



MARK PESTRELLA, Director

**COUNTY OF LOS ANGELES  
DEPARTMENT OF PUBLIC WORKS**

*"To Enrich Lives Through Effective and Caring Service"*

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IN REPLY PLEASE  
REFER TO FILE

July 30, 2019

The Honorable Board of Supervisors  
County of Los Angeles  
383 Kenneth Hahn Hall of Administration  
500 West Temple Street  
Los Angeles, California 90012

Dear Supervisors:

**REVISED**

**WATER RESOURCES CORE SERVICE AREA  
LOS ANGELES REGION SAFE, CLEAN WATER PROGRAM  
IMPLEMENTATION ORDINANCE AND ESTABLISHMENT OF  
COMMITTEE MEMBERS  
(ALL SUPERVISORIAL DISTRICTS)  
(3 VOTES)**

**SUBJECT**

The Los Angeles County Flood Control District is seeking Board approval of the Los Angeles Region Safe, Clean Water Program Implementation Ordinance in the Los Angeles County Flood Control District Code and appointment of members to the Watershed Area Steering Committees, Regional Oversight Committee, and Scoring Committee of the Los Angeles Region Safe, Clean Water Program.

**IT IS RECOMMENDED THAT THE BOARD ACTING AS THE GOVERNING BODY OF THE LOS ANGELES COUNTY FLOOD CONTROL DISTRICT:**

1. Find that the recommended actions are not a project under the California Environmental Quality Act for the reasons stated in this letter and for the record of the Los Angeles Region Safe, Clean Water Program.
2. Approve the Los Angeles Region Safe, Clean Water Program Implementation Ordinance for introduction.
3. Appoint the recommended members of the Watershed Area Steering Committees and delegate

authority to the Chief Engineer of the Los Angeles County Flood Control District or his designee to select replacement Watershed Area Steering Committee members representing agencies should an agency member withdraw or be removed prior to completion of their term.

4. Appoint the recommended members of the Regional Oversight Committee and delegate authority to the Chief Engineer of the Los Angeles County Flood Control District or his designee to select replacement Regional Oversight Committee members if a Regional Oversight Committee member withdraws or is removed prior to completion of their term.

5. Appoint the recommended members for the Scoring Committee, subject to concurrence from the majority of the Watershed Area Steering Committee members, and delegate authority to the Chief Engineer or his designee to select replacement Scoring Committee members, subject to concurrence from the Watershed Area Steering Committees, for any vacant Scoring Committee seats.

### **PURPOSE/JUSTIFICATION OF RECOMMENDED ACTION**

Approval of the recommended actions will find that they are not subject to the California Environmental Quality Act (CEQA). The recommended actions are organizational or administrative activities of government, which will not result in direct or indirect physical changes to the environment.

The purpose of the recommended actions is to approve the proposed ordinance (Enclosure A) codifying provisions of the Program Elements (Enclosure B) and establishing other criteria and procedures for the implementation of the Los Angeles Region Safe, Clean Water Program (Program) in the Los Angeles County Flood Control District Code; and appoint the recommended members to the Watershed Area Steering Committees (WASC) as described in Enclosure C, the Regional Oversight Committee (ROC) as described in Enclosure D, and the Scoring Committee (SC) as described in Enclosure E .

On July 17, 2018, following a very extensive stakeholder input process, the Board approved a resolution calling for and giving notice of an election on a measure to impose a special tax upon parcels located within the District, to fund projects and programs to increase stormwater capture and reduce stormwater and urban runoff pollution.

During the November 6, 2018, election, Measure W, which included Program Elements that comprise the general framework for the Program, was approved by more than two-thirds of the electorate that voted. Measure W required the Board to adopt an ordinance further establishing the implementation of the Program, by August 1, 2019, with provisions substantially similar to the previously Board approved Program Elements document.

The successful implementation of the Program will rely on input from multiple committees which will include participation from a broad spectrum of interested and knowledgeable stakeholders. These committees include nine WASC, one ROC, and the SC.

Each of the nine WASC (one for each Watershed Area) will recommend funding allocations for the Regional Program (50 percent of the annual revenue generated by the Special Parcel Tax within the respective Watershed Area), including the development and updating of Stormwater Investment Plans (SIP). The SIP will reflect the Regional Program funds recommended to be programmed for

infrastructure projects, technical resources, and scientific studies within each Watershed Area. The SIP ultimately identifies recommendations to the Board for capital and resources to plan, build, and maintain multi-benefit watershed based projects that have a water quality benefit as well as either a water supply benefit or community investment benefit.

Each WASC will be comprised of 17 members: 7 Municipal Members filled via an election process by representatives from municipalities within each Watershed Area; 5 Agency Members appointed by the Board, representing agency seats (Los Angeles County Flood Control District (District), Water Agency, Groundwater Agency or a second water agency if no groundwater agency exists in the Watershed Area, Sanitation Agency, and Municipal Parks/Open Space Agency); and 5 Community Stakeholder Members appointed by the Board, representing community stakeholder seats (Business, Environmental Justice, Environment, and two At Large stakeholders).

The recommended action will appoint the primary members for the WASC agency seats and community stakeholder seats, and the primary members will in turn be required to identify qualified alternates from their respective organizations to attend committee meetings and vote in their absence. The recommended action will also delegate authority to the Chief Engineer of the District or his designee to appoint replacement WASC members, in consultation with the agency, if an agency member withdraws or is removed prior to completing his/her full term.

The ROC will advise the Board on whether Program goals are being met and help steer future funding allocations. The ROC will annually review progress/expenditure reports and SIP; biennially summarize reports and hold a public hearing to obtain public feedback on the Program; and provide overall feedback to the WASC and the Board. The ROC will consist of nine subject matter experts with knowledge in water quality, water supply, nature-based solutions, community investments, public health, sustainability, and other fields related to stormwater and urban runoff capture or the reduction of stormwater and urban runoff pollution, and two non-voting representatives from State and County agencies. The recommended action will appoint the members for the ROC seats. The recommended action will also delegate authority to the Chief Engineer of the District or his designee to appoint replacement ROC members, if a ROC member withdraws or is removed prior to completing his/her full term.

### **Implementation of Strategic Plan Goals**

The County Strategic Plan directs the provision of Strategy II.3, Make Environmental Sustainability our Daily Reality and Objective II.3.1, Improve Water Quality, Reduce Water Consumption, and Increase Water Supplies; Objective II.3.2, Foster a Cleaner, More Efficient, and More Resilient Energy System; and Objective II.3.3, Address the Serious Threat of Global Climate Change. The recommended actions will strengthen the County's capacity to improve water quality and increase water supplies, effectively prepare for emergent environmental and natural hazards, and address the threat of climate change.

### **FISCAL IMPACT/FINANCING**

There will be no impact to the County General Fund or Flood Control District Fund.

Program implementation will be funded from the Measure W – Safe Clean Water Program - District Program Administration Fund (B42).

As part of the Program, a stipend in the amount of \$100 per member per meeting attended, subject

to qualifying circumstances, will be paid by the District, using Program funds, to the members of the WASC, the ROC, and the SC who are not otherwise compensated to participate. An estimated annual allocation for the stipend is approximately \$75,000.

## **FACTS AND PROVISIONS/LEGAL REQUIREMENTS**

Public engagement and outreach for the Implementation Ordinance included over 70 external meetings and presentations to interested stakeholder groups. The District hosted four open house public review sessions throughout Los Angeles County the week of June 10, 2019.

During the implementation ordinance public review period, which occurred May 29, 2019, through June 21, 2019, draft documents were posted on <https://safecleanwaterla.org/public-review-period-docs/> for comment. These documents included: Draft Implementation Ordinance, Draft Credit Program Implementation Procedures and Guidelines, Draft Credit Program Web Application, Draft Low-Income Senior Exemption Procedures and Guidelines, Draft Low-Income Senior Exemption Application Form, Draft Tax Appeals Process Tutorial, Draft Feasibility Study Requirements and Scoring Criteria, Draft Project Scoring Module, Draft Watershed Area Steering Committee Operating Guidelines, and Draft Watershed Coordinator Scope of Work.

All comments were made publicly available and were considered by the District. Updated versions of the public review documents supplementing the Ordinance, including additional reference materials are available at the Program webpage [www.safecleanwaterla.org](http://www.safecleanwaterla.org).

The Implementation Ordinance codifies the elements necessary to facilitate the overall implementation of the Program in conjunction with the supplemental guidance documents referenced above. It includes further details on tax reduction opportunities, requirements for projects utilizing Program funds (regarding development, implementation, and reporting), additional emphasis on disadvantaged communities and stakeholder engagement, governance committee operations and Watershed Coordinators, tracking Program benefits, and how periodic refinement of the Program may take place over time with input from Stakeholders and the Board.

Following the Board's establishment of committee members, members will be required to sign an acknowledgment form agreeing to comply with provisions of each applicable committee's Operating Guidelines, which, for reference, are also included on the Program website.

## **ENVIRONMENTAL DOCUMENTATION**

The recommended actions are not subject to CEQA because they are activities that are excluded from the definition of a project by Section 21065 of the Public Resources Code and Section 15378(b) of the State CEQA Guidelines. The recommended actions are organizational or administrative activities of government, which will not result in direct or indirect physical changes to the environment.

## **IMPACT ON CURRENT SERVICES (OR PROJECTS)**

There will be no negative impact on current County services.

**CONCLUSION**

Please return an adopted copy of this letter to Public Works, Stormwater Planning Division.

Respectfully submitted,

A handwritten signature in black ink, appearing to read "Mark Pestrella". The signature is fluid and cursive, with the first name "Mark" and last name "Pestrella" clearly distinguishable.

MARK PESTRELLA

Director

MP:KAL:me

Enclosures

c: Chief Executive Office (Chia-Ann Yen)  
County Counsel (Mark Yanai)  
Executive Office

## ANALYSIS

This ordinance amends the Los Angeles County Flood Control District Code by amending Chapter 16, relating to the Los Angeles Region Safe, Clean Water Program, and adding Chapter 18, relating to Safe, Clean Water Program implementation.

MARY C. WICKHAM  
County Counsel

By



MARK T. YANAI  
Principal Deputy County Counsel  
Public Works Division

MTY:lt

Requested: 11/06/18  
Revised: 07/25/19

**ORDINANCE NO. \_\_\_\_\_**

An ordinance amending Chapter 16 of the Los Angeles County Flood Control District Code, relating to the Los Angeles Region Safe, Clean Water Program, and adding Chapter 18 to the Los Angeles County Flood Control District Code, relating to Safe, Clean Water Program implementation.

The Board of Supervisors of the Los Angeles County Flood Control District ordains as follows:

**SECTION 1.** Section 16.03 is hereby amended to read as follows:

**16.03 Definitions.**

As used in this Chapter, the following terms mean:

...

F. "Community Investment Benefit" means a benefit created in conjunction with a Project or Program, such as, but not limited to: improved flood management, flood conveyance, or flood risk mitigation; creation, enhancement or restoration of parks, habitat or wetlands; improved public access to waterways; enhanced or new recreational opportunities; and greening of schools. A Community Investment Benefit may also include a benefit to the community derived from a Project or Program that improves public health by reducing heat island effect, and increasing shade or planting of trees and/or other vegetation that increase carbon reduction/sequestration, and improve air quality.

...

N. "Infrastructure Program" means the program, implemented as part of the Regional Program, described in Section 16.05.D.1 of this Chapter.

NO. "Infrastructure Program Project Applicant" means any individual, group, business or governmental entity, including, but not limited to, the District, a Municipality, watershed management group, joint powers authority, public utility, special district, school, community-based organization, non-governmental organization, non-profit organization, federally-recognized Indian tribe, State Indian tribe listed on the Native American Heritage Commission's California Tribal Consultation List, or mutual water company, that submits a proposed Project or Feasibility Study for consideration for funding by the SCW Program.

OP. "Infrastructure Program Project Developer" means the individual, group or entity that carries out or causes to be carried out part or all of the actions necessary to complete a Project.

Q. "Low-Income Household" means a household in the District with a household income that does not exceed the Low-Income limit for Los Angeles County, as determined annually by the California Department of Housing and Community Development.

R. "Low-Income Senior-Owned Parcels" means Parcels within the District that are owned and occupied as a residence by individuals over the age of sixty-two (62) who are the head of a Low-Income Household.

PS. "Multi-Benefit Project" means a Project that has: (1) a Water Quality Benefit, and (2) a Water Supply Benefit or a Community Investment Benefit, or both.



QT. "Municipal Program" means that part of the SCW Program described in Section 16.05.C. of this Chapter.

RU. "Municipality" means a city within the District, or the County, pertaining to unincorporated areas within the District.

SV. "Nature-Based Solution" means a Project that utilizes natural processes that slow, detain, infiltrate or filter Stormwater or Urban Runoff. These methods may include relying predominantly on soils and vegetation; increasing the permeability of Impermeable Areas; protecting undeveloped mountains and floodplains; creating and restoring riparian habitat and wetlands; creating rain gardens, bioswales, and parkway basins; and enhancing soil through composting, mulching, and planting trees and vegetation, with preference for native species. Nature-Based Solutions may also be designed to provide additional benefits such as sequestering carbon, supporting biodiversity, providing shade, and creating and enhancing parks and open space, and improving quality of life for surrounding communities. Nature-Based Solutions includes Projects that mimic natural processes, such as green streets, spreading grounds and planted areas with water storage capacity.

TW. "Parcel" means a parcel of real property situated within the District, as shown on the latest equalized assessment roll of the County and identified by its Assessor's Parcel Number, and that is tributary to a receiving water identified in the Water Quality Control Plan for the Los Angeles Region in effect as of January 1, 2018. Parcel shall not include a possessory interest based on a private, beneficial use of government-owned real property.

~~UX.~~ "Program" means a planned, coordinated group of activities related to increasing Stormwater or Urban Runoff capture or reducing Stormwater or Urban Runoff pollution in the District.

~~VY.~~ "Project" means the development (including design, preparation of environmental documents, obtaining applicable regulatory permits, construction, inspection, and similar activities), operation and maintenance (including monitoring), of a physical structure or facility that increases Stormwater or Urban Runoff capture or reduces Stormwater or Urban Runoff pollution in the District.

~~WZ.~~ "Regional Oversight Committee" ("ROC)" means athe body created by the Board whose responsibilities include, but are not limited to, assessing and making recommendations to the Board regarding whether the SCW Program purposesGoals are being achieved.

~~XAA.~~ "Regional Program" means that part of the SCW Program described in Section 16.05.D. of this Chapter.

~~YBB.~~ "Safe, Clean Water (SCW) Program" ("SCW Program") means the program established by this ordinance, including the administration of revenues from the Special Parcel Tax levied pursuant to this ordinance, and the criteria and procedures for selecting and implementing Projects and Programs and allocating revenues among the Municipal, Regional, and District Programs.

CC. "SCW Program Goals" means the goals of the SCW Program described in Section 18.04 of Chapter 18 of this code.

DD. "Scientific Studies Program" means the program, implemented as part of the Regional Program, described in Section 16.05.D.3. of this Chapter.

ZEE. "Special Parcel Tax" means the tax described in Section 16.08 of this Chapter.

A AFF. "Stakeholder" means a person; Municipality; watershed management group; joint powers authority; citizens' group; homeowner or other property owner; business; non-governmental organization; social justice group; health advocate; local park representative; school board member; environmental group; labor union; academic institution; neighborhood council; town council; community group; water resources agency, such as a groundwater pumper or manager, or a private or public water agency; other governmental agency; or other interested party that has a direct or indirect stake in the SCW Program.

BBGG. "Stormwater" means water that originates from atmospheric moisture (rainfall or snowmelt) and falls or flows onto land, water or other surfaces.

HH. "Stormwater Investment Plan" ("SIP") means a five (5) year plan developed by a Watershed Area Steering Committee that allocates funding for Projects and Programs in the Regional Program's Infrastructure Program, Technical Resources Program, and Scientific Studies Program for the ensuing fiscal year and lays out tentative funding for four (4) subsequent years. SIPs will be approved by the Board on an annual basis.

GGII. "Surface Water" means water that flows or collects on the surface of the ground.

JJ. "Technical Resources Program" means the program, implemented as part of the Regional Program, described in Section 16.05.D.2. of this Chapter.

KK. "Transfer Agreement" means the agreement described in Section 16.05.A.1. of this Chapter, between the District and an Infrastructure Program Project Developer or Municipality to transfer SCW Program funds.

DDLL. "Treasurer" means the Treasurer and Tax Collector of the County of Los Angeles.

EEEMM. "Urban Runoff" means Surface Water flow that may contain, but is not composed entirely of, Stormwater, such as flow from residential, commercial, or industrial activities.

FFNN. "Water Quality Benefit" means a reduction in Stormwater or Urban Runoff pollution, such as improvements in the chemical, physical, and biological characteristics of Stormwater or Urban Runoff in the District. Activities resulting in this benefit include, but are not limited to: infiltration or treatment of Stormwater or Urban Runoff, non-point source pollution control, and diversion of Stormwater or Urban Runoff to a sanitary sewer system.

GGOO. "Water Supply Benefit" means an increase in the amount of locally available water supply, provided there is a nexus to Stormwater or Urban Runoff capture. Activities resulting in this benefit include, but are not limited to, the following: reuse and conservation practices, diversion of Stormwater or Urban Runoff to a sanitary sewer system for direct or indirect water recycling, increased groundwater replenishment or available yield, or offset of potable water use.

**HHPP.** "Watershed Area" means the regional hydrologic boundaries as depicted on maps maintained by the District for the SCW Program, that are established in consideration of topographic conditions and other factors. The SCW Program includes the following nine (9) Watershed Areas: (1) Central Santa Monica Bay; (2) Lower Los Angeles River; (3) Lower San Gabriel River; (4) North Santa Monica Bay; (5) Rio Hondo; (6) Santa Clara River; (7) South Santa Monica Bay; (8) Upper Los Angeles River; and (9) Upper San Gabriel River.

**HHQQ.** "Watershed Area Steering Committee" means a body created by the Board, one for each Watershed Area, ~~whose responsibilities include programming funding for the purpose of developing SIPs and recommendations for other activities to be funded through the Regional Program.~~

**SECTION 2.** Section 16.04 is hereby amended to read as follows:

**16.04 Expenditure Plan.**

The District shall expend all Special Parcel Tax revenues consistent with the expenditure plan contained in this section.

A. The District shall use the Special Parcel Tax revenues to pay the costs and expenses of carrying out Projects and Programs to increase Stormwater or Urban Runoff capture or reduce Stormwater or Urban Runoff pollution in the District in accordance with criteria and procedures established in this Chapter and Chapter 18 of this code. Projects and Programs funded by the revenues from the Special Parcel Tax may provide a Water Supply Benefit, Water Quality Benefit, and Community Investment

Benefit. The District shall allocate the revenues derived from the Special Parcel Tax as follows:

...

3. Fifty percent (50%) shall be allocated to pay for the implementation, operation and maintenance, and the administration of Projects and Programs implemented through the Regional Program, including Projects and Programs identified in approved regional plans such as stormwater resource plans developed in accordance with Part 2.3 (commencing with section 10560) of Division 6 of the Water Code, watershed management programs developed pursuant to waste discharge requirements for municipal separate storm sewer system (MS4) discharges within the coastal watersheds of the County, issued by the Los Angeles Regional Water Quality Control Board, and other regional water management plans, as appropriate, in accordance with the criteria and procedures established in this Chapter and Chapter 18 of this code. Funds allocated to the Regional Program shall be distributed among the nine (9) Watershed Areas in proportion to the funds generated in each Watershed Area.

...

**SECTION 3.** Section 16.05 is hereby amended to read as follows:

**16.05 Program Elements.**

A. General Requirements

...

2. Expenditures eligible for SCW Program funds include, but are not limited to, the following:

a. Infrastructure development tasks including design and planning, preparation of grant applications, preparation of environmental documents, obtaining permits, construction, operations and maintenance, and inspection;

...

3. Ineligible expenditures for SCW Program funds include, but are not limited to, the following:

...

b. Expenditures related to the investigation, defense, litigation, or judgment associated with any regulatory permit violations, notices of violation, or allegations of noncompliance with regulations brought forth by any State, federal, or local regulatory agency, or a third party unrelated to Projects and Programs selected for funding under the SCW Program;

...

f. Costs and expenses incurred prior to November 6, 2018.

B. District Program.

Ten percent (10%) of the revenue from the annual Special Parcel Tax shall be allocated for the District Program. The District shall perform the following functions as part of the District Program:

...

4. Provide technical assistance, including the hiring and coordination of watershed coordinators.

...

D. Regional Program.

...

1. Infrastructure Program. This program shall implement Multi-Benefit watershed-based Projects that have a Water Quality Benefit, as well as, either a Water Supply Benefit or Community Investment Benefit, or both. Infrastructure Program funds:

...

c. Shall be programmed in accordance with the Board-approved SIPs ~~by Watershed Area Steering Committees for respective~~ each of the Watershed Areas;

...

E. Regional Oversight Committee.

The Regional Oversight Committee ("ROC") is an independent body that ensures the SCW Program gGoals are met. The ROC shall consist of subject-matter experts, with knowledge in Water Quality Benefits, Water Supply Benefits, Nature-Based Solutions, Community Investment Benefits, public health, sustainability, and other pertinent subject-matter. The ROC shall prepare SCW Program progress reports and submit recommendations to the Board. ROC members shall be governed by and comply with State conflict of interest laws (e.g., ~~Government Code sections~~ Gov. Code §§ 1090 et seq. and 870100 et seq.) and the County's conflict of interest policies.

**SECTION 4.** Section 16.09 is hereby amended to read as follows:



**16.09 Exemptions.**

The following Parcels shall be subject to exemption from the Special Parcel Tax specified in Section 16.08 of this Chapter:

...

B. Upon application, ~~low-income senior-owned~~Low-Income Senior-Owned Parcels.

**SECTION 5.** Section 16.10 is hereby amended to read as follows:

**16.10 Credit, Incentive and Credit Trading Program.**

~~The Board shall adopt an ordinance, not later than August 1, 2019, establishing criteria and procedures consistent with the following provisions:~~

A. Credit program. The District shall implement a credit program consistent with the following provisions and in accordance with the provisions of Section 18.10 of Chapter 18 of this code. The credit program shall provide a credit to Parcel owners (including Parcel owners in developments served by a centralized Stormwater or Urban Runoff system) for qualifying improvements that capture or treat Stormwater or Urban Runoff or reduce Stormwater or Urban Runoff pollution in the District.

1. Unless otherwise approved by the District, water quality credit shall be calculated based on the extent to which a Parcel(s) has complied with (1) an applicable Low Impact Development (LID) ordinance, (2) Standard Urban Stormwater Mitigation Plan (SUSMP) requirements, (3) an Industrial General Permit (IGP), (4) another Los Angeles Regional Water Quality Control Board-approved permit governing the discharge of Stormwater or Urban Runoff (RWQCB Stormwater Permit),

or (5) some combination of Stormwater or Urban Runoff discharge requirements for the Parcel. Credit shall also be available for improvements or projects that result in Water Supply Benefits or Community Investment Benefits.

2. The maximum credit under the credit program shall be one hundred percent (100%) of each Parcel's specific Special Parcel Tax amount.

3. The credit program shall include provisions allowing for aggregating Parcels under common ownership and applying the credit in developments served by centralized Stormwater or Urban Runoff improvements.

~~B. Incentive Program. The District may establish an incentive program to recognize and reward efforts that advance the goals of the SCW Program.~~

EB. Credit trading program. The District shall establish a credit trading program that, at a minimum, would allow Parcel owners to purchase and sell credits to satisfy Special Parcel Tax obligations. The program shall be implemented in accordance with the provisions of Section 18.11 of Chapter 18 of this code.

~~D. Low-income credit. The District may establish a credit for qualifying Parcel owners who are low-income.~~

C. The Chief Engineer shall work with stakeholders to develop and implement a general income-based tax reduction program, including implementation procedures and guidelines for the program, and shall update those implementation procedures and guidelines from time to time, consistent with the purposes and goals of the SCW Program, as the Chief Engineer deems necessary or appropriate for the effective operation of the program.

D. The Chief Engineer shall work with stakeholders to explore the feasibility of, and options for, additional incentives beyond or in support of the credit, income-based tax reduction, low-income senior exemption, and credit trading programs.

