



## **FOR IMMEDIATE RELEASE**

Jackie Wei (NRDC), 310-434-2325, [jwei@nrdc.org](mailto:jwei@nrdc.org) in CA;  
Elizabeth Heyd (NRDC), 202-289-2424, [eheyd@nrdc.org](mailto:eheyd@nrdc.org) in DC;  
Rachel Stich (Waterkeeper), 818-636-2033, [rachel@lawaterkeeper.org](mailto:rachel@lawaterkeeper.org)

## **Supreme Court Allows Major Southern California Water Quality Victory to Stand**

### **Justices Deny Review; LA County Must Now Clean Up Its Toxic Discharges**

WASHINGTON (May 5, 2014) – A decision today by the U.S. Supreme Court will protect millions of people living near and visiting Los Angeles rivers and beaches from the harmful effects of water pollution. The Supreme Court declined Los Angeles County and the County Flood Control District's request to review a Ninth Circuit Court of Appeals ruling finding Los Angeles County liable for untreated stormwater pollution that plagues local waterways. The decision stems from a lawsuit initiated by the Natural Resources Defense Council and Los Angeles Waterkeeper in 2008.

The Supreme Court previously remanded the case to the Ninth Circuit Court, [which sided with NRDC and Waterkeeper](#) last August. In an attempt to shirk its responsibility for cleaning up the region's chronically polluted waterways, the County petitioned the Supreme Court for review in January 2014.

Denying review of the case allows the lower court ruling to remain in place and holds Los Angeles County liable for water pollution, with documented and persistent violations of its Clean Water Act permit in the Los Angeles and San Gabriel Rivers since 2003. This final resolution of liability now obligates Los Angeles County to take immediate action to clean up its stormwater runoff and protect people and water quality.

### **Following is a statement from [Steve Fleischli](#), senior attorney and water program director for the Natural Resources Defense Council (NRDC):**

"After six years of litigation, it is finally official: Los Angeles County must take responsibility for its polluted stormwater runoff in the Los Angeles and San Gabriel Rivers. This water quality victory puts an end to Los Angeles County's persistent attempts to avoid liability for its massive water pollution problem, which threatens the health of millions of Southern California residents and visitors who enjoy beloved local rivers and beaches.

"Los Angeles County needs to face the facts and get to work to clean up its mess. It's time for a cleaner water future for the region. With a trove of 21<sup>st</sup> century green infrastructure solutions, the County has no excuse not to ensure this pollution is addressed immediately."

### **Following is a statement from [Liz Crosson](#), executive director of Los Angeles Waterkeeper:**

"Today represents a significant milestone in efforts to clean up the Los Angeles and San Gabriel rivers. No longer can the County deny the problem. No longer can the County ignore the law," said Liz Crosson, executive director of Los Angeles Waterkeeper.

## **Background:**

This case addresses Los Angeles-area stormwater pollution, which is created when rain mixes with debris, chemicals, dirt, and other pollutants and flows into storm sewer systems and then into local waterways. Anything that enters a storm sewer system is discharged, largely untreated, into the waterbodies we use for swimming, fishing and recreation. Each year, billions of gallons of this untreated stormwater pollution are discharged into Los Angeles rivers and ultimately popular beaches, causing residents and tourists alike to become ill.

This pollution can be prevented through the deployment of green infrastructure solutions, such as on-site water capture and filtration. These techniques trap stormwater pollution at the source, rather than allow it to flow to the sea untreated, and allow rainwater to be reused instead of wasted. Green infrastructure is not only good for public health and smart environmental policy, it will save money, increase water supplies, reduce flood risks and clean up local beaches and rivers. To date, the County has failed to implement effective pollution control.

The lawsuit initiated by NRDC and Waterkeeper in 2008 sought to hold the County responsible for documented violations of the County's Clean Water Act permit in the Los Angeles and San Gabriel Rivers since 2003, and to require the County to act immediately to clean up the toxic mix of mercury, arsenic, cyanide, lead and fecal bacteria found in billions of gallons of annual stormwater runoff.

## **Case History - Related Links:**

- August 2013: Federal Appeals Court Finds Los Angeles County Liable for Polluted Waterways: <http://www.nrdc.org/media/2013/130808.asp>
- January 2013: Supreme Court Returns Los Angeles County Water Ruling to Lower Court: <http://www.nrdc.org/media/2013/130108.asp>
- June 2012: Supreme Court Agrees to Hear Los Angeles County Stormwater Pollution Case: <http://www.nrdc.org/media/2012/120625.asp>
- March 2011: LA County Ordered to Clean Up Water Pollution: <http://www.nrdc.org/media/2011/110310d.asp>
- March 2008: Lawsuit Charges L.A. County with Failing Clean Water Standards: [www.nrdc.org/media/2008/080303.asp](http://www.nrdc.org/media/2008/080303.asp)

###

The Natural Resources Defense Council (NRDC) is an international nonprofit environmental organization with more than 1.4 million members and online activists. Since 1970, our lawyers, scientists, and other environmental specialists have worked to protect the world's natural resources, public health, and the environment. NRDC has offices in New York City, Washington, D.C., Los Angeles, San Francisco, Chicago, Livingston, Montana, and Beijing. Visit us at [www.nrdc.org](http://www.nrdc.org) and follow us on Twitter [@NRDC](https://twitter.com/NRDC).

Founded in 1993, Los Angeles Waterkeeper's mission is to protect and restore the Santa Monica Bay, San Pedro Bay and adjacent waters through enforcement, fieldwork, and community action. L.A. Waterkeeper works to achieve this goal through litigation and regulatory programs that ensure water quality protections in waterways throughout Los Angeles County. L.A. Waterkeeper was formerly known as Santa Monica Baykeeper. [www.lawaterkeeper.org](http://www.lawaterkeeper.org)