



City of
SANTA CLARITA

23920 Valencia Boulevard • Santa Clarita, California 91355-2196
Phone: (661) 259-2489 • FAX: (661) 259-8125
www.santa-clarita.com

May 11, 2018

Sent Via E-Mail

The Honorable Kathryn Barger
Los Angeles County Board of Supervisors
Kenneth Hahn Hall of Administration
500 West Temple Street
Los Angeles, CA 90012

Dear Supervisor Barger:

Subject: Safe, Clean Water Program Comment Letter

Thank you for the opportunity to comment on the Safe, Clean Water Program Draft Program Elements document. As you are aware, the City of Santa Clarita (City) has been heavily interested in Los Angeles County's (County) development of this program. In an effort to ensure that our City's residents and businesses are well represented on this topic, Mayor Pro Tem Marsha McLean has served as a member of the Stakeholder Advisory Committee and subcommittees, in addition to being a member of the Elected Officials Steering Committee – Stormwater Funding Options established by the Los Angeles County Division of the League of California Cities.

Throughout this process, our goal has been to ensure that the program is consistent with the needs of our residents and businesses. However, as the program is currently proposed, several of its key elements have not been addressed or resolved to our satisfaction.

Credit/Rebate/Incentive Program

Per the Authorizing Motion of the Board of Supervisors, there was to be an analysis of “potential mechanisms to provide credits or rebates for entities...that have already demonstrated benefits meeting key program purposes in the Expenditure Plan.”

As you are aware, the City is one of a small number of cities in the County that has an existing Stormwater Fee paid by our residents. Over the past year, we have consistently asked for a credit program for cities that have existing stormwater fees in place. Unfortunately, a Credit/Rebate/Incentive Program has not been provided and is, therefore, not available for comment. In our opinion, this critical element of the program must be available for public comment before our residents are asked to support and subsequently vote to approve this new tax.



Honorable Kathryn Barger
May 11, 2018
Page 2

A credit program for cities with existing fees could be achieved by not requiring them to participate in the Municipal Program. This could be accomplished by reducing the tax by 40% in cities whose stormwater fees already fund NPDES Permit compliance programs. For example, the current proposal identifies a tax rate of 2.5 cents per square foot of impervious surface. Utilizing our recommendation, properties within the City of Santa Clarita would be taxed at a rate of 1.5 cents per square foot, or 40% less than the approved rate. The funds generated from these cities would only be used to fund the Regional Program and Flood Control District Programs.

Local Control of Regional and Municipal Program Funds

The concept of local control of funds generated within the City is critical. As currently drafted, this program would establish a new bureaucratic framework with multiple boards and committees charged with making decisions that will impact our residential neighborhoods and local businesses. The City is already partnering with the County on the complex issue of stormwater compliance as a member of the Integrated Regional Water Management (IRWM) group. The Regional Program, and its share of funds, should use the existing IRWM framework and partnerships to ensure that the Regional Program objectives are achieved. The new bureaucracy is unnecessary.

If the City is required to participate in the Municipal Program, we are concerned with the restrictions that dictate how these funds may be used. Specifically, the current program places unnecessary restrictions on cities by only allowing 30 percent of the local return to be used toward current programs or infrastructure. It is important to remember that existing programs, such as street sweeping, inspection programs, and cost-effective source control are critical elements of meeting Stormwater Permit requirements. This program must allow cities to determine how to best utilize the proposed 40 percent return of funds identified in the Municipal Program by allowing flexibility in the "Maintenance of Effort" restrictions.

Stormwater Permit Compliance

We appreciate the County's desire to address the onerous requirements and liabilities of the Stormwater Permit and water quality requirements. However, in the proposed draft, the primary Stormwater compliance need has transformed into a complicated series of committees and criteria. Our concern is that many efforts not substantially meeting the requirements of the Clean Water Act could overtake the available funding. For example, the current draft of the program allows up to five percent of eligible funds for "...community groups, such as disadvantaged communities (DACs), non-governmental organizations (NGOs), and community-based organizations (CBOs)."

Honorable Kathryn Barger
May 9, 2018
Page 3

The purpose of the Safe Clean, Water Program should be to fund projects and programs that help cities comply with the Stormwater Permit and water quality standards. Additional efforts, such as community investment and nature-based solutions, should be secondary to Stormwater Permit compliance.

Thank you for your consideration.

Sincerely,



Kenneth W. Striplin
City Manager

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cc: Supervisor Sheila Kuehl, Chair
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Russ Bryden, Los Angeles County Department of Public Works
Genevieve Osmena, Los Angeles County Department of Public Works
Leslie Friedman-Johnson, Conservation and Natural Resources Group
Rachel Roque, Conservation and Natural Resources Group
Darren Hernández, Deputy City Manager
Michael Murphy, Intergovernmental Relations Manager
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