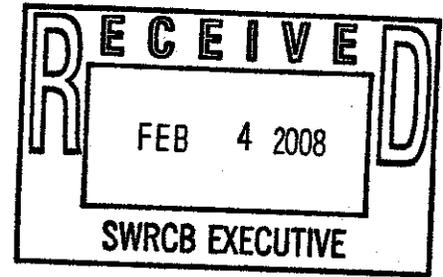


February 4, 2008

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



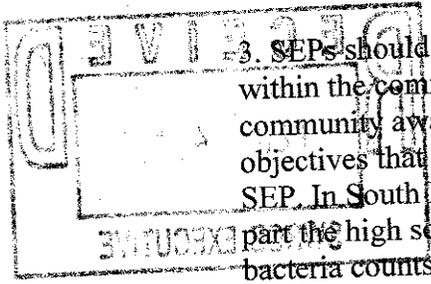
Subject: Water Quality Enforcement Workshop – 2/19/08
commentletters@waterboards.ca.gov

As a community voice for residents and businesses for over 50 years, the South Laguna Civic Association is opposed to revisions to the State Enforcement Policy as drafted that, in our opinion, sharply curtail the ability of the discharger to rectify any violations received by spending their penalty dollars locally on environmental projects.

Let us give you an example as to why it is important locally:
When the Regional Water Board fined South Coast Water District Coast Water District in January of 2003 for record keeping violations, the District was able to request that a portion of \$105,000 in fines be used to pay for several local environmental projects. The District was able to fund \$45,000 for OC Coastkeepers Kelp Reforestation and Education Project, and the District funded two local school programs for beach water quality testing sponsored by Surfriders. One was Laguna Beach High School's program and the other was at Shorecliff Middle School in San Clemente. If the proposed new policy goes into effect as written, the approach the District took in 2003 would no longer be an option, and all the money paid in penalties would be sent to the State.

Three points need to be understood.

1. Elimination of Supplemental Environmental Project dollars for education curtails the ability to educate the public and the youth of the State on the importance of water quality; worthwhile projects involving Laguna Beach local high school students in testing and reporting ocean water quality have been funded in part with local SEP funds. This type of educational partnership encourages the youth of today to become engaged in protecting the ocean environment.
2. If the State Board requires a direct nexus between the violation and the SEP, such that a SEP project must remediate the risk to which the violation contributed, then many worthwhile environmental projects will not be eligible for SEP funding. For example, if an agency is fined for a reporting violation, then water quality testing projects and water quality improvement projects would be unavailable for SEP funding in conjunction with that violation. It would be difficult to apply SEP funds when a violation does not cause a quantifiable adverse water quality impact.



3. SEPs should be encouraged because they keep local ratepayer dollars within the community where the violation occurred; this promotes community awareness of both the fine itself and the water quality objectives that are important in the local area as funded through the SEP. In South Laguna Beach, for example, SEP funding used to support in part the high school student testing program resulted in local beach bacteria counts being posted in the local community, thereby raising awareness of beach conditions and ocean water quality concerns.

We strongly believe that the ability to fund local projects from the penalty fees assessed against illegal dischargers should be preserved.

Sincerely,

Bill Rihn, President
South Laguna Civic Association

Written comments are due on February 7, 2008, and the State Water Board will hold a workshop on February 20, 2008 in Sacramento. For a copy of the proposed Policy and more information regarding opportunities for public comment, go to the Water Board website:
http://www.swrcb.ca.gov/enforcement/policy_revisions.html