



January 8, 2024

SCWP Regional Oversight Committee
Sent via email

RE: OWLA's SCWP Biennial Review Recommendations Public Comment

Chair Guerrero, Vice-Chair Faustinos & Committee Members,

On behalf of the OurWaterLA (OWLA) Coalition, the undersigned strongly urge the Regional Oversight Committee (ROC) to consider the following recommendations in their review of the biennial Safe Clean Water Program (SCWP) Progress Report.

We recognize that the Biennial Review is a living process that informs the ROC's work plan for the coming years and will be updated and adjusted over time. We believe, however, that after five years and more than \$1B invested to date, it is essential that this *first* Biennial Review Progress Report is as clear and robust as it can be so that it will provide guidance for adaptive management of the program that is needed to ensure taxpayer funds are being invested as effectively as possible, and so it can serve as a foundation for future biennial review processes.

We would like to see three things come out of this process:

1. specific changes to the SCWP that can quickly be made to improve the program,
2. a vision developed by the ROC and stakeholders that set clear goals and benchmarks for the program, and
3. strategic watershed planning around targets and projects that will help guide future investments so that the multiple goals of the SCWP are achieved as effectively, efficiently, and equitably as possible.

The ROC has indicated that they are committed to beginning a visioning process in the coming months and the Board of Supervisors have indicated their interest in watershed planning through Supervisor Horvath's motion "Accelerating Implementation of the Safe Clean Water Program" in July 2023. We know this is a huge lift and recommend that the ROC meet regularly and frequently to begin this process and leverage their collective expertise to establish a vision for the program. As the ROC begins this process, we recommend they use the Vision 2045 document (attached) developed by NRDC, Heal the Bay, and LA Waterkeeper as a starting point. OWLA is aligned with the vision laid out in the document. While the ROC (and ultimately the Board of Supervisors) are responsible for developing this vision and watershed-specific strategic plans, it is also imperative that the community is engaged in these efforts. OWLA and OWLA members, specifically, have invested significant time and resources into helping develop and implement the SCWP, assessing the successes and areas for improvement for the program, and identifying specific recommendations for how it can more effectively meet its myriad goals. This expertise and that of other community members should be utilized in this process.

Recommendations:

We have redlined the recommendations from the Progress Report draft below as well as included several recommendations that we believe are missing. We applaud the ROC for their work updating the previous draft and have used our redline to demonstrate places where we think they can add more detail. To provide additional context, we have included two of our public comment letters from earlier in the Biennial Review process.

1. Expedite watershed planning efforts, including consideration of previous and concurrent studies, working with Watershed Area Steering Committees (WASCs), regional agencies, and community groups related to watershed-specific priorities (to also help inform Municipal Program planning and tracking) by doing the following:
 - a. Obtain additional dedicated **staff** resources to provide proactive leadership and adaptive management of the SCWP and its numerous goals.
 - b. Conduct a strategic goal setting process to be completed with the Director of Public Works **and an advisory board of interested stakeholders including, but not limited to, watershed coordinators, CBOs/NGOs, and SCWP Committee representatives. The ROC, Director of Public Works, and advisory board shall leverage their collective expertise to establish a vision for the program, using "Vision 2045 Thriving in a Hotter and Drier LA County through Local Stormwater Capture and Pollutant Reduction" as a starting point.**
 - c. Establish watershed specific goals, objectives, metrics, and timelines, that would allow project applicants to focus on projects that would meet **the** goals and objectives of each watershed.
 - d. **Convene a panel of ROC members and outside experts to** ~~E~~ establish Water Quality quantitative goals and develop a plan with timelines to accomplish these goals. Ensuring that these goals and planning efforts are developed to build upon established regional water quality programs and projects (e.g. Municipal Separate ~~ion~~ Storm Sewer System (MS4) permit) and include characterization of upstream and downstream **program project** interactions.
 - e. Establish Community Investment Benefit quantitative goals, including the development of a plan **for the replacement of hardscape with new greenspace, an increase in tree canopy coverage, more school greening, and requiring that applicants must demonstrate community need for the project CIB via data and/or community needs assessment, with timelines to meet these needs goals.**
 - f. Set **an LA County** ~~region~~ wide water supply target of 300,000 acre-ft of additional storm water capture by 2045 **with consideration given to additional environmental use.** This acre-ft target deadline should be temporarily aligned with the 80% local water by 2045 target in LA County's OurCounty Sustainability Plan and draft LA County Water Plan.
 - g. ~~Clarify that claiming~~ **Clearly state that in order to claim** Water Supply Benefits ~~requires an applicant to~~ **applicants must** demonstrate that the storm water capture results in the creation of new water **(particularly through groundwater recharge) is "new" water and that** will be available for regional water supply.
 - h. Develop guidelines/criteria to incentivize large infrastructure projects and investments **through leveraged funding.**

- i. Develop guidelines/criteria to streamline applications for various stages of project development as well as various project sizes and types ranging from neighborhood to regional scale, specifically looking at distributed nature-based projects and those that use treatment trains sized projects and various stages of development.
 - j. Develop a financial plan that identifies resource needs to meet established goals including targets for leveraged funding and € create/strengthen collaborative planning and co-funding with other agencies/organizations to secure resources necessary for success to maximize the benefits to LA County.
 - k. ~~Coordinate between the Regional and Municipal programs to better meet established goals.~~ Ensure greater transparency of both the Regional and Municipal programs by building out the website dashboard to include monitoring of completed projects and metrics that summarize annual plan content (such as municipal expenditures of local returns and community engagement standards) and facilitate more coordination between the Regional and Municipal programs to maximize benefit of investments.
2. Establish quantitative goals for Disadvantaged Community investment benefits including calculating Disadvantaged Community Benefits based on proportionality for 110% determination with a requirement for applicants to demonstrate indirect displacement avoidance strategies, community engagement with a minimum requirement of “involve” based on the Spectrum of Community Engagement to Ownership, and workforce impacts. quantitative goals, and d-Develop a plan with timelines to meet these goals.
3. Make strategic investments in workforce development programs for skills related to SCWP programs and projects in the short and long term, and ensure workforce-related elements (including compliance with the County’s Community Workforce Agreement/Project Labor Agreement) are reflected in procedures, guidelines, application modules, and reports as appropriate.
4. Revise Regional Program quarterly reporting to twice yearly in conjunction with Project Modification Reports (Ordinance change, Board Approval)
5. Revise the process and timeline for the ROC to evaluate whether Program Goals are being accomplished at the Program and watershed levels per the Ordinance, including bringing Storm Water Investment Plans (SIPs) to the ROC as they are approved by the WASCs to allow for a more timely review and deliberation, and developing a dashboard to assess Program-wide benefits (Regional, Municipal, and District) over time.
6. Evaluate recommendations that will result from the in-process Metrics and Monitoring Study and recommend changes, if and when appropriate, to the procedures, guidelines, and scoring criteria currently used to manage the various goals/programs of the SCWP including clear metrics for Community Investment Benefits, community engagement with a minimum requirement of “involve” based on the Spectrum of Community Engagement

to Ownership, a scale dependent scoring rubric for hardscape removal, sliding scale nature-based solutions scoring that incorporates a metrics-based “good, better, best” framework, workforce impacts, a graduated sliding scale to award points for leveraged funding, full cost accounting, and other goal-specific considerations.

Bridging the Gap: Unrecognized OWLA Priorities in the Biennial Review

7. To ensure substantial engagement and consultation with local Tribes, the Los Angeles County government shall initiate government-to-government outreach. If tribal representation is available and interest is demonstrated, priority for committee participation will be accorded, along with appropriate compensation. Additionally, consideration may be given to adding an extra seat for tribal representation. The County should also lead with support of the Watershed Coordinators an effort to ensure local Tribal consultation on projects and project design and guidance to project proponents to identify tribes whose ancestral land their project may be located on.
8. Immediately roll out Community Engagement (March 2024 if not sooner), Education (June 2024 if not sooner), and Workforce Development (Dec 2024 if not sooner) programs.
9. Explore how smaller, more distributed community driven projects could effectively compete for funds, such as through a dedicated “small project fund” or providing clearer guidance on how projects can be bundled in an application.

Even with these recommendations laid out, there are several other components of the SCWP that should be more fully explored as part of the process over the next year, such as:

1. auditing the scientific studies portion of the program to understand how these funds are used and if such investments can be used more effectively (*note, we have seen a number of studies that seem to be being used to weaken water quality standards which is unacceptable*);
2. fully audit the current municipal program to understand how the funding over the past 5 years has been invested;
3. review program governance (including makeup of various committees) to ensure it is allowing the program to move forward effectively, efficiently, and equitably; and
4. assessing whether cost-effectiveness criteria of the current program is leading to the best possible projects (especially in light of dramatic cost increases) or if alternative methodologies such as those incorporating full-cost-accounting principles would be better.

Thank you for your consideration of these recommendations. Please let us know if you would like further explanation or context for any recommendation or have any questions. We look forward to continuing our engagement with this process to ensure a better water future for the region.

Sincerely,
OurWaterLA

OWLA Core Team (Heal the Bay, LAANE, LA Waterkeeper, Nature for All, Pacoima Beautiful, SCOPE, The Nature Conservancy and TreePeople)

CC: Ben Feldman (BOS District 1); Laura Muraida (BOS District 2); Aaron Ordower (BOS District 3); Daritza Gonzalez (BOS District 4); Roberto Alvarez (BOS District 5)

Attachments:

1. OWLA ROC Public Comment from 8/31/23
2. OWLA ROC Public Comment from 12/7/23
3. Vision 2045

OurWaterLA is a diverse coalition of community leaders and organizations from across Los Angeles County united to create a strong water future for Los Angeles. Our goal is to secure clean, safe, affordable and reliable water for drinking, recreation and commerce now and for the future. We have a deep commitment to uphold the trust that voters had in us when passing this measure and that projects which achieve Safe Clean Water Program objectives of water quality, water supply, nature-based solutions and community investments are prioritized.

