

# Safe, Clean Water Program

## Scoring Committee



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### **Meeting Minutes:**

Tuesday, May 5, 2020

9:00am - 12:00pm

WebEx Meeting

### **Attendees**

#### Committee Members Present:

Bruce Reznik

Dave Sorem

TJ Moon

Jill Sourial

#### Committee Members Not Present:

JR De Shazo

Water Supply expertise seat is vacant

### **1) Welcome and Introductions**

Bruce Reznik, the Chair of the Scoring Committee, called the meeting to order.

All committee members in attendance made self-introductions, and quorum was established.

### **2) Approval of Meeting Minutes from March 3, 2020**

The District provided a copy of the meeting minutes from the previous meeting. Bruce Reznik asked the committee members for comments or revisions.

TJ Moon made a motion to approve the meeting minutes. Dave Sorem seconded the motion. The Committee voted to approve the meeting minutes (unanimous).

### **3) Committee Member and District Updates**

Kirk Allen provided the District update, noting: the RFSQ for the watershed coordinator is going through a final round of review by legal counsel and will be released in early June.

Bruce Reznik noted that the Pacific Institute has issued a report on stormwater capture and economic benefits of multi-benefit projects.

### **4) Public Comment Period for Non-Agenized Items**

No public comments received.

### **5) Discussion Items:**

#### a) Ex Parte Communications Disclosure

Bruce Reznik noted that he has had discussions with Madelyn Glickfeld who expressed concerns with the scoring criteria and suggested changes to scoring criteria.

TJ Moon noted that he had a meeting with AutoCase to go over how the scoring criteria works for the SCW Program.

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Jill Sourial has had discussions with an outside researcher to explain the scientific studies program.

Dave Sorem noted that he has had conversation with the Construction Agency Coalition to explain the scoring committee process.

### b) Fund Transfer Agreement templates

Kirk Allen explained the process to date to develop the Fund Transfer Agreements and provided an overview of the public review and comments received. The templates are expected to be before the Board of Supervisors for approval on June 2.

#### i) Regional Program Version

No committee comments received.

#### ii) Municipal Program Version

No committee comments received.

### c) Recommendations for Updates to Feasibility Study Guidelines and Scoring Criteria

Kirk Allen noted that while the SCW Program is new and it is not recommended to make largescale changes to the scoring criteria, it is beneficial to begin discussions on potential future changes. The suite of projects submitted were not initially designed with SCW Program criteria in mind.

TJ Moon provided input that it is too early to change scoring criteria, but that it is critical to begin having this discussion to guide improvements to the scoring criteria. TJ Moon requested a deep dive into the existing applications to provide data to facilitate this discussion. Kirk Allen noted that a database review and developing data-based metrics would likely need to wait until after the development of the SIP. Dave Sorem expressed that he agreed with TJ Moon that there was a need to make at least some small changes ahead of time outside of a data-driven metric review.

Kirk Allen noted that the volume of projects could likely be a smaller and more conservative list for the next call for projects round that will first be reviewed vetted by the WASC.

Jill Sourial and Bruce Reznik recommended potentially holding some type of annual or bi-annual SCW Program town council with all committee members present to review what has gone right and what may need improvement overall with the SCW Program.

### d) Potential Separate Scoring Process for O&M Only Projects

TJ Moon suggested that the application for O&M should be very similar to the existing application but instead of modeling pollutants, it should be based on actual BMP effectiveness monitoring. He noted that effectiveness monitoring takes a minimum of three years to develop, so there may need to be a separate process for new projects requesting O&M. TJ Moon and Dave Sorem noted that there should be a way to ensure that projects are being effectively maintained and that the projects are improving water quality.

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Kirk Allen noted that annual reporting on the SCW Projects do include a requirement to monitor projects and that projects be maintained. This provides a datapoint that could be referenced by the WASCs and SC.

TJ Moon noted that some of the projects that requested O&M funding were built very long ago, and do not fit the requirements of existing SCW Projects. These types of projects are a challenge to score, and it's unclear at the WASC level if these should be funded. Kirk Allen noted that the SC can note that a project cannot be scored if it can't meet the criteria for the SCW Program.

e) Scoring Committee Expectations for Credit Program Appeals

i) Reference – Credit Program-Procedures-and-Guidelines-20190917

Kirk Allen provided an overview of the credit application appeal process and flowchart. The SC would be on standby in the event of an appeal to a credit application was made. To date, only 14 applications have been submitted for credits and none have requested an appeal.

