



California Stormwater Quality Association®

Dedicated to the Advancement of Stormwater Quality Management, Science and Regulation

March 20, 2018

Jeanine Townsend, Clerk to the Board
State Water Resources Control Board



Subject: Comment Letter – California Stormwater Authority

Ms. Townsend:

On behalf of the California Stormwater Quality Association (CASQA), I am writing to express support for the State Water Board's proposed Resolution Approving the Formation of the California Stormwater Authority as a joint powers authority (JPA) and authorizing the State Water Board Executive Director to execute the subject Joint Powers Agreement, on behalf of the State Water Board.

Over the time period since the State issued the first National Pollutant Discharge Elimination System (NPDES) stormwater permits, the scope, requirements, and cost of the permits have increased significantly. At the same time, the ability of municipal separate storm sewer system (MS4) permittees to significantly increase funding for stormwater is severely limited. Naturally then, MS4s are continuously looking for ways to be as efficient as possible.

One way for a local MS4 to be more efficient is to collaborate on projects and programs of mutual need or interest with other MS4s and other agencies, including the State—resulting in leveraging of resources and significant cost savings to agencies, and programs and projects that are not only best implemented statewide but that may not be doable at a local scale. As a statewide association, CASQA is asked to facilitate this kind of collaboration, and what we have discovered is there are restrictions and barriers to collecting, combining, or receiving funds from agencies to conduct statewide programs and projects that severely hamper or negate such efforts. The result is that despite the opportunities being available and the agencies' interests in taking advantage of the opportunities, the collaborative efforts either do not materialize or their progress is hindered to the point that the potential benefits (cost savings, leveraged resources) are reduced.

During discussions with State Water Board staff regarding ways to acquire funding from the State and local agencies to conduct programs and projects desired by the agencies, State, and CASQA, State Water Board staff recommended CASQA consider helping to form a JPA, as a JPA is a public agency and as such, the State and local agencies would be able to fund programs and projects through a JPA more easily. Therefore, CASQA worked with interested local agencies and the State Water Board to develop a JPA. The plan was to establish the JPA as quickly and efficiently as possible. Given that the primary purpose of forming the proposed JPA is a need to

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fund desired programs and projects more effectively and efficiently, the CASQA Board of Directors focused on not over-designing the JPA—preferring to help create and maintain a simple, lean authority.

Three agencies – two local and one State – worked together with CASQA to develop the JPA agreement. To-date, the governing bodies of two of the three agencies – Fresno Metropolitan Flood Control District and Alameda County Flood Control and Water Conservation District – have committed to becoming signatories. The proposed Resolution would authorize the third agency, the State Water Board to become a signatory. Other public agencies could seek to join the JPA upon authorization by their governing bodies, approval of the JPA Board of Directors, and execution of the JPA agreement.

As a 501(c)(3) non-profit, CASQA is not a public agency, so CASQA cannot be one of the organizations forming the JPA. It is anticipated that CASQA would serve as the initial ‘Administering Entity’ for the Authority, by, among other things, partially funding the activities and appointing an individual to handle the day-to-day affairs of the JPA. CASQA has committed to fund the basic administrative operations of the JPA (\$40,000 in the first fiscal year; amounts to be determined in subsequent fiscal years), leaving the funding of projects and programs to contributors.

Other agencies and organizations can also be involved in the JPA through the STORMS Implementation Committee, which is proposed as the advisory body to the JPA Board of Directors and/ or through project or program-specific stakeholder, technical advisory, and / or peer review groups.

Thank you for the opportunity to comment on this important Resolution. If you have any questions about the JPA or our support, please contact me at 650-365-8620.

Sincerely,



Geoff Brosseau, Executive Director

cc: Daniel Rourke, Fresno Metropolitan Flood Control District
Sharon Gosselin, Alameda County Flood Control and Water Conservation District
CASQA Board of Directors and Executive Program Committee