - Efficiencies
 - Effectiveness
 - Equity
- Wrap-Up and Next Steps



Regulatory Alignment Study Objectives



Upcoming Study Milestones

- The input gathered through these workshops will be instrumental in shaping our final recommendations and remaining study milestones:

Milestones	Identify Process Improvements & Implementation Steps	Evaluate & Recommend Technological Enhancements	Present Solutions & Recommend Implementation Plans
Timeline	Summer 2024	Fall 2024	2025
Activities	<ul style="list-style-type: none">Synthesize feedback from workshopsIdentify and prepare recommended process improvementsIdentify and prepare implementation plans for process improvements	<ul style="list-style-type: none">Identify and document opportunities for potential technological enhancementsIdentify core technological solution requirementsConduct benchmarking and market research on potential solutions	<ul style="list-style-type: none">Develop final report detailing solutions and regulatory alignment recommendationsPresent final report to CDFA, CalEPA, Water Boards, and interested partiesDevelop detailed implementation plan to implement recommended process improvements and related technological solutions
Outcomes	<ul style="list-style-type: none">Public update on workshop outcomesDevelopment of process improvements and implementation plans to support regulatory alignment	<ul style="list-style-type: none">Identification of potential technological enhancements to support regulatory alignment	<ul style="list-style-type: none">Release of Final Regulatory Alignment ReportRelease of Final Implementation Plan

Workshop Objectives

To inform the further development of the proposals, the goal of the workshops is to receive input on the following topics:

- **Effectiveness of Proposals** in meeting regulatory alignment goals. This includes assessing the practicality and potential impact of each proposal.
- **Implementation Challenges and Opportunities** that might arise during the implementation of these proposals. It is crucial to understand the feasibility of each proposal from various perspectives.
- **Unaddressed Needs or Gaps** not currently addressed in the proposals within the scope of the project. This input is vital for assuring the proposals are comprehensive.
- **Equity and Inclusivity** and how the proposals impact different groups within the agricultural community, especially small-scale, and socially disadvantaged growers and disadvantaged community members.
- **Suggestions for Improvement** of the proposals to better meet the needs of all are highly encouraged.

Development of the Regulatory Alignment Concept Paper

Preliminary Evaluation of Regulatory Requirements

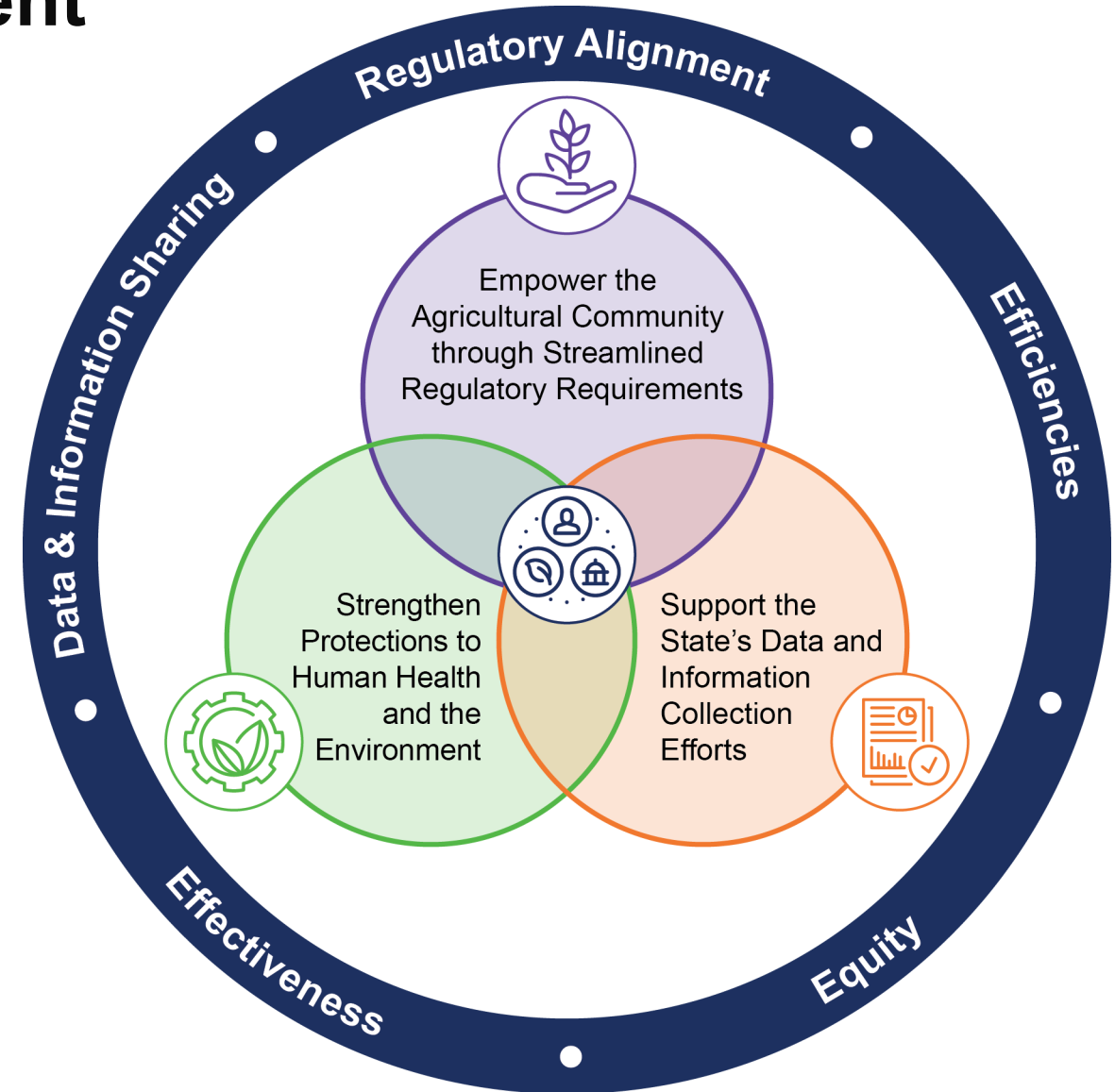
- **In-Depth Sessions with Program Staff:** Crowe conducted nearly 30 sessions with CDFA and Water Boards staff
- **Mapping Regulatory Requirements and Processes:** Crowe mapped 80 distinct processes across the programs in scope of the study