**SECTION 6.** Section 16.11 is hereby amended to read as follows:

**16.11 Lapsed Funds.**

A. Municipalities and Infrastructure Program Project Developers shall be able to carry over uncommitted Special Parcel Tax funds for up to five (5) years from the end of the fiscal year in which those funds are transferred from the District to the Municipality or Infrastructure Program Project Developer. Additional requirements may be included in the ~~Transfer a~~Agreement.

B. Municipalities and Infrastructure Program Project Developers who are unable to expend ~~their approved funding as described in their budgets~~SCW Program funds in a timely manner shall be subject to lapsing funds procedures. Lapsed funds are funds that were ~~committed and approved~~transferred to a Municipality or an Infrastructure Program Project Developer, but were not able to be spent~~committed~~per the approved schedule to eligible expenditures by the end of the fifth (5<sup>th</sup>) fiscal year after the fiscal year in which those funds were transferred from the District. ~~Unspent funds are considered lapsed five (5) years after the transfer agreement execution date.~~

C. Lapsed funds shall be ~~reprogrammed~~allocated by the Watershed Area Steering Committee of the respective Watershed Area to a new Project or Program recommendation with benefit to that Municipality or Watershed Area.

**SECTION 7.** Section 16.12 is hereby amended to read as follows:

**16.12 Reporting Requirements.**

A. Each Municipality shall prepare a progress/expenditure report describing their use of Municipal Program funds in accordance with the provisions of Section 18.06.D. of Chapter 18 of this code. ~~The report shall include details that summarize the expenditures and describe the Water Quality Benefits, Water Supply Benefits, Nature-Based Solutions, and Community Investment Benefits realized through use of Municipal Program funds.~~

B. Each Infrastructure Program Project Developer shall prepare progress/expenditure reports describing its use of Regional Program funds in accordance with the provisions of Section 18.07.F. of Chapter 18 of this code. ~~The reports shall include details that summarize the expenditures and describe the Water Quality Benefits, Water Supply Benefits, Nature-Based Solutions, and Community Investment Benefits realized through use of Regional Program funds.~~

**SECTION 8.** Section 16.13 is hereby amended to read as follows:

**16.13 Audit Recordkeeping.**

The following recordkeeping and audit requirements shall apply:

...

C. At all reasonable times, Municipalities and Infrastructure Program Project Developers shall permit the Chief Engineer, ~~or their authorized representative,~~ to examine all Projects and Programs that were erected, constructed, implemented, operated, or maintained, in whole or part, using SCW Program funds. Municipalities

and ~~Watershed Area Steering Committees~~ Infrastructure Program Project Developers shall permit the authorized District representative, including the Auditor-Controller, to examine, review, or audit, and transcribe any and all audit reports, other reports, books, accounts, papers, maps, and other records that relate to Projects or Programs funded, in whole or part, by the SCW Program.

**SECTION 9.** Section 16.15 is hereby amended to read as follows:

**16.15 Amendment of Ordinance.**

...

B. After a period of no longer than thirty (30) years, the Board shall evaluate the needs of the SCW Program and make an affirmative determination that the Special Parcel Tax is needed to build additional Projects to achieve Water Quality Benefits and other benefits in accordance with the ~~goals of the~~SCW Program Goals. Should the Board determine that no additional Projects are needed, the Special Parcel Tax will be reduced accordingly, to reflect a transition from funding new Projects to funding operation, maintenance and replacement of Projects that were constructed with SCW Program funds during the previous thirty (30) years.

**SECTION 10.** Section 16.16 is hereby amended to read as follows:

**16.16 Direction to Board.**

The Board shall adopt an ordinance or ordinances implementing the following provisions:

...

B. An exemption from the Special Parcel Tax for Low-income Senior-Owned Parcels who apply for such exemption consistent with Section 16.09.B.

**SECTION 11.** Chapter 18 is hereby added to read as follows:

**18.01 Title.**

This Chapter shall be known as the "Safe, Clean Water Program Implementation Ordinance."

**18.02 Definitions.**

The definitions set forth in Section 16.03 of Chapter 16 of this code shall apply to this Chapter 18. In addition, the following definitions shall apply to this Chapter 18:

A. "Additional Activities Credit" means a credit against a Parcel's Special Parcel Tax amount for Parcel owners that initiate and complete qualifying additional activities after November 6, 2018, that confer benefits to the broader regional community related to SCW Program Goals. Implementation criteria and procedures related to Additional Activities Credit will be established in the Credit Program Procedures and Guidelines.

B. "Benefited Development" means a group of Parcels that drain to common, centralized Stormwater Improvements. Implementation criteria and procedures related to Benefited Developments will be established in the Credit Program Procedures and Guidelines.

C. "Community Investment Credit" means a credit against a Parcel's Special Parcel Tax amount for Stormwater Improvement that results in a Community Investment Benefit.

D. "Credit Program Procedures and Guidelines" means the implementation procedures and guidelines for the credit program described in Section 18.10.A. of this Chapter.

E. "Feasibility Study Guidelines" means the guidelines for the preparation of Feasibility Studies described in Section 18.07.B.3. of this Chapter.

F. "Industrial General Permit" ("IGP") means the set of requirements by which the State Water Resources Control Board and Los Angeles Regional Water Quality Control Board implement and enforce regulations on industrial storm water discharges and authorized non-storm water discharges from industrial facilities in California. The Industrial General Permit is called a general permit because many industrial facilities are covered by the same permit but comply with its requirements at their individual industrial facilities.

G. "Low Impact Development Ordinance" ("LID Ordinance") means the most recent ordinance establishing local low impact development standards and requirements on certain new development and redevelopment projects operative within the Municipality in which the project is located that conforms to requirements imposed by the Los Angeles Regional Water Quality Control Board on that Municipality through the Municipality's MS4 Permit. In the absence of an operative LID Ordinance in the Municipality in which the project is located, the most current LID Ordinance adopted by the County shall apply.

H. "MS4 Permit" means Order No. R4-2012-0175 (As Amended By State Water Board Order WQ 2015-0075 and Order No. R4-2012-0175-A01) NPDES

Permit No. CAS004001 Waste Discharge Requirements For Municipal Separate Storm Sewer System (MS4) Discharges Within The Coastal Watersheds of Los Angeles County, Except Those Discharges Originating From The City of Long Beach MS4 or Order No. R4-2014-0024 (As Amended By Order No. R4-2014-0024-A01) NPDES Permit No. CAS004003 Waste Discharge Requirements For Municipal Separate Storm Sewer System Discharges From The City of Long Beach, or any successor permit issued by the Los Angeles Regional Water Quality Control Board.

I. "ROC Operating Guidelines" means the operating guidelines for the ROC described in Section 18.08.A.3. of this Chapter.

J. "RWQCB Stormwater Permit" means a permit other than an IGP, issued by the Los Angeles Regional Water Quality Control Board, governing the discharge of Stormwater or Urban Runoff.

K. "SCW Program Progress Report" means a biennial report that summarizes all Regional Program WARPP Reports, all Municipal Program annual progress and expenditure reports, and all District Program annual reports and makes findings regarding whether and the extent to which SCW Program requirements were met and SCW Program Goals were achieved.

L. "Scoring Committee" means a group of six (6) subject-matter experts in Water Quality Benefits, Water Supply Benefits, Nature-Based Solutions, and Community Investment Benefits created by the Board to review and score Projects and Feasibility Studies in connection with the Infrastructure Program.



M. "Scoring Committee Operating Guidelines" means the operating guidelines for the Scoring Committee described in Section 18.07.C.3.c. of this Chapter.

N. "Standard Urban Stormwater Mitigation Plan" ("SUSMP") means a plan that designates best management practices that must be used in specified categories of development projects under NPDES permits, as approved by the Los Angeles Regional Water Quality Control Board.

O. "Stormwater Improvement" means a structure or facility, or system of structures or facilities, that captures Stormwater or Urban Runoff or reduces Stormwater or Urban Runoff pollution in the District.

P. "Technical Assistance Team" means a group of subject-matter experts in Stormwater and/or Urban Runoff infrastructure design, hydrology, soils, Nature-Based Solutions, green infrastructure, Stormwater and/or Urban Runoff quality, water supply, recreation, open space, community needs, and other related areas, provided by the District to assist Infrastructure Program Project Applicants and others, as part of the Technical Resources Program.

Q. "Threshold Score" means a minimum score that Projects must meet or exceed in order to be eligible for Infrastructure Program funding.

R. "WASC Operating Guidelines" means the operating guidelines for the WASC described in Section 18.07.G.1.e. of this Chapter.

S. "Water Quality Credit" means a credit against a Parcel's Special Parcel Tax amount for a Stormwater Improvement that results in a Water Quality Benefit by complying with: (1) an applicable LID Ordinance, (2) applicable SUSMP requirements,

(3) an applicable IGP, (4) an applicable RWQCB Stormwater Permit, or (5) any combination of the foregoing.

T. "Water Supply Credit" means a credit against a Parcel's Special Parcel Tax amount for a Stormwater Improvement that results in a Water Supply Benefit.

U. "Watershed Area Regional Program Progress (WARRP) Report" means an annual report describing the progress of all Projects and Programs included in an SIP during the previous year and summarizing how the implementation of the SIP during the previous year has achieved SCW Program Goals.

V. "Watershed Coordinator" means one or more persons assigned to assist a Watershed Area Steering Committee with community and stakeholder education and engagement and to perform the other activities described in Section 18.07.D.3. of this Chapter.

### **18.03 Purpose.**

The purpose of this Chapter is to establish additional criteria and procedures related to the implementation of the Los Angeles Region Safe, Clean Water Program described in Chapter 16 of this code. The Board may consider revisions to Chapter 16 of this code and this Chapter 18 in connection with the first biennial public hearing, as described in Section 18.08.C.5. below, and as needed thereafter.

### **18.04 SCW Program Goals.**

The Los Angeles Region Safe, Clean Water Program shall be implemented consistent with the following goals:

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

L. Implement an iterative planning and evaluation process to ensure adaptive management.

M. Promote green jobs and career pathways.

N. Ensure ongoing operations and maintenance for Projects.

**18.05 District Program Implementation.**

A. The District Program shall be implemented in accordance with the provisions of this Section.

B. The District shall perform the following functions as part of the implementation of the District Program:

1. Administer the SCW Program, including collection of the Special Parcel Tax and distribution of funds; administration of credit, credit trading, low-income senior, and any income-based tax reduction or incentive programs; review of budgets and reports; and conducting of audits.

2. Annually prepare a five (5) year revenue forecast for each Watershed Area.

3. Plan, implement, and maintain District Projects.

4. Administer and provide staffing for the Regional Program.

5. Provide staffing for the Scoring Committee, Watershed Area Steering Committees, and the ROC.

6. Provide for coordination of Watershed Coordinators to ensure consistency and sharing of best practices and resources across the District.

7. Provide Technical Assistance Teams and Watershed Coordinators funded by the Technical Resources Program. The District may, in its discretion, also provide Technical Assistance Teams using funds allocated to the District Program.

8. Coordinate Watershed Area scientific studies funded by the Scientific Studies Program.

9. Engage Stakeholders in the planning process for use of the District Program funds.

10. Operate in accordance with best practices for government agencies.

11. Conduct independent audits to ensure compliance with requirements of the SCW Program.

12. Prepare, prior to the start of the District's fiscal year, a plan for how SCW Program funds will be used.

13. Prepare within six (6) months after the end of the District's fiscal year an annual report that details a Program-level summary of expenditures and a description of Water Quality Benefits, Water Supply Benefits, and Community Investment Benefits realized through use of District Program funds.

14. Comply with all SCW Program audit requirements.

C. Educational Programs.

1. The Chief Engineer shall implement and administer the following educational Programs:

a. Public education and community engagement Programs throughout the District, including a sustained education and engagement Program for disadvantaged communities;

b. Local workforce job training, which will provide certification classes and vocational training at the community level for the construction, inspection, operation and maintenance of Stormwater or Urban Runoff management and Multi-Benefit Projects, including instruction regarding applicable design concepts; and

c. Schools education and curriculum Programs.

2. Not less than twenty percent (20%) of District Program funds shall be allocated for these Programs over a revolving five (5) year period.

3. These Programs will be implemented throughout the District with special attention to the needs of DACs.

4. The Chief Engineer shall partner with Stakeholders to collaboratively develop and implement these Programs.

**18.06 Municipal Program Implementation.**

A. The Municipal Program shall be implemented in accordance with the provisions of this Section.

B. Each Municipality receiving Municipal Program funding from the SCW Program shall perform the following functions as part of the Municipal Program:

1. Prioritize the development of Projects that, to the extent feasible, assist in achieving compliance with the MS4 Permit.

2. Prepare, prior to the start of that Municipality's fiscal year, a plan for how SCW Program funds will be used in the ensuing fiscal year.

3. Comply with all SCW Program reporting and audit requirements, and provide to the District additional financial and other information, as required by the SCW Program or upon request of the District.

4. As part of the Municipal Program planning process, consider Municipal-level requests for Projects from eligible Infrastructure Program Project Applicants.

5. At least annually, prepare and provide to the public informational materials containing up-to-date information on the Municipality's actual and budgeted use of revenues from the SCW Program.

6. Operate in accordance with best practices for government agencies.

7. Be strictly accountable for all funds, receipts, and disbursements by the Municipality.

8. Identify or establish, and then execute, a plan to engage with Stakeholders in the planning process for use of the Municipal Program funds during the planning and implementation of Projects and Programs.

9. Comply with all Transfer Agreement requirements.

10. Prepare a vector minimization plan addressing vector considerations for the design, operation, and maintenance of each Project.

C. Maintenance of Effort.

1. A Municipality must spend at least seventy percent (70%) of its Municipal Program funds annually on eligible expenses related to Projects or Programs implemented on or after November 6, 2018, which also includes operations and maintenance of Projects built to comply with the MS4 Permit, so long as the Project complies with Municipal Program requirements.

2. Up to thirty percent thirty percent (30%) of a Municipality's Municipal Program funds may be used to pay for costs and expenses incurred on or after November 6, 2018, related to the continuation of Programs implemented or the maintenance of Projects implemented prior to November 6, 2018.

D. Municipal Program Annual Progress/Expenditure Reports.

1. Each Municipality shall prepare and submit an annual report to the District, not later than six months after the end of that Municipality's fiscal year.

2. The annual report shall include the following information:

a. A summary of the expenditures and Water Quality, Water Supply, and Community Investment Benefits realized through use of SCW Program funds;

b. The amount of SCW Program funds expended;

c. Documentation that the SCW Program funds were used for eligible expenditures;

d. A description of work accomplished during the reporting period;



- e. The milestones or deliverables completed/submitted during the reporting period;
- f. The work anticipated to be accomplished during the next reporting period;
- g. Photo documentation of the above, as appropriate;
- h. Additional information as required by the District; and
- i. A description of the Municipality's stakeholder-engagement activities during the reporting period, including documentation, as appropriate.

3. The District shall review each Municipality's annual report to make a preliminary determination of whether and the extent to which each Municipality's expenditures achieved SCW Program Goals, and the District shall forward its preliminary determination to the ROC.

4. The ROC shall review the Municipalities' annual reports after the District has completed its preliminary determination, to evaluate whether and the extent to which the Municipalities' expenditures achieved SCW Program Goals and develop recommendations as appropriate. The ROC shall report its findings and recommendations to the Board and provide copies to the respective Municipalities.

**18.07 Regional Program Implementation.**

A. The Regional Program shall be implemented in accordance with the provisions of this Section.

B. Stormwater Investment Plans (SIP).

1. A SIP shall be adopted for each Watershed Area, annually, in accordance with the following procedure:
  - a. The District shall prepare a five (5) year revenue forecast for each Watershed Area;
  - b. The District shall request proposals for Projects to be included in the Infrastructure Program, Project concepts to be included in the Technical Resources Program, and studies and other activities to be included in the Scientific Studies Program, for each Watershed Area SIP. Small and medium scale, community-level Projects may be combined into a single Project proposal to promote efficiency, achieve economies of scale and advance local-hire and job-training goals. If an Infrastructure Program Project Applicant intends for operation and maintenance costs to be considered for inclusion in a SIP, the Applicant's proposal must include an operation and maintenance plan that identifies the required activities over the useful life of the Project and any expertise or technical training necessary to perform the activities, identify the party that will be responsible for operation and maintenance of the Project, and include a letter of commitment from that party to operate and maintain the Project throughout the Project's useful life;
  - c. Each Watershed Area Steering Committee shall determine which proposed Feasibility Studies and/or Projects to submit to the Scoring Committee for evaluation. Only Projects meeting the following criteria shall be submitted to the Scoring Committee for evaluation:

(1) Projects for which a Feasibility Study has been completed or for which equivalent information has been developed and is available for review by the Scoring Committee;

(2) Projects that are Multi-Benefit Projects;

(3) Projects that are included in a stormwater resource plan developed in accordance with Part 2.3 (commencing with § 10560) of Division 6 of the Water Code, a watershed management program developed pursuant to an MS4 Permit, an Integrated Regional Water Management Plan, or other regional water management plan if determined to be equivalent by the District; and

(4) Projects designed for a minimum useful life of thirty (30) years.

d. Projects for which a Feasibility Study has not been completed and that lack equivalent information may be referred to the Technical Resources Program at the discretion of the Watershed Area Steering Committee;

e. The Scoring Committee shall evaluate each proposed Project submitted by the Watershed Area Steering Committees and shall return scores for each proposed Project to the respective Watershed Area Steering Committee;

f. The District shall establish a Threshold Score for Projects proposed for inclusion in the Infrastructure Program. The Threshold Score shall be identified in the Feasibility Study Guidelines;

g. Each Watershed Area Steering Committee shall review and evaluate the proposed Project scores, proposed Project concepts and proposed

studies, and shall prepare and submit a SIP, in a standard format established in the WASC Operating Guidelines, to the Regional Oversight Committee for review. Projects that lack sufficient information to be scored, or that do not score above the Threshold Score, may be included in the Technical Resources Program at the discretion of the Watershed Area Steering Committee;

h. The ROC shall review each SIP, determine whether and the extent to which each SIP achieves the SCW Program Goals, and provide its findings and recommendations to the respective WASC and to the Board;

i. The Board shall consider each SIP together with the Regional Oversight Committee's recommendation and shall either approve the SIP or return it to the appropriate Watershed Area Steering Committee for revision and resubmittal; and

j. Once the Board approves a SIP, the District shall transfer SCW Program funds to Infrastructure Program Project Developers as indicated in the SIP.

2. SIPs shall be developed by the Watershed Area Steering Committees in accordance with the following criteria:

a. Not less than eighty-five percent (85%) of the budget shall be allocated to Infrastructure Program activities, not more than ten (10%) of the budget shall be allocated to Technical Resource Program activities, and not more than five percent (5%) of the budget shall be allocated to Scientific Studies Program activities;

b. Projects that assist in achieving compliance with a MS4 Permit shall be prioritized, to the extent feasible;

c. Funding for Projects that provide DAC Benefits shall not be less than one hundred and ten percent (110%) of the ratio of the DAC population to the total population in each Watershed Area. To facilitate compliance with this requirement, the District will work with stakeholders and Watershed Coordinator(s) to utilize existing tools to identify high-priority geographies for water-quality improvement projects and other projects that create DAC Benefits within DACs, to help inform WASCs as they consider project recommendations;

d. Each Municipality shall receive benefits in proportion to the funds generated within their jurisdiction, after accounting for allocation of the one hundred ten percent (110%) return to DACs, to the extent feasible, to be evaluated annually over a rolling five (5) year period;

e. A spectrum of Project types and sizes shall be implemented throughout the region, to the extent feasible, to be evaluated annually over a rolling five (5) year period;

f. Nature-Based Solutions shall be prioritized, to the extent feasible;

g. Projects, Feasibility Studies, scientific and technical studies, and other activities selected for inclusion in a SIP should be recommended to receive funding for their total estimated costs, unless a lesser amount has been requested;

h. Operation and maintenance costs for any Project may be included in the Infrastructure Program portion of a SIP, whether or not the design and construction of that Project was included in a SIP; and

i. Only Projects that meet or exceed the Threshold Score shall be eligible for inclusion in the Infrastructure Program. Projects that receive a score below the Threshold Score may be referred to the Technical Resources Program at the discretion of the Watershed Area Steering Committee.

3. The Chief Engineer shall develop and adopt guidelines for the preparation of Feasibility Studies (Feasibility Study Guidelines), including required contents, and shall update those guidelines from time to time, consistent with the purposes and goals of the SCW Program, as the Chief Engineer deems necessary or appropriate for the effective operation of the Regional Program. Prior to adopting or updating the guidelines, the Chief Engineer shall provide not less than thirty (30) days' advance public notice of the proposed guidelines or revisions. Public notice shall, at a minimum, include posting the proposed guidelines or revisions on the SCW Program website.

C. Infrastructure Program Implementation.

1. Prior to the disbursement of any funds for a Project that has been selected for inclusion in the Infrastructure Program, the Infrastructure Program Project Applicant must identify the Infrastructure Program Project Developer for the Project. The individual, group or entity identified as the Infrastructure Program Project Developer must have sufficient knowledge, experience and resources to effectively manage the

design and construction of the Project and ensure its completion. An Infrastructure Program Project Applicant may designate a construction authority to be the Infrastructure Program Project Developer. Also, at the request of the Infrastructure Program Project Applicant or the Infrastructure Program Project Developer, the District, at its discretion, may act as the Infrastructure Program Project Developer for all or any aspects of a Project.

2. Prior to the disbursement of any funds for a Project that has been selected for inclusion in the Infrastructure Program, the Infrastructure Program Project Applicant must also identify the person or entity that will be responsible for the operation, maintenance and repair of the Project and the source of funds that will be used to pay for the operation, maintenance and repair of the Project, throughout the Project's useful life.

3. Prior to the disbursement of any funds for a Project that has been selected for inclusion in the Infrastructure Program, a vector minimization plan must be prepared addressing vector considerations for the Project.

4. Scoring Committee.

a. The Scoring Committee shall include at least two subject-matter experts in Water Quality Benefits, at least one subject-matter expert in Nature-Based Solutions or Community Investment Benefits, and at least one subject-matter expert in Water Supply Benefits.

b. The members of the Scoring Committee shall comply with State conflict of interest laws (e.g., Gov. Code §§ 1090 et seq. and 87100 et seq.) and all applicable conflict of interest policies of the County;

c. The Chief Engineer shall develop and adopt operating guidelines for the governance of the Scoring Committee and the conduct of Scoring Committee business (Scoring Committee Operating Guidelines), including standard Project-scoring criteria, and shall update those guidelines from time to time, consistent with the purposes and goals of the SCW Program, as the Chief Engineer deems necessary or appropriate for the effective operation of the Scoring Committee and the conduct of Scoring Committee business. Each Scoring Committee member will be required to read and comply with the Scoring Committee Operating Guidelines, among other things, as a condition of serving as a member of the Scoring Committee;

d. The District shall provide staff support to the Scoring Committee using funds from the District Program;

e. The District may compensate members of the Scoring Committee who are not otherwise compensated, in the amount of one hundred dollars (\$100) per meeting attended, using funds from the District Program; and

f. Meetings conducted by the Scoring Committee shall be open to the public.

D. Technical Resource Program Implementation.

1. The purpose of the Technical Resources Program is to provide Technical Assistance Teams to assist persons or organizations that do not have the



necessary technical resources or capabilities with the development of Feasibility Studies and compliance with other technical requirements of the Infrastructure Program, and to provide Watershed Coordinators to educate and build capacity in Watershed Areas and facilitate community and Stakeholder engagement with the Technical Resources Program and the Watershed Area Steering Committees as a whole.

2. Technical Assistance Teams.

a. A Technical Assistance Team shall be assigned to assist with the development of a Feasibility Study for each Project concept identified in a SIP;

b. The District, at the request of a Watershed Area Steering Committee, shall provide a Technical Assistance Team to assist Infrastructure Program Project Applicants and others, as appropriate, in meeting other technical requirements of the Infrastructure Program, including, but not limited to, the amendment of eligible water-quality plans to include a Project and assisting non-Municipal Project Applicants with obtaining letters of support from the applicable Municipality; and

c. Technical Assistance Teams shall be paid for with funds allocated to the Technical Resources Program in the applicable SIP. In addition, the District may, in its discretion, provide Technical Assistance Teams using funds allocated to the District Program.

