



FRESNO METROPOLITAN FLOOD CONTROL DISTRICT

File 160.8373

October 13, 2015

Jeanine Townsend
Clerk to the Board
State Water Resources Control Board
1001 I Street, 24th Floor
Sacramento, CA 95814



Dear Ms. Townsend,

Storm Water Resource Plan and Proposition 1 Funding Guidelines

The Fresno Metropolitan Flood Control District (District) appreciates the opportunity to provide comments on the Draft Storm Water Resource Plan Guidelines and Draft Proposition 1 Storm Water Grant Program Guidelines. Please find the following comments on both documents.

Draft Storm Water Resource Plan Guidelines

Many Storm Water Resource Plans (SWRPs) will be created by assembling pre-existing plans, environmental documents and permits into a package that, in aggregate, includes all the mandatory elements of a Storm Water Resources Plan. The Plan Guidelines should clearly acknowledge that, where development of one or more plan elements has included public participation, this level of participation is sufficient to meet the overall goal of public participation in SWRP development.

It does not appear from a reading of SB 985 or the Draft Storm Water Resource Plan Guidelines that there is an intent to create or require new or specific requirements for public participation in plan development.

SWRPs must “identify watershed and sub-watershed(s) for stormwater resource planning.” While it’s understood, from the discussion at the September 29, 2015 SWRCB workshop on the Draft SWRP Guidelines, that the use of Integrated Regional Water Management Group (IRWMG) boundaries is the preferred geographic unit for SWRPs, some IRWMG boundaries are based more on political rather than hydrological factors. In such cases, other boundaries may be more appropriate for the implementation of SWRPs.

In the Fresno-Clovis region, the Fresno Metropolitan Flood Control District, City of Fresno, City of Clovis, California State University Fresno and Fresno County collectively administer the NPDES permit requirements for our MS4. Our MS4 is made up of over 150 urban and rural watersheds that are managed *en masse* to capture, convey and treat stormwater. For the District,

the practical geographic unit around which to build and implement a Storm Water Resources Plan will be either our NPDES MS4 Permit Boundary or the larger Fresno Metropolitan Flood Control District Boundary.

SWRPs are required to provide for community participation in Plan implementation. The implementation of our SWRP, which will be composed mostly of existing stormwater and urban drainage management plans, NPDES Permits and related long-range infrastructure and capitol project plans and budgets, will naturally incorporate the types of community participation that are already a part of the individual plan elements. When our agency authorizes individual projects, adopts environmental documents and entertains bids for contracts to complete capital projects, these transactions are advertised and open to the public. Our SWRP will be posted on our website and publicly reviewed by our Board of Directors. The SWRP Guidelines should acknowledge that such practices and measures are sufficient to meet the community participation requirement.

The requirement that each SWRP be submitted to the applicable IRWMG for incorporation into the IRWMG plan needs clarification. At the September 29, 2015 SWRCB workshop on the Draft SWRP Guidelines, it was stated that this requirement simply means that an agency's SWRP is submitted to the IRWMG and that the Group responds by sending a letter of acknowledgement to the submitting agency. Is the IRWMG obligated to accept whatever SWRP is submitted, regardless of content, completeness, or originating agency? Is the Group obligated to place all SWMP projects on its approved project list, or does it retain discretion over the content of its own project list? What governs the amount of time an IRWMG has to take action on an agency's SWRP? What would an IRWMG that was drawing up its own SWRP do with the submittal of a (potentially competing, overlapping or duplicative) Plan from one of its member agencies? The Guidelines need to be much more clear and developed with respect to how the IRWMG listing/approval mechanism operates.

The Guidelines will also need to provide detail on the process for State approval of SWRPs. Given limited State resources and the potential for delays in Plan approval, submitting agencies could be put in a position where they simply cannot apply for Proposition 1 funds in a timely manner.

We encourage the State to adopt a simple review and approval process based strictly on whether or not a SWRP contains all mandatory plan elements and is built upon a reasonable geographic/administrative unit capable of implementing the plan.

Draft Proposition 1 Storm Water Program Grant Guidelines

The District has identified stormwater capture and recharge projects that are an excellent fit with the purpose of the Proposition 1 Storm Water Grants Program; a strong enough selection to allow application for both rounds of funding. Potential projects involve expansion of existing stormwater retention basins' capacity for capture, retention and recharge of greater amounts of

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both wet and dry weather capture; removal of berms in basin floors to increase water storage capacity; and construction of relief pipelines and canal interties to enhance urban drainage system flexibility in the movement and storage of water. These projects have the potential to significantly increase the ability of an already-efficient system to more effectively capture, retain, and reuse precious water resources, and prevent loss of water in a region already in a serious condition of groundwater overdraft, and which has a population of more than 600,000 people.

With regard to the Guidelines' treatment of Funding Match Reductions for Disadvantaged and Economically Distressed Areas, it is stated that applicants "...must document that representatives of the DAC [Disadvantaged Community] or EDA [Economically Distressed Area] have been or will be involved in the planning and implementation process..." It is unclear what this will mean in practice. In areas with a large percentage of the population within a DAC/EDA, municipal involvement, through coordination during project development or a project-specific letter of support, should satisfy this requirement. Elected governing bodies represent the population within their municipalities. In the District's service area of more than 600,000 people, nearly 70% of the area is considered a DAC, according to State of California criteria.

The DAC reduced cost share provision should apply to projects whose completion primarily benefits a DAC, but the project, by its nature, includes benefits to a larger area. Specifically, the cities of Fresno and Clovis are both within the District's urban service area, however, Fresno comprises 69% of the population and has a Median Household Income (MHI) that is 69% of the State of California's, while Clovis comprises 31% of the population and has an MHI that is 107% of the State's MHI. The Funding Guidelines should clearly accommodate reduced cost share applications for projects that serve disadvantaged populations embedded within larger urban concentrations that, taken as a whole, would not be considered DAC.

Thank you again for the opportunity to provide comments. The District will continue to follow the development of the Storm Water Resource Plan and Proposition 1 Funding Guidelines and looks forward to the publication of final guidance on these programs.

Very Truly Yours,



Alan Hofmann
General Manager-Secretary

AH/DR/AR/sy