

March 14, 2022 3:00 PM – 5:00 PM WebEx Meeting

#### Committee Members Present:

Bruce Reznik, LA Waterkeeper (Nature-Based Solutions/Water Supply), Chair Dave Sorem, Mike Bubalo Construction Co., Inc (Water Quality)
Kirsten Schwarz, UCLA (Water Quality/Community Investments/Nature-Based Solutions)
David Diaz, Active SGV (Community Investments)
Matt Stone, Santa Clarita Valley Water Agency (Water Supply)
TJ Moon, LA County Public Works (Water Quality), Vice Chair – joined at 4 p.m.

See attached sign-in sheet for full list of attendees.

#### 1. Welcome and Introductions

Los Angeles County Flood Control District (District) staff conducted a brief tutorial on WebEx. Bruce Reznik, Chair of the Scoring Committee, welcomed Committee Members and called the meeting to order. All Committee Members made self-introductions and a quorum was established.

#### 2. Approval of Meeting Minutes from February 1, 2022

District staff presented the meeting minutes from the previous meeting. A motion to approve the meeting minutes was voiced by Member Dave Sorem and was seconded by Member Matt Stone. The Committee voted to approve the February 1, 2022 meeting minutes (approved, see vote tracking sheet).

#### 3. Committee Member and District Updates

District staff provided an update:

- On March 1, 2022, the Board of Supervisors voted to continue meeting virtually, acting under the
  authority of Assembly Bill 361 which authorizes public committees to meet without complying with
  all the teleconferencing requirements of the Brown Act. The Board is reviewing its position every
  30 days.
- A vaccination status request will be sent to committee members of the Safe, Clean Water Program (SCWP).
- Form 700 requests will be sent to Committee members. Please send those on time, to avoid late fees.
- For the Municipal Program, Annual Plans are due April 1 to the District. Municipalities are required to submit their Annual Plans to receive their allotted Municipal Program revenue. Municipalities that have not yet submitted their Annual Plan are requested to submitted them promptly.
- The SCWP Interim Guidance document is available for public review on the website. On March 14, 2022, the District extended the due date for comments to March 27, 2022. Details on how to provide comments were sent via email.
- The District-led Metrics and Monitoring Study is in progress. It includes a white paper on Disadvantaged Community Benefits. Workshops have begun, and a modelling effort will begin soon.

Chair Reznik requested District staff follow up with Committee members regarding missing form submissions. District staff clarified that they will send letters to Committee members if their vaccination status or Form 700 have not been submitted.



#### 4. Public Comment Period for Non-Agenda Items

Chair Reznik opened the floor for public comments.

There were no public comments.

#### 5. Discussion Items:

#### a) Ex Parte Communication Disclosure

Member Sorem met with Ralph Vartabedian, a Los Angeles Times reporter, who quoted Member Sorem in an article regarding the SCWP.

Member David Diaz met with Richard Watson and his colleague to discuss project opportunities in the Alhambra Watershed Area.

Chair Reznik also met with Ralph Vartabedian for the article referenced by Member Sorem.

Chair Reznik has been meeting with the Measures W, H, A, and M (WHAM) coalition and OurWaterLA to discuss feedback on SCWP Interim Guidance and project approvals.

Member Stone also met with Ralph Vartabedian for the article referenced by Member Sorem.

Member Stone reported to an elected board regarding his participation on the SCWP Scoring Committee.

#### b) Assessment of previous submissions

District staff provided an overview of the submitted Round 3 projects, as follows: 41 projects were submitted, 31 projects scored above the 60-point Threshold Score needed for advancement to the WASCs; resulting in a 71% pass rate. WASCs are currently reviewing the projects and programming their Stormwater Investment Plans. The 31 projects are requesting a combined total of \$244 million. Three projects are dry-weather projects, 28 projects are wet-weather projects. Four projects use bioretention BMPs, one project uses a cistern, ten projects use infiltration facilities, eight projects use infiltration wells, and eight projects use treatment facilities. The total drainage area captured by the proposed projects is 43,000 acres and the total 24-hour capacity gained is approximately 1,000 acre-feet.

