



California Stormwater Quality Association®

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

September 18, 2014

Ms. Felicia Marcus, Chair
State Water Resources Control Board

Subject: Proposed Stormwater Permit Fees



Dear Ms. Marcus and Members of the Board:

On behalf of the NPDES stormwater permittee members of the California Stormwater Quality Association (CASQA), we are writing you to convey our support for the proposed 2014-15 fee schedules for stormwater permittees. It is our understanding that:

- Proposed 2014-15 stormwater fees represent no increase in the 'total' fees above those in the adopted 2013-14 fee schedules.
- The 21% SWAMP surcharge fee is now proposed to be included in the 'program' fee for the first time to make the program fee equal to the total fee¹. In previous fiscal years the SWAMP fee was added to the stormwater program fee to produce a total fee.
- A one-time discount of 8.9% is proposed to be applied at the time of invoicing to the proposed 2014-15 fees for all stormwater permittees.

As you know, State Water Board Waste Discharge Permit Fund records show the stormwater program is the only program with a positive balance over the ten fiscal years from 2004-05 through 2013-14 – by a wide margin while the rest of the programs are in the red. We understand the positive and negative program balances are on paper only because each year any positive balance was essentially used to cover the costs of other programs that had negative balances. State Water Board records also show this unintended but real over-collection of stormwater permit fees has resulted in a cumulative over-collection of stormwater permit fees of about \$25 million as of June 30, 2013. Although not proffered as a reimbursement, this year's proposed one-time discount of 8.9% could be viewed as equivalent to an estimated \$3.051 million decrease in the cumulative stormwater fee overage and effectively reduce that overage to about \$22 million. Although reimbursement of stormwater permittees is not the reason for the discount and the State Water Board is on the record as not supporting a retroactive reimbursement, stormwater permittees appreciate and strongly support the discount and the proposed no increase in total stormwater permit fees for 2014-15.

Sincerely,

A handwritten signature in black ink, appearing to read "Geoff Brosseau".

Geoff Brosseau
Executive Director, California Stormwater Quality Association

¹ This explains why the proposed total annual fees shown in the 2014-15 fee schedules are 21% higher than previous fiscal year fee schedules, which listed program fees without a 21% surcharge that was subsequently added to produce the total fees.