August 16, 2017

Assemblymember Chris Holden

State Capitol  
Sacramento, CA 94249-0041

**Re: Assembly Bill 1180 – Oppose Unless Amended**

Dear Assemblymember Holden:

We are writing on behalf of [organization], which is [brief description your organization]. As you may know, this issue of storm water compliance is an important matter to our organization and Assembly Bill 1180 will ultimately have large ramifications for businesses and residents throughout Los Angeles County.

While we understand your intent and support the overall goals of the county, we cannot support this legislation as is. We ask that you work with the county in making the following amendments:

1. **The funding must have a very strong and independent oversight component.** This program is expected to cost billions of dollars and it is envisioned that funding will be distributed to a hundred or more jurisdictions and agencies by formula and merit over several decades. To protect the taxpayers’ investment, it is critical to have an oversight panel that can conduct financial and performance audits, establish cost effectiveness criteria and review operating costs and pollution reduction effectiveness.
2. **Legislative authority needs to be included for the Regional Board to accept funding from this tax source for purposes of a complete update of the Basin Plan for storm water.** The current plan is not only out of date and not in compliance with the Porter-Cologne Act, it was never designed for storm water and as a result, compliance will cost billions of dollars more than it should. It is not fair to ask the taxpayers to fund a plan that lacks sound scientific support and has had little in the way of updating in the last twenty years.

The Regional Water Quality Control Board needs clear authority to accept funds for this purpose and needs a clear direction from the legislature to prepare a complete update of the plan. We would recommend that the $25-$30 million dollars this will cost be allocated from the 10% reserved for the County’s administration of the tax program.

1. **100% of these funds should be dedicated to compliance with the MS4 permit.** While there may be suggestions to use any AB 1180 funding for purposes other than storm water capture and treatment programs, the region has already approved new funding for streets and roads, park development, schools and homeless services and facilities. Diverting funds to provide other community amenities will not serve the purpose of this pollution reduction tax.
2. **Authority should be included for these funds to be used for a pollution credit trading program with the approval of the Regional Board.** New development has already spent millions of dollars to be in compliance with the MS4 permit, and will continue to do so. The current plan’s emphasis on parcel-by-parcel capture and treatment has been widely dismissed as too costly and ineffective. Neighborhood and regional solutions are the only way to manage and treat a significant volume of storm water. If a new development can build an oversize project to capture storm water from an entire neighborhood local government should have the means to incentivize such cost-effective efforts and take advantage of the opportunity when it arises. A credit trading program would meet that goal.

We appreciate your efforts to provide the necessary legislative authority to meet our goals and we believe these amendments will strengthen AB 1180 and assure the taxpayers of a well-managed, financially sound tax plan to reduce storm water pollution in Los Angeles County.

Thank you for your consideration of our letter.

Sincerely,

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| Supervisor Hilda Solis  Supervisor Mark Ridley-Thomas  Supervisor Kathryn Barger  Supervisor Janice Hahn  Supervisor Sheila Kuhel |  |

CC: