



Legislation Details (With Text)

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**Title:** Recommendation to request the support of the City Council for the Clean Water, Clean Beaches Measure as it is currently proposed and for the City Manager to communicate our position to the Los Angeles Board of Supervisors prior to their January 15th meeting; and

Request that information and links be posted on the City’s website for residents and businesses to learn more about the Clean Water, Clean Beaches Measure along with Long Beach’s efforts to keep its beaches and water clean.

**Sponsors:** COUNCILMEMBER SUJA LOWENTHAL, SECOND DISTRICT, COUNCILMEMBER STEVEN NEAL, NINTH DISTRICT

**Indexes:**

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**Attachments:** 1. 010813-R-22sr&att.pdf

Date	Ver.	Action By	Action	Result
1/8/2013	1	City Council	approve recommendation	Pass

Recommendation to request the support of the City Council for the Clean Water, Clean Beaches Measure as it is currently proposed and for the City Manager to communicate our position to the Los Angeles Board of Supervisors prior to their January 15<sup>th</sup> meeting; and

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**BACKGROUND INFORMATION:**

Annually, the Los Angeles River’s infamous “First Flush” brings thousands of tons of marine debris and non-point source pollution to our beaches, marina and harbor. Sadly, Long Beach is ground zero for urban runoff filled with litter and chemicals from the LA basin. What starts out as rainfall in communities as far as 40 miles away from Long Beach becomes marine debris and harmful toxins on our beaches, floating in a few feet of water off our shores and collecting in our marinas. The City of Long Beach spends millions of dollars every year and countless staff and volunteer hours, cleaning up marine debris and addressing the harmful health effects of chemical pollution, of which 95% comes from outside the city; not to mention the lost revenue associated with people’s perception of the City’s beaches and shoreline, which affects our economic development, recreation and tourism. This funding, human resources and lost revenue could be better spent on public safety and other quality of life issues.

Almost every waterway in the Los Angeles County region has been found to be contaminated

with toxins, trash and pollutants at levels well above public health standards and Clean Water Act regulations. Independent, scientific water quality tests have recently determined that 7 out of the 10 most polluted beaches in California are on the Los Angeles coast. Storms and runoff from other sources carry over three million tons of trash and toxic pollutants to the County shoreline each year, leading to substantial fines and lawsuits that impact businesses and municipalities alike. Polluted storm water and urban runoff flush bacteria and litter into storm drains, beaches, lakes and rivers-causing public health warnings about high bacteria levels and sometimes even beach and lake closures. For instance, Long Beach had three beach closures and five rain advisories in 2012 - an improvement over prior years, but still unacceptable for a city making every effort to solidify its reputation as a coastal destination to tourists and an active, healthy community for its residents.

Untreated urban runoff has been found to contain toxic heavy metals (lead, mercury, chromium and arsenic), pesticides, fertilizers, petroleum hydrocarbons, animal waste, trash, and bacteria. Research has shown that exposure to recreational water polluted by urban runoff can result in several types of serious illnesses, including: gastroenteritis, with symptoms such as vomiting, diarrhea, nausea or stomachache accompanied by a fever; acute respiratory disease; and, eye, ear and skin infections. Other severe illnesses such as hepatitis are also associated with bathing in polluted recreational waters. A number of studies have shown that each year hundreds of thousands of children and adults develop gastrointestinal and respiratory illnesses after visiting LA County beaches. Children, the elderly, pregnant women and people with weak immune systems are at greatest risk from waterborne pathogens. (Dwight, RH [et al]. "Estimating the Economic Burden from Illnesses Associated with Recreational Coastal Water Pollution-A Case Study in Orange County, California," *Journal of Environmental Management*, 76(2), 2005: 95-103. Brinks, MV [et al]. "Health Risk of Bathing in Southern California Coastal Waters, *Archives of Environmental & Occupational Health*, 63(3), 2008: 123-135.)

Meanwhile, Southern California imports more than 2/3 of its water from Northern California and the Colorado River and we are projected to need about 80% more water by 2025. The Los Angeles County Flood Control District captures and cleans storm water - mainly in the San Gabriel Valley. Despite our mainly arid climate, it only takes one inch of rainfall in southern California to send more than 10 billion gallons of runoff to the ocean. Therefore, if we can capture just the first ¾ inch, it is enough water for 700,000 families every year. That represents about half the additional water needed by 2025.

While cities like Long Beach and unincorporated communities are making strides with limited funds to address polluted storm water runoff, there is still work to do to improve sources for clean drinking water supplies, preserve our waterways and beaches, and protect residents, fish and wildlife.

