



May 11, 2018

The Honorable Sheila Kuehl, Chair
Los Angeles County Board of Supervisors
821 Kenneth Hahn Hall of Administration
500 W. Temple Street
Los Angeles, CA 90012

RE: Safe, Clean Water Program

Dear Supervisor Kuehl,

The City of Glendora appreciates the Board of Supervisors' leadership in the development of the Safe, Clean Water Program and the extended efforts to engage cities in the stakeholder process to draft governance and regulation language for a proposed measure relating to stormwater compliance programs, drought preparedness, water quality, and water sustainability which if moved forward, will ultimately be decided by a vote of the people.

The City of Glendora would like to echo the suggestions that the San Gabriel Valley Council of Government (SGVCOG) have recently submitted to the County concerning the latest version of the draft governance and regulatory framework, released on April 12, 2018, which interested parties have been asked to provide comments on or before May 11th. Those suggestions include:

Definitions/Eligible Expenditures

- **Project Applicants.** Recommend that for the Regional Program, only permittees be allowed to be applicants. Other agencies/organizations can work with a permittee as the "sponsor" of their program. Furthermore, there is no need to define project applicants under the Municipal Program because the authority to spend that money is left to the discretion of the cities.
- **Eligible Expenditures.** Recommend removing "a community's ability to adapt to climate change." This is not directly stormwater related. Moreover, other funding sources such as the Caltrans Sustainable Communities grants, are specifically designed to address this.

Municipal Program

- **Stakeholder Engagement.** Recommend that all references and requirements for stakeholder engagement should be deleted. Municipal residents are, by definition, stakeholders and have the opportunity to participate in all city strategic planning and budget review processes already.
- **Los Angeles County Contracting/Hiring Practices.** Recommend removing all requirements to follow Los Angeles County contracting requirements. Municipalities are already guided by state law on hiring and contracting practices. For precedent, note that Measures M, R, and Proposition A do not include the requirement to follow Los Angeles County hiring and contracting requirements as a stipulation for receiving funds.

Regional Program

- **Selection Process/Flowchart.** In general, recommend this process be simplified and streamlined. Specific recommendations are identified below.
- **Watersheds map.**
 - **Arroyo Seco/Rio Hondo Watershed.** Recommend that the Arroyo Seco (AS) watershed be split off from the Upper Los Angeles River (ULAR) watershed and joined with the Rio Hondo (RH) watershed area. Changing the proposed watershed map simply recognizes the on-the-ground reality of how these watersheds should be grouped. As an example, the current Memorandum of Agreement between AS/RH cities for a Load Reduction Strategy shows that these cities, in practice, are already executing stormwater pollution actions apart from the ULAR.
 - **Rio Hondo/San Gabriel River (RH/SGR) EWMP.** Recommend grouping the RH/SGR EWMP in the Upper San Gabriel River (USGR) watershed area. Currently, the proposed map shows this EWMP split between the RH (Arcadia, Monrovia, Sierra Madre) and USGR (Azusa, Bradbury, Duarte) watersheds. This is a concern because the EWMP is in the process of proposing a major revision to their watershed plan, including construction of five regional projects.
- **Watershed Area Steering Committee (WASC)**
 - **County/Municipal Membership.** Have all seats filled by city representatives, given the County already has BOS representation. Consider expanding to 10 seats as well.
 - **Community Stakeholder Qualifications.** Recommend minimum requirements for Community Stakeholders. Because MS4 compliance requires extensive knowledge, we believe there should be minimum qualifications for community stakeholders just like there are for municipal and sector specific representatives.