Jill Sourial requested a summary of all credit applications that have been submitted. Kirk Allen noted that the District could help provide a summary of the applications.

f) Status of Appointment for new Scoring Committee Member with Water Supply Expertise

Kirk Allen and Bruce Reznik noted that there is an effort underway to identify individuals who would be able to help evaluate groundwater supply metrics for the SC.

### 6) Public Comment Period for Agenda Items

No public comments received.

### 7) Voting items:

a) Formal recommendation by the scoring committee on potential updates to the scoring criteria, submission website, and feasibility study guidelines documents.

The committee made a modification to the voting item that a formal recommendation would be drafted by the SC to consolidate the current and previous meeting recommendations.

Jill Sourial made a motion to approve the voting item. Dave Sorem seconded the motion. The Committee voted to approve (unanimous).

### 8) Meeting Schedule

The committee suggested a new meeting date be identified as there is a Board Agenda conflict.

### 9) Items for next agenda

Bruce Reznik suggested an item to summarize credit applications and to introduce the new SC member.

### 10) Adjournment

Bruce Reznik thanked the committee members and public for their time and participation and adjourned the meeting.

## SCORING COMMITTEE MEETING - MAY 5, 2020

Member Type	Quorum Present		Voting Items	
	Member	Voting?	Meeting Minutes	Voting Item 1
Water Supply				
Water Supply / Water Quality	<b>J.R. De Shazo</b>			
Nature-Based Solutions / Community	Jill Sourial	X	Y	Y
Nature-Based Solutions / Water Quality	<b>Bruce Reznik</b>	X	Y	Y
Water Quality	Dave Sorem	X	Y	Y
Water Quality	TJ Moon	X	Y	Y
Total Non-Vacant Seats	5	Yay (Y)	4	4
Total Voting Members Present	4	Nay (N)	0	0
		Abstain (A)	0	0
		Total	4	4
			Approved	Approved

Other Attendees	
Annelisa Moe	Katie
Ariel Flores	Lena Luna
Brenda Ponton	Lynda
CMcLeod	Marisol
Conor Massavi	Rafael Prieto
Danielle Chupa	Samantha Matthews
Elva Pangilinan	Sarai Bhaga
Gregor	Sheila Brice
Javier Yescas	Susie
Jessica Quach	Thom Epps
Johanna	Ben Shorofsky
Julie Millett	Caitlin Sims
Justin	



DATE: April 24, 2020

TO: Watershed Area Steering Committees (WASC), Scoring and Regional Oversight Committee (ROC) Members  
Los Angeles County Safe Clean Water Program Staff  
Los Angeles County Board Public Works Deputies

RE: **OurWaterLA Recommendations - Watershed Area Stormwater Investment Plan for 2019-2020**

On March 10, 2020 OurWaterLA (OWLA) submitted a memo for distribution to the WASC committees specifying our recommendations for the Watershed Area Stormwater Investment Plans (SIP) under consideration by the WASCs prior to the Safer at Home order. However, only a few of the WASC groups had the opportunity to review the memo. Given our new reality and the conditions under which extremely important decisions will be considered by the WASCs we wish to summarize and update the points we believe are extremely important to ensure that the decision-making process is transparent and results in only the best projects being funded during these unprecedented times.

The following are the major issues that we believe are critically important for your consideration as you deliberate on the recommendations you will be making for this first round of funding recommendations. Given the vast number of issues you will have to consider we are providing "bullet" points but encourage all members to review our more in-depth recommendations provided in the attached March 10, 2020 memo (Attachment 3). OWLA recommends the following:

#### **Best Practices for Public Participation**

- Notify the public of all meetings and hearings at least 72 hours in advance. Information on public meeting times, topics, and how public comments will be received should be easy to find on the SCWP website home page and within the meeting agendas (*currently not the case*). This information, as well as any additional accompanying meeting materials, should be translated into at least Spanish and Mandarin.

- Ensure language access needs are met by providing interpretation during public meetings. For remote meetings, use teleconference lines or audio channels.
- Consider participation barriers for members of the public that may not have access to the internet or a computer. Provide adequate telephone options, with interpretation, for virtual meetings and receiving public comments. Having multiple avenues to engage in a given meeting will ensure more robust dialogue and input.
- Use best practices for public comment periods in virtual hearings and meetings. This includes giving ample time for the public to submit comments prior to a meeting through multiple avenues and live during a meeting.
- Provide links to all materials including presentations at least 72 hours prior to each meeting.

