



AGENDA AND NOTICE OF THE MEETING OF THE  
SAN GABRIEL VALLEY COUNCIL OF GOVERNMENTS GOVERNING BOARD  
**THURSDAY, NOVEMBER 19, 2020 - 4:00 P.M.\***  
**Teleconference Meeting**  
**Livestream Available at: <https://youtu.be/fnCG5FLw4cE>**

**SGVCOG Officers**

President  
Margaret Clark

1<sup>st</sup> Vice President  
Becky Shevlin

2<sup>nd</sup> Vice President  
Tim Hepburn

3<sup>rd</sup> Vice President  
Ed Reece

**Members**

Alhambra

Arcadia

Azusa

Baldwin Park

Bradbury

Claremont

Covina

Diamond Bar

Duarte

El Monte

Glendora

Industry

Irwindale

La Cañada Flintridge

La Puente

La Verne

Monrovia

Montebello

Monterey Park

Pomona

Rosemead

San Dimas

San Gabriel

San Marino

Sierra Madre

South El Monte

South Pasadena

Temple City

Walnut

West Covina

First District, LA County  
Unincorporated Communities

Fourth District, LA County  
Unincorporated Communities

Fifth District, LA County  
Unincorporated Communities

SGV Water Districts

Thank you for participating in tonight's meeting. The Governing Board encourages public participation and invites you to share your views on agenda items.

**MEETINGS: Regular Meetings of the Governing Board are held on the third Thursday of each month at 4:00 PM at the Foothill Transit Office (100 South Vincent Avenue, West Covina, CA 91790).** The Governing Board agenda packet is available at the San Gabriel Valley Council of Government's (SGVCOG) Office, 1000 South Fremont Avenue, Suite 10210, Alhambra, CA, and on the website, [www.sgvkog.org](http://www.sgvkog.org). Copies are available via email upon request ([sgv@sgvcog.org](mailto:sgv@sgvcog.org)). Documents distributed to a majority of the Board after the posting will be available for review in the SGVCOG office and on the SGVCOG website. Your attendance at this public meeting may result in the recording of your voice.

**PUBLIC PARTICIPATION:** Your participation is welcomed and invited at all Governing Board meetings. Time is reserved at each regular meeting for those who wish to address the Board. SGVCOG requests that persons addressing the meeting refrain from making personal, slanderous, profane or disruptive remarks.

**TO ADDRESS THE GOVERNING BOARD:** At a regular meeting, the public may comment on any matter within the jurisdiction of the Board during the public comment period and may also comment on any agenda item at the time it is discussed. At a special meeting, the public may only comment on items that are on the agenda. Members of the public wishing to speak are asked to complete a comment card or simply rise to be recognized when the Chair asks for public comments to speak. We ask that members of the public state their name for the record and keep their remarks brief. There is a three-minute limit on all public comments. Proxies are not permitted, and individuals may not cede their comment time to other members of the public. **The Governing Board may not discuss or vote on items not on the agenda.**

**AGENDA ITEMS:** The Agenda contains the regular order of business of the Governing Board. Items on the Agenda have generally been reviewed and investigated by the staff in advance of the meeting so that the Governing Board can be fully informed about a matter before making its decision.

**CONSENT CALENDAR:** Items listed on the Consent Calendar are considered to be routine and will be acted upon by one motion. There will be no separate discussion on these items unless a Board member or citizen so requests. In this event, the item will be removed from the Consent Calendar and considered after the Consent Calendar. If you would like an item on the Consent Calendar discussed, simply tell Staff or a member of the Governing Board.



In compliance with the Americans with Disabilities Act, if you need special assistance to participate in this meeting, please contact the SGVCOG office at (626) 457-1800. Notification 48 hours prior to the meeting will enable the SGVCOG to make reasonable arrangement to ensure accessibility to this meeting.



**\*MEETING MODIFICATIONS DUE TO THE STATE AND LOCAL STATE OF EMERGENCY RESULTING FROM THE THREAT OF COVID-19:** On March 17, 2020, Governor Gavin Newsom issued Executive Order N-29-20 authorizing a local legislative body to hold public meetings via teleconferencing and allows for members of the public to observe and address the meeting telephonically or electronically to promote social distancing due to the state and local State of Emergency resulting from the threat of the Novel Coronavirus (COVID-19).

To follow the new Order issued by the Governor and ensure the safety of Board Members and staff for the purpose of limiting the risk of COVID-19, in-person public participation at the Governing Board meeting scheduled for November 19, 2020 at 4:00 p.m. will not be allowed. Members of the public may view the meeting live on the SGVCOG's website. To access the meeting video, please see the link on the front page of the agenda.

Submission of Public Comments: For those wishing to make public comments on agenda and non-agenda items you may submit comments via email or by phone.

- Email: Please submit via email your public comment to Katie Ward ([kward@sgvcog.org](mailto:kward@sgvcog.org)) at least 1 hour prior to the scheduled meeting time. Please indicate in the Subject Line of the email "FOR PUBLIC COMMENT." Emailed public comments will be part of the recorded meeting minutes. Public comment may be summarized in the interest of time, however the full text will be provided to all members of the Governing Board prior to the meeting.
- Phone: Please email your name and phone number to Katie Ward ([kward@sgvcog.org](mailto:kward@sgvcog.org)) at least 1 hour prior to the scheduled meeting time for the specific agenda item you wish to provide public comment on. Please indicate in the Subject Line of the email "FOR PUBLIC COMMENT." You will be called on the phone number provided at the appropriate time, either during general public comment or specific agenda item. Wait to be called upon by staff, and then you may provide verbal comments for up to 3 minutes.

Any member of the public requiring a reasonable accommodation to participate in this meeting should contact Katie Ward at least 48 hours prior to the meeting at (626) 457-1800 or at [kward@sgvcog.org](mailto:kward@sgvcog.org).

**PRELIMINARY BUSINESS**

**5 MINUTES**

1. Call to Order
2. Pledge of Allegiance
3. Roll Call
4. Public Comment (*If necessary, the President may place reasonable time limits on all comments*)
5. Changes to Agenda Order: Identify emergency items arising after agenda posting and requiring action prior to next regular meeting

**LIAISON REPORTS**

6. Gold Line Foothill Extension Construction Authority
7. Foothill Transit – Page 1
8. Los Angeles County Metropolitan Transportation Authority
9. San Gabriel and Lower Los Angeles Rivers and Mountains Conservancy
10. San Gabriel Valley Mosquito & Vector Control District
11. Southern California Association of Governments
12. League of California Cities – Page 3
13. San Gabriel Valley Economic Partnership – Page 5
14. South Coast Air Quality Management District – Page 7

**PRESIDENT'S REPORT**

**5 MINUTES**

**EXECUTIVE DIRECTOR'S REPORT**

**10 MINUTES**

**GENERAL COUNSEL'S REPORT**

**5 MINUTES**

**COMMITTEE/BOARD REPORTS**

**10 MINUTES**

15. Transportation Committee – Page 9
16. Homelessness Committee – Page 11
17. San Gabriel Valley Regional Housing Trust Board – Page 13
18. Energy, Environment and Natural Resources Committee – Page 15
19. Water Committee – Page 17
20. Capital Projects and Construction Committee – Page 19

**CONSENT CALENDAR**

**5 MINUTES**

*(It is anticipated that the SGVCOG Governing Board may take action on the following matters)*

21. Governing Board Meeting Minutes – Page 21  
*Recommended Action: Adopt Governing Board minutes.*
22. Monthly Cash Disbursements/Balances/Transfers – Page 27  
*Recommended Action: Approve Monthly Cash Disbursements/Balances/Transfers.*
23. Committee/TAC/Governing Board Attendance – Page 31  
*Recommended Action: Receive and file.*
24. Homelessness Coordination Quarterly Report – Page 41  
*Recommended Action: Receive and file.*
25. 10th Amended and Restated Bylaws – Page 45  
*Recommended Action: Authorize staff to place the proposed Tenth Amended and Restated Bylaws ("Proposed Bylaws") on the agenda for the Governing Board's consideration at its next regular meeting.*
26. Cancel December Governing Board Meeting – Page 51  
*Recommendation Actions: Adopt Resolution 20-20, taking the following actions: 1) Cancel the SGVCOG December 2020 Governing Board meeting and 2) Authorize the President, in consultation with the other officers, to act on the Governing Board's behalf by undertaking all actions that are necessary for the proper administration and operation of*

*the SGVCOG and that cannot be delayed until the next Regular Meeting of the Governing Board.*

27. Letter Supporting Additional Resources to Address Mental Health Care Needs – Page 55  
*Recommended Action: Authorize President to send a letter to Governor Newsom and the San Gabriel Valley Legislative Delegation in support of additional resources to address mental health care needs.*
28. SGVCOG Gold Line Appointments – Page 57  
*Recommendation Action: Appoint the following representatives to serve as SGVCOG's Board Member and Alternate on the Metro Gold Line Foothill Extension Construction Authority Board of Directors: Ed Reece (Claremont), Board/Voting Member; Mendell Thompson (Glendora), Alternate.*
29. Metro Measure R Highway Program Criteria and Measure M Guidelines Letter – Page 59  
*Recommendation Action: Direct staff to work with the Transportation Committee to submit a letter to Metro regarding the updated Measure R Highway Program Criteria and Measure M Guidelines.*
30. Tentative 2020 Municipal Separate Storm Sewer System (MS4) Permit – Page 73  
*Recommended Action: Authorize President to submit comments to the Los Angeles Regional Water Quality Control Board on the MS4 Permit.*

**ACTION ITEM**

**20 MINUTES**

31. Safe, Clean Water Program Transfer Agreements and Contracts – Page 95  
*Recommended Actions: Authorize the Executive Director to execute and negotiate the following*
  - 1) *Transfer agreements with the Los Angeles County Flood Control District to undertake two scientific studies on behalf of the Upper Los Angeles River Watershed Management Group; and*
  - 2) *Contracts with Craftwater Engineering for work associated with the preSIP scientific study and the Load Reduction Strategy Adaptation scientific study.*

**PRESENTATION**

**15 MINUTES**

32. Recognition of SGVCOG Director of Capital Projects/Chief Engineer Mark Christoffels  
*Recommended Action: For information only.*

**ADJOURN**





## **Foothill Transit**

**To: San Gabriel Valley Council of Governments Governing Board**  
**Date: November 9, 2020**  
**Re: November 2020 Foothill Transit Liaison Report**

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Safety remains Foothill Transit's top priority. All public health safety and social distancing practices continue to be in effect in buses and at bus stops. We continue to monitor the developments surrounding COVID-19 and work in partnership with the Los Angeles County Department of Public Health to respond quickly according to public health guidelines. Riders continue to be asked to wash hands before each trip, wear a face covering, physically distance from others, follow safety messages posted on board, and be kind. Foothill Transit's COVID-19 response information is available at [foothilltransit.org/covid](https://foothilltransit.org/covid).

### ***New Union Station Patsaouras Bus Plaza Station:***

Effective November 1, the busway at Alameda Street has been relocated to the new Union Station Patsaouras Bus Plaza Station adjacent to Patsaouras Plaza, in the median of the busway next to US-101. The station makes it safe and easy for riders to make transit connections at Union Station, and features a new pedestrian bridge walkway between the new station and the Patsaouras Transit Plaza. The Silver Streak and all Commuter Express Lines 490, 493, 495, 498, 499, and 699 are now serving the Union Station Patsaouras Bus Plaza Station.

### ***Schedule Change Feedback Solicited:***

Following the implementation of the October 18 service change, Foothill Transit is soliciting feedback from the community. While virtual sessions on November 10 and 11 will have been conducted by the publication date of this report, the public is encouraged to submit further feedback at [changes@foothilltransit.org](mailto:changes@foothilltransit.org) or 1-800-RIDE-INFO. Further information is available at [foothilltransit.org/meettheplanner](https://foothilltransit.org/meettheplanner).

### ***Regional Contactless Mobile Fare Payment Option:***

A new regional mobile fare payment option accepted by all 26 TAP-enabled agencies is now available via Apple Wallet and the TAP LA app. This touchless fare payment system allows a customer's iPhone or Apple Watch to be used on bus fareboxes and rail stations as their Regular or Reduced Fare TAP card, and helps minimize customer contact on public transit. More detailed information is available at the [TAP website](https://tap.metro.net).

### ***Transit Store Operations:***

The West Covina, El Monte, and Puente Hills Mill Transit Stores are now open to walk-in customers. The Transit Stores are following guidelines developed by the Los Angeles County Department of Public Health, and the number of people allowed inside at a time are being monitored and limited to maintain safety. Customer service staff continue to be available at 1-800-RIDE-INFO, and customers are encouraged to call for all transit-related related needs.

100 S. Vincent Ave., Suite 200 • West Covina, CA 91790 **W** [foothilltransit.org](https://foothilltransit.org) **P** 626.931.7300 **F** 626.915.1143

**MEMBER CITIES** Arcadia, Azusa, Baldwin Park, Bradbury, Claremont, Covina, Diamond Bar, Duarte, El Monte, Glendora, Industry, Irwindale, La Puente, La Verne, Monrovia, Pasadena, Pomona, San Dimas, South El Monte, Temple City, Walnut, West Covina and Los Angeles County **A PUBLIC AGENCY**





November 9, 2020

To: Governing Board, San Gabriel Valley Council of Governments  
From: Jennifer Quan, League of California Cities  
Re: Liaison Report

### **Events and Programs**

**Colloquium XVI Los Angeles' Housing Crisis: Not the First Time:** November 14, 9:00 AM - 1:30 PM. The Los Angeles Region Planning History Group's Colloquium will explore housing crises in Los Angeles' past -- and how they may inform our current discussions concerning housing. The heart of the virtual colloquium will engage you in a facilitated discussion of strategies and policy recommendations for addressing the LA housing crisis both current and future. Register at <http://www.lacties.org>

**2020 Legislative Briefing: Bills Signed into Law:** November 19, 10:00 AM -12:00 PM. Join the League's legislative team for a virtual briefing on new laws from the 2020 Legislative session. Lobbyists will share information on how these new laws will affect city operations. Register at: <https://www.cacities.org/events>

*Please note that the League is closely monitoring the Coronavirus/COVID-19 pandemic, and the safety of our members, employees, and partners are the top priority. The League will continue to monitor the situation, and will keep you updated on any future schedule changes or cancellations. We appreciate your patience and flexibility as we take the time needed to make these decisions in a thoughtful and responsible way that protects everyone and ensures we can continue to serve as a high-quality resource for our members and partners.*

### **COVID-19 Resources for City Officials**

The League has continued to send frequent updates to city officials and have created [www.CACities.org/coronavirus](http://www.CACities.org/coronavirus) as a resource for information of particular interest to local governments.

### **Advancing Equity Resources for Cities**

In June 2020, the League Board of Directors issued a [statement](#) committing to creating an equitable and just future for all Californians. To support that commitment, the League started exploring ways to connect members to resources and educational opportunities that would strengthen their knowledge and capacity to eliminate racial disparities, heal racial divisions, and build more equitable communities.

The League's new Advancing Equity webpage will be not only a one-stop shop for city officials to browse the collection of learning opportunities that the League develops, but also provide

links to other foundational resources from trusted partners. The list of resources and learning opportunities will continue to grow as we deepen our knowledge and breadth in this space and strive to support cities in strengthening their capacity to build more equitable communities.

### **Interested in Serving on a League Policy Committee?**

Are you interested in setting policy to help guide California's cities? The League of California Cities has seven committees that help determine its policy-making and legislative interests. Policy committees initially review statewide ballot measures, with the Board adopting the League's final position.

Interested city officials can reach out to Jennifer Quan at [jquan@cacities.org](mailto:jquan@cacities.org) and indicate which policy committee they are interested in serving:

- COMMUNITY SERVICES
- ENVIRONMENTAL QUALITY
- GOVERNANCE, TRANSPARENCY AND EMPLOYEE RELATIONS
- HOUSING, COMMUNITY & ECONOMIC DEVELOPMENT
- PUBLIC SAFETY
- REVENUE & TAXATION
- TRANSPORTATION, COMMUNICATION & PUBLIC WORKS

Committees meet quarterly, prior to meetings of the League's Board of Directors. Appointments can come from Departments of the League and its 16 regional Divisions, or by appointment of the League President.

For additional information on these items, please contact Jennifer Quan at 626-786-5142 or [jquan@cacities.org](mailto:jquan@cacities.org)



## Fall/Winter 2020 Events



**2020 ELECTION WRAP-UP**  
WITH HENRY OLSEN

Title Sponsor  
**Spectrum**

November 12, 2020  
10:00 - 11:30 am, Online

Join us for a special post-election analysis with Washington Post Columnist Henry Olsen.

- Presidential race outcome
- House and Senate
- Interesting results and trends around the country
- 2020 and the future of American Politics

Members \$10. Non-Members \$15.

Register:  
[sgvpartnership.org/events](http://sgvpartnership.org/events)

Sponsors:  
San Gabriel Valley, Citrus Valley Realtors, Arcadia Association of Realtors

Info@sgvpartnership.org (626) 856-3400  
4900 Rivergrade Road, Suite B130, Irwindale, CA 91706

November 12, 2020  
10-11 am  
**2020 Election Wrap-Up** with Henry Olsen,  
Washington Post Columnist  
Sponsored by Spectrum



THE SAN GABRIEL VALLEY  
**2020 AWARDS GALA**  
"Here Comes the Sun"

TUESDAY, NOVEMBER 17  
1:00 - 2:00 PM  
ONLINE

Title Sponsors  
**ONTARIO**  
INTERNATIONAL AIRPORT  
**PACIFIC PLAZA PREMIER**

Leadership Sponsors: Bank of America, SoCalGas, AT&T, Spectrum, Edison, Kaiser Permanente, Western University, Bionzi, Pacific Plaza Premier, Business Life

Platinum Sponsors: Ratzkovich, Edison, Kaiser Permanente, Western University, Bionzi, Pacific Plaza Premier, Business Life

Gold Sponsors: Bionzi, Pacific Plaza Premier, Business Life

Silver Sponsors: Bionzi, Pacific Plaza Premier, Business Life

Media Sponsors: Pasadena Star-News, San Gabriel Valley Tribune, Whittier Daily News, Business Life

Contact 626-856-3400 | [sgvpartnership.org/SGV-Awards-Gala](http://sgvpartnership.org/SGV-Awards-Gala) | Please RSVP

November 17, 2020  
1-2 pm (plus Mixer 12:30-1 pm & 2-2:30 pm)  
**2020 San Gabriel Valley Awards Gala**  
Sponsored by Ontario International Airport  
and Pacific Plaza Premier Development Group



**Restaurant Survival**  
In the age of COVID-19

Thursday, November 12, 2020  
12 - 1 pm  
Free to attend; RSVP required.

Learn how some restaurants have retrofitted to outlast the pandemic.

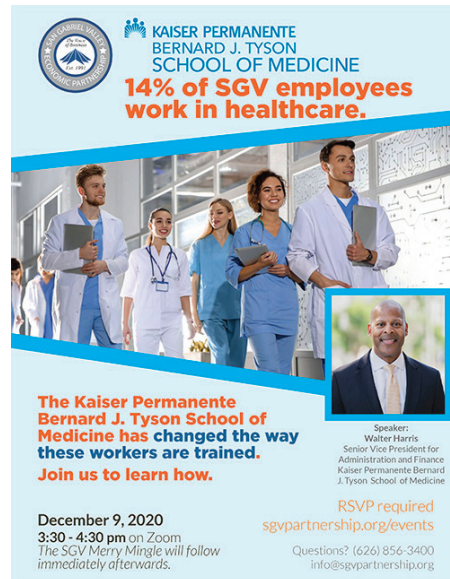
We will hear from a pair of experts in the industry. Perfect for all restaurant owners, chamber members, investors, and the general public.

Speakers provided by  
**SBCD CALIFORNIA** **SBA**

Dr. Eric Zackrisson Kevin McVeary

Contact 626-856-3400 | [sgvpartnership.org/events](http://sgvpartnership.org/events) | Please RSVP

November 12, 2020  
12-1 pm  
**Restaurant Survival in the Age of COVID-19**  
Sponsored by Bank of America



**KAISER PERMANENTE BERNARD J. TYSON SCHOOL OF MEDICINE**  
**14% of SGV employees work in healthcare.**

The Kaiser Permanente Bernard J. Tyson School of Medicine has changed the way these workers are trained.  
**Join us to learn how.**

December 9, 2020  
3:30 - 4:30 pm on Zoom  
The SGV Merry Mingle will follow immediately afterwards.

RSVP required  
[sgvpartnership.org/events](http://sgvpartnership.org/events)

Questions? (626) 856-3400  
info@sgvpartnership.org

December 9, 2020  
3:30-4:30 pm  
**Reinventing Medical Education**  
with Kaiser Permanente



# REPORT

**DATE:** November 19, 2020

**TO:** Governing Board Delegates and Alternates

**FROM:** South Coast Air Quality Management District

**RE:** **MONTHLY LIAISON REPORT**

## **NOVEMBER GOVERNING BOARD LIAISON REPORT**

### **CleanAir Furnace Program Receives Additional Funding for Rebates to Consumers**

South Coast AQMD's CLEANair Furnace Rebate Program is an incentive program that encourages consumers to choose a cleaner home heating product, with fewer air polluting emissions, when purchasing a natural-gas-fired, fan-type central furnace or replacing a furnace with a zero-emission heat pump system.

South Coast AQMD's Governing Board approved \$3.5 million in September to increase rebate funding for the installation of some 14 ng/J natural gas furnaces installed in high altitude areas ( $\geq 4,200$  feet) or a weatherized furnace. The program also provides an even greater incentive for electric heat pumps. A minimum of 25 percent of the funding will be reserved for installations in disadvantaged and lowincome communities as identified under SB535 and AB1550, respectively.

The rebate to consumers is \$500 per unit for 14 ng/J furnaces that meet specific criteria to \$1,500 per zero emission heat pump system replacement for the first 2,800 compliant furnaces that are purchased and installed. Applicants in singlefamily residences, multi-family properties, or small commercial buildings within South Coast AQMD's jurisdiction who purchase and install South Coast AQMD qualified gas-fired furnaces or electric heat pumps are eligible to apply.

<b>Consumer Rebate</b>	<b>Limit for Rebate</b>
\$500 rebate for 14 ng/J furnaces installed in high altitude areas ( $\geq 4,200$ feet)	200 units and no later than September 30, 2021
\$500 rebate for 14 ng/J weatherized furnaces	600 units and no later than September 30, 2021
\$1,500 rebate for zero emission heat pump systems (replacements only)	2,000 units or when funds depleted

Rebate applications will be accepted beginning October 6, 2020 for installations completed on and after September 4, 2020, and will be available on a first-come, first-served basis until all funds are depleted. For more information on models qualifying for the rebate, and how to apply, visit: <https://www.cleanairfurnacerebate.com/how-to-apply/>.





# REPORT

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**DATE:** November 5, 2020

**TO:** Governing Board Delegates and Alternates

**FROM:** Jason Pu, Chair, Transportation Committee

**RE:** **MONTHLY REPORT**

## **NOVEMBER MEETING SUMMARY**

The SGVCOG Transportation Committee is expected to convene on Thursday, November 19, 2020 for its November meeting. The committee will be receiving presentations on Foothill Transit's operations and the Metro North Hollywood-Pasadena Bus Rapid Transit (BRT) Project. The committee is also expected to discuss the San Gabriel Valley Transit Feasibility Study and the proposed Metro Subregional Equity Program Guidelines.

Foothill Transit Executive Director, Doran Barnes, will be providing the first presentation of the meeting on Foothill Transit's operations. Foothill Transit continues to monitor the developments surrounding COVID-19 and collaborate with the Los Angeles County Department of Public Health to respond quickly according to public health guidelines. The transit agency has also been providing service levels at approximately 99% of pre-COVID levels with all Express Service and local lines in operation except those that primarily service middle and high schools.

Metro representatives will be providing the second presentation on the Metro North Hollywood BRT Project, which extends approximately 18 miles with connections to the Metro B (Red), G (Orange), and L (Gold) Lines, as well as Metrolink and other municipal bus lines. This proposed project will serve North Hollywood, Burbank, Glendale, Eagle Rock, and Pasadena. Metro recently released the project's Draft Environmental Impact Report (DEIR) for public review from October 26, 2020 to December 10, 2020.

Additionally, SGVCOG staff will provide an update on the development of the San Gabriel Valley Transit Feasibility Study, which aims to identify and analyze the mobility needs for the San Gabriel Valley in areas that are not currently, nor will be served in the future, by the Foothill Gold Line and Metrolink rail systems. The committee will also discuss Metro staff's proposed changes to the Metro Measure M Multi-Year Subregional Program's Subregional Equity Program (SEP) Guidelines. Metro staff is expected to attend the committee meeting and receive feedback and suggestions from committee members.



# REPORT

**DATE:** November 19, 2020

**TO:** Governing Board Delegates and Alternates

**FROM:** Becky Shevlin, Chair, Homelessness Committee

**RE:** MONTHLY REPORT

## **OCTOBER MEETING RECAP**

At its November meeting, the Homelessness Committee heard the following presentations and updates:

- **Using Surplus Land for Affordable Housing and Homeless Services:** A representative of from the City of Pasadena presented on the use of city-owned land for affordable housing in the context of updates to the Surplus Land Act. The presentation focused on Pasadena's recent selection of a developer to produce affordable housing on a parcel near their city hall. They had adjusted their ongoing plans to comply with AB 1486, and walked the committee through this process step by step.
- **Los Angeles County Department of Mental Health Programs:** Two representatives from the LA County Department of Mental Health presented on the spectrum of the services and housing available to homeless individuals. Their presentation included a focus on outreach programs, a conservatorship pilot, the services available in permanent supportive housing, and their expanding system of community-based care.
- **2021 Legislative Priorities:** The committee approved legislative priorities, building on the prior year's priorities with additions including a focus on direct capital funding for affordable housing, additional funding administered directly by the COG and member cities, and efforts supporting regional coordination activities.
- **Letter Supporting Additional Resources to Address Mental Health Care Needs:** The committee directed staff to draft a letter to the Governor and legislative delegation supporting additional resources to address mental health care needs for approval at the November Governing Board meeting. The letter requests renewed efforts to identify additional funding for timely, cost effective mental health services, including through the use of surplus or underutilized public properties.
- **Project Roomkey, Project Homekey, and the LAHSA COVID-19 Recovery Plan:** SGVCOG staff provided an update on these related efforts, reporting that LAHSA has continued to demobilize Project Roomkey (PRK) sites. Among all PRK sites that have closed, only 3% of participants have exited to unsheltered destinations. The County was awarded further Project Homekey funding for two more projects, bringing the total number of motels purchased to ten. One of these, in Commerce, is adjacent to the San Gabriel Valley, bring the total number of sites in or near the SGVCOG jurisdiction to four.
- **LA Alliance for Human Rights et al. v. City of Los Angeles et al.:** SGVCOG staff provided an update on efforts related to this lawsuit, include the signing of an MOU between the City and County of Los Angeles, disputes as to the costs and funding sources of planned programs, and concerns surrounding the displacement of people experiencing

homelessness near freeways.

- **Winter Shelter:** SGVCOG staff provided an update on the Winter Shelter program, its reduced capacity due to COVID-19, and efforts to locate additional sites in the San Gabriel Valley.

# REPORT

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DATE: November 19, 2020

TO: SGVCOG Governing Board

FROM: Marisa Creter, Executive Director

RE: **REGIONAL HOUSING TRUST UPDATE**

## **RECOMMENDED ACTION**

For information only.

