



June 11, 2018

Hon. Sheila Kuehl, Chair, Los Angeles County Board of Supervisors
Hon. Janice Hahn, Chair Pro Tem, Los Angeles County Board of Supervisors
Hon. Hilda L. Solis, Supervisor, First District, Los Angeles County Board of Supervisors
Hon. Mark Ridley-Thomas, Supervisor, Second District, Los Angeles County Board of Supervisors
Hon. Kathryn Barger, Supervisor, Fifth District, Los Angeles County Board of Supervisors
Mark Pastrella, Director of Public Works, Los Angeles County

Re: Draft Safe, Clean Water Program Elements

Dear Honorable Chairwoman Kuehl, Supervisors, and Director Pastrella:

The Natural Resources Defense Council (NRDC) would like to thank you for your diligent work to develop elements for the Safe, Clean Water Program, a program that is crucial to help the County address the biggest source of water pollution in the region, stormwater pollution. We truly appreciate the County's efforts to create a program that balances all interests, including striving to fund projects that have multiple benefits to communities throughout Los Angeles County.

Much of the County's urban and suburban landscape is covered by impervious surfaces; when water runs over these surfaces, it picks up harmful contaminants such as trash, pesticides, heavy metals, automobile oil, and bacteria along the way. This polluted mixture enters storm drains which then discharge the runoff, untreated, into the ocean, rivers, and other local waterbodies. In addition to polluted stormwater, these systems also discharge polluted "dry weather" runoff which comes from activities such as excess water from landscape irrigation and car washing. Polluted runoff not only harms the environment, including aquatic life, but also poses serious human health and safety risks.

The Safe, Clean Water Program (Program) creates an opportunity to address the environmental, human health, and flooding issues created by urban runoff, and even address water quantity issues in the region, while providing other community benefits. Distributed, nature-based projects would capture, treat, and/or reuse urban runoff while also providing flood control, water supply, air quality, community beautification, and other benefits. If structured properly, the Safe, Clean Water Program can ensure these projects are built in communities that are the most in need of such projects, communities which have historically been overlooked and that typically bear the burden of environmental degradation.

Funding in Disadvantaged Communities- IV A.

Under the current Program as proposed, disadvantaged communities (DACs) will only receive \$69 million in annual funding, assuming the Program raises \$300 million annually. This proposed funding falls short of what DACs need to develop the projects necessary to address the issues

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discussed above. For this reason, the Board should increase funding for projects in DACs; either via the Municipal or Regional Programs.

Funding of “scientific studies”- IV A.

The proposed Program dedicates significant funds, up to \$7.5 million annually, to “scientific studies, technical studies, monitoring, modeling, and other similar activities.” While NRDC generally supports the use of funds for such activities, the Board must ensure that funds used for scientific studies go towards robust, peer-reviewed studies, and not politically-motivated or otherwise potentially biased research.

Threshold Score

The Board should consider increasing the threshold score from 60 points to 70 points to ensure that multi-benefit projects are developed with Program revenues. A project that has no “community investment benefits” would meet the current threshold score, increasing the threshold score from 60 to 70 points would require that projects have at least three of the four Project Criteria. In the event that the Board decides to otherwise change the Project Criteria, the Criteria or Threshold Score should be arranged in such a way as to ensure that more than two Project Criteria Sections are required to meet the threshold score.

Additionally, it is unclear why section A.1.1. states that management of the 85th percentile design storm is “typically” the capacity of a project. “Typically” should be omitted from A.1.1. so that it reads: “For water quality projects, this would be the 85th percentile design storm capacity.”

Addressing the Misuse of Funds- IX D. (a.)

We believe that if it is determined that a Project Developer or Municipality has misused Program revenues, the District *must* issue a written notice to the entity regarding that determination, and require the refund of those revenues. Misuse of Program revenues is a serious offense and should be treated as such; however, the current draft of the Program merely states that written notice “may” be issued.

Thank you for this opportunity to comment on the proposed Safe, Clean Water Program Elements, and thank you again for your work to address the critical issue of stormwater pollution in Los Angeles County. We look forward to working with the County to ensure the creation of a robust Program.

Sincerely,

Corinne Bell
California Water Policy Analyst