Listening Sessions with Agricultural Community

- **Understanding Experiences and Opportunities:** The primary aim of these sessions was to gain insights and perspectives from the agricultural community and to identify streamlining opportunities
- **Ground-Level Insights:** These interactions provided a ground-level view of how regulations are implemented and experienced
- **Continued Engagement with Program Staff:** In addition to these listening sessions, Crowe conducted roughly 10 additional sessions with CDFA and Water Boards staff

Approach to Regulatory Alignment

- **Three Goals:**
 1. Empower the Agricultural Community through Streamlined Regulatory Requirements
 2. Support the State's Data and Information Collection Efforts
 3. Strengthen Protections to Human Health and the Environment
- **Four Focus Areas:**
 1. Data and Information Sharing
 2. Efficiencies
 3. Effectiveness
 4. Equity



Regulatory Alignment Focus Areas



Data and Information Sharing

Opportunities to improve the exchange of selected data and information between state regulatory agencies and programs.



Efficiencies

Opportunities to simplify and expedite regulatory administrative, reporting, and compliance processes.



Effectiveness

Opportunities to measure regulatory performance objectives and goals.



Equity

Opportunities to ensure the inclusion of socially disadvantaged communities, farmers and ranchers* in the development, implementation, and enforcement of regulations.

*As defined by the Farmer Equity Act of 2017.

Workshop Discussion Questions

Please keep the following discussion questions in mind when reviewing the regulatory pathways:

- What are potential implementation benefits/opportunities?
- What are potential implementation challenges?
- Which regulatory pathway, within each focus area, is most important to you?
- Are there any unaddressed needs?

Proposed ILRP Regulatory Pathways

We identified 16 proposed regulatory pathways (RP's) for the Irrigated Lands Regulatory Program (ILRP):

- Five RPs related to data and information sharing
- Three RPs related to program efficiency
- Four RPs related to program effectiveness
- Four RPs related to equity

Regulatory Pathways (i.e., proposals): Include considerations, options, tools and/or recommendations for improving, streamlining, and aligning the regulatory programs and requirements in scope of the study. They are not final recommendations.

