

Safe, Clean Water Program

2/16-3/27 Public Review Period: 2022 Interim Guidance

Comment Log

#	Date	By	Affiliation	Section	Comment	Summary	PDF
1	3/2/2022		ARLA	Strengthening Community Engagement and Support	<p>The Working Group requests additional information regarding the District’s development of the Public Education Programs called for in the SCWP Ordinance and funded through the SCWP. Given the Working Group's findings regarding the importance of identifying community needs and benefits, and the fact that funding for these programs is accumulating, the Working Group requests that the District provide a status update in 2022 on the intention to create and launch Public Education Programs with opportunity for public comment.</p> <p>Identifying local needs and planning projects to meet those needs is not only a best practice, but an efficient way to meet Program Goals and deliver results to voters. While the Working Group is pleased to see the Guidance around project-specific community engagement, it is just one of three essential parts to SCWP community engagement (see Figure 1 below, outlining the trio of community engagement elements: (1) SCWP General Community Engagement, (2) Needs Assessments, and (3) Project-Specific Community Engagement.)</p> <p>Moreover, although Watershed Coordinators are currently tasked with conducting some community engagement, they alone do not have the capacity to sufficiently engage community members in SCWP implementation. Additional clarity from the District is needed to understand when and how the remaining two community engagement elements—SCWP General Community Engagement and Needs Assessments—will be developed. The Working Group therefore recommends that the District design, create, and implement a robust Community Engagement Program using a portion of the 20 percent of District Program funds allocated to Public Education Programs (see Working Group Recommendation 5).</p>	Design, create, and implement a robust Community Engagement Program using a portion of the 20 percent of District Program funds allocated to Public Education Programs	link
2	3/2/2022		ARLA	Strengthening Community Engagement and Support	<p>Needs assessments will help identify the unique community strengths and needs within each watershed to inform SCWP investments, including informing the programming of Nature-Based Solutions and implementation of Disadvantaged Community Policies described later in the Guidance.</p> <p>The Working Group is pleased to see that page 10 of the Guidance calls for “verification that the benefits provided [for a proposed project] directly address identified community needs.” However, more guidance is needed to clarify how project proponents, WASCs, and the Scoring Committee should verify that benefits provided address identified community needs. The Working Group recommends that the District develop and launch a Needs Assessment Initiative to document community strengths, needs, and priorities of each Watershed Area with strategic direction and support from the Watershed Coordinators and municipalities (see Working Group Recommendation 6). Completed needs assessments could then be used to verify if proposed projects include components that address needs identified in the needs assessment.</p>	Develop and launch a Needs Assessment Initiative to document community strengths, needs, and priorities of each Watershed Area with strategic direction and support from the Watershed Coordinators and municipalities	link
3	3/2/2022		ARLA	Strengthening Community Engagement and Support	<p>The Working Group is pleased to see that Table 2 (page 8) in the Guidance describes “good,” “better,” and “best” practices for conducting outreach and engagement. Similarly, we view the suggestion that “SCWP projects should ultimately target the ‘best’ category of all project phases” as a positive step forward. However, without tying scoring criteria to these levels of best practice, project proponents will not have any additional incentive to move deeper into community engagement (i.e., from “good” to “best”) when developing their projects. Therefore, the Working Group recommends that the District adjust scoring for community engagement in order to reward projects that meet higher standards for engagement (see Working Group Recommendation 8).</p>	Adjust scoring for community engagement in order to reward projects that meet higher standards for engagement	link
4	3/2/2022		ARLA	Strengthening Community Engagement and Support	<p>If changing the scoring tied to community engagement is beyond the scope of this Guidance, the Working Group recommends that the District provide additional clarification on the criteria and documentation needed to meet the three tiers of “good, better, best” denoted in Table 2 of its Guidance. While the Working Group appreciates the variety of best practices included in the Guidance, there is so much information that streamlining it into criteria might aid project proponents. The Working Group recommends including three of the four criteria from the aforementioned Recommendation 8 in this interim Guidance. (refer to comment letter)</p>	Provide additional clarification on the criteria and documentation needed to meet the three tiers of “good, better, best” denoted in Table 2 of its Guidance	link

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5	3/2/2022		ARLA	Strengthening Community Engagement and Support	Additionally, while the Working Group is pleased to see the Guidance call for much of the documentation noted above, it does not require this documentation. In line with the aforementioned Recommendation 8, the Working Group recommends that documentation requested to support community engagement is necessary and required as opposed to optional. Page 10 in the Guidance states documentation “may include” a subset of items listed above, but it does not require documentation. This language is still vague, and therefore will likely continue to cause some confusion among project proponents, as well as for the Scoring Committee, Watershed Area Steering Committee, and Regional Oversight Committee.	Documentation requested to support community engagement is necessary and required as opposed to optional.	link
6	3/2/2022		ARLA	Strengthening Community Engagement and Support	The Working Group applauds the District for setting a minimum expectation of community engagement prior to submitting an application (page 6 of the Guidance). However, the Guidance specifies that project proponents should reach a minimum level of “Inform” or “Consult” with key stakeholders before application submission. The Working Group believes that “Inform” does not constitute an adequate minimum level of engagement, because such activities represent one-way communication (e.g., Fact sheets, Open Houses, Presentations, Billboards, Videos) instead of two-way communication where the community has an opportunity to provide input (e.g., Public Comment, Focus Groups, Community Forums, Surveys). Therefore, the Working Group recommends that project proponents be expected to complete initial engagement activities to a minimum level of “Consult” or higher (See Figure 3 below and Recommendation 8).	Project proponents should be expected to complete initial engagement activities to a minimum level of “Consult” or higher	link
