



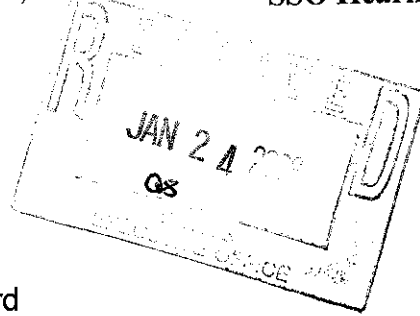
# City of Diamond Bar

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www.CityofDiamondBar.com SSO Hearing: 2/8/06

January 19, 2006



Tam Doduc, Chair, and Members  
State Water Resources Control Board  
Executive Office  
1001 I Street, 24<sup>th</sup> Floor  
Sacramento, CA 95814  
Attn: Selica Potter, Acting Clerk to the Board

**RE: COMMENT LETTER – 2/8/06 PUBLIC HEARING FOR  
PROPOSED STATEWIDE WASTE DISCHARGE  
REQUIREMENTS**

Dear Chairwoman Doduc and Members:

This letter is written to express the City of Diamond Bar's (City) opposition to the Statewide General Waste Discharge Requirements (WDR) for Wastewater Collection Agencies and the accompanying Monitoring and Report Program (MRP) in their current form. The City is supportive of the goal of the State Water Resources Control Board (SWRCB) to implement a program to reduce the number and volume of Sanitary Sewer Overflows (SSOs) throughout the state.

However, the City believes the following points need to be addressed by the SWRCB:

- The projected \$72 annual cost per household to implement the Statewide WDR may severely underestimate the actual cost for smaller cities such as Diamond Bar. This added cost will undoubtedly be much higher and will represent a very significant cost increase for many Diamond Bar households. Efforts should be made by the State to identify a source of funding to support and/or supplement these new costs rather than simply requiring the cities to enact rate increases to cover the costs.
- More importantly, these additional costs should not be further increased by fines or third party litigation due to SSOs that occur even after full implementation and full compliance with WDR and MRP requirements. The WDR must strongly differentiate between negligent and non-negligent SSOs.

**Carol Herrera**  
Mayor

**Bob Zirbes**  
Mayor Pro Tem

**Wen P. Chang**  
Council Member

**Jack Tanaka**  
Council Member

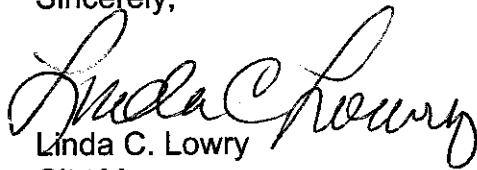
**Steve Tye**  
Council Member

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- Provide the cities and our residents with protection against the cost impact of fines and lawsuits based on SSOs that occur even after our collection system is managed, operated and maintained according to the standards and requirements established by this new regulatory program.
- The proposed compliance schedule for implementation of the various elements is not feasible and overly severe. For our City with a population of 58,000, development and implementation of a comprehensive program will require new equipment, personnel and training, would be very difficult. The City believes more time should be afforded to the process.

**The City of Diamond Bar strongly urges the SWRCB not to adopt the WDR and MRP without funding support, protection for our residents from potentially unfair and unreasonable regulatory fines and third party litigation, and additional time for program implementation. Should you or a member of your staff have any questions, please contact David Liu, Director of Public Works, at (909) 839-7040.**

Sincerely,



Linda C. Lowry  
City Manager

Cc: City Council  
David G. Liu, Director of Public Works  
Bryan Brock, SWRCB staff