



## California Stormwater Quality Association®

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

November 16, 2015

Ms. Jeanine Townsend  
Clerk to the Board  
State Water Resources Control Board  
[commentletters@waterboards.ca.gov](mailto:commentletters@waterboards.ca.gov)



**Subject: Comment Letter –Storm Water Strategy**

The California Stormwater Quality Association (CASQA) would like to take this opportunity to provide comments regarding the Statewide Storm Water Program's *Strategy to Optimize Resource Management of Storm Water* (Storm Water Strategy).

CASQA is a nonprofit corporation with approximately 2,000 members throughout California, including hundreds of local public agencies. CASQA has long been a leader in the visioning and implementation of strategies for stormwater management in California. In this role, CASQA has been a leader in areas such as source control and pollution prevention and is ideally situated to be a partner in helping the State Water Board realize the vision outlined in the Storm Water Strategy. CASQA is committed to serving as an active partner in the development of the workplans for the projects and supporting implementation of projects that are aligned with CASQA's goals and objectives.

**CASQA would like to reiterate that it strongly supports the State Water Board's much-needed effort** to identify projects and provide resources to addressing longstanding issues and barriers to effective stormwater regulation and implementation. Overall, CASQA supports the modifications made to the Storm Water Strategy and feels that the description of the Vision and Mission and clearer connection between the goals and the projects has improved the organization and clarity of the document. CASQA supports many of the identified issues and proposed projects. Additionally, CASQA appreciates the modifications that were made in response to the CASQA's comments on the State's *Proposal to Develop a Storm Water Program Workplan and Implementation Strategy – Including Projects for Immediate Action* (Strategic Initiative) submitted in July.

In particular, CASQA supports the inclusion of an Implementation Committee in the Storm Water Strategy and would appreciate being considered for inclusion on the Committee<sup>1</sup>.

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<sup>1</sup> CASQA has been assisting local agency and State Water Board staff to form a Joint Powers Authority (JPA) to provide facilitation and support services for research, and the development of tools, to assist public and private entities in complying with municipal, industrial, and construction stormwater permits. CASQA expects the JPA will be a complement to the Implementation Committee and the resulting actions and products of the JPA will help implement the new direction set forth by the Storm Water Strategy.

## CASQA Comments on Storm Water Strategy

Additionally, CASQA supports the improved discussion in support of pollution prevention and the prioritization of the source control projects in Phase 1 and inclusion of the Plan Revision and Update section in the document.

While we appreciate the modifications and the overall improvements to the clarity and structure of the document, we would like to provide a few proposed modifications to the new language and reiterate some key comments from the previous comment letter that we feel are important to include in the Storm Water Strategy.

### **New Comments on Storm Water Strategy**

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Following are comments on the new text and information included in the Storm Water Strategy.

#### ***Comment #1-Incorporate Pollution Prevention and Source Control into Mission and Discussion***

While the modifications made to the Goals were a significant improvement towards recognizing the importance of source control and pollution prevention in managing pollutants in stormwater discharges, the mission statement does not clearly incorporate these concepts. As noted in CASQA's previous letter, source control and pollution prevention is often the most effective and efficient method of addressing pollutants. To clearly make this linkage, CASQA recommends the following modification to the Mission.

To lead the evolution of storm water management in California by advancing the perspective that storm water is a valuable resource, supporting policies for collaborative watershed-level storm water management and pollution prevention, removing obstacles to funding, developing resources, and integrating regulatory and non-regulatory interests.

Additionally, CASQA requests the text be modified as follows to acknowledge the role of source control and pollution prevention in stormwater management. To address this request, please make the following modifications:

Modify the last sentence of the second paragraph on page 8 as follows:

The primary approaches to improving storm water management ~~is~~ are through reduced runoff, ~~and~~ increased storm water retention, and pollution prevention.

Modify Table 1. Vision Outcome on page 13 to include the following additional future scenario:

Where the life cycle of materials is considered to determine what actions, behaviors, or processes could be altered to reduce the exposure and contributions to storm water.