Projects in Round 3 scored lower than projects from previous rounds. District Staff thinks this may be due to the Scoring Committee's more careful review of submitted projects.

The majority of project applications are from cities. Some applicants are schools. Only one non-municipal applicant submitted a project this round.

Chair Reznik expressed curiosity about how each WASC is doing. District staff reported that the Upper Los Angeles River WASC has consistently received the highest number of project applications, likely due to its larger area.

Chair Reznik commented that this past year, the SCWP received more projects from schools and suggested that more schools could be engaged and familiarized with the SCWP.

Member Sorem asked the District whether they could see which projects are being constructed. District Staff noted that previous conversations with Member Sorem resulted in suggestions to produce a spreadsheet. District staff will follow up with the Scoring Committee. District staff also



reminded the Scoring Committee that Quarterly Reports are required from project developers to collect more data on project statuses.

Chair Reznik mentioned that providing an overall update of the Quarterly Reports on a regular basis would be helpful, referencing the recent Los Angeles Times article.

Mike Antos (Stantec, Regional Coordination) commented that it may be useful to know how many project developers have gotten awards. Mr. Antos commented that it will be helpful to remember that the Regional Program accounts for half the resources available in the SCWP and there are other components of the SCWP (i.e., Municipal Program) that are also expending resources.

#### c) SCWP/Scoring Improvements (Application Process/Project Module and Scoring Criteria)

#### i) Summary of submitted comments and recommendations

Antos shared a presentation summarizing a memo that was shared with the Scoring Committee (refer to <u>Scoring Memo DRAFT</u>). The draft Scoring Memo was prepared from the observations compiled by Stantec during Scoring Committee meetings. The final memo will be submitted to the Scoring Committee.

Committee's ability to score based on the submittals.

Chair Reznik expressed concern about allowing applicants to change their application after submittal.

Member Sorem commented that a goal of the Scoring Committee is to help "get projects out" and clean stormwater. Member Sorem suggested there isn't an issue with making recommendations to project proponents on their applications, to help develop better engineering projects. Chair Reznik responded that pre-submittal workshops are the appropriate venue for the SCWP to provide clear direction to applicants on what is required for successful applications and ensure engineering details are thoroughly vetted prior to submitting projects.

Member Stone asked whether the flexibility is within the purview of the Scoring Committee. District Staff clarified that the decision to allow changes to submittals would fall under the District's purview. District staff would like to hear the Scoring Committee's perspective(s) on how flexible the Committee should be to allowing changes to submittals after the deadline. Mr. Antos noted that a helpful outcome of the meeting's discussion will be a better understanding of how supported the Committee feels on enforcing certain rules.

Member Stone suggested clarifying how the District deems a project application "complete." The SCWP may want to communicate that the application will be reviewed by the District first and if it is found to be incomplete, it will not go to the Scoring Committee. Member Sorem asked whether WASCs review applications prior to the Scoring Committee. Chair Reznik commented that the District already conducts a brief completion review, which is followed by the WASC's review and discussion of the applications.

Antos noted the Scoring Committee's role is to verify that the project proponent's assertions are correct by evaluating the project's self-score. The SCWP must clearly communicate how they plan to score the projects to the proponents.

Chair Reznik said projects tend to lose points on Water Quality Criteria because that's where most points are offered. When points are lost in the Water Quality Criteria, it is sometimes due to project proponents not strictly using the formulas on the application module.



Vice Chair TJ Moon joined the meeting. Vice Chair Moon commented that it is impossible to make a conclusive statement on project completion due to the variety of projects submitted and technologies proposed. It is inevitable that the Scoring Committee will need to ask follow-up questions from applicants, given the complexity of new information.

District staff clarified that the District does perform a completeness review of each application. District staff commented that project proponents should not modify their whole project based on questions asked by the Scoring Committee.

District staff noted that municipal letters of support are a requirement in the ordinance, but they are only required to be produced prior to execution of the Transfer Agreement. District staff said there are some parts of the application, like the municipal letters of support and the Flood Control District's conceptual approval, that would not affect the scoring of the projects. District staff noted this will be included in future guidance. Chair Reznik commented that this subject may fall under the purview of the Regional Oversight Committee.