3. Watershed Coordinators.

a. Not less than one (1) Watershed Coordinator will be assigned to each Watershed Area; plus, one (1) additional Watershed Coordinator will be assigned for each additional one-million people within the Watershed Area;

b. Each Watershed Area Steering Committee shall select their respective Watershed Coordinator(s) from a list of eligible candidates provided by the District and shall designate them in their respective SIPs as part of the Technical Resource Program budget. A single Watershed Coordinator position may be filled by an individual or by multiple employees of a single entity at the discretion of the applicable WASC; and

c. The duties and responsibilities of Watershed Coordinator(s) center around connecting potential applicants with technical resources and building inclusion and meaningful engagement in pursuit of SCW Program Goals, and shall include, but not be limited to, the following:

(1) Work with Technical Assistance Teams to bring resources to potential Infrastructure Program Project Applicants;

(2) Work with Municipalities and Stakeholders to identify and develop Project concepts that may be elevated to the Watershed Area Steering Committees and Technical Assistance Teams to assist with development of Feasibility Studies;

(3) Identify and help leverage and secure additional funding sources for Regional Projects and Programs;

(4) Engage Municipalities, community groups, and other watershed Stakeholders to ensure diverse perspectives are included in planning and implementation of the Regional Program;

(5) Conduct community outreach to diverse communities, with an emphasis on disadvantaged communities;

(6) Provide leadership in community outreach efforts related to watershed planning;

(7) Facilitate collaborative decision-making between private and public entities to develop and implement actions that best address community priorities;

(8) Integrate community, Municipality, and regional priorities through partnerships and extensive networks;

(9) Organize public outreach events included in SIPs, such as workshops, demonstrations, community forums and restoration activities, to educate Stakeholders on stormwater-related topics;

(10) Serve as non-voting members of the Watershed Area Steering Committees for their respective Watershed Areas; and

(11) Collaborate with all other Watershed Coordinators and the District to help ensure consistency in implementation and to inform each other of effective efforts, outreach, and communication approaches, including sharing best practices and resources.

E. Scientific Studies Program Implementation.

1. The purpose of the Scientific Studies Program is to provide funding for scientific and technical activities, including, but not limited to, scientific studies,

technical studies, monitoring, and modeling related to Stormwater and Urban Runoff capture and pollution reduction.

2. Watershed Area Steering Committees will recommend studies and other activities for funding by including the studies or other activities in the Scientific Studies Program portion of their respective SIPs.

3. All studies and other activities included in the Scientific Studies Program portion of a SIP shall be conducted in accordance with accepted scientific protocols.

4. The Scientific Studies Program shall be administered by the District and, to the extent feasible, shall utilize independent research institutions or academic institutions to carry out Scientific Studies or to help design and peer review Scientific Studies carried out by other entities.

F. Progress/Expenditure Reports.

1. Infrastructure Program Project Developers shall prepare quarterly progress and expenditure reports, as described in subsection 3 below, for their respective Projects and Programs.

2. The District shall prepare quarterly progress and expenditure reports, as described in subsection 3 below, for activities undertaken by the District pursuant to the Technical Resources (e.g. Watershed Coordinators and Technical Assistance Teams) and Scientific Studies Programs.

3. Quarterly progress and expenditure reports shall include the following information:

- a. An estimate of the percentage of work completed;
- b. The amount of SCW Program funds expended;
- c. Documentation that the SCW Program funds were used for eligible expenditures;
- d. A discussion of work accomplished during the reporting period;
- e. The milestones or deliverables completed/submitted during the reporting period;
- f. A discussion of any scheduling concerns and issues encountered that may delay completion of the Program or Project;
- g. The work anticipated to be accomplished during the next reporting period;
- h. Photo documentation of the progress and current status of the Project, as appropriate;
- i. Any anticipated schedule or budget modifications; and
- j. A summary of the outreach activities to DACs and expenditures that achieve DAC Benefits.

4. Infrastructure Program Project Developers shall prepare an annual summary of the quarterly progress and expenditure reports for their respective Programs and Projects, including all items listed in Section 18.07.F.3. The annual summary reports shall also include a description of the Water Quality Benefits, Water

Supply Benefits, Community Investment Benefits and the SCW Program Goals achieved during the prior year.

5. The Watershed Area Steering Committees shall review the Infrastructure Program Project Developers' quarterly progress and expenditure reports and the annual summary reports to evaluate whether the schedules, budgets, scopes and expected benefits have significantly changed and remain consistent with the SCW Program Goals. Programs and Projects that are over budget or behind schedule, or that demonstrate reduced or revised scope or benefits, may be adjusted or removed from future SIPs.

6. The Watershed Area Steering Committees shall forward each quarterly progress and expenditure report and each annual summary report to the ROC, together with the Watershed Area Steering Committees' evaluations.

G. Watershed Area Steering Committees.

1. Membership Requirements.

a. Each Watershed Area Steering Committee shall be comprised of seventeen (17) members plus the Watershed Coordinator(s) for the Watershed Area. Seven (7) members shall represent the Municipalities located within the Watershed Area, five (5) members shall represent agency members, and five (5) members shall represent community Stakeholders. Each member shall have a designated alternate to attend committee meetings, participate in accordance with the WASC Operating Guidelines, and vote in the absence of the primary member; and

b. The Municipal members and their alternates shall be selected in accordance with the following:

(1) A Municipality with at least fourteen percent (14%) of the Impermeable Area located within the Watershed Area shall appoint one primary member and one alternate member. A Municipality with at least twenty-eight percent (28%) of the Impermeable Area located within the Watershed Area shall appoint two primary members and two alternate members. A Municipality with at least forty-three percent (43%) of the Impermeable Area located within the Watershed Area shall appoint three primary members and three alternate members. A single Municipality shall not appoint more than three primary and three alternate members to any Watershed Area Steering Committee, unless the Watershed Area is comprised of less than three Municipalities;

(2) The remaining primary Municipal members shall be selected by the unrepresented Municipalities in the Watershed Area; and

(3) All persons selected as primary or alternate members must meet the applicable qualifications described in the WASC Operating Guidelines.

c. The agency members and their alternates shall be selected in accordance with the following:

(1) The Board shall appoint the primary agency members. The agency members will be, to the maximum extent feasible, selected to represent a range of interests within the Watershed Area and to maintain a regional focus;

- (2) One member shall represent the District;
- (3) One member shall represent the largest municipal water district in the Watershed Area;
- (4) One member shall represent the largest watermaster or groundwater agency in the Watershed Area or, if no such agency exists, a second municipal water district;
- (5) One member shall represent the largest local park and open space agency in the Watershed Area;
- (6) One member shall represent the largest sanitation agency in the Watershed Area;
- (7) Each primary member shall designate an alternate member from their organization; and
- (8) All persons selected as primary or alternate members must meet the applicable qualifications described in the WASC Operating Guidelines.

d. The community Stakeholder members and their alternates shall be selected in accordance with the following:

- (1) The Board shall appoint all primary community Stakeholder members. The primary community Stakeholder members will be, to the maximum extent feasible, selected to maintain a geographic balance and represent a range of interests within the Watershed Area and maintain a regional focus;
- (2) One member shall represent environmental justice interests;



- (3) One member shall represent business interests;
- (4) One member shall represent environmental interests;
- (5) The two remaining primary community Stakeholder

members will be from the community, including, but not limited to, public health agencies, labor organizations, non-governmental organizations, community-based organizations, schools and academia;

- (6) Each primary member shall designate an alternate member from their organization; and

- (7) All persons selected as primary or alternate members must meet the applicable qualifications described in the WASC Operating Guidelines.

- e. The Chief Engineer shall develop and adopt operating guidelines for the governance of the WASCs and the conduct of WASC business (WASC Operating Guidelines), including minimum qualifications to serve as a committee member, and shall update those guidelines from time to time, consistent with the purposes and goals of the SCW Program, as the Chief Engineer deems necessary or appropriate for the effective operation of the WASCs and the conduct of WASC business. Each WASC member will be required to read and comply with the WASC Operating Guidelines, among other things, as a condition of serving as a member of the WASC.

## 2. Meeting Procedures.

a. Each Watershed Area Steering Committee shall hold regular meetings at a frequency and on a schedule determined by that Committee. Watershed Area Steering Committee meetings shall be open to the public;

b. A quorum is required for Watershed Area Steering Committees to act on any item of business at a meeting. A quorum will consist of a simple majority of the members or their alternates in attendance at the meeting, out of the total existing membership positions currently occupied. If a quorum is present at a meeting, the Watershed Area Steering Committee may approve of any item of business by a simple majority vote;

c. Each Watershed Area Steering Committee member or their alternate shall have one equally weighted vote;

d. Watershed Coordinators shall participate in the meetings of the Watershed Area Steering Committees for their respective Watershed Areas as non-voting members;

e. The District will provide staff support to the Watershed Area Steering Committees using funds from the District Program;

f. Members and alternates of the Watershed Area Steering Committees who are not otherwise compensated to participate, may qualify for a stipend in the amount of one hundred dollars (\$100) per meeting attended, subject to qualifying circumstances, to be paid through the District Program; and

g. Members and alternates of the Watershed Area Steering Committees shall comply with State conflict of interest laws (e.g., Gov. Code §§ 1090 et seq. and 87100 et seq.) and all applicable conflict of interest policies of the County.

3. Additional Duties and Responsibilities. In addition to the preparation of the SIPs and review of the progress and expenditure reports, as described above, Watershed Area Steering Committees shall have the following additional duties and responsibilities:

a. Each Watershed Area Steering Committee shall annually prepare a WARPP Report;

b. Each Watershed Area Steering Committee shall provide information about its Watershed Area as requested by the Board; and

c. Each Watershed Area Steering Committee, in conjunction with its Watershed Coordinator(s), shall help potential Infrastructure Program Project Applicants identify potential partners and additional sources of funding to augment and leverage SCW Program revenues for Projects and Programs.

**18.08 Regional Oversight Committees (ROC).**

A. Membership Requirements.

1. The ROC shall be comprised of nine (9) voting members who shall be subject-matter experts in the areas of Water Quality Benefits, Water Supply Benefits, Nature-Based Solutions and Community Investment Benefits, public health, sustainability, and/or other fields related to Stormwater capture or the reduction of Stormwater or Urban Runoff pollution. The ROC shall also include two (2) non-voting

members, one representing the Los Angeles Regional Water Quality Control Board and one representing the District.

2. The Board shall appoint all members of the ROC. The members of the ROC will be selected to ensure a diverse representation of the subject-matter experts described above.

3. The Chief Engineer shall develop and adopt operating guidelines for the governance of the ROC and the conduct of ROC business (ROC Operating Guidelines), and shall update those guidelines from time to time, consistent with the purposes and goals of the SCW Program, as the Chief Engineer deems necessary or appropriate for the effective operation of the ROC and the conduct of ROC business. Each ROC member will be required to read and comply with the ROC Operating Guidelines, among other things, as a condition of serving as a member of the ROC.

**B. Meeting Procedures.**

1. The ROC shall hold regular meetings at a frequency and on a schedule determined by the ROC, but typically no less than quarterly. ROC meetings shall be open to the public.

2. A quorum is required for the ROC to act on any item of business at a meeting. A quorum will consist of five (5) voting members in attendance at the meeting. If a quorum is present at a meeting, the ROC may approve of any item of business by a simple majority vote.

3. Each voting member shall have one equally weighted vote.

4. The District will provide staff support to the ROC using funds from the District Program.

5. Members of the ROC who are not otherwise compensated to participate, may qualify for a stipend in the amount of one hundred dollars (\$100) per meeting attended, subject to qualifying circumstances, to be paid through the District Program.

6. Members of the ROC shall comply with State conflict of interest laws (e.g., Gov. Code §§ 1090 et seq. and 87100 et seq.) and all applicable conflict of interest policies of the County.

C. Duties and Responsibilities. The ROC shall have the following duties and responsibilities:

1. The ROC shall annually review the SIP for each Watershed Area.

2. The ROC shall review the quarterly and annual progress and expenditure reports: (a) prepared by the District for the Technical Resources Program and the Scientific Studies Program, and (b) prepared by the Infrastructure Program Project Developers for the Infrastructure Program, and the ROC shall provide any comments or concurrence with the evaluations by the WASCs, as appropriate.

3. The ROC shall annually review the WARPP Reports for each Watershed Area to determine whether and the extent to which Regional Program requirements were met and SCW Program Goals were achieved for the prior year and, based on its review, shall make recommendations for adjustments to the following

year's SIPs and provide those recommendations to the respective Watershed Area Steering Committees and the Board.

4. The ROC shall review, evaluate and develop recommendations regarding the Municipalities' annual reports, as described in Section 18.06.D. of this Chapter.

5. The ROC shall biennially prepare a SCW Program Progress Report for the Board in accordance with the following procedures:

a. The ROC shall prepare a draft SCW Program Progress Report, circulate the draft for public comment, and conduct a noticed public hearing to receive public comments on the draft;

b. After the conclusion of the public hearing, the ROC shall revise the draft SCW Program Progress Report as it determines necessary or appropriate based on the public comments received; and

c. The ROC shall submit the final SCW Program Progress Report to the Board and make the final Report available to the public.

**18.09 Transfer Agreements.**

A. The Board shall approve standard template Transfer Agreements for use by the District, Municipalities, and Infrastructure Program Project Developers.

B. Contents. The standard template Transfer Agreement will require recipients of funds to comply with the requirements of the SCW Program and other appropriate provisions established by the Board, including but not limited to:

1. Requirements for compliance with the terms of the SCW Program.

2. Provisions, as necessary, to provide clarity and accountability in the use of SCW Program funds.

3. Provisions, processes, and schedules for disbursement of funds.

4. For Regional Infrastructure Program Project Developers, Project parameters such as schedule, budget, scope, and benefits.

5. For Municipalities, a requirement to annually submit a plan of how SCW Program funds will be used during the ensuing year, which shall include, at a minimum, anticipated activities, anticipated engagement activities with stakeholders, an initial programmatic budget, and the SCW Program Goals that are anticipated to result from the planned expenditures.

6. Provisions for management of interest funds, debt, liability, and obligations.

7. Provisions for indemnification of the District.

8. Requirements for auditing and Annual or Quarterly Progress/Expenditure Reports.

9. With respect to a Project funded with SCW Program funds through the Regional Program, if the Project has an estimated capital cost of over twenty-five million dollars (\$25,000,000), as adjusted periodically by the Chief Engineer in accordance with changes in the Consumer Price Index for all urban consumers in the Los Angeles area, or other appropriate index, a provision that the Infrastructure Program Project Developer for such a Project must require that all contractors performing work on such a Project be bound by the provisions of: (1) a County-wide

Project Labor Agreement ("County PLA"), if such an agreement has been successfully negotiated between the County and the Trades and is approved by the Board, or (2) a Project Labor Agreement ("PLA") mirroring the provisions of such County PLA.

10. With respect to a Project funded with SCW Program funds through the Regional Program, if one or more of the Municipalities that is a financial contributor to a Project has its own PLA, a provision that the Infrastructure Program Project Developer for the Project must require that contractors performing work on the Project are bound to such PLA. If more than one of the contributing Municipalities to a capital project has a PLA, the Project Developer shall determine which of the PLAs will be applied to the Project.

11. With respect to a Project funded with SCW Program funds through the Regional Program, a provision that the Infrastructure Program Project Developer for such a Project must apply and enforce provisions mirroring those set forth in the then-current version of the County's Local and Targeted Worker Hire Policy ("LTWHP"), adopted by the Board on September 6, 2016, as to contractors performing work on such a Project; or, if the Infrastructure Program Project Developer is a Municipality and has adopted its own policy that is substantially similar to the LTWHP, a provision that the Infrastructure Program Project Developer may, at its election, choose to apply and enforce the provisions of its own such policy as to contractors performing work on such a Project in lieu of the provisions of the LTWHP.

12. With respect to a Project funded with SCW Program funds through the Regional Program, a provision that the Infrastructure Program Project Developer for



such a Project must apply and enforce provisions mirroring those set forth in County Code Chapter 2.211 (Disabled Veteran Business Enterprise Preference Program), County Code Chapter 2.204 (Local Small Business Enterprise Preference Program), and County Code Chapter 2.205 (Social Enterprise Preference Program), as to contractors performing work on such an Infrastructure Program Project, subject to statutory authorization for such preference program(s), and subject to applicable statutory limitations for such preference(s); and, furthermore, a provision that the Infrastructure Program Project Developer implementing such a Project must take actions to promote increased contracting opportunities for Women-Owned Businesses on such a Project, subject to applicable State or federal constitutional limitations.

13. Requirements for post-construction/implementation monitoring as appropriate.

14. Requirements on Infrastructure Program Project Developers to carry out all actions necessary to complete the Project.

15. Requirements related to the operation, maintenance, and repair of the Project throughout its useful life.

16. A prohibition against the use of SCW Program funds for any Project implemented as an Enhanced Compliance Action ("ECA") and/or Supplemental Environmental Project ("SEP") as defined by State Water Resources Control Board Office of Enforcement written policies, or any other Project implemented pursuant to the settlement of an enforcement action or to offset monetary penalties imposed by the

State Water Resources Control Board, a Regional Water Quality Control Board, or any other regulatory authority, except as provided in subsection 17, below.

17. A provision that SCW funds may be used for any Project implemented pursuant to a time schedule order ("TSO") issued by the Los Angeles Regional Water Quality Control Board provided that, at the time the TSO is issued, the Project is included in an approved watershed management program (including enhanced watershed management programs) developed pursuant to the MS4 Permit.

**18.10 Credit Program Implementation.**

A. The credit program described in Section 16.10.A. of Chapter 16 of this code shall be implemented in accordance with the provisions of this Section. The Chief Engineer shall develop and adopt additional or revised implementation procedures and guidelines for the program (Credit Program Procedures and Guidelines) consistent with the purposes and goals of the SCW Program, including a standard formula for calculating the specific amount of Water Quality, Water Supply, Community Investment, and Additional Activities Credits, and additional criteria for credit eligibility, and shall update those implementation procedures and guidelines from time to time, as the Chief Engineer deems necessary or appropriate for the effective operation of the program. Prior to adopting or updating the Credit Program Procedures and Guidelines, the Chief Engineer shall provide not less than thirty (30) days' advance public notice of the proposed procedures and guidelines or revisions. Public notice shall, at a minimum, include posting the proposed procedures and guidelines or revisions on the SCW Program website. The Chief Engineer shall review this Section every five (5) years and

propose revisions, for approval of the Board, as necessary to conform the provisions of this Section with the provision of the Credit Program Procedures and Guidelines.

**B. Credit Eligibility Criteria and Calculation of Credit Amounts.**

**1. Water Quality Credit.** Parcels that include a Stormwater Improvement, or that are located in a Benefited Development that includes a Stormwater Improvement, shall be eligible for a Water Quality Credit as follows:

Stormwater Improvement Criteria	Maximum Credit Amount
The Stormwater Improvement meets the requirements of an applicable LID Ordinance.	Up to sixty-five percent (65%) of the Parcel's Special Parcel Tax amount.
The Stormwater Improvement exceeds the requirements of an applicable LID Ordinance.	Up to seventy-five percent (75%) of the Parcel's Special Parcel Tax amount.
The Stormwater Improvement provides Water Quality Benefits that are comparable to or greater than the Water Quality Benefits that would be achieved by a Stormwater Improvement that complies with the requirements of Section 12.84.440 of the Los Angeles County Code.	Up to sixty-five percent (65%) of the Parcel's Special Parcel Tax amount.
The Stormwater Improvement was commenced prior to November 6, 2018, and meets the requirements of an applicable SUSMP.	Up to fifty percent (50%) of the Parcel's Special Parcel Tax amount.
The Stormwater Improvement was commenced prior to November 6, 2018, and exceeds the requirements of an applicable SUSMP.	Up to sixty-five percent (65%) of the Parcel's Special Parcel Tax amount.
The Stormwater Improvement meets the requirements of an applicable RWQCB Stormwater Permit.	Up to sixty-five percent (65%) of the Parcel's Special Parcel Tax amount.
The Stormwater Improvement meets the requirements of an applicable RWQCB Stormwater Permit and has a design volume greater than or equal to the runoff volume resulting from a 2-inch, 24-hour rain event.	Up to seventy-five percent (75%) of the Parcel's Special Parcel Tax amount.
The Stormwater Improvement retains one hundred percent (100%) of all Urban Runoff from the Parcel or Benefited Development.	Up to 50% of the Parcel's Special Parcel Tax amount, through and including 2024, and up to twenty percent (20%) of the Parcel's Special Tax amount thereafter.

**2. Water Supply Credit.** Parcels that include a Stormwater Improvement or that are located in a Benefited Development that includes a Stormwater

Improvement providing a Water Supply Benefit shall be eligible for a Water Supply Credit of up to twenty percent (20%) of the Parcel's Special Parcel Tax amount.

3. Community Investment Credit. Parcels that include a Stormwater Improvement or that are located in a Benefited Development that includes a Stormwater Improvement providing a Community Investment Benefit shall be eligible for a Community Investment Credit of up to ten percent (10%) of the Parcel's Special Parcel Tax amount.

4. Notice of Non-Applicability ("NONA") Credit. A Parcel or portion of a Parcel that is the subject of a NONA issued by the Los Angeles Regional Water Quality Control Board shall be eligible for a credit of up to one-hundred percent (100%) of the Parcel's Special Parcel Tax amount.

5. Maximum Combined Credit Amounts:

a. Water Quality Credits, Water Supply Credits and Community Investment Credits may be combined up to a maximum of eighty percent (80%) of a Parcel's Special Parcel Tax amount; and

b. An additional credit of up to twenty percent (20%) of a Parcel's Special Parcel Tax amount, may be awarded to Parcel owners that perform Additional Activities after November 6, 2018, that confer benefits to the broader regional community related to SCW Program Goals. Examples and additional details will be included in the Credit Program Procedures and Guidelines.

C. Credit Program Implementation Procedures. The District shall grant Parcel owners credit for qualifying Stormwater Improvements and Additional Activities, as described in Section 18.10.B., in accordance with the following procedures:

1. The owner or an authorized representative of the owner of a Parcel that includes a Stormwater Improvement or that is located in a Benefited Development, may submit an application for credit or recertification to the District. The application shall include the following information, as applicable:

a. Photo documentation of the construction or installation of the Stormwater Improvement on the Parcel or Benefited Development, as applicable;

b. A maintenance management plan for the Stormwater Improvement;

c. The applicable LID Ordinance design storm volume or IGP or RWQCB Stormwater Permit or SUSMP design standard for the Impermeable Area of the Parcel or Benefited Development;

d. Calculations of the following:

(1) The total Impermeable Area of the Parcel or Benefited Development;

(2) The Impermeable Area tributary to the Stormwater Improvement;

(3) The maximum volume that the Stormwater Improvement is designed to capture and/or treat; and

(4) The amount of the Water Quality Credit, Water Supply Credit, Community Investment Credit, and/or Additional Activities Credit applied for.

e. A certification by a civil engineer licensed to practice in California, that all information in the application pursuant to subsections 1.a through d, above, is correct, that the calculations are accurate, and that the Stormwater Improvement is performing as designed; and

f. A certification by the Parcel owner or the owner's authorized representative verifying the claimed Community Investment, NONA, and Additional Activities Credits.

2. The District shall establish application deadlines for each fiscal year and only applications submitted prior to the deadline will be considered for approval.

3. If the District approves an application for credit, the credit will be applied to the Parcel's Special Parcel Tax amount for the next two (2) fiscal years. Parcel owners or their authorized representatives must thereafter re-certify to continue the credit, every two (2) years. The re-certification to continue the credit shall contain the same information as the initial application for credit, as applicable, and shall be subject to the application deadlines established for the year of re-certification.

4. Procedures for aggregating multiple Parcels with common ownership and procedures for Benefited Developments shall be included in the Credit Program Procedures and Guidelines. In addition, the Chief Engineer shall consider developing procedures for preliminary review of credit eligibility for Parcel owners and Benefited Developments for inclusion in the Credit Program Procedures and Guidelines.

5. Applicants shall have the right to appeal a credit determination in accordance with the procedures established in the Credit Program Procedures and Guidelines.

