March 22, 2017

The Honorable Kamala Harris
U.S. Senate
Washington, D.C. 20510

Dear Senator Harris:

On behalf of the California Association of Sanitation Agencies, I write to request your support for legislation to enhance local agencies’ ability to develop and operate cost effective clean water treatment facilities. For 60 years, CASA has been the leading voice for public wastewater agencies on regulatory, legislative and legal issues. We are an association of local agencies, engaged in advancing the recycling of wastewater into usable water, generation of renewable energy, and other valuable resources. Through these efforts we help create a clean and sustainable environment for all Californians.

When the Committee on Environment and Public Works proceeds to mark-up of legislation to address affordability and integrated planning policy, we request that you seek amendment to section 402(b)(1)(B) of the Clean Water Act to allow NPDES permit terms of up to ten years. Current law requires that permits be revised and readopted every five years. This change would enhance public water quality agencies’ abilities to design, finance, conduct environmental review and construct treatment systems efficiently. Such a change would not alter the ability of California and the other states to reopen a permit where changed circumstances or regulations require permit modification.

CASA’s wastewater agency members, most of whom are NPDES permittees, face increasingly restrictive requirements that push the limits of technology and local agency budgets. The current Clean Water Act mandate to renew complex permits every five years represents a perpetual “moving target” that achieves very little in the way of water quality benefits.

The water quality needs of today require new ways of doing business to bring innovation to the way we make water quality improvements. Requirements in NPDES permits are becoming more restrictive, and the treatment technologies necessary to meet those limits become more expensive and time intensive to implement. Given this reality, local public agencies are often still in the process of constructing the upgrades necessary to comply with their prior permit when they are hit with new terms and requirements. At the same time, it is widely understood that the nation’s most challenging water quality problems do not derive from the traditional point source dischargers regulated through NPDES permits. The mandate to states to renew thousands of point source permits every five years diverts resources from addressing more pressing water quality issues.

As the statewide association of local agencies that help to protect and enhance California’s vital water resources, we look forward to working with you to advance this commonsense update of the NPDES program that will allow our scarce resources to be used efficiently.

Sincerely,

Roberta L. Larson
Executive Director