Member Stone clarified that the Scoring Committee should not be reviewing applications that are not complete; the SCWP should make clear what the Scoring Committee scores. Member Stone commented that WASCs should also do a check for completion prior to sending projects to the Scoring Committee.

Mr. Antos summarized three interests discussed by the Scoring Committee: a stricter completeness check to filter which projects reach the Scoring Committee, mandatory participation in a preproposal workshop, and more rigorous scoring of projects that make incomplete submittals.

Member Stone noted an area of difficulty has been the differences between design-level and construction-level submittals. The Scoring Criteria doesn't accommodate the differing levels of information for each submittal type.

Member Schwarz commented that it would be helpful for District staff to point out what's been changed when projects come back for rescoring.

#### Projects designed to earn points.

Mr. Antos noted that the current scoring system encourages applicants to overdesign projects to receive Water Quality and Water Supply Benefits. Chair Reznik agreed and mentioned that members have previously suggested a scaled scoring system to reduce this effect. Vice Chair Moon elaborated that a scaling system could help applicants in all the categories, since applicants seem to be tweaking projects to meet the nearest threshold. Chair Reznik asked if the right course of action is to forward this feedback to the Metrics & Monitoring Study. Vice Chair Moon agreed and said a solution could be to use a scaled scoring system and cap the water quality storm (i.e., allow, at most, twice the capacity of the 85<sup>th</sup> percentile storm).

Member Schwarz commented that in addition to scoring, it may be helpful for the Committee to provide a summary of each project's strengths and weaknesses, to provide context. Chair Reznik agreed and suggested assigning the responsibility to the meeting notetakers.

Mr. Antos commented that it will be helpful to have the strengths and weaknesses formally summarized by the Scoring Committee in the meetings so that it can be captured in the notes.

#### Variation in infrastructure submittal types

Chair Reznik commented that a different Scoring Criteria should be developed for different submittal types, since various applications require varying sets of information. Member Moon noted



there seem to be three types of submittals: Concept Design, Construction, and Operation & Maintenance.

Member Schwarz said community engagement should be part of all three types, particularly the conceptual design stage. Operation & Maintenance project submittals can engage communities regarding improvements and perceptions of existing projects.

Chair Reznik commented that the Scoring Committee was challenged to decide what scope should be considered for when stormwater is only a component, rather than the whole, of a project.

#### Evaluating wet weather vs. dry weather focus

Mr. Antos noted that cost effectiveness appears to be more applicable to wet weather projects than dry weather projects. Vice Chair Moon elaborated that dry weather projects don't have a cost effectiveness criterion whereas wet weather projects do. Projects don't get docked for being expensive. Projects that are limited in space and unable to capture the full 85th percentile storm, but still capture as much as it can, cannot maximize their points. Vice Chair Moon suggested a scaled scoring system based on percentage capture to address this. Projects which fall between dry weather and wet weather due to their scale may be considered load reduction projects. Chair Reznik agreed and pointed out that certain projects with large drainage areas have difficulty gaining points despite capturing a high pollutant load.

#### Permutations of Water Supply Benefits

Chair Reznik commented that the Scoring Committee only asks for positive aspects of projects, not negatives, and perhaps this should be addressed through the Metrics & Monitoring Study. Watermasters can also help verify the Water Supply Benefits of projects.

Mr. Antos noted that the draft Interim Guidance signals that if the watermaster or groundwater manager confirms Water Supply Benefits, the Committees should take that as fact. There is currently a BMP evaluation study underway by the District and U.S. Bureau of Reclamation that may impact this discussion in the future. Additionally, the draft Interim Guidance also signals that water diverted from under-capacity sanitary sewers to recycling facilities can count as a Water Supply Benefit.

Member Stone commented that if Water Supply points are awarded to a project, the Water Supply Benefits should be verified and confirmed.

