

**MOTION BY SUPERVISORS MARK RIDLEY-THOMAS  
AND ZEV YAROSLAVSKY**

October 2, 2012

**Request for Postponement of the Los Angeles Regional Water Quality Control Board's  
Adoption of Los Angeles County's Municipal Stormwater Permit**

The Los Angeles County Flood Control District (LACFCD) and the County of Los Angeles (County) have implemented a multitude of programs to improve stormwater and urban runoff quality in compliance with the Municipal Stormwater National Pollutant Discharge Elimination System Permit (Permit), issued by the Los Angeles Regional Water Quality Control Board (Regional Board). These programs, which are already underway, as well as additional programs to implement newer regulations, are expected to all be addressed and included in a new Permit currently under development by the Regional Board.

The LACFCD and the County have demonstrated our commitment to improving the quality of surface water bodies throughout the County, with an uncompromising approach to managing the water resources through cost-effective, multi-beneficial, feasible, and environmentally sensitive programs. Staff's efforts are focused on securing a permit that continues to support this approach.

While the LACFCD and County staff have been working with Regional Board staff since May 2011 to renew the Permit, key issues remain unresolved that must be addressed in order to develop optimum solutions that are mutually agreeable to all stakeholders. However, the process and allowed time for comments on the draft permit was not transparent and insufficient

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OCTOBER 2, 2012  
PAGE 2**

for stakeholders to provide adequate feedback, especially in light of the proposed Permit's complexity and length.

The drafting of the Permit is a significant opportunity to change and accelerate traditional thinking about stormwater management in ways that expand benefits to the public and the environment by creating incentives for permittees to collaborate and develop more effective and efficient programs for stormwater management. The next Permit is a chance to help guide each permittee toward a comprehensive and universal program that improves water quality, increases stormwater reuse opportunities, and emphasizes maximizing water supply benefits.

More time is needed to craft a Permit that integrates these mutually recognized priorities. Additionally, a postponement is especially warranted in consideration of pending proceedings of the State Water Resources Control Board in their Municipal Stormwater Permit Workshop scheduled for November 20, 2012, and, in consideration of the case before the U.S. Supreme Court *LACFCD v. Natural Resources Defense Council*, which is scheduled to be heard on December 4, 2012. Both these proceedings are expected to have significant bearing on the Permit. It may be necessary for the permittees to submit additional written comments or materials to address the proceedings described above.

**WE THEREFORE MOVE THAT THE BOARD OF SUPERVISORS:**

Send a five-signature letter to the Los Angeles Regional Water Quality Control Board to urge a six-month postponement of the adoption of the new Los Angeles County Municipal Stormwater National Pollutant Discharge Elimination System Permit currently scheduled for consideration in November 2012, and allow for the submission of additional comments and other written materials.

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