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**May 11, 2018**

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

**VIA EMAIL**

**RE: PROPOSED SAFE, CLEAN WATER PROGRAM COMMENTS**

Dear Mr. Pestrella:

Pomona Valley Protective Association (PVPA) was incorporated in 1910 and operates as a non-profit 501(c)(4) social welfare organization<sup>1</sup>. PVPA owns approximately 800 acres of land that is used for the purpose of maintaining and operating water spreading grounds and related facilities. PVPA's land is located in both Los Angeles and San Bernardino Counties just below San Antonio Dam. Water spreading operations, which percolate native (including stormwater) and imported water, are performed pursuant to the direction of the Six Basins Watermaster in connection with the Six Basins groundwater adjudication. Percolated water is produced by parties to the judgment to supply drinking water for local residents. Attached, are maps showing the location of PVPA's lands.

PVPA respectfully requests consideration of exempting PVPA's land from the proposed Safe, Clean Water Program (Program) for the following reasons:

1. PVPA's San Antonio Spreading Grounds are hydrologically tributary to the Santa Ana River and not the Upper San Gabriel River Watershed in Los Angeles County. As such, any stormwater flows do not and cannot affect waters jurisdictional to Los Angeles County, including for purposes of the Program. PVPA's San Antonio Spreading Grounds property should be exempted from the Program because it does not impact County waterways or beaches.
2. PVPA's land is impressed with County and United States flood control easements that operate to capture and spread stormwater releases in coordination with the Army Corps

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<sup>1</sup> PVPA's members include: the City of Pomona, the City of Upland, Golden State Water Company, West End Consolidated Water Company and Pomona College.

of Engineers' operation of San Antonio Dam. The Program's imposition of a special property tax on PVPA's land that is used for County and United States flood control operations is problematic because the Program would essentially force PVPA to pay for flood control uses of PVPA's land by imposing a tax on water conservation/flood control activities.