7	3/2/2022		ARLA	Strengthening Community Engagement and Support	Project proponents need resources to support this minimum level of engagement. The Guidance for engagement during the project planning phase suggests that project proponents should secure funding for community engagement from sources other than the Regional Program funds (page 6 of the Guidance). However, Section 16.05A.2.a of the Ordinance stipulates that infrastructure development tasks including design and planning are eligible expenditures under the Regional Program. Therefore, project proponents should be allowed to request funding for engagement activities conducted during the planning phase.	Project proponents should be allowed to request funding for engagement activities conducted during the planning phase	link
8	3/2/2022		ARLA	Water Supply Guidance	The Working Group commends the District for clarifying that project proponents should analyze the relationship between upstream and downstream projects (page 18 of the Guidance). However, without technical tools to support this analysis, it is unlikely that project proponents’ good faith efforts will generate meaningful findings. Accounting for upstream or downstream projects within the same drainage area is necessary to ensure projects are “right-sized,” coordinated, and cost-effective. The Working Group identified several adjustments that could be made to the SCWP Spatial Data Library and SCWP Map in order to better account for the nested relationship between upstream and downstream projects (see Working Group Recommendation 16). Thus, the Working Group recommends that the District prioritize the development of these technical tools as soon as possible in order to support a more robust analysis of project interactions.	Prioritize the development of technical tools to analyze the relationship between upstream and downstream projects as soon as possible	link
9	3/2/2022		ARLA	Water Supply Guidance	The Working Group believes that Guidance on Water Supply benefits is overly restrictive for projects located over shallow, currently unmanaged aquifers, or projects that could meet downstream environmental/biological water needs. The Working Group agreed that additional flexibility is needed to maximize Water Supply benefits across all Watershed Areas. Infiltrating stormwater into a shallow groundwater aquifer should be counted as a Water Supply Benefit, given that industrial/process wells may extract from a low, unconfined aquifer. Also, the Working Group recommends that Water Supply benefits include consideration of the sustenance of inland and coastal ecosystems throughout the County, and how runoff may help sustain or augment such needs. Therefore, the Working Group recommends that the District update the Guidance to interpret shallow groundwater and environmental water as a Water Supply Benefit, even as additional research is completed on these topics (see Working Group Recommendation 3).	Update the Guidance to interpret shallow groundwater and environmental water as a Water Supply Benefit	link

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10	3/2/2022		ARLA	Programming of Nature Based Solutions	While the Guidance provides some clarity to distinguish genuine Nature-Based Solutions from surface improvements, it does not propose any clarifications to the existing definition. We recommend that separate definitions are needed to further differentiate Nature-Based Solutions from Nature-Mimicking Solutions in order to meaningfully quantify the benefits of each project type and award points accurately (see Working Group Recommendation 2). This distinction will provide more precise direction for project proponents, WASCs, and the Scoring Committee to ensure that Nature-Based Solutions (e.g., projects that provide Water Quality, Water Supply, and Community Investment Benefits as part of the treatment process) are incentivized.	Separate definitions are needed to further differentiate Nature-Based Solutions from Nature-Mimicking Solutions	link
11	3/2/2022		ARLA	Programming of Nature Based Solutions	The Guidance also maintains the existing scoring criteria for Nature-Based Solutions, which conflates project types and outcomes (benefits), which can result in double counting and other issues. The Working Group recommends that points for Nature-Based Solutions and Community Investment Benefits be consolidated (25 points overall) so that projects can be assessed based on how well they yield desired outcomes and benefits instead of the project type alone (see Working Group Recommendation 21).	Points for Nature-Based Solutions and Community Investment Benefits be consolidated (25 points overall)	link
12	3/2/2022		ARLA	Programming of Nature Based Solutions	Guidance related to the WASC evaluation of Stormwater Investment Plans partially aligns with the Working Group's recommendation to prioritize Nature-Based Solutions (Recommendation 9). Nevertheless, the Working Group believes that stronger tools and processes need to be developed to support these decisions. For example, page 31 of the Guidance states that, "Where possible, WASC members should consider known needs of the Watershed Area and/or the community in which the Project is located when evaluating the benefits that it is providing." The Working Group believes that understanding the needs of the Watershed Area and the community in which a project is located is foundational to the implementation of the Regional Program because funds cannot be allocated wisely when needs are unknown. Considering these needs only "where possible" is insufficient. As such, the Working Group recommends that WASCs set Watershed Area targets based on data about what is technically possible in the Watershed, and what the community needs and wants, to inform investment decisions (see Working Group Recommendation 15). Targets should indicate the type (Nature-Based Solutions, Nature-Mimicking Solutions, and Gray Infrastructure), size (regional or distributed), and general locations of projects that are a priority for the Watershed Area, and WASCs should set targets that maximize the use of Nature-Based Solutions and drive localized Community Investment Benefits to Disadvantaged Community Benefits. This approach will provide a clearer process and data by which WASC members can evaluate the extent to which Projects programmed in Stormwater Investment Plans meet Watershed Area needs.	WASCs set Watershed Area targets based on data about what is technically possible in the Watershed, and what the community needs and wants, to inform investment decisions	link
13	3/2/2022		ARLA	Implementing Disadvantaged Community Policies in the Regional Program	The Guidance states that the interpretation of what constitutes a "direct benefit" should be determined by WASCs on a project-by-project basis but does not provide a clear process for assessing the benefits—including Disadvantaged Community Benefits—provided by each project. This approach does little to provide clarity for project proponents and WASC members, nor does it help WASCs assess how to meet or exceed the minimum allocation for Disadvantaged Community Benefits. Moving forward, the Working Group recommends that direct benefits be measured based on the sphere of influence for each project (see Working Group Recommendation 12). The Working Group identified the sphere of influence for different types of benefits to account for the distinct spatial scales by which Water Quality, Water Supply, and Community Investment Benefits accrue to certain beneficiaries.	Direct benefits for DACs be measured based on the sphere of influence for each project	link
