

June 21, 2019

Safe Clean Water Program  
Department of Public Works  
Attn: Matthew Frary, Acting Principal Engineer  
900 S. Fremont Ave.  
Alhambra, CA 91803

**RE: Comments on Implementation Ordinance and Related Documents**

Dear Mr. Frary:

We are writing to you on behalf of BizFed, the Los Angeles County Business Federation, an alliance of 180 business associations who represent 400,000 employers with 3.5 million employees in Los Angeles County. Thank you for the opportunity to submit comments on the Safe Clean Water Program documents released on May 29, 2019. We are pleased to submit the following considerations.

**IMPLEMENTATION ORDINANCE**

- a. Newly lettered paragraph "S" would appear to define a "Multi-Benefit Project" as one that has Water Quality or Water Supply benefits with Community Investment Benefits substituting for supply benefits. This definition would appear to contradict the scoring criteria and the Stakeholder recommendation that community investment be determined in a category by itself. This proposed definition would effectively eliminate the need for water supply benefits contrary to the intent of the ballot measure.
- b. Paragraph "V" would add carbon sequestration to the definition of "Nature Based Solutions." We question whether or not this is a fundable project within the intent of the approved ballot measure.
- c. Under Section 5, that the tax reduction program should be referred to as just that, not a credit program. The terminology could easily be confused with the credit trading program which is completely different and not related to the tax reduction portion of the measure.
- d. In Section 18.02, the "Additional Activities Credit" needs a better definition. It is unclear what the intent of this definition is and whether or not it is part of the credit trading program.
- e. Also, in Section 18.02, "Nature-Mimicking Solutions" would all appear to be covered by other sections of the ordinance. We question the need for both a "Nature Based Solutions" and a "Nature-Mimicking Solutions" definition.
- f. In Section 18.07 paragraph 2 d., we don't believe it is appropriate to establish a fixed ratio of 110% funding for disadvantaged communities. Some communities may warrant a higher percentage and after the program is implemented those stormwater disadvantages may be erased and a lesser amount may be appropriate. Some means should be established to adjust future funding levels as appropriate.

**CREDIT TRADING PROGRAM**

In the long run, an effective credit trading program would emphasize collection of waters from a tributary area greater than the project footprint using a LID BMP and using or dispensing those credits somewhere else in the watershed where on-site compliance is less feasible. The credit trading valuations should be based solely on water quality since that is the measure for compliance. Numerous credit trading programs can serve as examples. BizFed is willing to assist in the identification of these successful measures that may be workable in the Los Angeles region.

## **CREDIT PROGRAM PROCEDURES AND GUIDELINES (Parcel Tax Reduction)**

With regard to the tax reduction application process, it is cumbersome, complex and will require the assistance of a consultant or engineer in most cases. It is unnecessary and overly burdensome for a property owner to apply for the reduction every two years when none of the ownership or site improvement circumstances have changed. We are afraid that the process would discourage property owners from applying for the tax reduction. We are happy to work with the County to help identify simpler, more user-friendly guidelines.

The Credit Program language should recognize that water quality credit options are dependent on the entitlement approval date or construction date of the stormwater improvements (see pp. 39 – 40 of the Program Elements). In addition, the concepts related to equivalency and exemptions in conjunction with the verification process (p. 44 of the Program Elements) should be a part of the Credit Program.

## **MINIMUM FEASIBILITY STUDY REQUIREMENTS FOR SCORING**

It is unclear from the scoring requirements document at what level a project qualifies for funding. During the stakeholder engagement process it was agreed that a project would be eligible if it provided both water quality and water supply benefits even if it did not provide other benefits. What is the minimum score at which a project is eligible for funding?

## **LOW-INCOME SENIOR-OWNED TAX EXEMPTION**

The County is going to have to do a significant outreach to identify homeowners who are eligible for this exemption. As mentioned earlier, it is unnecessary to require low-income seniors to reapply for the exemption every year. Most current homeowner exemption programs are done on a one-time basis. This annual requirement appears designed specifically to discourage low-income seniors from applying.

Thank you for your consideration of our comments. We would like to invite the Los Angeles County Department of Public Works to present at an upcoming BizFed Water Committee Meeting to discuss the ordinance and related documents. We also would like to work with you to help develop an effective credit trading program. As mentioned, many examples of successful trading programs are already in existence. BizFed can help identify some that would be workable for the Los Angeles region. If you have any questions, please contact Sarah Wiltfong, who is the policy manager of this issue at [sarah.wiltfong@bizfed.org](mailto:sarah.wiltfong@bizfed.org).

Sincerely,



Steve Bullock  
BizFed Chair  
Cerrell Associates



David Fleming  
BizFed Founding Chair



Tracy Hernandez  
BizFed Founding CEO  
IMPOWER, Inc.

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 Downey Chamber of Commerce  
 Downtown Long Beach Alliance  
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 Long Beach Area Chamber  
 Los Angeles Area Chamber  
 Los Angeles County Medical Association  
 Los Angeles County Waste Management Association  
 Los Angeles Gateway Chamber of Commerce  
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 Los Angeles Latino Chamber  
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