## **BACKGROUND**

The San Gabriel Valley Regional Housing Trust (SGVRHT) was established in February 2020 by a Joint Exercise of Powers Agreement (JPA) for the purposes of funding affordable and homeless housing. The JPA structure enables the SGVRHT to leverage both public and private funds. A potential source of public funds are Permanent Local Housing Allocation (PLHA) funds which are allocated directly to entitlement cities or to non-entitlement cities through LA County. Allocating PLHA funds to the SGVRHT is an eligible use of those funds. An advantage of dedicating funds to the SGVRHT is the ability to apply for matching State funds reserved for housing trusts, thereby increasing the ability to leverage funds to create affordable and homeless housing in the region. Several member and affiliate member cities have notified the SGVRHT of their intent to allocate their PLHA funds, or a portion thereof, to SGVRHT.

On October 21, 2020, the SGVRHT hosted a working group meeting to discuss the use of PLHA funds to cover a portion of member and affiliate dues. Member and affiliate cities pay an annual fee to support the general operational expenses of the SGVRHT. PLHA funds are eligible to cover operational expenses of a housing trust and serve as capital for affordable and homeless housing development. Staff proposed that 10% of a city's PLHA allocation to SGVRHT may be applied to member dues, up to 50% of the annual member dues and up to 100% of affiliate dues. For example, a member city with a \$10,000 annual fee that allocates \$40,000 to SGVRHT, would be able to apply \$4,000 of PLHA to their annual fee. The remaining \$36,000 allocated to SGVRHT would be reserved for use as capital for project awards and could potentially be matched by the State through the Local Housing Trust (LHTF) program.

The working group meeting also discussed a potential tiny home homeless housing pilot program. The proposed tiny home shelters represent an opportunity to address the emergency shelter needs of the San Gabriel Valley quickly and at a relatively low cost. SGVRHT would provide capital for the tiny homes and work with member cities and the County to ensure onsite service provision. The tiny home shelters are a smaller scale solution than a large emergency shelter. If your city may be interested in participating, please contact Brielle Acevedo, [bacevedo@sgvrht.org](mailto:bacevedo@sgvrht.org).

The next Board of Directors meeting is December 2, 2020.



# REPORT

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**DATE:** November 5, 2020

**TO:** Governing Board Delegates and Alternates

**FROM:** Denis Bertone, Chair, EENR Committee

**RE:** **MONTHLY REPORT**

## **NOVEMBER MEETING SUMMARY**

The SGVCOG Energy, Environment, and Natural Resources (EENR) Committee is expected to convene on Wednesday, November 18, 2020 at 1:00pm for its November meeting. The committee is expected to receive presentations on the Sanitation Districts of Los Angeles County's Food Waste Recycling Program, Nature For All's San Gabriel Mountains Transit and Infrastructure Program, and Southern California Association of Governments' (SCAG) Southern California Regional Climate Adaptation Framework.

Sanitation Districts of Los Angeles County Senior Engineer, Maria Rosales-Ramirez, will provide the first presentation on the Districts' Food Waste Recycling Program. After a decade of evolving economics and logistics to generate more renewable energy production issuing increased volumes of source separated organics, the Districts have pivoted to a full-fledged commercial operation by transitioning their pilot food waste digestion and biogas generating system into one of the nation's largest integrated, food waste recycling programs. In addition to receiving competitive rates to process food waste from private sector generators, the Districts' ability to effectively utilize an unlevered asset in the form of excess digestion capacity has led to additional environmental benefits, such as achieving climate change goals and creating greenhouse gas credits due to the ability to divert energy-rich food waste from landfills to generate renewable energy.

Nature For All Program Organizer, Bryan Matsumoto, will provide the second presentation on the San Gabriel Mountains Transit and Infrastructure Program, which aims to connect the gap between public transit and public lands. Nature For All is currently working to expand transit routes from Los Angeles County's "park poor" areas to world-class trails and destinations within the San Gabriel Mountains.

SCAG representatives will provide the third presentation on the Southern California Regional Climate Adaptation Framework, which is being developed as a collection of resources to support climate adaptation planning efforts across the SCAG region. The Framework consists of tools supporting both local and subregional planning, such as workshop materials and strategies for communicating climate change, planning guidance and model policy language, vulnerability mapping and assessment tools, and a collection of case studies.





# REPORT

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DATE: November 19, 2020

TO: Governing Board Members & Alternates

FROM: Water Policy Committee/Water TAC

RE: **MONTHLY REPORT**

## **OCTOBER MEETING RECAP**

On Tuesday, October 13, the Water Policy Committee and Water Technical Advisory Committee (TAC) convened its monthly joint meeting via Zoom teleconference. The Water TAC voted to elect Alex Tachiki of the City of Monrovia as Chair and Tom Love of the Upper San Gabriel Valley Municipal Water District as Vice Chair of the Committee. The Committees spent the bulk of the meeting discussing the Tentative Municipal Separate Storm Sewer System (MS4) Permit and key points of Permit negotiation with the LA County Regional Water Quality Control Board (Regional Board). The deadline for comments on the Tentative Permit was recently extended to December 7, 2020. The Committees discussed the second proposed State Water Resources Control Board order on Watershed Management Programs (WMPs), especially focused on its potential impact on the Tentative Permit. The Committees also voted to recommend the Governing Board direct staff to work with the Water Policy Committee to submit a letter to the Regional Board reflecting the need to ensure that, in the adoption of the new MS4 Permit, Permittees are only required to complete a reasonable assurance analysis (RAA) once. The Governing Board voted to approve this on Thursday, October 22.

## **NOVEMBER MEETING RECAP**

On Tuesday, November 10, the Water Policy Committee and Water Technical Advisory Committee (TAC) convened its monthly joint meeting via Zoom teleconference. The meeting featured two presentations. LA County Flood Control District (LACFCD) provided an update on the San Gabriel Valley Greenway Network Strategic Implementation Plan, which will inform the transformation of approximately 138 miles of existing LACFCD right-of-way into the Greenway Network. Metropolitan Water District (MWD) provided a presentation on their Regional Recycled Water Program, which would purify wastewater to produce up to 150 million gallons per day of high-quality water to refill groundwater basins and produce drinking water. The program will prioritize the Main San Gabriel Basin in its delivery of water. On Tuesday, November 10, the MWD Board voted to approve advancing the project, which is expected to be fully operational as early as 2032 and will become one of the largest advanced water treatment plants in the world.

The Committees provided final comments to include in the comment letter to the Regional Board on the Tentative MS4 Permit. The Committees voted to recommend the Governing Board direct staff to submit the comment letter to the Regional Board reflecting the changes and additions discussed during this meeting. The Committees also discussed legislative priorities and voted to recommend proposed 2021 legislative priorities to the Governing Board for approval. The MS4 Permit letter will be considered by the Governing Board at its November meeting.

## **SAFE CLEAN WATER PROGRAM UPDATE**

On October 13, the Los Angeles County Board of Supervisors approved the FY 2020-21 Recommended Regional Program Stormwater Investments Plans (SIPs). All Transfer Agreements have been provided to municipalities and regional project and scientific study recipients.

LA County Public Works has evaluated each Watershed Coordinator Proposer's Statement of Qualification based on experience, work plan, price, performance history, and references. Proposers that received a qualifying score have been placed on a Qualified Proposer List for each Watershed Area. The proposers on the Qualified Proposer List will be invited to provide a presentation to the applicable WASC who will conduct an interview at a public meeting. The WASCs will review potential candidates in January or February.

The Regional Oversight Committee (ROC) reconvened on October 29 to provide input on District staff's draft framework for Fiscal Year 2021-2022 Stormwater Investment Plan (SIP) Programming Guidelines. The Scoring Committee reconvened on November 4 to hear an overview of the FY 2021-22 project submittals, develop a project scoring timeline, and select Chairs. The Upper San Gabriel River, Upper Los Angeles River, and Rio Hondo Watershed Area Steering Committees (WASCs) reconvened in late October and early November to select Chairs, send completed feasibility studies to Scoring Committee for consideration, and begin development of the FY 2021-22 SIPs.

# REPORT

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DATE: November 19, 2020

TO: Governing Board Members & Alternates

FROM: Capital Projects and Construction Committee

RE: **MONTHLY REPORT**

## **MONTHLY REPORT**

The Capital Projects and Construction Committee did not meet in the month of October. The Capital Projects and Construction Committee is expected to reconvene on Monday, November 16, 2020 at 12 PM.





**SGVCOG Governing Board Unapproved Minutes**

Date: October 15, 2020  
Time: 4:00 PM  
Location: Zoom Virtual Meeting

**PRELIMINARY BUSINESS**

1. Call to Order  
M. Clark called the meeting to order at 4:03pm.
2. Pledge of Allegiance  
J. Pu led the Governing Board in the Pledge of Allegiance.
3. Roll Call  
**A quorum was in attendance.**

**Governing Board Members Present**

Arcadia	April Verlato
Azusa	Robert Gonzales
Baldwin Park	Jean M. Ayala
Claremont	Ed Reece
Covina	Patricia Cortez
Diamond Bar	Nancy Lyons
Duarte	John Fasana
El Monte	Jerry Velasco
Glendora	Michael Allawos
Industry	Cory Moss
La Cañada Flintridge	Keith Eich
La Verne	Tim Hepburn
Monrovia	Becky Shevlin
Monterey Park	Peter Chan
Pomona	Tim Sandoval
Rosemead	Margaret Clark
San Dimas	Denis Bertone
San Gabriel	Jason Pu
San Marino	Susan Jakubowski
Sierra Madre	John Capoccia
South El Monte	Gloria Olmos
South Pasadena	Diana Mahmud
Temple City	Cynthia Sternquist
Walnut	Allen Wu
West Covina	Tony Wu
L.A. County District #1	Bryan Urias
L.A. County District #5	Sandra Maravilla
SGV Water Districts	Steven Placido

**Absent**

Alhambra  
Bradbury  
Irwindale  
Montebello  
L.A. County District #4

**SGVCOG Staff**

M. Creter, Exec. Director  
D. DeBerry, Gen. Counsel  
M. Christoffels, Staff  
C. Sims, Staff  
D. Stanley, Staff  
M. Ponce, Staff  
T. Tignino, Staff  
B. Acevedo, Staff  
K. Ward, Staff  
A. Fung, Staff  
S. Matthews, Staff  
B. McCullom, Staff  
A. Bordallo, Staff  
S. Hernandez, Staff

4. Public Comment  
No public comments were provided.
5. Changes to Agenda Order  
There were no changes to the Agenda Order.

**CLOSED SESSION**

6. Conference with Legal Counsel – Anticipated Litigation  
Significant exposure to litigation pursuant to Government Code section 54956.9(d)(2), one potential case.  
No actions were reported from the Closed Session item.

**LIAISON REPORTS**

7. Gold Line Foothill Extension Construction Authority  
A written report was provided.
8. Foothill Transit  
A written report was provided.
9. Los Angeles County Metropolitan Transportation Authority  
No report was given.
10. San Gabriel and Lower Los Angeles Rivers and Mountains Conservancy (RMC)  
A written report was provided.
11. San Gabriel Valley Mosquito & Vector Control District (SGVMVCD)  
No report was given.
12. Southern California Association of Governments  
A written report was provided.
13. League of California Cities  
A written report was provided.
14. San Gabriel Valley Economic Partnership (SGVEP)  
A written report was provided.
15. South Coast Air Quality Management District (AQMD)  
A written report was provided.

**PRESIDENT'S REPORT**

SGVCOG President, Margaret Clark, provided an update.

**EXECUTIVE DIRECTOR'S REPORT**

SGVCOG Executive Director, Marisa Creter, provided an update.

**GENERAL COUNSEL'S REPORT**

SGVCOG General Counsel, David DeBerry, provided an update.

**COMMITTEE REPORTS**

- 16.** Transportation Committee  
A written report was provided.
- 17.** Homelessness Committee  
A written report was provided.
- 18.** San Gabriel Valley Regional Housing Trust Board  
A written report was provided.
- 19.** Energy, Environment and Natural Resources (EENR) Committee  
A written report was provided.
- 20.** Water Committee  
A written report was provided.
- 21.** Capital Projects and Construction Committee  
A written report was provided.

**CONSENT CALENDAR**

- 22.** Governing Board Meeting Minutes  
*Recommended Action: Adopt Governing Board minutes.*
- 23.** Monthly Cash Disbursements/Balances/Transfers  
*Recommended Action: Approve Monthly Cash Disbursements/Balances/Transfers.*
- 24.** Committee/TAC/Governing Board Attendance  
*Recommended Action: Receive and file.*
- 25.** 4<sup>th</sup> Quarter Financial and Treasurer Reports  
*Recommended Action: Receive and file.*
- 26.** Authorize the Executive Director to Execute an Agreement with Metro to Undertake a Transit Feasibility Study for the San Gabriel Valley  
*Recommended Action: Authorize the Executive Director to execute a funding agreement with Metro to undertake a transit feasibility study for the San Gabriel Valley.*
- 27.** Updated SGVCOG Purchasing and Procurement Policies and Procedures  
*Recommended Action: Adopt Resolution 20-18 updating the SGVCOG Purchasing and Procurement Policies and Procedures.*
- 28.** Committee/TAC Appointments

*Recommended Actions: Appoint members to the following standing SGVCOG Policy Committees and Technical Advisory Committees:*

- *Planning Directors' Technical Advisory Committee: City of Pomona*
- *Water TAC: City of South Pasadena*

**29. MS4 Permit Letter**

*Recommended Action: Direct staff to submit a letter to the Los Angeles Regional Water Quality Control Board requesting that adoption of the updated MS4 permit be delayed until July 2021 and work to address any compliance deadlines.*

**There was a motion to approve consent calendar items 22 to 29. (M/S: B. Shevlin/T. Sandoval)**

**[Motion Passed]**

<b>AYES:</b>	Arcadia, Azusa, Baldwin Park, Claremont, Diamond Bar, Duarte, El Monte, Glendora, Industry, La Cañada Flintridge, La Verne, Monrovia, Monterey Park, Pomona, Rosemead, San Dimas, San Gabriel, San Marino, Sierra Madre, South El Monte, South Pasadena, Temple City, Walnut, West Covina, L.A. County District #1, L.A. County District #5, San Gabriel Valley Water Districts
<b>NOES:</b>	
<b>ABSTAIN:</b>	
<b>NO VOTE RECORDED:</b>	Covina
<b>ABSENT:</b>	Alhambra, Bradbury, Irwindale, La Puente, Montebello, L.A. County District #4

**ACTION ITEMS**

- 30. Employment Contract with Mark Christoffels for Director of Capital Projects/Extra Help**  
SGVCOG Executive Director, Marisa Creter, provided a report on this item.

Key Discussions/Questions:

- A Governing Board member inquired about the interview process for Mr. Christoffels' replacement. Ms. Creter responded that an external panel representing external agencies and an internal panel representing SGVCOG staff will be interviewing candidates for the position of Director of Capital Projects. Typically, members of the Governing Board only interview candidates for the Executive Director position.
- Another Governing Board member suggested that the SGVCOG Capital Projects and Construction Committee Chair, Tim Sandoval, should be serving on the panel to interview candidates for the position of Director of Capital Projects. Ms. Creter responded that she will check with the Human Resources staff to confirm the possibility of having Chair Sandoval on the interview panel. Ms. Creter also mentioned that interviews for the position have not occurred yet.



**There was a motion to adopt Resolution 20-19 for a 180-day wait period exception and approve Employment Contract with Mark Christoffels for Director of Capital Projects/Extra Help. (M/S: T. Sandoval/T. Hepburn)**

**[Motion Passed]**

<b>AYES:</b>	Arcadia, Azusa, Baldwin Park, Claremont, Diamond Bar, Duarte, El Monte, Glendora, Industry, La Cañada Flintridge, La Verne, Monrovia, Monterey Park, Pomona, Rosemead, San Dimas, San Gabriel, San Marino, Sierra Madre, South El Monte, South Pasadena, Temple City, Walnut, West Covina, L.A. County District #1, L.A. County District #5, San Gabriel Valley Water Districts
<b>NOES:</b>	
<b>ABSTAIN:</b>	
<b>NO VOTE RECORDED:</b>	Covina
<b>ABSENT:</b>	Alhambra, Bradbury, Irwindale, La Puente, Montebello, L.A. County District #4

## **PRESENTATION**

- 31.** California Department of Transportation (Caltrans) District 7 City Ambassador Program Introduction  
Caltrans District 7 Director, John Bulinski, and Caltrans 7 Chief Deputy District Director, Gloria Roberts, provided a presentation on this item.

### Key Discussions/Questions:

- Several Governing Board members expressed gratitude to Caltrans staff for hosting coordinating meetings with cities.
- Another Governing Board member inquired about litter clean-ups on highways. Ms. Roberts responded that Caltrans paused litter and trash clean-up operations for three months to protect Caltrans staff. The operations were resumed in June; however, litter pick-up schedules were modified and Caltrans is working to increase the amount of litter pick-up operations to pre-COVID levels.
- A Governing Board member expressed concerns over the lack of graffiti clean-ups and the increase of delays in the completion of freeway expansion projects on the I-10. Mr. Bulinski encouraged cities to submit graffiti removal requests online at <https://csr.dot.ca.gov/> and expressed willingness to meet with the affected cities.
- A Governing Board member expressed concerns over homeless encampments along freeways. Mr. Bulinski responded that cities can meet with Caltrans staff to address the issue given that Caltrans cannot move individuals experiencing homelessness away from Caltrans' right-of-way due to COVID-19.
- A Governing Board member mentioned that the City of San Gabriel was not included in the Caltrans District 7 City Ambassador Program. Mr. Bulinski responded that Caltrans staff will follow up with the City and

ensure that the City is included in the program.

- A Governing Board member inquired about volunteer events to clean-up Caltrans' easements as "Make a Difference Day," which is scheduled for October 24<sup>th</sup>, is quickly approaching. Mr. Bulinski will follow up with cities to coordinate clean-up events on "Make a Difference Day."

- 32.** Recognition of Former SGVCOG President Cynthia Sternquist and SGVCOG Board Member John Fasana; Welcome New Governing Board Officers  
Members of the Governing Board expressed their gratitude to Former SGVCOG President Cynthia Sternquist and SGVCOG Board Member John Fasana for their contributions to the SGVCOG and San Gabriel Valley communities. Additionally, members of the Governing Board welcomed Rosemead City Councilmember Margaret Clark, Monrovia City Councilmember Becky Shevlin, La Verne Mayor Tim Hepburn, and Claremont City Councilmember Ed Reece as the new SGVCOG Executive Officers.

**ADJOURN**

M. Clark adjourned the Governing Board meeting at 5:34pm.

**SAN GABRIEL VALLEY COUNCIL OF GOVERNMENTS**  
**Selected Asset Account Balances**  
**As of October 31, 2020**

Account Number	Description	Balance 9/30/2020	Increase	Decrease	Net Change	Balance 10/31/20
000-000-000-1010	CBB - 242-118-669 Checking	\$ 2,256,733	\$ 55,506	\$ 10,042	\$ 45,464	\$ 2,302,197
000-000-000-1020	CBB- 242-034-325 CD	\$ 55,729	\$ 14	\$ -	\$ 14	\$ 55,743
000-000-000-1030	CBB - 2766 Savings	\$ 1,592	\$ 0.40	\$ -	\$ 0.40	\$ 1,592
000-000-000-1040	CBB -242-034-953 CD	\$ 54,961	\$ 14	\$ -	\$ 14	\$ 54,975
000-000-000-1052	CBB-242-300-597 MM (Homelessness Trust)	\$ 4,606,669	\$ 947	\$ -	\$ 947	\$ 4,607,616
000-000-000-1090	Petty Cash	\$ 400	\$ -	\$ -	\$ -	\$ 400
000-000-000-1100	LAIF 40-19-038	\$ 243,421	\$ -	\$ -	\$ -	\$ 243,421
000-000-000-1101	LAIF Maket Value	\$ 86	\$ -	\$ -	\$ -	\$ 86
000-000-000-1210	Member Receivable	\$ 229,359	\$ -	\$ -	\$ -	\$ 229,359
000-000-000-1220	Grants/Contracts Receivable	\$ 755,562	\$ -	\$ 156,268	\$ (156,268)	\$ 599,294
000-000-000-1225	Sponsorships Receivable	\$ -	\$ -	\$ -	\$ -	\$ -
000-000-000-1232	Rental Deposits Receivable	\$ 5,489	\$ -	\$ -	\$ -	\$ 5,489
000-000-000-1291	Receivables - Other	\$ 837	\$ -	\$ -	\$ -	\$ 837
		<b>\$ 8,210,839</b>	<b>\$ 56,481</b>	<b>\$ 166,310</b>	<b>\$ (109,829)</b>	<b>\$ 8,101,010</b>

**SGVCOG - ACE**  
**Selected Asset Account Balances**  
**As of October 31, 2020**

Account Number	Description	Balance 9/30/2020	Increase	Decrease	Net Change	Balance 10/31/20
000-000-000-1110	CBB General Checking Account <b>NEW</b>	\$ (336,218)	\$ 21,103,390	\$ 23,979,195	\$ (2,875,805)	\$ (3,212,023)
000-000-000-1121	LAIF Operating (40 19 044)	\$ 344,752	\$ 1,258	\$ -	\$ 1,258	\$ 346,010
000-000-000-1122	LAIF - Debt (11 19 031)	\$ 1,342,951	\$ 4,900	\$ -	\$ 4,900	\$ 1,347,851
000-000-000-1123	Sweep (CBB - Mutual Fund) <b>NEW</b>	\$ 16,864,062	\$ 26,217	\$ 5,228,581	\$ (5,202,364)	\$ 11,661,698
000-000-000-1124	UPPR Contribution Funds (CBB-MM) <b>NEW</b>	\$ 1,770,306	\$ 237	\$ 1,227,257	\$ (1,227,020)	\$ 543,286
000-000-000-1125	MTA Loan Interest Reimb (CBB) <b>NEW</b>	\$ 1,723,517	\$ 283	\$ -	\$ 283	\$ 1,723,800
000-000-000-1131	Grants Receivable	\$ 1,518,472	\$ -	\$ -	\$ -	\$ 1,518,472
000-000-000-1135	Retention Receivable - MTA	\$ 2,582,393	\$ 460,811	\$ -	\$ 460,811	\$ 3,043,204
		<b>\$ 25,810,235</b>	<b>\$ 21,597,098</b>	<b>\$ 30,435,033</b>	<b>\$ (8,837,936)</b>	<b>\$ 16,972,299</b>

**SAN GABRIEL VALLEY COUNCIL OF GOVERNMENTS**

**Disbursements Report**

October 2020

Transaction Date	Number/Reference	Vendor Name	Description	Amount
10/1/2020	ACH	Elite-TRC Alhambra Community	Office Rent for Oct'20	6,680.51
10/1/2020	ACH	S. Groner Associates Inc.	Landlord Outreach, Education, Incentive Program - Aug'20 & Sept'20	7,165.00
10/8/2020	EFT	Paychex	Payroll Period Ending 10.09.20	29,085.00
10/9/2020	DEBIT-ICMA PE100920	ICMA-RC	Employee Contribution PE 10.09.20	642.31
10/9/2020	EFT	Paychex	Worker's Compensation Premium	523.58
10/13/2020	EFT	Citi Card	Citi Card Payment	12,981.05
10/14/2020	ACH	Capital Representation	Legislative Consultant-Sept'20	2,000.00
10/14/2020	ACH	Focus Strategies	Homeless Plan Development-Sept'20	24,160.00
10/14/2020	ACH	Rival Creative	ULAR CIMP Website Consultant-Aug'20	14,800.00
10/14/2020	ACH	Toole Design	Bike Share Station Siting Consultant-Jul'20 and Aug'20	9,695.50
10/16/2020	EFT	Paychex	Payroll Processing Fee (HRS)	434.00
10/19/2020	EFT	CalPERS - CEPPT	CalPERS -Section 115	43,076.00
10/22/2020	EFT	Paychex	Payroll Period Ending 10.23.20	24,178.62
10/22/2020	ACH	Image IV	Copier Rental for 9/1/20-11/30/20	92.14
10/22/2020	10146	City of Monrovia	Crowd Control 7/18/19	300.84
10/22/2020	10147	City of Duarte	City Plan Implementation	906.37
10/23/2020	ACH	Harris & Associates	Grant Application Services	11,576.25
10/23/2020	EFT	Paychex	Payroll Taxes for 10.23.20	6,502.85
10/23/2020	EFT	Paychex	Worker's Compensation Premium	178.65
10/23/2020	EFT	Paychex	Payroll EIB for 10.23.20	308.00
10/26/2020	DEBIT-ICMA PE102320	ICMA-RC	Employee Contribution PE 10.23.20	642.31
10/28/2020	EFT	Charter Spectrum	Internet Provider	130.00
10/29/2020	ACH	Elite-TRC Alhambra Community	Office Rent for Nov'20	6,680.51
<b>Total OCTOBER 2020 Disbursements</b>				<b>\$202,739.49</b>