For more detailed information, refer to Section 4 of the Concept Paper

ILRP Proposed Regulatory Pathways

Data and Information Sharing

RP1

Streamline Reporting, Inspection, and Data Collection Activities through Enhanced Internal Collaboration with Other Water Boards' Water Quality Programs

RP2

Streamline Enrollment, Inspection, and Data Collection Activities through Enhanced Collaboration with Other Regulatory Agencies

RP3

Standardize Discharger Reporting Templates to Remove Collection of Potentially Duplicative Information within the Program

RP4

Expand Capacity for Ongoing GeoTracker Maintenance and Functionality Updates to Ensure the Database Continues to Meet the Needs of All Users

RP5

Improve Database Integration to Streamline Reporting Processes and Reduce Manual Data Entry

Data and Information Sharing: Regulatory Pathway 1

RP1: Streamline Reporting, Inspection, and Data Collection Activities through Enhanced Internal Collaboration with Other Water Boards' Water Quality Programs

Proposal Opportunities:

- Build on existing ILRP, CAF, Stormwater, and/or other agricultural related program roundtables to optimize communication and information sharing between program staff.
- Strengthen existing intra-agency collaboration tools (e.g., MS Teams Channels, Internal Listservs, and SharePoint Pages) to facilitate active coordination and communication between ag-related water quality programs.
- Coordinate site inspections with staff from other relevant ag-related water quality programs.



Data and Information Sharing: Regulatory Pathway 2

RP2: Streamline Enrollment, Inspection, and Data Collection Activities through Enhanced Collaboration with Other Regulatory Agencies

Proposal Opportunities

- Extend existing inter-agency agreements (e.g., MOUs) between Water Boards and other regulatory partners to collaborate and coordinate on agricultural-related program requirements, discuss updates or changes to programs, and optimize data sharing opportunities.
- Map data definitions and database structures between agencies to facilitate better interagency alignment for data and information sharing.
- Develop a shared universal list of entities that actively operate within the agricultural industry that allows regulatory agencies to coordinate on enrollment and coverage across programs.
- Coordinate site inspections between Water Boards and other regulatory agencies.



Data and Information Sharing: Regulatory Pathway 3

RP3: Standardize Discharger Reporting Templates to Remove Collection of Potentially Duplicative Information within the Program

Proposal Opportunities:

- Use the Notice of Intent (NOI) to gather general owner and operation information (e.g., owner's name, site(s) address, and contact information) once at enrollment. Remove the requirement in paper forms or reinforce the auto-fill mechanism for information already submitted in GeoTracker electronic reports.
- Refine the current process to review Coalition-developed report templates to ensure they align with Water Boards' data collection efforts and avoid request of duplicative information from dischargers.
- Standardize report naming conventions (e.g., Farm Plan v. Farm Evaluation) across Regional Water Boards.
- Align terms and report data fields across Regional Water Boards.



Data and Information Sharing: Regulatory Pathway 4

RP4: Expand Capacity for Ongoing GeoTracker Maintenance and Functionality Updates to Ensure the Database Continues to Meet the Needs of All Users

Proposal Opportunities:

- Enhance functionality and ongoing maintenance to GeoTracker to:
 - Improve discharger user experiences when entering data and information.
 - Improve Coalition user experiences when entering data and information.
 - Provide optimal use by Water Boards' ILRP staff.
 - Provide easy navigation and access to publicly available data and information through the system.



Data and Information Sharing: Regulatory Pathway 5

RP5: Improve Database Integration to Streamline Reporting Processes and Reduce Manual Data Entry

Proposal Opportunities:

- Support Coalition-managed portals as the primary interface for ILRP dischargers to enter their data and information into a single database, and where Coalitions submit aggregated, consolidated data and information from their members to GeoTracker.
- Uplift GeoTracker as the central database for use by Water Boards ILRP staff. Implement data integration functionality, tools, or identification schemes (e.g., based on Waste Discharger Identification [WDID] number) that facilitate seamless data exchange between GeoTracker and other existing Water Boards' databases.



ILRP Proposed Regulatory Pathways

Efficiencies

RP6

Implement Tools and Resources on All Regional Water Board Websites to Raise Awareness of Program Updates and Requirements

RP7

Expand Tools and Training to ILRP Staff to Optimize Monitoring, Reporting, and Inspection Activities

RP8

Encourage Uniform Electronic Reporting Across Regional Water Boards to Streamline Data Collection, Analysis, and Review Activities

Efficiencies: Regulatory Pathway 6

RP6: Implement Tools and Resources on All Regional Water Board Websites to Raise Awareness of Program Updates and Requirements

Proposal Opportunities

- Develop requirements checklists and/or calendars on Regional Board and Coalition websites to include a list of requirements and their deadlines.
- Expand database user guides, frequently asked questions, and/or video tutorials which provide helpful tips for using databases and responses to frequently asked questions.
- Provide direct links to downloadable report templates and calculation worksheets.
- Provide direct links to helpful resources such as eNOI portals, Environmental Laboratory Accreditation Program (ELAP) Certified Laboratories maps and/or lists, File Transfer Protocol (FTP) server or GeoTracker access to environmental impact reports, public comments, fee schedule and payment system, Coalition websites, and more.
- Develop a centralized ILRP-specific regional email box for all regions that do not already have one established to provide a mechanism for two-way communication across ILRP staff and members of the agricultural community.



