August 19, 2016

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

Subject: Request for Extension of Comment Period and Expanded Stakeholder Engagement on Proposed Changes to Water Quality Enforcement Policy

Dear Ms. Townsend:

The California Association of Sanitation Agencies (CASA), the Southern California Association of POTWs (SCAP), the League of California Cities, the Association of California Water Agencies (ACWA), the California Water Environment Association (CWEA) and the Bay Area Clean Water Agencies (BACWA) appreciate the opportunity to comment on the proposed amendments to the State Water Board's Water Quality Enforcement Policy (“Enforcement Policy”).

Currently, comments on proposed changes are due September 13, 2016, less than one month from now. Unfortunately, there has been no advance stakeholder engagement on these changes, and CASA as well as several other members of the stakeholder community are still analyzing the potential impact of the proposed amendments. Thus, we request an extension of the comment period by at least 45 days to allow for an adequate response and time to engage with State Water Board staff regarding the proposed amendments.

Early stakeholder engagement for significant policy changes has become a hallmark of the State Water Board process in recent years. This is why it was so surprising no such outreach occurred in regards to the proposed changes to the Enforcement Policy. The Enforcement Policy plays a significant role in determining liability for the regulated community, and any changes have the potential to fundamentally alter how enforcement and liability for dischargers occurs in the future. An extension of the comment period, as well as the opportunity to engage with the Office of Enforcement and other State Water Board staff on the impetus for these changes, is entirely appropriate and necessary.
To achieve a truly transparent and effective Enforcement Policy, one of the stated goals of the amendments, the process to develop those changes must also be fully transparent and thorough. We look forward to working with the State Water Board in the coming months to maximize the value of the Enforcement Policy for all parties.

If you have questions, please contact me at alink@casaweb.org or 916-446-0388.

Thank you for your consideration.

Adam D. Link
Director of Government Affairs
California Association of Sanitation Agencies (CASA)