- **Technical Committee.** Recommend the Technical Committee be staffed by one person from each watershed area steering committee in order to preclude bias in project selection scoring. Those members would be eligible to score all projects except those originating from their own watershed area.
- **Project Selection Scoring Criteria.** Recommend changes to the project selection scoring matrix as such:
 - **A. Water Quality.** 50 points total (split 25/25 for dry and wet weather)
 - **B. Water Supply.** 25 points total
 - **C. Community Investments.** 13 points total.
 - **C1.** 5 points
 - **C2.** 8 points
 - **C3.** Delete C3 as this section duplicates C1 in part.
 - **D. Leveraging/Readiness.** 12 points total
 - **D1.** 5 points
 - **D2.** 2 points
 - **D3.** Delete D3 as there are too many uncertainties with project development to be able to state that a project will commence within 18 months.
 - **D4.** 5 points
- **Stormwater Investment Plan.**
 - **Staffing, Level of Effort.** Recommend that County provide staff support (funded by the FDC Program) to the development of stormwater investment plans. Because there are more than one E/WMP and/or WMP within the proposed watershed areas, it will be time consuming and difficult to meld existing planned projects into the 5-year stormwater investment plan. Moreover, County support will lead to consistency in the plans across the entire region.
 - **WASC Planning Latitude.** Recommend that the WASC be given latitude to consider project readiness when developing these plans.
 - **BOS Review.** Recommend review of this step for consolidation and/or deletion. It is unclear what role the BOS will play in the review and approval of these plans.

- **Stormwater Management Targets.** Recommend deleting development of stormwater management targets from the program for the following reasons.
 - **Water Quality Targets.** Development of these targets duplicates what the regional board and E/WMPs have already established.
 - **Water Supply Targets.** The 2016 Bureau of Reclamation Basin Study identified water supply targets on a regional level and each adjudicated basin has set specific targets year-by-year.
 - **Community Investment Targets.** Establishing these targets is subjective and potentially not measurable.
- **Regional Oversight Committee (ROC).** Recommend review of this step for consolidation and/or deletion. The responsibilities of the ROC are ill defined and it is unclear what value the ROC will add to the project selection process.
- **Disadvantaged Communities (DACs)**
 - **110% Return.** Recommend that the definition of “benefit” be such that a downstream project (built in a non-DAC community) that accepts stormwater from a DAC, be included in the definition. Currently, the program states that the 110% return must “benefit” a DAC. How to define “benefit” requires more discussion.
 - **Accounting for 110% Return.** Recommend that the County develop a system for accounting for the 110% return and report out annually. How the 110% return will be accounted for, and by whom, requires more discussion. Since projects will be built over multiple years and in many places throughout a watershed area, accounting is not straightforward.
 - **DAC Count.** Recommend clarifying if DAC population count is by census block or bounded by permittee (city) jurisdiction.

Flood Control District (FCD) Program

- **Basin Plan Studies.** Recommend that the amount for Basin Plan studies be equal to the amount set aside for FCD education programs (currently \$20 million over five years) and come from FCD funds.
- **Job Training.** Recommend removing certification and vocational training for “design” as this requires an engineering degree.
- **Watershed Monitoring.** Recommend allowing FCD funds for water quality monitoring.
- **Watershed Coordinator.** Recommend removal of this position from the program as the duties of this position are ill defined.

Miscellaneous

- **1st/2nd Ordinance.** Recommend that both ordinances be passed at the same time with wording that says the 2nd ordinance will only go into effect upon voter approval of the tax.
- **Credits/Incentives/Rebates.** In the SGVCOG's letter of April 5, 2018, we stated our recommendations regarding this program element.
- **Conflict of Interest.** Recommend clarification. As written, the conflict of interest policy is ambiguous and could be interpreted that all WASC members have a conflict of interest in a project that benefits the watershed.

The City of Glendora strongly emphasizes the serious consideration of these points as we believe it will enhance the future public trust concerning a possible new voter approved funding and our ability to effectively and efficiently undertake the considerable task we have in securing more water and ensuring that it is cleaned. Once again, we appreciate the Board of Supervisor's leadership and continued stakeholder outreach in the development of a proposed stormwater funding program.

Sincerely,

CITY OF GLENDORA



Mendell L. Thompson, Mayor

C: Glendora City Council
Hon. Janice Hahn, Chair Pro Tem, Los Angeles County Board of Supervisors
Hon. Hilda L. Solis, Supervisor, First District, Los Angeles County
Hon. Mark Ridley-Thomas, Supervisor, Second District, Los Angeles County
Hon. Kathryn Barger, Supervisor, Fifth District, Los Angeles County
Katy Young, Office of Supervisor Sheila Kuehl
Teresa Villegas, Office of Supervisor Hilda Solis
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Russ Bryden, Los Angeles County Department of Public Works