Efficiencies: Regulatory Pathway 7

RP7: Expand Tools and Training to ILRP Staff to Optimize Monitoring, Reporting, and Inspection Activities

Proposal Opportunities

- Provide additional training for ILRP staff to enhance understanding of common and emerging agricultural practices. This could include additional on-site/on-field visits.
- Provide additional inspection tools (e.g., geolocation software and tablets) to enhance efficiency and effectiveness in the field.
- Assess the feasibility to acquire software applications that digitize report forms to remove reliance on manual data entry from paper or email submitted reports into databases.



Efficiencies: Regulatory Pathway 8

RP8: Encourage Uniform Electronic Reporting Across Regional Water Boards to Streamline Data Collection, Analysis, and Review Activities

Proposal Opportunities

- Establish an electronic reporting and management process for the program.
- Collaborate with Coalitions to reward dischargers who consistently submit high-quality and timely data and reports.



ILRP Proposed Regulatory Pathways

Effectiveness

RP9

Improve Communication of Program Objectives to Promote Transparency and Accountability

R10

Enhance Ongoing and Frequent Feedback to Dischargers to Foster Continuous Improvement

RP11

Incorporate More Positive Incentives for Activities that Promote Program Objectives

RP12

Refine Statewide Key Performance Indicators (KPIs) to Evaluate Program Performance and Communicate Outcomes

Effectiveness: Regulatory Pathway 9

RP9: Improve Communication of Program Objectives to Promote Transparency and Accountability

Proposal Opportunities

- Expand messaging to improve communication of the program objectives.
- Vary communication channels to reach different interested parties effectively.
- Periodically refine program design and objectives when new data compels refinement.
- Strengthen partnerships with Coalitions who can help communicate program objectives to a wider audience.



Effectiveness: Regulatory Pathway 10

RP10: Enhance Ongoing and Frequent Feedback to Dischargers to Foster Continuous Improvement

Proposal Opportunities

- Modify statewide dashboards to display compliance information and performance across multiple regulatory programs.
- Collaborate with Coalitions to facilitate peer-to-peer feedback among growers by incorporating information on outlier data within the dashboard, communication, or other feedback mechanism.



Effectiveness: Regulatory Pathway 11

RP11: Incorporate More Positive Incentives for Activities that Promote Program Objectives

Proposal Opportunities

- Establish recognition programs or awards to acknowledge and celebrate Coalitions that demonstrate exceptional commitment and achievement in promoting program objectives.
- Implement performance-based incentives that Coalitions based on achievements and progress towards program objectives.
- Support grant opportunities and applications to other agencies for dischargers who actively contribute to the promotion of program objectives.



Effectiveness: Regulatory Pathway 12

RP12: Refine Statewide Key Performance Indicators (KPIs) to Evaluate Program Performance and Communicate Outcomes

Proposal Opportunities

- Conduct a series of collaborative sessions involving regulators, the regulated community, partners, and interested parties to inform the refinement of KPIs.
- Establish a working group that reviews KPIs annually for program performance and future updates to KPIs.
- Develop communication tools to highlight program progress, achievements, and areas of improvement in relation to KPI analysis.



ILRP Proposed Regulatory Pathways

Equity

RP13

Provide Options for Alternative Compliance Pathways for Small-Scale, Socially Disadvantaged Dischargers

RP14

Expand Technical Assistance Resources to Small-Scale, Socially Disadvantaged Dischargers

RP15

Develop Targeted Education and Outreach Efforts to Small-Scale, Socially Disadvantaged Dischargers

RP16

Provide Additional Resources and Program Support for Small, Disadvantaged Communities

Equity: Regulatory Pathway 13

RP13: Provide Options for Alternative Compliance Pathways for Small-Scale, Socially Disadvantaged Dischargers

Proposal Opportunities

- Consider a tiered permitting system that categorizes dischargers based on their size, complexity, or risk level.
- Explore alternative reporting approaches that reduce the frequency or complexity of reporting requirements while still providing sufficient data to assess compliance.
- Consider conditional exemptions for certain regulatory requirements that may not have significant impact on water quality for smaller dischargers.
- Develop procedures or decision trees to identify flexible opportunities for smaller dischargers within the program.



