State Water Resources Control Board

October 16, 2026

SUBJECT: INDUSTRIAL FACILITY PREPARATION FOR THE HISTORIC EL NIÑO EVENT

The State Water Resources Control Board and Regional Water Quality Control Boards (collectively, the Water Boards) are notifying you to prepare for impacts of a strong and likely historic El Niño event identified in a Governor-declared state of emergency proclamation.

The National Oceanic and Atmospheric Administration is predicting a potentially historic El Niño event (a condition that occurs when a band of warm water develops in the Pacific Ocean that causes changes in rainfall) occurring during the winter of 2026-2027. This letter provides guidance for regulatory compliance with the Statewide Industrial Stormwater General Permit (Permit)[1] for facilities that may experience intense and higher than normal precipitation events due to the El Niño event.

All of the requirements of the Permit remain in effect during El Niño, including, but not limited to:

1. Monitoring and Sampling Requirements

A. Visual Observations

Per Permit Section XI.A.1, perform monthly visual observations during daylight hours of scheduled facility operating hours on days without precipitation to ensure the facility is prepared for rain events and to ensure compliance with non-stormwater discharge requirements.

Per Permit Section XI.A.2, perform visual observations during sampling events.

[1] General Permit for Stormwater Discharges Associated with Industrial Activities; https://www.waterboards.ca.gov/water_issues/programs/stormwater/igp_20140057dwq.html

Per Permit Section XI.A.3, revise BMPs as necessary when a visual observation indicates pollutant sources are not adequately addressed.

Dischargers that do not complete the visual observations must provide an explanation in the facility's Annual Report.

B. Sampling and Analysis

Per Permit Section XI.B, samples from qualifying storm events (QSEs) are required to be collected and analyzed[2] within the first four hours of the start of discharge or at the start of facility operations, if the discharge began prior to the start of operating hours. Facilities are required to sample for four QSEs each reporting year.

Per Permit Section XI.B.11.a., Dischargers must submit sampling and analytical results in the Stormwater Multiple Application and Report Tracking System (SMARTS) as an Ad Hoc monitoring report within 30 days of obtaining results from the laboratory.

C. Monitoring Not Completed Due to Unsafe Conditions

The State Water Board prioritizes safety. Per Permit Section XI.C.6, sample collection and visual observations are not required outside of scheduled facility operating hours or during dangerous weather conditions (such as flooding or electrical storms) or other conditions that pose a safety hazard or otherwise prevent site access and sampling. Other conditions that might prevent a Discharger from performing required sample collection and visual observations include government agency closures or when there is high potential for mudslides during or after a precipitation event.

Dischargers are required to include an explanation in the facility's Annual Report for all sample collection and visual observations not completed.

D. Temporary Suspension of Industrial Activities

Per Permit Section X.H.3, Dischargers planning to temporarily suspend industrial activities for ten (10) or more consecutive calendar days during a reporting year may request to temporarily suspend monitoring, including visual observations, sampling, and analysis if:

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[2] The Discharger shall collect and analyze storm water samples from two (2) QSEs within the first half of each reporting year (July 1 to December 31), and two (2) QSEs within the second half of each reporting year (January 1 to June 30). Compliance Group Participants or Dischargers with a Sampling Frequency Reduction Certification are only required to collect and analyze storm water samples from one (1) QSE within the first half of each reporting year (July 1 to December 31) and one (1) QSE within the second half of the reporting year (January 1 to June 30).

- Conducting visual observations, sampling and analysis is infeasible while industrial activities are suspended (e.g. the facility is unstaffed, remote, or inaccessible), and
- The facility is stabilized, and best management practices are implemented to properly manage stormwater runoff for industrial activity areas.
- The Discharger shall upload a Change of Information in SMARTS at least seven (7) days prior to the planned temporary suspension of industrial activities to:
    - Revise the Stormwater Pollution Prevention Plan addressing the facility stabilization best management practices,
    - Provide the justification for why monitoring is infeasible at the facility during the period of temporary suspension of industrial activities,
    - Provide the date the facility is fully stabilized for temporary suspension of industrial activities, and
    - Provide the projected date that industrial activities will resume at the facility.

Regional Water Quality Control Board (Regional Water Board) staff may review the submitted information pertaining to the temporary suspension of industrial activities and request revisions or deny the Discharger's request to temporarily suspend monitoring.

2. **Anticipated Non-Compliance**
   Per Permit Section XXI.M, Dischargers shall give advance notice to the Regional Water Board and local MS4 of any planned changes in the industrial activity that may result in noncompliance with this General Permit.

Since the El Niño event has been predicted for quite some time, unauthorized stormwater discharges to the environment will be evaluated to determine if appropriate maintenance and preparation for El Niño were taken. Failure to demonstrate that adequate preventative measures were taken, which could have minimized or prevented known or anticipated wet weather problems, and any resulting unauthorized discharges of stormwater to the environment, will be considered when determining whether enforcement is appropriate.

On behalf of the Water Boards and the residents of the state of California, I appreciate your attention to this matter. For general questions regarding this letter, please contact the Water Boards, Stormwater Help Desk at stormwater@waterboards.ca.gov.

For site-specific questions, please contact your local Regional Water Board. A list of the Regional Water Board contacts is available at https://www.waterboards.ca.gov/water_issues/programs/stormwater/contact.html.

To ensure you receive the latest updates please ensure you are subscribed to the "Storm Water Industrial Permitting Issues" email contact list by navigating to our subscription page https://www.waterboards.ca.gov/resources/email_subscriptions/ entering your email address and selecting the appropriate box.

Sincerely,



Phillip Crader, Deputy Director
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cc: (via email)

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