14	3/2/2022		ARLA	Implementing Disadvantaged Community Policies in the Regional Program	Furthermore, the Working Group believes there are better alternatives for calculating the 110 percent investment than using the total amount of funding provided for projects judged to be providing benefits to members of a Disadvantaged Community. This all-or-nothing approach fails to account for the varying magnitude of benefits accrued to Disadvantaged Communities. The Working Group recommends that Disadvantaged Community Benefits be calculated proportional to population served and the magnitude of the benefits, rather than by investment (see Working Group Recommendation 13). Counting only the portion of the project that benefits Disadvantaged Communities towards the 110 percent investment calculation will ensure a greater number of projects that benefit Disadvantaged Communities receive funding. This methodology should be evaluated through the District-led Metrics and Monitoring Study and adopted through updated guidance if proven to be an effective approach.	Disadvantaged Community Benefits be calculated proportional to population served and the magnitude of the benefits, rather than by investment	link

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15	3/2/2022		ARLA	Implementing Disadvantaged Community Policies in the Regional Program	In addition, the Working Group recommends that scoring criteria be adjusted to award points to projects that provide Disadvantaged Community Benefits. This will incentivize project proponents to develop a pipeline of projects benefiting Disadvantaged Communities.	Scoring criteria should be adjusted to award points to projects that provide Disadvantaged Community Benefits.	link
16	3/26/2022	Sonali Abraham, D. Env.	Pacific Institute	Programming of Nature Based Solutions	Provide a narrow definition of NBS and its components. The current Guidelines define NBS to include "Projects that mimic natural processes, such as green streets, spreading grounds and planted areas with water storage capacity." By expanding the definition of NBS to include the term "mimic" allows for nearly all projects to claim NBS points. We recommend redefining NBS to focus on natural systems and the resulting benefits provided by incorporating nature into project designs. In addition, we recommend providing additional quantitative and qualitative metrics for evaluating the NBS components of projects. Recommendations on the SCWP provided by Accelerate Resilience Los Angeles (ARLA) point to a similar issue under Working Group Recommendation #2, saying that "This broad definition leaves much open to interpretation about what classifies as a Nature-Based Solution and has created confusion for project proponents and WASCs."	Refine definition of NBS	link
17	3/26/2022	Sonali Abraham, D. Env.	Pacific Institute	Overall ARLA and Programming of Nature Based Solutions	Adopt recommendations provided by ARLA. ARLA developed a comprehensive set of recommendations in consensus with municipality and NGO partners (Attachment A). Pacific Institute was an advisor for this effort and strongly encourage the County to adopt these recommendations as part of the next iteration of the SCWP. In particular, we see recommendation #2 in Attachment A around programming of NBS to be critically important. This includes (a) Refine Nature-Based Solutions/Nature-Mimicking Definition, (b) Test Alternative Scoring Criteria, and (c) Prioritize Nature-Based Solutions and Set Watershed Area Targets.	Adopt ARLA recommendations, focus on NBS components	link
18	3/25/2022	David W. Pedersen, P.E.	NSMB WASC	Overall	Closer coordination with the WASCs is recommended for the development of future guidance documents to ensure that they effectively address the most important challenges.	Closer coordination with the WASCs for the development of future guidance documents	link
19	3/25/2022	David W. Pedersen, P.E.	NSMB WASC	Water Supply Guidance	We recommend that the 2022 Draft Interim Guidance document be amended to acknowledge and address, to the extent possible, the challenges faced by project proponents in the NSMB with respect to scoring for the Water Supply Benefit area. Specifically, the WASC recommends that water supply benefit points be awarded to projects with a higher per acre-foot cost, recognizing the difficulty of delivering projects at less than the wholesale cost of imported water. The cost of producing a new source of drinking water supply via potable reuse may provide a more realistic comparison. This change would also acknowledge that the cost per acre-foot of treating polluted runoff and stormwater will be higher for smaller, distributed projects in the Santa Monica Mountains. Additionally, water supply benefit points should be provided for smaller volumes of water that will be captured in areas with sparse, distributed development and relatively smaller tributary waterbodies. Finally, projects that contribute to environmental flows and support enhanced ecosystem function should receive water supply points, particularly when offsetting the need for existing water supplies for these purposes.	Amend guidance and scoring criteria for Water Supply for higher cost per acre-ft cost, smaller volumes of water in sparsely developed areas, and environmental flows.	link
20	3/25/2022	David W. Pedersen, P.E.	NSMB WASC	Water Supply Guidance	Attachment B provides a strawman proposal of potential changes to the scoring criteria to address the above-described comments.	Specific scoring edits for Water Supply for consideration	link
21	3/25/2022	Michael Scaduto, P.E., ENV. SP	LASAN	Overall	We recommend the District implement the additional guidance guidelines as part of the Round 5 Call for Projects due July 31, 2023. This will ensure adequate time for the District to review public comments and present the final Interim Guidance at upcoming publicly noticed Scoring Committee, Watershed Area Steering Committee, and Regional Oversight Committee meetings.	Adjust when guidance goes into effect for Feasibility studies	link
22	3/25/2022	Michael Scaduto, P.E., ENV. SP	LASAN	Strengthening Community Engagement and Support	For instance, the District must provide clarification regarding points for outreach (page 8, Table 2 of the Interim Guidance) in the Scoring Criteria for the Good, Better, and Best categories to include associated points for each level, and the allowance for partial points. Providing this detail in the Interim Guidance would allow project proponents to estimate resource needs and level of effort for outreach during the development of feasibility studies and have a clear understanding of how these efforts will affect the score of their Regional Program application.	Amend scoring for community engagement.	link