Equity: Regulatory Pathway 14

RP14: Expand Technical Assistance Resources to Small-Scale, Socially Disadvantaged Dischargers

Proposal Opportunities

- Extend existing Memorandums of Understanding (MOUs), agreements, and/or grants with small grower specialty groups, like University of California, Cooperative Extension (UCCE), to help ensure current technical assistance is sustainable.
- Expand technical assistance and training programs in collaboration with trusted advisors and small grower specialty groups.
- Provide more support and education to ILRP Coalition staff, in partnership with small grower specialty groups, like UCCE, to enhance understanding of the specific needs and practices of small-scale, socially disadvantaged dischargers and diversified groups and to expand technical assistance capabilities to these groups, which may be a part of their Coalition.
- Continue to foster partnerships and collaborations with industry associations, non-profit organizations, and academic institutions.



Equity: Regulatory Pathway 15

RP15: Develop Targeted Education and Outreach Efforts to Small-Scale, Socially Disadvantaged Dischargers

Proposal Opportunities

- Establish a “small-scaled, socially disadvantaged” liaison that works at the Water Boards and/or regional Coalitions to serve as point of contacts for small-scaled, socially disadvantaged dischargers, or specialty groups.
- Enhance current educational materials, brochures, fact sheets, and guidance documents to ensure they are culturally sensitive and available in multiple languages.
- Collaborate with community organizations and other technical service providers that work closely with small-scale, socially disadvantaged dischargers to encourage participation, compliance, and/or improved management practices.
- Organize outreach events, workshops, or information sessions specifically targeted at small-scale, socially disadvantaged dischargers.



Equity: Regulatory Pathway 16

RP16: Provide Additional Resources and Program Support for Small, Disadvantaged Communities

Proposal Opportunities

- Establish a “small, disadvantaged communities” (DAC) liaison that works at the Water Boards to serve as a point of contact for DACs.
- Coordinate with existing list of Technical Assistance (TA) providers to empower DACs with various support, such as representation and advocacy, education and outreach, site assessments, grant and funding assistance (e.g., Water Boards’ TA Funding Program), and collaboration and partnership.
- Coordinate with the Office of Sustainable Water Solutions (OSWS) to identify opportunities for improved data transparency and communication of ILRP impacts to DACs.
- Coordinate with DPR or University of California, Agriculture and Natural Resources (UCANR) to strengthen Integrated Pest Management (IPM) resources, training, and technical assistance in DACs with pesticide specific groundwater concerns.



Workshop Discussion Questions

Please provide feedback on the following questions:

- What are potential implementation benefits/opportunities?
- What are potential implementation challenges?
- Which regulatory pathway, within each focus area, is most important to you?
- Are there any unaddressed needs?

How to stay involved?

- Provide all written input and questions on the Regulatory Alignment Concept Paper by 5:00 PM on July 31, 2024, to:
RegulatoryAlignmentStudy@crowe.com
- Participate in Additional Workshops to be held through Summer 2024
- Monitor the Regulatory Alignment Study webpage for updates:
<https://www.cdfa.ca.gov/RegulatoryAlignment>
- Register for upcoming public workshops on the Study Website at:
<https://www.cdfa.ca.gov/RegulatoryAlignment>



Thank you

Reach out to us anytime.

RegulatoryAlignmentStudy@crowe.com

"Crowe" is the brand name under which the member firms of Crowe Global operate and provide professional services, and those firms together form the Crowe Global network of independent audit, tax, and consulting firms. "Crowe" may be used to refer to individual firms, to several such firms, or to all firms within the Crowe Global network. The Crowe Horwath Global Risk Consulting entities, Crowe Healthcare Risk Consulting LLC, and our affiliate in Grand Cayman are subsidiaries of Crowe LLP. Crowe LLP is an Indiana limited liability partnership and the U.S. member firm of Crowe Global. Services to clients are provided by the individual member firms of Crowe Global, but Crowe Global itself is a Swiss entity that does not provide services to clients. Each member firm is a separate legal entity responsible only for its own acts and omissions and not those of any other Crowe Global network firm or other party. Visit www.crowe.com/disclosure for more information about Crowe LLP, its subsidiaries, and Crowe Global.

The information in this document is not – and is not intended to be – audit, tax, accounting, advisory, risk, performance, consulting, business, financial, investment, legal, or other professional advice. Some firm services may not be available to attest clients. The information is general in nature, based on existing authorities, and is subject to change. The information is not a substitute for professional advice or services, and you should consult a qualified professional adviser before taking any action based on the information. Crowe is not responsible for any loss incurred by any person who relies on the information discussed in this document. © 2023 Crowe LLP.