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January 8, 2024

ELECTRONIC MAIL

Ms. Kristine Guerrero, Chair
Regional Oversight Committee
Los Angeles County Safe, Clean Water Program
% Los Angeles County Flood Control District
900 S. Fremont Avenue
11th Floor, PO Box 1460
Alhambra, CA 91802-1460

Dear Chair Guerrero:

**SUBJECT: CITY OF LOS ANGELES COMMENTS TO REGIONAL OVERSIGHT
COMMITTEE - SAFE, CLEAN WATER PROGRAM DRAFT BIENNIAL PROGRESS
REPORT**

Thank you for the opportunity to provide comments on the Safe, Clean Water Program (SCWP) Draft Biennial Progress Report (Report). The City of Los Angeles Sanitation and Environment (LASAN) appreciates the collaborative and focused effort of the Regional Oversight Committee (ROC) to refine and enhance the Draft Biennial Report previously issued for discussion purposes in October 2023.

LASAN thoroughly agrees with the observations and findings presented in the Biennial Report. The SCWP has been successfully launched and LASAN has been an active partner and supporter in its implementation. We are proud to have leaders from LASAN serving on Watershed Area Steering Committees (WASC) and the ROC, who are actively helping to shape and deliver this important Program.

However, as noted in the Biennial Report, now is the ideal time to transform the Program into a more forward-looking and proactive program. It is imperative that the SCWP is refined to consider watershed-specific needs, characteristics, and metrics. Each watershed has unique opportunities and constraints. An evaluation of watershed specific goals, objectives, metrics, and targets would allow project applicants to focus on projects that will meet the prioritized goals and objectives of each watershed and yield projects that are more likely to be successful and maximize Program benefits.

Once this fundamental transformation of the SCWP to a watershed-specific program is accomplished, solutions for many of the other findings in the Biennial Report will be more effectively achieved, including ensuring appropriate metrics and more inclusive community engagement efforts relevant to each watershed.

LASAN concurs with all of the recommendations presented in the Biennial Report and strongly urges that the recommendations be considered by the Board of Supervisors and the Los Angeles County Flood Control District (District). The recommendations reflect a thoughtful, proactive and strategic approach to enhancing and refocusing the SCWP to ensure the appropriate resources, guidelines, metrics, and watershed specific considerations are in place to meet the diverse needs of our region and provide for a truly multi-benefit approach to Program implementation. In order for the SCWP to fulfill its promises and objectives, the District must establish an expedited process to implement the recommendations.

While we support the recommendations in the Biennial Report, there are additional actions that should be considered to ensure the Regional Program is successful. As we shared in our August 2023 letter to the ROC, in an effort for the SCWP to realize its investments and commitment towards project implementation, it is important to recognize unique circumstances that have affected projects submitted during the early rounds of the Program. For example, Round 1 applicants faced a short two-month Call for Projects period (October 15 - December 15, 2019), which in hindsight affected the level of detail that would otherwise be needed to effectively determine project cost and schedule. Moreover, Projects submitted in Rounds 2 and 3 were packaged in the midst of a global pandemic, the economic impacts of which did not fully materialize until after these projects were approved for funding. The resulting economic factors (inflation and escalation) affecting many of our capital improvement projects today were not anticipated during these early rounds.

We encourage the ROC, WASCs and the District to take action and revise Regional Program reporting to occur biennially instead of the current quarterly requirement. It is also our hope that the new Project Modification Request (PMR) process will consider the unique issues resulting in cost and schedule impacts to approved projects from Rounds 1, 2 and 3 so that the benefits of these projects can be achieved.

The PMR process and upcoming FY 24/25 (Round 5) Stormwater Investment Plans provide the District and the WASCs the opportunity to provide applicants with flexibility in working through

these initial challenges from projects approved in early rounds. We support the proposal that applicants be given the opportunity to modify project scope elements (“descope”) and amend transfer agreements, especially if additional funding is not authorized. However, we oppose efforts that would require such projects, which were developed more than five years ago consistent with SCWP requirements and standards in effect at that time, to undergo rescoring and applying scoring to today’s market prices.

Infrastructure Project Scoring

On a separate but somewhat related matter, as the District and the ROC consider updated Scoring Criteria for several elements of the SCWP, LASAN wishes to reiterate our earlier Scoring Criteria recommendations provided in our August 2023 letter. Current scoring standards do not reflect appropriate standards for project cost, including escalation and contingency. We urge the District to address escalation on a programmatic scale. As discussed above, impacts of the current economic conditions have highlighted the fact that the cost estimates for some projects submitted to the Program in earlier rounds did not include adequate, if any, contingency and escalation allowances. To ensure that *all* cost estimates are as accurate and consistent as possible going forward, LASAN recommends that all cost estimates be required to include contingency and escalation allowances per industry / municipality standards, and that SCWP adopt minimum standards for these allowances.

The aforementioned economic conditions have resulted in the Scoring Standards A.1.1 (Water Quality Cost Effectiveness) and B1 (Water Supply Cost Effectiveness) becoming harder to package competitive projects. Both of these standards include construction costs in their calculations. As construction costs escalate, the capacity per million dollars of construction cost is decreasing and the life-cycle cost per acre-foot of water is increasing, both of which may lower the scores for the respective Scoring Criteria sections. Accordingly, LASAN recommends that the Scoring Standards for Sections A. 1.1 (Water Quality Cost Effectiveness) and B1 (Water Supply Cost Effectiveness) be adjusted annually based on the Engineering News Record (ENR) Construction Cost Index for the Los Angeles Region.

Workforce Development

While we recognize how far the Program has come in the past five years, one area where more progress is needed is on the goal of workforce development. We are pleased to see from the Draft Biennial Progress Report that the District is working on workforce training programs, and that the ROC is recommending the Board of Supervisors have the District make “strategic investments in workforce development programs for skills related to SCWP programs and projects in the short and long term, and ensure workforce-related elements are reflected in procedures guidelines, and reports as appropriate.” We are eager to see these efforts come to fruition. There are particular

areas of the Program that can benefit greatly from the development of the workforce. For instance, as projects come online, there will be a great need to find qualified professionals to perform the operation and maintenance (O&M) of SCW infrastructure. The City is committed to being a partner with the District in the progression of the workforce development component of the program. The City's existing efforts on workforce development, such as the Economic Workforce Development Department and its Business Source Centers, as well as our Targeted Local Hiring Program, may be great assets in this effort.

LASAN recently completed a Jobs Creation Report to quantify the jobs being generated as a result of LASAN's infrastructure projects being funded through the SCWP. Based on this analysis, the combined Regional and Municipal capital improvement programs (CIPs) to date have employment creation potential of 3,634 jobs from the planning and design stage through construction plus one year of O&M immediately following the completion of construction. Additionally, based on the estimated annual O&M and monitoring expenditures on the Regional and Municipal projects with a 3.5% annual escalation, it is estimated that these projects will support 61 jobs on an annual basis. With an initial expenditure of \$331.4 million, the Regional and Municipal CIP projects (with a continuing five-year O&M for all projects) have the potential to support 3,878 jobs, or 11.7 jobs (6.5 direct and 5.2 indirect and induced jobs) per \$1 million of expenditure. These results are generally in-line with the findings of previous water-related studies by the Economic Roundtable (6.6 direct and 6.5 indirect and induced jobs)¹ and the Metropolitan Water District (MWD) (6.3 direct and 5.3 indirect and induced jobs)² job creation reports.

Appendices

Appendix E discusses adaptive management of the SCWP and includes a helpful overview of progress to date. A key section of interest to LASAN in this appendix is the discussion regarding work that is anticipated to be initiated prior to the next Biennial Report. We urge the District to consider expediting the implementation of these adaptive management actions, as they are directly related to the Recommendations presented in the Biennial Report and are critical to improving the Program.

LASAN appreciates the opportunity to provide input and for your consideration of our recommendations. We look forward to continuing our engagement with the SCWP and the ROC to ensure the Program meets all of its objectives and brings the agencies closer to meeting their Total Maximum Daily Load (TMDL) compliance requirements. If you have any questions

¹ 2011, Economic Roundtable - A Nonprofit, Public Policy Research Organization based in Los Angeles
Water Use Efficiency and Jobs

² 2021, Metropolitan Water District (MWD), Regional Recycled Water Program (RRWP) Economic Impact Study

regarding our letter or wish to discuss further, please contact me at (213) 485-3981 or via email at Michael.Scaduto@lacity.org.

Sincerely,

Michael Scaduto Digitally signed by Michael Scaduto
Date: 2024.01.08 15:51:20-08'00'

Michael Scaduto, P.E., ENV SP
Principal Engineer
Safe Clean Water Implementation Division
LA Sanitation and Environment

CC: Belinda Faustinos, ROC Vice Chair
Lauren Akhaim, ROC Member
Liz Crosson, ROC Member
Maria Mehranian, ROC Member
Diana Tang, ROC Member
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January 8, 2024

Safe, Clean Water Program
Regional Oversight Committee

Sent via email to: SafeCleanWaterLA@pw.lacounty.gov

RE: ROC Biennial SCW Program Progress Report Public Comment

To Chair Guerrero, Vice Chair Faustinos, and Members of the Regional Oversight Committee:

Heal the Bay and Los Angeles Waterkeeper, and Natural Resources Defense Council are dedicated to protecting, enhancing, and restoring waters and aquatic ecosystems of Southern California. We would like to recognize that we are on unceded Indigenous land. The scope of our work takes place across the lands of coastal Indigenous Peoples and Native Nations of the Tongva, Chumash, Fernandeño Tataviam Band of Mission Indians, and Kizh Nation tribes.¹ We would like to acknowledge and pay our respects to elders past, present, and emerging, as they continue their stewardship of these lands and waters.

LA County's Safe, Clean Water Program (SCWP) is currently undergoing its first official assessment through the Biennial Review process, offering an opportunity to assess progress, reflect on the achievement of goals, and make recommendations. We celebrate the successes of the SCWP in its first four years, and yet there is so much more that is not only possible through this program, but also necessary to address the many challenges associated with climate change and aridification in Los Angeles. That is why Natural Resources Defense Council, Heal the Bay, and Los Angeles Waterkeeper developed "Vision 2045: Thriving in a Hotter and Drier LA County through Local Stormwater Capture and Pollutant Reduction" with bold goals, targets and recommendations for the SCWP on water supply, water quality, equity, science, finance, and policy (Attachment 1). This report was shared with Regional Oversight Committee (ROC) members in December 2023 via email, and top-level recommendations were shared at public comment at the December ROC meeting.