ACE CONSTRUCTION AUTHORITY				
Disbursements Report				
October 2020				
Transaction Date	Check Number	Vendor Name	Description	Amount
10/1/2020	ACH-CANON_SEP2	Canon Financial Services, Inc.	21839965	\$2,141.94
10/1/2020	ACH-OHL#64 FAI	OHL USA, Inc.	64_JUL20	\$1,162,199.09
10/1/2020	ACH-OHL#64RETN	OHL USA, Inc.	64(RETN)_JUL20	\$129,133.23
10/1/2020	ACH-Z.MAPES VC	Zarina Mapes	VCH#1605	\$365.58
10/1/2020	WIRE-COMMON#21	Commonwealth Land Title Company	APN210F_SCE	\$175,539.00
10/1/2020	WIRE-COMMON_21	Commonwealth Land Title Company	APN210R_SCE	\$107,431.00
10/1/2020	WIRE-FIRST AME	First American Title Company	APN202X-FEES	\$75.52
10/1/2020	WIRE-RIMKUS#66	Rimkus Consulting Group, Inc.	6683624	\$4,998.40
10/5/2020	EFT-STANDARD-O	Standard Insurance Company	165466-OCT20	\$1,593.83
10/5/2020	WIRE-COMMON-20	Commonwealth Land Title Compan	APN209GG-FLEISCHMAN	\$11,721.00
10/8/2020	1146	David Lang & Associates	800731(AUG)RETN	\$243.93
10/8/2020	1147	ASCE	1044696409	\$300.00
10/8/2020	1148	Pierce Law Firm Client Trust	APN209W_FIELDS	\$6,750.00
10/8/2020	1149	Office Depot	1.27951E+11	\$142.66
10/8/2020	1150	Woodruff, Spradlin & Smart	66126(42)JUL20	\$5,040.00
10/8/2020	1150	Woodruff, Spradlin & Smart	66290(45)AUG20	\$6,600.00
10/8/2020	1150	Woodruff, Spradlin & Smart	66291(46)AUG20	\$2,160.25
10/8/2020	1150	Woodruff, Spradlin & Smart	66292(47)AUG20	\$2,814.00
10/8/2020	1150	Woodruff, Spradlin & Smart	66293(48)AUG20	\$904.50
10/8/2020	1150	Woodruff, Spradlin & Smart	66294(49)AUG20	\$335.00
10/8/2020	1150	Woodruff, Spradlin & Smart	66295(50)AUG20	\$816.00
10/8/2020	1151	Montebello Land & Water Company	0010635(5)JUL20	\$32,366.00
10/8/2020	1151	Montebello Land & Water Company	0010685(6)AUG20	\$26,656.50
10/8/2020	1152	Simplex Business Solutions	110774	\$226.10
10/8/2020	1152	Simplex Business Solutions	110867	\$905.13
10/8/2020	1153	United Site Services	114-9149771	\$157.70
10/8/2020	1154	TPx Communications	134776736-0	\$788.39
10/8/2020	1155	Mobility 21	3392	\$3,000.00
10/8/2020	1156	IOA Insurance	496482	\$33,593.01
10/8/2020	1157	Accountemps	56387934	\$2,437.50
10/8/2020	1157	Accountemps	56411511	\$2,437.50
10/8/2020	1158	Rowland Water District	59656-66_SEP20	\$287.01
10/8/2020	1159	Alliant Insurance Services, In	6477	\$5,792.52
10/8/2020	1160	iPrint Technologies, Inc.	711758	\$149.63
10/8/2020	1161	Chocaholics dba. 1-800-GOT-JUNK	6871004	\$239.00
10/8/2020	1161	Chocaholics dba. 1-800-GOT-JUNK	7311124	\$338.00
10/8/2020	1161	Chocaholics dba. 1-800-GOT-JUNK	7441631	\$557.00
10/8/2020	1162	Mike's Remodeling & Repair	APN202A_APR1	\$425.00
10/8/2020	1162	Mike's Remodeling & Repair	APN202A_AUG10	\$338.00
10/8/2020	1162	Mike's Remodeling & Repair	APN202A_AUG23	\$975.00
10/8/2020	1162	Mike's Remodeling & Repair	APN202A_DEC01	\$225.00
10/8/2020	1162	Mike's Remodeling & Repair	APN202A_DEC9	\$375.00
10/8/2020	1162	Mike's Remodeling & Repair	APN202A_JAN29	\$960.00
10/8/2020	1162	Mike's Remodeling & Repair	APN202A_JAN6	\$255.00
10/8/2020	1163	Daily Journal - CNSB	B3392800	\$3,226.93
10/8/2020	1163	Daily Journal - CNSB	B3392811	\$2,414.34
10/8/2020	1163	Daily Journal - CNSB	B3392816	\$5,010.96
10/8/2020	1163	Daily Journal - CNSB	B3392818	\$2,182.54
10/8/2020	1163	Daily Journal - CNSB	B3392820	\$2,542.93
10/8/2020	1164	County of Los Angeles Dept. Public	SA2000000480(27)JUN	\$146,851.42
10/9/2020	DEBIT-ICMA PE100920	ICMA Retirement Trust - 457	ICMA_PE100920	\$5,167.53
10/13/2020	E-CHECK-COUNTY	County of Los Angeles Dept. Public	139571	\$7,573.70
10/14/2020	ACH-HDR-MONTE#	HDR Engineering, Inc.	1200279703(42)JUN	\$107,606.06
10/14/2020	ACH-YANIN#1606	Yanin Rivera	VCH#1606	\$31.99
10/15/2020	ACH-A.RAMIREZ#	Andres Ramirez	VCH#1604	\$78.75
10/15/2020	ACH-BERG#53/54	Berg & Associates Inc.	48068(53)JUL20	\$188,284.13
10/15/2020	ACH-BERG#53/54	Berg & Associates Inc.	48069(54)AUG20	\$183,403.18
10/15/2020	ACH-BURKE#134	Burke, Williams & Sorensen, LL	258052(134)JUL20	\$71,149.53
10/15/2020	ACH-CBRE_OCT'2	CB Richard Ellis, Inc	10_2020	\$22,717.32
10/15/2020	ACH-DAVID LANG	David Lang & Associates	800731(146)AUG20	\$4,634.53
10/15/2020	ACH-EPIC LAN#1	Epic Land Solution, Inc	0720-00228(130)	\$666.75
10/15/2020	ACH-EPIC LAN#1	Epic Land Solution, Inc	0820-00228(131)AUG	\$639.93
10/15/2020	ACH-HNTB#23 AU	HNTB Corporation	2365194-DS-002(23)	\$69,866.33
10/15/2020	ACH-JACOBS#110	Jacobs Project Management Comp	W9X15202-094(110)	\$6,316.84
10/15/2020	ACH-JASON-IT-S	Jason Johnson	16_SEP20	\$225.00
10/15/2020	ACH-L.ANDREWS#	Lee Andrews Group, Inc.	2020174(145)AUG20	\$35,147.84
10/15/2020	ACH-L.ANDREWS#	Lee Andrews Group, Inc.	2020174(AUG)RETN	\$1,849.89
10/15/2020	ACH-LSA-JUL/AU	LSA Associates, Inc.	174088(58)JUL/AUG	\$1,547.64
10/15/2020	ACH-LSA-JUL/AU	LSA Associates, Inc.	174089(40)JUL/AUG	\$3,281.37
10/15/2020	ACH-LSA-JUL/AU	LSA Associates, Inc.	174090R(29)JUL/AUG	\$476.41
10/15/2020	ACH-LUBKA#170	LUBKA & WHITE LLP	14251(170)AUG20	\$4,802.50
10/15/2020	ACH-MN-MONTE-J	Moffatt & Nichol	752980(86)JUL20	\$228,000.00
10/15/2020	ACH-MN-MONTE-J	Moffatt & Nichol	753739(26)AUG	\$32,585.00
10/15/2020	ACH-MOFFATT JU	Moffatt & Nichol	752980(JUL)RETN	\$12,000.00
10/15/2020	ACH-MOFFATT JU	Moffatt & Nichol	753739(AUG)RETN	\$1,715.00
10/15/2020	ACH-PARAGON AU	Paragon Partners Ltd.	0020028-IN(148)AUG	\$12,695.89
10/15/2020	ACH-PARAGON AU	Paragon Partners Ltd.	0020031-IN(88)AUG	\$1,488.95
10/15/2020	ACH-PARAGON AU	Paragon Partners Ltd.	0020032-IN(84)AUG	\$946.43
10/15/2020	ACH-PARAGON AU	Paragon Partners Ltd.	0020033-IN(6)AUG	\$7,540.19
10/15/2020	ACH-PRESCIENCE	PreScience Corporation	ACE17-02-TO2-018	\$141,658.53
10/15/2020	ACH-ROWLAND JU	Rowland Water District	E-832020-51(51)	\$1,334.19

Transaction				
Date	Check Number	Vendor Name	Description	Amount
10/15/2020	ACH-ROWLAND JUN	Rowland Water District	E-922020-52(52)	\$11,731.72
10/15/2020	ACH-UPRR VARIES	Union Pacific Railroad Company	90098585_WO10392	\$52,803.94
10/15/2020	ACH-UPRR VARIES	Union Pacific Railroad Company	90098586_WO17756	\$12,756.18
10/15/2020	ACH-UPRR VARIES	Union Pacific Railroad Company	90098587_WO31790	\$81.33
10/15/2020	ACH-UPRR VARIES	Union Pacific Railroad Company	90098588_WO31791	\$10,180.31
10/15/2020	ACH-UPRR VARIES	Union Pacific Railroad Company	90098589_WO36216	\$18,156.57
10/15/2020	ACH-UPRR VARIES	Union Pacific Railroad Company	90098590_WO49520	\$30,835.03
10/15/2020	ACH-UPRR VARIES	Union Pacific Railroad Company	90098706_WO55148	\$180,402.26
10/15/2020	ACH-UPRR VARIES	Union Pacific Railroad Company	90098716_WO52330	\$19,681.48
10/15/2020	ACH-WIPFLI#153	WIPFLI	1530147	\$2,500.00
10/15/2020	WIRE-IDEAGEN_M	IDEAGEN	SIMKL642	\$2,111.19
10/19/2020	EFT-CHOICEBUIL	Choice Builder	641849	\$2,673.67
10/19/2020	EFT	CalPERS - CEPPT	CalPERS-Section 115	\$1,227,257.00
10/22/2020	1165	Robert Barry & Associates, Inc	APN209R_RELOCATE	\$18,000.00
10/22/2020	1166	Aflac	939838	\$386.92
10/22/2020	1167	San Gabriel Valley Tribune	900379340_SEP23	\$146.56
10/22/2020	1168	Dell Business Credit	DELL_OCT20	\$439.84
10/22/2020	1169	Robert Barry & Associates, Inc	APN209Y_RELOCATE	\$22,000.00
10/22/2020	1170	Coalition for America's Gateway	2021-02	\$6,500.00
10/22/2020	1171	SHRED-IT USA LLC	8180660974	\$149.01
10/22/2020	1172	Argus Consulting Group, Inc.	PROJ-INV103561	\$2,150.00
10/22/2020	1172	Argus Consulting Group, Inc.	PROJ-INV103562	\$337.50
10/22/2020	1173	South Montebello Irrigation Di	561800.02_SEP20	\$82.30
10/22/2020	1174	Rowland Water District	647349-06_SEP20	\$92.75
10/22/2020	1175	Accountemps	66457486	\$2,437.50
10/22/2020	1176	Woodruff, Spradlin & Smart	66289(44)AUG20	\$1,416.00
10/22/2020	1177	Federal Express	7-146-55154	\$94.84
10/22/2020	1178	AllyHealth	20201001-098116	\$10.00
10/22/2020	1179	Montebello Land & Water Compan	10591_AUGSEP	\$1.20
10/22/2020	1179	Montebello Land & Water Compan	12-5600_AUG20	\$228.57
10/22/2020	1180	Office Depot	127951219001	\$33.05
10/22/2020	1181	Southern California Edison	2405671546_SEP20	\$343.86
10/22/2020	1181	Southern California Edison	2412668360_SEP20	\$18.86
10/22/2020	1181	Southern California Edison	2412668592_SEP20	\$20.85
10/22/2020	1182	Industry Public Utilities	503889_AUG20	\$512.43
10/22/2020	1183	Paragon Partners Ltd.	0020028(AUG)RETN	\$668.20
10/22/2020	1183	Paragon Partners Ltd.	0020031-IN(AUG)RETN	\$78.37
10/22/2020	1183	Paragon Partners Ltd.	0020032-IN(AUG)RETN	\$49.81
10/22/2020	1183	Paragon Partners Ltd.	0020033-IN(AUG)RETN	\$396.85
10/23/2020	ACH-CAP REP#115	Capital Representation Group	20-008(115)SEP20	\$350.00
10/23/2020	ACH-RIVERSIDE#	Riverside Construction Company	17_AUG20	\$1,351,112.49
10/23/2020	ACH-RIVERSIDE#	Riverside Construction Company	17(RETN)_AUG20	\$150,123.61
10/23/2020	ACH-VALASSIS A	Valassis Direct Mail Inc.	3310213	\$1,911.32
10/23/2020	ACH-VALASSIS A	Valassis Direct Mail Inc.	3330421	\$1,286.35
10/23/2020	ACH-VALASSIS A	Valassis Direct Mail Inc.	3334020	\$1,879.25
10/23/2020	ACH-VALASSIS A	Valassis Direct Mail Inc.	3335642	\$1,911.41
10/23/2020	DEBIT-ICMA PE102320	ICMA Retirement Trust - 457	ICMA_PE102320	\$5,167.53
Total OCTOBER 2020 Disbursements				\$6,193,957.35

# Governing Board Attendance

	2020						2021					
	Jul	Aug	Sep	Oct	Nov	Dec	Jan	Feb	Mar	Apr	May	Jun
Alhambra		D	D									
Arcadia		D	D	D								
Azusa		D	D	D								
Baldwin Park			D	D								
Bradbury		D										
Claremont		D	D	D								
Covina		D	D	D								
Diamond Bar		D	D	D								
Duarte		D	D	D								
El Monte		D	D	D								
Glendora		D	D	D								
Industry		A	D	D								
Irwindale		D	D									
La Cañada Flintridge		D	D	D								
La Puente		D										
La Verne		D	D	D								
Monrovia		D	D	D								
Montebello		D										
Monterey Park		D	D	D								
Pomona		D	D	D								
Rosemead		D	D	D								
San Dimas		D	D	D								
San Gabriel		D	D	D								
San Marino		D	D	D								
Sierra Madre		D	D	D								
South El Monte			D	D								
South Pasadena		D	D	D								
Temple City		D	D	D								
Walnut		D	D	D								
West Covina		D	D	D								
LA County District 1		D	D	D								
LA County District 4		D	D									
LA County District 5		D	D	D								
SGV Water Agencies		D	D	D								

## Major Action Items and Presentations

### July (Dark)

#### August

- Officer Electronic Survey Process and Schedule
- Assignment of Housing Funds
- Housing Navigation Services
- Approval of Selection and Award of On-Call Consulting Su

#### September

- FY 2020-2021 Officer Elections
- SGVCOG Zero Waste Policy
- Approval of Section 115 Trust Account with the California Public Employees' Retirement System
- State and Federal Legislative Update Presentation

#### October

- Authorize the Executive Director to Execute an Agreement with Metro to Undertake a Transit Feasibility Study for the San Gabriel Valley
- Updated SGVCOG Purchasing and Procurement Policies and Procedures
- Employment Contract with Mark Christoffels for Director of Capital Projects/Extra Help
- Caltrans District 7 City Ambassador Program

## Capital Projects and Construction

	2020						2021					
	Jul	Aug	Sep	Oct	Nov	Dec	Jan	Feb	Mar	Apr	May	Jun
Central District (El Monte)												
COG President	✓											
Industry	✓											
LA County												
Montebello	✓											
Northeast District (La Verne)	✓											
Northwest District (Monrovia)	✓											
Pomona	✓											
Southeast District (Diamond Bar)	✓											
Southwest District (South Pasadena)	✓											

### Agenda Topics

#### *July*

Adoption of Mitigated Negative Declaration and Mitigation Monitoring Program for the Proposed Modification to the Diamond Bar Golf Course  
Need for the Proposed Improvements at the SR-57/60 Interchang

Approval of a Construction Management Services Contract with Anser Advisory, LLC for the Turnbull Canyon Road Grade Separation Project

#### *August (Dark)*



## EENR Committee Attendance

	2020						2021					
	Jul	Aug	Sep	Oct	Nov	Dec	Jan	Feb	Mar	Apr	May	Jun
Claremont		✓	✓	✓								
Covina			✓	✓								
Duarte		✓	✓	✓								
Rosemead		✓	✓	✓								
San Dimas		✓	✓	✓								
San Gabriel			✓									
Sierra Madre		✓	✓	✓								
Temple City (Ex-officio)		✓										
West Covina		✓	✓									

### Agenda Topics

#### *July (Dark)*

#### *August*

SGVCOG Zero Waste Policy

COVID-19 Updates and Flu Season Preparation

#### *September*

Existing Zero Waste Policies, Regulations, and Examples

Southern California Regional Energy Network (SoCalREN) Program Updates

#### *October*

Los Angeles County Civil Grand Jury Report on Food Waste Reduction

Proposition 68 Call-for-Projects

Regional Recycled Water Program

## Water Policy Committee

	2020						2021					
	Jul	Aug	Sep	Oct	Nov	Dec	Jan	Feb	Mar	Apr	May	Jun
Claremont	✓		✓									
Glendora	✓		✓									
Monrovia	✓		✓									
Rosemead	✓		✓									
Sierra Madre												
South Pasadena	✓		✓									
LAC #1												

### Agenda Topics

#### ***July (Joint Meeting with Water TAC)***

H.R. 2 Invest in America Act

SoCalREN Public Agency Programs

S.B. 205 (Hertzberg) implementation

MS4 Permit Regional Coordination

#### ***August (Dark)***

#### ***September (Joint Meeting with Water TAC)***

Water Policy Committee elections

Upper Los Angeles River and Rio Hondo Watershed Area Fire Effects Study

2020 Municipal Separate Storm Sewer System (MS4) Draft Permit

## Transportation Committee Attendance

	2020						2021					
	Jul	Aug	Sep	Oct	Nov	Dec	Jan	Feb	Mar	Apr	May	Jun
Claremont		✓	✓	✓								
Diamond Bar		✓	✓	✓								
Duarte		✓	✓	✓								
Glendora		✓	✓	✓								
Industry		✓	✓	✓								
La Cañada Flintridge		✓	✓	✓								
L.A. County District 1		✓	✓	✓								
L.A. County District 5		✓	✓	✓								
Monterey Park		✓	✓	✓								
Pomona				✓								
San Gabriel		✓	✓	✓								
South El Monte			✓	✓								
South Pasadena		✓	✓	✓								
Temple City		✓		✓								
Walnut		✓	✓	✓								

### Agenda Topics

#### *July (Dark)*

#### *August*

SR-710 North Corridor Mobility Improvements

Appointment of SGVCOG Representatives to the LAX Community Noise Roundtable

Recommendation for Governing Board to Advance/Loan MSP Funds

#### *September*

FY 2021 Metro Budget Presentation

#### *October*

Elections of FY 2020-2021 Transportation Committee Chair and Vice Chair

Metro Fareless System Initiative

Metro Traffic Reduction Study

Gold Line (L Line) Extension Construction Updates

## Water TAC Attendance

	2020							2021					
	Jul	Aug	Sep 8	Sep 30	Oct	Nov	Dec	Jan	Feb	Mar	Apr	May	Jun
Alhambra	✓		✓	✓									
Arcadia													
Bradbury	✓			✓									
Covina	✓		✓	✓									
Duarte	✓		✓	✓									
Glendora				✓									
Monrovia	✓		✓	✓									
Pomona	✓		✓	✓									
Sierra Madre	✓			✓									
South Pasadena													
LA County DPW	✓		✓	✓									
San Gabriel Valley Municipal Water District	✓												
Upper San Gabriel Valley Municipal Water District	✓		✓	✓									
<i>Ex-Officio</i>													
LA County Sanitation Districts	✓		✓	✓									
Main San Gabriel Basin Watermaster	✓		✓										

### Agenda Topics

#### ***July (Joint Meeting with Water Committee)***

H.R. 2 Invest in America Act

SoCalREN Public Agency Programs

S.B. 205 (Hertzberg) implementation

MS4 Permit Regional Coordination

#### ***August (Dark)***

#### ***September (Joint Meeting with Water Committee)***

Upper Los Angeles River and Rio Hondo Watershed Area Fire Effects Study

2020 Municipal Separate Storm Sewer System (MS4) Draft Permit

#### ***September (Special Meeting)***

2020 Municipal Separate Storm Sewer System (MS4) Draft Permit

Second Proposed State Board Order on WMPs and EWMPs

## City Managers' Steering Committee

	2020						2021					
	Jul	Aug	Sep	Oct	Nov	Dec	Jan	Feb	Mar	Apr	May	Jun
Arcadia	✓			✓								
Alhambra				✓								
Azusa	✓			✓								
Baldwin Park	✓			✓								
Bradbury				✓								
Diamond Bar	✓			✓								
El Monte												
Glendora	✓			✓								
La Canada Flintridge				✓								
La Verne	✓			✓								
Montebello												
Monterey Park	✓											
Rosemead												
San Marino	✓			✓								
Temple City	✓			✓								

### Agenda Topics

#### *July*

FY 20-21 Subregional Representatives to City Managers' Steering Committee

#### *August (Dark)*

#### *September (Dark)*

#### *October*

Update on SGVCOG Projects

Foothill Transit Update

## Homelessness Committee Attendance

	2020						2021					
	Jul	Aug	Sep	Oct	Nov	Dec	Jan	Feb	Mar	Apr	May	Jun
Arcadia		✓	✓	✓								
Baldwin Park		✓	✓	✓								
Claremont		✓	✓	✓								
Duarte			✓									
Glendora		✓	✓	✓								
Irwindale		✓	✓	✓								
Monrovia		✓	✓	✓								
Pomona		✓	✓	✓								
Rosemead		✓	✓	✓								
West Covina												
LA County Dist 1		✓										

### Agenda Topics

#### *July (Dark)*

#### *August*

2020 Greater Los Angeles PIT Homeless Count

SGVCOG Regional Coordination Program

Measure H FY20-21 Funding Recommendations

LAHSA COVID-19 Recovery and Funding Plans

#### *September*

CAHOOTS (Crisis Assistance Helping Out On The Streets) Program

DHS Housing for Health Program

Project Roomkey

Committee election postponement to May

#### *October*

SB1212

Pallet Shelter

Ventura Riverbed

#### *October*

Surplus Properties

DMH services

Legislative Priorities

## Planning TAC

	2020						2021					
	Jul	Aug	Sep	Oct	Nov	Dec	Jan	Feb	Mar	Apr	May	Jun
Alhambra			✓	✓								
Arcadia	✓		✓	✓								
Azusa	✓			✓								
Baldwin Park	✓		✓	✓								
Claremont	✓		✓	✓								
Covina			✓	✓								
Diamond Bar			✓	✓								
Duarte	✓		✓	✓								
El Monte			✓	✓								
Glendora	✓		✓	✓								
Irwindale	✓		✓	✓								
La Verne	✓			✓								
Monrovia	✓		✓	✓								
Montebello	✓											
Monterey Park												
Pomona				✓								
Rosemead	✓		✓	✓								
San Dimas	✓		✓	✓								
San Gabriel	✓		✓	✓								
Sierra Madre	✓		✓	✓								
South El Monte	✓		✓	✓								
South Pasadena	✓			✓								
Temple City	✓		✓									
West Covina												
L.A. County DRP	✓		✓	✓								

### Agenda Topics

#### *July*

- Regional Early Action Program (REAP) Projects Discussion
- 2020 San Gabriel Valley Energy Champion Awards
- Los Angeles County Department of Regional Planning FY 2020-2021 Priorities

#### *August (Dark)*

#### *September*

- San Gabriel Valley Regional Housing Trust Programs
- Housing Element Update Discussion

#### *October*

- Metro Traffic Reduction Study
- Telematics in Auto Insurance Ratings

## Public Works TAC Attendance

	2020						2021					
	Jul	Aug	Sep	Oct	Nov	Dec	Jan	Feb	Mar	Apr	May	Jun
Arcadia												
Azusa	✓		✓		✓							
Baldwin Park	✓		✓		✓							
Claremont												
Diamond Bar	✓		✓	✓	✓							
El Monte	✓		✓	✓	✓							
Glendora	✓		✓	✓								
Industry	✓		✓	✓	✓							
Irwindale	✓		✓	✓	✓							
La Verne	✓		✓	✓	✓							
Monrovia				✓								
Monterey Park	✓			✓	✓							
Pomona			✓	✓	✓							
Rosemead	✓		✓	✓	✓							
San Dimas	✓				✓							
San Gabriel												
San Marino	✓			✓	✓							
South El Monte			✓	✓								
South Pasadena					✓							
Temple City	✓		✓	✓								
Walnut	✓		✓	✓	✓							
West Covina												
L.A. County DPW	✓		✓	✓	✓							

### Agenda Topics

#### July

GoSGV Bikeshare Program Launch  
 Recommendation for Governing Board to Advance/Loan MSP Funds  
 2020 San Gabriel Valley Energy Champion Awards Progress Report

#### August (Dark)

#### September

Safe Clean Water Program Overview and Progress  
 Caltrans District 7 City Ambassador Program

#### October

SGVCOG RFP/RFQ Updates  
 Metro Traffic Reduction Study  
 Franchised Utilities: Elements of a Strong Partnership

#### November

San Gabriel Valley Greenway Network Development Project  
 Regional VMT Mitigation Bank  
 Metro Measure R Highway Program Criteria and Measure M Guidelines





***July-Sep 2020 Report for Contract Number: AO-20-604  
Contract for Homeless Services (Innovation Funding)  
February 1, 2020 – June 30, 2021***

**Summary:** During this reporting period (July – September 2020), the SGVCOG held 2 Homelessness Committee, 3 Homelessness Working Group, and 2 Governing Board meetings at which staff provided information and received feedback on Innovation Funding programs, including City homeless programs, pilot programs, and the city hygiene program. During this period, staff conducted individual conference calls with each city to clarify program budgets and scopes of work and executed MOAs with each city. Work was also done to launch the County and State funded programs which will be administered directly through the COG, including the TAY green career path program, landlord outreach and incentive program, and regional housing navigation program through Union Station. A key project completed this period was the County HI funded hygiene program, which allowed many cities to expand the restrooms and handwashing stations available to their homeless population, in addition to the purchase of hygiene kits and related items. Staff also took steps to equip member cities to implement interim housing resources which fit well in the region, such as Pallet shelters. Finally, staff developed a Dropbox folder for the Homelessness Working Group city staff, which serves as a central location for resources recommended by the COG or which cities feel may be helpful to each other. This includes sample forms used in city prevention and diversion programs, tenant resources, and LAHSA guidelines.

## **Homelessness Coordination**

### **Task 1: Regional Coordination**

- 1.1 Cohorts - Conduct Subregional and Topic Specific Cohort meetings or conference calls specific to Cities Homeless Plans, 2020 RFP Funded Activities and Emerging Issues.

**Status:** Ongoing

**Work Completed This Quarter:** The August Homelessness Committee included a presentation on the 2020 Point in Time (PIT) Homeless Count, FY 20-21 Measure H Funding Recommendations, and LAHSA's COVID-19 Recovery Plan. The committee received updates on the cities' homeless programs and discussed regional needs to be

addressed by the COG's regional coordination program. The September Homelessness Committee meeting included a presentation on LA County's Housing for Health Program and updates on Project Roomkey. The July Homelessness Working Group included updates on the 2020 PIT Count, the cities homeless programs MOAs and reporting requirements. There was also a presentation on the landlord outreach and incentive program. The August Homelessness Working Group meeting included a presentation on the County's Transition Age Youth Green Path Career Program, as well as discussions on regional safe parking needs and safe haven pilot projects. The September working group meeting included a presentation by Phil Ansell on FY 20-21 Measure H Funding Recommendations. The meeting also featured a robust discussion on city prevention/diversion program guidelines and how to best conduct problem solving during a pandemic. Updates on the city homeless programs and the city hygiene program were included in the August Governing Board meeting.

- 1.2 Regional Needs Assessment Coordination – Explore needs assessment tools and approaches and present to cities and COG for consideration. Such assessments to support or inform regional homeless system coordination and homeless plan implementation priorities.

**Status:** Ongoing

**Work Completed This Quarter:** Monthly meetings of the Homelessness Committee and Homelessness Working Group and individual conference calls with Cities has allowed staff to evaluate regional needs and priorities. Based on these needs assessments, staff worked on developing two Requests for Proposals (RFPs) for a regional coordination program and identified potential opportunities for safe parking and safe haven pilots in the region. The SGVCOG has also formed a working group on LAHSA to provide feedback on the recent efforts to reimagine LAHSA's governance structure.

- 1.3 Research and report to Homelessness Committee on a Collective Impact approach and data and assessment options for developing a Results Based Accountability (RBA) strategy for a regional homeless system.

**Status:** Not started

## **Task 2: Governing Board Homelessness Strategies**

- 2.1 Develop a plan to implement the SGVCOG's Governing Board's homelessness strategic plan.

**Status:** Ongoing

**Work Completed This Quarter:** In accordance with the COG's homelessness plans, staff continued to provide technical assistance to cities to help them plan and implement

their programs. Work was also done to launch the County and State funded programs which will be administered directly through the COG, including the TAY green career path program, landlord outreach and incentive program, and regional housing navigation program through Union Station. A key project completed this period was the County HI funded hygiene program, which allowed many cities to expand the restrooms and handwashing stations available to their homeless population, in addition to the purchase of hygiene kits and related items. Staff also took steps to equip member cities to implement interim housing resources which fit well in the region, such as Pallet shelters.

## 2.2 Submit SGVCOG Regional Housing Trust Fund Concept Document.

**Status:** Completed

### Task 3: Communications

## 3.1 Working with regional partners, develop a regional communications plan on understanding homelessness. Such a plan shall be focused on city and general populations audiences to advance understanding of homelessness, support a local, subregional and regional solutions both in concept and specific projects.

**Status:** Not started

## 3.2 Cities' Share – Share cities' homeless projects through the SGVCOG Homelessness Webpage and the Homelessness Committee.