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23	3/25/2022	Michael Scaduto, P.E., ENV. SP	LASAN	Programming of Nature Based Solutions (also relevant for CIB)	<p>We also recommend the District adopt changes to the scoring for Community Investment Benefits (CIB) to encourage more projects that benefit schools. Currently, the scoring criteria is interpreted by the Scoring Committee as only giving points for “Greening of schools” to projects located on school grounds. This scoring is too exclusive, as it incentivizes and benefits projects proposed only by schools and school districts. Los Angeles Unified School District (LAUSD), for instance, holds thousands of acres of property across the county, and would be a great partner for regional-scale water capture opportunities. However, LAUSD has long hesitated to partner on projects that accept runoff from offsite and has proposed only onsite mitigation projects on their property for Regional Program funding.</p> <p>Consequently, we recommend that the scoring be modified to allow points for projects located within, immediately adjacent, and near school property, especially those sited along Safe Routes to Schools. Safe Routes to Schools are streets prioritized for traffic and safety improvements for students traveling to and from school. Projects adjacent to school property in the public right-of-way (i.e., roads, sidewalks, medians, etc.) immediately adjacent to the perimeter of the school are worthy of consideration due to the overall benefits they provide to the students and staff at the school, as well as to neighboring communities. Schools, children, and communities can benefit from the greening, shade, traffic improvement, and stormwater capture benefits of greening areas adjacent to schools in public rights-of-way along the perimeter and in close proximity to the school. In addition, such projects may provide educational opportunities about nature-based solutions and environmental stewardship.</p> <p>We propose amending the Interim Guidance to allow greening adjacent to schools to be considered with a modified scoring methodology for the CIB. Scoring would allow for a maximum of 2 points for qualifying projects adjacent to school (within 0.25 miles) or along a designated Safe Route to School. If a school project accepts offsite runoff for storage and/or mitigation within a school property then the project would be awarded 5 points.</p>	Amend scoring for NBS/CIB (schools specifically)	link
24	3/25/2022	Michael Scaduto, P.E., ENV. SP	LASAN	Implementing Disadvantaged Community Policies in the Regional Program	<p>Given the importance of ensuring the SCWP provides benefits to disadvantaged communities, LASAN recommends the District develop new scoring criteria (i.e., 0-10 points) that benefit projects within disadvantaged communities or and/or projects that beneficially impact disadvantaged communities. Due to historic structural and infrastructural inequities, it can often be more difficult to implement projects in these areas. Additional points can alleviate this issue and further incentivize projects being located in disadvantaged communities, as intended by the program. Such criteria could reflect the options discussed on pages 45 - 46 of the Interim Guidance (refer to items 1 - 5), through which partial points could be achieved commensurate with the direct or indirect benefits to the disadvantaged community.</p>	Amend scoring for DAC in scoring	link
25	3/25/2022	Michael Scaduto, P.E., ENV. SP	LASAN	Implementing Disadvantaged Community Policies in the Regional Program	<p>The District has previously allowed only the total amount of funding awarded by the Regional Program towards a project be used when demonstrating the 110% investment return calculation (item 7 on Page 46 of the Interim Guidance). LASAN recommends the District explore options for crediting a proportion of the project cost as benefiting a disadvantaged community, especially for projects located outside of disadvantaged communities. Various examples and options for providing partial points and credit for projects benefiting disadvantaged communities were subject to thorough analysis by the Accelerate Resilience LA Safe Clean Water Working group, such as evaluating benefits based on population served by a project. Such options are presented in detail in the resulting Working Group Recommendation document, which we encourage the District to use as reference.</p>	Amend calculation/basis for 110% investment return for DACs (refer to ARLA options)	link

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26	3/25/2022	Michael Scaduto, P.E., ENV. SP	LASAN	Water Supply Guidance	LASAN is concerned by the interim guidance for Water Supply Scenario #3 – Projects claiming future water supply benefit due to future projects or infrastructure (Page 19), which states “Projects cannot receive water supply benefit points for water diverted to a downstream project that is not yet built and operational. The future project may receive water supply benefits from the water diverted to it.” This guidance is too restrictive, breaks the precedent set in prior rounds, and would remove incentives for expanding water recycling in the region. For instance, due to limited opportunities the infiltrate in the Central and South Bay, many projects planned for this watershed seek to divert polluted urban runoff to the Hyperion Water Treatment Plant for treatment. These projects should be, and have previously been able to receive points for water supply. The City is committed to upgrading the Hyperion Water Treatment Plant to 100% water recycling by 20353. LASAN encourages the District to and continue to allow projects like this to receive points in order to encourage integrated water resource management and water recycling expansion in the region. This would be consistent with the language in the Los Angeles Flood Control District Code Section 16.03.OO that defines a water supply benefit and the activities that provide that benefit, including but not limited to “reuse and conservation practices, diversion of Stormwater or Urban Runoff to a sanitary sewer system for direct or indirect water recycling, increased groundwater replenishment or available yield, or offset potable water use” (Referenced on Page 15 of the Interim Guidance).	Allow for projects to receive points for water diverted to a project that will be built in the future (e.g., Hyperion WTP)	link
27	3/25/2022	Michael Scaduto, P.E., ENV. SP	LASAN	Water Supply Guidance	We also encourage the District to consider specifying additional activities that provide Water Supply Benefits, but which are not specifically called out in the existing feasibility study requirements or the Water Supply Interim Guidance. Specifically, LASAN recommends the SCWP recognize the following activities as being eligible for providing water supply benefits: seawater intrusion reduction/barriers, infiltration and percolation to basins not currently used for municipal purposes, and water for environmental benefits (flows needed for habitat function, increased biodiversity, etc.).	Consider additional activities not called out in feasibility study or guidance for Water Supply Benefits	link
28	3/25/2022	Michael Scaduto, P.E., ENV. SP	LASAN	Water Supply Guidance	While this clarification is helpful and not as restrictive as the existing 2019 Feasibility Study Guidelines, which explicitly require the groundwater basin to concur that the infiltrated water is reaching a managed, useable groundwater aquifer, we believe more flexibility is needed. Since projects are submitted to the SCWP at the feasibility study stage, securing a letter of concurrence from the groundwater basin may not always be possible. LASAN experienced this first-hand on a recent project submitted to the Regional Infrastructure Program. In this case, the groundwater basin manager indicated they could not provide LASAN a letter of support because the project was located over a confined aquifer. Other projects sited over this basin will face a similar challenge.	Revise concurrence requirements for Infiltration Projects	link