The ROC has indicated that they are committed to beginning a visioning process in the coming months, and the Board of Supervisors have indicated their interest in watershed planning through Supervisor Horvath's motion "Accelerating Implementation of the Safe Clean Water Program," approved in July 2023. We commend the County for their commitment to this critical work, and recommend that the ROC meet immediately and regularly to begin this process, and establish an advisory board to create a vision for the program, utilizing the goals and deadlines provided in "Vision 2045."

We request addition of the following language to Section 1.b. of the ROC's key recommendations (edits indicated in red font):

Conduct a strategic goal setting process to be completed **by June 30** with the Director of Public Works **and an advisory board made up of interested stakeholders including, but not limited to, watershed coordinators, CBOs/NGOs, and SCWP Committee representatives. The ROC, Director of Public Works, and advisory board shall leverage their collective expertise to establish a vision for the program, using the goals and deadlines provided in "Vision 2045: Thriving in a Hotter and Drier LA County through Local Stormwater Capture and Pollutant Reduction."**

¹ Native Lands Digital. 2023. <https://native-land.ca/>



Thank you for the opportunity to comment on the ROC Biennial SCW Program Progress Report. We look forward to continuing our collaborative work with Los Angeles County. If you have any questions concerning this comment letter, please contact Annelisa Moe via e-mail at amoe@healthebay.org, or by telephone at (310) 451-1500 X115.

Sincerely,

Mark Gold
Director of Water Scarcity Solutions
Natural Resources Defense Council²

Annelisa Ehret Moe
Associate Director, Science & Policy
Heal the Bay³

Bruce Reznik
Executive Director
LA Waterkeeper⁴

² NRDC works to safeguard the earth—its people, its plants and animals, and the natural systems on which all life depends.

³ Heal the Bay is a non-profit environmental organization with over 35 years of experience dedicated to making the coastal waters and watersheds of Greater Los Angeles safe, healthy, and clean. We use science, education, community action, and advocacy to fulfill our mission.

⁴ Los Angeles Waterkeeper is a non-profit organization with almost 30 years of experience serving as Los Angeles' water watchdog, safeguarding the region's inland and coastal waters using the law, science, and community action.

VISION 2045

**THRIVING IN A HOTTER AND DRIER LA COUNTY
THROUGH LOCAL STORMWATER CAPTURE AND
POLLUTANT REDUCTION**



VISION 2045

REPORT AUTHORS:

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ACRONYMS

AF	-	Acre-Feet
AFY	-	Acre-Feet per Year
ARLA	-	Accelerate Resilience LA
BMP	-	Best Management Practice
BoS	-	Los Angeles County Board of Supervisors
CBO	-	Community Based Organization
CIB	-	Community Investment Benefit
DAC	-	Disadvantaged Community
FCD	-	Flood Control District
K	-	Thousand
LA	-	Los Angeles
LID	-	Low Impact Development
M	-	Million
MS4	-	Municipal Separate Storm Sewer System
NGO	-	Non-Governmental Organization
NRDC	-	Natural Resources Defense Council
OWLA	-	OurWaterLA
ROC	-	Regional Oversight Committee
SCOPE	-	Strategic Concepts in Organizing and Policy Education
SCWP	-	The Safe, Clean Water Program
TMDL	-	Total Maximum Daily Load
USGS	-	United States Geological Survey
WASC	-	Watershed Area Steering Committee

EXECUTIVE SUMMARY

Los Angeles County residents passed a landmark funding measure in 2018 (Measure W), which imposed a parcel tax on impervious surfaces to fund stormwater projects to increase local water supply, improve water quality, and provide community benefits through the Safe, Clean Water Program (SCWP). With an annual budget of approximately \$280 million, the SCWP has the potential to transform how Los Angeles County manages stormwater, prioritizing climate resilience and community health and well-being. The SCWP is currently undergoing its first official assessment through the County's Biennial Review process, offering an opportunity to assess progress, reflect on the achievement of goals, set targets, and make recommendations.

Despite numerous successes, the SCWP must be bolder in its goals, targets, and timelines in order to accelerate the equitable transformation of LA County to greener, more local water self-sufficient and climate-prepared communities. With numerous water quality deadlines passed, an environment that is becoming hotter and less hospitable, and frontline communities bearing the brunt of the impacts, we must act now by setting ambitious yet realistic goals for the SCWP. Natural Resources Defense Council (NRDC), Heal the Bay, and Los Angeles Waterkeeper developed "Vision 2045" with bolder goals, targets and recommendations for the SCWP on water supply, water quality, equity, science, finance, and policy. Our top level goals, with additional recommendations detailed in the full report, include the following:

VISION 2045 GOAL SUMMARY

Water Supply Goal: 300K acre-feet-per-year (AFY) of new water will be captured and infiltrated from stormwater by 2045. An interim target of 100K AFY of new water will be met by 2030.

Water Quality Goal: All water quality standards and Total Maximum Daily Load (TMDL) requirements shall be met by no later than 2038. An interim target of a 50% reduction in water quality standards exceedances will be met by 2030.

- The County must conduct an assessment of the estimated benefits from Low Impact Development (LID) regulatory requirements of SCWP projects.



Uncaptured Stormwater can ferry thousands of pounds of trash through the Los Angeles Watersheds, and ultimately to local beaches and coastal waters.
Photo by: Heal the Bay

Equity Goal: To reduce the disproportionate pollution burden suffered in disadvantaged communities, the Safe, Clean Water Program will prioritize equity in all of its projects and programs.

- At a minimum, all SCWP projects must involve local communities and at least 10% of all funded projects in underserved communities must be led by community-based organizations (CBOs) or non-governmental organizations (NGOs), as primary or secondary applicants. 100% of projects within underserved communities must also include paid CBO engagement
- A SCWP outreach and engagement effort focusing on tribes should be developed and implemented in 2024.
- The SCWP workforce development program should be written and approved by June 2024 and implemented by early 2025. The Countywide community and K-12 education program should be developed and approved by June 2024 and implemented by early 2025 at the latest.

Community Investment Benefits & Greening Goal:

Replace 12,000 acres of impermeable area with new green space by 2045.

- All schools located in Disadvantaged Community (DAC) boundaries should become green, ‘cool schools’ by 2030. All LA County Schools should be green schools by 2045.
- The SCWP should develop and implement a K-12 education program in 2024 with a target of 10% of students receiving watershed education annually by 2026.

Science Goal: Create a Scientific Advisory Committee in 2024 to review research proposals, identify data gaps, and recommend funding to the Board of Supervisors (BoS).

Finance Goal: Develop a finance plan by the end of 2024 with strategies on increasing matching funds and approaches to enable larger, more impactful project funding.

Policy Goal: Utilize SCWP and County expertise to recommend policies that will accelerate the County’s transformation to a mosaic of healthier, more resilient, water-self-sufficient communities.

Watershed Specific Prioritization Goal: By 2025, Watershed Area Steering Committees (WASCs) should develop and recommend for BoS approval comprehensive multi-benefit watershed management plans that go beyond water quality and water supply to include equity, open space, flood control, cooling, climate resilience, and other benefits.



Elmer Avenue Neighborhood Retrofit: green alley with permeable pavement, climate-appropriate vegetation, and infiltration galleries. Photo by: Heal the Bay.

Through the Biennial Review process, we urge community members to call for decision-makers to adopt and implement our Vision 2045, which will equitably transform Los Angeles County into a more climate-resilient region with rivers, streams, lakes, and coastal waters that are safe for people and wildlife.

INTRODUCTION

VISION STATEMENT

The Safe, Clean Water Program (SCWP) will improve the quality of life for LA County residents by catalyzing the transformation of LA County and its 88 cities to greener, more climate-prepared communities. A robust SCWP will help to achieve water quality standards that protect public health and aquatic life by capturing and using stormwater runoff, replenishing aquifers through stormwater infiltration, reducing water pollution, and providing community benefits, especially in underserved communities. These benefits include increased shade, flood control, recreational space, access to nature, and job opportunities for underserved community residents in the areas of stormwater education and nature-based solution installation and maintenance.

Vision 2045 provides recommended goals that will achieve our vision for the SCWP by 2045 with numerous milestones along the way. Numeric targets, actions, recommendations, and deadlines are provided for water supply, water quality, equity, science, finance, and policy to be achieved county-wide while taking into consideration watershed-specific priorities. The environmental group authors developed this vision through extensive discussions with SCWP committee members and stakeholders. Also, our targets and recommendations are meant to reflect and build on the extensive work by entities including [Accelerate Resilience LA \(ARLA\)](#) (1), [UCLA Luskin Center for Innovation](#) (2), [Strategic Concepts in Organizing and Policy Education \(SCOPE\)](#) (3), LA County [Office of Sustainability](#) (4), and [Department of Public Works](#) (5), and [LA Waterkeeper](#) (6) as well as the comprehensive comments provided by the [OurWaterLA Coalition \(OWLA\)](#) (7). And finally, NRDC, Heal the Bay, and the LA Waterkeeper acknowledge that all of these targets can not be achieved by the SCWP alone, and have therefore provided recommendations for financing and collaborative partnerships. We view the SCWP as the catalyst that can help transform the County into a greener, cleaner, more climate-resilient mosaic of diverse communities that approach local water self-sufficiency.



East Los Angeles Sustainable Medians Project: multi-benefit stormwater capture project offering flood protection, water quality improvements, recreational opportunities, increased shade, enhanced habitat, and more. Photos by: LA Waterkeeper.

VISION 2045 GOALS

WATER SUPPLY GOAL

300 thousand (K) acre-feet-per-year (AFY) of new water will be captured and infiltrated from stormwater by 2045. An interim target of 100K AFY of new water will be met by 2030.

