



DEPARTMENT OF ENVIRONMENTAL RESOURCES  
Administration

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Director

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Public Comment  
Water Quality Enforcement Policy  
Deadline: 10/18/16 12:00 noon

October 18, 2016

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



RE: AMENDMENTS TO THE STATE WATER RESOURCES CONTROL BOARD'S WATER QUALITY  
ENFORCEMENT POLICY

Dear Ms. Townsend:

Thank you for the opportunity to offer comment on the referenced policy. The Department respectfully suggests the following:

1. The roles and duties of the Regional Enforcement Coordinators should be better defined.
2. It is suggested that the role of the Regional Enforcement Coordinators include the ability to meet with dischargers, if requested, at appropriate times, to discuss possible enforcement actions, reasons for the actions, and facts leading to the actions. The most appropriate point for this meeting may be when enforcement actions are proposed to move from informal enforcement actions to formal enforcement actions, as defined in Appendix A. By adding a notification and review step prior to formal enforcement actions, this affords the Discharger the opportunity to state their case to the Enforcement Coordinator, which will help provide a more transparent, fair, and potentially less subjective process than the alternative of the Enforcement Coordinators being responsible for prioritizing enforcement actions based solely on the input of RWQCB staff. This opportunity may lead to changed prioritization for enforcement, or even the avoidance of formal enforcement actions, and may also lead to less adjudication issues based on what is perceived as unfair enforcement.

Please do not hesitate to contact me should you have questions.

Sincerely,

FOR  
JAMI AGGERS  
DIRECTOR