#### Nature-Based Solutions

Chair Reznik voiced his support for considering the percentage of impervious surfaces when scoring but observed that not many hardscapes have been removed through the SCWP since points aren't awarded for it. Chair Reznik would like to incentivize smaller community projects that remove hardscape. Member Schwarz agreed and suggested improving guidance on how to draw the boundary of the site and how to calculate the percentage of impervious surfaces to remove. Additionally, the questions regarding shade and trees are redundant. Requesting information about the number of trees removed or replaced should be formalized. Connectivity of community hubs is also an important benefit but is not formalized in the Scoring Criteria. Chair Reznik concluded that understanding the net impacts of the project would be helpful in making sure the benefits of the projects are considered, even though they are not accounted for in the Scoring Criteria.



#### Other Items

Chair Reznik agreed with drawing a hard line on awarding points for greening that occurs at actual schools rather than in areas around schools. Chair Reznik commented that addressing indirect displacement of communities would be helpful for projects.

Member Schwarz noted that the application mentions whether the projects are located in or near Disadvantaged Communities, but it is not clear how that information is considered. Also, the Committee has held repeated conversations on how job creation is scored, but those aspects are not clear in the Scoring Criteria and application.

Member Schwarz highlighted there have been calls for more information on community engagement efforts and statistical and demographic information about the communities impacted by projects. The application should more clearly ask projects to seriously consider their impacts on or in the community.

Chair Reznik pointed out that more metrics, more details, and fewer redundancies in the Community Investment Benefits Criteria would help to ensure projects deliver Community Investment Benefits. Chair Reznik commented that identifying exemplary applications for presentation during pre-submittal workshops will help applicants.

Chair Reznik suggested asking project applicants to list both the positive and negative climate impacts of projects (i.e., pumping) in the application.

Member Stone echoed the recommendation on reducing redundancy and increasing detail in the application.

#### 6. Public Comment Period for Agenda Items

There were no public comments.

#### 7. Voting Items:

There were no voting items.

#### 8. Items for Next Agenda

Chair Reznik offered to move the meeting to May. Upon consensus, Chair Reznik decided to cancel the April meeting. The next meeting will be Monday, May 9, 2022, 3:00 – 5:00 PM. See the SCWP website for meeting details.

Chair Reznik asked Mr. Antos whether the Final Scoring Memo will be available prior to the next meeting. Mr. Antos responded that the Memo will be made available prior to the next meeting.

#### 9. Adjournment

Chair Reznik thanked Committee members and District staff and adjourned the meeting.

SCORING COMMITTEE MEETING - March 14, 2022				
	Quorum Present		Voting Items	
Member Type	Member	Voting?	02/01 Meeting Minutes	
Water Supply	Matt Stone	х	Υ	
Water Quality / Community Investments Benefits / Nature-Based Solutions	Kirsten Schwarz	х	А	
Community Investments Benefits	David Diaz	х	Υ	
Nature-Based Solutions / Water Quality	Bruce Reznik	х	Υ	
Water Quality	Dave Sorem	х	Υ	
Water Quality	TJ Moon	х	Not Present	
Total Non-Vacant Seats	6	Yay (Y)	4	
Total Voting Members Present	6	Nay (N)	0	
		Abstain (A)	1	
		Total	5	
			Approved	

Other Attendees	
Brenda Ponton	
Brett Perry	
Brianne Logasa	
Christine McLeod	
LASAN and Env Le	
Lisa Skutecki	
Maggie Gardner	
Mariol Ibarra	
Michael Scaduto	
Mike	
Susie Santilena	
Thom Epps	
Wendy Dinh	
Cameron Castillo	
Conor Mossavi	
Nathan Schreiner	
da Meisami-Fard	
Mara Luevano	
Shahram Kharaghani	
Danielle Chupa	
Iohanna Chang	
City of LA Tabuena-Rudo	yb
Cordoba Corp. Chuba	
City of LA Gus Orozco	
Seth CARR	





To: Safe, Clean Water Program From: Mike Antos, Tori Klug

Stantec Consulting Inc.

January 18, 2022

300 North Lake Avenue 900 South Freemont Ave Alhambra, CA 91803

Date:

#400

Pasadena, CA 91101 File:

**Reference: Scoring Committee Systemic Comments** 

#### PURPOSE AND BACKGROUND

File Name

At the October 5, 2021 Scoring Committee meeting, Chair Bruce Reznik requested that note-takers keep a list of the items discussed regarding the Safe, Clean Water Program (SCWP) scoring system. The following memorandum includes a list of systemic updates discussed or mentioned during Scoring Committee meetings since August 2021.