29	3/25/2022	Michael Scaduto, P.E., ENV. SP	LASAN	Programming of Nature Based Solutions	As discussed on page 30, the existing Regional Project Application Module requires inputs regarding removing impermeable surfaces. However, the Module would benefit from clarifying the definition of the “site before construction” for the impermeable area percent calculation. The “site before construction” could be considered the capture area (watershed), rights-of-way area, or area affected by work (i.e., street or sidewalk within active work limits). While we understand how to estimate the amount of the impervious area removed (numerator), clarification is requested for the definition of the amount of impermeable area for the “site before construction” (denominator). We recommend the Interim Guidelines define “site” as the project work area. The numerator should be the impermeable area preconstruction (and calculated again after construction), and the denominator should be the actual work area (area transformed, excavated, modified). We further recommend that the Interim Guidance and the Project Module also include a simple example calculation.	Revise module and refine definition for the "site before construction" for NBS	link
30	3/25/2022	Michael Scaduto, P.E., ENV. SP	LASAN	Additional Guidance	Delineate requirements for Regional Infrastructure Program applications seeking funding for various phases of projects implementation, for instance, requirements for those seeking design funding only, both design and construction phase funding, or those seeking operations and maintenance funding only.	Additional guidance for funding for different phasing or projects	link
31	3/25/2022	Michael Scaduto, P.E., ENV. SP	LASAN	Programming of Nature Based Solutions	Clarify that the definition of “Increased access to waterways” includes improvements to access such as new or improved pedestrian and bicycle paths (page 27, row 9 of the Interim Guidance).	Clarify that the definition of “Increased access to waterways”	link
32	3/25/2022	Michael Scaduto, P.E., ENV. SP	LASAN	Programming of Nature Based Solutions	Give consideration to the challenges of planning nature-based solutions in the public right-of way, as there are more restrictions in the ability to remove impermeable surfaces in roadways than in parks.	Give consideration to the challenges of planning nature-based solutions in the public right-of way	link

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33	3/26/2022		OWLA	Overall (ARLA)	We first want to express our support for and endorsement of the recommendations submitted by the ARLA SCWP Working Group (attachment A). We applaud the efforts of the Working Group (which included 3 members of the OWLA coalition) to find consensus between NGOs/CBOs and municipalities in developing recommendations and comments on the interim guidance. It is precisely because of the support from these diverse groups that we hope these recommendations will be given due consideration.	ARLA endorsement	link
34	3/26/2022		OWLA	Strengthening Community Engagement and Support	Add language to “additional best practices” to encourage respectful engagement with Tribes such as “Establish meaningful dialogue early in the project timeline with both federally recognized and non-federally recognized Tribes that are or may be affected by the proposed project in an early and ongoing process with a basis of mutual respect and recognition of consultation capacity and needs” (p 9-10)	Encourage respectful engagement with Tribes	link
35	3/26/2022		OWLA	Water Supply Guidance	Define what constitutes “good faith efforts” to establishing relationship to downstream projects (p 18, Scenario 1)	Define what constitutes “good faith efforts” to establishing relationship to downstream projects (p 18, Scenario 1)	link
36	3/26/2022		OWLA	Water Supply Guidance	Consider the ecological benefits of any water that may be lost in the infiltration and percolation process in addition to a “project’s full calculated capacity to infiltrated water...as a benefit to locally available water supply” (p 19, Scenario 5)	Consider the ecological benefits of any water that may be lost in the infiltration and percolation process	link
37	3/26/2022		OWLA	Water Supply Guidance	Encourage WASC members to review the Scoring Committee’s response and not just the original application as some claimed benefits may be rejected by that committee of experts (p 20, Tools and Strategies)	Encourage WASC members to review the Scoring Committee’s response	link
38	3/26/2022		OWLA	Water Supply Guidance	Note that (until a more robust framework for ‘DAC benefitting’, such as has been proposed by the ARLA SCWP Working Group, is adopted), OWLA maintains that regional water supply does not equal disadvantaged community benefits in terms of the 110% return on investment (p 20, Long Term Vision bullet 4)	Regional water supply does not equal disadvantaged community benefits in terms of the 110% return on investment	link
39	3/26/2022		OWLA	Water Supply Guidance	Incorporate full cost accounting rather than life-cycle costs of projects (long term water supply).	Incorporate full cost accounting rather than life-cycle costs of projects (long term water supply).	link
40	3/26/2022		OWLA	Water Supply Guidance	Consider the input provided by the NSMB WASC regarding scoring (attachment B).	Consider the input provided by the NSMB WASC regarding scoring (Attachment B)	link
41	3/26/2022		OWLA	Programming of Nature Based Solutions	Note that OWLA does not believe that nature-based solutions and nature mimicking solutions should be conflated. They should have separate definitions and be separated in the program and the guidance as they do not utilize the same processes nor do they provide the same suite of benefits. (This recommendation is part of the ARLA SCWP Working Group recommendations but bears repeating)	Revise definition for NBS	link
42	3/26/2022		OWLA	Programming of Nature Based Solutions	Remove quotations around the word prioritize as it creates a misleading interpretation of the program goal to prioritize NBS “This guidance seeks to help project proponents and decision making bodies “prioritize” Nature Based Solutions” (p 22, Purpose)	Text edit	link
43	3/26/2022		OWLA	Programming of Nature Based Solutions	Remove the word often from the sentence “It is important to note that Nature-Based solutions are inherently holistic approaches, and as a result, often provide multiple benefits” (p 24)	Text edit	link
44	3/26/2022		OWLA	Programming of Nature Based Solutions	Provide examples with data to back up the following generalized statement “It is important to acknowledge that some needs and desired outcomes the SCWP seeks to address cannot be met using natural processes or nature-mimicking strategies” or remove the statement (p 25)	Provide examples with data why some needs and desired outcomes the SCWP seeks to address cannot be met using natural processes or nature-mimicking strategies	link