LA County's annual supply of water is approximately 1.7 million (M) AFY, of which 55% is currently imported from the Colorado River, the Bay-Delta, and the Eastern Sierra. The largest source of local water supply in the LA County region is groundwater which makes up approximately one-third of County supplies, and recycled water makes up about ten percent of supplies (4). On average, LA County captures and infiltrates 154K AFY of stormwater (5). In the 2022-23 water year, and with the additional rainfall from Hurricane Hilary in August 2023, over 30 inches of rain fell in the Los Angeles area, resulting in significantly higher than average volume captured and infiltrated this year, nearly 500K AF in total (8,9). Yet each year, whether we have above or below-average rainfall, billions of gallons of stormwater flow over paved surfaces, through the storm drain system, and out to the ocean without the opportunity for infiltration because we do not yet have the infrastructure to capture all the rain that falls in a single rain event.

The Our County Sustainability Plan has a target of 80% local water supply by 2045, (4) while the City of LA has a target of 70% local water by 2035 (10). To meet these ambitious goals, LA County will have to increase local supplies by over 580K AFY through a combination of recycled water, stormwater capture, brackish groundwater desalination, pumping and treating contaminated groundwater, and better groundwater management, conservation, and efficiency. A target of an increase in stormwater capture and infiltration of 300K AFY, in addition to the current annual average of 154K AFY, can be achieved by 2045 through a combination of newly constructed regional projects, better use of existing regional infiltration projects, and parcel scale distributed capture and infiltration projects.

The water supply working group of the SCWP Regional Oversight Committee (ROC) recommended the same target of 300K new AFY by 2045 (11).

To determine progress toward the 300K AFY target, we need to come to a consensus on the definition of new water. In LA County's Water Plan, the County makes the assumption that 100% of stormwater infiltrated is available as water supply, when in fact, a significant fraction of infiltrated water doesn't reach producing aquifers. A definition of new stormwater infiltration as water supply could be the incremental volume of water in a producing groundwater basin in comparison to the groundwater volume before infiltration project implementation. Some factor, which needs to be determined as soon as possible by LA County, United States Geological Survey (USGS), local watermasters, academics, and others, should be applied to this volume. This definition makes sure that we don't double-count infiltrated stormwater in various parts of a watershed overlying a producing groundwater basin.

WATER QUALITY STANDARDS ATTAINMENT GOAL

All water quality standards and Total Maximum Daily Load (TMDL) requirements shall be met by no later than 2038.

The genesis of efforts like the Safe Clean Water Program (12), Proposition O (13), Measure V (14), and Measure CW (15) was to improve receiving water quality to protect public health and aquatic life. Funding from these measures should result in the attainment of receiving water quality standards. The end result should be beaches that are safe for recreation during dry weather and most rainy days; neighborhoods, rivers, lakes, and beaches that don't look like trash dumps before or after a rain; and streams, rivers, lakes, and coastal waters that are not toxic, and that do allow healthy aquatic ecosystems to thrive. To date, more than 30 years after the first LA County stormwater permit and more than 20 years after the effective date of the first TMDLs, far too many LA County waterways still pose health risks to people and aquatic life (Figure 1).

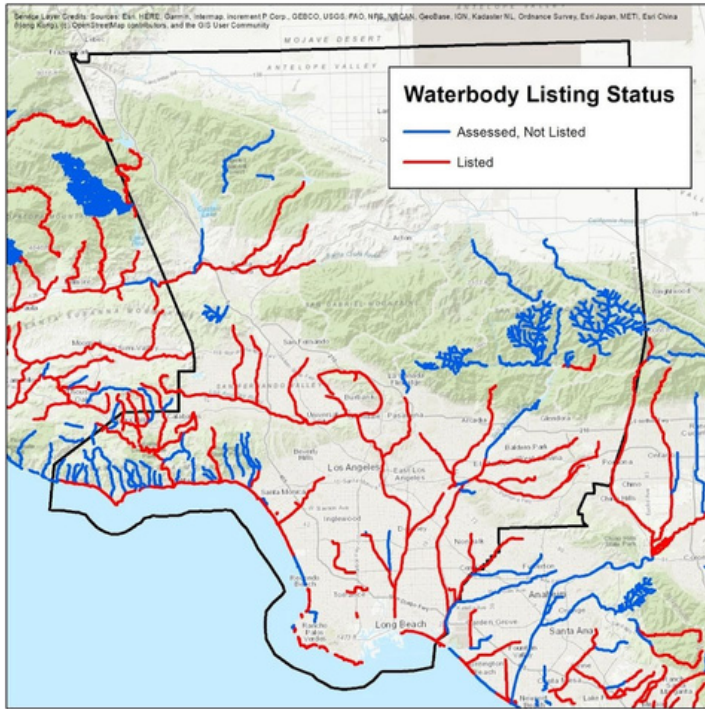


Figure 1: Graphic display of waterbodies assessed by the State Water Resources Control Board, including those placed on the 303(d) list of impaired waters, in the 2020-22 Proposed Final California Integrated Report. Waterways shown in red were assessed and designated as impaired, while those in blue were assessed and designated as unimpaired. Data available at: <https://gispublic.waterboards.ca.gov/portal/home/item.html?id=758240c6aaa84c579ddaf2944603c6cf>

There are 210 waterbodies in the Los Angeles Region that the California State Water Resources Control Board (State Board) has listed as impaired by pollutants. In total, over 1,300 impairments are listed in the Los Angeles Region by the State Board because each of these waterbodies are impaired by multiple pollutants such as bacteria, heavy metals, nutrients, pesticides, and trash (16). Unfortunately, little progress has been made to reduce urban runoff, which has long been considered the number one source of pollution in our surface waters (17). While water quality may be improving in some areas, it remains stagnant in many, and there is evidence that water quality may even be declining in some areas including Ballona Creek, the Upper LA River, and the Upper San Gabriel River Watersheds (18). However, the SCWP could lead to meaningful implementation of stormwater projects moving forward, significantly improving water quality throughout Los Angeles County, and protecting both public and environmental health, while also providing multiple additional benefits to Los Angeles communities.

All water quality standards and wet weather TMDL requirements must be met as soon as possible and no later than 2038 (Exhibit A). All TMDL requirements that have already passed or are coming up in the next year (trash, salts, algae, and dry weather fecal indicator bacteria) must be met as soon as possible, and by no later than 2026. As such, all beaches in LA County should receive “A” dry weather grades in Heal the Bay’s Beach Report Card by 2026. All metals TMDL requirements must be met by 2028; all nutrients, sediments, and toxics TMDL requirements must be met by 2033; and all wet weather bacteria TMDL requirements must be met by the final 2038 deadline, with all beaches receiving “A” or “B” wet weather grades for Heal the Bay’s Beach Report Card.

Water quality standards will be met through compliance with waste load allocations in TMDLs, and compliance with requirements under the Municipal Separate Storm Sewer System (MS4) Permit to capture and clean urban runoff. Given that polluted urban runoff is the number one source of pollution in our surface waters, the water supply goal discussed above to capture, treat, and reuse an additional 300K AFY of stormwater will result in dramatic improvements in water quality, if implemented in accordance with MS4 Permit requirements. As such, planning and implementation for projects to achieve water quality standards should be done in coordination with the Los Angeles Regional Water Quality Control Board and key stakeholders. These planning efforts must include final TMDL compliance by 2038, as well as an interim target of 50% reduction in water quality standards exceedances by 2030, providing an additional target to assess and incentivize progress towards water quality standards attainment.

To attain water quality standards in receiving waters, projects must be designed for pollution reduction and monitored for project efficacy during operations and maintenance. Recently, the ROC committed to creating a water quality working group to develop recommendations for how SCWP projects can better lead to receiving water quality standards attainment in a timely manner.

Existing and proposed projects funded by the SCWP must include an analysis of what portion of the associated waste load allocation reduction will be achieved as a result of project implementation. Then, ongoing monitoring must be conducted to ensure that pollutant removal performance during a storm season is equivalent to what was expected in structural best management practice (BMP) design. That means that a robust BMP efficacy monitoring program for new projects must be developed and implemented in 2024. Also, LA County, working with local cities, needs to assess water quality in each of the impaired water body segments on an annual basis, and that report should be made available to the public. A modification of the current county and municipal monitoring programs may be necessary to provide this important information. Data on the frequency and magnitude of exceedances is critical to assess progress toward water quality standards attainment. A Scientific Advisory Committee must be formed to review monitoring data, assess progress towards compliance, and provide recommendations to improve the monitoring approach, as needed.

An additional critical research need for water supply and water quality is an assessment of the estimated benefits from Low Impact Development (LID) regulatory requirements. To date, thousands of properties have met LID legal requirements, yet the water quality and supply benefits of LID have not been quantified countywide. This should occur every five years at a minimum and should be part of the SCWP biennial review.

EQUITY GOAL

In order to reduce the disproportionate pollution burden suffered in disadvantaged communities, the Safe, Clean Water Program will prioritize equity in all of its projects and programs.

An equitable SCWP will result in an increase in community-driven projects funded, meaningful community engagement, community-identified benefits being realized in underserved communities, community-based organization and non-governmental organization (CBO/NGO) compensation for participation, tribal representation with compensation for participation, and an expedited rollout of the long-awaited education and workforce development programs.

Community-Driven Process

To achieve community-driven projects that reflect community priorities, an equitable SCWP includes funding projects designed and constructed by CBOs/NGOs in underserved communities, and in direct coordination/consultation with communities. The SCWP must do substantially better in developing equity metrics for the success of community-driven projects. At a minimum, all SCWP projects must involve local communities and at least 10% of all funded projects in underserved communities must be led by CBOs or NGOs, as primary or secondary applicants. An equitable Program offers opportunities for all members of the public to engage and claim ownership of projects, and ensure substantial community benefits such as increased shade, flood control, recreation and education opportunities, and access to nature, particularly in underserved communities.

