



**COUNTY OF LAKE
WATER RESOURCES**

Courthouse – 255 N. Forbes Street
Lakeport, California 95453

www.co.lake.ca.us

Scott De Leon
Director



September 19, 2013

Felicia Marcus, Chair
State Water Resources Control Board
1001 I Street
Sacramento, CA 95814

RE: Comments on the Proposed Resolution Adopting Emergency Regulations Revising the Core Regulatory Fee Schedules Contained in Title 23, Division 3, Chapter 9, Article 1, Sections 2200, 2200.5, And 2200.6 Of The California Code Of Regulations

Dear Chair Marcus:

On behalf of the County of Lake and the Cities of Lakeport and Clearlake, I would like to offer comments on the proposed Resolution Adopting Emergency Regulations Revising the Core Regulatory Fee Schedules Contained in Title 23, Division 3, Chapter 9, Article 1, Sections 2200, 2200.5, And 2200.6 of the California Code of Regulations.

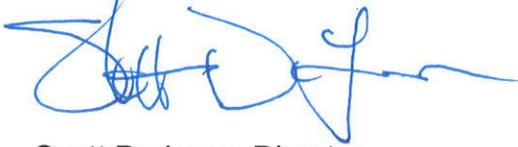
We are particularly concerned about the 30.9% fee increase for the stormwater program. Lake County, the City of Lakeport and the City of Clearlake fall under both the MS4 and Industrial General permits, and will be affected in multiple ways by the proposed fee increase. In addition to the increased requirements for monitoring in the newly adopted permit – another unfunded mandate from the State - stormwater permit fees have been disproportionate to the expenditures for the program for many years, which has led to those dischargers essentially subsidizing the rest of the programs under the WDPF. Even though dischargers have advocated for a change in the program, staff has shown little inclination to balance the fees to make them equitable, leaving municipalities and other stormwater dischargers to absorb multiple fee hikes over the years to make up for the other programs. We feel it is time to take a serious look at these inequities and work toward relieving the undue burden on stormwater dischargers.

Additionally, we feel that pushing these fee increases through on an emergency basis without more meaningful discussion is fundamentally unfair and is also bad public policy. It is our understanding that the California Stormwater Quality Association (CASQA) has asked the Board to postpone adoption of the resolution until October, and to direct staff to work with their organization on a rebalance plan as part of the FY 13-14 fee structure. Our organizations fully endorse the CASQA proposal, and would also be happy to take part in those discussions to develop a fee structure that is more equitable for stormwater dischargers of all types.

Thank you again for the opportunity to comment. Your consideration of our input is very much appreciated, and we would be happy to work with staff in the future

to resolve our concerns about the proposed fee increases. Please feel free to contact me at 707-263-2341 with any questions or concerns regarding these comments.

Sincerely,

A handwritten signature in blue ink, appearing to read "Scott De Leon", with a long horizontal flourish extending to the right.

Scott De Leon, Director
Department of Water Resources