45	3/26/2022		OWLA	Programming of Nature Based Solutions	Refine the statement “Importantly, habitat, green space, and usable open space or other natural processes or nature mimicking strategies that are independent of the stormwater improvement would not be eligible for points in this category. Excluded strategies may include, but are not limited to, ornamental landscaping, pocket parks, and shade trees” to make clear that restoring habitat, green space and/or usable open space can be a stormwater improvement. Correct excluded strategies to include strategies such as placing an infiltration gallery underneath existing open space, ornamental landscaping, etc. (p 29, implementing natural processes)	Make clear that restoring habitat, green space and/or usable open space can be a stormwater improvement. Revise excluded strategies	link
46	3/26/2022		OWLA	Programming of Nature Based Solutions	Consider using a sliding scale for the category “utilizing natural materials” to encourage the integration of soils and vegetation, with a preference for native vegetation in all projects (attachment C) (p 30, utilizing natural materials)	Consider using a sliding scale for the category “utilizing natural materials”	link

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47	3/26/2022		OWLA	Programming of Nature Based Solutions	Have the County provide a summary to the WASC members rather than place the burden of work on the WASC members, especially community members who may not have the capacity "When programming the SIP, the WASC can review the SIP of previous years, and the suite of Projects proposed, to consider how Nature-Based Solutions are being prioritized in the Watershed Area" (p 33, Strategies during Project evaluation)	Have the County provide a summary to the WASC members rather than place the burden of work on the WASC members	link
48	3/26/2022		OWLA	Programming of Nature Based Solutions	Note that OWLA supports the long-term vision item of "integration across WHAM" (p 35, Long Term Vision)	Supports the long-term vision item of "integration across WHAM"	link
49	3/26/2022		OWLA	Implementing Disadvantaged Community Policies in the Regional Program	Change the language to ensure that project proponents engage in direct community engagement and do not solely rely on engaging with elected officials who may not always represent interests of community members "The WASC, in its determination of whether a Project provides "direct benefit" to members of a disadvantaged community should strongly rely on documented public support by members of that community or their elected representatives" (p 46, Interpreting)	Change the language to ensure that project proponents engage in direct community engagement and do not solely rely on engaging with elected officials	link
50	3/26/2022		OWLA	Implementing Disadvantaged Community Policies in the Regional Program	Pursue near-term opportunities to improve accessibility of both virtual and in-person SCWP governance committee meetings particularly for disadvantaged communities (e.g., language interpretation, public recordings) given public testimonies are included as potential indicators of community support "Public testimony offered during public meetings that express how a Project will, or will not, provide benefits to a community can be part of the decision-making process of the WASC as the question of "direct benefit" is settled" (p 50, Community Support)	Pursue near-term opportunities to improve accessibility of both virtual and in-person SCWP governance committee meetings particularly for disadvantaged communities given public testimonies are included as potential indicators of community support	link
51	3/27/2022	Marisa Creter, Executive Director	SGVCOG	Strengthening Community Engagement and Support	Many of the projects that municipalities are submitting for funding consideration are major projects that have been planned, designed, and engineered over many years and included and approved by the Los Angeles Regional Water Quality Control Board (Regional Board) in Watershed Management Plans in Watershed Management Plans that demonstrate how municipalities will comply with the water quality requirements in the designated timelines. It is difficult to garner the same level of community support for these types of compliance-driven projects which may not necessarily get the most support from the general public, despite their extreme importance to regional water quality. The SGVCOG appreciates that the support of elected officials – who are themselves elected to serve by community members – is acknowledged as a demonstration of community support. However, the County must continue to ensure that while municipalities are focused on working towards compliance with the MS4 Permit, these major infrastructure projects must not be at a disadvantage in the consideration of community engagement points in the scoring.	Major infrastructure projects working towards compliance with the MS4 Permit should not be at a disadvantage in the consideration of community engagement points in the scoring	link
52	3/27/2022	Marisa Creter, Executive Director	SGVCOG	Water Supply Guidance	The Interim Guidance acknowledges that it is difficult to quantify the value of water it would take to reach a managed, usable, groundwater as locally available water for infiltration projects. As an alternative, the Guidance recommends "written concurrence from the agency managing the groundwater basin that the project is believed to increase local groundwater supplies." While this recommendation is simple in nature, it is nearly impossible in practice. Due to the complicated nature of water rights, based on previous conversations with the San Gabriel Watermaster, there is not a scenario in the watersheds of the San Gabriel and Rio Hondo rivers in which a stormwater project would be considered to increase the local water supply. Thus, it is important to have another alternative by which an infiltration project could demonstrate its water supply benefits.	Watersheds of the San Gabriel and Rio Hondo rivers are not considered to increase the local water supply. District should provide another alternative by which an infiltration project could demonstrate its water supply benefits	link
53	3/27/2022	Marisa Creter, Executive Director	SGVCOG	Water Supply Guidance	In addition, the Interim Guidance acknowledges that projects within a Watershed Area are competing against each other – rather than with those in other watershed areas – so the impact of a watershed area having less water supply benefit opportunity is partially mitigated. However, as noted, by the Interim Guidance as plans for the long-term vision for Water Supply Guidance, the County must also be sure that the Water Supply Benefits criteria do not prevent viable projects from reaching the minimum scoring threshold for funding consideration. It is important to consider this key component as soon as possible.	Although projects are only competing against each other, District should to ensure Water Supply Benefits criteria do not prevent viable projects from reaching the minimum scoring threshold for funding consideration	link
55	3/25/2022	Shona Ganguly Associate Director	TNC	Strengthening Community Engagement and Support	TNC strongly agrees that stakeholder input should be actively solicited, addressed, and incorporated early and often in the project development process, including the planning and design phases.	Concurrence with guidance language cited in the comment	link