The SCWP should ensure that 100% of projects under consideration for funding have already conducted meaningful community engagement, and have a robust plan for community engagement for all stages of the projects. 100% of projects within underserved communities must also include paid CBO engagement. This recommendation is intended to connect qualified community engagement practitioners with project developers looking to truly understand and provide what the community wants and needs. Establishing a bench of CBOs/NGOs that can be contracted to do this engagement in collaboration with applicants would greatly increase the quality of community engagement across projects and result in more valued community benefits.

CBOs, like SCOPE, have advocated for the use of the Spectrum of Community Engagement to Ownership developed by Rosa Gonzalez (Figure 2) (19). The Spectrum outlines stances towards community with a scale of 1-5, spanning ignore = 0, inform = 1, consult = 2, involve = 3, collaborate = 4, and defer to = 5. LA County should assess SCWP project engagement using this spectrum, with a minimum score of 3 to qualify for funding.

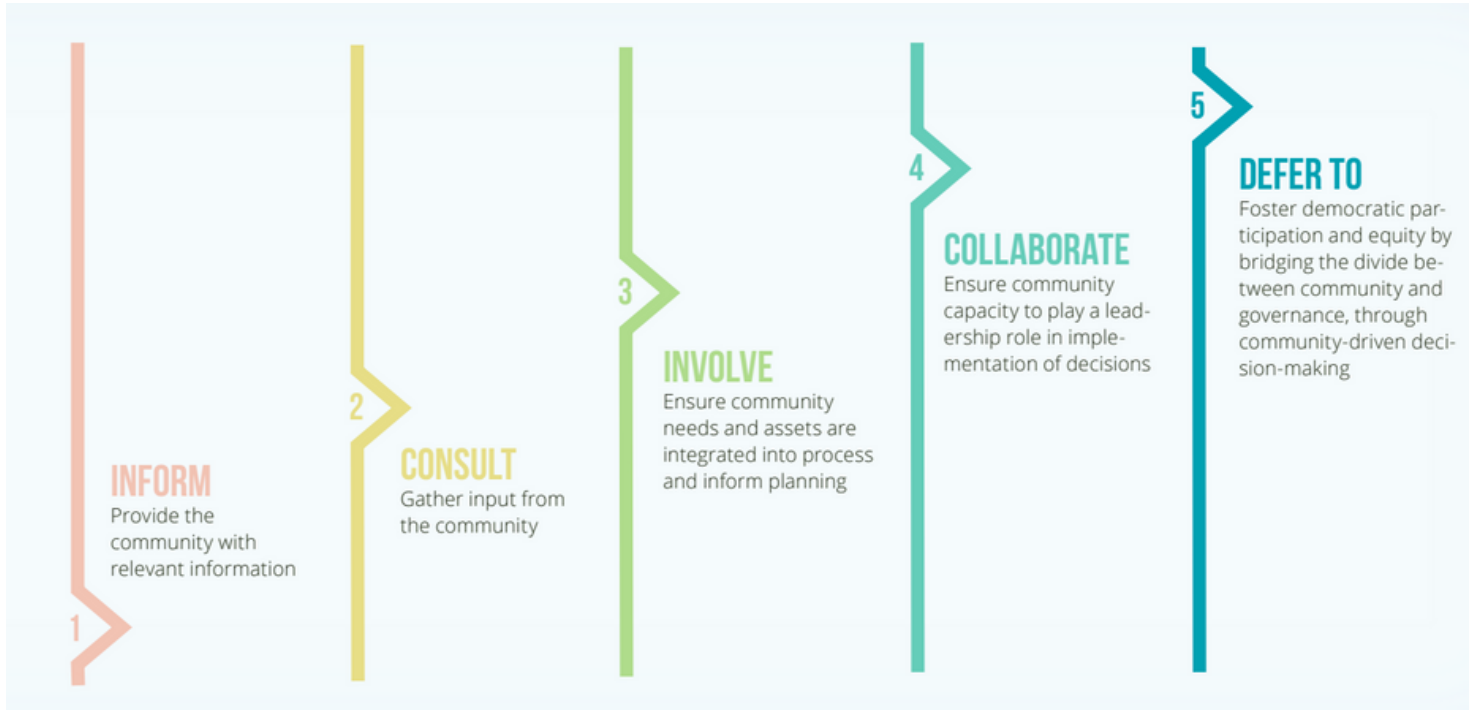


Figure 2: The Spectrum of Community Engagement to Ownership developed by Rosa Gonzalez of Facilitating Power.

At a minimum, all projects should involve the community with a preference for community collaboration or community-led projects and programs, especially in underserved communities. To include self-reported information on communities' stated priorities and needs in the decision-making process, and to identify clear goals and outcomes, the SCWP should develop an interactive vulnerability assessment map, informed by community input via a community survey tool, to be used to document needs and benefits from projects in different areas.

Tribal Representation

Additional efforts should be made to bolster tribal engagement/consultation, particularly for projects directly affecting tribal populations. To achieve meaningful engagement/consultation, when tribal representation is available and interest is demonstrated, then the opportunity to serve on committees shall be prioritized, and appropriate compensation provided for committee participation. Also, a SCWP outreach and engagement effort focusing on tribes should be developed and implemented in 2024 to ensure consultation on projects and project design, construction, and operation and maintenance.

Education Program and Workforce Development

To date, the County has reported nearly \$1 billion invested across the Regional, Municipal, and District Programs, including funding for 126 infrastructure projects at various stages from development to construction, and even operations and maintenance (20). Yet, the promised workforce development program that will provide engagement, education, and jobs for residents in low-income communities has not been implemented. With work opportunities already available for funded projects, the workforce development program should be written and approved by June 2024 and implemented by early 2025. As we enter the fifth year of funding for this program, an established education program, which includes a specific K-12 component, has not yet been implemented. The Countywide education and K-12 education program should be developed and approved by June 2024 and implemented by early 2025, at the latest.



Plymouth School Neighborhood Stormwater Capture Demonstration Project: community drive nature-based project with trees and pervious surfaces for infiltration. Photo by: Amigos De Los Rios.

COMMUNITY INVESTMENT BENEFITS & GREENING GOAL

Replace 12,000 acres of impermeable area with new green space by 2045.

Most of the community investment benefits (CIBs) outlined in the SCWP are best (and sometimes only) achieved by replacing hardscape with greenspace, as defined as natural areas of vegetation (not alternatives like astroturf or permeable pavement). Greenspaces with a diverse palette of native, climate-appropriate groundcover, shrubs, and trees can provide improved air quality, critical cooling for our hottest communities, flood control, recreational opportunities, carbon sequestration, and wildlife habitat, among other benefits.

The Safe Clean Water Program should support the creation of 12,000 acres of new green space to help get communities recognized with “very high” and “high” park needs (as identified in the [LA County Park Needs Assessment](#) (21)) up to the County average of 3.3 acres of parkland per 1,000 people, which is the goal established in the OurCounty Plan (4). Not all watershed areas have the same level of park need, and the County should identify priority greening locations in 2024. Such multi-benefit greening efforts should include parcel-based, neighborhood (new smaller parks, school greening), and larger regional (large parks, new spreading grounds with community/greening elements) scales. While the SCWP should not be the only funding source seeking to green LA’s communities, all greening efforts should incorporate stormwater capture, infiltration, and/or pollutant reduction elements. A multi-benefit approach makes this greening goal particularly ripe for cost-share from [Measure A](#) (parks) (22), [Measure M](#) (transportation) (23), and various state and federal climate-related funding opportunities.



Jackson Elementary School Campus Greening and Stormwater Quality Improvement Project: campus greening project before (left) and after (right) construction. Photo by: Amigos De Los Rios.

All schools located in Disadvantaged Community (DAC) boundaries should become green, cool schools by 2030. Every student has the right to learn in schools that are safe, and green, and provide healthy learning environments. Students should not have to exercise and learn on asphalt schoolyards that heat up to 140 degrees Fahrenheit or more, posing significant public health risks (24). Also, schools provide an extraordinary opportunity to capture and reuse or infiltrate stormwater on site without requiring the purchase of land. This cost-effective multi-benefit, nature-based school transformation results in improved public health; a greener, cooler, and safer school; access to nature on campus; reduction of pollutant loads from asphalt hardscapes; increased outdoor educational opportunities; better learning outcomes; and reduced potable water demand for irrigation.

Because of the myriad benefits, the County’s goal should be to green all schools throughout LA County, with greening being defined as 30% of the school having natural permeable cover (e.g., soils), with that 30% being located where students spend their time (such as playgrounds, not in the parking lot or perimeter of the school), and 50% of the school shaded by trees. Some schools and communities need greening more urgently, and by 2030, the SCWP should support the greening of all schools located within DAC boundaries and/or the 70th percentile or above pollution burden boundaries (as determined by the Office of Environmental Health Hazard Assessment’s [CalEnviroScreen 4.0](#)) (25). All LA County Schools should be green schools by 2045. Funding also should support green schools being accessible to the public during non-school hours. [Measure RR](#) (26), a potential 2024 statewide school bond, and federal climate programs all offer opportunities for leveraging SCWP funding to achieve desired results. Over the next six months, the County should assess how many schools need to be greened to meet interim and final goals (and set interim milestones) to more easily assess progress and ensure goals will be met. Also, the County should host a green school summit with Countywide school district leadership to develop a consensus on the quickest, most cost-effective, and public health protective approaches to meet the 2030 and 2045 targets.

VISION 2045

The SCWP should develop and implement a K-12 education program in 2024 with a target of 10% of students receiving watershed education annually by 2026. The K-12 aspect of the SCWP has been slow to be developed and implemented. Education of the approximately 1.3 million LA County K-12 students is imperative for efforts to generate watershed management and climate resilience support and future nature-based solution professionals (27).

SCIENCE GOAL

Create a Scientific Advisory Committee in 2024 to review research proposals, identify data gaps, and recommend funding to the Board of Supervisors (BoS).

LA County and its 88 cities are spending billions of dollars on multi-benefit projects to clean up our polluted waters and increase local water supplies. To spend those dollars strategically and better understand local water quality and supply issues, an independent scientific advisory committee should be formed with the following responsibilities: develop a SCWP research plan; with feedback from the BoS, ROC, and Watershed Area Steering Committees (WASCs), identify and prioritize critical questions that researchers can answer; identify critical data gaps; working with the county, initiate and implement a call for a research projects program to answer critical questions; and review proposals and provide funding recommendations to the WASCs and BoS for larger scale (bigger than a watershed) research as needed.