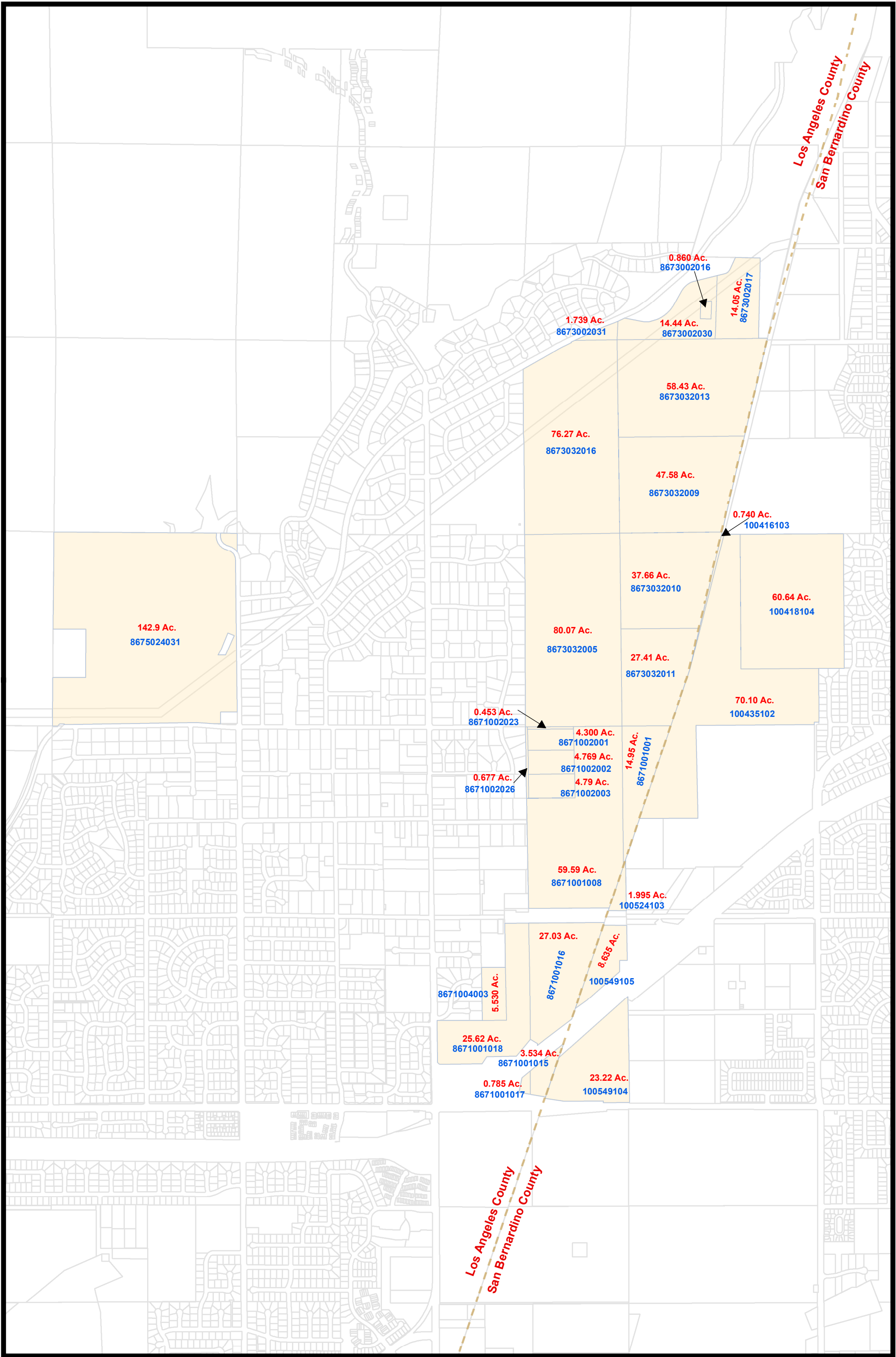
3. PVPA'S water spreading lands include an area discontinuous from San Antonio Dam known as the Thompson Creek Spreading Grounds. Thompson Creek includes a flood control dam and related facilities owned and operated by the Los Angeles County Flood Control District. The County coordinates operation of the dam with PVPA's water spreading pursuant to the judgment. The percolated water is produced by parties to the judgment to supply drinking water for local residents.

In summary, it simply does not make sense to tax property that is used and programmatically managed pursuant to a groundwater adjudication for water spreading, particularly where stormwater is purposefully directed onto the property *to prevent* or mitigate stormwater runoff. In fact, revenue from the special property tax presumably would be used for the very same purpose. There is no reason why the agencies comprising PVPA that already fund a comprehensive water conservation/flood control program should have to pay a special property tax to fund something they have been doing for over 100 years.

Sincerely,



John J. Schatz  
General Counsel  
Pomona Valley Protective Association

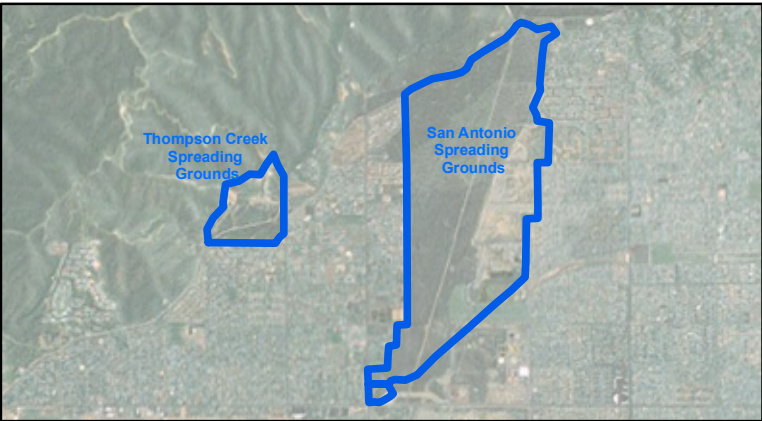




THOMPSON CREEK SPREADING GROUNDS



PREPARED FOR PVPA



INFORMATION MAP

SAN ANTONIO SPREADING GROUNDS