### **Project Funding Recommendations**

- Fund projects that best exemplify the goals (Attachment 2) of the SCWP. The best projects out of the 53 that are eligible for funding are listed in Attachment 1.
- No funding for the Regional Scientific Study to Support Protection of Human Health through Targeted Reduction of Bacteriological Pollution. We have serious concerns about the legitimacy of this proposed study.
- Fund projects in phases to get projects through initial project development, such as project design in order to preserve funds for future years.
- Require that all Technical Resources allocations include the development and implementation of a Community Engagement Plan.

### **Community Engagement, Equity, Community Investments & DAC Benefits**

- Require that all project funding recommendations include a sustained community engagement element with the assistance of local experienced NGOs from design through construction and operations and maintenance.
- Require that all projects which claim points for Community Investments submit letters from local community groups verifying that the project includes tangible community investments.
- Those projects which claim that jobs will provide direct community investments, such as high quality local job and training opportunities must include documentation as to how they will achieve this goal.

## ATTACHMENT 1

### Projects Recommended for Funding

Project Name	WASC	Notes
MacArthur Lake Rehabilitation Project	Central Santa Monica Bay	<u>SCORE: 70</u> A strong water quality improvement project that uses nature-based solutions and provides DAC benefits and some additional community investment benefits.
Monteith Park and View Park Green Alley Stormwater Improvements Project	Central Santa Monica Bay	<u>SCORE: 80</u> A strong nature-based water quality improvement project that provides DAC benefits and some additional community investment benefits.
Salt Lake Park Infiltration Cistern	Lower Los Angeles River	<u>SCORE: 76</u> A strong nature-based water quality improvement project that is leveraging funds to provide DAC benefits and some additional community investment benefits.
Hermosillo Park Regional Stormwater Project	Lower San Gabriel River	<u>SCORE: 84</u> A good water quality improvement project which will provide additional community investment benefits.
East Los Angeles Sustainable Median Stormwater Capture Project	Rio Hondo	<u>SCORE: 83</u> A good water quality improvement project that is leveraging funds and using nature-based solutions to provide significant water supply benefits, DAC benefits, and some additional community investment benefits.
Hasley Canyon Park Stormwater Improvements Project	Santa Clara	<u>SCORE: 63</u> A good water quality improvement project that is leveraging funds and using nature-based solutions to provide some additional community investment benefits.
Rory M. Shaw Wetlands Park Project	Upper Los Angeles River	<u>SCORE: 96</u> Strong water quality improvement project that is leveraging funds and using nature-based solutions to provide significant water supply benefits, DAC benefits, and some additional community investment benefits.
Strathern North Stormwater Capture Project	Upper Los Angeles River	<u>SCORE: 89</u> Good water quality, nature-based elements and community benefits project that would benefit DAC communities and had support letters from local groups.

Bassett High School Stormwater Capture Multi-Benefit Project	Upper San Gabriel River	<u>SCORE: 92</u> Strong water quality improvement project that leverages funds and uses nature-based solutions to provide some water supply benefits, DAC benefits, and some additional community investment benefits.
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## **Attachment 2**

### **Safe, Clean Water Program Implementation Ordinance: Section 18.04 SCW Program Goals.**

- A. Improve water quality and contribute to attainment of water-quality requirements.
- B. Increase drought preparedness by capturing more Stormwater and/or Urban Runoff to store, clean, reuse, and/or recharge groundwater basins.
- C. Improve public health by preventing and cleaning up contaminated water, increasing access to open space, providing additional recreational opportunities, and helping communities mitigate and adapt to the effects of climate change through activities such as increasing shade and green space.
- D. Leverage other funding sources to maximize SCW Program Goals.
- E. Invest in infrastructure that provides multiple benefits.
- F. Prioritize Nature-Based Solutions.
- G. Provide a spectrum of project sizes from neighborhood to regional scales.
- H. Encourage innovation and adoption of new technologies and practices.
- I. Invest in independent scientific research.
- J. Provide DAC Benefits, including Regional Program infrastructure investments, that are not less than one hundred and ten percent (110%) of the ratio of the DAC population to the total population in each Watershed Area.
- K. Provide Regional Program infrastructure funds benefiting each Municipality in proportion to the funds generated within their jurisdiction, after accounting for allocation of the one hundred and ten percent (110%) return to DACs, to the extent feasible.
- L. Implement an iterative planning and evaluation process to ensure adaptive management.
- M. Promote green jobs and career pathways.
- N. Ensure ongoing operations and maintenance for Projects.