56	3/25/2022	Shona Ganguly Associate Director	TNC	Strengthening Community Engagement and Support	On page 3, the interim guidance states that it is not required to demonstrate strong local, community support or to show that the project has been developed in partnership with a local NGO. It should be required that every project have strong community support and the associated scoring points should be required to advance/fund a project.	Require strong community support to advance/fund a project	link

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57	3/25/2022	Shona Ganguly Associate Director	TNC	Strengthening Community Engagement and Support	As stated on page 4, comprehensive stakeholder and community outreach/engagement plans for infrastructure program projects are necessary to ensure that communities have the opportunity to provide feedback on projects in their neighborhoods, support the process to completion, and steward the project afterward.	Concurrence with guidance language cited in the comment	link
58	3/25/2022	Shona Ganguly Associate Director	TNC	Strengthening Community Engagement and Support	It is essential to utilize a variety of outreach platforms and techniques to reach residents, including online media, local media, and grassroots as outlined on page 5. Table 1 does not have a required second activity for projects under \$2 million, but with the preponderance of outreach tools and ways to connect with residents and communities, it is relatively simple for project proponents to ensure that they have a minimum of two touch points with community members (even if via webinar or social media).	Require second outreach activity for projects under \$2M	link
59	3/25/2022	Shona Ganguly Associate Director	TNC	Strengthening Community Engagement and Support	On page 6, "active education about Project benefits" during the design phase (and each phase of the process) helps community members to understand what will be done in their neighborhoods and why they would want to support it and other projects like it as well as how the program functions. If community members have concerns or feedback as they learn about a project's benefits in the planning and design phases, project proponents are able to proactively address those concerns early on. When community members see project proponents transparently address their concerns, community trust grows and it is more likely that community members will have a consistent, vested interest beyond the project's completion. TNC commends the Safe Clean Water Program for including the "Good, Better, Best" chart on pages 8 and 9 that outline best practices to encourage robust community engagement.	Concurrence with "good, better, best" table	link
60	3/25/2022	Shona Ganguly Associate Director	TNC	Water Supply Guidance	Stormwater that is treated and infiltrated or captured should be considered a water supply benefit as the interim guidance states.	Concurrence with guidance language cited in the comment	link
61	3/25/2022	Shona Ganguly Associate Director	TNC	Water Supply Guidance	TNC recommends that the interim guidance be amended to state that activities which result in Water Supply Benefits in the SCWP include directing or diverting water to soils or shallow groundwater where they sustain or augment the needs of the native plants and animals in inland and freshwater ecosystems.	Include environmental water as a water supply benefit	link
62	3/25/2022	Shona Ganguly Associate Director	TNC	Programming of Nature Based Solutions	TNC continues to strongly suggest that the definition of Nature-Based Solutions (NBS) be separated from nature mimicking processes as defined on page 23. Further, vegetated NBS should be prioritized as they provide the most co-benefits, most notably for climate resilience and communities.	Separate definitions are needed to further differentiate Nature-Based Solutions from Nature-Mimicking Solutions and vegetated NBS should be prioritized	link
63	3/25/2022	Shona Ganguly Associate Director	TNC	Programming of Nature Based Solutions	TNC appreciates that the Guidance includes strategies to help WASCs assess projects for NBS and to ensure they are prioritized. However, stronger tools are needed to assist in this process.	Stronger tools to help WASCs assess projects for NBS	link
64	3/25/2022	Shona Ganguly Associate Director	TNC	Programming of Nature Based Solutions	The chart on page 24 is useful to illustrate the different types of NBS that can be used to meet various needs or desired outcomes and how they can provide multiple benefits.	Concurrence with guidance language cited in the comment	link
65	3/25/2022	Shona Ganguly Associate Director	TNC	Programming of Nature Based Solutions	TNC supports project proponents and evaluators asking whether natural processes can be used to address watershed needs and deliver SCWP benefits on page 25.	Concurrence with guidance language cited in the comment	link
66	3/25/2022	Shona Ganguly Associate Director	TNC	Programming of Nature Based Solutions	It is crucial to acknowledge and understand the link between watershed and community needs referenced on page 26 as often Nature-Based Solutions provide community benefits.	Concurrence with guidance language cited in the comment	link
67	3/25/2022	Shona Ganguly Associate Director	TNC	Programming of Nature Based Solutions	Resources for native and climate-appropriate vegetation on page 30 should be referenced by all project proponents to ensure that diverse plant palettes are included in the project application/plan. This will promote a diversity of species on each site.	Resources for native and climate-appropriate vegetation should be referenced by all project proponents	link
68	3/25/2022	Shona Ganguly Associate Director	TNC	Programming of Nature Based Solutions	It would be helpful to have more specificity and detail in the applications about which type of NBS will be used, which plants have been chosen, and if they are not native or climate-appropriate, why those plants were chosen instead.	More specificity and detail in the applications about NBS	link
69	3/25/2022	Shona Ganguly Associate Director	TNC	Programming of Nature Based Solutions	It is also critical to not give NBS points when projects are just replacing the vegetation that already exists on site. There should be net positive vegetation/plants/trees.	There should be net positive vegetation/plants/trees to receive NBS points	link

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70	3/25/2022	Shona Ganguly Associate Director	TNC	Programming of Nature Based Solutions	TNC commends the Safe Clean Water Program for including the “Good, Better, Best” charts and clarifying notes from page 37 to 42 that outline best practices for climate-appropriate and native vegetation, permeability, protection of undeveloped mountains and floodplains, creation and restoration of riparian habitat and wetlands, new landscape elements, and healthy soil. However, “eco-friendly” is a confusing term on page 37 for vegetation. Climate-appropriate or native should be sufficient descriptors, so we recommend removing “eco-friendly.” Also, the description of creating open space that includes preservation of native vegetation and creation of open green space using climate-appropriate and native vegetation on page 39 should be reflected in the “Best” box. In particular, it should be clear for project proponents and the committees that native vegetation qualifies as a best practice for NBS across the board.	Revise NBS table	link