**18.11 Credit Trading Program.**

A. The credit trading program described in Section 16.10.C. of Chapter 16 shall be implemented in accordance with procedures and guidelines developed and adopted by the Chief Engineer, in consultation with stakeholders, and updated from time to time, consistent with the purposes and goals of the SCW Program, as the Chief Engineer deems necessary or appropriate for the effective operation of the program. Prior to adopting or updating the procedures and guidelines, the Chief Engineer shall provide not less than thirty (30) days' advance public notice of the proposed procedures and guidelines or revisions. Public notice shall, at a minimum, include posting the proposed procedures and guidelines or revisions on the SCW Program website.

B. Credits earned but not applied in the Credit Program will be eligible for trading.

**18.12 Exemption for Low-Income Senior-Owned Parcels.**

The exemption for Low-Income Senior-Owned Parcels described in Section 16.09.B. of Chapter 16 shall be implemented in accordance with procedures and guidelines developed and adopted by the Chief Engineer, and updated from time to time, consistent with the purposes and goals of the SCW Program, as the Chief Engineer deems necessary or appropriate for the effective implementation of the exemption. Prior to adopting or updating the procedures and guidelines, the Chief

Engineer shall provide not less than thirty (30) days' advance public notice of the proposed procedures and guidelines or revisions. Public notice shall, at a minimum, include posting the proposed procedures and guidelines or revisions on the SCW Program website.

**18.13 Appeals Process for Review of Calculation of Special Parcel Tax Amount.**

The appeals process referenced in Section 16.08.C. of Chapter 16 of this code shall be administered in accordance with procedures and guidelines developed and adopted by the Chief Engineer and updated from time to time, consistent with the purposes and goals of the SCW Program, as the Chief Engineer deems necessary or appropriate for the effective administration of the appeals process. Prior to adopting or updating the procedures and guidelines, the Chief Engineer shall provide not less than thirty (30) days' advance public notice of the proposed procedures and guidelines or revisions. Public notice shall, at a minimum, include posting the proposed procedures and guidelines or revisions on the SCW Program website.

**18.14 Enforcement and Remedies for Violations.**

A. The purpose of this Section is to establish baseline alternate remedies for the District to utilize in enforcing the provisions of this Chapter. The remedies authorized in this Chapter are cumulative to any other remedy provided for in this code, or the laws of the State of California or the United States of America, so long as the cumulative application of such available remedies would not violate any applicable law.



B. If the District determines that a Municipality, Infrastructure Program Project Developer, or any other recipient of SCW Program funds has violated any provision of this Chapter or an applicable Transfer Agreement, the District is authorized to issue a notice of violation to the Municipality, Infrastructure Program Project Developer or other recipient of SCW Program revenues. The notice shall be in writing and shall describe the violation, the remedial actions the recipient must take to correct the violation, and the date by which the violation must be corrected.

C. If the violation involves the use of SCW Program funds for a purpose not authorized by this Chapter, the remedial actions specified in the notice may include a requirement to reimburse the funds, plus interest, to the District.

1. SCW Program funds reimbursed by a Municipality will be used to fund Regional Projects that, to the extent feasible and as determined by the WASC, are located within the jurisdiction of the Municipality.

2. SCW Program funds reimbursed by an Infrastructure Program Project Developer will be used to implement Projects in the same Watershed Area from which the funds were collected.

D. If the violation is not corrected by the date specified in the notice, the District is authorized to immediately suspend and withhold future disbursements of SCW Program funds to the Municipality, Infrastructure Program Project Developer, or other recipient of SCW Program funds, until the violation is corrected; provided, however, that if the violation remains uncorrected for a period of five (5) years, the

withheld funds may be reallocated to a different Program or Project in the same Watershed Area, as determined by the applicable Watershed Area Steering Committee.

E. A Municipality, Infrastructure Program Project Developer, or other recipient of SCW Program funds that disputes a notice of violation that has been issued to it may submit a written notice of appeal to the District not later than twenty (20) business days from the date of the written notice from the District. The District shall appoint a hearing officer to conduct a hearing on the appeal.

1. Where the notice of violation requires the recipient to reimburse SCW Program funds, the submission of a notice of appeal does not relieve the Municipality, Infrastructure Program Project Developer, or other recipient of SCW Program funds of the obligation to reimburse to the District the SCW Program funds in dispute. If the hearing officer determines that the expenditures in dispute did not violate this Chapter, the reimbursed funds will be returned in the next disbursement of SCW Program revenues to that Municipality, Infrastructure Program Project Developer, or other recipient of SCW Program funds.

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# **SAFE, CLEAN WATER PROGRAM**

## **Program Elements**

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## I. Safe, Clean Water Program Goals

The Safe, Clean Water Program is a multi-benefit Stormwater and/or Urban Runoff capture Program intended to improve water quality in a manner that achieves additional benefits such as increasing water supply and investing in the health and well-being of Los Angeles County communities. The SCW Program helps put Los Angeles County on a path to water resiliency and economic security through strategies, projects, and policies that increase drought preparedness, improve the water quality of rivers, lakes, and streams, and ensure investment in improved quality of life, especially for communities most exposed to pollution and vulnerable to climate change.

The SCW Program Goals are:

- Improve water quality and contribute to attainment of water quality requirements.
- Increase drought preparedness by capturing more Stormwater and/or Urban Runoff to store, clean and reuse.
- Improve public health by preventing and cleaning up contaminated water, increasing access to open space, providing additional recreational opportunities, and helping communities mitigate and adapt to the effects of climate change through activities such as increasing shade and green space.
- Leverage other funding sources to maximize program goals.
- Invest in infrastructure that provides multiple benefits.
- Prioritize Nature-Based Solutions.
- Provide a spectrum of project sizes from neighborhood to regional scales.
- Encourage innovation and adoption of new technologies and practices.
- Invest in independent scientific research.
- Provide funds such that each Municipality receives benefits in proportion to the funds generated within their jurisdiction.
- Provide Disadvantaged Community (DAC) Benefits in proportion to the DAC population in the County.
- Implement an iterative planning and evaluation process to ensure adaptive management.
- Promote green jobs and career pathways.
- Provide ongoing operations and maintenance for Projects.

## II. Definitions

The following definitions apply to this SCW Program Elements document:

**Auditor:** Auditor-Controller of the County of Los Angeles.

**Board of Supervisors:** Los Angeles County Board of Supervisors acting as the governing body of the Los Angeles County Flood Control District.

**Census Block Group:** As defined by the United States Census Bureau, a statistical division of census tracts, which are generally defined to contain between six hundred (600) and three thousand (3,000) people, and are used to present data and control block numbering. A Census Block Group consists of clusters of blocks within the same census tract. Each census tract contains at least one (1) Census Block Group and each is uniquely numbered within the census tract.

**Chief Engineer:** Chief Engineer of the District or their authorized deputy, agent, or representative.

**Community Investment Benefit:** A benefit created in conjunction with a Project or Program, such as, but not limited to: improved flood management, flood conveyance, or flood risk mitigation; creation, enhancement or restoration of parks, habitat or wetlands; improved public access to waterways; enhanced or new recreational opportunities; and greening of schools. A Community Investment Benefit may also include a benefit to the community derived from a Project or Program that improves public health by reducing heat island effect, and increasing shade or planting of trees and other vegetation that increase carbon reduction/sequestration, and improve air quality.

**County:** County of Los Angeles.

**County Landcover Survey:** A Geographic Information System (GIS) land cover dataset for Los Angeles County, which was developed using County LiDAR data, United States Department of Agriculture (USDA) National Agriculture Imagery Program (NAIP) imagery, along with County Orthophotography Imagery. Object-based image analysis (OBIA) techniques were employed to extract land cover information, which groups imagery pixels into meaningful objects based on their spectral and spatial properties. A rule-based system was designed to mimic the process of manual image analysis by incorporating the elements of image interpretation of color, tone, texture, pattern, location, size, and shape into the classification process. Following the automated OBIA mapping, a detailed manual review of the dataset was carried out, and all observable inaccuracies were corrected.

**Disadvantaged Community (DAC):** A Census Block Group with an annual median household income of less than eighty (80) percent of the Statewide annual median household income (as defined in Water Code section 79505.5).

**Disadvantaged Community (DAC) Benefit:** A Water Quality Benefit, Water Supply Benefit, and/or Community Investment Benefit located in a DAC or providing benefit directly to a DAC population. Benefits may be achieved by Projects, Programs and/or policies including those that promote living-wage jobs and job training; credit and incentive Programs; technical assistance and capacity building; and education Programs. For purposes of evaluating whether a Project or Program provides benefit to a DAC, benefits will be measured by a variety of means including wages paid to workers constructing or maintaining Projects who reside in DACs; credit and incentives for properties located in DACs; funds expended for technical assistance and capacity building paid to individuals and organizations located in DACs; and the amount expended for construction, operations and maintenance of Multi-Benefit Projects located in a DACs or providing benefit directly to a DAC.

**District:** Los Angeles County Flood Control District.

**District Program:** Part of the SCW Program as described in Section 2, subsection 8b(A) of the Flood Control Act.

**Feasibility Study:** A detailed technical investigation and report that is conducted to determine the feasibility of a proposed Project. At a minimum, a Feasibility Study must provide: a description of the Project and its objectives; an estimate of the benefits provided (determined through best engineering estimates and modeling as appropriate); a preliminary lifecycle cost estimate and schedule required to design, construct, operate and maintain the Project (including land acquisition costs); a historical background for the Project site location; a review of the effectiveness of similar types of Projects already constructed; an engineering analysis of site conditions (e.g. soil sampling, preliminary hydrology report, site layout, utility search, environmental impacts, etc.); an assessment of potential CEQA and permitting challenges; details for how operations and maintenance will be carried out; a plan to address and incorporate Stakeholder input on the Project; and a summary of any legal requirements or obligations that may arise as a result of constructing the Project. The District will provide guidance on the minimum requirements, as well as a template for Feasibility Studies.

**Flood Control Act:** Los Angeles County Flood Control Act, as amended by Assembly Bill (AB) 1180 (Holden, 2017).

**Infrastructure Program Project Applicant:** Any entity, which could include but not be limited to a Municipality, individual, group, business, governmental entity, public utility, special district, school, community-based organization, non-governmental organization, non-profit organization, corporation, federally recognized Indian tribe, state Indian tribe listed on the Native American Heritage Commission's California Tribal Consultation List or mutual water company that submits a Project or Feasibility Study for consideration for funding by the SCW Program.

**Infrastructure Program Project Developer:** The entity that carries out or causes to be carried out part or all the actions necessary to complete a Project. The Project Applicant may or may not be the Infrastructure Program Project Developer.

**Impermeable Area:** Parcel area covered by materials or constructed surfaces, such as buildings, roofs, paved roadways, sidewalks, driveways, parking lots, brick, asphalt, concrete, pavers, covers, slabs, sheds, pools, and other constructed surfaces. Impermeable Areas do not include permeable surfaces such as vegetated or natural areas, grasses, bushes, shrubs, lawns, bare soil, tree canopy, natural water bodies, wetland areas, gravel, gardens and planters on bare soil, rocky shores, and other natural areas.

**Multi-Benefit Project:** A Project that has a Water Quality Benefit as well as either or both a Water Supply Benefit and Community Investment Benefit.

**Municipal Program:** Part of the SCW Program as described in Section 2, subsection 8b(B) of the Flood Control Act.

**Municipality:** A city within the District, or the County, pertaining to unincorporated areas within the District.



**Nature-Based Solutions:** A Project that utilizes natural processes that slow, detain; infiltrate or filter Stormwater or Urban Runoff. These methods may include relying predominantly on soils and vegetation; increasing the permeability of Impermeable Areas; protecting undeveloped mountains and floodplains; creating and restoring riparian habitat and wetlands; creating rain gardens, bioswales, and parkway basins; and enhancing soil through composting, mulching, and, planting trees and vegetation, with preference for native species. Nature-Based Solutions may also be designed to provide additional benefits such as sequestering carbon; supporting biodiversity; providing shade; and improving quality of life for surrounding communities. Nature-Based Solutions include Projects that mimic natural processes, such as green streets, spreading grounds and planted areas with water storage capacity. Nature-Based Solutions include Nature-Mimicking Solutions.

**Nature-Mimicking Solutions:** Projects that mimic natural processes, such as green streets, spreading grounds, and planted areas with water storage capacity.

**Parcel:** A parcel of real property situated within the District, as shown on the latest equalized assessment roll of the County and identified by its Assessor's Parcel Number, and that is tributary to a receiving water identified in the Water Quality Control Plan for the Los Angeles Region in effect as of January 1, 2018. Parcel shall not include a possessory interest based on a private, beneficial use of government-owned real property.

**Program:** A planned, coordinated group of activities, related to increasing Stormwater and/or Urban Runoff capture and/or reducing Stormwater and/or Urban Runoff pollution designed to further one or more goals of the SCW Program.

**Project:** The development of Stormwater and/or Urban Runoff infrastructure designed to further the goals of the SCW Program, including the design, preparation of environmental documents, obtaining applicable permits, construction, inspection, operation and maintenance, and similar activities.

**Regional Oversight Committee (ROC):** A body created by the Board of Supervisors whose responsibilities include, but are not limited to assessing whether the SCW Program is implemented in accordance with the ordinance, Program Elements, and other implementing documents, and is achieving SCW Program goals.

**Regional Program:** Part of the SCW Program as described in Section 2, subsection 8b(C) of the Flood Control Act. The Regional Program includes the following subprograms: Infrastructure Program, Technical Resource Program, and Scientific Studies Program.

**Safe, Clean Water (SCW) Program:** Program established by the District to implement Los Angeles Region Safe, Clean Water Program Ordinance, including the administration of revenues from the special Parcel tax levied pursuant to this ordinance, and the criteria and procedures for selecting and implementing Projects and Programs and allocating revenues among the Municipal, Regional, and District Programs.

**Stakeholder:** A person; Municipality; citizens' group; homeowner or other property-owner; business; non-governmental organization; social justice group; health advocate; local park representative; school board member; environmental group; labor union; academic institution; neighborhood council; town council or other similar community group; water resources agency such as a groundwater pumper or manager, private or public water agency, other government agency; or other interested party that has a direct or indirect stake in the SCW Program.

**Stormwater:** Water that originates from atmospheric moisture (rainfall or snowmelt) and falls onto land, water, and/or other surfaces.

**Stormwater Investment Plan:** A five (5) year plan developed by Watershed Area Steering Committees that programs funding for Projects in the Regional Program's Technical Resources Program, Infrastructure Program, and Scientific Studies Program.

**Surface Water:** Water that flows or collects on the surface of the ground.

**Transfer Agreement:** An agreement between the District and an Infrastructure Program Project Developer or Municipality to transfer SCW Program funds.

**Threshold Score:** A minimum score that Projects must meet or exceed in order to be eligible for Infrastructure Program funding.

**Urban Runoff:** Surface water flow that may contain but is not entirely comprised of Stormwater, such as water flow from residential, commercial, and industrial activities.

**Water Quality Benefit:** Reduction in Stormwater and/or Urban Runoff pollution such as improvements in the chemical, physical, and biological characteristics of Stormwater and/or Urban Runoff in the District. Activities resulting in this benefit include but are not limited to: infiltration or treatment of Stormwater and/or Urban Runoff, non-point source pollution control, and diversion of Stormwater and/or Urban Runoff to a sanitary sewer system.

**Water Supply Benefit:** Increase in the amount of locally available water supply, provided there is a nexus to Stormwater and/or Urban Runoff capture. Activities resulting in this benefit include but are not limited to the following: reuse and conservation practices, diversion of Stormwater and/or Urban Runoff to sanitary sewer system for direct or indirect water recycling, increased groundwater replenishment, storage or available yield, or offset of potable water use. Water Supply Benefit created through the SCW Program is subject to applicable adjudicated judgments of water rights.

**Watershed Area:** Regional hydrologic boundaries as depicted on maps maintained by the District for the SCW Program, that are established in consideration of topographic conditions, as well as other considerations.

**Watershed Area Steering Committees:** The nine (9) bodies created by the Board of Supervisors, one for each Watershed Area, whose responsibilities include, but are not limited to, programming funding for the Regional Program.

### III. General SCW Program Requirements

#### A. Authority and Allocation of Revenues

The Board of Supervisors shall annually levy the SCW Program tax upon the taxable Parcels within the District. The District shall use the SCW Program tax revenues to pay the costs and expenses of carrying out Projects and Programs to increase Stormwater and/or Urban Runoff capture and/or reduce Stormwater and/or Urban Runoff pollution in the District. The District shall allocate the revenues derived from the SCW Program tax as follows:

- Ten percent (10%) shall be allocated to the District for implementation and administration of Projects and Programs, and for the payment of the costs incurred in connection with the levy and collection of the SCW Program tax and the distribution of the funds generated by imposition of the SCW Program tax.
- Forty percent (40%) shall be allocated to Municipalities within the District, in the same proportion as the amount of revenues collected within each Municipality for the implementation, operation and maintenance (O&M), and administration of Projects and Programs.
- Fifty percent (50%) shall be allocated to pay for the implementation, O&M, and administration of watershed-based Projects and Programs.

Requirements for use of funds within the District, Municipal, and Regional Programs are discussed in their respective sections of this document.

#### B. Agreements for Transfer of SCW Program Funds

SCW Program funds will be transferred to Municipalities and Infrastructure Program Project Developers in advance of eligible expenditures being made. Prior to their receipt of SCW Program funds, Municipalities and Infrastructure Program Project Developers must enter into an agreement with the District to transfer SCW Program funds. The Transfer Agreement will require recipients of funds to comply with the requirements of the SCW Program and other appropriate provisions established by the Board of Supervisors. A standard agreement will be prepared by the Chief Engineer and approved by the Board of Supervisors, including but not limited to:

- a. Requirements for compliance with the terms of the SCW Program.
- b. Provisions, as necessary, to provide clarity and accountability in the use of SCW Program funds.
- c. Provisions, processes, and schedules for disbursement of funds.
- d. Project parameters such as schedule, budget, scope, and benefits.
- e. Provisions for management of interest funds, debt, liability, and obligations.
- f. Provisions for indemnification of the District.
- g. Requirements for auditing and Annual or Quarterly Progress/Expenditure Reports.

- h. With respect to a Project funded with SCW Program funds through the Regional Program, if the Project has an estimated capital cost of over \$25 million, the Infrastructure Program Project Developer for such a Project shall require that all contractors performing work on such a Project be bound by the provisions of: (1) a County-wide Project Labor Agreement (County PLA), if such an agreement has been successfully negotiated between the County and the Trades and is approved by the Board of Supervisors, or (2) a Project Labor Agreement (PLA) mirroring the provisions of such County PLA.
- i. With respect to a Project funded with SCW Program funds through the Regional Program, if one or more of the Municipalities that is a financial contributor to a Project has its own PLA, the Infrastructure Program Project Developer for the Project shall require that contractors performing work on the Project are bound to such PLA. If more than one of the contributing Municipalities to a capital project has a PLA, the Project Developer shall determine which of the PLAs will be applied to the Project
- j. With respect to all Regional Program Projects funded with SCW Program funds, the Infrastructure Program Project Developer for such a Project shall apply and enforce provisions mirroring those set forth in the then-current version of the County's Local and Targeted Worker Hire Policy (LTWHP), adopted by the Board of Supervisors on September 6, 2016, as to contractors performing work on such a Project. Alternatively, if the Infrastructure Program Project Developer is a Municipality and has adopted its own policy that is substantially similar to the LTWHP, the Infrastructure Program Project Developer may, at its election, choose to apply and enforce the provisions of its own such policy as to contractors performing work on such a Project in lieu of the provisions of the LTWHP.
- k. With respect to all Regional Program Projects funded with SCW Program funds, the Infrastructure Program Project Developer for such a Project shall apply and enforce provisions mirroring those set forth in County Code Chapter 2.211 (Disabled Veteran Business Enterprise Preference Program), County Code Chapter 2.204 (Local Small Business Enterprise Preference Program), and County Code Chapter 2.205 (Social Enterprise Preference Program), as to contractors performing work on such an Infrastructure Program Project, subject to statutory authorization for such preference program(s), and subject to applicable statutory limitations for such preference(s); and, furthermore, the Infrastructure Program Project Developer implementing such a Project shall take actions to promote increased contracting opportunities for Women-Owned Businesses on such a Project, subject to applicable State or federal constitutional limitations.
- l. Requirements for post-construction/implementation monitoring as appropriate.

### C. Eligible Expenditures

Expenditures eligible for SCW Program funds include, but are not limited to, the following:

- a. The development of Feasibility Studies to enable interested parties to submit Projects for SCW Program funds.
- b. Infrastructure development tasks including design, preparation of environmental documents, obtaining permits, construction, O&M, inspection, and similar activities.
- c. Operation and maintenance of Projects.

- d. Water quality and/or regional resilience planning.
- e. Real property acquisition, including fee title, leases, easements and right of entry permits, necessary to implement Projects selected for funding under the SCW Program.
- f. Scientific and technical studies such as Stormwater and/or Urban Runoff modeling and monitoring.
- g. Projects or studies to pilot or investigate new technologies or methodologies to increase and/or improve Stormwater and/or Urban Runoff Capture and reduce Stormwater and/or Urban Runoff pollution for improving water quality, increasing local water supplies, or improving the quality of community investments.
- h. The modification, upgrade, retrofit, or expansion of an existing Project to incorporate new elements to increase Stormwater and/or Urban Runoff Capture and reduce Stormwater and/or Urban Runoff pollution to provide additional Water Quality Benefit, Water Supply Benefit, and/or Community Investment Benefit.
- i. Debt financing, should the District or a Municipality determine that bonds or loans are prudent and necessary to implement Projects or Programs. Watershed Area Steering Committees may request the District to issue a bond for their Watershed Area's revenue stream.
- j. Programs such as but not limited to school education and curriculum, public education, watershed coordinators, technical assistance teams, regional water quality planning and coordination, local workforce job training, and others.
- k. Administration and implementation of the SCW Program.
- l. Administration and payments pursuant to an incentive program, as may be established by the Board of Supervisors.
- m. Maintenance of Effort: Use of up to 30% annually of a Municipality's Municipal Program funds to pay for SCW Program eligible activities commenced before the election date of the SCW Program tax. O&M activities for Projects built to comply with the 2012 Los Angeles MS4 Permit or 2014 Long Beach MS4 Permit are not subject to the 30% limitation so long as they comply with Municipal Program requirements.
- n. Stormwater and/or Urban Runoff residential and/or commercial retrofit Programs.

#### D. Ineligible Expenditures

Ineligible expenditures for SCW Program funds include, but are not limited to, the following:

- a. Payment of fines imposed by any State, Federal, or local regulatory agency.
- b. Expenditures related to the investigation, defense, litigation, or judgment associated with any regulatory permit violations, notices of violation, or noncompliance with regulations brought forth by any State, Federal, local regulatory agency, or a third party unrelated to eligible Projects.
- c. Expenditures for the investigation or litigation of any claim or action against the District, County, or their officers, employees or agents alleging improper allocation, withholding or reassignment of SCW Program revenues.

- d. Costs associated with any litigation, including investigation, defense, or attorneys' fees, related to the design and implementation of Projects and Programs selected for funding under the SCW Program.
- e. Payment of any settlement or judgment related to any claim or lawsuit arising from the negligence or wrongdoing of a Municipality or Infrastructure Program Project Developer or their respective agents in connection with any Project or Program funded under the SCW Program.

## IV. Regional Program

### A. Regional Program Fund Allocation

Fifty (50) percent of the revenue from the tax is allocated for the Regional Program pursuant to the Flood Control Act section 2, subsection 8b(C). The Regional Program will consist of three (3) Programs:

- Infrastructure Program (not less than 85% of Regional Program funds)
- Technical Resources Program (up to 10% of the Regional Program funds)
- Scientific Studies Program (up to 5% of Regional Program funds)

#### Infrastructure Program

The objective of the Infrastructure Program is to plan, build, and maintain Multi-Benefit watershed-based Projects that have a Water Quality Benefit as well as either or both a Water Supply Benefit and Community Investment Benefit.