South Los Angeles Wetlands Park: constructed wetlands stormwater capture project offering water quality improvements, habitat, recreational and educational opportunities, carbon sequestration, and more. Photo by: Heal the Bay.

FINANCE GOAL

Develop a finance plan by the end of 2024.

Currently, the SCWP has largely been run as a pay-as-you-go program. This approach leads to the funding and construction of many small to medium-sized projects, but larger-scale projects don't have access to the magnitude of funding necessary to design and build. Also, the infrastructure needed to meet SCWP goals for water supply and water quality in a timely manner requires a much faster pace. The pay-as-you-go approach is not the only approach used for transportation, water supply, and wastewater treatment infrastructure projects in the county or state. The County needs to hire financial management experts to develop a finance plan that includes a diversified portfolio of large-scale project financing options such as bonds, loans, assessments, and other strategies. In addition, the finance plan should include estimates of matching funding needed to meet the targets in Vision 2045. The estimates should be updated as part of the biennial review process. The finance plan should be submitted to the ROC and the BoS. Also, by the end of 2024, the County needs to have one or more people assigned to writing grant applications for SCWP projects and programs and for developing collaborative partnerships to leverage and match funding.

Increase collaborative partnerships with Metro, Caltrans, LA Unified School District, and other school districts, businesses, and local, state, and federal agencies and leaders to better leverage SCWP project and program funding.

The SCWP generates over \$280M a year in funds, but the necessary transformation of LA County to healthier communities that protect watersheds, reduce stormwater pollution, and augment water supplies requires greater collaboration and funding from partnering sources. Local, state, and federal agencies have access to billions of dollars of funds that can be used in collaboration and partnership with SCWP funds.

VISION 2045

The County should develop a team that has the principal responsibilities to initiate and develop successful collaborative partnerships that can increase matching funds to a level of 1:1 or greater by 2025 with a longer-term goal of 2:1. A clear definition of matching funds should be developed by mid-2024. Also, the proposed collaboration team should work with Watershed Coordinators to connect non-SCWP funding options directly with SCWP project proponents.

The SCWP should provide transparency on how all \$280 million per year of funds are used.

Currently, the transparency for how projects are funded regionally through watersheds is excellent, but the allocation of 40% of the funds (\$112M/yr.) to municipal programs is a black box except for the recent addition on the SCWP website of municipally funded projects. The public has the right to know how our tax dollars are used and currently, that information is not readily available. For example, how much of the municipal funding goes to programs like street sweeping or catch basin cleaning? Has the SCWP funding been used to backfill funding for programs that existed long before Measure W passed? How have funds been used for community engagement, workforce development, and community benefits? In addition, the allocation of the \$28M (10%) for administration, research, workforce development, and education, also should be more transparent. As part of this, the Flood Control District (FCD) should establish a user-friendly public monitoring dashboard that includes information on each program as well as project-specific information such as what stage the project is (design, construction, completed).

POLICY GOAL

Utilize SCWP and County expertise to recommend policies that will accelerate the County's transformation to a mosaic of healthier, more resilient, water-self-sufficient communities.

Examples of potential policies that will accelerate progress with reasonable cost to local government include:

- Develop and approve a consistent and effective LID ordinance that is approved by all 88 cities and the County;
- Develop a policy that requires LID BMPs upon the sale of property;
- Modify turf removal/landscape transformation funding programs to require onsite stormwater retention or infiltration;
- Develop and approve an ordinance that requires LID BMPs for all transportation projects that cost more than \$2M;
- Require the most recent, relevant project labor agreements to apply to all projects over a cost of \$5 million;
- Develop and approve a stream and watershed protection ordinance for LA County that is adopted by all cities;
- The ROC should work with the County to assess the consistency of the SCWP with the Our County Sustainability Plan and the County Water Plan;
- And, the ROC should work with the County to develop SCWP goals, targets, and deadlines in 2024.



Mayor Eric Garcetti and the OurWaterLA Coalition take a stand at the YES On Measure W Rally. Photo by: OurWaterLA

WATERSHED-SPECIFIC PRIORITIZATION GOAL

While setting clear targets is critical to ensure the SCWP achieves its lofty goals, it is also vital that we prioritize where various investments should be made.

Not all watersheds or communities are alike. Some communities are particularly valuable for water supply enhancements, or have a much higher need for greening, while other areas face particularly daunting water quality needs. The one-size-fits-all scoring criteria have not worked well to recognize the specific needs of each WASC area. By 2025, WASCs should develop and recommend for BoS approval comprehensive multi-benefit watershed management plans that go beyond water quality and water supply to include equity, open space, flood control, cooling, climate resilience, and other benefits. This recommendation is consistent with the draft California Water Plan Update's Watershed Resiliency Vision (28). A robust watershed assessment should be undertaken to identify more precisely what types of investments should be made where. Such an assessment should include existing data (e.g. heat maps, CalEnviroScreen, Park Needs Assessment) as well as relevant community needs assessments and the multi-benefit watershed management plans recommended above.

Site-specific issues that need to be considered for more effective use of SCWP funds include the following:

- For water supply, the eastern San Fernando Valley portion of the upper LA River watershed and the upper San Gabriel River are excellent locations for stormwater recharge of groundwater basins. Portions of the Rio Hondo watershed are good for recharge as well, while the north Santa Monica Bay watershed is poor for stormwater infiltration projects.

- For water quality, all watersheds have impaired water body segments, but water quality is particularly poor for toxic pollutants in the lower LA River watershed, the Dominguez Channel portion of the south Santa Monica Bay watershed, the lower San Gabriel River watershed, and the Ballona Creek portion of the central Santa Monica Bay watershed. Constituents like fecal bacteria and trash are prevalent in all county watersheds, with nutrient pollution as a significant problem in the north Santa Monica Bay and Santa Clara River watersheds.
- For equity issues, the lower LA River, Dominguez Channel watershed section of the south Santa Monica Bay, the eastern and southern sections of the central Santa Monica Bay watershed, and significant sections of the upper and lower San Gabriel River and upper LA River watersheds all have high percentages of low-income communities and score high on CalEnviroScreen 4.0. Community benefits, workforce development, projects led or partnered with CBOs, and community engagement are especially important in these frontline communities.

A vision document with countywide and watershed-specific goals, metrics, milestones and deadlines for the SCWP (based on robust watershed planning principles) is aligned with many of the ROC members' testimony at their October 2023 meeting, and with many outside groups including NGOs, municipalities and business community representatives, as well as the motion put forth by Supervisor Horvath and approved by the full BoS earlier this year (29). The FCD should work with the Chief Sustainability Officer to lead this effort, with engagement by the ROC, each WASC (including their Watershed Coordinators), key stakeholders, and potentially outside experts to develop such a strategic plan by June 30, 2024.



Adventure Park Multi Benefit Stormwater Capture Project: stormwater capture project with an infiltration gallery, funded by the Safe, Clean Water Program. The project is shown here under construction (far left and far right), and ensuring proper tree protection (center). Photos by: Heal the Bay.

CONCLUSION

Full implementation of the Vision 2045 document will equitably transform Los Angeles County into a more climate-resilient region with rivers, streams, lakes, and coastal waters that are safe for people and marine life. The SCWP is the catalyst to make this transformation happen quickly, effectively, and equitably. Integration of the SCWP, the County Water Plan, the OurCounty Plan, and Vision 2045 will provide the pathway towards water self-sufficiency while providing multiple benefits ranging from recreation, to habitat and flood control, to neighborhood cooling and improved public health. Equity will drive every component of this effort resulting in extensive education and engagement programs, green jobs, and workforce development in communities that have long suffered disproportionate environmental impacts. NRDC, Heal the Bay, and the LA Waterkeeper strongly urge LA County to adopt and implement the Vision 2045 recommendations as soon as possible. We look forward to working closely with decision makers and communities across the County to make this vision a reality.



Ladera Park Stormwater Improvements Project: multi-benefit stormwater capture project offering improved water quality, onsite use and infiltration of stormwater, enhanced recreational and educational opportunities, and more. Photo by: Heal the Bay.

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EXHIBIT A: TMDLs Effective in the Los Angeles Region

Waterbody	Pollutant	Effective Date	Final Deadline
Ventura River Estuary, Reaches 1-4, San Antonio Creek and Canada Larga	Algae	28 Jun 2013	28 Jun 2023
Ballona Creek, Ballona Estuary, and Sepulveda Channel	Bacteria	27 Apr 2007	15 Jul 2021
Los Angeles River	Bacteria	23 Mar 2012	23 Mar 2037
Inner Cabrillo Beach, Los Angeles Harbor Main Ship Channel	Bacteria	10 Mar 2005	10 Mar 2010
Marina del Rey Back Basins and Mothers' Beach	Bacteria	18 Mar 2004	15 Jul 2021
Malibu Lagoon, Malibu Creek and tributaries	Bacteria	24 Jan 2006	15 Jul 2021
Santa Monica Bay Beaches	Bacteria	15 Jul 2003	15 Jul 2021
Santa Monica Bay Beaches	Bacteria	15 Jul 2003	15 Jul 2009
Santa Clara River Estuary, Reaches 3,5,6 and 7	Bacteria	21 Mar 2012	21 Mar 2029
San Gabriel River, Estuary, and Tributaries	Bacteria	14 Jun 2016	14 Jun 2036
Kiddie Beach and Hobie Beach	Bacteria	18 Dec 2008	18 Dec 2018
Long Beach City Beaches, Los Angeles River Estuary	Bacteria	26 Mar 2012	TBD
Santa Clara River Reach 3	Chloride	18 Jun 2003	TBD
Calleguas Creek, Mugu Lagoon, & tributaries	Metals	27 Mar 2007	27 Mar 2022
Los Angeles River & Tributaries	Metals	29 Oct 2008	11 Jan 2028
San Gabriel River & Tributaries	Metals	26 Mar 2007	30 Sep 2026
Ballona Creek	Metals	29 Oct 2008	11 Jan 2021
Los Cerritos Channel	Metals	17 Mar 2010	30 Sep 2026
Santa Clara River	Nutrients	23 Mar 2004	23 Mar 2012