71	3/25/2022	Shona Ganguly Associate Director	TNC	Implementing Disadvantaged Community Policies in the Regional Program	Delivering direct DAC benefits within low-income neighborhoods that have faced historic and ongoing disinvestments is essential. Currently, there is no clear guidance regarding how to assess “direct benefits.” Using a sphere of influence for different project types could be a more effective way to ascertain whether benefits are accruing to DACs. This deserves more study and investigation and TNC hopes that the Metrics and Monitoring Study will do a deeper dive into this topic.	Use sphere of influence for evaluating DAC benefits	link
72	3/25/2022	Shona Ganguly Associate Director	TNC	Implementing Disadvantaged Community Policies in the Regional Program	Addressing poor water quality, urban heat, air quality, lack of park and open space access, safe recreation, and community voices in project processes should be considered in this section. Vegetated NBS should be prioritized as they provide the most direct benefits for DACs, such as improving public health, water, air, and access to nature.	Addressing poor water quality, urban heat, air quality, lack of park and open space access, safe recreation, and community voices in project processes should be considered in this section. Vegetated NBS should be prioritized.	link
73	3/25/2022	Shona Ganguly Associate Director	TNC	Overall (ARLA)	TNC supports and endorses the recommendations submitted by the Accelerate Resilience LA (ARLA) SCWP Working Group and the OurWaterLA Coalition	ARLA endorsement	link
74	3/25/2022		WHAM Coalition	Strengthening Community Engagement and Support	Scoring criteria should reflect in a more meaningful way the importance of community engagement and project prioritization. Currently, there are very few points for engagement and the points aren’t related to a clear demonstration of engagement	Scoring criteria to reflect importance of community engagement and project prioritization	link
75	3/25/2022		WHAM Coalition	Strengthening Community Engagement and Support	The engagement level chart is vague and makes it hard for applicants to understand the types of engagement that is expected of them. It also makes it hard to review and assign points for engagement. The “good” category fails to identify what the inform and consult activities look like (same for the other categories). It leaves a lot of room for interpretation by the applicants and reviewers. For instance, one of the examples in the table is “transparent responses to community comments”. This should be an overall principle for all engagement that occurs regardless of the type of engagement activity. Also, what about translation, childcare, food along with selecting a convenient meeting time, etc. Please provide more specifics to make requirements clearer for both the scoring committee, project applications, and evaluators.	More specifics to make "good, better, best" table for engagement requirements clearer for scoring committee, project applications, and evaluators	link
76	3/25/2022		WHAM Coalition	Strengthening Community Engagement and Support	Finally, an overarching concern about the accessibility of the program/equity focus is the fact that millions of dollars have already been committed and the engagement criteria are just getting defined which makes the engagement feel like an afterthought. We hope that future interim guidance will provide specific focus on proactive equity and engagement, perhaps based on the forthcoming UCLA and district studies mentioned.	Future interim guidance should provide specific focus on proactive equity and engagement	link
77	3/25/2022		WHAM Coalition	Strengthening Community Engagement and Support	We support making community engagement a requirement of the SCWP application. If an applicant does not complete any community engagement, their application should be considered incomplete and should not be eligible for scoring. This would ensure that all projects conduct some minimum level of community engagement to qualify for SCWP funds.	Minimum level of community engagement to qualify for SCWP funds	link
78	3/25/2022		WHAM Coalition	Strengthening Community Engagement and Support	The guidance language only "encourages" applicants to seek input from the Watershed Coordinator. Please describe why working with the watershed coordinator is not required and how applicants who do get input from the watershed coordinator will be scored or evaluated differently from those who do not.	Describe why working with the watershed coordinator is not required and how applicants who do get input from the watershed coordinator will be scored or evaluated differently from those who do not	link
79	3/25/2022		WHAM Coalition	Strengthening Community Engagement and Support	For the examples box please include, at minimum, the dollar amount budget for the Urban Orchard project to help applicants understand the scale of the project. Please provide additional information for this example describing how the project went through the scoring criteria (or proposed changes). Please include the scoring as an appendix or link directly in the document if it is already publicly available. (pg 7)	Provide additional information for Urban Orchard Project example	link
80	3/25/2022		WHAM Coalition	Strengthening Community Engagement and Support	There is a discussion of volunteerism and workforce development in a single sentence. Please separate these two concepts and provide specific guidance on how these would be scored.	Separate discussion of volunteerism and workforce development and provide guidance on how these would be scored	link

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81	3/25/2022		WHAM Coalition	Strengthening Community Engagement and Support	We applaud the inclusion of Table 2. Best practices for conducting outreach and engagement in the document. However, there is still ambiguity regarding when each of the three categories would be required and what associated points would be awarded for each. See the ISI/Envision LD1.3 information included in this guidance (p.12) for an example of clear and effective ways to communicate requirements and associated points for community engagement across a spectrum.	Still ambiguity regarding when each of the "good, better best" engagement categories would be required and associated points awarded for each	link
82	3/25/2022		WHAM Coalition	Strengthening Community Engagement and Support	We request that outreach budgets from previously awarded projects be made publicly available to inform new applicants of what was previously approved. We also request that these documents be provided in a standalone and easy to find location to reduce burdens on applicants looking for these documents.	Outreach budgets should be publicly available as a standalone document to inform new applicants	link
83	3/25/2022		WHAM Coalition	Programming of Nature Based Solutions	Integration Across WHAM: Establish processes to collaborate early with other funding programs to evaluate opportunities and maximize Nature-Based Solutions that may achieve multi-sector benefits in addition to SCWP objectives.	Establish processes to collaborate early with other funding programs to evaluate opportunities and maximize NBS	link