Infrastructure Program funds:

- Shall be spent on post-Feasibility Study activities such as: design, permits, CEQA compliance, right-of-way and land acquisition, construction, O&M, associated staffing costs, and other related eligible activities. Development of Feasibility Studies is funded through the Technical Resources Program.
- Shall be programmed by the nine (9) Watershed Area Steering Committees proportional to the funds generated in each Watershed Area.
- Shall be allocated such that funding for Projects that provide DAC Benefits be not less than 110% of the ratio of the DAC population to the total population in each Watershed Area.
- Shall be programmed, to the extent feasible, such that each Municipality receives benefits in proportion to the funds generated within their jurisdiction, after accounting for allocation of the 110% return to DACs, to be evaluated over a ten (10) year period.
- Shall be programmed, to the extent feasible, such that a spectrum of Project types and sizes are implemented throughout the region, to be evaluated over a five (5) year period.
- Shall be programmed, to the extent feasible, such that Nature-Based Solutions are prioritized.

**Table 1. Disadvantaged Community Population by Watershed**

Watershed Area	Population*	DAC Population*	Percent DAC
Central Santa Monica Bay	1,757,708	885,846	50%
Lower Los Angeles River	895,933	607,650	68%
Lower San Gabriel River	903,045	177,905	20%
North Santa Monica Bay	71,764	0	0%
Rio Hondo	744,634	259,860	35%
Santa Clara River	286,114	23,753	8%
South Santa Monica Bay	1,003,438	342,049	34%
Upper Los Angeles River	2,969,577	1,496,863	50%
Upper San Gabriel River	1,015,552	218,467	22%
<b>Total</b>	<b>9,647,765</b>	<b>4,012,392</b>	<b>42%</b>

\*These figures are based on the 2016 US Census and will be updated periodically.

The following parameters shall apply to the Infrastructure Program:

- A Feasibility Study is required before a Project can be submitted for consideration for funding. Projects that may already have Feasibility Study level information shall be considered functionally equivalent. Projects with functionally equivalent Feasibility Study level information will not need to conduct an additional Feasibility Study as long as the information and metrics available are conducive to scoring by the Infrastructure Program Scoring Criteria. The District will provide guidance on the minimum requirements, as well as a template for Feasibility Studies.
- Projects may receive funding for any post-Feasibility Study phase. Projected and actual O&M costs for Projects are to be considered and included in the Infrastructure Program to ensure that Projects are properly maintained.
- Infrastructure Program Project Developers are responsible to carry out the actions necessary to complete a Project that is selected for funding.
- Infrastructure Program Project Applicants must demonstrate technical, financial, and other necessary capabilities to be the Infrastructure Program Project Developer. If the Infrastructure Program Project Applicant is unable to be the Infrastructure Program Project Developer for any aspect of a Project, the District may act as the Infrastructure Program Project Developer for the Project.
- Applicants are encouraged to bundle small and medium scale, community level Projects to promote efficiency, achieve economies of scale and advance local hire and job training goals.
- Infrastructure Program Project Developers may utilize a construction authority to implement Projects.
- Projects must be designed for a minimum useful life of thirty (30) years. O&M of Projects constructed with Infrastructure Program funds may be funded by the Infrastructure Program for the useful life span of the Project, even if only a portion of the initial capital costs were funded by the Infrastructure Program.



- Projects commenced before the election date of the SCW Program consistent with the SCW Program but constructed using non-Infrastructure Program funds may receive Infrastructure Program funds for O&M.
- Funding for O&M of Projects must include an O&M plan that includes the required maintenance activities for the life of the project and minimum required expertise and training to perform the maintenance. The O&M plan shall identify and include a commitment from the agency(ies) that will be responsible for the maintenance and their specific roles.
- Projects must be included in an approved water quality plan such as E/WMPs and their updates, Integrated Regional Water Management Plans, or other approved water quality plans. Projects can, but are not required to be part of a programmatic EIR. Projects will be scored by the Scoring Committee.

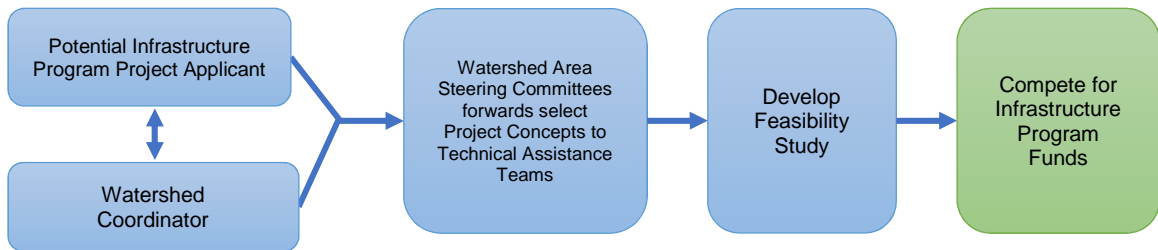
### Technical Resources Program

The objectives of the Technical Resources Program are to provide resources for the development of Feasibility Studies through support from Technical Assistance Teams; and provide Watershed Coordinators to educate and build capacity in communities and facilitate community and Stakeholder engagement. The Technical Resources Program funds shall be allocated to support achievement of SCW Program goals as articulated in Section I. The Technical Resource Program, consisting of Technical Assistance Teams and Watershed Coordinators, will provide services to and be funded by the Regional Program. Watershed Area Steering Committees will determine how to appropriate funds for the Technical Resources Program.

#### ***Technical Assistance Teams***

- The District will provide Technical Assistance Teams comprised of subject matter experts in Stormwater and/or Urban Runoff infrastructure design, hydrology, soils, Nature-Based Solutions, green infrastructure, Stormwater and/or Urban Runoff quality, water supply, recreation, open space, community needs, and other areas. The Watershed Area Steering Committees will decide which Project concepts will be forwarded to the Technical Assistance Teams for development. The Technical Assistance Teams will complete Feasibility Studies in partnership with and on behalf of Municipalities, CBOs, NGOs, and others who may not have the technical resources or capabilities to develop Feasibility Studies.
- The Technical Resources Program funds the development of Project Feasibility Studies. Technical Assistance Teams will work with the necessary parties to add Projects for which there are completed Feasibility Studies to an eligible water quality plan, assist in acquiring a letter of support for non-Municipal Infrastructure Program Project Applicants, and address other prerequisites to apply to the Infrastructure Program. Upon completion, Feasibility Studies shall be submitted to the Watershed Area Steering Committees for consideration.

**Figure 1. Technical Assistance Process**



***Watershed Coordinators***

- Watershed Coordinators will:
  - Work with Technical Assistance Teams to bring resources to potential Infrastructure Program Project Applicants
  - Work with Municipalities and Stakeholders to identify and develop Project concepts that may be elevated to the Watershed Area Steering Committees and Technical Assistance Teams to assist with development of Feasibility Studies.
  - Identify cost-share partners such as local water agencies, conservancies, and transportation agencies.
  - Identify and help leverage and secure additional funding including state bond funds, transportation funding such as Measure M, parks funding such as Measure A, and others.
  - Reach out to Municipalities, community groups, and other watershed Stakeholders to ensure diverse perspectives are included in planning and implementation of the Regional Program.
  - Provide leadership in community outreach efforts related to watershed planning.
  - Facilitate collaborative decision-making between private and public entities to develop and implement actions that best address community priorities.
  - Integrate community, Municipality, and regional priorities through partnerships and extensive networks.
  - Educate local Stakeholders through public outreach events such as workshops, demonstrations, community forums and restoration activities.
- Not less than one (1) Watershed Coordinator will be funded from Technical Resource Program funds for each Watershed Area plus one (1) additional Watershed Coordinator for each one-million of people within the Watershed Area.
- The District shall provide a list of eligible Watershed Coordinators; Watershed Area Steering Committees shall select their Watershed Coordinator(s) from the eligible list.

**Table 2. Watershed Coordinator Breakdown**

<b>Watershed Area</b>	<b>Total Population*</b>	<b>Watershed Coordinators</b>
Central Santa Monica Bay	1,757,708	2
Lower Los Angeles River	895,933	1
Lower San Gabriel River	903,045	1
North Santa Monica Bay	71,764	1
Rio Hondo	744,634	1
Santa Clara River	286,114	1
South Santa Monica Bay	1,003,438	1
Upper Los Angeles River	2,969,577	3
Upper San Gabriel River	1,015,552	1

**\*These figures are based on the 2016 US Census and will be updated periodically.**

Scientific Studies Program

The objective of the Scientific Studies Program is to provide funding for eligible scientific and other activities, such as but not limited to: scientific studies, technical studies, monitoring, modeling, and other similar activities. Watershed Area Steering Committees will determine how to appropriate funds for the Scientific Studies Program. The District will administer the Scientific Studies Program and will seek to utilize independent research institutions or academic institutions to carry out or help design and peer review activities carried out by other entities. All activities funded by the Scientific Studies Program shall be conducted in accordance with accepted scientific protocols.

**B. Stormwater Investment Plans**

Regional Program funds shall be programmed by each Watershed Area Steering Committee via Stormwater Investment Plans. Stormwater Investment Plans shall be formatted substantially similar to the table below. The table reflects the first budget submittal for the Regional Programs starting in fiscal year 2020-21. Each subsequent annual submittal of the Stormwater Investment Plan shall reflect funds programmed for the next five (5) years.

**Table 3. Stormwater Investment Plan Budget Template**

	FY 2020-2021	FY 2021-2022	FY 2022-2023	FY 2023-2024	FY 2024-2025
	Budget	Projection	Projection	Projection	Projection
<b>PROJECT – FEASIBILITY STUDY DEVELOPMENT</b>					
<b>TECHNICAL RESOURCES PROGRAM (up to 10%)</b>					
<b>Feasibility Studies/Concepts</b>					
Watershed Coordinators					
Technical Assistance Team/Feasibility Study					
Technical Assistance Team/Feasibility Study					
<b>PROJECT – POST-FEASIBILITY STUDY</b>					
<b>INFRASTRUCTURE PROGRAM (not less than 85%)</b>					
<b>Design/Permits/CEQA Budget</b>					
Project					
Project					
Project					
<b>Right of Way Acquisition Budget</b>					
Project					
Project					
Project					
<b>Construction</b>					
Project					
Project					
Project					
<b>O&amp;M</b>					
Project					
Project					
Project					
<b>NON-PROJECT ACTIVITIES</b>					
<b>SCIENTIFIC STUDIES PROGRAM (Up to 5%)</b>					
<b>Special Studies</b>					
Project					
Project					
<b>Monitoring</b>					
Project					
<b>TOTAL =</b>					

Funding Allocations for Projects and Programs

Watershed Area Steering Committees will assign funding for Regional Projects and Programs in the Infrastructure Program, Technical Resources Program, and Scientific Studies Program. Projects and Programs will be given conditional funding approval for their entire budget less any leveraged funds. Funding will be transferred to Infrastructure Program Project Developers in annual increments subject to the Project meeting the schedule, budget, scope and benefit terms outlined in the Transfer Agreement.

Quarterly, the suite of Projects and Programs included in the Stormwater Investment Plans shall be evaluated by the corresponding Watershed Area Steering Committees using the information provided in the Quarterly Expenditure/Progress Report. Watershed Area Steering Committees will verify that the Project schedule, budget, scope and benefits have not significantly changed and are consistent with the Transfer Agreement. Projects that run over budget, are behind schedule, or reduce scope or benefits may be subject to loss of funding.

### C. Regional Program Quarterly Progress/Expenditure Reports

Infrastructure Program Project Developers receiving Infrastructure Program funds and the District, on behalf of the Technical Resources and Scientific Studies Program, shall prepare a Quarterly Progress/Expenditure Report for all Projects and Programs. The Infrastructure Program Project Developers shall be subject to and comply with all applicable Project-reporting requirements. The Quarterly Progress/Expenditure Report shall detail:

- Percent complete estimate.
- SCW Program funds expended.
- Documentation that the SCW Program funds were used for eligible expenditures.
- Discussion of work accomplished during the reporting period.
- Milestones or deliverables completed/submitted during the reporting period.
- Scheduling concerns and issues encountered that may delay completion of the task.
- Work anticipated for the next reporting period.
- Photo documentation, as appropriate.
- Any anticipated schedule or budget modifications.
- Additional information as necessary.

Annually, a summary of the Quarterly Progress/Expenditure Reports shall be submitted to the Watershed Area Steering Committees to explain the previous year's Quarterly Progress/Expenditure Reports. The summary report shall also include a description of the Water Quality Benefits, Water Supply Benefits, and Community Investment Benefits and a summary of how funds have been allocated to achieve SCW Program Goals as articulated in Section I for the prior year.

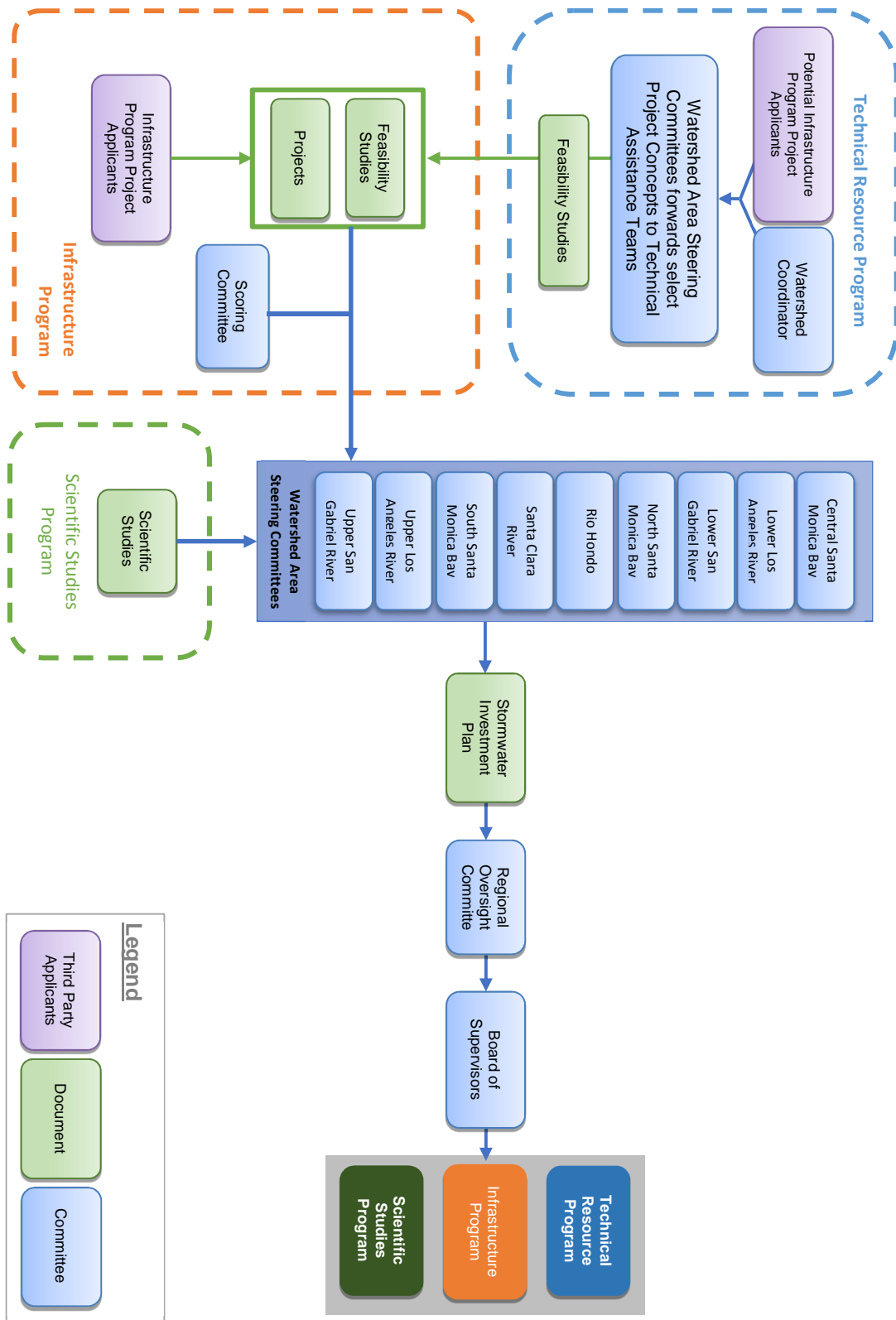
### D. Regional Program Governance Structure and Funding Selection Process

The following procedure will determine the funding for the Infrastructure, Technical Resources, and Scientific Studies Programs.

Annually, these steps will occur:

- Step 1: Revenue Forecast Prepared
  - Board of Supervisors, via the District, prepares a five (5) year revenue forecast for each Watershed Area.
- Step 2: Request for Projects and Project Scoring
  - District, on behalf of the Watershed Area Steering Committees, initiates a request for Feasibility Studies to be funded through the Infrastructure Program.
  - District, on behalf of the Watershed Area Steering Committees, initiates a request for Project concepts to be funded through the Technical Resources Program.
  - Watershed Area Steering Committees forward select Project Feasibility Studies or functionally equivalent Feasibility Study-level information received to the Scoring Committee. Scoring Committee scores these Feasibility Studies and functionally equivalent Feasibility Study level information and applies a Threshold Score.
  - Scoring Committee returns all scored Project Feasibility Studies or functionally equivalent Feasibility Study-level information to the Watershed Area Steering Committee.
- Step 3: Request for Special Studies
  - District, on behalf of the Watershed Area Steering Committees, initiates a request for studies to be funded through the Scientific Studies Program.
- Step 4: Watershed Area Steering Committee Funding Selection
  - Watershed Area Steering Committee reviews funding requests for the Infrastructure Program, Technical Resources Program, and Scientific Studies Programs and prepares a Stormwater Investment Plan.
- Step 5: Stormwater Investment Plans and Regional Oversight Committee Review
  - Watershed Area Steering Committee submits the Stormwater Investment Plan to the Regional Oversight Committee (ROC).
  - The ROC reviews the Stormwater Investment Plans and makes a recommendation to the Board of Supervisors.
- Step 6: Consideration for Approval of the Stormwater Investment Plans
  - Board of Supervisors considers approval of the Stormwater Investment Plans. Board of Supervisors may return Stormwater Investment Plans to the Watershed Area Steering Committees for further revision.
- Step 7: Enter into Transfer Agreements
  - Infrastructure Program Project Developers enter into a Transfer Agreement with the District to transfer annual funding allocations.

**Figure 2. Regional Program Governance Structure and Selection Process Flowchart**



## E. Regional Program: Initial Year Events

Should voters approve the SCW Program tax in November 2018, the following schedule of events will occur:

- Winter 2018
  - Formation of Watershed Area Steering Committees, the Regional Oversight Committee, and Scoring Committee.
  - Initiation of recruiting Technical Assistance Teams and Watershed Coordinators.
  - Initiate development of District-administered Stormwater and/or Urban Runoff Programs.
- Spring 2019
  - District, on behalf of the Watershed Area Steering Committees, initiates a request for Feasibility Studies to be funded through the Infrastructure Program.
  - District, on behalf of the Watershed Area Steering Committees, initiates a request for Project concepts to be funded through the Technical Resources Program.
  - District, on behalf of the Watershed Area Steering Committees, initiates a request for studies to be funded through the Scientific Studies Program.
  - Watershed Area Steering Committee forwards select Project Feasibility Studies or functionally equivalent Feasibility Study-level information to the Scoring Committee
  - Scoring Committee scores and forwards results to the Watershed Area Steering Committees.
  - Watershed Area Steering Committees review funding requests for the Infrastructure Program, Technical Resources Program, and Scientific Studies Program and prepare Stormwater Investment Plans.
  - District develops an evaluation process to quantify Water Quality Benefits, Water Supply Benefits, and other benefits of Nature-Based Solutions for proposed Projects.
  - District develops adaptive management protocols to ensure that SCW Program goals are met.
- Summer 2019
  - Regional Oversight Committee reviews Stormwater Investment Plans and provides a recommendation to the Board of Supervisors.
- Fall/Winter 2019
  - Board of Supervisors considers approval of the Stormwater Investment Plans. Board of Supervisors may return Stormwater Investment Plans to the Watershed Area Steering Committees for further revision
  - Infrastructure Program Project Developers enter into a Transfer Agreement with the District to transfer annual funding allocations.



- Beginning of 2020
  - First installment of the tax will be collected and available for programming
  - District transfers funds to Infrastructure Program Project Developers.

#### F. Eligible Infrastructure Program Project Applicants

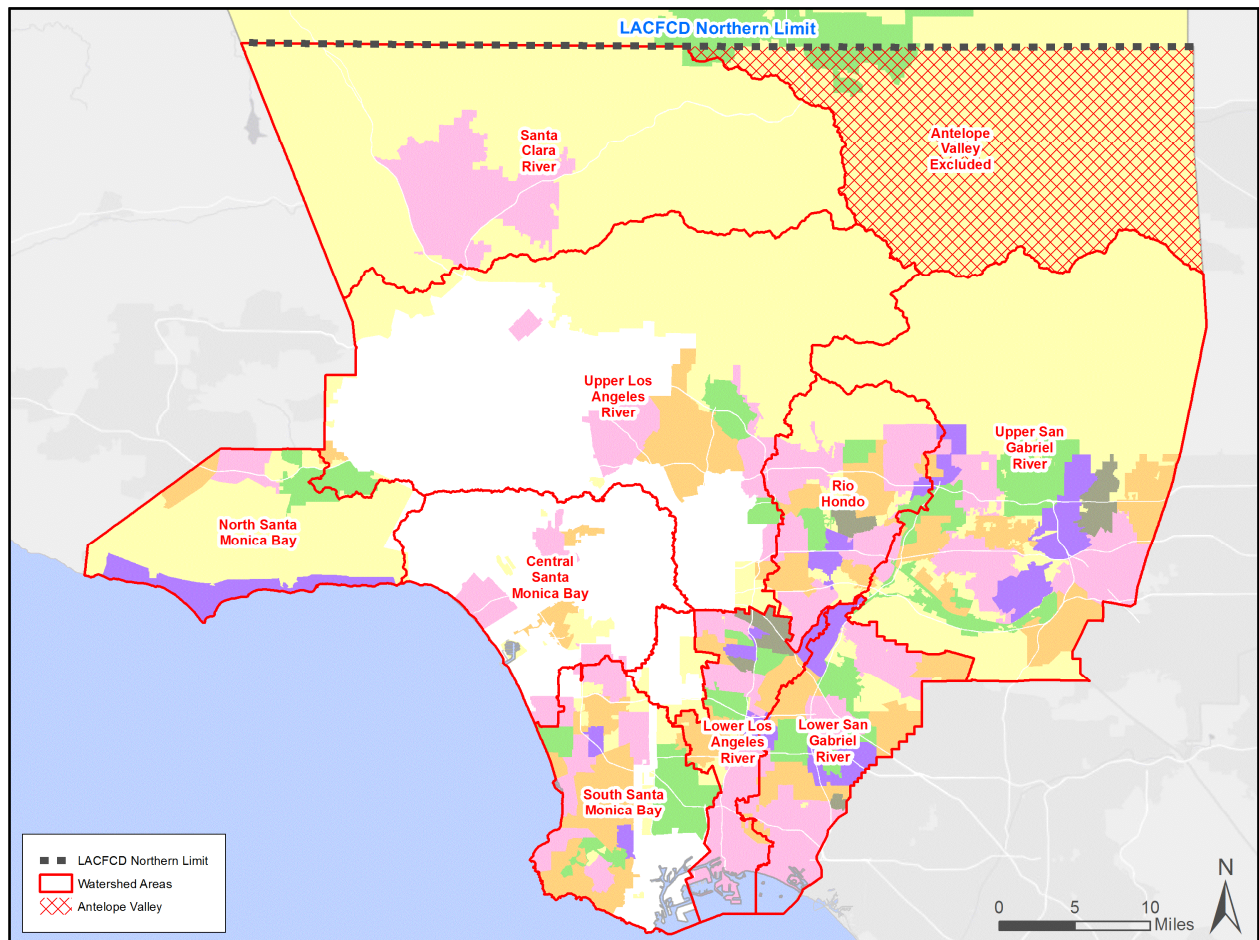
Infrastructure Program funds are available to eligible Infrastructure Program Project Applicants. Non-Municipal Infrastructure Program Project Applicants are required to secure a Municipal letter of support, from the Municipality(ies) within which the Project is located, to receive funding through the Infrastructure Program.

