

commentletters



From: Marshall Chaffee <marshall@jonesenv.com>
Sent: Tuesday, September 13, 2016 10:48 AM
To: commentletters
Cc: assemblymember.kim@assembly.ca.gov; senator.huff@senate.ca.gov
Subject: 9/20/16 BOARD MEETING - ITEM #9 (DIVISION OF ADMINISTRATIVE SERVICES)

Dear Members of the Water Board,

Thank you in advance to taking the time to consider my comments on agenda item #9 before making your final decision.

I strongly encourage you to consider the following before allowing ELAP to increase its user fees by 25%:

1) The "partner" agencies (ie: DTSC and Fish & Wildlife) that ELAP works with to design its program are currently getting a free ride.

While I firmly believe that ELAP should get the bulk of its revenue from laboratories, I think the "partner" agencies should be required to contribute to part of ELAP's budget, perhaps in the 10-15% range. Such a move would not be unprecedented. As an example, ELAP currently pays annual dues to the California Highway Patrol for hazardous waste response services. Since ELAP is spending time meeting exclusively with these agencies, and training staff to be competent at certifying methods they require, it seems reasonable to charge them for the resources being expended. This would help spread fee increases more proportionally, and would also foster better communication between ELAP and partner agencies. Considering this option would mostly likely require some revisions to ELAP's regulations, but since they are already doing so the Board could direct ELAP staff to include such a change. Once it is determined how much money this new arrangement will bring in, the Board can reassess the need for fee increases this year.

2) Many small and municipal laboratories have already set their budget for the coming year, and an unexpected 25% fee increase is likely to cause significant problems if new moneys cannot be found. The Board already increased fees by 50% last year, and that caused many headaches across the state.

3) ELAP has an effective monopoly on certifying laboratories in California, and there has been no alternative plan aside from simply giving them more money. Why has the board failed to consider laying off staff, or consolidating offices at ELAP as an option for filling the budget shortfall? There are several "bad apples" who work for the agency. This budget shortfall could be used as an opportunity to "clean house" and rebuild the program in a very significant way. Why should we be subsidizing some of ELAP's legacy employees who would most certainly not have been hired under the new management's very stringent standards?

I have also included my elected officials on this email as well to ensure all branches of the legislature are being made aware of the current problems with ELAP. I don't think throwing even more money at this agency is going to fix its current problems. Thank you for taking these important ideas into consideration before voting on this agenda item. Please contact me at the number below if any of you require clarification, or would like to speak in more detail before voting.

Best,
Marshall

PS: Please provide a confirmation upon receipt of these comments.

--

Marshall Chaffee MS

Organics Supervisor- Jones Environmental Inc.

<http://www.jonesenv.com/>

(562) 646-1611