#### COMMITTEE'S ABILITY TO SCORE BASED ON SUBMITTALS

The following comments reflect the Committee's understanding of how it seeks additional information when a submittal is insufficient to verify the score, and what can and cannot happen during the back-andforth with project proponents.

- December 9, 2021 The Scoring Committee can only ask for clarifying information when planning to rescore projects. They cannot give guidance for improving projects. Applicants cannot make revisions after submitting (District staff).
- December 9, 2021 For projects that are being rescored, funding requests cannot be changed from the original submittal (Vice Chair Moon).
- December 9, 2021 Points requested by the applicant cannot be increased due to an update in the project (comment by Vice Chair Moon, concurrence from Chair Reznik and District staff).

#### PROJECTS DESIGNED TO EARN POINTS

The following comments reflect the Committee's thinking about projects that they deem to be designed or documented in such a way to earn high numbers of points, rather than designed towards the technical merits of the potential project.

- October 19, 2021 Applicants are encouraged to focus on their presentations to the WASC, instead of focusing on raising their scores beyond 60 points, because it is not necessary to exceed the 60-point minimum (Chair Reznik).
- January 10, 2022 The Scoring Criteria encourages applicants to overbuild/overdesign projects to receive Water Quality and Water Supply benefits. (Chair Reznik).

Reference: Scoring Committee Systemic Comments

#### **VARIATION IN INFRASTRUCTURE SUBMITTAL TYPES**

The following comments reflect the Committee's thinking about how projects submitted for design funding only or a previously or concurrently implemented project seeking only O&M funding are difficult to evaluate alongside projects seeking design, implementation, and O&M funding.

- October 19, 2021 Projects submitting for only Operations and maintenance (O&M) funding should be evaluated with a separate rubric (comment by Chair Reznik, concurrence from Vice Chair Moon).
- October 19, 2021 Scoring should be based on O&M costs, rather than original project costs. Clearer direction needs to be provided. (Vice Chair Moon)
- October 19, 2021 [A] project [that is seeking only O&M funding] does not need to be modeled because it has already been constructed (Vice Chair Moon).
- January 10, 2022 Evaluation of the Water Quality and Water Supply scores will be / is more relaxed for projects seeking design-only funding (Member Matt Stone and Vice Chair Moon).
- January 10, 2022 Design-only projects should be assessed under a different Scoring Criteria (Chair Reznik).

#### **EVALUATING WET WEATHER VS. DRY WEATHER FOCUS**

The following comments reflect the Committee considering the issues around assessing a project as providing wet weather water quality benefits as opposed to dry weather water quality benefits.

- October 5, 2021 The Scoring Criteria does not factor the cost-effectiveness of dry weather projects (comment by Member David Sorem, concurrence by Vice Chair TJ Moon).
- October 19, 2021 Need clearer criteria to determine whether large drainage projects apply as wet weather or dry weather projects (Chair Reznik).

#### PERMUTATIONS OF WATER SUPPLY BENEFITS

The following comments reflect the Committee considering how water supply benefits can be assessed and considered for other-than infiltration to groundwater.

- October 5, 2021 A project's capacity to capture a large amount of water should not be held against applicants when a project is well-sited and has a good permeable surface (Vice Chair Moon).
- October 5, 2021 Need to determine how to assess the offsetting of existing potable water use while
  providing water for additional vegetation (although it is a valuable form of community investment)
  (Chair Reznik).
- October 19, 2021 Should offsetting new demand count towards a project's Water Supply Benefit?
   (Chair Reznik)
- October 19, 2021 Net Water Supply Benefits should be considered. For example, it should be
  assessed whether the project offsets an existing need or if it simply offsets needs generated by the
  project itself (i.e., through new plantings).

Reference: Scoring Committee Systemic Comments

 November 17, 2021- In regard to the Water Supply credit for partial infiltration and partial diversion to water recycling – the Committee should consider how diversion to recycling will augment water supply if capacity of treatment facilities is (currently) already fully accounted for (Chair Reznik).

#### **NATURE-BASED SOLUTIONS**

The following comments reflect the Committee considering the elements of Nature-Based Solutions.