#### G. Boundaries of the Watershed Areas

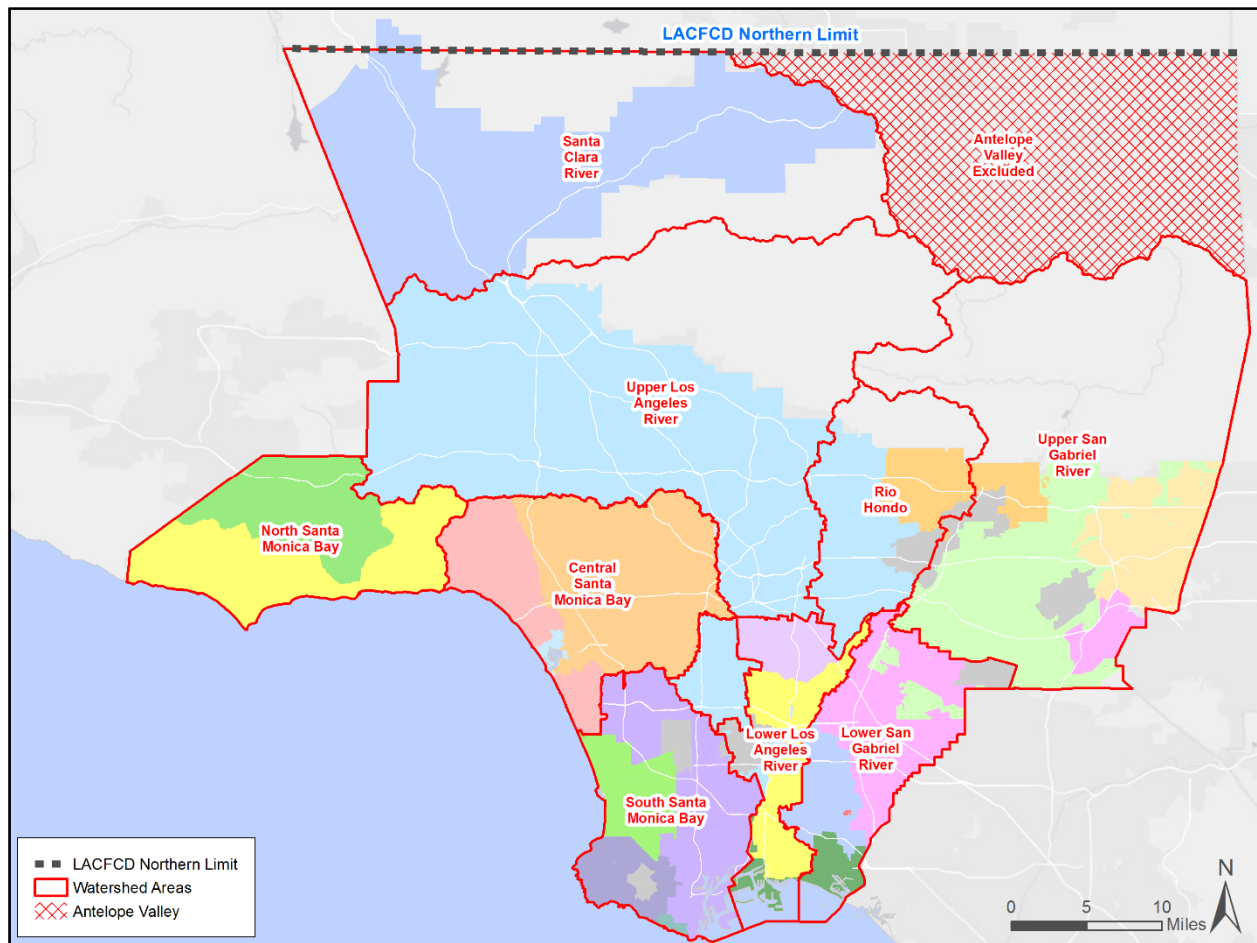
The Chief Engineer will maintain on file detailed maps establishing the precise boundaries of the Watershed Areas. The boundaries of the Watershed Areas are based on hydrologic conditions and modified to keep E/WMP groups whole, wherever practical. The Watershed Area boundaries may be updated as necessary.

There are nine (9) Watershed Areas within the District, as shown in Figure 3 and Figure 4.

**Figure 3. Regional Watershed Area Boundaries with City Boundaries**



**Figure 4. Regional Watershed Area Boundaries with E/WMP Boundaries**



#### H. Membership of the Watershed Area Steering Committees

Watershed Area Steering Committees will be formed for each of the nine (9) Watershed Areas for the purpose of recommending funding allocations for the Regional Program. The District will provide staff support to each Watershed Area Steering Committee and carry out their decisions.

Each Watershed Area Steering Committee consists of seventeen (17) members and each member receives one equally weighted vote. Seven (7) members are designated from Municipalities located within the Watershed Area, five (5) members are agency Stakeholder representatives, and five (5) members are community Stakeholder representatives, as shown in Table 4.

The five (5) agency Stakeholder representatives and five (5) community Stakeholder representatives will be chosen to maintain a geographic balance and be representative of a range of interests within the Watershed Area. These representatives must demonstrate a regional focus. Watershed Area Steering Committee members are required to have relevant knowledge as described in Appendix A. Each Watershed Area Steering Committee member will assign an alternate, who must also demonstrate relevant knowledge to serve in the absence of the member. The alternate will be selected in the same manner the member seat was assigned.

The District will provide staff support to the Watershed Area Steering Committees using funds from the District Program.

Members of the Watershed Area Steering Committees, who are not otherwise compensated to participate, may qualify for a stipend in the amount of one hundred dollars (\$100) per meeting attended, subject to qualifying circumstances. Said compensation will be paid through the District Program.

The anticipated membership for each Watershed Area Steering Committee can be found in Appendix B.

**Municipal Members:** Seven (7) seats will be assigned to Municipalities. Any Municipality with at least 14% of the Impermeable Area located within the Watershed Area receives one seat. A Municipality with at least 28% of the Impermeable Area located within the Watershed Area receives two seats. A Municipality with at least 43% of the Impermeable Area located within the Watershed Area receives three (3) seats. A single Municipality may occupy up to three (3) seats on each Watershed Area Steering Committee.

Municipal members for the remaining seats will be chosen by the unrepresented Municipalities, to the extent there are unrepresented municipalities. The remaining seats are flexible and could be assigned to a Municipality, E/WMP, COG, or other jurisdiction. Each member will assign an alternate to serve in their absence who must meet the requirements of a Watershed Area Steering Committee member.

**Agency Members:** Five (5) agency seats will be assigned by the Board of Supervisors. A seat will be assigned to each of the following agencies:

- District
- Water agency (to be filled by the largest municipal water district in the Watershed Area)
- Groundwater (to be filled by the largest watermaster in the Watershed Area), or second water agency if a groundwater agency does not exist in the Watershed Area
- Sanitation (to be filled by the largest sanitation service provider in the Watershed Area)
- Municipal Parks/Open Space (to be filled by the largest local park and/or open space agency in the Watershed Area)

Each agency member will assign an alternate from their specific agency to serve in their absence who must meet the requirements of a Watershed Area Steering Committee member, and is subject to Board of Supervisors' approval.

**Community Stakeholder Members:** Representatives for the five (5) community Stakeholder seats will be appointed by the Board of Supervisors. Dedicated seats will be assigned to represent environmental justice interests, business interests, and environmental interests. The two remaining seats will be assigned to representatives from the community, such as: public health, labor, non-governmental organization, disadvantaged community, community-based organization, schools, academia, and others. Each community Stakeholder member will assign an alternate from their organization to serve in their absence who must meet the requirements of a Watershed Area Steering Committee member and is subject to Board of Supervisors' approval.

In addition to these members, the Watershed Coordinator will also participate on the Watershed Area Steering Committee as a non-voting member.

**Table 4. Regional Program Watershed Area Steering Committee Membership**

	Member	Appointed By
1	Municipality	Varies for Each Watershed Area
2	Municipality	Varies for Each Watershed Area
3	Municipality	Varies for Each Watershed Area
4	Municipality	Varies for Each Watershed Area
5	Municipality	Varies for Each Watershed Area
6	Municipality	Varies for Each Watershed Area
7	Municipality	Varies for Each Watershed Area
8	District	Appointed by Board of Supervisors
9	Largest Service Provider- Water Agency	Appointed by Board of Supervisors
10	Largest Service Provider- Groundwater/Water Agency #2	Appointed by Board of Supervisors
11	Largest Service Provider- Sanitation	Appointed by Board of Supervisors
12	Largest Municipality Agency- Municipal Parks/Open Space/Recreation	Appointed by Board of Supervisors
13	Business	Appointed by Board of Supervisors
14	Environmental Justice	Appointed by Board of Supervisors
15	Environment	Appointed by Board of Supervisors
16	At large	Appointed by Board of Supervisors
17	At large	Appointed by Board of Supervisors
	Watershed Coordinator	Non-voting

**I. Voting and Meeting Requirements of the Watershed Area Steering Committees**

The Watershed Area Steering Committees will determine the frequency and schedule for regular meetings.

A quorum is required for Watershed Area Steering Committees to act on any item of business. A quorum will consist of a simple majority of the members or their alternates. If a quorum is present, approval of any item of business requires a simple majority vote of those in attendance.

Meetings conducted by the Watershed Area Steering Committee will be made public and meeting materials will be made available.

**J. Responsibilities of the Watershed Area Steering Committees**

Watershed Area Steering Committees have the following responsibilities, including, but not limited to:

- a. Select studies for submittal to the Scientific Studies Program.
- b. Select Project concepts for submittal for the Technical Resources Program.
- c. Forward select Project Feasibility Studies or functionally equivalent Feasibility Study-level information to the Scoring Committee for scoring.

- d. Review the list of scored Project Feasibility Studies or functionally equivalent Feasibility Study-level information returned by the Scoring Committee and select Project Feasibility Studies or functionally equivalent Feasibility Study-level information for funding.
- e. Prepare a Stormwater Investment Plan detailing funding allocations to the Infrastructure Program, Technical Resource Program, and Scientific Studies Program.
- f. Provide the recommended Stormwater Investment Plan to the ROC, which will be forwarded to the Board of Supervisors.
- g. Quarterly, review Quarterly Progress/Expenditure reports submitted by Infrastructure Program Project Developers. The Watershed Area Steering Committees will review the Quarterly Progress/Expenditure reports to verify that the Project schedule, budget, scope and expected benefits have not significantly changed and are consistent with the Transfer Agreement. Projects that run over budget, are behind schedule, or reduce scope or benefits may be subject to loss of funding.
- h. Quarterly, forward the Quarterly Progress/Expenditure reports to the ROC along with any recommendations and/or concerns.
- i. Annually, provide the ROC with a Watershed Area Regional Program Progress (WARPP) report on Stormwater Investment Plan activities authorized for the previous year. The WARPP reports shall summarize how funds have achieved SCW Program Goals as articulated in Section I.
- j. Provide additional relevant information, as requested by the Board of Supervisors.
- k. Help identify Project partners and additional sources of funding to augment and leverage SCW Program revenues for Projects and Programs.
- l. Select Watershed Coordinators from a list of eligible candidates provided by the District.

#### K. Watershed Area Steering Committee Conflict of Interest

Members of the Watershed Area Steering Committee shall be governed by and comply with State conflict of interest laws (e.g., Government Code section 87000 et seq.; and section 1090 et seq.) and the County's conflict of interest policies.

#### L. Formation and Composition of the Regional Oversight Committee

The ROC is an independent body that reviews all Regional Program Stormwater Investment Plans to ensure Regional Program goals are met. The ROC consists of nine (9) subject matter experts, with knowledge in Water Quality Benefits, Water Supply Benefits, Nature-Based Solutions and Community Investment Benefits, public health, sustainability, and/or other pertinent subject matter. The Board of Supervisors will confirm the final members of the ROC to ensure a diverse representation of subject-matter experts. The ROC members shall not have any direct personal or financial connection to Projects implemented through the SCW Program. The District will provide staff support to the Regional Oversight Committee.

Members of the Regional Oversight Committee, who are not otherwise compensated to participate, may qualify for a stipend in the amount of one hundred dollars (\$100) per meeting attended, subject to qualifying circumstances. Said compensation will be paid through the District Program.

The District will provide staff support to the Regional Oversight Committee using funds from the District Program.

**Table 5. Regional Oversight Committee Membership**

	Member	Appointment
1	<u>Subject Matter Experts:</u> Water Quality Benefits Water Supply Benefits Nature-Based Solutions / Community Investment Benefits	Appointed by Board of Supervisors
2		Appointed by Board of Supervisors
3		Appointed by Board of Supervisors
4		Appointed by Board of Supervisors
5		Appointed by Board of Supervisors
6		Appointed by Board of Supervisors
7		Appointed by Board of Supervisors
8		Appointed by Board of Supervisors
9		Appointed by Board of Supervisors

**M. Voting and Meeting Requirements of the Regional Oversight Committee**

The ROC will determine the frequency and schedule of meetings necessary to review Stormwater Investment Plans submitted by the Watershed Area Steering Committees.

A quorum is required for the ROC to act on any item of business. A quorum will consist of five (5) members of the ROC. If a quorum is present, approval of any item of business requires a simple majority vote of those in attendance.

Meetings conducted by the ROC will be made public and meeting materials will be made available in advance of the meetings.

**N. Responsibilities of the Regional Oversight Committee**

The ROC has the following responsibilities including, but not limited to:

- a. Annually, review each of the Watershed Area Steering Committee’s Stormwater Investment Plans to forecast whether Regional Program requirements will be met.

Additionally, the ROC will summarize how the Stormwater Investment Plans will meet the SCW Program Goals as articulated in Section I for the upcoming year.

Through this review process, the ROC will provide feedback to the Watershed Area Steering Committees and report findings and recommendations to the Board of Supervisors.

- b. Annually, review WARPP reports submitted by the Watershed Area Steering Committees to determine whether Regional Program requirements were met for the prior year and make recommendations for adjustments to the following year’s Stormwater Investment Plans if Regional Program requirements were not met the prior year.

Additionally, the ROC will determine the extent to which Regional Program funds were expended to achieve SCW Program Goals as articulated in Section I for the prior year.

The ROC will provide feedback to the Watershed Area Steering Committees and report findings to the Board of Supervisors.

- c. Annually, review the Annual Progress/Expenditure Reports received from Municipalities to determine the extent to which Municipal Program funds were expended to achieve SCW Program Goals as articulated in Section I. The ROC will provide feedback to the Municipalities and report findings to the Board of Supervisors.
- d. Biennially, draft a SCW Program Progress Report that summarizes the Regional Program WARPP reports, the Municipal Program Annual Progress/Expenditure Reports, and District Program's annual summary to determine whether SCW Program requirements were met. Additionally, the ROC will determine the extent to which SCW Program funds were expended to achieve SCW Program Goals as articulated in Section I for the entire region.
- e. Biennially, hold a noticed public hearing to obtain feedback from the public on the SCW Program Progress Report and recommend actions and adjustments to the SCW Program to better achieve SCW Program Goals. Public feedback will be incorporated into the final SCW Program Progress Report and submitted to the Board of Supervisors. The final report will be made publicly available.

#### O. Regional Oversight Committee Conflict of Interest

Members of the ROC shall be governed by and comply with State conflict of interest laws (e.g., Government Code section 87000 et seq.; and section 1090 et seq.) and the County's conflict of interest policies.

#### P. Board of Supervisors Approval of Stormwater Investment Plans

The Board of Supervisors shall confirm that the Stormwater Investment Plans conform to the parameters of the SCW Program. Upon approval of each of the Stormwater Investment Plan, the Board of Supervisors will direct the District to transfer funds.

#### Q. Scoring Committee

The Board of Supervisors will empanel a Scoring Committee composed of six (6) subject matter experts in Water Quality Benefits, Water Supply Benefits, Nature-Based Solutions, and Community Investment Benefits. The Board of Supervisors shall provide a list of eligible candidates for Scoring Committee membership. The Watershed Area Steering Committees will select from the list of eligible candidates. The Board of Supervisors will confirm that the final members of the Scoring Committee include at least two subject-matter experts in Water Quality Benefits, not less than one subject-matter expert in Nature-Based Solutions/Community Investment Benefits, and not less than one subject-matter expert in Water Supply Benefits.

The members of the Scoring Committee shall not have any personal or financial connection to Projects implemented through the SCW Program. District will provide staff support for the Scoring Committee using funds from the District Program. The Scoring Committee will utilize technical documents for reference and consideration such as new water quality and water supply studies, plans, and white papers.

The Scoring Committee will score Projects and Feasibility Studies selected by the Watershed Area Steering Committee using the Infrastructure Program Project Scoring Criteria and will apply a Threshold Score. The initial Threshold Score is sixty (60) points. The Scoring Committee forwards Projects with their respective score to the appropriate Watershed Area Steering Committees. Projects that lack sufficient information to be scored or that fail to pass the Threshold Score will be referred to the Technical Resources Program at the discretion of the Watershed Area Steering Committee.

Members of the Scoring Committee, who are not otherwise compensated to participate, may qualify for a stipend in the amount of one hundred dollars (\$100) per meeting attended, subject to qualifying circumstances. Said compensation will be paid through the District Program.

Meetings conducted by the Scoring Committee will be made public and meeting materials will be made available.

**Table 6. Scoring Committee Membership**

	Member	Appointment
1	<u>Subject Matter Experts:</u> Water Quality Benefits Water Supply Benefits Nature-Based Solutions/ Community Investment Benefits	Appointed by Board of Supervisors
2		Appointed by Board of Supervisors
3		Appointed by Board of Supervisors
4		Appointed by Board of Supervisors
5		Appointed by Board of Supervisors
6		Appointed by Board of Supervisors

**R. Infrastructure Program Project Scoring Criteria**

The Infrastructure Program Project Scoring Criteria, shown in Table 7, shall be used to score Infrastructure Program Projects. Projects will be eligible for scoring if they have a completed Feasibility Study or functional equivalent. The District will provide guidance on the minimum requirements, as well as a template for Feasibility Studies. All Projects must have a Water Quality Benefit and either or both a Water Supply Benefit or a Community Investment Benefit. All scores will be made available to the public.

Project Scoring Criteria include the following five sections, which are assigned different ranges of points:

- Section A: Water Quality Benefit (50 Points)
  - Wet weather Projects:
    - Applies a range of points for effectiveness and extent of pollution reduction
  - Dry weather Projects:
    - Applies a range of points for full capture of Urban Runoff and tributary size.
- Section B: Water Supply Benefit (25 Points)
  - Applies a range of points for cost effectiveness and volume of supply created or offset
- Section C: Community Investment Benefit (10 Points)
  - Applies a range of points for Projects that provide one or more Community Investment Benefits.
- Section D: Nature-Based Solutions (15 Points)
  - Applies a range of points for Projects that utilize Nature-Based Solutions.



- Section E: Leveraging Funds (10 Points)
  - Applies points for Project funding match, partnerships, and community involvement.
  - Funding matches could include but are not limited to: grants, other local bonds and taxes, in-kind services, Municipal Program funds, and others.

**Table 7. Infrastructure Program Project Scoring Criteria**

Section	Score Range	Scoring Standards			
<b>A.1 Wet Weather Water Quality Benefits</b>	50 points max	The Project provides water quality benefits			
	20 points max	<p>A.1.1: For Wet Weather BMPs Only: Water Quality Cost Effectiveness (Cost Effectiveness) = (24-hour BMP Capacity)<sup>1</sup> / (Capital Cost in \$Millions)</p> <ul style="list-style-type: none"> <li>• &lt;0.4 (acre feet capacity / \$-Million) = 0 points</li> <li>• 0.4-0.6 (acre feet capacity / \$-Million) = 7 points</li> <li>• 0.6-0.8 (acre feet capacity / \$-Million) = 11 points</li> <li>• 0.8-1.0 (acre feet capacity / \$-Million) = 14 points</li> <li>• &gt;1.0 (acre feet capacity / \$-Million) = 20 points</li> </ul> <p><sup>1</sup>. Management of the 24-hour event is considered the maximum capacity of a Project for a 24-hour period. For water quality focused Projects, this would typically be the 85<sup>th</sup> percentile design storm capacity. Units are in acre-feet (AF).</p>			
	30 points max	<p>A.1.2: For Wet Weather BMPs Only: Water Quality Benefit - Quantify the pollutant reduction (i.e. concentration, load, exceedance day, etc.) for a class of pollutants using a similar analysis as the E/WMP which uses the Districts Watershed Management Modeling System (WMMS). The analysis should be an average percent reduction comparing influent and effluent for the class of pollutant over a ten-year period showing the impact of the Project. Modeling should include the latest performance data to reflect the efficiency of the BMP type.</p> <table border="0" style="width: 100%;"> <tr> <td style="text-align: center;"><u>Primary Class of Pollutants</u></td> <td style="text-align: center;"><u>Second or More Classes of Pollutant</u></td> </tr> <tr> <td> <ul style="list-style-type: none"> <li>• &gt;50% = 15 points</li> <li>• &gt;80%= 20 points (20 Points Max)</li> </ul> </td> <td> <ul style="list-style-type: none"> <li>• &gt;50% = 5 points</li> <li>• &gt;80%= 10 points (10 Points Max)</li> </ul> </td> </tr> </table>	<u>Primary Class of Pollutants</u>	<u>Second or More Classes of Pollutant</u>	<ul style="list-style-type: none"> <li>• &gt;50% = 15 points</li> <li>• &gt;80%= 20 points (20 Points Max)</li> </ul>
<u>Primary Class of Pollutants</u>	<u>Second or More Classes of Pollutant</u>				
<ul style="list-style-type: none"> <li>• &gt;50% = 15 points</li> <li>• &gt;80%= 20 points (20 Points Max)</li> </ul>	<ul style="list-style-type: none"> <li>• &gt;50% = 5 points</li> <li>• &gt;80%= 10 points (10 Points Max)</li> </ul>				
<b>- OR -</b>					
<b>A.2 Dry Weather Water Quality Benefits</b>	20 points	A.2.1: For dry weather BMPs only, Projects must be designed to capture, infiltrate, or divert 100% of all tributary dry weather flows.			
	20 points max	<p>A.2.2: For Dry Weather BMPs Only. Tributary Size of the Dry Weather BMP</p> <ul style="list-style-type: none"> <li>• &lt;200 Acres = 10 points</li> <li>• &gt;200 Acres = 20 points</li> </ul>			
<b>B. Significant Water Supply Benefits</b>	25 points max	The Project provides water supply benefits			
	13 points max	<p>B1. Water Supply Cost Effectiveness. The Total Life-Cycle Cost<sup>2</sup> per unit of acre foot of Stormwater and/or Urban Runoff volume captured for water supply is:</p> <ul style="list-style-type: none"> <li>• &gt;\$2500/ac-ft = 0 points</li> <li>• \$2,000–2,500/ac-ft = 3 points</li> <li>• \$1500-2,000/ac-ft = 6 points</li> <li>• \$1000–1500/ac-ft = 10 points</li> <li>• &lt;\$1000/ac-ft = 13 points</li> </ul> <p><sup>2</sup>. Total Life-Cycle Cost: The annualized value of all Capital, planning, design, land acquisition, construction, and total life O&amp;M costs for the Project for the entire life span of the Project (e.g. 50-year design life span should account for 50-years of O&amp;M). The annualized cost is used over the present value to provide a preference to Projects with longer life spans.</p>			
	12 points max	<p>B2. Water Supply Benefit Magnitude. The yearly additional water supply volume resulting from the Project is:</p> <ul style="list-style-type: none"> <li>• &lt;25 ac-ft/year = 0 points</li> <li>• 25 - 100 ac-ft/year = 2 points</li> <li>• 100 - 200 ac-ft/year = 5 points</li> <li>• 200 - 300 ac-ft/year = 9 points</li> <li>• &gt;300 ac-ft/year = 12 points</li> </ul>			
<b>C. Community Investments Benefits</b>	10 points max	The Project provides Community Investment Benefits			
	10 points	<p>C1. Project includes:</p> <ul style="list-style-type: none"> <li>• One of the Community Investment Benefits defined above = 1 points</li> <li>• Four distinct Community Investment Benefits = 4 points</li> <li>• Seven distinct Community Investment Benefit = 10 points</li> </ul>			

**Table 7. Infrastructure Program Project Scoring Criteria (continued)**

<b>Section</b>	<b>Score Range</b>	<b>Scoring Standards</b>
<b>D. Nature-Based Solutions</b>	15 points max	The Project implements Nature-Based Solutions
	15 points	D1. Project: <ul style="list-style-type: none"> <li>• Implements natural processes or mimics natural processes to slow, detain, capture, and absorb/infiltrate water in a manner that protects, enhances and/or restores habitat, green space and/or usable open space = 5 points</li> <li>• Utilizes natural materials such as soils and vegetation with a preference for native vegetation = 5 points</li> <li>• Removes Impermeable Area from Project (1 point per 20% paved area removed) = 5 points</li> </ul>
<b>E. Leveraging Funds and Community Support</b>	10 points max	The Project achieves one or more of the following:
	6 points max	E1. Cost-Share. Additional Funding has been awarded for the Project. <ul style="list-style-type: none"> <li>• &gt;25% Funding Matched = 3 points</li> <li>• &gt;50% Funding Matched = 6 points</li> </ul>
	4 points	E2. The Project demonstrates strong local, community-based support and/or has been developed as part of a partnership with local NGOs/CBOs.
<b>Total</b>	<b>Total Points All Sections 110</b>	

## V. Municipal Program

Forty (40) percent of the funds from the SCW Program tax are allocated for the Municipal Program pursuant to the Flood Control Act section 2, subsection 8b(B). Municipal funds shall be allocated proportionally to the revenues generated within each Municipality or the County Unincorporated Areas in the District. Considering the geologic, geographic and demographic diversity within the District, the Municipal Program is designed to maximize the ability of local governments to address local Stormwater and/or Urban Runoff challenges and opportunities. Projects and Programs are required to include a Water Quality Benefit. Multi-Benefit Projects and Nature-Based Solutions are strongly encouraged. Municipal Program funds allow flexibility for Municipalities to fund Stormwater and/or Urban Runoff Programs, activities, studies, associated staffing costs, as well as capital Projects along all phases of Project development, including but not limited to: concept development, planning, design, construction, monitoring, and O&M.