**Status:** Ongoing

**Work Completed This Quarter:** Cities' shared about their Prevention and Diversion programs at September Homeless Working Group. This led to a substantial level of discussion and the sharing of best practices. A schedule was developed in which several cities will share updates each month.

## 3.3 Build out the SGVCOG Homelessness Webpage with Resource Directory.

**Status:** Ongoing

**Work Completed This Quarter:** Much of this work will be done through the Regional Homeless Services Coordination RFP which has been released, with an expected consultant contract start date of January 2021. Additionally, a shared Dropbox folder was created for the Homelessness Working Group, which will serve as a central location for resources recommended by the COG or which cities feel may be helpful to each other. This includes sample forms used in city prevention and diversion programs, tenant resources, and LAHSA guidelines.

- 3.4 Include the County Regional Coordination monthly report in the Governing Board and Homelessness Committee's agenda packets.

**Status:** Ongoing

**Work Completed This Quarter:** Monthly homelessness reports were included in the August and September Governing Board agenda packets. A report on the hygiene program was included in the packets for Governing Board and the Homelessness Committees.

## Innovation Funds

### Task 4: Innovation Funds Activities

- 4.1 Submit an interim implementation and outcomes report within 6 months of submitting SGVCOG's Innovation Funds plan (Approximately October 2020).

**Status:** In progress

**Work Completed This Quarter:** Because of delays related to both contract execution and program development, in large part due to competing priorities related to COVID-19, cities have only recently begun their programs, and many are not yet active. Therefore, there has been insufficient work completed to provide a report for at this time. Such a report will be more appropriate with the next quarterly report, covering the period through December 31. If the contract is extended until December 31, 2021 as has been discussed, an interim report would be more meaningful if provided in April 2021. However, work is underway to ensure data collection to demonstrate programs' effectiveness and efficiently target future funds. Staff created an Access database to track the implementation and outcomes of Innovation Funding programs and continues to enter data reported by cities. This period, reporting requirements were developed and provided to cities to track their work, and guidelines on reporting were discussed at October Homelessness Working Group.

DATE: November 19, 2020

TO: Governing Board Delegates & Alternates

FROM: David DeBerry, General Counsel

RE: **10<sup>TH</sup> AMENDED AND RESTATED BYLAWS**

## **RECOMMENDED ACTION**

Authorize staff to place the proposed Tenth Amended and Restated Bylaws (“Proposed Bylaws”) on the agenda for the Governing Board’s consideration at its next regular meeting.

## **BACKGROUND**

The Proposed Bylaws would amend the current Ninth Amended and Restated Bylaws (“Bylaws”) to provide that all resolutions of necessity (“RONs”) will be adopted by the Governing Board. RONs authorize the SGVCOG to file an action in eminent domain to acquire property necessary for its projects. Currently, the authority to adopt RONs is delegated to the Capital Projects and Construction Committee (“Committee”) by way of the Bylaws. The Proposed Bylaws would amend the processing of RONs in the following ways:

- The Committee will continue to hold hearings on the RONs in accordance with the Eminent Domain Law.
- If the Committee determines the RON should be adopted, that recommendation will be forwarded to the Governing Board as part of the Governing Board’s hearing on the RON.
- If the Committee determines that the RON should *not* be adopted, the Governing Board will not hold a hearing unless the Committee’s decision is called up for review by the Governing Board in accordance with Article VI.D of the Bylaws.
- If a property owner appears and/or submits written comments to the Committee, such appearance and/or written comments will be deemed to have been made and/or submitted to the Governing Board.

If the Committee recommends adoption of the RON any comments received from the property owner and/or property owner representative, either orally or in writing, will be transmitted as part of the agenda packet for the Governing Board’s hearing on the RON. As noted in the last bullet, if the property owner appears before or submits written comments to the Committee, the property owner will be deemed to have appeared before or submitted comments directly to the Governing Board. In this way, property owners can satisfy the requirement to exhaust their administrative remedies by submitting oral and/or written comments to the Committee or the Governing Board without having to appear before both. An appearance before the Committee is not a pre-requisite for purposes of exhausting administrative remedies. No other changes to the Bylaws are being proposed.

# REPORT

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## **NEXT STEPS**

Article VIII of the Bylaws provides for a two-step process for amending the Bylaws. The proposed amendment must be first presented to the Governing Board at a meeting prior to adoption. Once presented, the Governing Board may adopt the amendment, but no sooner than the next month's meeting. At that subsequent meeting, the Governing Board votes on the amendment. If the Governing Board approves the recommended action, a resolution adopting the Proposed Bylaws will be presented to the Governing Board at its next regular meeting.

Prepared by: David DeBerry  
David DeBerry  
General Counsel

Approved by: Marisa Creter  
Marisa Creter  
Executive Director

## **ATTACHMENTS**

Attachment A – Track change of proposed revisions to the Bylaws.

## ATTACHMENT A

**D. Capital Projects and Construction Committee.** There shall be a Capital Projects and Construction Committee, whose members will be appointed by the Governing Board. One Governing Board Member shall be appointed from the Members of each of the five districts in the Council. The cities in each district shall nominate their respective district representative for the Committee and an Alternate and the Governing Board shall ratify the appointments. The President of the Council shall be a Member of this Committee. A Los Angeles County Supervisor who represents a part of the San Gabriel Valley shall also serve as a Committee Member. Members may be re-appointed for up to three terms. The members of the Alameda Corridor East Construction Authority Board members holding office at the time of approval of these amended and restated By-Laws will each serve as a voting Member of the Committee until the ACE grade separation project(s) within their respective cities have been completed and a Notice of Completion has been filed, and no replacement member shall be appointed.

The Committee shall be chaired by a Governing Board Representative or an Alternate Governing Board Representative selected by a majority vote of the Committee Members. All Committee Members shall be voting members unless limited voting is approved by the Governing Board upon the recommendation of the Chair of that Committee. The Committee's quorum shall be fifty percent of the Committee Members. All actions taken by the Committee will be by a majority of those Committee Members present with a quorum in attendance. If a Committee Member is absent from three consecutive meetings Committee, then the membership of the Committee Member will be terminated. A Committee Member or his/her Alternate Member may be removed for cause, including but not limited to, committing misconduct, acting in violation of the Council's conflict of interest code, or otherwise causing harm to the Council, by a two-thirds vote of Members attending a Governing Board meeting. The term of a Committee Member representing a Member of the Council or County District that has withdrawn or been suspended in accordance with Section 21 of the Agreement shall be concluded or suspended upon the effective date of the withdrawal or suspension of said Member of the Council or County District.

In the event of a vacancy on the Capital Projects and Construction Committee, the Alternate from that district shall become the Committee Member and the district will nominate a new Alternate for appointment by the Governing Board.

The Capital Projects and Construction Committee shall report to the Governing Board, communicating with the Governing Board through the Executive Committee. It shall advise and make recommendations for a plan of construction projects throughout the San Gabriel Valley for which Council staff will seek funding through available revenue and grants. The Governing Board shall have final approval authority with respect to any such project and related Implementation Agreements. However, to facilitate implementation of approved projects, the Committee, subject to such restrictions imposed by Federal, State and local governmental entities and by the Governing Board, shall have the following powers to act on behalf of the Council:

1. To approve contracts for execution by the Executive Director, including public works contracts and contracts for environmental review, design, materials and

construction, and for the services of engineers, consultants, planners, and single purpose public or private groups, on behalf of and in the name of the Council;

2. ~~On behalf of and in the name of the Council, to acquire by purchase, construct, reconstruct, rehabilitate, maintain or dispose of in whole or in part, land, facilities and appurtenances necessary or convenient for the completion of the approved projects. The Capital Projects and Construction Committee shall initially hear all resolutions of necessity in accordance with the notice and hearing requirements in the Eminent Domain Law, Code of Civil Procedure sections 1230.010-1273.050. Upon close of the hearing, the Capital Projects and Construction Committee shall determine whether the resolution of necessity is to be adopted. Any person who has appeared before and/or submitted written comments to the Capital Projects and Construction Committee shall be deemed to have appeared before and/or submitted such comments directly to the Governing Board and to the extent of such appearance and/or comments, exhausted their administrative remedies. Any recommendation of the Capital Projects and Construction Committee to adopt a resolution of necessity and any public comments received at the hearing thereon shall then be transmitted to the Governing Board for a final decision on the resolution of necessity;~~

3. To provide for or obtain insurance for the Council and its agents, officers, and employees;

4. To conduct studies to satisfy the requirements of the California Environmental Quality Act and National Environmental Policy Act approvals, and to certify such studies and reports;

5. To make grant applications, approve of designs and plans, obtain agency permits, and authorize all actions necessary for the funding, design and construction of projects within or outside of the San Gabriel Valley approved by the Governing Board;

6. To oversee the construction of projects approved by the Governing Board, including public bidding, contracting, building, change orders, final acceptance, filing of a Notice of Completion (which shall be required for all projects), and any related litigation.

The powers of the Capital Projects and Construction Committee shall be exercised only in furtherance of projects approved by the Governing Board. A quorum of the Capital Projects and Construction Committee shall be a majority of its voting members and all actions shall be by a majority of its members present with a quorum in attendance. All meetings of the Capital Projects and Construction Committee shall be held in accordance with the Ralph M. Brown Act (Government Code section 54950, *et seq.*). The Committee shall keep itself informed of and comply with all applicable federal, state and local laws, statutes, codes, ordinances, regulations and rules governing the implementation of projects. Decisions of the Capital Projects and Construction Committee may be called up for review by the Governing Board upon the written request of at least seven (7) Members of the Governing Board made within ten (10) days of the decision to be reviewed. Any such review must be agendized for the next regular Governing Board meeting which is not less than ten (10) days after the call for review is made and shall be acted upon at such meeting. No review may be sought of the following decisions of the

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**Deleted:** dispose of in whole or part on behalf of and in the name of the Council

**Deleted:** Decisions of the Committee concerning the exercise of eminent domain shall be final and not subject to review...



Committee, which shall be final, except where the Committee's action does not follow staff's recommendation.

1. Any decision not to adopt a resolution of necessity,
2. Approval of professional services agreements necessary to implement projects such as design, architectural, engineering, construction management, right of way acquisition, and property management.
3. Approval of bid specifications for approved projects and the conduct of public works bidding.
4. Determinations of disqualification of bidders as non-responsive or non-responsible.
5. Bid award protests.
6. Obtaining any ministerial permits necessary to construct a Governing Board approved project.
7. Approval of permit applications to regional agencies such as SCAQMD, SCAG, Regional Water Boards, etc.
8. Approval of change orders which do not require obtaining additional funding.
9. Final acceptance of projects when completed.

**Deleted:** relating to the exercise of eminent domain



# REPORT

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DATE: November 19, 2020

TO: Governing Board

FROM: Marisa Creter, Executive Director

RE: **CANCEL DECEMBER MEETING**

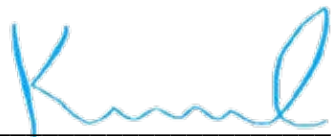
## **RECOMMENDED ACTIONS**

Adopt Resolution 20-20, taking the following actions: 1) Cancel the SGVCOG December 2020 Governing Board meeting and 2) Authorize the President, in consultation with the other officers, to act on the Governing Board's behalf by undertaking all actions that are necessary for the proper administration and operation of the SGVCOG and that cannot be delayed until the next Regular Meeting of the Governing Board.

## **BACKGROUND**

It is customary for the Governing Board to cancel its Regular Meeting for the month of December to encourage participation at other regional events. Between the regular Governing Board meetings, there may be actions that must be undertaken on behalf of the SGVCOG. In prior years, the Governing Board has authorized the President to undertake such actions as may be necessary, and which cannot be delayed until the next regularly scheduled meeting, after consulting with the other Officers. Additionally, the President retains the discretion to call a Special Meeting of the Governing Board as identified in Article III, Section B of the Bylaws.

Prepared by: \_\_\_\_\_



Katie Ward  
Senior Management Analyst

Approved by: \_\_\_\_\_



Marisa Creter  
Executive Director

## **ATTACHMENTS**

Attachment A – Resolution 20-20

**RESOLUTION NO. 20-20**

**RESOLUTION OF THE SAN GABRIEL VALLEY COUNCIL OF  
GOVERNMENTS CANCELLING THE REGULAR DECEMBER 2020  
GOVERNING BOARD MEETING AND AUTHORIZING THE PRESIDENT TO  
UNDERTAKE NECESSARY ACTIONS**

**WHEREAS**, the San Gabriel Valley Council of Governments holds regular meetings to evaluate matters of importance to the SGVCOG and the San Gabriel Valley; and

**WHEREAS**, Governing Board Representatives and Alternate Governing Board Representatives perform essential duties for the SGVCOG by their attendance at the regular scheduled meetings of the Governing Board; and

**WHEREAS**, regular meetings of the Governing Board are held on the third Thursday of every month at 4:00 PM at the Foothill Transit Office (100 South Vincent Avenue, West Covina, CA 91790); and

**WHEREAS**, the San Gabriel Valley Council of Governments member agencies host several events that benefit their local communities during the month of December and that require the attendance of Governing Board representatives and alternates, making it difficult for a quorum of Governing Board members to attend the December meeting.

**NOW, THEREFORE, BE IT RESOLVED** that the Governing Board hereby takes the following actions:

1. Cancels SGVCOG December 2020 Governing Board meeting
2. Authorizes the President, in consultation with the other officers, to act on the Governing Board's behalf by undertaking all actions that are necessary for the proper administration and operation of the SGVCOG and that cannot be delayed until the next Regular Meeting of the Governing Board.

**PASSED AND ADOPTED** by the Governing Board of San Gabriel Valley Council of Governments, in the County of Los Angeles, State of California, on the 19th day of November 2020.

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Margaret Clark, President  
San Gabriel Valley Council of  
Governments

Resolution No. 20-20

Attest:

I, Marisa Creter, Executive Director and Secretary of the Board of Directors of the San Gabriel Valley Council of Governments, do hereby certify that Resolution 20-20 was adopted at a regular meeting of the Governing Board held on the 19th day of November 2020 by the following vote:

<b>AYES:</b>	
<b>NOES:</b>	
<b>ABSTAIN:</b>	
<b>ABSENT:</b>	

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Marisa Creter, Secretary



# REPORT

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DATE: November 19, 2020

TO: Governing Board Delegates and Alternates

FROM: Marisa Creter, Executive Director

RE: **LETTER SUPPORTING ADDITIONAL RESOURCES TO ADDRESS MENTAL HEALTH CARE NEEDS**

## **RECCOMENDED ACTION**

Authorize President to send a letter to Governor Newsom and the San Gabriel Valley Legislative Delegation in support of additional resources to address mental health care needs.

## **BACKGROUND**

Several San Gabriel Valley councilmembers have expressed concern for the lack of long-term permanent resources and solutions to support the homeless and mentally ill populations, especially since the closure of State mental institutions without the necessary funding and resources to replace those services. Specifically, they have called for permanent solutions that include State-funded and run mental health hospitals. These councilmembers plan to send a letter to Governor Newsom to advocate for these solutions.

A discussion of legislative priorities had been scheduled for the Homelessness Committee's November meeting. These priorities included items related to increasing the availability of mental health services. At that meeting, the committee discussed the concerns raised in a letter that had been distributed by Michael Allawos, Mayor of Glendora. That letter specifically requested that the State, "reopen, grow, enhance, and provide desperately needed humane services to .... shuttered or underutilized mental institutions in the State of California." It then identified nine mental health facilities throughout the State that have closed over the past 50 years, including the Frank D. Lanterman State Hospital and Developmental Center in the City of Pomona. Since their closure, some of these sites have been scheduled of demolition or committed to other purposes. At the Homelessness Committee, there was direction to develop a companion letter to the letter presented by Mayor Allawos that supported the underlying concept of the letter, which was to provide additional public properties that could be used for housing and treatment, while broadening the request beyond the reopening of any specific sites.

A draft of this proposed letter is included with this report as Attachment A. The letter requests renewed efforts to identify additional funding for mental health services for our homeless population, including:

- Using surplus and underutilized public properties to offer housing and treatment.
- Prioritizing timely, cost effective interventions such as existing community-based board and care facilities, and;
- Strengthening the Lanterman-Petris-Short Act and associated services to those who are gravely disabled.

SGVCOG lobbyist Tim Egan suggested sending the letter in November in order for the request to be considered in the upcoming legislative session or in the budget process.

Prepared by: Brian McCullom  
Brian McCullom  
Management Analyst

Approved by: Marisa Creter  
Marisa Creter  
Executive Director

### **ATTACHMENTS**

Attachment A – Draft Letter from SGVCOG Supporting Additional Resources To Address Mental Health Care Needs



# REPORT

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DATE: November 19, 2020

TO: Governing Board Delegates and Alternates

FROM: Marisa Creter, Executive Director

RE: **SGVCOG GOLD LINE APPOINTMENTS**

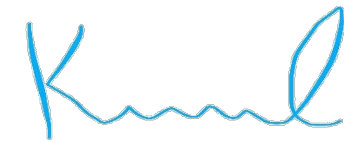
## **RECOMMENDED ACTION**

Appoint the following representatives to serve as SGVCOG's Board Member and Alternate on the Metro Gold Line Foothill Extension Construction Authority Board of Directors: Ed Reece (Claremont), Board/Voting Member; Mendell Thompson (Glendora), Alternate.

## **BACKGROUND**

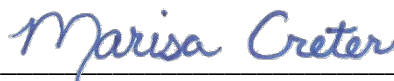
The Governing Board confirms appointments for representatives of various partner agencies including the Metro Gold Line Foothill Extension Construction Authority (Gold Line). On November 12, the Foothill Gold Line JPA Board met to consider a recommendation to the SGVCOG for a replacement of the current SGVCOG representatives. The JPA Board's unanimous recommendation was to appoint Claremont Councilmember, Ed Reece as Voting/Board Member and Glendora Councilmember, Mendell Thompson as the Alternate.

Prepared by: \_\_\_\_\_



Katie Ward  
Senior Management Analyst

Approved by: \_\_\_\_\_



Marisa Creter  
Executive Director



# REPORT

DATE: November 19, 2020

TO: Governing Board Delegates and Alternates

FROM: Marisa Creter, Executive Director

**RE: METRO MEASURE R HIGHWAY PROGRAM CRITERIA AND MEASURE M GUIDELINES**

## **RECOMMENDED ACTION**

Direct staff to work with the Transportation Committee to submit a letter to Metro regarding the updated Measure R Highway Program Criteria and Measure M Guidelines.

## **BACKGROUND**

The Los Angeles County Metropolitan Transportation Authority (Metro) Board of Directors recently directed Metro staff to circulate recommendations to modernize the Metro Highway Program, including broadening its mission, expanding funding eligibility, recommitting to the previously adopted Metro Complete Streets Policy, and updating performance metrics. As a result, Metro staff are requesting councils of governments and regional partners to review and provide feedback on the Measure R Highway Program Criteria and Measure M Guidelines, which can be found in Attachments A and B, by Monday, December 7, 2020. The attachments also include “redline” versions of Metro’s proposed changes, in which highlighted (yellow) sections indicate languages that are being removed and red sections indicate languages that are being added.

Metro staff will also solicit input and feedback from the Metro Technical Advisory Committee and the Policy Advisory Committee over the next few weeks. At the conclusion of the comment period, Metro staff will summarize stakeholder input and proceed with a formal Criteria/Guideline Amendment for final Metro Board consideration.

Upon reviewing the proposed changes, SGVCOG staff believes that there would be no impact on SGVCOG’s Measure R funding given that all of the Measure R funds were allocated towards projects and not programs. A list of the SGVCOG’s Measure R projects can be found below:

<b>Project Name</b>	<b>Funding</b>	<b>Status</b>
Eastside Transit Corridor Phase 2	\$1.27 Billion	MIS/EIR/EIS/EA Draft Phase
Gold Line Foothill Extension	\$735 Million	Construction
Regional Connector: Transit Corridor	\$160 Million	Preliminary Engineering
SR-710 Project Gap Closure	\$780 Million	MIS/EIR/EIS/EA Draft Phase
Alameda Corridor East Grade Separations Phase II	\$400 Million	Final Design

However, SGVCOG staff is concerned that the proposed changes will create overlapping subregional fund definitions particularly in the Measure M programs. The SGVCOG, under

## REPORT

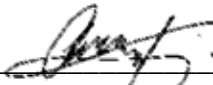
Measure M, established the Active Transportation, First and Last Mile/Complete Streets, Bus System Improvements, and Highway Demand subregional programs to address the work items Metro is attempting to add to the Highway Efficiency Program. The table below showcases the total amount of funds by program for the SGVCOG's Measure M MSP Programs:


Project	Total Amount of Funds
Active Transportation Program (Including Greenway Project)	\$231,000,000
Bus System Improvement Program	\$55,000,000
First/Last Mile and Complete Streets	\$198,000,000
Highway Demand Based Program (HOV Ext. & Connectivity)	\$231,000,000
Goods Movement (Improvements & Railroad Xing Elim.)	\$33,000,000
Highway Efficiency Program	\$534,000,000
ITS/Technology Program (Advanced Signal Tech.)	\$66,000,000

This change can possibly create a confusing overlap of eligibility and undermines the premise for the original funding split between these programs. SGVCOG staff invested a tremendous amount of staff time to coordinate with member agencies and their elected officials to obtain consensus on the funding splits between these programs and the specific projects of interest. SGVCOG staff is concerned that Metro's recommendations would alter the program definitions that could open the door on those funding allocation agreements.

While SGVCOG staff understands that there has been pressure for certain subregions that did not divide their funding as the SGVCOG did to support projects such as bike routes, pedestrian improvements, and complete streets and that Metro staff's proposed amendments can address the specific issues, SGVCOG staff is concerned that such a change can undermine San Gabriel Valley cities' previous work.

This item was previously presented to the SGVCOG Public Works Technical Advisory Committee for discussion on Monday, November 9, 2020 and the committee recommended SGVCOG staff to submit a comment letter expressing that Metro should allow individual subregions to modify their eligibility requirements to preserve the existing funding structure that was established by the SGVCOG for the San Gabriel Valley subregion. The SGVCOG Transportation Committee also discussed this item at its meeting earlier today and the Transportation Committee Chairperson, Jason Pu, can provide an update on the action taken during the committee's verbal report at this meeting.

Prepared by:   
Alexander P. Fung  
Management Analyst

Approved by:   
Marisa Creter  
Executive Director

## **ATTACHMENTS**

Attachment A – Metro’s Recommended Revisions to Measure R Highway Program Criteria

Attachment B – Metro’s Recommended Revisions to Measure M Guidelines, Section X Multi-Year Programs (Highway Subfunds)

## RECOMMENDED REVISIONS TO MEASURE R HIGHWAY PROGRAM CRITERIA

*The following shall replace Measure R Highway Program eligibility criteria in their entirety:*

### **Project Eligibility for Highway Operational Improvements and Ramp/Interchange Improvements**

The intent of a Measure R Highway Operational Improvement is to improve multimodal efficiency, safety, equity, and sustainability along an existing State Highway corridor by reducing congestion and operational deficiencies that do not significantly expand the motor vehicle capacity of the system, or by incorporating complete streets infrastructure into the corridor, in accordance with the Board-adopted policies set forth in Metro's Complete Streets Policy, Active Transportation Strategic Plan, and First/Last Mile Strategic Plan. In addition to those eligible projects on the State Highway System, for Measure R, projects located on primary roadways, including principal arterials, minor arterials, and key collector roadways, will be considered eligible for Operational Improvements and for ramp and interchange improvements.

Examples of eligible improvement projects include:

- interchange modifications;
- ramp modifications;
- auxiliary lanes for merging or weaving between adjacent interchanges;
- curve corrections/improve alignment;
- signals and/or intersection improvements;
- two-way left-turn lanes;
- intersection and street widening
- traffic signal upgrade/timing/synchronization, including all supporting infrastructure;
- traffic surveillance;
- channelization;
- Park and Ride facilities;
- turnouts;
- shoulder widening/improvement;
- safety improvements;
- on-street bus priority infrastructure, including but not limited to bus lanes, signal prioritization, queue jumps, bus boarding islands/curb extensions, and bus stop improvements;
- Class I, II, III, or IV bikeways;
- sidewalk improvements, including but not limited to widening, shade trees, and curb ramps;
- pedestrian safety improvements, including but not limited to bulb-outs, refuge islands, midblock crossings, pedestrian signals/beacons, raised intersections/pedestrian crossings, and scramble crosswalks;

- transportation infrastructure in a public right-of-way that supports the implementation of TDM strategies.

Up to 20% of a subregion's Operational Improvement dollars may be used for soundwalls. Landscaping installed as a component of an operational improvement must be limited to no more than 20% of a project's budget. State of good repair, maintenance and/or stand-alone beautification projects are not eligible. Other projects could be considered on a case-by-case basis as long as a nexus to State Highway Operational Improvements can be shown, such as a measurable reduction in Vehicle Miles Traveled.

## TRACKED CHANGES VERSION

### RECOMMENDED REVISIONS TO MEASURE R HIGHWAY PROGRAM CRITERIA

*The following shall replace Measure R Highway Program eligibility criteria in their entirety:*

#### **Project Eligibility for Highway Operational Improvements and Ramp/Interchange Improvements**

The intent of a Measure R Highway Operational Improvement is to improve **traffic flow in multimodal efficiency, safety, equity, and sustainability along** an existing State Highway corridor by reducing congestion and operational deficiencies **at spot locations** that do not significantly expand the **design capacity of the system and are intended to address recurrent congestion** *motor vehicle* capacity of the system, *or by incorporating complete streets infrastructure into the corridor, in accordance with the Board-adopted policies set forth in Metro's Complete Streets Policy, Active Transportation Strategic Plan, and First/Last Mile Strategic Plan.* In addition to those eligible projects on the State Highway System, for Measure R, projects located on primary roadways **located generally within a one mile corridor of any State Highway**, including principal arterials, minor arterials, and key collector roadways, will be considered eligible for Operational Improvements and for ramp and interchange improvements.

Examples of eligible improvement projects include:

- interchange modifications **(but not to accommodate traffic volumes that are significantly larger than the existing facilities were designed for);**
- ramp modifications **(acceleration – deceleration/weaving);**
- auxiliary lanes for merging or weaving between adjacent interchanges;
- curve corrections/improve alignment;
- signals and/or intersection improvements;
- two-way left-turn lanes;
- intersection and street widening
- traffic signal upgrade/timing/synchronization;
- traffic surveillance;
- channelization;
- Park and Ride facilities;
- turnouts;
- shoulder widening/improvement;
- safety improvements **that reduce incident delay;**
- *on-street bus priority infrastructure, including but not limited to bus lanes, signal prioritization, queue jumps, bus boarding islands/curb extensions, and bus stop improvements;*
- *Class I, II, III, or IV bikeways;*
- *sidewalk improvements, including but not limited to widening, shade trees, and curb ramps;*
- *pedestrian safety improvements, including but not limited to bulb-outs, refuge islands, midblock crossings, pedestrian signals/beacons, raised intersections/pedestrian crossings, and scramble crosswalks.*



- *Transportation infrastructure in a public right-of-way that supports the implementation of TDM strategies*

Up to 20% of the Arroyo Verdugo, Las Virgenes/Malibu and South Bay Subregion's Operational Improvement dollars may be used for soundwalls and bike lanes. *Landscaping installed as a component of an operational improvement must be limited to no more than 20% of a projects budget. State of good repair, maintenance and/or beautification projects are not eligible.* Other projects could be considered on a case-by-case basis as long as a nexus to State Highway Operational Improvements can be shown, *such as a measurable reduction in Vehicle Miles Traveled.*

**RECOMMENDED REVISIONS TO MEASURE M GUIDELINES, SECTION  
X MULTI-YEAR PROGRAMS (HIGHWAY SUBFUNDS)**

*The following shall replace subsection 'A. "Highway Efficiency and Operational Improvements" definition:' in its entirety.*

Highway Efficiency and Operational Improvements includes those projects, which upon implementation, would improve regional mobility and system performance; enhance multimodal efficiency, safety, equity, and sustainability; improve traffic flow, trip reliability, travel times; and reduce recurring congestion, high-frequency traffic incident locations, and operational deficiencies on State Highways. Similarly, improvements which achieve these same objectives are eligible on major/minor arterials or key collector roadways. Highway subfunds are eligible for pre-construction and construction related project phases as referenced in Sections IX and X and are subject to eligibility criteria and phasing thresholds that will be developed within 6 months as part of the applicable administrative procedures. In accordance with the Board-adopted policies set forth in Metro's Complete Streets Policy, Active Transportation Strategic Plan, and First/Last Mile Strategic Plan, complete streets projects and project elements are eligible for highway subfunds. State of good repair, maintenance and/or stand-alone beautification projects are not eligible for Highway subfunds. Other projects could be considered on a case-by-case basis as long as a nexus to Highway Efficiency and Operational Improvements can be shown, such as a measurable reduction in Vehicle Miles Traveled.

