

# Water Board Stakeholders' Cost of Compliance

## Background

In April 2012, the State Water Board completed a report assessing and aligning priorities, resources, and performance targets ([Resource Alignment Evaluation Report](#)). The goal of the report was to describe the link between the fees collected to support the Water Boards' regulatory programs and expenditures, and to align the Water Board resources, priorities and workload outputs. The report was intended to demonstrate that the Water Boards' commitment to efficient and transparent use of fees and other funding sources. However, the regulated community is not only concerned about fees but also the larger costs associated with complying with regulatory requirements.

As a follow-up to that report, in October 2012, staff kicked off an effort to work with stakeholders to assess costs of complying with Water Board regulatory requirements and make recommendations for reducing the costs of compliance (see [Workplan for Resource Alignment Phase 2, Evaluating Opportunities for Reducing the Costs of Compliance](#)). The Workplan focused on assessing opportunities for reducing the costs of compliance for dischargers subject to Water Board regulation under the NPDES wastewater, stormwater, irrigated lands, and waste discharge requirements programs. It was developed with input from a small group of stakeholders primarily representing wastewater and stormwater interests. The effort relied heavily on information and participation from the regulated community to successfully assess the costs of compliance and identify potential options for reducing those costs. The goals were to:

1. Identify, describe, and evaluate opportunities to reduce the costs of compliance for dischargers subject to Water Board regulation and oversight;
2. Implement plans, policies and regulations in a least burdensome manner at minimum cost while maintaining effectiveness; and
3. Maximize the utility and benefit arising from discharger compliance actions, including benefits to the regulated community and the environment at large.

Four stakeholder workgroups were formed to lead this effort. Participants were responsible for providing ideas for costs that could be reduced and providing information to document the costs of compliance and the potential for cost savings. The Water Board staff were available to assist and support the workgroups and to vet the cost saving ideas.

## Results

Of the four workgroups, the NPDES workgroup was the most productive. The NPDES workgroup provided actionable recommendations many of which staff were able to implement. These actions were documented in a [Staff Report](#) to the State Water Board in November 2014. Staff are implementing the recommendations as listed below:

- Permitting and planning staff coordinate to assure the policies and basin plan amendments are clear and can be practically translated into permit provisions.

- Permitting staff has been provided [NPDES Cost of Compliance Guidance](#) and is using the [NPDES Cost of Compliance Checklist](#) during development of permits.
- As permits are reissued, permitting staff are removing monitoring requirements that are now addressed through regional monitoring programs.
- Water Boards staff no longer request dischargers to submit separate “plans” (e.g., Quality Assurance Project Plans). Instead, permit writers include the necessary requirements in the permit.
- Staff are working with dischargers to identify and remove duplicative monitoring and monitoring requirements that do not directly address water quality protection.

The remaining three workgroups provided general recommendations that had potential for reducing costs of compliance; however, additional information and detailed costs was needed to fully evaluate the recommendations. These three workgroups lost momentum and disbanded.

The State and Regional Water Boards remain committed to considering ways to reduce the costs of complying with water quality regulatory programs.