***Comment 2-Clarify the modification language to ensure new projects that may be an outgrowth of the currently identified projects can be considered in the future***

While CASQA appreciates the new language on page 23 of the Storm Water Strategy that notes that “lessons learned from the Phase I projects may influence the scope and priority of”, projects in Phase II, this language does not specifically allow for new projects to be incorporated into the strategy. CASQA recommends the inclusion of the potential for entirely new projects or projects that are an outgrowth of Phase I projects to be considered in subsequent phases.

Additionally, the section entitled Plan Revisions and Updates focuses on a discussion of the interactive website and does not clearly explain the process for Plan Revisions and Updates. CASQA requests that the process for Plan Revisions and Updates be clarified and acknowledge that the lessons learned from projects in previous phases may influence the scope and priority of future projects or result in additional projects being added in the future.

**Comments from Previous Comment Letter**

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Following are key comments from the previously submitted comment letter<sup>2</sup> that CASQA would like to be further considered for inclusion in the Storm Water Strategy.

***Comment 3-A broader look at the regulatory programs is needed to fully address Goal 3 - Implement Efficient and Effective Regulatory Programs.***

CASQA notes that no new projects were added to the Storm Water Strategy since the previous comments were submitted. While it is clear that substantial effort was made to provide an overarching structure for the Storm Water Strategy and better link the projects and goals, the document still prioritizes individual regulatory projects without considering the regulatory framework as a whole to ensure the appropriate elements are being addressed. We would encourage the State Water Board to include an overall evaluation of the stormwater program priorities as outlined in our previous comment letter (as summarized below)

With limited resources available for implementing the Storm Water Strategy, it is critical to identify priorities for the stormwater program to guide selection and implementation of projects. Identification of stormwater program priorities will allow identification of strategies to address critical water quality issues associated with stormwater in an efficient and effective manner. This is consistent with the 2009 Little Hoover Commission finding that “California’s current system for ensuring water quality does not rank the biggest threats to water quality and systematically match its finite resources to address the most serious of them using the tools of scientific and economic analysis.”

To address this concern, CASQA recommended that a new project be included to identify stormwater program priorities and strategies to address those priorities and that this project be included as part of the immediate action item list. The appropriate strategies would then be incorporated into other projects, such as Project 3d-Establish Statewide Regulatory Framework

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<sup>2</sup> CASQA Comment Letter – Proposal to Develop a Storm Water Program Workplan and Implementation Strategy, July 24, 2015

## CASQA Comments on Storm Water Strategy

for Municipal Storm Water Programs or Project 3a-Develop Guidance for Alternative Compliance Approaches for Municipal Storm Water Permit Receiving Water Limitations.

In addition to the project above, CASQA recommended inclusion of a project that will provide direction or development of modifications to water quality objectives, beneficial uses, and/or implementation procedures in Basin or Statewide Plans that are identified as strategies to address stormwater program priorities or result from better integration and consideration of stormwater during policy development. While this project will be dictated by the results of other projects, it is a potential outcome of the other projects that should be acknowledged in the Storm Water Strategy.

CASQA requests that the State Water Board reconsider inclusion of these recommendations and continues to recommend moving Project 3d- Establish Statewide Regulatory Framework for Municipal Storm Water Programs (formally Project 16) to Phase I.

### ***Comment 4-Utilize information in previous comment letter to support development of project scopes and implementation***

While some of the other comments provided in the previous CASQA letter resulted in minor changes to the projects, a number of the comments were not fully incorporated. Though we are not reiterating all of these comments in the letter, we would like to acknowledge our continued support of these comments. We believe that there is still merit in the comments previously submitted on the projects and when the time comes for their further development that State Water Board staff will utilize them as a resource in the project scope development and implementation.

In closing, CASQA restates its strong support for this effort, and we encourage its timely completion. We appreciate the opportunity to comment on the Storm Water Strategy and look forward to working with you on implementation of the projects, ideally as part of the Implementation Committee. Please contact CASQA Executive Director Geoff Brosseau at (650) 365-8620 if you have any questions or would like to discuss our comments further.

Sincerely,



Gerhardt Hubner, Chair  
California Stormwater Quality Association

cc: CASQA Board of Directors and Executive Program Committee