**Examples of Eligible Projects:**

- System and local interchange modifications
- Ramp modifications/improvements
- Auxiliary lanes for merging or weaving between adjacent interchanges
- Alignment/geometric design improvements
- Left-turn or right-turn lanes on state highways or arterials
- Intersection and street widening/improvements
- New traffic signals and upgrades to existing signals, including left turn phasing, signal synchronization, and all supporting infrastructure
- Turnouts for safety purposes
- Shoulder widening/improvements for enhanced operation of the roadway
- Safety improvements
- Freeway bypass/freeway to freeway connections providing traffic detours in case of incidents, shutdowns or emergency evacuations
- ExpressLanes
- On-street bus priority infrastructure, including but not limited to bus lanes, signal prioritization, queue jumps, bus boarding islands/curb extensions, and bus stop improvements
- Class I, II, III, or IV bikeways
- Sidewalk improvements, including but not limited to widening, shade trees, and curb ramps

- Pedestrian safety improvements, including but not limited to bulb-outs, refuge islands, midblock crossings, pedestrian signals/beacons, raised intersections/pedestrian crossings, and scramble crosswalks
- Transportation infrastructure in a public right-of-way that supports the implementation of TDM strategies

*The following shall replace subsection 'C. "Multi-Modal Connectivity" definition:' in its entirety.*

**"Multi-modal Connectivity" definition:**

Multi-modal connectivity projects include those projects, which upon implementation, would improve regional mobility and network performance; provide network connections; reduce congestion, queuing or user conflicts; enhance multimodal efficiency, safety, equity, and sustainability; encourage ridesharing; and reduce vehicle miles traveled. Project should encourage and provide multi-modal access based on existing demand and/or planned need and observed safety incidents or conflicts. Subfunds are eligible for pre-construction and construction related work phases of projects with the restrictions outlined under "Pre-Construction Activities" title under Readiness in Section IX. State of good repair, maintenance and/or stand-alone beautification projects are not eligible for Highway subfunds.

**Examples of Eligible Projects:**

- Transportation Center expansions
- Park and Ride expansions
- Multi-modal access improvements
- New mode and access accommodations
- First/last mile infrastructure

*The following shall replace subsection 'D. "Freeway Interchange Improvement" definition:' in its entirety.*

**"Freeway Interchange Improvements" definition:**

Freeway Interchange Improvements includes those projects, which upon implementation, would improve regional mobility and system performance; enhance safety by reducing conflicts; improve traffic flow, trip reliability, and travel times; and reduce recurring congestion and operational deficiencies on State Highways. Similarly, improvements on major/minor arterials or key collector roadways which achieve these same objectives are also eligible under this category. Highway subfunds are eligible for pre-construction and construction related work phases of projects with the restrictions outlined under "Pre-Construction Activities" title under Readiness in Section IX. In accordance with the Board-adopted policies set forth in Metro's Complete Streets Policy, Active Transportation Strategic

Plan, and First/Last Mile Strategic Plan, complete streets projects and project elements are eligible for highway subfunds. State of good repair, maintenance improvements and/or stand-alone beautification projects are not eligible for Highway subfunds.

*The following shall replace subsection 'E. "Arterial Street Improvements" definition:' in its entirety.*

**"Arterial Street Improvements" definition:**

Arterial Street improvements include those projects, which upon implementation would improve regional mobility and system performance; enhance multimodal efficiency, safety, equity, and sustainability; improve traffic flow, trip reliability, and travel times; and reduce recurring congestion and operational deficiencies. Projects must have a nexus to a principal arterial, minor arterial or key collector roadway. The context and function of the roadway should be considered (i.e., serves major activity center(s), accommodates trips entering/exiting the jurisdiction or subregion, serves intra-area travel) and adopted in the City's general plan. In accordance with the Board-adopted policies set forth in Metro's Complete Streets Policy, Active Transportation Strategic Plan, and First/Last Mile Strategic Plan, complete streets projects and project elements are eligible for highway subfunds. Highway subfunds are eligible for pre-construction and construction related work phases of projects with the restrictions outlined under

"Pre-Construction Activities" title under Readiness in Section IX. State of good repair, maintenance improvements and/or stand-alone beautification projects are not eligible for Highway subfunds.

**Examples of Eligible Projects:**

- Intersection or street widening
- Two-way left-turn or right turn lanes
- New traffic signals and upgrades to existing signals, including left turn phasing
- Sight distance corrections/improve alignment
- Turnouts
- Safety improvements
- On-street bus priority infrastructure, including but not limited to bus lanes, signal prioritization, queue jumps, bus boarding islands/curb extensions, and bus stop improvements
- Class I, II, III, or IV bikeways
- Sidewalk improvements, including but not limited to widening, shade trees, and curb ramps
- Pedestrian safety improvements, including but not limited to bulb-outs, refuge islands, midblock crossings, pedestrian signals/beacons, raised intersections/pedestrian crossings, and scramble crosswalks
- Transportation infrastructure in a street right-of-way that supports the implementation of TDM strategies

## TRACKED CHANGES VERSION

### RECOMMENDED REVISIONS TO MEASURE M GUIDELINES, SECTION X MULTI-YEAR PROGRAMS (HIGHWAY SUBFUNDS)

*The following shall replace subsection 'A. "Highway Efficiency and Operational Improvements" definition:' in its entirety.*

Highway Efficiency and Operational Improvements includes those projects, which upon implementation, would improve regional mobility and system performance; *enhance multimodal efficiency, safety, equity, and sustainability; enhance safety by reducing conflicts*; improve traffic flow, trip reliability, travel times; and reduce recurring congestion, *high-frequency traffic incident locations* and operational deficiencies on State Highways. Similarly, improvements which achieve these same objectives are eligible on major/minor arterials or key collector roadways *within one mile of a State Highway; or farther than one mile as determined on a case by case basis*. Highway subfunds are eligible for pre-construction and construction related project phases as referenced in Sections IX and X, and are subject to eligibility criteria and phasing thresholds that will be developed within 6 months as part of the applicable administrative procedures. *In accordance with the Board-adopted policies set forth in Metro's Complete Streets Policy, Active Transportation Strategic Plan, and First/Last Mile Strategic Plan, complete streets projects and project elements are eligible for highway subfunds.* State of good repair, maintenance and/or *stand-alone* beautification projects are not eligible for Highway subfunds. *Other projects could be considered on a case-by-case basis as long as a nexus to Highway Efficiency and Operational Improvements can be shown, such as a measurable reduction in Vehicles Miles Traveled.*

#### Examples of Eligible Projects:

- System and local interchange modifications
- Ramp modifications/improvements
- Auxiliary lanes for merging or weaving between adjacent interchanges
- Alignment/geometric design improvements
- Left-turn or right-turn lanes on state highways or arterials
- Intersection and street widening/improvements *on a State Conventional Highway or within one mile of a state highway, or on a major/minor arterial on a case by case basis*
- *New traffic signals and upgrades to existing signals, including left turn phasing, signal synchronization and all supporting infrastructure*
- Turnouts for safety purposes
- Shoulder widening/improvements for enhanced operation of the roadway
- Safety improvements *that reduce incident delay*
- Freeway bypass/freeway to freeway connections providing traffic detours in case of incidents, shutdowns or emergency evacuations
- ExpressLanes
- *On-street bus priority infrastructure, including but not limited to bus lanes, signal prioritization, queue jumps, bus boarding islands/curb extensions, and bus stop improvements*
- *Class I, II, III, or IV bikeways*

- *Sidewalk improvements, including but not limited to widening, shade trees, and curb ramps*
- *Pedestrian safety improvements, including but not limited to bulb-outs, refuge islands, midblock crossings, pedestrian signals/beacons, raised intersections/pedestrian crossings, and scramble crosswalks*
- *Transportation infrastructure in a public right-of-way that supports the implementation of TDM strategies*

*The following shall replace subsection ‘C. “Multi-Modal Connectivity” definition:’ in its entirety.*

#### **“Multi-Modal Connectivity” definition:**

Multi-modal connectivity projects include those projects, which upon implementation, would improve regional mobility and network performance; provide network connections; reduce congestion, queuing or user conflicts **and encourage ridesharing**; *enhance multimodal efficiency, safety, equity, and sustainability; and encourage ridesharing*. Project should encourage and provide multi-modal access based on existing demand and/or planned need and observed safety incidents or conflicts. Subfunds are eligible for pre-construction and construction related work phases of projects with the restrictions outlined under “Pre-Construction Activities” title under Readiness in Section IX. State of good repair, maintenance and/or *stand-alone* beautification projects are not eligible for Highway subfunds.

Examples of Eligible Projects:

- Transportation Center expansions
- Park and Ride expansions
- Multi-modal access improvements
- *New mode and access accommodations*
- *First/last mile infrastructure*

*The following shall replace subsection ‘D. “Freeway Interchange Improvement” definition:’ in its entirety.*

#### **“Freeway Interchange Improvements” definition:**

Freeway Interchange Improvements includes those projects, which upon implementation, would improve regional mobility and system performance; enhance safety by reducing conflicts; improve traffic flow, trip reliability, *and* travel times; and reduce recurring congestion and operational deficiencies on State Highways. Similarly, improvements on major/minor arterials or key collector roadways which achieve these same objectives **within one mile of the State Highway**, are also eligible under this category. Highway subfunds are eligible for pre-construction and construction related work phases of projects with the restrictions outlined under “Pre-Construction Activities” title under Readiness in Section IX. *In accordance with the Board-adopted policies set forth in Metro’s Complete Streets Policy, Active Transportation Strategic*



*Plan, and First/Last Mile Strategic Plan, complete streets projects and project elements are eligible for highway subfunds.* State of good repair, maintenance improvements and/or *stand-alone* beautification projects are not eligible for Highway subfunds.

*The following shall replace subsection 'E. "Arterial Street Improvements" definition:' in its entirety.*

**“Arterial Street Improvements” definition:**

Arterial Street improvements include those projects, which upon implementation would improve regional mobility and system performance; *enhance multimodal efficiency, safety, equity, and sustainability; enhance safety by reducing conflicts*, improve traffic flow, trip reliability, and travel times; and reduce recurring congestion and operational deficiencies. Projects must have a nexus to a principal arterial, minor arterial or key collector roadway. The context and function of the roadway should be considered (i.e., serves major activity center(s), accommodates trips entering exiting the jurisdiction, serves intra-area travel) and adopted in the City’s general plan. *In accordance with the Board-adopted policies set forth in Metro’s Complete Streets Policy, Active Transportation Strategic Plan, and First/Last Mile Strategic Plan, complete streets projects and project elements are eligible for highway subfunds.* Highway subfunds are eligible for pre-construction and construction related work phases of projects with the restrictions outlined under “Pre-Construction Activities” title under Readiness in Section IX. State of good repair, maintenance improvements and/or *stand-alone* beautification projects are not eligible for Highway subfunds.

**Examples of Eligible Projects:**

- Intersection or street widening
- Two-way left-turn or right turn lanes
- *New traffic signals and upgrades to existing signals, including left turn phasing*
- *Sight distance corrections/improve alignment*
- Turnouts
- Safety improvements *that reduce incident delay*
- *On-street bus priority infrastructure, including but not limited to bus lanes, signal prioritization, queue jumps, bus boarding islands/curb extensions, and bus stop improvements*
- *Class I, II, III, or IV bikeways*
- *Sidewalk improvements, including but not limited to widening, shade trees, and curb ramps*
- *Pedestrian safety improvements, including but not limited to bulb-outs, refuge islands, midblock crossings, pedestrian signals/beacons, raised intersections/pedestrian crossings, and scramble crosswalks*
- *Transportation infrastructure in a public right-of-way that supports the implementation of TDM strategies*





# REPORT

DATE: November 19, 2020

TO: Governing Board Delegates and Alternates

FROM: Marisa Creter, Executive Director

RE: **TENTATIVE 2020 MUNICIPAL SEPARATE STORM SEWER SYSTEM (MS4) PERMIT**

## **RECOMMENDED ACTION**

Authorize President to submit comments to the Los Angeles Regional Water Quality Control Board on the MS4 Permit.

## **BACKGROUND**

The Municipal Separate Storm Sewer System (MS4) Permit is adopted to regulate stormwater runoff in order to protect water quality in rivers, lakes, and oceans. The MS4 Permit, which in our region is adopted by the Los Angeles Regional Water Quality Control Board (Regional Board), defines limits for pollutants in the water and the measures that must be undertaken to achieve these limits. Municipalities are responsible for compliance with the MS4 Permit.

The MS4 Permit is adopted by the Regional Board approximately every 5 years. The last MS4 Permit was adopted in 2012, and the Regional Board is currently considering the successor Permit. In late 2019, the Regional Board released the “Staff Working Proposal” of the MS4 Permit, for which the Water Policy Committee and Water Technical Advisory Committee (TAC) submitted a comment letter. The SGVCOG Water Policy Committee and Water Technical Advisory Committee (TAC) reviewed that Working Proposal and, in February 2020, submitted a comment letter to the Regional Board. On August 24, 2020, the Regional Board released the draft Tentative MS4 Permit (Tentative Permit) for a 60-day public comment period. That public comment period was subsequently extended for another 45 days, to end on December 7, 2020. The Draft or Tentative MS4 Permit and all attachments can be found at this link: [www.waterboards.ca.gov/losangeles/water\\_issues/programs/stormwater/municipal/index.html](http://www.waterboards.ca.gov/losangeles/water_issues/programs/stormwater/municipal/index.html).

Over the last several months, the Water Policy Committee and Water TAC have been reviewing the Tentative Permit and developing comments. The SGVCOG engaged a consultant team led by Craftwater Engineering, with support from Tetra Tech, and John L Hunter and Associates (JLHA), to support and guide this effort. The initial comments were initially discussed at the October meeting of the joint Water Policy Committee/TAC and a final draft public comment letter was discussed at their November meeting. At the November meeting, the Committee voted to recommend the Governing Board submit the public comment letter on the Tentative Permit by the December 7, 2020, deadline. A few highlights of the public comment letter can be found below:

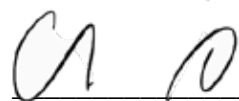
- *Timing of Permit Adoption and State Board Order Implications:* Delay implementation of the Permit until other efforts which may impact the Permit (e.g. State Water Resources Control Board’s Tentative Order related to several Watershed Management Programs (WMPs) and Enhanced Watershed Management Programs (EWMPs) that were approved

by the Regional Board under the 2012 MS4 Permit and the proposed Basin Plan amendments) are finalized. These timelines must be acknowledged and considered in the adoption of the 2020 Permit. Furthermore, the Regional and State Boards' appeal of the decision in favor of the City of Duarte in the matter of City of Duarte v. State Water Resources Control Board is still pending, and the findings and analysis associated with that final decision will further impact the Tentative Permit.

- *Fiscal Resources:* The Permit must include economic considerations, including allowing for a financial capability assessment to determine a feasible implementation schedule and associated compliance deadlines. This is important given the high cost of compliance, especially when considering all costs necessary to implement the Permit, and the limited funding sources available for stormwater, especially given cities' current financial situations. To further emphasize this point, a letter from Assemblymember Blanca Rubio to the Regional Board Chair and Vice-chair dated October 30, 2020, that reiterates the high cost of compliance and the need to find ways to address these costs, is included as an attachment to the SGVCOG's comment letter.
- *Integration of the Safe Clean Water Program:* The Safe Clean Water Program provides Permittees' primary funding source for Permit compliance, so the Permit should integrate the fundamental aspects of the Program to help align regulatory compliance with realistic and achievable implementation. This includes allowing schedule adjustments based on the availability of Safe Clean Water funding, better coordination between funding and planned infrastructure projects and compliance deadlines, better-aligned reporting requirements, and providing credit to cities for contributing funds through the regional program to projects outside of their jurisdiction.
- *Better define compliance attainment:* If Permittees have properly implemented project milestones, they should not be at risk of an immediate violation, even if the final limits are exceeded. They should instead be able to address issues through the adaptive management process. The Regional Board should establish a clear policy and guidelines for Permittees to demonstrate that milestones have been met.
- *Reporting:* Provide more guidance on financial reporting requirements, update the reporting periods to better align with project milestones, provide more flexibility in the forms by removing them from the Permit, and coordinate with Los Angeles County to minimize the need to create duplicative financial reports for the purposes of the Safe Clean Water Project and the Permit.
- *Monitoring:* Streamline monitoring efforts where appropriate, and better correlate monitoring requirements to be in line with project implementation status.

Following approval by the Governing Board, the comment letter will be submitted to the Regional Board by the comment deadline of December 7, 2020. At this time, the Regional Board anticipates adopting a final Permit in the spring of 2021.

Prepared by:



Caitlin Sims

Principal Management Analyst

Approved by: Marisa Creter  
Marisa Creter  
Executive Director

**ATTACHMENTS**

Attachment A – Proposed MS4 Permit Comment Letter



November 19, 2020

Renee Purdy, Executive Director  
Los Angeles Regional Water Quality Control Board  
320 West Fourth Street, Suite 200  
Los Angeles, CA 90013

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*1<sup>st</sup> Vice President*  
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San Dimas  
San Gabriel  
San Marino  
Sierra Madre  
South El Monte  
South Pasadena  
Temple City  
Walnut  
West Covina

*First District, LA County*  
Unincorporated Communities

*Fourth District, LA County*  
Unincorporated Communities

*Fifth District, LA County*  
Unincorporated Communities

*SGV Water Districts*

**RE: COMMENTS ON THE TENTATIVE ORDER OF THE REGIONAL PHASE 1 MUNICIPAL SEPARATE STORM SEWER SYSTEM (MS4) PERMIT (ORDER R4-2020-XXXX)**

Dear Ms. Renee Purdy and Regional Board Staff:

On December 10, 2019, the Executive Officer of the Los Angeles Regional Water Quality Control Board (LARWQCB) released a staff working proposal for the draft Regional Phase 1 MS4 NPDES Permit (*Staff Working Proposal of the Regional Phase 1 MS4 NPDES Permit Order No. <R4-2020-XXXX>, NPDES Permit No. <CASXXXXXX>, Waste Discharge Requirements and National Pollution Discharge Elimination System (NPDES) Permit for Municipal Separate Storm Sewer System (MS4) Discharges Within the Coastal Watersheds of Los Angeles and Ventura Counties*) (Working Proposal). After receiving many comments across stakeholders on the Working Proposal, including from the San Gabriel Valley Council of Governments (SGVCOG), the LARWQCB updated and released the Tentative Order for the Regional Phase 1 MS4 NPDES Permit (*Tentative Regional Phase 1 MS4 Permit Order No. <R4-20XX-XXXX>, NPDES Permit No. <CAS004004>, Waste Discharge Requirements and National Pollution Discharge Elimination System (NPDES) Permit for Municipal Separate Storm Sewer System (MS4) Discharges Within the Coastal Watersheds of Los Angeles and Ventura Counties*) (Tentative Permit) on August 24, 2020.

When finalized and adopted, this Permit will supersede the current 2012 MS4 Permit (subsequently amended) and will dictate the activities and requirements of the Permittees, including SGVCOG member agencies, over the next permit cycle. The SGVCOG member agencies includes 30 incorporated cities, unincorporated communities in Los Angeles County Supervisorial Districts 1, 4, and 5, and three San Gabriel Valley Municipal Water Districts. The following summarizes the SGVCOG's comments in response to the *Tentative Regional Phase 1 MS4 Permit Order*, dated August 24, 2020.

The SGVCOG appreciates the opportunity to provide these comments and looks forward to continuing supporting the LARWQCB to develop a Final Permit that includes provisions that are technically and financially feasible, while achieving environmental benefits within our communities.

The following summarizes the SGVCOG's key areas of concern on the Tentative Permit. Detailed comments and recommendations regarding specific sections in the Tentative Permit are provided in Appendix A.

## Summary

The following discussion highlights the SGVCOG's key areas of concern and proposed recommendations, including comments that were previously submitted and were not addressed in the current Tentative Permit. The proposed recommendations are bolded within each area of concern. These comments support the overall goal to improve water quality conditions in the Los Angeles region following a cost-effective and efficient approach. This goal can be achieved through the development of regulations and permit requirements that are aligned with real-world circumstances faced by the Permittees.

### ***Timing of Permit Adoption and State Board Order Implications:***

Concurrent with the Permit reissuance effort, it is important to consider the related State Water Resources Control Board (State Water Board) Tentative Order (*State of California State Water Resources Control Board Tentative Order WQ 2020-XXXX In the Matter of Review of Approval of Watershed Management Programs and an Enhanced Watershed Management Program Submitted Pursuant to Los Angeles Regional Water Quality Control Board Order R4-2012-0175*) reviewing the LARWQCB's approval of various Watershed Management Programs (WMPs) and Enhanced WMPs (EWMPs) (State Water Board Order). The initial Order was released on December 6, 2019, and was revised based on comments received through early April and redistributed on September 4, 2020. This Order addresses specific requirements of the Permit that are important to consider as part of the Permit review. While some of the key issues identified by the State Water Board have already been integrated into the Tentative Permit, the State Water Board Order has not been finalized and further revisions of the Tentative Permit may be incorporated by the LARWQCB to comply with the State Water Board Order. The details of the State Water Board Order, which impact the Permit provisions and analyses Permittees will be required to complete, will not be finalized until its adoption.

Given the potential impacts of the State Water Board Order on the Permit and additional requirements for the Permittees implementing a WMP or EWMP, **it is assumed that the State Water Board Order will be finalized prior to the adoption of a new Permit.** This sequence is necessary to ensure the Permit would not have to be further revised to comply with the State Water Board Order, as well as to prevent a duplication of effort by the Permittees to address the new Permit and the State Water Board Order. For the same reason, **the new Permit should also delay adoption as needed to ensure the proposed Basin Plan Amendment(s) that will modify TMDL final deadlines can be included as the revised dates in the new Permit. In addition, sufficient time (recommend at least 6 months) will be needed once the new Permit is formally adopted to allow the Permittees to incorporate the required updates through the Reasonable Assurance Analysis (RAA) revisions. Depending on the timing of the State Water Board Order adoption and subsequent Permit adoption this may require extending the current deadline of June 30, 2021 for completion of the revised RAAs.** This extension is necessary to prevent an unnecessary and costly duplication of effort to ensure the appropriate analyses are included in the revised RAAs to satisfy regulatory requirements. The SGVCOG encourages the LARWQCB to support the sequence of events and the recommended time extension, as any other order or insufficient time between these regulatory adoptions and the required RAA revisions may result in inefficiencies and the need to go back and redo one of these efforts. The timing outlined above is to ensure the most appropriate policy is set in place and thorough, informative analyses, that fully satisfy the current tentative regulatory orders, are completed through the upcoming RAA revisions. The Permittees are already planning for the RAA revisions which are significant investments, ranging around \$75k – 350k each. If the State Water Board Order and resulting additions to the Permit require additional analyses as part of the RAA revisions, this will potentially double the cost and further emphasizes the importance of having sufficient time from Permit adoption to conduct the technical updates and additions.

Furthermore, the Regional and State Boards' appeal of the decision in favor of the City of Duarte in the matter of *City of Duarte v. State Water Resources Control Board, et al.* (Case No. 30-2016-00833722) is

still pending, with oral arguments having been conducted before the Court of Appeal on November 19, 2020. The findings and analysis associated with that final decision will further impact the Tentative Permit.

***Fiscal Resources:***

In general, the economic considerations included in the Tentative Permit are lacking in detail. This is an extremely important aspect to consider when assessing the Permittees ability to satisfy regulatory requirements. The Permittees will have the most success improving water quality conditions if we are able to focus the available resources on regulations with achievable goals, which requires a realistic discussion regarding the cost of compliance versus available funding.

Attachment F, the Fact Sheet in the Tentative Permit, includes economic considerations that estimate the 20-year cost of compliance at \$21.3 - \$31.4 Billion. The first method used to calculate this cost was based on TMDL Staff Reports that are now outdated and did not include the cost of implementing minimum control measures, monitoring costs, costs to address TMDLs if the Staff Report did not have a cost estimate, and only included the cost of addressing trash if there was a specific TMDL, not the overarching requirements of the statewide trash amendment. While the second method used the more recent cost estimates to fully implement the WMPs and EWMPs in the region, both methods still rely on the cost of stormwater management programs based on annual expenditures and budget data self-reported, which has not been consistent across the Permittees. Further, many of the cost estimates in the WMPs and EWMPs did not include additional costs such as acquiring property necessary for some structural BMPs, the full cost associated with operation and maintenance of BMPs, or the costs associated with implementation of the adaptive management program. Other cost estimates of compliance estimated in the past have been significantly higher. For example, the County of Los Angeles has recognized that the cost of complying could be as high as \$120 Billion. Likewise, a recent study on Stormwater Funding Options recognizes that the cost of complying could be as high as in the tens of Billions over the next 20 years. Further, the University of Southern California's Study of "An Economic Impact Evaluation of Proposed Storm Water Treatment for Los Angeles County" have estimated costs as high as \$283.9 Billion over 20 years. Assemblymember Blanca Rubio reiterated the high cost of compliance and the need to find ways to address these costs in a letter to the Regional Board Chair Irma Munoz and Vice-Chair Larry Yee dated October 30, 2020 (Attachment A).