Elizabeth Lake & Lake Hughes	Nutrients	27 Jun 2017	26 Jun 2032
Munz Lake	Nutrients	27 Jun 2017	27 Jun 2031
Calleguas Creek, Mugu Lagoon	Nutrients	16 Jul 2003	16 Jul 2009
Machado Lake	Nutrients	11 Mar 2009	11 Mar 2017
Los Angeles River & Tributaries	Nutrients	23 Mar 2004	23 Mar 2008
Malibu Lagoon, Malibu Creek, and tributaries	Nutrients	21 Mar 2003	15 Nov 2030
Santa Clara River Reach 5 and 6	Salts	4 May 2005	4 May 2016
Calleguas Creek	Salts	2 Dec 2008	2 Dec 2023
Ballona Creek Wetlands	Sediment and Invasive Exotic Vegetation	26 Mar 2012	TBD
Malibu Creek and Lagoon	Sedimentation and Nutrients	2 Jul 2013	16 May 2032
Calleguas Creek, Mugu Lagoon, and Tributaries	Toxicity	24 Mar 2006	24 Mar 2016
Ballona Creek Estuary	Toxics	11 Jan 2006	11 Jan 2025
Marina del Rey Harbor	Toxics	22 Mar 2006	22 Mar 2024
Machado Lake	Toxics	20 Mar 2012	30 Sep 2032
Calleguas Creek & tributaries	Toxics	24 Mar 2006	24 Mar 2026
Santa Monica Bay	Toxics	26 Mar 2012	TBD
Oxnard Drain 3	Toxics	6 Oct 2011	TBD
Malibu Lagoon, Malibu Creek, Malibu Lake, & tributaries	Trash	7 Jul 2009	7 Jul 2017
San Gabriel River, East Fork	Trash	17 Apr 2001	1 Apr 2003

Ventura River Estuary	Trash	6 Mar 2008	6 Mar 2016
Ballona Creek	Trash	28 Aug 2002	30 Sep 2015
Legg Lake	Trash	6 Mar 2008	6 Mar 2016
Los Angeles River, Estuary, & Tributaries	Trash	23 Sep 2008	30 Sep 2016
Lake Elizabeth, Munz Lake, & Lake Hughes	Trash	6 Mar 2008	6 Mar 2016
Revolon Slough, Beardsley Wash	Trash	6 Mar 2008	6 Mar 2020

January 8, 2024

Transmitted electronically to:

SafeCleanWaterLA@dpw.lacounty.gov

Safe Clean Water Program Regional Oversight Committee, Los Angeles County Public Works
 Headquarters
 900 S. Fremont Ave, Conference Room C
 Alhambra, CA 91803

Attention: Safe Clean Water Program Regional Oversight Committee

Subject: Draft Biennial Progress Report

Dear Safe Clean Water Program Regional Oversight Committee,

The Lower Los Angeles (LLAR) and Lower San Gabriel River (LSGR) Watershed Management Groups (WMGs) are jointly submitting this comment letter. The WMGs appreciate the thoroughness of the Regional Oversight Committee's staff report and the opportunity to submit these comments. Together, the WMGs participate in two Safe Clean Water Watershed Area Steering Committees (WASC) jurisdictions, along with several neighboring permittees. The WMGs will limit our responses to two main recommendations in the Biennial Progress Report.

ROC Recommendation #6

"6. Clarify definitions for locally available water supply and establish initial water supply targets for each of the nine watershed areas with focus on areas of greatest opportunity, starting with an estimate based on percentage of runoff captured and adapting as appropriate over time and in consideration of other existing information and targets (or portions of targets) established through other efforts (e.g., Integrated Regional Water Management [IRWM] Program, California Water Plan [CWP], One Water LA 2040 Plan, MS4 compliance Enhanced Watershed Management and Watershed Management Plans [EWMPs/WMPs], Los Angeles Basin Study, etc.) (Tier 1 and Tier 2)"

The WMGs support the SCWP goal of enhancing water supply and pursuing water supply enhancement where feasible in our stormwater projects. However, in the Regional Program project scoring, the Water Replenishment District does not consider infiltration to provide water supply enhancement benefit. Alternatives that would enhance water supply would be diversion to the sanitary sewer treatment plant or irrigation reuse of the captured water.

The WMGs ask that the SCWP work with municipal agencies in a coordinated effort to establish realistic water supply targets and metrics. The local, specific knowledge that our municipal agencies have of our watershed areas will aid in establishing informed and achievable water supply targets. Considering factors other than geotechnical feasibility or infiltration rates could also help establish realistic water supply targets and metrics. Heavily urbanized, industrial, or formerly industrial areas may have legacy pollutants present in the ground that should not be mobilized by infiltration into the groundwater.

Project sites vary greatly from one another, and the specific scoring factors may hinder the effectiveness of a Project that could help Agencies achieve water supply targets.

ROC Recommendation #8

“8. Develop Community Investment Benefit (CIB) guidance to include specific metrics, clarify definitions, and quantify benefits informed by the MMS and comprehensive watershed planning (Tier 1 and Tier 2)”

The WMGs incorporate community investment benefits without compromising feasibility in the project design, construction, and operation. Please consider realistic metrics for the Community Investment Benefits. Community investment benefits are an integral part of developing projects, and further guidance and clarification of community investment benefits will be beneficial to project proponents.

However, adding more specific metrics could create a barrier to submitting a competitive project for some applicants. Each proposed project site may have different feasibility levels that prevent them from providing a desirable level of community benefits. Take for example the feasible community benefits at a project located at a utilities facility versus the feasible community benefits at a project located at a public park. The current metrics and methods of scoring community investment benefits in the SCWP project application allows for a wide range of projects to incorporate community benefits that are specific to their site conditions.

The WMGs do not have specific comments for the other recommendations. Our individual agencies commit a substantial amount of effort to report on SCWP municipal activities and apply for SCW Regional Program funding for projects to achieve compliance with water quality, increased water supply, and providing benefits to our communities and the environment. As such, more specific metrics and requirements for reporting and project applications may create a burden for agencies that may not have as many resources.

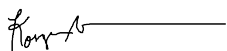
The WMGs also ask that the Regional Oversight Committee consider making MS4 Compliance one of the main priorities of the SCWP. At this point in the MS4 Permit, municipal agencies are prioritizing the design, construction, and ongoing maintenance of projects identified in our Watershed Management Plans that contribute towards improving water quality and compliance with the MS4 Permit, rather than the important, but ancillary benefits, such as increasing water supply. The WMGs strongly recommend that the SCWP prioritize projects that improve water quality.

Thank you again for the opportunity to comment. The WMGs look forward to working with the SCWP on achieving the SCW goals. If you have any questions, please contact Gladis Deras at gderas@sogate.org, Konya Vivanti at kvivanti@lakewoodcity.org, or John Hunter at jhunter@jlha.net.

Sincerely,



Gladis Deras, LLAR WMG Chair



Konya Vivanti, LSGR WMG Chair

CC: LLAR and LSGR WMG Permittees



VIA SafeCleanWaterLA@pw.lacounty.gov

January 8, 2024

Regional Oversight Committee
Los Angeles County Public Works
900 S. Fremont Ave.
Alhambra, CA 91803

Subject: ROC Biennial SCW Program Progress Report Public Comment

Dear Regional Oversight Committee:

On behalf of the Main San Gabriel Basin Watermaster, we would like to submit the following comments to the SCWP Progress report:

- f. Set a region wide water supply target of 300,000 acre-ft of additional storm water capture by 2045. This acre-ft target deadline should be temporarily aligned with the 80% local water by 2045 target in LA County's OurCounty Sustainability Plan and draft LA County Water Plan.*
- When discussing water supply goals in regard to stormwater capture, it is important to: (1) include urban runoff in the estimate of the total runoff captured and infiltrated, as it is difficult to estimate the amount of urban runoff separate from stormwater; and (2) include verbiage "in an average year of rainfall," when setting targets.
 - When setting stormwater capture targets for water supply, it is crucial to know how much runoff is already being captured and infiltrated or recycled for reuse by existing projects and flood control facilities from the total amount of runoff generated in an average rainfall year.
 - On average, LA County captures and infiltrates nearly 200K AFY of stormwater from 14 dams, 26 spreading grounds, and miles of soft bottom river reaches. Additionally, 300K AFY in an average rainfall year would be a significant amount of additional infrastructure that would be unreasonable and certainly unattainable with SCW funds alone.
- g. Clarify that claiming Water Supply Benefits requires an applicant to demonstrate that the storm water capture is "new" water and will be available for regional water supply.*

- The term of “new” water can be misleading and difficult to define. Projects within the San Gabriel River and Rio Hondo Watersheds upstream of Whittier Narrows Dam may divert and capture runoff that is already captured and infiltrated downstream. Therefore, it may serve a “new” purpose, but not, a “new” or additional supply to the overall region where this water may not be captured downstream. There are several factors to determine this including but not limited to: duration of storms, number of storm events, and the status or condition of Whittier Narrows Dam, which is operated and maintained by the USACE, as well as water rights issues; all factors outside of the control of the SCW Program.
- The SCW Program is a multi-benefit driven program, where water supply is just one potential benefit. The primary purpose of the program is to improve water quality and other objectives include community enhancements.

In closing, each groundwater adjudication is a unique management plan specific to each area or watershed. Spreading and annual infiltration are the basis for establishing water rights for each. This is generally referred to as the Safe Yield (SY). This is very different and should not be confused with what the ROC and others consider water supply benefits in the context of the SCW Project criteria.

We thank you for considering our comments and we welcome the opportunity to discuss further.