**Attachment 3**  
**March 10, 2020 Letter from OWLA to WASCs**



DATE: March 10, 2020

TO: WASC Chair & Members  
CC: LAC SCWP Staff

RE: **OurWaterLA Recommendations Concerning the Watershed Area Stormwater Investment Plan for 2019-2020**

OurWaterLA (OWLA) is a diverse coalition that has engaged communities, businesses, and organizations across Los Angeles County, building support to reinvent and reinvest in our water future using nature based infrastructure that provides community health benefits, environmental health benefits, and economic benefits. OWLA recommends that funding priority be given to the projects that best exemplify the goals of the Safe, Clean Water Program (SCWP), and that consideration should be given to reserving future funds for future exemplary projects.

**FUNDING ALLOCATION FOR STORMWATER PROJECTS**

The Stormwater Investment Plans (SIPs) must achieve the fourteen programmatic goals clearly laid out in the SCWP Implementation Ordinance (Attachment 1), including the goals to improve water quality and contribute to attainment of water-quality requirements, as well as multiple additional community investments such as prioritization of nature based solutions, community engagement, equity, and quality jobs. Our top issues are shown below in bullet point format and described more robustly in Attachment 1.

**Nature Based Solutions**

The prioritization of nature based solutions is a specific programmatic goal of the SCWP, and therefore must be reflected in the projects for the SIP.

**Community Engagement**

A plan for future community outreach is not sufficient for true community engagement in a project. Priority should be given to projects for which local community engagement, designed specifically for the proposed project, has already been initiated.

**Equity**

One of the most innovative aspects of the SCWP is the written requirements for the equitable distribution of community investments. When assessing the 110% benefit return on investments

for disadvantaged communities, it is important to clarify what type of benefits a project provides, and whether the proposed investments directly benefit the receiving community and verified by local community groups.

#### **Quality Jobs**

At a minimum, funding through the SCWP SIP must be contingent upon providing direct community investments, such as high quality local job and training opportunities.

We recommend that all of these programmatic goals be considered when selecting projects for full or partial funding for the 2019-2020 SIP, and that consideration be given to reserving future funds for future exemplary projects. One opportunity to reserve future funding is to fund projects in phases, to get projects through initial project development, such as project design.

#### **FUNDING ALLOCATION FOR SCIENTIFIC STUDIES**

There have also been proposals for funding through the SCWP Scientific Studies Program. The purpose of the Scientific Studies Program is to provide funding for scientific and technical activities, including, but not limited to, scientific studies, technical studies, monitoring, and modeling related to *stormwater and urban runoff capture and pollution reduction*.

OWLA recommends that no funding be allocated for the Regional Scientific Study to Support Protection of Human Health through Targeted Reduction of Bacteriological Pollution. We have serious concerns about the legitimacy of this proposed study. It has no hypothesis or clear methodology, and no scientific professionals were involved in the development of the study, as is required under the SCWP Scientific Studies Program when feasible.

This proposal is asking for nearly \$10 million region-wide over the next five years to target a specific source of a specific pollutant rather than providing multiple benefits, and to potentially weaken water quality objectives rather than improving our water quality. This proposed study will not support many of the program goals, listed in Attachment 1. Additionally, there are other potential funding sources for this study including the Stormwater Monitoring Coalition, which already has a similar study in its 5-year plan. **This nearly \$10 million should be spent to invest in our communities with multi-benefit stormwater capture projects.**

Further, for those WASCs considering the Wet Weather Zinc study, this proposal is asking for \$500K to potentially weaken water quality objectives, rather than improving our water quality. Funds should instead be spent on multi-benefit stormwater capture projects. The Safe, Clean Water Program is not the right funding source for this study because this study does not support many of the goals of the Safe, Clean Water Program or its Scientific Studies Program. There are other potential ways to achieve this type of recalculation, including working with the State Water Resources Control Board.

Thank you all for the considerable time and effort that you have contributed to the implementation of the Safe, Clean Water Program. We look forward to continuing our collaborative work with each of you, with the County of Los Angeles, and with our communities to most efficiently and effectively reinvest in our water future. Many of us, including WASC members, recognize that this is a complex process, and we would be remiss not to stop and strongly re-evaluate the context for making these critically important funding recommendations. OWLA core team members want to work with you to be part of the solution for meeting water quality standards by implementing multi-benefit projects. Thank you for your consideration of these recommendations.

Sincerely,

OWLA Core Team

ATTACHMENT 1

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