The Fact Sheet also potentially overstates the available funding sources, with reference to Measures H, A, and M, that are not dedicated stormwater funds and Permittees have minimal or no access to use to address the requirements of the MS4 Permit. Other available funding sources are generally referenced, as well as a brief discussion on the potential impacts from COVID-19; however, a sufficient analysis to demonstrate that the cost of compliance is feasible based on available funding has not been completed. Even prior to completing a sufficient financial analysis, it is clear the cost estimates to fully implement the Permit are greater than the funding available. **The SGVCOG recommends that the Permit include a provision that allows Permittees to conduct a financial capability assessment that would be used to help determine an effective and feasible implementation schedule and associated compliance deadlines.**

In addition, it should be noted that the primary dedicated source of funding that most cities currently have for Permit compliance is through their upcoming Local Return through the Safe, Clean Water (SCW) Program. The SGVCOG member agencies do not anticipate any available funding beyond the SCW Program funds. In addition, the regional allocations to each watershed will be awarded competitively. The SGVCOG is concerned that the regional allocations coupled with the Local Return will not provide enough funding to complete all the projects required to comply with the Permit requirements, especially within the current designated timeframes. **Given that Measure W is the only dedicated stormwater funding source, we recommend that the Permit have more explicit integration with the SCW Program, as discussed further in the comments below.**

***Integration of the Safe, Clean Water Program:***

The SCW Program and passage of Measure W was a major success for the Los Angeles Region and should be further leveraged knowing the available funds that can be used towards meaningful implementation and compliance. The SCW Program is the primary source of dedicated funding for the LA County Permittees. The municipal and regional programs are expected to significantly support implementation of Permittees' WMPs and implementation of these infrastructure projects will be the primary factor in achieving TMDL compliance. The SCW Program establishes multiple goals, including in addition to water quality benefits also water supply, cost efficiency, nature-based solutions, and community investment benefits. Therefore, the funds will not be exclusively spent on compliance, though this will be a significant portion, and additional time is required to ensure optimization across these benefits. To improve the certainty that actions taken will ultimately result in attainment of beneficial uses, the Permit should provide flexibility such as alternative compliance pathways and extended time to implement appropriate actions utilizing scientific advancements and best available information/data. Given the success securing this funding measure, which helps enable the commitment towards implementation of approved WMPs, **we recommend that the Permit integrate the fundamental aspects of the program to help align regulatory compliance with realistic and achievable implementation.** Initial recommendations to integrate the program include the following:

- **Allow WMPs to incorporate schedule adjustments to projects based on the Local Return and regional program support identified in the Stormwater Investment Plans (SIPs) through the adaptive management process.**
- **Coordinate with the Los Angeles County Flood Control District and the Watershed Area Steering Committee to evaluate anticipated SCW Program funding in relation to planned and proposed infrastructure projects and TMDL deadlines.**
- **Provide credit to cities and agencies contributing funds through the regional program to projects outside their jurisdiction through extensions on their milestones. This recognizes the competitive aspect of the regional program, which should prioritize projects with the greatest watershed benefit but could result in certain jurisdictional projects being pushed to later fiscal years. This would not necessarily impact the number of projects to be implemented but provided flexibility to the schedule.**
- **Allow for extensions to compliance deadlines based on the available funding, with sufficient justification that the updated deadline can be met with the known funding.**
- **Tie permit compliance requirements to the availability of funding, and the Permittee's agreement that such requirements are appropriate.**
- **Align SCW Program reporting requirements in terms of format and schedule to satisfy the Permit required reporting.**

If these recommendations are incorporated in the Permit, this will also help facilitate the selection of projects under the SCW Program that are best aligned with Permit compliance.

***Better Define Compliance Attainment:***

The compliance pathway through approved WMPs should clarify receiving credit for local pollutant load reductions with pre- and post-implementation monitoring versus an observed response in receiving waters. This is related to final compliance attainment. **If an approved WMP is properly implemented and all project milestones are met, but final WQBELs or RWLs are still exceeded, we recommend that the Permit provide coverage for the Permittees through deemed compliance to address through the adaptive management process, rather than being at risk of an immediate violation.** The whole concept of the adaptive management process is to continue improving the program towards attainment of environmental objectives and this coverage will further encourage Permittees to fully embrace adaptive management. **In addition, we recommend establishing a clear policy and guidelines for Permittees to**

**demonstrate that all work associated with prior and current milestones was completed.** This will help assure all stakeholders that established milestones are being met and further justifies coverage under final compliance with the use of adaptive management as needed.

Regarding the alternative compliance pathway to address the 85<sup>th</sup> percentile, 24-hour event, it is important to recognize that volume capture may not provide a viable compliance strategy for certain pollutants (e.g., bacteria) and other types of water quality impairments (e.g., habitat-related impacts). **The Permit should allow flexibility in determining an alternative compliance pathway that can be used to demonstrate final compliance.** This flexibility will allow for greater compliance certainty and aligns with recent scientific studies and the development of innovative approaches and tools that can be used to enhance water quality improvement.

### ***Reporting:***

The Tentative Permit reporting requirements are expanded from the existing 2012 MS4 Permit (which the SGVCOG is concerned ignores the Court's findings with regards to the Cities of Duarte's and Gardena's lawsuits) and will take significant time and resources to complete. The following recommendations aim to streamline these efforts so the information gathered provides meaningful feedback and available funding can be better spent on implementation efforts. **Additional reporting requirements include the annual report forms that require significant additional financial reporting, but do not provide adequate guidance. Additional clarity is needed regarding the LARWQCB's expectations.** The additional requirement for Permittees participating in a Coordinated Integrated Monitoring Program (CIMP) to submit a Monitoring Report twice a year doubles the annual reporting effort. This additional reporting would result in additional reporting costs for Permittees, which could more effectively be used to support implementation.

**We recommend updating the reporting periods to better align with the schedules in program plans, to increase the utility of the data collected to help guide implementation. The Permit should provide flexibility for the LARWQCB to coordinate with the Permittees on a more appropriate reporting schedule. In addition, individual Permittee reporting requirements should be limited to avoid redundant efforts where the watershed reports provide the overall progress of the program.** Overall, the extensive cost to comply with the reporting requirements is not proportionate with the usefulness of these reports. Prior to much of the program's implementation (during planning and design phases), the reporting could be further spaced apart, then once implementation occurs an annual frequency may be more reasonable and useful.

Moreover, including the reporting forms in the Permit does not allow flexibility to modify the forms as may be necessary or desired in the future. To allow for the opportunity to adjust reporting to better meet the needs of all stakeholders, **the SGVCOG recommends that the reporting forms be removed from the Permit.** Instead, the Permit should allow for the LARWQCB to amend and adopt the annual report forms on a regular basis to make improvements to these forms and the annual reporting process.

Furthermore, the Permittees will be required to provide financial reporting to Los Angeles County regarding their use of SCW Program funds. **We encourage LARWQCB staff to closely coordinate with Los Angeles County in the development of financial forms to avoid redundant reporting.**

Overall, the SGVCOG and its member cities have significant concerns with the current and increased reporting responsibilities and the financial burden associated with the more stringent requirements that could be better prioritized.

### ***Monitoring:***

As stated above on the reporting requirements, the SGVCOGs recommendations aim to streamline the monitoring efforts so the data gathered still provides meaningful feedback and available funding can be better spent on implementation efforts. **The monitoring requirements could be better correlated with implementation status (e.g., monitor less frequently in the early stages of the program and then more**



frequently after watershed control measures have been more widely implemented). Costs to Permittees to complete this monitoring in preliminary years where much of the program is still in the planning and design phases, could be better spent on implementation. **Monitoring could also be more strategically employed through a tiered approach that focuses first on downstream conditions, and only moves upstream if needed. Overall, given the extensive costs to comply and the disproportionate value in the data at this time, we are requesting a more critical look at these requirements.**

The additional aquatic toxicity monitoring requirements will require time to fully review. While the costs of monitoring these four freshwater species will be extremely high, without additional analysis, permittees will not be able to estimate the actual compliance costs. Since Permittees cannot evaluate the cost of compliance, the LARWQCB cannot evaluate the financial impacts of this new requirement. **We recommend that the Permit acknowledge this gap and provide a pathway for potential adaptations to the aquatic toxicity monitoring requirements once sufficient cost analyses are complete.**

**In addition, we recommend that the Permit provides flexibility to streamline monitoring efforts where appropriate.** The current monitoring requirements select a limited number of events to sample over the year for all identified pollutants, which is expensive for each sampling event. However, these are only a handful of events and only tell us so much about the overall conditions in the watershed. **A more streamlined and informative approach would be to sample more events but measure inexpensive proxies (supported by statistically significant data), such as sediment, in place of more expensive pollutant sampling and analysis.** This could be set up to be equivalent or less expensive than the current monitoring efforts and provide much more information to the Permittees and stakeholders on the state of the watershed. **Permittees should be able to justify reducing monitoring requirements for select constituents if they can demonstrate associated trends and progress in reducing pollutants.** The Permittee would measure these surrogate parameters, as appropriate, on a consistent basis, then include validation at selected times that would explicitly sample the specific pollutants of concern to further support the approach.

#### ***Compliance Schedules:***

The Tentative Permit specifies that Permittees must comply with water-quality based effluent limitations immediately. Previously in the 2012 MS4 Permit, Permittees had 90 days to meet compliance deadlines. The SGVCOG has concerns that the requirement for immediate compliance ignores the Court's findings with regards to the Cities of Duarte's and Gardena's lawsuits. Regardless, as the LARWQCB develops the Permit, **a WMP being developed and implemented in good faith by the Permittees that is determined to be "inadequate" by the LARWQCB should be allowed a grace period to correct inadequacies.** This would still allow for the LARWQCB to address gross non-compliance while providing a path for WMPs with very minor and easily correctable flaws to continue addressing water quality goals.

Many of the original TMDLs have optimistic compliance schedules, which have previously been recognized as such by Board staff. There is flexibility in the Tentative Permit for Permittees to request extensions, in addition to the knowledge that the Board staff are currently working on a TMDL extension Basin Plan Amendment. **As an initial alternative, we recommend that the Board withhold adopting the new Permit until after the TMDL extension Basin Plan Amendment(s) have been approved and can be incorporated into the Permit. Alternatively, we recommend that the current schedules, at a minimum, recognize the anticipated TMDL deadline extensions from the Basin Plan Amendment(s) and ultimately the revised schedules will automatically be incorporated in the Final Permit.** The amendment is currently focused on specific TMDLs identified with near term deadlines. **We recommend the TMDL extension Basin Plan Amendment effort be extended to include other TMDLs where appropriate, particularly those with final deadlines prior to 2030.** Even with these extensions, there are remaining recommendations for better integration of the SCW Program regarding alignment of compliance schedules, which is further detailed in the comments above.

The process of planning, designing, constructing, testing and operating projects to implement best management practices takes longer than five years. In addition, the SCW Program funding schedule could exceed this timeframe. Instead, **if compliance within five years is not feasible for a Permittee, then the Permittee should be able to demonstrate a plan towards compliance that it will implement as funding becomes available.**

In addition, regarding the Bacteria TMDLs, the current timeframe for compliance is particularly unreasonable given recent scientific studies that indicate the need to reduce sources of human waste in order to meet recreational beneficial uses. Implementation is shifting to provide greater focus on source control efforts rather than structural project implementation and volume control which can be ineffective in reducing pathogens and recreational health risks. A longer schedule is needed to adapt current implementation programs, as is currently underway in the Upper Los Angeles River watershed with the Load Reduction Strategy Adaptation Plan.

Overall, this area of concern emphasizes that it is more important to implement the right programs and strategies to achieve the environmental and water quality goals driving the Permit than meeting a set milestone to complete a specified action. We do not want to rush forward in order to meet a set deadline that is unreasonable and potentially sacrifice a more thoughtful and effective approach. Some of the critical water quality objectives in older TMDLs are no longer aligned with the best available science. Examples of this include the Bacteria objectives that should be adjusted to focus more directly on allowable risk and move away from the use of Fecal Indicator Bacteria, as well as shifting towards the use of site-specific methods for metals (e.g., Biotic Ligand Model, Water Effect Ratio studies) to identify potential impacts to aquatic life. Necessary updates to water quality objectives can be used to clearly identify where beneficial uses (e.g. recreational use in relation to bacteria and aquatic life in relation to metals) are impaired and require action. **The main recommendation is for flexibility in the Permit to incorporate new information and advancements and, when necessary, provide the appropriate additional time to successfully do so.**

***Consistency Across Permits:***

**We recommend eliminating redundancy or contradictions across permits and ensure requirements for Phase I, Phase II, Industrial General Permit, Agricultural Order, etc., encourage collaboration across responsible parties.** Water quality impairments are due to a number of influences which is why a watershed-wide approach is valuable to coordinate on the most cost-effective solutions. However, **the MS4 Permit should only contain requirements within the Permittees control and while collaboration is encouraged, compliance should not be reliant on it.** Permittees need only comply with permit conditions relating to discharges from the MS4 for which they are owners or operators. As currently drafted, the Tentative Permit purports to make the Phase I MS4 Permittees liable for the actions of other discharges, which is unlawful. **In addition, RAAs should be given flexibility to quantify Phase I MS4 responsibilities (e.g., load reductions) in order to encourage compliance as well as promote shared responsibility with other Permittees.**

***Define Performance Metrics for Non-Structural Strategies and Concise, Useful Tracking:***

The appropriate metrics for non-structural/non-modeled strategies still require further development to assess the effectiveness of these strategies and how to link to monitoring data. The assessments should be done in a clear and concise manner that provide meaningful feedback on progress and effectiveness to best support management decisions. **We recommend general guidelines be developed by a technical team, which will require time, to ensure consistency across Permittees.**

The current tracking requirements across Permittees programs for non-structural strategies are often time consuming and the data is not in a useful format to assess progress. **We recommend one consolidated tracking system that houses the information relevant to the Permit and helps succinctly assess**

effectiveness and streamlines Annual Reporting, providing more valuable information to the LARWQCB, as well as the Permittee to better manage its programs.

***Industrial General Permit (IGP) Training and Inspections:***

The Tentative Permit clarified from the Working Proposal that training requirements can continue utilizing existing resources. However, **additional clarity is still requested on which employees are required to take the training, as the current language of “pertinent staff” is vague and would benefit from more specificity.** It is not clear whether Permittees would be exempt from this training if the inspection work is outsourced to contractors, a point which requires clarification. **The SGVCOG believes that the IGP training should only be required for those individuals who actually perform the inspections.**

***Permit Contradictions:***

**The Board should clarify with a statement (in the appropriate section of the Permit) as to why Permittees in Reach 2 and Reach 3 of the Rio Hondo river are included for the Los Angeles River Metals TMDL.** Permittees are listed within the approved TMDL and current MS4 permit; however, Reaches 2 and 3 are not included in the 303(d) lists. **The SGVCOG is requesting an explanation and justification for this apparent contradiction.**

***Clear Language:***

Tentative Permit language in places allows for multiple interpretations, in some cases out of line with the original intent. Specific comments are provided in Table A-1 where this has been identified. Overall, **recommend including additional clarity while maintaining flexibility to allow for scientific advancements and better information/data regarding protection of beneficial uses and MS4 responsibilities in the future.**

Sincerely,

Margaret Clark  
President  
San Gabriel Valley Council of Governments

## Appendix A: Detailed Comments and Recommendations

In addition to the key areas of concern summarized in the comment letter, Table A-1 provides detailed comments on the Tentative Permit. Previous comments submitted by the SGVCOG on the Working Proposal that are still applicable in the updated Tentative Permit are included in Table A-1.

**Table A-1.** Comments on the Tentative Permit

Tentative Permit Section; Page	Comment
Table 4; Page 7	Consider setting the effective date as July 1, 2021 (rather than 50 days from adoption date) to align with the Reporting Period.
<b>III. Discharge Prohibitions</b>	
III.A; Page 12	Specify this prohibition should not apply to any invasive animal or plant life.
III.B.3.a; Page 13	Recommend adding discharges from recycled water systems as a conditionally exempt discharge. Definition of recycled water discharge could be: "Discharges from recycled water systems includes sources of flows from recycled water storage, supply and distribution systems (including flows from system failures), pressure releases, system maintenance, distribution line testing, and flushing and dewatering of pipes, reservoirs, and vaults, and pump stations."
III.B.5.a.i; Page 14	The requirement for all conditionally exempt non-stormwater discharges to notify the Permittee in advance is excessive given the range of exempt discharges (includes landscape irrigation, car washing, etc.). Recommend distinguish this requirement for specific discharge categories relative to the potential impacts.
III.B.5.b; Page 15	For discharges greater than 100,000 gallons, recommend continue to coordinate with County/Water Purveyors releases of this size for safety reasons downstream.
III.B.8; Page 16	Clarify if notifying the Board within 30 days is from the time when the discharge occurred or when the Permittee determines the discharge contributed to an exceedance.
III.B.9; Page 16	Recommend modifying the end of this sentence to include: "...source of pollutants <b>to receiving waters</b> "
III.C.2.d.ii; Page 24	Consider not including limit of time schedules throughout. Any proposed timeframe can be denied by the Regional Board but there may be some exceptions that warrant an extended period.
III.D; Page 25	Please clarify why this prohibition for insecticides, fungicide and rodenticides are not applicable to products used for lawn and agricultural purposes.
<b>IV. Effluent Limitations and Discharge Specifications</b>	
IV.B.2.c.iv; Page 28	Recommend adding language that Permittees will have the opportunity to revise a Watershed Management Program if it is initially found to be inadequate. A grace period should be provided to correct any inadequacies.
IV.B.3; Page 28	Refer to area of concern regarding the zero trash effluent limitation for the Trash TMDLs.

Tentative Permit Section; Page	Comment
<b>VI. Standard Provisions</b>	
VI.C; Page 38	Please clarify how the Regional Board will ensure that information collected in the Annual Reports will be utilized to complete fiscal analysis as required by the State Auditors. Will specific instructions be provided in the Annual Report to prevent any discrepancies between Permittees when financial data is provided. Please consider re-wording or expanding on this requirement. It can be interpreted that permittees must enumerate and describe all funds necessary to meet all requirements for implementation for the future year. There will undoubtedly be occasions when all funding sources anticipated for the upcoming year simply to do not meet what is estimated for full implementation.
VI.G.4.b; Page 40	Requiring more frequent monitoring or reporting may not be considered a minor modification if it has significant implications to a Permittees cost of compliance and therefore likely impact a Permittees ability to comply with other requirements of the Permit.
<b>VIII. Storm Water Management Program Minimum Control Measures</b>	
VIII.A.3.b; Page 41	If any of the requirements of this section (VIII.A.3.b) are redundant with training held by the Department of Pesticide Regulation or other agencies, it would be good to have such training referenced in this section as qualifying for satisfying the training requirement.
VIII.B.1.d-e; Page 42-43	<p>Regarding facilities/sites that require an NOI or NEC: Recommend allowing a Permittee to skip the process of one inspection and one written notice prior to referral. Once identified by the Permittee, it would seem efficacious to notify the Board. Versus waiting for a Permittee's attempts to compel IGP/CGP enrollment. So that Board staff can begin the process of compelling IGP/CGP coverage from the operator. In addition, for certain light industrial operations, IGP coverage can be a matter of interpretation of the SIC Manual. In these instance it would be best for the Regional Board to make the determination from the start.</p> <p>In addition, recommend setting up a recommended frequency for notification of potential IGP non-filers. Context: After the issuance of the 2012 LA/2014 LB MS4 Permits, the 2015 IGP added a large swath of light industries to its coverage. Many of these businesses are small in both size and operations and as such 1) are much more common than heavy industries, and 2) start and cease operations much more frequently than heavy industries. This means that Permittees may come across new potential non-filers on a regular basis, primarily through business license and MS4 NPDES inspections. Taking this into consideration, a regular frequency of notification may streamline the process for both Permittees and Regional Board staff. (For example, under the North Orange County MS4 NPDES Permit, there is a quarterly notification process in place.)</p>
VIII.D.4.a; Page 45	Recommend providing additional guidance on the metrics for measuring effectiveness of public education efforts, which otherwise could take many forms and vary significantly across Permittees.
VIII.E.2.a.ii.(c); Page 46	Recommend providing a footnote that provides a hyperlink to the online database of such industrial facilities.
VIII.E.2.a.iii; Page 46	Recommend listing the corresponding SIC codes for these facilities, and/or referring to the Attachment A definitions. Also for consistency with the industrial element of the Industrial/commercial Facilities Program, recommend defining these facilities in Attachment A using the SIC Code manual definition.

Tentative Permit Section; Page	Comment
VIII.E.3; Page 47-48	This Tentative Permit updated the Working Proposal section on Requirements for Industrial Sources (VIII.E.4) to include in the Business Assistance Program that Permittees could refer businesses to the LA Regional Water Quality Control Board or State Board for further technical assistance and also updated the inspection frequency for sites that do not have exposure to stormwater to every 5 years. Recommend the same updates be made to the Requirements for Commercial Sources (VIII.E.3).
VIII.E.5; Page 49 VIII.G.5.a; Page 67 VIII.G.6.b.ii.(c); Page 69 VIII.H.3.a; Page 71	Recommend referencing a resource for Permittees to consider for applicable source control BMPs. (Such as the CASQA Handbooks.)
VIII.F.2.b; Page 54	In addition to the specific projects listed, exemptions to hydromodification controls should include an option for Permittees to prove no adverse hydromodification effects occur to beneficial uses in the Natural Drainage System.
VIII.F.4-5; Page 58-66	May consider integrating aspects of the Priority Development Project Structural BMP Performance Requirements for Ventura County Permittees (VIII.F.4) to integrate options for Los Angeles County Permittees (VIII.F.5) and vice-versa.
VIII.G.4.b.ix; Page 67	Recommend removing the post-construction BMP description as it is already logged through the tracking requirements of VIII.F.3.c.i. Also, consider moving the "comparison of pre-storm water runoff volume to post-construction runoff volume" tracking to VIII.F.3.c.i.
VIII.G.5.b; Page 68	Currently construction sites are inspected once a month during rainy season, unless a follow-up inspection is required due to a deficiency. Please clarify what "inspect as needed" means.
VIII.H.5.a; Page 74	If any of the requirements of VI.D.8.e.ii and VI.D.8.e.iii are equivalent to requirements of CCR Chapter 4, Subchapters 3, 4, and 5, recommend identifying them as such. So that it is clear which requirements are specific to the MS4 Permit.
VIII.H.5.b-c; Page 74-85	If any of the requirements of VIII.H.5.b and VIII.H.5.c are equivalent to requirements of CCR Chapter 4, Subchapters 3, 4, and 5, recommend identifying them as such. So that it is clear which requirements are specific to the MS4 Permit.
VIII.I.8.b; Page 80	Recommend exemption of tracking for discharges of negligible impact that do not enter a storm drain inlet. For example, the standard could be, "Tracking is not required for discharges of less than X gallons that do not reach a storm drain inlet." The reason for this requested exemption is that the administrative cost of this tracking outweighs the value of the data recorded. (The time could be better spent addressing other MS4 Permit requirements.)
VIII; Page 40-80	For all minimum control measures note development of recommendations/guidance for appropriate metrics for measuring effectiveness will be needed.
<b>IX. Watershed Management Programs</b>	

Tentative Permit Section; Page	Comment
IX.A; Page 81	Please consider if Safe, Clean Water Program Stormwater Investment Plans (SIPs) are to be included into the Permit as mentioned by the County at the first workshop, how will those projects that remain unfunded be able to achieve compliance through alternative funding?
IX.A.4.d; Page 81	Recommend updating to reflect that modifications to the strategies, control measures, and BMPs may also be based on information gathered outside of the MRP.
IX.A.4.e; Page 81	Recommend providing more detailed description on the “appropriate opportunity for meaningful stakeholder and community input”. This could potentially take many forms and would be helpful to understand what the Board deems as appropriate.
IX.A.4.k; Page 82	Strategies, control measures, and BMPs should be designed to achieve applicable WQBELs and RWLs, which can be demonstrated through an RAA. Reference to retaining the volume of the 85th percentile, 24-hour storm event should be reserved for later discussion that this option provides deemed-compliance for the associated drainage area without requiring an RAA. In many cases, building such control measures is infeasible in most areas and exceeds necessary controls to attain the water quality objectives, where costs could have been better spent in other areas to address the variable and spatial extent of WQBELs and RWLs. Increasing project size to capture the 85th percentile, 24-hour storm event may result in the misapplication of limited funding resources. Watershed Management is complex and requires optimum target investments and appropriate water quality standards.
IX.B.4.a; Page 83	Recommend also considering the severity of impaired beneficial uses and the relative level of exceedance of WQBELs and Receiving Water Limitations when sequencing the water quality priorities for TMDLs, rather than solely based on the compliance schedules.
IX.B.5.b; Page 84	Recommend adding back in the retrofitting of existing developed areas to the list of potential control measures.
IX.B.5.b.i.(a); Page 84	Recommended removing “Vegetated” before nature-based solutions. There are nature-based solutions that aim to restore/promote natural processes that do not necessarily rely on vegetation.
IX.B.5.b.ii.(b); Page 84	Please clarify if Permittees are required to adopt plastic bag, straw and styrofoam bans as proposed as non-structural controls regarding human source management.
IX.B.7.a; Page 85	Requiring legal authority to implement the identified control measures could potentially limit beneficial collaboration across parties that are not direct Permittees.
IX.B.7.g; Page 86	The RAA will be dependent upon the availability of data. Recommend some language that acknowledges this limitation.
IX.B.7.g.ii; Page 86	Recommend noting that the calibration of models should also be consistent with the applicable critical conditions for the pollutants of concern.
IX.B.7.g.iii; Page 86	Given the extent of available data, recommend noting that validation should be performed, if relevant independent data not required for calibration are available.

Tentative Permit Section; Page	Comment
IX.B.7.g.iv; Page 86	Recommend providing additional guidance/recommendations on the quantitative reasoning required to demonstrate a WBPC being addressed by the limiting pollutant approach.
IX.B.7.g.v; Page 86	Please clarify if the use of a modified WMMS model calibrated for a particular watershed still satisfies the QA/QC requirements.
IX.B.7.g.vi; Page 86	Recommend noting that the assessment of control measure performance will be an iterative process as more of this type of data is gathered in the WMA as control measures are implemented.
IX.C.3; Page 87	Permittees should be able to request an extension of final compliance deadlines with TMDLs.
IX.E.1.c; Page 88	Consideration of the achievement of requirements for storm water volume addressed in adaptive management should include an “as applicable”, given not all WMPs have set targets based on the volume addressed.
IX.E.1.e; Page 88	Recommend reassessment of sources of pollutants not be limited to MS4 discharges, as modifications may also be warranted if significant sources outside of the MS4 are identified to be impacting receiving waters.
IX.E.1; Page 87-88	Recommend including re-evaluation of identified control measures in the program and costs of implementation.
IX.E.4.f; Page 88	Recommend adding a note that comparison of control measures completed to date with control measures projected to be completed to date pursuant to the WMP should include additional control measures implemented outside of the existing WMP
IX.E.5; Page 89	Please consider the impacts of additional costs incurred when implementing measures as part of adaptive management are considered and the time to secure such funding.
<b>X. Compliance Determination for QBELs and Receiving Water Limitations</b>	
X.B.1.b; Page 94	Necessary deviations from an approved WMP may justify adjustments to the final deadlines for project completion or program implementation, under approval of the Executive Officer and appropriately incorporated in the WMP through the adaptive management process. Recommend removing this circumstance from allowing minor deviations in an approved WMP.
<b>XI. Enforcement</b>	
XI.B.1; Page 99	Recommend where reference the zero trash effluent limitation to include a qualifying statement with the acceptable compliance pathways that result in attainment of this object.
<b>Attachment A - Definitions</b>	
Att.A - Illicit Discharge; Page A-9	Recommend clarifying definition to answer the question: Does an illicit discharge include a discharge of pollutants in storm water that has not been reduced to the maximum extent practicable?
Att.A - Non-Storm Water Discharge; Page A-13	Recommend clarifying definition to answer the question: Do non-storm water discharges include discharges of pollutants in storm water that have not been reduced to the maximum extent practicable?