Sincerely,



Anthony C. Zampello

Executive Officer

Main San Gabriel Basin Watermaster



January 5, 2024

Safe, Clean Water Program Regional Oversight Committee
900 S. Fremont Ave, Alhambra, CA 91803

RE: TreePeople's Support for Vision 2045: Flourishing in a Warmer and Drier LA County via Local Stormwater Capture and Pollutant Reduction Report

Dear Chair Guerrero, Vice-Chair Faustinos, and Committee Members,

On behalf of TreePeople, we commend the launch of this multifaceted program bringing considerable benefits to our region, as well as the hard work and dedication of this committee to the Biennial Review process.

The ROC has indicated that they are committed to beginning a visioning process in the coming months, and the Board of Supervisors has indicated their interest in accelerating watershed planning through Supervisor Horvath's July 2023 motion "Accelerating Implementation of the Safe Clean Water Program." TreePeople's vision of watershed management in the region aligns with the Vision 2045 document developed by NRDC, Heal the Bay, and LA Waterkeeper. In particular, we would like to emphasize our strong support of the following from the 2045 report:

- *The Countywide community and K-12 education program should be developed and approved no later than June 2024 and implemented by early 2025 at the latest.*
- *Replace 12,000 acres of impermeable area with new green space by 2045.*
- *Schools located in Disadvantaged Community boundaries should become green, 'cool schools' by 2030. All LA County Schools should be green schools by 2045.*
- *Because of the myriad benefits, the County's goal should be to green all schools throughout LA County, with greening being defined as 30% of the school having natural permeable cover (e.g. soils), with that 30% being located where students spend their time (e.g. playgrounds, not in the parking lot or perimeter of the school), and 50% of the school shaded by trees.*
- *Over the next six months, the County should assess how many schools need to be greened to meet interim and final goals to more easily assess progress and ensure goals will be met. Also, the County should host a green school summit with Countywide school district leadership to develop a consensus on the quickest, most cost-effective, and public health protective approaches to meet the 2030 and 2045 targets.*

Sincerely,

Manny Gonez
Director of Policy Initiatives

January 8, 2024

SCWP Regional Oversight Committee

Sent via email

RE: Draft Biennial SCWP Progress Report

Chair Guerrero, Vice-Chair Faustinos & Committee Members,

The Working Group convened by Accelerate Resilience L.A. (ARLA) is pleased to submit comments to the Regional Oversight Committee (ROC) and the Los Angeles County Flood Control District (District) in response to the SCWP Draft Biennial Progress Report (Report). The Working Group comprises representatives from two key stakeholder groups, municipalities and NGOs/CBOs, and completed a year-long facilitated effort to propose ways to maximize benefits of the SCWP, informed by data-backed modeling and expert opinion. On January 31, 2022, the Working Group submitted 22 consensus-based recommendations to the District to inform the adaptive management of the SCWP, as documented in the [ARLA SCWP Working Group Report](#). **The Working Group believes its recommendations provide valuable and detailed methods for delivering on the recommendations outlined in the ROC's Draft Report and strategic planning efforts outlined by the Director of Public Works, Mark Pestrella.**

The Biennial Review is a critical opportunity to ensure the program delivers on the 14 goals promised to the voters when Measure W was approved. Thus, the Working Group urges the Regional Oversight Committee (ROC) to consider the following feedback as you prepare the final report.

1. Expedite Watershed Planning Efforts and Conduct Strategic Goal Setting

The Working Group is pleased to see the ROC and the Director Pestrella call for a more proactive approach to SCWP implementation by expediting watershed planning efforts and conducting a strategic goal setting process. However, the Report recommendations do not provide actionable details about how this process should be conducted. The following Working Group recommendations provide comprehensive methodologies to support watershed planning and goal setting at both the Countywide scale and at the Watershed Area Steering Committee (WASC) levels:

- Working Group Recommendation #4: Create Watershed Signatures
 - Each watershed has unique characteristics and conditions and therefore requires watershed-specific approaches and project types to maximize Program Goals. Watershed Signatures show what is technically possible in the watershed, and should be created for each Watershed Area by modeling various project combinations to evaluate how different investment and implementation scenarios advance Water Quality, Water Supply, and Community Investment Benefits

metrics, and subsequently the Goals of the SCWP. The Watershed Signatures should then be used in concert with community engagement and needs assessments to inform watershed planning decisions.

- Working Group Recommendation #15: Set Watershed Area Targets
 - WASCs should establish proactive Watershed Area-specific goals and targets based on information about what is technically possible within the watershed (watershed signature) and findings from community needs assessments. WASCs can then annually evaluate progress toward those targets to ensure the desired balance of project types and benefits is being achieved on a long-term basis.
- Working Group Recommendation #17: Build Potential Project Portfolio
 - The Flood Control District should develop a working library of initial project opportunities for each Watershed Area. The identification of potential project opportunities should be driven by what is technically possible (see Working Group Recommendation #4) and also through community driven, grassroots project sourcing supported by the Watershed Coordinators (see Working Group Recommendations #5, #6, and #7). This library of potential opportunities should be displayed on the publicly available SCWP Map and be updated annually.

Furthermore, the Working Group urges the prompt initiation of the strategic goal-setting process, with a transparent, public approach that actively seeks input and engagement from essential stakeholders. It is crucial to expedite the timeline for implementing these recommendations to ensure that subsequent rounds of SCWP funding are not utilized without proactive guidance.

2. Develop guidelines/criteria to incentivize small, distributed infrastructure projects and investments.

The Working Group study revealed that smaller, distributed projects on private property can be more cost-effective compared to large, regional projects, presenting an opportunity to maximize the effectiveness of SCWP funds and accelerate TMDL compliance by targeting incentives toward private properties that are not otherwise mandated to adhere to low impact development standards. There are currently no realistic pathways to deliver significant numbers of such projects within the County, so we are pleased to see the recommendation to develop guidelines/criteria to streamline applications for various sized projects and projects in various stages of development. Therefore, the Working Group recommends to build on this recommendation to ensure that small, distributed projects are incentivized in addition to large infrastructure projects.

- Working Group Recommendation #19: Create a Private Property Incentive Program
 - A portion of SCWP funds should be invested into an Incentive Program for stormwater retrofits on private properties. The Flood Control District could partner with Metropolitan Water District and co-invest in its existing incentive programs.

This strategic partnership would not only reduce the administrative workload for the District, but also expedite the process for launching an incentive program to deliver water quality improvements and community investment benefits.

3. Establish Disadvantaged Community investment quantitative goals and develop a plan with timelines to meet these goals.

The Working Group is glad to see the Report call for a new approach to quantifying Disadvantaged Community Benefits. Nevertheless, the Report lacks specificity on the methodology to achieve this. Quantifying Disadvantaged Community Benefits is a complex issue for many SCWP stakeholders, and the Working Group engaged in substantial deliberation to devise a sophisticated solution. This proposed solution should be taken into careful consideration during the implementation of this ROC recommendation.

- Working Group Recommendation #13: Calculate DAC Benefits Using Population
 - Under the current approach, the 110 percent DAC Benefit minimum allocation is calculated by project funding amounts requested from the SCWP for each SIP proportional to the DAC population ratio of each Watershed Area. During the WASC prioritization process, WASCs determine on a binary basis whether a project—and all of its associated funding—is providing a DAC Benefit based on responses received in the Feasibility Study Application. This approach does not consider how benefits accrue to people living in DACs, nor the magnitude of the benefits accrued to DACs. Therefore, the Working Group recommends that the DAC 110% determination for projects providing DAC Benefits be **calculated proportional to population served and the magnitude of the benefits, rather than by investment**. Working Group Recommendation #13 provides a detailed methodology for calculating this.

4. Expand the Water Supply Definition.

The Working Group applauds and supports setting a region-wide water supply target. Additionally, the Working Group agreed that infiltrating stormwater into a shallow groundwater aquifer should be counted as a Water Supply Benefit, especially given that industrial/process wells may extract from a low, unconfined aquifer. Furthermore, the Working Group recommends considering the sustenance of inland and coastal ecosystems throughout the County, and how runoff may help sustain or augment such needs.

- Working Group Recommendation #3: Expand Water Supply Benefits
 - Clarify the definition of Water Supply Benefits to include any infiltrated water and environmental water.

5. Update scoring criteria.

The Working Group agrees with the ROC recommendation to evaluate recommendations from the in-process Metrics and Monitoring Study and recommend changes to the scoring criteria currently used to manage the various goals/programs of the SCWP. However, the Report does not provide a clear timeline or process by which this evaluation will be conducted. As such, the Working Group would like to raise the following recommendations for consideration when evaluating changes to the scoring criteria:

- Working Group Recommendation #8: Clarify Scoring for Engagement
 - The Working Group agreed that points for community engagement should be increased in order to ensure SCWP projects are supported by the voters and taxpayers who fund the Program, and that they meet community needs. The Working Group provided a proposed scoring rubric for community engagement (see Working Group Recommendation #8).
- Working Group Recommendation #9: Prioritize Nature-Based Solutions
 - The Working Group agreed that the SCWP should encourage the use of Nature-Based Solutions to exceed Disadvantaged Community Benefit requirements, maximize watershed benefits, and meet local needs. Nature-Based Solutions can be prioritized through a Watershed Area target setting process, or through adjustments to the existing scoring criteria.
- Working Group Recommendation #14: Prioritize DAC Benefits in Scoring
 - The Working Group agreed that additional priority points should be provided for projects providing Community Investment Benefits specifically to Disadvantaged Communities to incentivize a robust pipeline of projects providing Disadvantaged Community Benefits.
- Working Group Recommendation #21: Test Alternative Scoring Criteria
 - The Working Group agreed that alternative scoring criteria should be evaluated during the Metrics and Monitoring Study. Then, the District should update the Feasibility Study Guidelines (and potentially Watershed Area Steering Committee Operating Guidelines and Scoring Committee Operating Guidelines) to reflect updated scoring criteria and to incorporate updated outcomes relevant to governing roles.

The Working Group appreciates your thoughtful consideration of the outlined recommendations, and looks forward to participating in the upcoming strategic planning process to help achieve our shared goal of enhancing the effectiveness and success of the SCWP.

Sincerely,
ARLA's SCWP Working Group