### A. Municipal Program Responsibilities

Each Municipality receiving Municipal Program funding from the SCW Program will have the following responsibilities including, but not limited to:

- a. Preparation of, prior to the start of that Municipality's fiscal year, a budget for how SCW Program funds will be used.
- b. Preparation, within six (6) months after the end of that Municipality's fiscal year, of an Annual Progress/Expenditure Report that details a Program-level summary of expenditures and a description of Water Quality Benefits, Water Supply Benefits, Nature-Based Solutions, and Community Investment Benefits realized through use of Municipal Program funds.
- c. Compliance with all SCW Program reporting and audit requirements, and provision to the District of additional financial and other information, as required by SCW Program or upon request.
- d. As part of the Municipal Program planning process, consideration of a Municipal level request for Projects from eligible Infrastructure Program Project Applicants.
- e. Preparation and provision to the public of informational materials to provide members of the public with up-to-date information on the Municipality's actual and budgeted use of revenues from the SCW Program.
- f. Operation in accordance with best practices for government agencies.
- g. Strict accountability for all funds, receipts, and disbursements by the Municipality.
- h. Engagement with Stakeholders in the planning process for use of the Municipal Program funds during the planning and implementation of Projects and Programs.
- i. Compliance with revenue Transfer Agreement requirements.

### B. Maintenance of Effort

A Municipality must spend at least 70% of their Municipal Program funds annually on new Projects, which also includes O&M of infrastructure Projects built to comply with the 2012 Los Angeles MS4 Permit or 2014 Long Beach MS4 Permit, so long as the Project complies with Municipal Program requirements. Up to 30% of a Municipality's Municipal Program funds may be used to pay for SCW Program-eligible activities commenced before the election date of the SCW Program tax.

### C. Municipal Program Annual Progress/Expenditure Reports

Each Municipality shall arrange for an Annual Progress/Expenditure Report for all Projects. The Annual report shall include details that summarize the expenditures and describe the benefits of Water Quality, Water Supply, and Community Investment realized through use of SCW Program funds. Annual Progress/Expenditure Reports will include a summary of funds that have been allocated to achieve SCW Program Goals as articulated in Section I for the prior year. The Municipality shall be subject to and comply with all applicable requirements of the District regarding Project-reporting requirements. The Annual Progress/Expenditure Report details:

- SCW Program funds expended.
- Documentation that the SCW Program funds were used for eligible expenditures.
- Description of work accomplished during the reporting period.
- Milestones or deliverables completed/submitted during the reporting period.
- Work anticipated for the next reporting period.
- Photo documentation, as appropriate.
- Additional information as necessary.

## VI. District Program

Ten (10) percent of the revenue from the tax on each Parcel is allocated for the District Program pursuant to the Flood Control Act section 2, subsection 8b(A).

### A. Responsibilities

The District will have the following responsibilities including, but not limited to:

- a. Administer the SCW Program, including activities such as: tax and payment administration including costs incurred in connection with the levy and collection of the tax and distribution of the funds, review annual budgets and reports, conduct audits, manage appeals of scoring process, and administration of the credit and incentive Programs.
- b. Annually prepare a five (5) year revenue forecast for each Watershed Area.
- c. Plan, implement, and maintain District Projects.
- d. Administer and provide staffing for the Regional Program.
- e. Provide staff support to the Scoring Committee, Watershed Area Steering Committees, and the ROC.
- f. Provide Technical Assistance Teams and Watershed Coordinators funded by the Technical Resources Program.
- g. Coordinate Watershed Area scientific studies funded by the Scientific Studies Program
- h. Engage Stakeholders in the planning process for use of the District Program funds.
- i. Plan, implement, and maintain District Projects.
- j. Operate in accordance with best practices for government agencies.
- k. Conduct independent audits to ensure compliance with requirements of the SCW Program.
- l. Prepare, prior to the start of the District's fiscal year, a budget for how SCW Program funds will be used.
- m. Prepare within six (6) months after the end of the District's fiscal year an annual report that details a Program level summary of expenditures and a description of Water Quality Benefits, Water Supply Benefits, and Community Investment Benefits realized through use of Municipal Program funds.
- n. Comply with all SCW Program audit requirements.

### B. Programs

The District will administer the Programs below. The District will commence these Programs after receipt of SCW Program funds. Not less than 20% annually of District Program funds shall be allocated for these Programs over a revolving five (5) year period. These Programs will be implemented throughout the region with special attention toward the needs of disadvantaged communities. The District will partner with Stakeholders to collaboratively implement these Programs.

The District will create Stormwater and/or Urban Runoff education Programs that proactively involve Stakeholders and community groups to carry out activities that may include, but are not limited to:

- a. Public education Programs.
- b. Local workforce job training, which will provide certification classes and vocational training at the community level for the design, construction, inspection, and O&M of Stormwater and/or Urban Runoff and Multi-Benefit Projects.
- c. Schools education and curriculum Program, such as classroom curriculum, guest speakers, etc.

#### C. District Projects and Regional Water Quality Planning & Coordination

The District may carry out the following activities:

- a. Regional water quality planning and coordination to carry out activities which may include but are not limited to providing regional leadership and coordination for scientific studies, research, and water quality modeling.
- b. Implementation of Multi-Benefit Projects. The District will engage Stakeholders in the planning process for District Projects.

## VII. Credit Program

The Board shall adopt an ordinance, not later than August 1, 2019, establishing procedures and criteria described in this section.

The Credit Program provides for a SCW Program tax credit for Parcel owners or Benefited Developments, as described below. The Credit Program allows for up to 75% combined maximum credit for Water Quality, Water Supply, and Community Investment Benefits. Parcel owners or Benefited Developments who perform qualifying additional activities, as defined below, commenced after the election date of the SCW Program tax, are eligible for additional credit up to a maximum of 100% of their SCW Program tax. All Parcels subject to the SCW Program tax are eligible for the Credit Program; there is no minimum tax amount or impermeable area required to be eligible for the credit, although the Board of Supervisors may, in its reasonable discretion, impose a minimum eligibility threshold at a later time. Multiple Parcels with common ownership may be aggregated for purposes of the Credit Program.

Parcels located within a master planned community, Specific Plan area, subdivision, or an approved regional or sub-regional stormwater management plan area that are served by a centralized Stormwater and/or Urban Runoff improvement, are considered a "Benefited Development." The Stormwater and/or Urban Runoff improvement in the Benefited Development must collect and treat the runoff of the collective multi-Parcel impermeable area and be operated and maintained by a developer, homeowner or neighborhood association or other non-governmental entity. Notwithstanding the foregoing, if the Stormwater and/or Urban Runoff improvements are operated and maintained by a governmental entity, the Benefited Development will still qualify for the Credit Program if a developer, homeowner or neighborhood association, or other non-governmental entity funds the O&M of such improvements.

Prior to the collection of the SCW Program tax, the District shall establish procedures and guidelines for implementation and the verification process of the SCW Program Credit Program, including but not limited to aggregating Parcels with a common ownership and implementing the program in developments served by centralized Stormwater or Urban Runoff improvements.

The credit shall be based on the total impermeable area of the Parcel (or aggregated Parcels, if applicable) or Benefited Development, not only the portion of the Parcel addressed by the Stormwater and/or Urban Runoff improvement.

### A. Calculation of Credit Program

Credit will be given for undertaking activities that result in Water Quality Benefits, Water Supply Benefits, and Community Investment Benefits. At a minimum, a Stormwater and/or Urban Runoff improvement must provide a water quality credit to qualify for the Credit Program. The Board of Supervisors may, in its reasonable discretion, revise or update the credit formulas as appropriate at a later time.

#### Water Quality Credit

Water quality credit of up to 75% is given for Stormwater and/or Urban Runoff improvements that result in a Water Quality Benefit. Water quality credit is calculated based on the extent to which a Parcel(s) or Benefited Development has complied with an applicable Low Impact Development (LID) ordinance, SUSMP requirements, an Industrial General Permit (IGP) or other Los Angeles Regional Water Quality Control Board-approved permit governing the discharge of Stormwater and/or Urban Runoff (RWQCB Stormwater Permit), or some combination of Stormwater and/or Urban Runoff discharge requirements for the Parcel.



Parcels or Benefited Developments with multiple and potentially overlapping Stormwater and/or Urban Runoff improvements may divide their Parcel or Benefited Development into tributary areas for each Stormwater and/or Urban Runoff improvement. Overlapping areas may only be counted once for the maximum applicable water quality credit option.

The water quality credit options are dependent on the entitlement approval or construction date of the Stormwater and/or Urban Runoff improvement. Stormwater and/or Urban Runoff improvements designed to meet LID standards that have received approval through an entitlement process, but that have not been installed prior to the election date of the SCW Program, shall meet the applicable LID ordinance requirements in place at the time of the entitlement approval.

Percentages provided below are multiplied by the ratio of the improvement volume for the Impermeable Area to the design volume for the Impermeable Area of the Parcel or multi-Parcel area.

***Improvements commenced prior to election date of SCW Program:***

- ***LID Ordinance Compliance (65%):*** Stormwater and/or Urban Runoff improvements on Parcels or in Benefited Developments that comply with applicable LID ordinance requirements are eligible for a water quality credit of 65%. The water quality design storm standard shall be equivalent to that found in the applicable LID ordinance and will be used for the calculation of the credit. In the absence of an applicable LID ordinance, the County's 2013 LID ordinance requirements shall apply.
  - ***Exceeds LID Ordinance Compliance (From 65% to 75%):*** Stormwater and/or Urban Runoff improvements on Parcels or in Benefited Developments that exceed applicable LID ordinance requirements are eligible for a water quality credit of 75%. The water quality design storm standard shall be greater than or equal to two times (2x) that found in the applicable LID ordinance and will be used for the calculation of the credit.
  - ***LID Equivalency (up to 65%):*** Stormwater and/or Urban Runoff improvements on Parcels or in a Benefited Development that provide Water Quality Benefits comparable to or greater than LID ordinance requirements are eligible for a water quality credit of up to 65%.
- ***SUSMP Compliance (50%):*** Stormwater and/or Urban Runoff improvements on Parcels or in Benefited Developments that are in compliance with applicable SUSMP requirements are eligible for a water quality credit of 50%. The water quality design standard shall be equivalent to the standard required by applicable SUSMP requirements.
  - ***Exceeds SUSMP Compliance (From 50% to 65%):*** Stormwater and/or Urban Runoff improvements on Parcels or in a Benefited Development that exceed SUSMP requirements are eligible for a water quality credit up to 65%.

***Improvements commenced after the election date of SCW Program:***

- ***LID Ordinance Compliance (65%):*** Stormwater and/or Urban Runoff improvements on Parcels or in Benefited Developments that comply with applicable LID ordinance requirements are eligible for a water quality credit of 65%. The water quality design storm standard shall be equivalent to that found in the applicable LID ordinance and will be used for the calculation of the credit. In the absence of an applicable LID ordinance, the County's most up-to-date LID ordinance requirements shall apply.

- Exceeds LID Ordinance Compliance (From 65% to 75%): Stormwater and/or Urban Runoff improvements on Parcels or in Benefited Developments that exceed applicable LID ordinance requirements are eligible for a water quality credit of 75%. The water quality design storm standard shall be greater than or equal to two times (2x) that found in the applicable LID ordinance and will be used for the calculation of the credit.
- LID Equivalency (up to 65%): Stormwater and/or Urban Runoff improvements on Parcels or in a Benefited Development that provide Water Quality Benefits comparable to or greater than LID ordinance requirements are eligible for a water quality credit of up to 65%.

***Other eligible water quality credit activities (pre- or post-election date):***

- IGP Compliance / RWQCB Stormwater Permit (65%): Stormwater and/or Urban Runoff improvements on Parcels or in Benefited Developments that are subject to and in compliance with their IGP or RWQCB Stormwater Permit are eligible for a water quality credit of 65%. The design standard shall be equivalent to the standard required by the Parcel's IGP or RWQCB Stormwater Permit.
  - High-Volume IGP Compliance / RWQCB Stormwater Permit (75%): Stormwater and/or Urban Runoff improvements on Parcels or in Benefited Developments that are subject to and in compliance with an IGP or RWQCB Stormwater Permit that has design volume standard greater than or equal to the runoff volume resulting from a 2-inch, 24-hour rain event are eligible for a water quality credit of 75%.
- Dry Weather (20%): Stormwater and/or Urban Runoff improvements on Parcels or in Benefited Developments that fully retain all dry weather flows are eligible for a water quality credit of 20%.

Water Supply Credit

Water supply credit of up to 20% is given for Stormwater and/or Urban Runoff improvements on Parcels or in Benefited Developments that result in a Water Supply Benefit.

Community Investment Credit

Community investment credit of up to 10% is given for Stormwater and/or Urban Runoff improvements on Parcels or in Benefited Developments that result in a Community Investment Benefit.

The Credit Program is based upon Water Quality Benefits, Water Supply Benefits, Community Investments Benefits as shown in the table below.

Additional Activities Credit

The SCW Program Credit Program may recognize and reward qualifying additional activities that advance the SCW Program Goals. In addition to the 75% combined maximum credit for the water quality, water supply, and the community investment credits, Parcel owners who perform qualifying additional activities commenced after the election date of the SCW Program tax are eligible for additional credit up to a maximum of 100% of their SCW Program tax. Qualifying additional activities are to be determined and approved by the District.

**Table 8. Credit Formula**

Stormwater &/or Urban Runoff improvement	Credit Type (% Maximum)	Formula
<b>Water Quality Credit Percentage (WQ%)</b>  <b>CHOOSE ONE (per tributary area)</b>	LID Compliance (65% max)	$WQ\% = \frac{\text{(LID improvement volume for Impermeable Area)}}{\text{(design storm volume for Impermeable Area of the Parcel or multi-Parcel area)}} \times (0.65) \times 100\%$
	LID Equivalency (65% max)	$WQ\% = \frac{\text{(LID Equivalency improvement volume for Impermeable Area)}}{\text{(design volume for Impermeable Area of the Parcel or multi-Parcel area)}} \times (0.65) \times 100\%$
	Exceeds LID (75% max)	$WQ\% = \frac{\text{(LID improvement volume for Impermeable Area)}}{\text{(2 x design volume for Impermeable Area of the Parcel or multi-Parcel area)}} \times (0.75) \times 100\%$
	SUSMP (50% max)	$WQ\% = \frac{\text{(SUSMP improvement volume for Impermeable Area)}}{\text{(design volume for Impermeable Area of the Parcel or multi-Parcel area)}} \times (0.5) \times 100\%$
	Exceeds SUSMP Standard (65% max)	$WQ\% = \frac{\text{(SUSMP improvement volume for Impermeable Area)}}{\text{(design volume for Impermeable Area of the Parcel or multi-Parcel area)}} \times (0.65) \times 100\%$
	IGP/RWQCB Stormwater Permit (65% max)	$WQ\% = \frac{\text{(IGP/RWQCB Stormwater Permit BMP improvement volume for Impermeable Area)}}{\text{(design volume for Impermeable Area of Parcel)}} \times (0.65) \times 100\%$
	High Volume IGP/RWQCB Stormwater Permit (75% max)	$WQ\% = \frac{\text{(IGP/RWQCB Stormwater Permit BMP improvement volume for Impermeable Area)}}{\text{(design volume (2" storm) for Impermeable Area of Parcel)}} \times (0.75) \times 100\%$
	Dry weather (20% max)	$WQ\% = \frac{\text{(Impermeable Area benefited by the improvement)}}{\text{(total Impermeable Area of Parcel area or multi-Parcel area)}} \times (0.2) \times 100\%$
<b>Water Supply Credit Percentage (WS%)</b>	Water Supply (20% max)	$WS\% = \frac{\text{(Water Supply Benefit volume)}}{\text{(design storm volume for Impermeable Area of Parcel or multi-Parcel area)}} \times (0.2) \times 100\%$
<b>Community Investments Percentage (CI%)</b>	Community Investment credit percentage (10% max)	$CI\% = \text{metrics to be determined} \times (0.10) \times 100\%$
<b>Sub-Total Credit Percent</b>	Sub-Total Credit percentage (Maximum 75%)	Sub-Total Credit Percent = WQ% + WS% + CI% (Not to exceed 75%)
<b>Additional Activities Credit</b>	Credit Percentage (Maximum 100%)	Credit Percentage = (Sub-Total Credit Percent) + (qualifying additional activities percentage) (not to exceed 100%)
<b>Final Parcel Credit</b>	Tax Credit (in dollars)	Final Parcel Credit = (Parcel tax) x (Credit Percent)

## B. Implementation of the Credit Program

Prior to collection of the SCW Program tax, the District shall establish procedures and guidelines for implementation of the Credit Program. These should include, at a minimum, the following:

1. Procedures for the submittal of initial and biennial Parcel owner certifications;
2. Procedures for the submittal of initial and biennial certifications for Benefited Developments;
3. Procedures for aggregating multiple Parcels with common ownership for purposes of the Credit Program;
4. Procedures to facilitate the implementation of the Credit Program for Benefited Developments; and
5. Guidelines for calculating the water quality credit for (1) Stormwater and/or Urban Runoff improvements on Parcels or Benefited Developments for LID requirements and (2) Stormwater and/or Urban Runoff improvements on Parcels or Benefited Development that exceed SUSMP requirements; and (3) Stormwater and/or Urban Runoff improvements on Parcels or Benefited Developments for IGP or other RWQCB Stormwater permits.
6. Guidelines for calculating water supply credit.
7. Guidelines for calculating community investment credit.
8. Guidelines for qualifying additional activities credit.

## C. Verification Process of the Credit Program

Prior to collection of the SCW Program tax, the District shall establish procedures and guidelines for the verification process of the Credit Program.

Parcel owners and Benefited Developments must recertify their eligibility for the Credit Program every two (2) years. In addition to adhering to the certification requirements contained in the Parcel or Benefited Development's applicable LID ordinance, SUSMP permit, or IGP/RWQCB Stormwater Permit, the Credit Program shall require additional documentation. All certifications submitted pursuant to the Credit Program shall be verified and submitted by a civil engineer licensed to practice in California and incorporate, at a minimum, the following elements:

- a. For a new Stormwater and/or Urban Runoff improvement, photo documentation of the construction or installation of new Stormwater and/or Urban Runoff improvement
- b. For an existing Stormwater and/or Urban Runoff improvement, photo documentation that the Stormwater and/or Urban Runoff improvement has been maintained in good working condition for the preceding two (2) years.
- c. The maintenance management plan for the Stormwater and/or Urban Runoff improvement.
- d. Calculations of the following:
  - i. The total impermeable area of the Parcel or Benefited Development.
  - ii. The impermeable area tributary to the Stormwater and/or Urban Runoff improvement.

- iii. The volume of the Stormwater and/or Urban Runoff improvement.
- iv. Applicable LID design storm volume or IGP/RWQCB Stormwater Permit or SUSMP design standard for the impermeable area of the Parcel or Benefited Development.
- e. Certification that the improvement meets or exceeds the applicable LID, IGP/RWQCB Stormwater Permit, or SUSMP standards.
- f. Certification of ownership of aggregating multiple Parcels with the same owner.

For Parcels or Benefited Developments subject to an IGP/ RWQCB Stormwater Permit, the Parcel or Benefited Development must be in compliance with its IGP/RWQCB Stormwater Permit and in good standing with no pending Notice of Violations or regulatory agency enforcement actions.

To the extent existing certifications required pursuant to a LID ordinance, SUSMP permit, or IGP/RWQCB Stormwater Permit are functionally equivalent to the requirements above, such certification may be utilized for credit verification purposes as well.

The verification requirements specified above shall not be required for Parcels and/or Benefited Developments whose qualifying Stormwater and/or Urban Runoff improvements are maintained by a public entity.

Any Water Supply Benefit created through the SCW Program is subject to applicable adjudicated judgments of water rights.

#### **VIII. Credit Trading Program, Incentive Program, and Low-Income Credit Program**

The Board shall adopt an ordinance, not later than August 1, 2019, establishing procedures and criteria described in this section.

The District shall establish, procedures and guidelines for implementation of a Credit Trading Program. The Credit Trading Program will provide a market-based approach for Stormwater or Urban Runoff management that will allow Parcel owners to purchase and sell credits to satisfy SCW Program tax obligations.

The District may establish an incentive program to recognize and reward efforts that advance the goals of the Safe, Clean Water Program.

The District may establish a credit for qualifying Parcel owners who are low-income.

## IX. Tax Calculation and Collection Provisions

### A. Calculation of the Tax

The tax will be calculated for each Parcel based upon the Parcel's Impermeable Area as determined by the County Landcover Survey or other applicable tool. The boundaries of the area, identification of the Parcels subject to the tax, and the method for calculating the tax for each Parcel will be established by the ordinance incorporated by the Los Angeles County Flood Control District Code. The rate used for calculating the tax, as established by the ordinance, will remain the same from year to year, unless a change is approved in accordance with all applicable laws. The Chief Engineer may periodically re-evaluate the characteristics of Parcels to ensure accuracy of tax calculations.

The Board of Supervisors will periodically initiate an update to the County Landcover Survey which is used to determine the Impermeable Area for each Parcel throughout the District.

### B. Collection – General Procedure

The tax will be collected for each fiscal year on the property tax roll in the same manner, and at the same time as, the general taxes of the County are collected. The Auditor will provide an annual statement of the revenues collected for the SCW Program to each Municipality as well as each Watershed Area Steering Committee. The Auditor's costs for tax and payment administration including costs incurred in connection with the levy and collection of the tax will be paid by SCW Program funds.

Insofar as feasible and not inconsistent with the SCW Program, the times and procedures regarding exemptions, due dates, installment payments, corrections, cancellations, refunds, late payments, penalties, liens, and collections for secured roll ad valorem property taxes will be applicable to the collection of the tax.

### C. Claims for Reimbursement and Appeals

Parcel owners who believe their tax has been calculated incorrectly will be able to seek review on one or more of the following grounds:

- a. Mathematical error in the calculation of the tax.
- b. Discrepancy of more than:
  - 10% error in the Impermeable Area; or
  - \$50 in the tax amount, whichever is greater.

Tax appeals must be filed with the District.

### D. Passthrough of Tax

There are no provisions in the SCW Program tax that would limit a Parcel owner's ability to passthrough the proposed SCW Program tax to a tenant. Land owners must comply with all applicable rent control ordinances, contractual provisions in the specific lease, federal subsidized housing requirements, and other applicable laws.

