



May 11, 2018

Mr. Mark Pestrella
Director of Public Works
Los Angeles County Department of Public Works
900 S. Fremont Ave.
Alhambra, CA 91803

Re: Comments on the Safe, Clean Water Program – April 12, 2018 Draft Release

Dear Mr. Pestrella:

The City of Diamond Bar appreciates the Los Angeles County's work effort in the development of the draft Safe, Clean Water Program. We offer the following comments to the Program Elements released on April 12, 2018.

A. Municipal Program

1. **Support with Comment** – Section VII. More than 40% of the funds from the Safe, Clean Water Program tax should be allocated for the Municipal Program.
2. **Support** – Section VII. All revenue generated from Municipal Program will be a direct return to municipality.
3. **Support** – Section VII. The use of the generated funds for new projects will be flexible with water quality being the only project eligibility requirement (with Multi-benefit projects being encouraged).
4. **Oppose** – Section VII.A. (a)(c)(k) Regarding stakeholder engagement are redundant and should be eliminated altogether. This added requirement would duplicate the existing process and is not needed in the Municipal Program. Municipalities, by their very definition have publicly elected bodies and have involvement by their citizens and local interested stakeholders through existing committee, commission and council structures. For example, municipalities have finance committees, parks and recreation commissions, or planning commissions where input and discussion take place.
5. **Support with Comment** – Section VII.A. (g) Requires that an annual budget of expenditures be prepared prior to each year for the use of the funds. When

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Mayor

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Jimmy Lin
Council Member

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developing the final ordinance, the prepared budget should not be restrictive and allowed to be flexible throughout the year.

6. **Oppose with Comment** – Section VII.A. (h) This section should be replaced with the following: “Prepare within six (6) months after the end of that Municipality’s fiscal year an annual report that details a program level summary of expenditures and a quantification of Water Quality Benefit. Water Supply Benefit and/or Community Investment shall be included if realized through use of Municipal Program funds.”
7. **Oppose with Comment** – Section VII.C. Maintenance of Effort should not be limited to 70% for new activities and 30% to existing activities. There are too many variables from city to city that require maximum flexibility of use. In some cities, building new projects is not feasible nor do they have existing large scale projects. In other cities, their annual allocation is very low, so they should have flexibility to carryover their funds for up to 5 or more years. In general, allowing municipalities the flexibility to utilize the funds they generate to promote, maintain, and comply with water quality benefit-type projects is the key to success.

B. District Program

1. **Support with Comment** – Section VIII.B.(a). Stormwater Education Programs using not less than \$20M over 5 years is an excellent concept. However, the program should be developed in a way that it reflects the needs of the local communities and should not be a one-size fits all.
2. **Support with Comment** – Section VIII.B.(a). The role, function and management of the Watershed Coordinators must be further described to better understand the need for this expense. We are concerned that the role will be to solely represent the needs and positions of the County, rather than the local watersheds.
3. **Support** – Section VIII.C.(a). The Los Angeles Regional Water Quality Control Board’s Basin Plan is outdated and should be revised to reflect up-to-date scientific studies. Funds for the use of studies are encouraged and the LACFCD should play a key role in collaborating with the Regional Board to appropriately update the Basin Plan.

C. Regional Program

1. **Support with Comment** – Section VI.E. Membership of the Watershed Area Steering Committee should include more details on how non-watershed area members will be nominated/selected by the Board of Supervisors.

2. **Support with Change** – Table 3. The draft Regional Program Project Criteria point system should better reflect the significance of a project being a part of an existing Plan, in particular the E/WMPs. It is vitally important that the regional watershed approach required by the LA Regional Water Quality Control Board be supported and encouraged. The E/WMP projects have already gone through many levels of analysis, studies for wet and dry weather benefits and should not be required to be scored in the same way as non-E/WMP projects.

D. Tax Calculation and Collection Provisions

1. **Support with Change** – Section IX.A. Because the tax calculation is based upon parcel's impermeable area for each parcel subject to the tax, the lot area tax will not be accurate. The calculation of the tax for each parcel should be simplified to a flat parcel tax rate.

We appreciate the opportunity to comment on the April 12th release. Should you have any question, please contact John Beshay, Associate Engineer at (909) 839-7043.

Sincerely,



David G. Liu, P.E.
Director of Public Works/ City Engineer

cc: Daniel Fox, City Manager
Kimberly M. Young, Senior Civil Engineer
John Beshay, Associate Engineer
John L. Hunter, John L. Hunter and Associates, Inc.
Russ Bryden, Los Angeles County Department of Public Works