- October 5, 2021 Applicants should be asked whether trees being removed will be replaced (Member Kristen Schwarz).
- October 5, 2021 Not enough points are awarded for connectivity between habitat patches or between community areas with open space (Chair Reznik and Member Schwarz).
- October 5, 2021 Generally disappointed by the amount of hardscape removed in projects across the SCWP (Chair Reznik).
- October 19, 2021 Points awarded for impervious surface removal should be based on actual square footage, rather than a percentage (Chair Reznik).
- October 19, 2021 For Nature-Based Solutions, the Scoring Criteria should consider the size of impermeable surface removed, rather than the percentage, because proponents limit project area to receive maximum impermeable surface reduction points (Chair Reznik).
- November 22, 2021 Why is the boundary for impervious surface counted toward the total benefit?

#### **OTHER ITEMS**

The following comments reflect other issues raised by members of the committee that were not similar to the categories identified above.

#### **Community Engagement**

 October 19, 2021 - The Community Engagement Assessment for developing projects should reflect what applicants have already done in addition to what they should plan to do if/when they receive SCWP funding.

#### School Greening Projects / Goal

 October 5, 2021 - A project that is adjacent to a school, rather than within a school, should not receive points for achieving school greening (Chair Reznik).

#### **Displacement**

October 5, 2021 - The Scoring Criteria does not address projects' impacts on displaced communities.

#### Infrastructure capacity

 January 10, 2022 - Los Angeles Sanitation requests that a sewer capacity study be a required component of the feasibility study (Member Stone). January 18, 2022 Safe, Clean Water Program Page 4 of 4

Reference: Scoring Committee Systemic Comments

#### Leverage Funding

• October 5, 2021 - The Scoring Criteria for Leveraging Funds points is too rigid. A project with 24.5% shouldn't get zero, while a project with 25% gets 3 (Member David Diaz).

#### **IDENTIFYING EXEMPLARS:**

The following are examples of the Committee members identifying an element of a project that has one or more elements that were exemplary.

- October 5, 2021 The project advisory committee that Amigos de los Rios assembled for the Jackson Elementary Project is a great example of community engagement prior to project submittal (Chair Reznik).
- October 5, 2021 Bilingual materials used for the Whitsett Fields Park North Stormwater Capture Project (Member Schwarz).

**Stantec Consulting Services Inc.** 

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## Scoring Committee Memo









## Staff Recommendation

- That the scoring committee receive this presentation and provide additional comments or correction that can be included into a final memo.
  - Final memo will be attached to a future scoring committee meeting agenda as a resource to project proponents and interested parties
  - Final memo will be provided by District Staff to the Metrics & Monitoring Study Team







## Scoring Committee Observations

- During program year three scoring evaluations, the scoring committee members requested focused notes on systemic observations during their work.
  - Note-takers captured comments in the meeting minutes
  - Regional Coordinators kept a separate running list.
- The memo is the product of reviewing the program year minutes and Regional Coordination notes.
- The memo is organized into themes that help summarize the committee's observations.







## **Summary Themes**

- Committee's ability to score based on the submittals
- Projects designed to earn points
- Variation in infrastructure submittal types
- Evaluating wet weather vs. dry weather focus
- Permutations of water supply benefits
- Nature bases solutions
- Other items
- Identifying exemplars







# Committee's ability to score based on the submittals

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- Should offsetting new demand count towards a project's Water Supply Benefit? (Chair Reznik)
- Net water supply benefits should be considered. For example, it should be assessed whether the project offsets an existing need or if it simply offsets needs generated by the project itself (i.e., through new plantings)
- In regard to the water supply credit for partial infiltration and partial diversion to water recycling – the Committee should consider how diversion to recycling will augment water supply if capacity of treatment facilities is (currently) already fully accounted for (Chair Reznik).







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- The Scoring system does not address projects' impacts on displaced communities.
- Los Angeles Sanitation requests that a sewer capacity study be a required component of the feasibility study (Member Stone).
- The criteria for Leveraging Funds points is too rigid. A project with 24.5% shouldn't get zero, while a project with 25% gets 3 (Member David Diaz).







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