#### CLEAN WATER, CLEAN BEACHES MEASURE:

The County of Los Angeles Flood Control District is proposing to establish an annual clean water fee to fund the Clean Water, Clean Beaches Program ([www.lacountycleanwater.org](http://www.lacountycleanwater.org)). Funds will be used by cities and the County in the same cities and watersheds where they are collected. Funds would be available for projects that:

- Protect local drinking water sources from contamination
- Protect public health
- Increase groundwater supplies that can be used for drinking water, reducing the need to

- import expensive water from Northern California and Colorado
- Keep toxic chemicals, dangerous bacteria and trash out of rivers, coastal waters and beaches
- Generate thousands of local jobs in construction, engineering, landscaping and environmental work, and in the tourism industries that depend on clean beaches and coastal waters
- Capture and clean storm water to irrigate neighborhood parks, ball fields and school grounds
- Develop wetlands, parks and open space to be used as areas where water can be naturally cleansed before going to the ocean or to replenish groundwater
- Provide science curriculum and classroom teachers
- Educate children and adults about keeping trash and pollutants out of streets and storm drains and off our beaches

## WATER QUALITY FEE:

According to a City Manager's memorandum dated April 30, 2012 (attached) to the Mayor and City Council, "[t]he proposed Water Quality Fee is based on the concept that properties contribute to water quality issues due to urban run-off and storm water discharges. Fees are therefore proposed for each parcel based on calculation of the amount of impervious surface area. A typical single-family residential lot in Los Angeles County (5,000-10,000 square feet) would be charged an annual fee of \$54, with the range of fees extending from a minimum of \$8 (for parcels less than 1,000 square feet) to a maximum of \$83 (greater than 15,000 square feet). Commercial, industrial, and government (including federal, state, municipal governments, school districts, special districts, etc.) parcels would also be charged a fee based on the amount of impervious surface area. Commercial and industrial properties, containing a higher amount of impervious surface, would be assessed an average fee of \$730."

In his most recent memorandum dated December 27, 2012 (attached), the City Manager details distribution of the funds from the clean water fee, with 40% of the collected funds returned to municipalities for storm water/run-off projects and programs. Of the remaining funds, 50% would be allocated to the nine Watershed Authority Groups (WAGs) established by AB 2554 to fund improvement projects and programs in each of the nine watersheds; 10% would go to administration of the fee and related expenses such as an Oversight Board. It is estimated that Long Beach would receive annual revenue of \$5.1 million from the 40% portion to municipalities and have the ability to apply for a total of \$29.7 million in project funds from two WAGs (Lower Los Angeles River watershed & Lower San Gabriel River watershed) due to its membership in both bodies. The City of Long Beach would pay approximately \$1.66 million in fees on City parcels.

In terms of the direct funding to municipalities, it is important to recognize the hard work and contribution of city staff to ensure that Long Beach and other cities would receive a fair and proportional amount of direct funding for related projects and programs. It is also worth noting that the County is currently looking into new elements in the Measure, including an optional provision to allow consolidation of multiple adjacent parcels under the same ownership to reduce red tape and rebates of up to 50% for commercial, industrial and residential property owners who construct on-site capture and treatment facilities.

At the local level, we recommend that the City Manager develop a residential storm water

improvement program, similar to our Lawn to Garden or Laundry to Landscape programs.

#### VOTING PROCESS:

According to LA County's Clean Water, Clean Beaches Measure website, the California Constitution Articles XIII C and D (Proposition 218) requires that a proposed fee go through a two-step approval process, which includes both a public hearing and an election. As the governing body of the Los Angeles County Flood Control District, the Board of Supervisors of the County of Los Angeles will hold a public hearing on January 15, 2013 at 9:30 a.m. in the Board of Supervisors Hearing Room, Kenneth Hahn Hall of Administration, 500 West Temple Street, Los Angeles, CA 90012.

A Notice of Public Hearing has been mailed to all property owners within the Los Angeles County Flood Control District. At the public hearing, the Board of Supervisors will receive oral and written testimony about the proposed clean water fee. Any property owner may testify or file a written protest with the Executive Officer of the Board of Supervisors at any time before the end of the public hearing. A written protest must identify the parcel address and assessor's parcel number, and must be signed by the property owner or an authorized representative. Letters may be addressed to:

Executive Officer  
Board of Supervisors  
P.O. Box 866006  
Los Angeles, CA 90086

The Board of Supervisors may continue the hearing at a future date. If the Board of Supervisors has not received written protests against the fee by a majority of property owners before the end of the public hearing, the Board of Supervisors may authorize an election to approve the fee.

#### DISCUSSION

Long Beach is a leader among cities in southern California for its commitment to addressing the harmful effects of storm water run-off. From its infrastructure (Vortex Separation Systems, Trash Nets, Treatment Trains, Outfall Pipe Screen Captures) to its policies (Low Impact Development, Litter Free Long Beach, Plastic Bag Ban), Long Beach makes every attempt to lead by example and set the standard for upstream cities to follow. This includes our efforts to secure storm water infrastructure funding for cities in our watersheds out of recognition that the ultimate beneficiaries from such projects are the residents and businesses of Long Beach. The result has been improved grades for beach water quality handed out by Heal the Bay and a renewed sense of pride in our shoreline's potential. Beyond all that we have done to protect our namesake shoreline from urban run-off, this is a regional issue that knows no geographical or political boundary and therefore requires a regional solution.

Given the Council's policy positions and the City's ongoing management of marine debris and non-point source pollution from upstream cities, as well as our leadership in water conservation, it is consistent for the City Council to support the Clean Water, Clean Beaches Measure proposed by LA County. This measure would enable Long Beach and upstream cities to benefit from comprehensive solutions to urban run-off and re-purpose of the Los Angeles and San Gabriel Rivers for greater water conservation. The Clean Water, Clean Beaches Measure represents the best opportunity in generations for Long Beach's shoreline, marine habitat and estuaries to thrive.

Approve recommendation.

SUJA LOWENTHAL, SECOND DISTRICT  
COUNCILMEMBER

STEVE NEAL, NINTH DISTRICT  
COUNCILMEMBER