

30th Anniversary

WATER EDUCATION FOUNDATION

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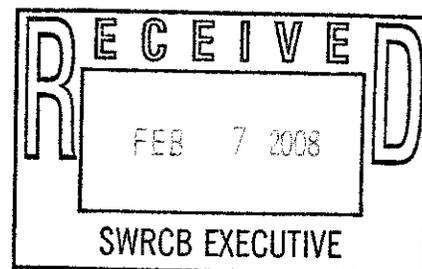
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February 7, 2008

Tam Doduc, Chair
Attn: 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

Dear Chairman Doduc and Members:

On behalf of the Water Education Foundation, I appreciate the opportunity to provide comments on the proposed revisions to the Water Quality Enforcement Policy. For more than 30 years, the Water Education Foundation has been a unique resource for unbiased information about water issues. The Foundation is recognized as an impartial organization that maintains a strong commitment to high standards of objectivity and balance in all our publications and programs. We have earned respect from all sides in the debate over water quality and quantity issues in California. The Foundation's mission is to create a better understanding of water issues and help resolve water resource problems through educational programs.

This is the first time ever that the Foundation has provided written comments on a proposed regulatory policy. Our comments are prompted by concern that the proposed Policy would eliminate the opportunity to direct supplemental environmental project (SEP) monies to educational programs.

Over two years ago, the Water Education Foundation became interested in getting involved with the Water Board's SEP program. We saw it as a way to fund educational programs on water quality at the local and state level.

In January, 2008, after going down a torturous road, the Foundation entered into its first SEP agreement. We will be producing a video and accompanying booklet – funded from penalties leveled against a Northern California home developer. The video will be in both English and Spanish and feature Best Management Practices (BMPs) for reducing construction stormwater runoff. The video and accompanying booklet will address workers and other contractors in the field, and instruct them on the best

and most current practices for preventing stormwater pollution. Through this outreach effort, the Foundation anticipates a real and lasting benefit to the environment by educating more people in the home development community on BMPs.

This SEP project directly speaks to the Water Board's proposed goal in your new strategic plan for education and outreach, which states, "We promote knowledge and awareness of the value of water resources, the importance of water rights and water quality protection, public engagement in the protection in the engagement of water resources..."

We have pursued SEPs because we believe that these projects are an appropriate and effective way to promote knowledge and awareness, thereby changing behavior. The video and booklet we are producing will be widely distributed in the home development industry. We appreciate the fact that the company which was fined incurred additional time and expense to work with the Regional Water Board and the Foundation to produce the video and booklet with funds from the SEP.

The Foundation understands that there should be some nexus between the fine and the educational project, but we urge you not to take the narrow view that the draft policy now reflects. Education is necessary to change behavior. Fines alone will not change behavior. In the case of our SEP, the workers may not really care that their boss received a fine. But an educational program which shows the workers the impact their actions have on water quality, and how it affects them as individuals, who like to drink clean water and go fishing, will be noticed. So we urge you not to throw the baby out with the bath water with an overly narrow definition of eligible projects.

We are also concerned about the 25% limit of the fine for these educational projects. In our case, we received \$100,000 for the English and Spanish video and production and distribution. We would not have been able to produce this product for less than the amount we received.

We are concerned that the proposed policy will essentially destroy the educational SEP program, eliminating the chance to reach out to local communities and change behavior at a grassroots level.

Without funding from Educational SEPs, the Foundation will not be able to produce and distribute programs like the construction stormwater runoff video. And if we can't do this work, I am doubtful that any other group can or will do it. To our knowledge, no one else has this level of outreach. Isn't that what we are here for? This kind of work is why the Water Education Foundation was formed thirty years ago.

Education seems to be an easy item to cut because it does not have a powerful constituency in this issue. There are not powerful lobbyists here to represent a few non-profit groups - groups that do school and public education. It seems that Educational SEPs are the low hanging fruit that is most easily cut without much hue and cry. However easy it may seem to cut funding for Educational SEPs, it is in fact the wrong thing to do, and it directly contradicts the Water Board's stated goal to promote knowledge and awareness of the value of water.

Almost 150 years ago, President Abram Lincoln said, "The philosophy of the schoolroom in one generation is the philosophy of the government in the next." Lincoln recognized the value of education. His words were prophetic. Education is the way to change behavior. Many educational programs during the last 30 years have been effective; that is why not as many people smoke and more people are recycling. I urge you not to overlook education as a powerful tool in California's effort to improve water quality.

Best regards,

A handwritten signature in cursive script, appearing to read "Rita", written in dark ink.

Rita Schmidt Sudman
Executive Director
Water Education Foundation