Tentative Permit Section; Page	Comment
Att.A – Restaurant; Page A-16	For consistency with the industrial element of the Industrial/commercial Facilities Program, recommend defining restaurants by the SIC Code manual: "Establishments primarily engaged in the retail sale of prepared food and drinks for on-premise or immediate consumption. Caterers and industrial and institutional food service establishments are also included in this industry."
Att.A - Retail Gasoline Outlet; Page A-16	For consistency with the industrial element of the Industrial/commercial Facilities Program, recommend referring to Retail Gasoline Outlets as Gasoline Service Stations and defining by the SIC Code manual: "Establishments primarily engaged in selling gasoline and lubricating oils. These establishments frequently sell other merchandise, such as tires, batteries, and other automobile parts, or perform minor repair work. Gasoline stations combined with other activities, such as grocery stores, convenience stores, or carwashes, are classified according to the primary activity."
Att.A – Vehicle Maintenance/Material Storage Facilities/Corporation Yards; Page A-20	Note Corporate Yards are referred to as a Public Works Yard in Section VI.D.8.b Table 11. Recommend using one term.
<b>Attachment E – Monitoring and Reporting Program</b>	
Att.E.II.H.8; Page E-5	Requiring to incorporate new MDLs in the monitoring program should also consider the financial burden of implementing (in addition to analytical methods improving and becoming more environmentally relevant)
Att.E.V.A.2.a.ii; Page E-17	The new provision for subsequent wet weather events could be interpreted to modify the current provision to target wet weather events greater than 0.25 inches of rain to greater than 0.1 inches of rain. If this is the case, the new minimum wet weather target would increase the risk of a false start, decrease the amount of runoff represented in the sample, and cause other event pacing issues. Recommend that the minimum wet weather target remain the same.
Att.E.V.A.3; Page E-18	The new requirement to conduct receiving water wet weather monitoring within 6 hours of stormwater outfall-based monitoring may be infeasible for marine receiving water sites. Please provide guidance language for wet-weather monitoring at marine receiving water sites.
Att.E.VI.A.5.b.i.(a); Page E-25	The new requirement for flow-weighted composite samples to have a minimum of 3 samples per hour that are separate by at least 15 minutes is infeasible due to rainfall variability. Generally, as flow increases, the sampling frequency increases. The beginning and ending of an event can sample at a rate less than three times per hour, and middle of an event can sample at a rate less than once every 15 minutes. Recommend that the minimum samples and rate serve more as guidelines and targets rates rather than requirements.
Att.E.IX.H.1-3; Page E-30 – E-31	The requirement to test four freshwater species will add substantial labor, cost and volume requirements for the first year of monitoring. Increased volume requirements will make it more difficult to collect sufficient volume of water through flow compositing. This will also likely result in adjacent watersheds evaluating different sensitive species and result in a lack of consistency with aquatic toxicity monitoring. Unclear how results of the test would be assessed if not consistent across test species. Please also consider the proposed Urban Pesticide Amendments' Statewide Coordinated Monitoring Program. Recommend including some language in the Permit to advise Permittees on the

Tentative Permit Section; Page	Comment
	Board's stance on joining the Urban Pesticide Amendment and what the process would be for opting into this program. Please provide reasoning for the requirement to test four freshwater species.
Att.E.XIV.B; Page E-37	The new requirement for semi-annual monitoring reports doubles the annual reporting effort, which could potentially be better spent on implementation efforts.
<b>Attachment F – Fact Sheet</b>	
Att.F.III.K; Page F-93	If Permittees were to consider climate change offsets in modeling or with BMPs, this would require changes to the WMPs through Adaptive Management. When would this be required by if included in the Permit? This would require Permittees to incur additional costs for analysis and modeling. Has the LARWQCB/SWB conducted a cost-benefit analysis to determine feasibility of considering climate change offsets?
Att.F.XIII; Page F-283	What is considered "appropriate"?
<b>Attachment H - Annual Report Forms</b>	
Att.H	Please clarify what is requested for cost for the Public Agency activities. This is where everyone reports differently with no clear format.
Att.H	Recommend that the Annual Report form not be included as an attachment. We anticipate continued improvements in the Annual Reporting process in the coming years, with a focus on reporting on key performance indicators and providing meaningful information. With an Annual Report form written into the Permit, this would prevent reporting improvements for a minimum of 5 years. (It seems unlikely that the Permit would be reopened for moderate improvements to the Annual Report forms.)
Att.H	Recommend considering any and all methods of avoiding redundancies. For example, consider maintaining WMP level reporting, enhanced by individual City-specific details.

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BLANCA E. RUBIO  
ASSEMBLYMEMBER, FORTY-EIGHTH DISTRICT

COMMITTEES  
AGING AND LONG-TERM CARE  
BUDGET  
GOVERNMENTAL ORGANIZATION  
WATER, PARKS, AND WILDLIFE  
BUDGET SUBCOMMITTEE NO. 1 ON  
HEALTH AND HUMAN SERVICES  
JOINT LEGISLATIVE AUDIT

October 30<sup>th</sup>, 2020

Chair Irma Munoz  
Vice-Chair Larry Yee  
Los Angeles Regional Water Quality Control  
320 West 4<sup>th</sup> Street – 200  
Los Angeles, CA 90013

**Re: MS4 Permit Cost Impact**

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Dear Chair Munoz and Vice-Chair Yee:

I hope this letter finds you and your staff are doing well during these most stressful times. My staff and I can relate to the difficulty of conducting State business while laboring under numerous challenges imposed upon us by COVID-19, including the vexing challenge of dealing with severe reductions in state revenue with no light at the end of the tunnel.

I write to you to share my concerns regarding the costs associated with the current Los Angeles County MS4 Permit and its proposed successor. Not only are several cities in my district concerned about the costs, but as a resident of the San Gabriel Valley, I too am concerned.

I was stunned to learn that the City of Baldwin Park, where I live, is required to spend \$9.7 million per year on permit compliance. Although the City is entitled to \$1.6 million per year in Measure W (Safe, Clean Water Program) funds, it is not enough. It only reduces its annual compliance cost to \$8.1 million. The City's proposed budget for FY 20-21, however, is a little over \$78 million. The cost of complying with the MS4 permit is just over 10% of its budget. The revenues projected in the budget are based on pre-COVID-19 data. To no surprise, Baldwin Park and others in my district are expecting significant decreases in tax revenues due to the pandemic. Cities are left with no choice but to dip into their general funds (see attached spreadsheet). Such a reduction in revenue will adversely affect critically needed programs and services at the worst possible time.

It has come to my attention that the L.A. board apparently has not implemented key recommendations raised in the 2017-2018 Legislative Audit Report that was made at the behest of the Joint Legislative Audit Committee (JLAC), of which I was and continue to



Attachment A

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BLANCA E. RUBIO  
ASSEMBLYMEMBER, FORTY-EIGHTH DISTRICT

Attachment A

COMMITTEES  
AGING AND LONG-TERM CARE  
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JOINT LEGISLATIVE AUDIT

be a member. The theme of the report is that water boards "... Must Do More to Ensure That Local Jurisdictions' Costs to Reduce Storm Water Pollution Are Necessary and Appropriate." One recommendation the report made is to provide cost estimation guidelines for determining stormwater costs for municipalities. That does not appear to have happened yet. Another is that the L.A. board, along with other boards, has used outdated information in pollution control plans, "causing local jurisdictions to pay more than necessary to address storm water pollution."

Directly related to this is the current and proposed MS4 permit which require compliance with total maximum daily loads (TMDLs) -- despite the fact they are not on the State's 303(d) list. As I understand it, if a TMDL, which is a special pollutant limitation, is not on the list, cities cannot be required to comply with it. Eliminating these invalid TMDLs would significantly reduce MS4 permit compliance costs, making it unnecessary for cities to tap into their general funds.

I would be most appreciative if you could, within the next 30 days, provide me with a response to these concerns and how the board plans to resolve them.

Sincerely,

*Blanca E. Rubio*

Blanca E. Rubio,  
Assembly Member  
48<sup>th</sup> Assembly District

cc: Larry Yee, Vice-Chair, LARWCB  
Charles Stringer, Board Member, LARWCB  
Cynthia Guzman, Board Member, LARWCB  
James Stahl, Board Member, LARWCB



Measure W Funds	50%	40%	10%	50% + 40%	EWMP Cost	Per Year (over 20 yrs)	General Fund Hit	CA Assembly Blanca Rubio
Alhambra	\$ 1,075,000	\$ 860,000	\$ 215,000	\$ 1,935,000	\$167,650,000	\$ 8,382,500.00	\$ 6,447,500	
Arcadia	\$ 1,275,000	\$ 1,020,000	\$ 255,000	\$ 2,295,000	\$407,986,602	\$ 20,399,330.10	\$ 18,104,330	
Artesia	\$ 262,500	\$ 210,000	\$ 52,500	\$ 472,500	\$840,000	\$ 42,000.00		
Azusa	\$ 775,000	\$ 620,000	\$ 155,000	\$ 1,395,000	\$332,232,746	\$ 16,611,637.30	\$ 15,216,637	Yes
Baldwin Park	\$ 900,000	\$ 720,000	\$ 180,000	\$ 1,620,000	\$194,616,000	\$ 9,730,800.00	\$ 8,110,800	Yes
Bradbury	\$ 62,500	\$ 50,000	\$ 12,500	\$ 112,500	\$67,056,839	\$ 3,352,841.95	N/A	Yes
Claremont	\$ 737,500	\$ 590,000	\$ 147,500	\$ 1,327,500	\$101,268,635	\$ 5,063,431.75	\$ 3,735,932	
Covina	\$ 925,000	\$ 740,000	\$ 185,000	\$ 1,665,000	\$156,413,000	\$ 7,820,650.00	\$ 6,155,650	Yes
Diamond Bar	\$ 1,100,000	\$ 880,000	\$ 220,000	\$ 1,980,000	\$6,400,000	\$ 320,000.00		
Duarte	\$ 312,500	\$ 250,000	\$ 62,500	\$ 562,500	\$172,160,698	\$ 8,608,034.90	N/A	Yes
El Monte	\$ 1,350,000	\$ 1,080,000	\$ 270,000	\$ 2,430,000	N/A	N/A	N/A	Yes
Glendora	\$ 1,125,000	\$ 900,000	\$ 225,000	\$ 2,025,000	\$233,338,000	\$ 11,666,900.00	\$ 9,641,900	Yes
Irwindale	\$ 550,000	\$ 440,000	\$ 110,000	\$ 990,000	N/A	N/A	N/A	Yes
La Puente	\$ 425,000	\$ 340,000	\$ 85,000	\$ 765,000	\$136,827,000	\$ 6,841,350.00	\$ 6,076,350	
La Verne	\$ 712,500	\$ 570,000	\$ 142,500	\$ 1,282,500	\$150,833,214	\$ 7,541,660.70	\$ 6,259,161	
Monrovia	\$ 662,500	\$ 530,000	\$ 132,500	\$ 1,192,500	\$261,638,275	\$ 13,081,913.75	N/A	Yes
Montebello	\$ 1,175,000	\$ 940,000	\$ 235,000	\$ 2,115,000	\$141,470,000	\$ 7,073,500.00	\$ 4,958,500	
Monterey Park	\$ 925,000	\$ 740,000	\$ 185,000	\$ 1,665,000	\$131,630,000	\$ 6,581,500.00	\$ 4,916,500	
Pasadena	\$ 1,950,000	\$ 1,560,000	\$ 390,000	\$ 3,510,000	\$247,850,000	\$ 12,392,500.00	\$ 8,882,500	
Pomona	\$ 2,362,500	\$ 1,890,000	\$ 472,500	\$ 4,252,500	\$243,543,937	\$ 12,177,196.85	\$ 7,924,697	
Rosemead	\$ 625,000	\$ 580,000	\$ 125,000	\$ 1,125,000	\$113,870,000	\$ 5,693,500.00	\$ 4,568,500	
San Dimas	\$ 750,000	\$ 600,000	\$ 150,000	\$ 1,350,000	\$150,833,214	\$ 7,541,660.70	\$ 6,191,661	
San Gabriel	\$ 562,500	\$ 450,000	\$ 112,500	\$ 1,012,500	\$83,720,000	\$ 4,186,000.00	\$ 3,173,500	
San Marino	\$ 300,000	\$ 240,000	\$ 60,000	\$ 540,000	\$50,890,000	\$ 2,544,500.00	\$ 2,004,500	
Sierra Madre	\$ 187,500	\$ 150,000	\$ 37,500	\$ 337,500	\$30,478,919	\$ 1,523,945.95	\$ 1,186,446	
South El Monte	\$ 562,500	\$ 450,000	\$ 112,500	\$ 1,012,500	\$82,210,000	\$ 4,110,500.00	\$ 3,098,000	
South Pasadena	\$ 312,500	\$ 250,000	\$ 62,500	\$ 562,500	\$35,190,000	\$ 1,759,500.00	\$ 1,197,000	
Temple City	\$ 562,500	\$ 450,000	\$ 112,500	\$ 1,012,500	\$51,030,000	\$ 2,551,500.00	\$ 1,539,000	
Walnut	\$ 625,000	\$ 500,000	\$ 125,000	\$ 1,125,000	N/A	N/A	N/A	
West Covina	\$ 1,712,500	\$ 1,370,000	\$ 342,500	\$ 3,082,500	\$380,459,000	\$ 19,022,950.00	\$ 15,940,450	Yes

\* Measure W Funds Based on 2020 Data Provided by County of Los Angeles Department of Public Works

\*\*E/WMP Costs Based on 2015 Data Provided by County of Los Angeles Department of Public Works Taken from E/WMPs Submitted in 2014



# REPORT

DATE: November 19, 2020

TO: Governing Board

FROM: Marisa Creter, Executive Director

RE: **SAFE, CLEAN WATER PROGRAM TRANSFER AGREEMENTS AND CONTRACTS**

## **RECOMMENDED ACTIONS**

Authorize the Executive Director to execute and negotiate the following

- 1) Transfer agreements with the Los Angeles County Flood Control District to undertake two scientific studies on behalf of the Upper Los Angeles River Watershed Management Group; and
- 2) Contracts with Craftwater Engineering for work associated with the preSIP scientific study and the Load Reduction Strategy Adaptation scientific study.

## **BACKGROUND**

In 2012, the Los Angeles Regional Water Quality Control Board (Regional Board) issued new Municipal Separate Storm Sewer System (MS4) permits. Under this permitting structure, local agencies (Permittees) were allowed to form Enhanced Watershed Management Programs (EWMPs), consisting of multiple Permittees within a watershed, for the purpose of consolidating their compliance efforts. The Upper Los Angeles River (ULAR) EWMP consists of nineteen Permittees<sup>1</sup>, ten of which are members of the San Gabriel Valley Council of Governments (SGVCOG) as follows:

- |                                |                          |
|--------------------------------|--------------------------|
| • City of Alhambra             | • City of San Gabriel    |
| • City of La Canada Flintridge | • City of San Marino     |
| • City of Montebello           | • City of South El Monte |
| • City of Monterey Park        | • City of South Pasadena |
| • City of Rosemead             | • City of Temple City    |

In October 2017, the Governing Board authorized the Executive Director to execute memorandums of agreement with participating agencies to provide fiscal oversight (thorough annual invoicing), and procurement/contract support on behalf of the ULAR Group.

## **SAFE, CLEAN WATER PROGRAM**

In November 2018, Los Angeles County voters approved Measure W to establish the Safe, Clean Water (SCW) Program. The SCW Program generates up to \$285 million per year from a special parcel tax of 2.5 cents per square foot of impermeable surface area on private property in the LA County Flood Control District (Flood Control District). Funding for the SCW Program is allocated for municipalities to receive 40% of the Program's revenues for local projects. Another 50% of

<sup>1</sup> The other eight members of the ULAR CIMP are: Los Angeles County Flood Control District, County of Los Angeles, City of Los Angeles, City of Burbank, City of Calabasas, City of Glendale, City of Hidden Hills, City of Pasadena and City of San Fernando.



revenues is available for any project applicant to implement regional projects and programs, scientific studies, and technical assistance. The remaining 10% of revenues will fund Program administration, Flood Control District projects, and workforce development and public education programs.

The SCW Regional Program is comprised of the nine Watershed Area Steering Committees (WASC), the Scoring Committee and the Regional Oversight Committee. These committee are comprised of representatives from cities, agencies, and community stakeholders to develop an annual Stormwater Investment Plan (SIP) to program Regional Funds into the Infrastructure, Technical Resources, and Scientific Studies Programs. In December 2019, the SGVCOG, on behalf of the ULAR Watershed Management Group submitted applications to the Regional Program 20-21 Fiscal Year (FY) call for projects for two scientific studies in the Rio Hondo WASC and ULAR WASC as follows:

(1) preSIP: A Platform for Watershed Science and Project Collaboration

(2) Load Reduction Strategy (LRS) Adaptation to Address the LA River Bacteria Total Maximum Daily Load (TMDL) for the ULAR Watershed Management Group

Both scientific studies are described in detail below.

### **PRESIP SCIENTIFIC STUDY**

Every year, the WASCs are required to develop a 5-year SIP to allocate Regional Program funds for specific watershed programs and projects. When developing the SIP, the WASCs must appropriately balance the objectives of the SCW Program and consider how regionally funded projects can complement (and not compete with) concurrent municipal planning efforts to maximize watershed-wide benefits. The SIP must be clearly forged from watershed science so that it is data-driven, cost-effective, environmentally impactful, and defensible to taxpayers and stakeholders.

As a precursor to the SIP, the “preSIP” will support the WASC by providing a platform to reconcile overlapping objectives and disparate project proposals into a cohesive, collaborative, and cost-effective plan. The goal of the preSIP is to build a technical platform to (1) identify high-impact, multi-benefit projects throughout the Watershed Areas, (2) orient the projects into an actionable compliance pathway using the best watershed science, and (3) assess the watershed-scale co-benefits of candidate projects to design a defensible, adaptable SIP for the Rio Hondo and Upper Los Angeles River Watershed Areas. Attachment A provides the full project proposal application for the preSIP scientific study.

### **LRS ADAPTATION SCIENTIFIC STUDY**

The ULAR Watershed Management Group has faced multiple challenges during implementation of the Load Reduction Strategy (LRS) to address the upcoming recreational water quality and Los Angeles River Bacteria TMDL requirements. To improve the LRS and better protect public health and support recreational beneficial use goals, the ULAR Group will develop and implement an LRS Adaptation Plan (Plan). The Plan will provide an effective foundation to address pathogen health risk and will help streamline efforts across agencies and other stakeholders. This Plan will help identify the most effective pathway towards improved public health and attainment of



bacteria-related water quality objectives through an adaptive management process that incorporates significant advances in the state of the science. Specifically, this will include the use of recent advancements in the development of human markers and other diagnostic tools as well as an enhanced focus on targeted source control efforts. A well-designed Plan is expected to inform the most efficient and effective bacteria-related implementation efforts not only in the ULAR, but across the region. Attachment B provides the full project proposal application for the LRS Adaptation scientific study.

## **SIP APPROVAL**

For the 2020-21 FY, the SCW Regional Program committees held over 90 public meetings to score and then select the projects, project concepts, and scientific studies included in the SIPs. As a result, the Rio Hondo WASC, ULAR WASC, and Regional Oversight Committee overwhelmingly approved to include both previously mentioned scientific studies into the final respective SIPs. On October 13, 2020, the Los Angeles County Board of Supervisors approved the SIPs for each of the nine Watershed Areas in the SCW Program's Regional Program for the 2020-21 FY, as recommended by the Regional Oversight Committee and in accordance with SCW Program guidelines and ordinances. The two SIPs as it relates to the SGVCOG's scientific studies total requested funding amount are outlined in the table 1. Note that these amounts reflect currently projected budget allocation through FY 2022-23.

<b>Project Name</b>	<b>ULAR WASC Funding</b>	<b>Rio Hondo WASC Funding</b>	<b>Total</b>
LRS Adaptation	\$885,500	\$264,500	\$1,150,000
preSIP	\$1,800,000	\$540,000	\$2,340,000

*Table 1. SIP Projected Funding Allocation*

The projected funding allocations are based on the approved FY 2020-21 SIPs. While the WASCs have committed future-year funding to these projects, the projects will be tracked and confirmed each year along with additional proposals in each year's call for projects. Each resulting recommended annual budget (and latest projections) will be included in each year's subsequent SIP to be submitted to the Board of Supervisors for approval.

## **CONTRACTS WITH CRAFTWATER**

In July 2019, the SGVCOG entered into an agreement with Craftwater Engineering (Craftwater) on behalf of the ULAR Watershed Management Group to prepare required annual reporting to the Los Angeles Regional Water Quality Control Board (Regional Board). Within this scope of services, Craftwater also assisted with preparing the two scientific study SCW applications for the Group and the SGVCOG in December 2019. During the WASCs process of application evaluation, Craftwater provided detailed presentations to members of the Rio Hondo and ULAR WASCs, as well as attended over 15 WASC, Regional Oversight, and Scoring Committee meetings to be available to answer questions on the two submitted scientific studies.

Additionally, earlier this year, the SGVCOG issued a Request-for-Qualifications (RFQ) to seek a bench of qualified firms to provide On-Call Consultant Services for the ULAR Group, including but not limited to (1) NPDES Compliance Reporting and Regulatory Support, (2) Special Studies,

(3) Watershed Planning, (4) Feasibility Studies, (5) Stormwater Capture Project Design, and (6) Stormwater and Non-Stormwater Monitoring disciplines for the implementation and administrative support of ULAR Water Management Group's Enhanced Watershed Management and Coordinated Integrated Monitoring Programs (EWMP and CIMP, respectively). Based on rankings/interviews, the Technical Evaluation Committee recommended that Craftwater serve on this bench of qualified firms for 5 of the 6 disciplines, including special and feasibility studies.

As a result, staff is recommending for Craftwater to serve as lead for work associated with the preSIP scientific study and the Load Reduction Strategy Adaptation scientific study.

### **FISCAL IMPACT**

The FY 2020-21 budget for the LRS study and preSIP study will be \$250,000 and \$910,000 respectively. All costs associated with the studies, including labor and consulting contracts, will be reimbursed through the SCW program via the Flood Control District. There will be no cost to participating cities included in the ULAR and Rio Hondo watershed areas.

### **NEXT STEPS**

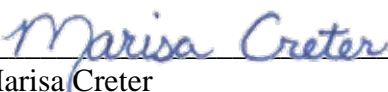
On June 9, 2020, the Board of Supervisors approved standard template Transfer Agreements (Attachment C) that established the terms and conditions for the transfer of SCW Program funds to Regional Program fund recipients who will carry out the projects or other activities included in the Scientific Studies Program within the SIPs. Additionally, the Board delegated authority to the Los Angeles County Flood Control District's Chief Engineer to execute Transfer Agreements subject to the Board's approval of the annual SIPs. Each recipient for the Scientific Studies included in the SIPs is required to submit a Scope of Work. SGVCOG staff is currently working with the Flood Control District to finalize the scope of works for both studies, as well as complete any required documentation to finalize the transfer agreements.

Prepared by:



Katie Ward  
Senior Management Analyst

Approved by:



Marisa Creter  
Executive Director

### **ATTACHMENTS**

- Attachment A – preSIP Scientific Study Proposal
- Attachment B – LRS Scientific Study Proposal
- Attachment C – Draft Transfer Agreement



## SAFE, CLEAN WATER PROGRAM

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# SCIENTIFIC STUDY SUMMARY

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### *Regional Program Projects Module*

STUDY NAME	preSIP: A Platform for Watershed Science and Project Collaboration
STUDY LEAD(S)	San Gabriel Valley Council of Governments
SCW WATERSHED AREA(S)	Rio Hondo, Upper Los Angeles River
TOTAL FUNDING REQUESTED	\$ 910,000.00

**Created On: Saturday, December 14, 2019**

**Created By: Katie Ward, Sr Management Analyst, SGVCOG (Katie Ward)**

### OVERVIEW

The Scientific Studies Program is part of the Safe, Clean Water Regional Program to provide funding for activities such as scientific studies, technical studies, monitoring, and modeling. 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, help design, or peer review eligible activities. All activities to be funded by the Scientific Studies Program will be conducted in accordance with accepted scientific protocols.

This document summarizes a proposed Scientific Study, based upon inputs to and outputs from the web-based tool called the 'SCW Regional Program Projects Module' (<https://portal.safecleanwaterla.org/projects-module/>).

## **ORGANIZATIONAL OVERVIEW:**

### **1 GENERAL INFORMATION**

1.1 General Information

### **2 DETAILS**

2.1 Statement

2.2 Objectives

2.3 Details

2.4 Additional Information

### **3 OUTCOMES**

3.1 Nexus

3.2 Outcomes

3.3 Benefits

3.4 Additional Information

### **4 Background**

4.1 Previous

4.2 Regulations

4.3 Additional Information

### **5 Cost & Schedule**

5.1 Cost of Study

5.2 Funding Sources

5.3 Schedule

5.4 Additional Information

### **6 ATTACHMENTS**

## 1 GENERAL INFORMATION

This section provides general information on the proposed Scientific Study.

### 1.1 Overview

The following table provides an overview of the study and the Study Lead(s):

Study Name:	preSIP: A Platform for Watershed Science and Project Collaboration
Study Description:	Every year, the Watershed Area Steering Committees (WASCs) will develop a 5-year Stormwater Investment Plan (SIP) to allocate Regional Program funds for specific watershed programs and projects. When developing the SIP, the WASCs must appropriately balance the objectives of the Safe, Clean Water Program and consider how regionally funded projects can complement (and not compete with) concurrent municipal planning efforts to maximize watershed-wide benefits. It is also critical that the SIP be clearly forged from watershed science so that it is data-driven, cost-effective, environmentally impactful, and defensible to taxpayers and stakeholders. By doing so, the SIP can take advantage of recent advances in adaptive management to create an efficient, optimized water quality compliance pathway that dovetails with an efficient water capture strategy. As a precursor to the SIP, the “preSIP” will support the WASC by providing a platform to reconcile overlapping objectives and disparate project proposals into a cohesive, collaborative, and cost-effective plan. This scientific study will build the preSIP technical platform to (1) identify high-impact, multi-benefit projects throughout the Watershed Areas, (2) orient the projects into an actionable compliance pathway using the best watershed science, and (3) assess the watershed-scale cobenefits of candidate projects to design a defensible, adaptable SIP for the Rio Hondo and Upper Los Angeles River Watershed Areas.
SCW Watershed Area:	Rio Hondo, Upper Los Angeles River
Call for Projects year:	FY20-21

## Attachment A

Total Funding Requested:	\$ 910,000.00
Study Lead(s):	San Gabriel Valley Council of Governments
Additional Study Collaborators:	Upper Los Angeles River Watershed Management Group (including 19 agencies)
Additional Study Collaborators:	N/A
Additional Study Collaborators:	N/A

## 2 DETAILS

This section provides an overview of the study details including problem statement and objectives.

### 2.1 Statement

**The following describes the Study problem statement:**

With numerous concurrent plans and Regional Program project proposals to consider, the RH and ULAR WASCs will be challenged to reconcile these diverse needs into cohesive SIPs. Furthermore, the current WASC guidelines for SIP development are open to significant interpretation and do not provide a detailed structured technical approach to coordinate regional SIPs with other efforts.

The RH and ULAR WASCs therefore need a technical platform to:

- build a balanced SIP that maximizes SCWP objectives at the watershed-scale,
- build a cost-effective SIP that is defensible to taxpayers, and
- build a collaborative sip that complements municipal spending and other watershed plans.

### 2.2 Objectives

**The following describes the Study objectives:**

The objective of this scientific study is to develop a technical platform that the WASCs can use to design a balanced, defensible, and collaborative SIP built from (1) a comprehensive portfolio of project opportunities (beyond just those submitted by applicants for Regional Program funding) and (2) a system to analyze potential program-wide benefits.

This preSIP platform will accomplish the following critical objectives:

#### 1) Identify a Full Spectrum of Multi-Benefit, Multi-Agency Projects

As discussed, there are currently many overlapping watershed planning efforts vying to advance their projects to implementation, including projects that will be pursued by municipalities using their local tax revenue allocations. Considering that not all projects will be submitted to the WASCs for Regional Program funding, the WASCs need a way to understand what other projects are being concurrently planned so that they can be certain that projects in the SIP will not conflict or be redundant.