## **X. Revenue Bonds**

Bonds issued hereunder by a Municipality or the District, to the extent such entity is authorized by law to issue and sell revenue bonds, may be secured by SCW Program revenues as set forth in this document. Only those amounts specifically allocated to a Municipality or the District may be used as security for their respective bonds. Watershed Area Steering Committees may request the District to bond against their Watershed Area's revenue stream for Regional Projects.

## **XI. Miscellaneous Provisions**

### **A. Carryover of Uncommitted Municipal and Regional Program Funds**

Municipalities and Infrastructure Program Project Developers will be able to carry over uncommitted SCW Program revenues for up to five (5) years from the end of the fiscal year in which those revenues are transferred from the District to the Municipality or Infrastructure Program Project Developer. Additional requirements may be included in the Transfer Agreement.

### **B. Procedures for Lapsing Funds**

Municipalities and Infrastructure Program Project Developers who are unable to expend their approved funding as described in the applicable planning documents will be subject to lapsing funds procedures. Lapsing funds are funds that were committed and approved but were not able to be spent per the approved schedule. Funds are considered lapsed five (5) years after the Transfer Agreement execution date.

SCW Program revenues that are not expended by a Municipality or Infrastructure Program Project Developer within the five (5) years will revert back to the Watershed Area Steering Committee of the respective Watershed Area and be reprogrammed to a new Project with benefit to that Municipality or Watershed Area.

### **C. Record-Keeping and Audits**

The following recordkeeping and audit requirements will apply:

- a. SCW Program revenues received by the District, Municipalities, and Infrastructure Program Project Developers will be required to be held in separate interest-bearing accounts and not combined with other funds. Interest earned from each account shall be used by the account holder only for eligible expenditures consistent with the requirements of the SCW Program.
- b. Municipalities, Infrastructure Program Project Developers, and the District will be required to retain, for a period of seven (7) years after Project completion, all records necessary in accordance with Generally Accepted Accounting Principles to determine the amounts expended, and eligibility of Projects. Municipalities and Infrastructure Program Project Developers, upon demand by authorized representatives of the District will be required to make such records available for examination and review or audit by the District or its authorized representative. Records shall include: accounting records, written policies and procedures, contract files, original estimates, correspondence, change order files including documentation covering negotiated settlements, invoices, and any other supporting evidence deemed necessary to substantiate charges related to SCW Program funds and expenditures.

- c. At all reasonable times, Municipalities and Infrastructure Program Project Developers will be required to permit the Chief Engineer, or his or her authorized representative, to examine all Projects that were erected, constructed, implemented, operated, or maintained using SCW Program revenues. Municipalities and Watershed Area Steering Committees will be required to permit the authorized representative, including the Auditor, to examine, review or audit, and transcribe any and all audit reports, other reports, books, accounts, papers, maps, and other records that relate to Projects and Programs funded with revenues from the SCW Program.
- d. Municipalities will be subject to an independent audit of their use of SCW Program funds not less than once every three (3) years. Municipal audits are to be funded with Municipal Program funds.
- e. Infrastructure Program Project Developers will be subject to an independent audit upon completion of the Project. Additional interim audits may be conducted. Infrastructure Program Project Developer audits are to be funded with Regional Program funds.
- f. District will be subject to an independent audit of their use of SCW Program funds not less than once every three (3) years.

#### D. Procedures for Addressing Misuse of Funds and Failure to Comply with Requirements

The following procedures apply for misuse of funds and failure to comply with requirements.

- a. If the District determines that an Infrastructure Program Project Developer or Municipality has misused SCW Program revenues, the District may issue a written notice to the Infrastructure Program Project Developer or Municipality of that determination and to refund those revenues, including associated interest, to the District within twenty (20) business days of notification.
- b. Revenues refunded by an Infrastructure Program Project Developer or Municipality will, at the District's discretion, be reassigned and used to plan, implement, and maintain Projects in accordance with the following:
  - SCW Program revenues refunded by a Municipality will be used to fund Municipal or Regional Projects that are located within the jurisdiction of the Municipality.
  - SCW Program revenues refunded by an Infrastructure Program Project Developer will be used to implement Projects in the same Watershed Area from which the revenues were collected.
- c. Failure to comply with a notice to refund revenues by the required date will result in immediate suspension of future SCW Program revenue disbursements to that entity until such time as revenues are refunded.
- d. If the District determines that a Municipality or Infrastructure Program Project Developer has failed to comply with any applicable requirement of the Program, the District, at its discretion, may issue a written notice to the Municipality or Project Developer of that determination and that the District will withhold future disbursements of SCW Program revenues pending compliance. Withheld disbursements will be retained by the District for a period of five (5) years after which, if the violation has not been resolved, withheld disbursements will revert back to the respective Watershed Area Steering Committee for reprogramming to another Project.



- e. If an Infrastructure Program Project Developer or Municipality disputes a determination by the District, as described above, the Project Developer or Municipality may submit a notice of appeal to the District not later than twenty (20) business days from the date of the written notice from the District. The District will appoint a hearing officer to conduct a hearing on the appeal. The submission of a notice of appeal does not relieve the Municipality or Infrastructure Program Project Developer of the obligation to refund the SCW Program revenues in dispute. If the hearing officer determines an adjustment is required, that adjustment will be reflected in the next disbursement of SCW Program revenues.

#### E. District Held Harmless

The District will not be required to accept ownership or responsibility for any Project developed, implemented or constructed by a Municipality or an Infrastructure Program Project Developer with SCW Program revenues. Unless the District enters into an express agreement with a Project Developer or Municipality to the contrary, neither the District, nor the County to the extent that it is acting on behalf of the District, their officers, employees, agents or volunteers ("District Indemnitees") will be liable in connection with errors, defects, injuries, property damage caused by or attributed to any Project that is funded in whole or in part with SCW Program revenues, and each Municipality and Infrastructure Program Project Developer will be required to indemnify the District Indemnitees and hold them harmless for claims, liability, and expenses, including attorneys' fees, incurred by any District Indemnitees as a result of any Project developed, implemented, or constructed by the Municipality or Infrastructure Program Project Developer that is funded with the SCW Program revenue, except for claims, liability, and expenses, including attorneys' fees, resulting from the sole negligence or willful misconduct of District Indemnitees.

#### F. Periodic Review of the SCW Program

- a. The Board of Supervisors will review and make revisions to the SCW Program in its reasonable discretion, including but not limited to updates to the Infrastructure Program Project Scoring Criteria; Watershed Area boundaries; County Landcover Survey; Credit Program; Credit Trading Program; Incentive Program; Low-Income Credit Program; Threshold Score; membership of the Watershed Area Steering Committees, Regional Oversight Committee, and Scoring Committee; and other sections.
- b. After a period of thirty (30) years, the Board of Supervisors shall evaluate the need for the SCW Program and make a determination of whether the tax should be reduced or rescinded.

**SAFE, CLEAN WATER PROGRAM**  
**Program Elements Appendices**

**XII. APPENDIX**

## A. Watershed Area Steering Committee Minimum Requirements

Member	Years of Experience	Description
Municipalities	Five +	<ul style="list-style-type: none"> <li>• General knowledge of pollution abatement projects and knowledge in Stormwater Programs, and knowledge of NPDES Stormwater Permit and TMDL issues as related to the region.</li> <li>• Knowledge of the roles of federal, state and local governmental agencies involved in either the regulation of or the operation of water supply facilities, as well as familiarity with key nongovernmental agencies that influence the operations of water systems.</li> </ul>
Groundwater	Five +	<ul style="list-style-type: none"> <li>• Experience in one of the following groundwater areas: remediation, supply, management and/or storage.</li> <li>• Educational background or equivalent work experience in engineering, natural sciences, land use management, conservation, or other water resource-related field.</li> </ul>
Water Agency	Five +	<ul style="list-style-type: none"> <li>• Educational background or work experience in engineering, environmental science, biology, chemistry, toxicology, microbiology, urban planning or closely related field.</li> <li>• Ability to provide a regional perspective on water supply issues.</li> <li>• Expertise in the planning, design and construction, financing, and operations of water works facilities which includes storage reservoirs, transmission and distribution systems, pumping plants, water treatment, water conservation, and system optimization particularly as it effects power usage.</li> <li>• Sound knowledge of existing and emerging regulations, as well as environmental matters and familiarity with California water law and regulations.</li> <li>• Knowledge of the roles of federal, state and local governmental agencies involved in either the regulation of or the operation of water supply facilities, as well as familiarity with key nongovernmental agencies that influence the operations of water systems.</li> <li>• Experience in the acquisition of water rights.</li> </ul>
Sanitation	Five +	<ul style="list-style-type: none"> <li>• Experience in local or regional agency that provides wastewater collection, treatment, recycling and/or disposal services.</li> <li>• Education background and work experience in science, engineering, waste management or related fields.</li> </ul>
Municipal Parks/Open Space	Five +	<ul style="list-style-type: none"> <li>• Experience with habitat, open space and/or recreational issues at a regional level (i.e. across Municipal jurisdictions and watershed boundaries).</li> <li>• Educational background or equivalent work experience in natural sciences, land use management, conservation, or other water resource-related field.</li> <li>• Familiar with the agencies and organizations involved in habitat/open space issues in the District who are likely to be Infrastructure Program Project Developers, land owners or permittees of Projects.</li> </ul>
At large Community Stakeholders	Two +	<ul style="list-style-type: none"> <li>• Experience in community engagement</li> <li>• Knowledge of and experience working with government agencies to achieve community investment</li> <li>• Willingness to be trained and educated on pollution abatement, Stormwater programs, and TMDL related issues.</li> </ul>
Environmental	Two +	<ul style="list-style-type: none"> <li>• Experience in water resource issues</li> <li>• Educational background or equivalent work experience in natural sciences, land use management, conservation, or other water resource-related field</li> <li>• Educational background or work experience in engineering, environmental science, biology, chemistry, toxicology, microbiology, urban planning or closely related field.</li> </ul>

Agency	Years of Experience	Description
Business	Two +	<ul style="list-style-type: none"> <li>• Experience in developing commercial/business Stormwater and/or Urban Runoff capture facilities</li> <li>• Knowledge and experience in working with government agencies to achieve water resource improvements for residential and commercial properties</li> <li>• Educational background or equivalent work experience in natural sciences, land use management, conservation, or other water resource-related field.</li> </ul>
Environmental Justice	Two +	<ul style="list-style-type: none"> <li>• Experience in community engagement</li> <li>• Knowledge and experience in community priorities regarding resource needs for quality of life issues with respect to the development, implementation, and enforcement of environmental law, regulation, and policies.</li> <li>• Knowledge and experience in working with government agencies to achieve community investment.</li> </ul>
Watershed Coordinator	Two +	<ul style="list-style-type: none"> <li>• Experience in coordination and implementation of technical assistance.</li> <li>• Knowledge and experience in watershed protection planning, water quality, and/or watershed assessment.</li> <li>• Knowledge and experience to provide and/or coordinate technical assistance that results in Projects that are integrated and result in regionally significant and measurable watershed benefits</li> <li>• Experience in community engagement particularly with disadvantaged communities and small cities is desirable.</li> </ul>
<p>General Minimum Qualifications for all Members:</p> <ul style="list-style-type: none"> <li>• The knowledge of or willingness to be trained and educated on pollution abatement, Stormwater Programs, NPDES Stormwater Permit and TMDL related issues as related to the region.</li> <li>• Must be able to attend and participate in Watershed Area Steering Committee meetings.</li> </ul>		

### B. Watershed Area Steering Committee Membership

	Central Santa Monica Bay	Lower Los Angeles River	Lower San Gabriel River	North Santa Monica Bay	Rio-Hondo	Santa Clara River & Antelope Valley	South Santa Monica Bay	Upper Los Angeles River	Upper San Gabriel River	
Municipal Representation (7 seats)	Los Angeles	22%							19%	
	West Hollywood	2%							13%	
	Long Beach	11%							Industry	
	Compton	11%							West Covina	
	Vernon	10%							Glendora	
	South Gate	9%							Diamond Bar	
	Douglas	6%							Covina	
	Lynwood	5%							Badwin Park	
	Huntington Park	4%							Claremont	
	Paramount	4%							Azusa	
	Unincorporated	4%							La Verne	
	La Brea	3%							San Dimas	
	Bell	3%							Walnut	
	Pico Rivera	2%							Inwandle	
	Cudahy	2%							La Puente	
	Maywood	2%							El Monte	
	Signal Hill	1%							Duarte	
	Cason	0%							South El Monte	
	Lakewood	0%							Bradbury	
	West Hollywood	2%							Arcaida	
	Non-represented City (Self Selected)	4	6	6	2	6	2	4	4	6
	LAC/FCD	FCD	FCD	FCD	FCD	FCD	FCD	FCD	FCD	FCD
	Water Agency	LADWP	Central Basin	Central Basin	Las Virgenes	Upper San Gabriel District	Castaic Lake	West Basin	LA-DWP	Upper San Gabriel District
	Ground Water / Water Agency 2	West Basin	Water Replenishment District	Water Replenishment District	County-Waterworks District	Main San Gabriel Basin	GSA for the Santa Clara River Valley	Water Replenishment District	LA-DWP	Main San Gabriel Basin
Sanitation	LA-SAN	San Districts	San Districts	Las Virgenes	San Districts	San Districts	San Districts	LA-SAN	San Districts	
Municipal Parks / Open Space	LA Rec & Parks	City of Long Beach Parks and Recreation	City of Long Beach Parks and Recreation	Mountains Recreation and Conservation Authority	City of Pasadena Parks and Recreation	City of Santa Clarita Parks and Recreation	LA Rec & Parks	LA Rec & Parks	County Parks and Rec	
Community Stakeholder (5 seats)	Appointed by BoS	Appointed by BoS	Appointed by BoS	Appointed by BoS	Appointed by BoS	Appointed by BoS	Appointed by BoS	Appointed by BoS	Appointed by BoS	

\* Subject to change, based on total impermeable area

**ENCLOSURE C: Safe Clean Water Program  
Watershed Area Steering Committee Members**

**Agency Stakeholders**

**Central Santa Monica Bay**

	<b>Category</b>	<b>Name</b>	<b>Affiliation</b>
1	Flood Control District	Cung Nguyen	FCD
2	Water Agency	Delon Kwan	Los Angeles Department of Water and Power
3	Groundwater/Water Agency #2	E.J. Caldwell	West Basin
4	Sanitation	Katie Mika	Los Angeles - Sanitation
5	Municipal Parks/Open Space	Cathie Santo Domingo	Los Angeles Recreation & Parks

**Lower Los Angeles River**

	<b>Category</b>	<b>Name</b>	<b>Affiliation</b>
1	Flood Control District	Dan Sharp	FCD
2	Water Agency	Kevin Wattier	Central Basin
3	Groundwater/Water Agency #2	Robb Whitaker	Water Replenishment District
4	Sanitation	Kristen Ruffell	San Districts
5	Municipal Parks/Open Space	Stephen Scott	City of Long Beach Parks and Recreation

**Lower San Gabriel River**

	<b>Category</b>	<b>Name</b>	<b>Affiliation</b>
1	Flood Control District	Julian Juarez	FCD
2	Water Agency	Kevin Wattier	Central Basin
3	Groundwater/Water Agency #2	Robb Whitaker	Water Replenishment District
4	Sanitation	Kristen Ruffell	San Districts
5	Municipal Parks/Open Space	Stephen Scott	City of Long Beach Parks and Recreation

**North Santa Monica Bay**

	<b>Category</b>	<b>Name</b>	<b>Affiliation</b>
1	Flood Control District	Cung Nguyen	FCD
2	Water Agency	David Pedersen	Las Virgenes
3	Groundwater/Water Agency #2	Dave Rydman	Los Angeles County-Waterworks District
4	Sanitation	David Pedersen	Las Virgenes
5	Municipal Parks/Open Space	Chad Christensen	Mountains Recreation and Conservation Authority

**Rio Hondo**

	<b>Category</b>	<b>Name</b>	<b>Affiliation</b>
1	Flood Control District	Julian Juarez	FCD
2	Water Agency	Tom Love	Upper San Gabriel District
3	Groundwater/Water Agency #2	Kelly Gardner	Main San Gabriel Basin
4	Sanitation	Kristen Ruffell	Sanitation Districts
5	Municipal Parks/Open Space	Charles Peretz	City of Pasadena Parks and Recreation

**ENCLOSURE C: Safe Clean Water Program  
Watershed Area Steering Committee Members**

**Agency Stakeholders**

**Santa Clara River**

	<b>Category</b>	<b>Name</b>	<b>Affiliation</b>
1	Flood Control District	Julian Juarez	FCD
2	Water Agency	Dirk Marks	Santa Clarita Valley Water Agency
3	Groundwater/Water Agency #2	Steve Cole	GSA for the Santa Clara River Valley
4	Sanitation	Kristen Ruffell	Sanitation Districts
5	Municipal Parks/Open Space	Janine Prado	City of Santa Clarita Recreation & Community Services

**South Santa Monica Bay**

	<b>Category</b>	<b>Name</b>	<b>Affiliation</b>
1	Flood Control District	Cung Nguyen	FCD
2	Water Agency	E.J. Caldwell	West Basin
3	Groundwater/Water Agency #2	Robb Whitaker	Water Replenishment District
4	Sanitation	Kristen Ruffell	Sanitation Districts
5	Municipal Parks/Open Space	Cathie Santo Domingo	Los Angeles Recreation & Parks

**Upper Los Angeles River**

	<b>Category</b>	<b>Name</b>	<b>Affiliation</b>
1	Flood Control District	Genevieve Osmena	FCD
2	Water Agency	Delon Kwan	Los Angeles Department of Water and Power
3	Groundwater/Water Agency #2	Paul Liu	Los Angeles Department of Water and Power
4	Sanitation	Alfredo Magallanes	Los Angeles - Sanitation
5	Municipal Parks/Open Space	Cathie Santo Domingo	Los Angeles Recreation & Parks

**Upper San Gabriel River**

	<b>Category</b>	<b>Name</b>	<b>Affiliation</b>
1	Flood Control District	Julian Juarez	FCD
2	Water Agency	Tom Love	Upper San Gabriel District
3	Groundwater/Water Agency #2	Kelly Gardner	Main San Gabriel Basin
4	Sanitation	Kristen Ruffell	Sanitation Districts
5	Municipal Parks/Open Space	Alina Bodke	Los Angeles County Parks and Recreation

**ENCLOSURE C: Safe Clean Water Program  
Watershed Area Steering Committee Members**

**Community Stakeholders**

**Central Santa Monica Bay**

	<b>Category</b>	<b>Name</b>	<b>Affiliation</b>
1	At Large	Kiara Brown	Natural History Museum
2	At Large	Rita Kamapalath	LA County Chief Sustainability Office
3	Environment	Bruce Reznik	LA Waterkeeper
4	Business	Jacob Lipa	Psomas
5	Environmental Justice	Gloria Walton	SCOPE

**Lower Los Angeles River**

	<b>Category</b>	<b>Name</b>	<b>Affiliation</b>
1	At Large	Nick Jiles	Páo Strategies
2	At Large	Mark Stanley	Rivers and Mountains Conservancy
3	Environment	Cindy Montanez	Tree People
4	Business	James Vernon	Port of Long Beach
5	Environmental Justice	Melissa Bahmanpour	River in Action

**Lower San Gabriel River**

	<b>Category</b>	<b>Name</b>	<b>Affiliation</b>
1	At Large	Dan Knapp	Conservation Corps of Long Beach
2	At Large	Adam Galia	Resident
3	Environment	Mark Stanley	Rivers Mountains Conservancy
4	Business	Michelle Yanez	San Gabriel Valley Economic Partnership
5	Environmental Justice	Marissa Christiansen	Friends of the LA River

**North Santa Monica Bay**

	<b>Category</b>	<b>Name</b>	<b>Affiliation</b>
1	At Large	Madelyn Glickfeld	Institute of the Environment and Sustainability UCLA
2	At Large	Doug Marian	California Plumbing and Mechanical Contractors Association Local 78
3	Environment	Kirsten James	Resident
4	Business	<del>John Heinz/ Cindy Montanez</del> <u>Jessica Duboff</u>	<del>Latham and Watkins</del> <u>LA Area Chamber of Commerce</u>
5	Environmental Justice	Tevin Schmitt	Wishtoyo Chumash Foundation Ventura County

**Rio Hondo**

	<b>Category</b>	<b>Name</b>	<b>Affiliation</b>
1	At Large	Thomas Wong	SGVMWD
2	At Large	Michael Hurley	Cal Water
3	Environment	Mark Hall	Vector Control
4	Business	Ron Miller	LA/OC Building Trades
5	Environmental Justice	Daniel Rossman	The Wilderness Society



**REVISED**

**ENCLOSURE C: Safe Clean Water Program  
Watershed Area Steering Committee Members**

**Community Stakeholders**

**Santa Clara River & Antelope Valley**

	<b>Category</b>	<b>Name</b>	<b>Affiliation</b>
1	At Large	Hunt Brawley Braly	Poole & Shaffery
2	At Large	Wayne Crawford	President of Santa Clarita Concrete
3	Environment	Sandra Cattel	Sierra Club
4	Business	Jason Gibbs	GP Strategies
5	Environmental Justice	Dianne Erskine-Hellrigel	Santa ClaritaValley Community Hiking Club

**South Santa Monica Bay**

	<b>Category</b>	<b>Name</b>	<b>Affiliation</b>
1	At Large	Alison Suffet-Diaz	Environmental Charter School
2	At Large	Craig Cadwallader	Surfrider
3	Environment	Guang Yu Wang	Santa Monica Bay Restoration Commission
4	Business	Hany Fangary	Fangary Law Group
5	Environmental Justice	Wendy Butts	Los Angeles Conservation Corps

**Upper Los Angeles River**

	<b>Category</b>	<b>Name</b>	<b>Affiliation</b>
1	At Large	Ernesto Pantoja	Laborers Local 300
2	At Large	Miguel Luna	Urban Semilla DakeLuna Consultants
3	Environment	John Luker	Santa Susana Mountain Park Association
4	Business	David Nahai	Lewis, Brisbois, Bisgaard & Smith
5	Environmental Justice	Veronica Padilla-Campos	Pacoima Beautiful

**Upper San Gabriel River**

	<b>Category</b>	<b>Name</b>	<b>Affiliation</b>
1	At Large	Bob Huff	Former CA State Senator
2	At Large	Bryan Urias	Former USGVMWD Board Member
3	Environment	Debbie Enos	Watershed Conservation Authority
4	Business	Ed Reyes	Consultant
5	Environmental Justice	David Diaz	Active SGV

**ENCLOSURE D: Safe, Clean Water Program  
Regional Oversight Committee Members**

Subject matter experts have expertise in the following categories:  
 Water Quality Benefits (WQ),  
 Water Supply Benefits (WS),  
 Community Investments Benefits (CIB),  
 Nature Based Solutions (NBS)

	<b>Expertise Category</b>	<b>Name</b>	<b>Affiliation</b>
1	WQ/WS	Maria Mehrenian	Cordoba / Former RWQCB Chair
2	WQ/CIB/NBS	Barbara Romero	City of Los Angeles
3	WQ	Diana Tang	City of Long Beach
4	WQ	Kristine Guerrero	League of Cities
5	CIB/NBS	Belinda Faustinos	Nature For All
6	WQ/CIB	Shelley Luce	Heal the Bay
7	CIB	Lauren Ahkiam	LAANE
8	CIB	Elva Yanez	Prevention Institute
9	WS	Charles Trevino	Upper San Gabriel Valley MWD
10*	WQ	Carl Blum	Flood Control District
11*	WS/WQ	Irma Munoz	LARWQCB

\*Non-Voting Members

**ENCLOSURE E: Safe Clean Water Program  
Scoring Committee Members**

Subject matter experts have expertise in the following categories:  
Water Quality Benefits (WQ),  
Water Supply Benefits (WS),  
Nature Based Solutions (NBS)/Community Investments Benefits (CIB)

	<b>Expertise Category</b>	<b>Name</b>	<b>Affiliation</b>
1	WS	Dean Efstathiou	Retired Professional Engineer
2	WS/WQ	J.R. De Shazo	UCLA Luskin Center for Innovation
3	NBS/CIB	Jill Sourial	The Nature Conservancy
4	NBS/WQ	Bruce Reznik	LA Waterkeeper
5	WQ	Dave Sorem	Mike Bubalo Construction Co., Inc.
6	WQ	Taejin Moon	LA County Public Works