The first objective of the preSIP study will be to compile an inventory of project opportunities (both planned and currently unknown) throughout the RH and ULAR Watershed Areas. This will provide the necessary baseline of candidates for the WASCs to consider when building their SIPs.

#### 2) Orient Projects into an Actionable Compliance Pathway using Best Watershed Science

To build a SIP that directly and assuredly addresses “clean water,” the WASCs will need to ensure that the plan is rooted in watershed science and includes an optimized pathway to compliance with local water quality objectives. Ideally, the SIP would directly integrate with



## Attachment A

and inform EWMP revisions that are required by the Municipal Stormwater Permit by 2021. In fact, the Permit intended for EWMPs to be structured as truly regional programs, so the Regional Program SIPs are perfectly suited tools to support local municipalities by structuring comprehensive, watershed-scale compliance plans (which can also be supplemented by local projects).

To meet these objectives and build a robust compliance road map founded in science, engineering, and stakeholder preferences, it will be necessary to apply recent lessons learned from adaptive management of EWMPs; these include (but are not limited to): updating water quality analysis assumptions and interpretations to better align with observed watershed data and the latest regulatory trends, facilitating true regional collaboration between municipalities by dissolving jurisdictional boundaries, and reimagining how watershed project portfolios can be augmented by—and dovetail with—water supply programs to reduce overall program efficiency.

Orienting the SIP around a collaborative, science-based compliance pathway will directly support local agencies, but will also reassure wary stakeholders who have previously expressed concerns about the certainty and specificity of the EWMPs.

### 3) Provide a Platform to Assess SIP Benefits at the Watershed-Scale

Although the SCWP Infrastructure Program Scoring provides an initial filter to test whether individual proposed projects address program objectives, project scoring (and therefore eligibility for funding) can vary once the network of projects is considered in the watershed context.

For example, consider a scenario where an advocate submits a project for Regional Program funding. Unbeknownst to them, another agency discovers an opportunity to capture substantial runoff volume upstream from the proposed downstream project. If the upstream project comes to fruition, the downstream project would not have access to as much runoff and its water quality and water supply benefits would be diminished. As a result, the downstream project's Infrastructure Program score may drop below the minimum threshold for consideration in the SIP. In reality, these two projects can complement each other to maximize overall watershed benefits if coordination is facilitated by the WASC. To accomplish this, the WASCs need a way to check that the overall SIP is maximizing SCWP objectives once projects are plugged into the watershed context.

The third objective of the preSIP study is therefore to develop a science-driven platform for the WASC to use to evaluate the watershed-scale benefits of their proposed SIP and adapt it by understanding the spectrum of potential opportunities. This involves designing a system that allows the WASC to easily scenario-play and test different SIP alternatives for their watershed-scale benefits, and developing a strategy to actively engage key stakeholders and generate buy-in early in the process.

## 2.3 Details

**The following provides additional details on the Study including location of study, date to be collected, study methodology, etc.:**

Building a preSIP platform that meets the intent of the SCWP is not a trivial task, and will require extensive previous work to be consolidated and leveraged. While the approach has

## Attachment A

been successfully piloted in portions of the LA River watershed (see PREVIOUS SIMILAR STUDIES), Watershed-Area-wide application will require extensive coordination with the WASC and real-time adaptation of methods in response to stakeholder feedback.

The following general approach is proposed; it is anticipated that the specific scope of work would be finalized prior to implementation through coordination with the WASCs.

1) Define the Goals: Using the most up-to-date watershed data, models, and scientific understanding, the investigators will work with the WASC to develop specific goals for success. These goals will supplement existing Infrastructure Program scoring criteria with higher-resolution, site-specific metrics to ensure that the SIP is meaningfully judged against the goals relevant to local communities and ecosystems. For example, the specific pollutant load reduction targets and water supply augmentation goals will be characterized to set measurable benchmarks by which SIP performance can be gauged over time at the watershed scale. This will provide a compass to steer the WASC towards projects where they are needed and will provide a gauge for the WASC to self-evaluate the overall success of the SIP once those projects are plugged into the watershed.

2) Identify and Reconcile Watershed-Wide Opportunities: Developing a functional knowledge of watershed-wide priorities, capabilities, partners, projects, and programs is necessary to guide well-informed planning and prioritization. Conversely, without an understanding of the full spectrum of potential opportunities watershed-wide, the WASC will likely struggle to justify to outside stakeholders that the SIP actually contains the “best projects.” The value of this process was proven during recent studies in the ULAR watershed—the ULAR Watershed Management Group discovered that limited resources can be optimized to meet multiple objectives if a wider aperture is used to characterize the pool of potential projects. Specifically, the ULAR Adaptive Watershed Management Screening Study demonstrated meaningful synergies between water quality and water supply projects (to the tune of 73% savings), and the Compton Creek Strategic Project Pilot Study revealed that there are extremely impactful projects hidden throughout disadvantaged communities and impaired watersheds just waiting to be discovered (over 1,600 specific opportunities identified in a 40 square mile area). See PREVIOUS SIMILAR STUDIES for further discussion of these case studies.

This step will adapt specialized tools and models—previously forged and validated using watershed science and engineering—for Watershed-Area-wide application. The investigators will pair these tools with high-resolution datasets and an existing literature review of over 100 plans and 300 stakeholders to identify the full suite of known project opportunities watershed wide. This will ensure that SIP development is driven by a real understanding of the range of project opportunities (to provide valuable context for those submitted by project advocates).

It will also help the WASC understand how similar or proximal projects might be potentially bundled for efficiency and to reduce redundancy.

3) Design a Technical Platform to Help the WASC Assess Alternative SIP Scenarios and Benefits: Once meaningful, measurable goals are defined and a full roster of achievable projects is established, then these components can be combined into a system that will enable the WASC to scenario-play various alternative combinations of projects in a watershed context to build their best SIP. A key advantage of this platform is that it is a decision support tool and will allow flexibility to adapt the SIP over time as new information is discovered; to be clear, the preSIP outcomes will certainly not generate and prescribe a SIP, but rather will give the WASC necessary, data-driven tools to confidently build one.

## 2.4 Additional Information

**Additional information regarding Study details is provided as the following attachments:**

Attachments for this Section	
Attachment Name	Description
2019-12-13 ULAR preSIP Proposal.pdf	ULAR and RH preSIP Scientific Study Proposal

## 3 Outcomes

This section provides an overview of the anticipated Study outcomes and the nexus to water supply and water quality.

### 3.1 Nexus

**The following describes the Study’s nexus to stormwater, urban runoff and / or water supply:**

The preSIP outcomes will be useful for the RH and ULAR WASCs as they develop SIPs by providing certainty that projects being put in the ground will deliver the desired outcomes. The framework will also serve as a valuable template for WASCs and EWMP Groups to emulate as they build concurrent programs.

### 3.2 Outcomes

**The following describes the expected outcomes of the Study in terms of implementation of BMPs or development of tools or applications:**

Simply put, the WASCs can expect the following tangible and valuable outcomes from this scientific study:

- a comprehensive list of candidate SIP projects (including coordination of Regional Program project submittals with concurrent local programs), and
- a platform to validate that the SIP maximizes SCWP objectives at the watershed scale, including flexibility to adapt the SIP over time.

### 3.3 Benefits

**The following describes how the Study is anticipated to improve water quality, increase water supply, or enhance community investments:**

This scientific study uniquely addresses and advances all of the objectives of the SCWP by enabling the WASCs to conduct a “programmatic feasibility study” and test their proposed SIPs to ensure—using watershed science—that they appropriately balance water quality improvement, water supply augmentation, community investments, and nature-based solutions, while effectively leveraging local support and funds.

### 3.4 Additional Information

**Additional information regarding Study outcomes and its nexus to water quality and supply is provided as the following attachments:**

## 4 Background

This section provides additional background on the Study.

### 4.1 Previous

**The following describes previous / similar studies conducted and how previous efforts will be leveraged for the Study:**

The following case studies demonstrate how agencies in the LA River watershed have already successfully applied preSIP concepts to build actionable, achievable, and efficient watershed plans. These proofs of concept demonstrate that past progress throughout the watershed can be leveraged to efficiently compile project opportunities and fashion a platform for collaborative, science-driven SIP development.

#### - Upper LA River Adaptive Watershed Management Screening

A screening analysis was performed for a 9-square-mile area located in the ULAR watershed to test whether site-scale project understanding combined with watershed collaboration could improve EWMP achievability. The results favorably demonstrated that if project partners can be identified and leveraged (in this case, water supply agencies) and if a watershed approach is taken to evaluate project benefits, then the compliance pathway in the pilot area could be drastically streamlined from a recipe of 350 unknown projects to just 3 known regional projects currently under design. These enhancements could reduce implementation costs by at least 73 percent in the pilot area, which demonstrates efficient, science-driven use of public dollars. If similar opportunities are possible throughout the entire RH and ULAR Watershed Areas, then agencies could potentially achieve water quality improvements for substantially lower capital costs (this case study estimated over \$4.5 billion in savings), which would amplify the WASCs' capacity to fund additional community investments, water supply projects, and nature-based solutions.

#### - Compton Creek Strategic Project Pilot Case Study

The Compton Creek Pilot Study used remote-sensing and high-resolution data to identify regional stormwater capture projects with an emphasis on feasibility and constructability. A modeling framework was developed to then prioritize these projects using flexible, value-based criteria that accounted for the interactions between the potential network of projects. Results were input to an intuitive web-based mapping and dashboarding platform to enable exploration of candidate project data and real-time evaluation of forecasted Safe, Clean Water benefits. The platform used solid watershed science to confidently prioritize capital planning decisions across a previously unmanageable suite of potential projects. This approach would be invaluable for scaling up the adaptive management strategies to the watershed scale, and demonstrated that multi-benefit opportunities tend to be ubiquitous throughout urban watersheds if you know where to look and built an initial framework for rapid, watershed-scale assessment of stormwater investment scenario benefits.

#### - Los Angeles River Upper Reach 2 Case Study

The value of enhanced watershed understanding via project-scale data was also proven by

successful adaptation of the Los Angeles River Upper Reach 2 WMP. The WMP initially identified six high-impact regional stormwater capture projects distributed throughout the watershed, although the footprints and concepts contained within the WMP were developed independent of the projects' upstream/downstream context in the watershed.

A high-resolution engineering evaluation was performed to better optimize the initial project layouts and footprints to identify opportunities for cost savings while still reaching the same water quality target. Improved program efficiency was realized through three primary means: (1) application of advanced engineering understanding of each site—particularly with respect to the most cost-effective way to divert runoff from storm drains to the potential projects—and (2) right-sizing project footprints based on local water quality conditions and an understanding of each project's location in the watershed context. The high-resolution engineering analysis resulted in the group reducing their estimated project costs by over \$100 million, which frees up funding to pursue additional watershed projects and programs. Watershed-wide, these types of efficiencies can be applied during preSIP development by evaluating a range of project configurations optimized at the site scale and by applying engineering lessons-learned to develop a more realistic roster of candidate projects for consideration in the SIP.

### - RHSGR reWMP Case Study

As previously discussed, the RHSGR Group pioneered many of the preSIP concepts when revising their WMP (the so-called “reWMP”), that sought to apply updated understanding of watershed science to provide a clearer, more certain, more efficient, and implementable pathway to compliance at the watershed scale. It is worthy to note that the Rio Hondo portion of the reWMP adaptation is located in the LA River watershed, which provides another proof-of-concept for watershed-wide applicability of the concepts discussed herein; however, the RHSGR reWMP is contained within jurisdictional boundaries of that Group. It will therefore be important for the WASCs to consider how this upstream program will impact downstream SIP development from a Watershed-Area perspective.

## 4.2 Regulations

**The following describes state and federal regulations in the study area that will be considered by the Study:**

The preSIP study works within the bounds of all state and federal regulations, and, in fact, better ensures that decisions made by the WASCs will support local compliance with the Clean Water Act. This will be accomplished by directly linking the SIPs' water quality benefits to attainment of the TMDL provisions in the MS4 Permit specific to the receiving waters in the RH and ULAR watersheds. As discussed, one of the key objectives of this study is to ensure that the water quality components of the SIP are rooted in the best watershed science, so the adaptation themes previously explored and validated in the case studies above will be applied watershed wide. Because the project identification and evaluation will occur watershed-wide, the resulting recommendations will also generate an updated compliance analysis and more meaningful, measurable, and achievable compliance road map that can be readily used by municipalities to revise their EWMPs (as required by 2021).

Applying these methods will better align project prioritization by the WASCs with meaningful, local water quality improvements and will supplement the Infrastructure Program water quality scoring criteria, which are generalized across all Watershed-Areas.

### **4.3 Additional Information**

**Additional information regarding the Study background is provided as the following attachments:**

## 5 Cost & Schedule

This section provides an overview of the estimated cost and schedule for the Study.

### 5.1 Cost of Study

The following details the Study cost and breakdown of its cost by SCW Watershed Area.

**Total funding requested: \$ 910,000.00**

**The following table details the percent and amount of funding requested for each watershed:**

Percent of Study Funding Requested Per Watershed		
Watershed	Cost Percent	Amount
Rio Hondo	23.0769230769231	\$ 210,000.00
Upper Los Angeles River	76.9230769230769	\$ 700,000.00



## 5.2 Funding Sources

**The following is a summary of other sources of funding the have been or will be explored for the Study:**

The agencies of the ULAR and RHSGR Watershed Management Groups have already heavily invested in kickstarting the preSIP process by funding studies to adapt their programs. Prior progress and investments will be leveraged to enhance the efficiency of this study, but at this time no additional cost share is proposed.

**Is additional funding anticipated to be leveraged as a Cost Share for this Project?**

Yes

**The following table details the additional funding already attained for the Study:**

Additional Study Funding Sources		
Funding Type	Description	Funding Amount
Other	As discussed in the preceding section, the ULAR Watershed Management Group invested \$105,000 in the past year to pilot test if and how their EWMP can be augmented into a more collaborative, science-driven plan. In the last two years, the RHSGR Group spent over \$500,000 to improve their project understanding and reorient their WMP around achievable solutions with multi-stakeholder buy-in.	\$ 605,000.00

### 5.3 Schedule

The following table details is a preliminary schedule required to design, permit, construct, operate, and maintain the Project:

Schedule Milestone Table	
Milestone Name	Completion Date
SIP Approval and NTP	07/01/2020
Project Identification and Analysis	06/30/2021
Flexible Platform Development	06/30/2022
Stakeholder Engagement (Ongoing)	09/30/2022

## **5.4 Additional Information**

**Additional information regarding Study cost and schedule is provided as the following attachments:**

## **6 ATTACHMENTS**

Attachments are bundled and organized in the following pages, with cover pages between each subsection.



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## **ATTACHMENTS FOR SECTION 2:**

### **Details**

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SAFE  
CLEAN  
WATER  
PROGRAM

Attachment A **SAFE, CLEAN WATER PROGRAM  
RIO HONDO WATERSHED AREA &  
UPPER LOS ANGELES RIVER WATERSHED AREA**

**REGIONAL PROGRAM SCIENTIFIC STUDY PROPOSAL**

**preSIP**

*A Platform for  
Watershed Science  
and Project Collaboration*



**SUBMITTED BY**

**WITH SUPPORT FROM 19 AGENCY PARTNERS**



**San Gabriel  
Valley Council  
of Governments**





## EXECUTIVE SUMMARY

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**STUDY NAME:**

**preSIP: A Platform for  
Watershed Science and Project Collaboration**



**BRIEF DESCRIPTION:**

Every year, the Watershed Area Steering Committees (WASCs) will develop a 5-year Stormwater Investment Plan (SIP) to allocate Regional Program funds for specific watershed programs and projects. When developing the SIP, the WASCs must appropriately balance the objectives of the Safe, Clean Water Program and consider how regionally funded projects can complement (and not compete with) concurrent municipal planning efforts to maximize watershed-wide benefits. It is also critical that the SIP be clearly forged from watershed science so that it is data-driven, cost-effective, environmentally impactful, and defensible to taxpayers and stakeholders. By doing so, the SIP can take advantage of recent advances in adaptive management to create an efficient, optimized water quality compliance pathway that dovetails with an efficient water capture strategy. As a precursor to the SIP, the “preSIP” will support the WASC by providing a platform to reconcile overlapping objectives and disparate project proposals into a cohesive, collaborative, and cost-effective plan. This scientific study will build the preSIP technical platform to (1) identify high-impact, multi-benefit projects throughout the Watershed Areas, (2) orient the projects into an actionable compliance pathway using the best watershed science, and (3) assess the watershed-scale cobenefits of candidate projects to design a defensible, adaptable SIP for the Rio Hondo and Upper Los Angeles River Watershed Areas.

**TOTAL FUNDING REQUESTED:**

\$910,000

**CALL FOR PROJECTS YEAR:**

FY 20-21 (with future phases through FY 22-23)

**WATERSHEDS STUDIED:**

Rio Hondo and Upper Los Angeles River

**STUDY LEAD:**

San Gabriel Valley Council of Governments

**STUDY COLLABORATORS:**

Upper Los Angeles River Watershed Management Group  
(including 19 agencies)





## CONTENTS

The following scientific study proposal was crafted to follow the format of the Safe, Clean Water online submittal portal, although some sections have been rearranged to improve the flow. This table of contents provides a crosswalk between this proposal and the sections of the online portal.

PROPOSAL SECTION	CORRESPONDING ONLINE SECTIONS	
EXECUTIVE SUMMARY	General Information	
<b>1.0 INTRODUCTION AND OBJECTIVES</b>		<b>3</b>
1.1 Problem Statement	Details > Statement	3
1.2 Objectives and Benefits	Details > Objective	5
	Outcomes > Outcomes	
<b>2.0 DETAILS</b>		<b>7</b>
2.1 Methods	Details > Details	7
2.2 Outcomes and Regional Value	Outcomes > Nexus	8
	Outcomes > Outcomes	
<b>3.0 BACKGROUND</b>		<b>9</b>
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<b>4.0 COST AND SCHEDULE</b>		<b>11</b>
4.1 Funding Sources	Cost and Schedule > Funding Sources	11
4.2 Cost Estimate and Schedule	Cost and Schedule > Schedule	11
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## 1.0 INTRODUCTION AND OBJECTIVES

The Upper Los Angeles River (ULAR) Watershed Management Group spans both the ULAR and Rio Hondo (RH) Watershed Areas. Together, these sister Watershed Areas represent the single largest entity in the Safe, Clean Water Program (SCWP) based on:

- **area (745 square miles)**
- **number of municipalities (35)**
- **population (3.7M, of which 1.8M reside in disadvantaged communities)**
- **groundwater basin area (385 square miles)**
- **number of impaired waterbodies (62 segments totaling 33 linear miles)**
- **SCWP funding (approximately \$90M per year between both the Regional and Municipal Programs)**
- **watershed protection program costs (\$6B+)**

This massive extent of watershed area and stakeholders means that there are numerous intertwined goals, ideas, and programs that must be reconciled by the Watershed Area Steering Committees (WASCs) as they develop Stormwater Investment Plans (SIPs).

For example, the ULAR Enhanced Watershed Management Program (EWMP) provides one programmatic framework to improve water quality,

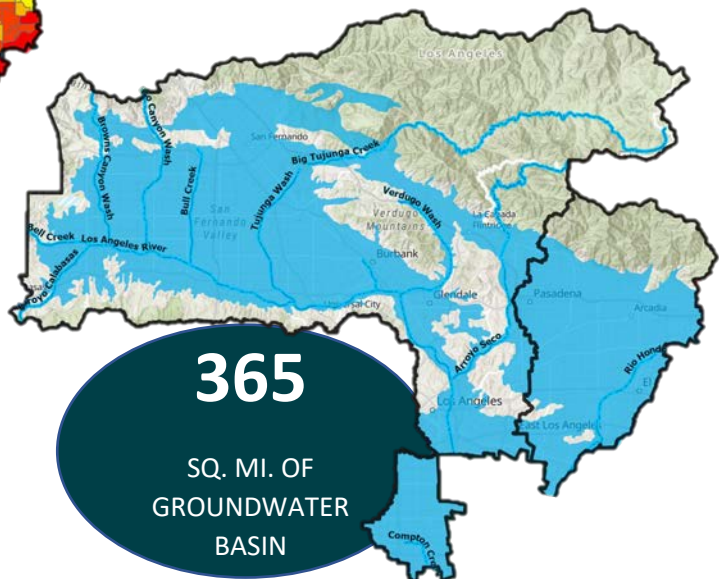
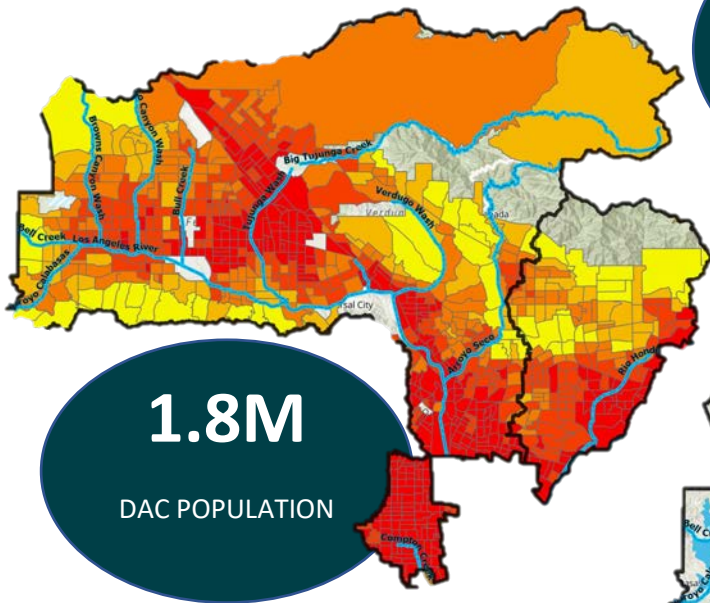
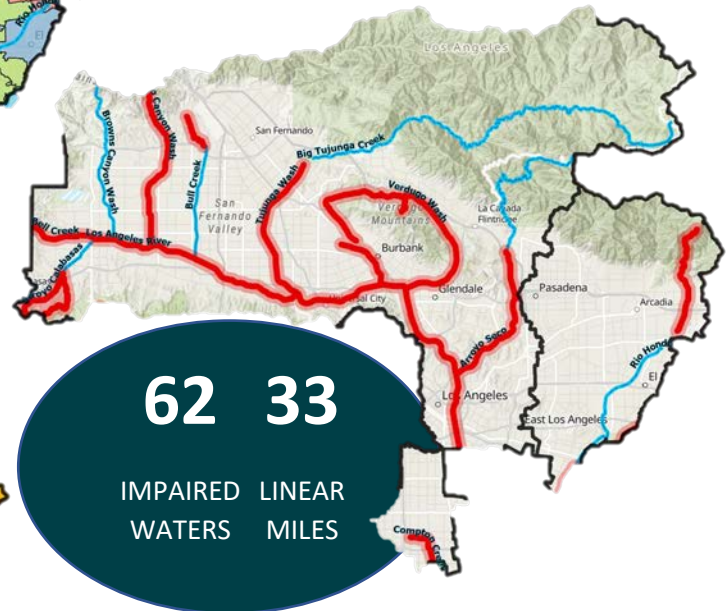
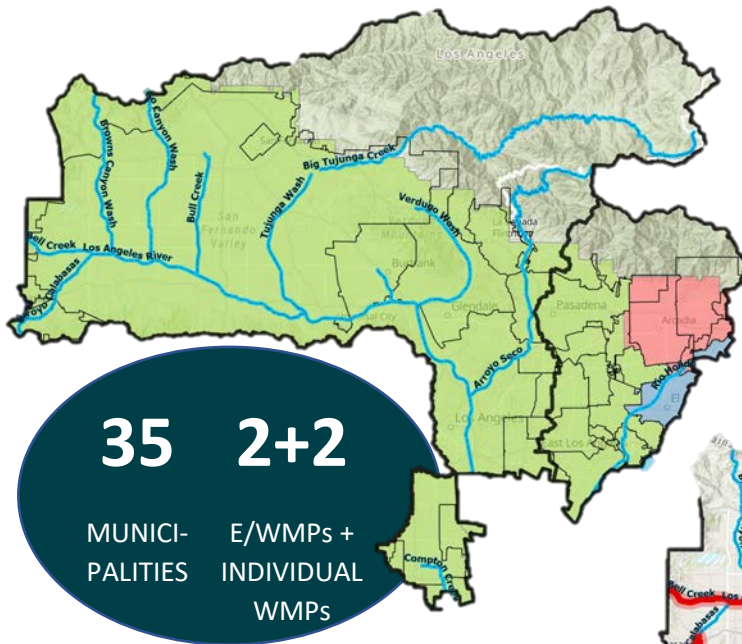
but the current recipe for compliance is costly, lacks project-level detail, and does not co-prioritize water supply augmentation and community investments. Other concurrent programs (such as the Stormwater Capture Master Plan, LA River revitalization efforts and master plans, and Load Reduction Strategies), stakeholders (environmental groups, community groups, schools, and others), and agencies (municipalities with local SCWP spending plans, natural resource agencies, and water, groundwater, flood, and wastewater management agencies/districts) have developed their own guiding principles and projects that differ from those of the EWMPs.

The RH Watershed Area also includes a portion of the Rio Hondo and San Gabriel River (RHSGR) Water Quality Group. During revision of the RHSGR EWMP, that Group successfully coordinated existing stakeholders and plans to develop an achievable program for water quality improvement in the urban headwaters of the Rio Hondo that also provides water supply and community investment benefits; however, it is currently unknown how those multi-benefit upstream projects will impact the downstream ULAR EWMP and other stormwater investments in the RH Watershed Area (and vice-versa).





## The Many Faces of the RH and ULAR Watershed Areas







## 1.1 PROBLEM STATEMENT

With numerous concurrent plans and Regional Program project proposals to consider, the RH and ULAR WASCs will be challenged to reconcile these diverse needs into cohesive SIPs. Furthermore, the current WASC guidelines for SIP development are open to significant interpretation and do not provide a detailed structured technical approach to coordinate regional SIPs with other efforts.

The RH and ULAR WASCs therefore need a technical platform to:

- build a balanced SIP that maximizes SCWP objectives at the watershed-scale,
- build a cost-effective SIP that is defensible to taxpayers, and
- build a collaborative sip that complements municipal spending and other watershed plans.



**The WASCs must juggle and reconcile various objectives and projects advocated by numerous stakeholders**

## 1.2 OBJECTIVES AND BENEFITS

The objective of this scientific study is to develop a technical platform that the WASCs can use to design a balanced, defensible, and collaborative SIP built from (1) a comprehensive portfolio of project opportunities (beyond just those submitted by applicants for Regional Program funding) and (2) a system to analyze potential program-wide benefits.

This *preSIP* platform will accomplish the following critical objectives:



### 1) Identify a Full Spectrum of Multi-Benefit, Multi-Agency Projects

As discussed, there are currently many overlapping watershed planning efforts vying to advance their projects to implementation, including projects that will be pursued by municipalities using their local tax revenue allocations. Considering that not all projects will be submitted to the WASCs for Regional Program funding, the WASCs need a way to understand what other projects are being concurrently planned so that they can be certain that projects in the SIP will not conflict or be redundant.

The first objective of the *preSIP* study will be to compile an inventory of project opportunities (both planned and currently unknown) throughout the RH and ULAR Watershed Areas. This will provide the necessary baseline of candidates for the WASCs to consider when building their SIPs.



### 2) Orient Projects into an Actionable Compliance Pathway using Best Watershed Science

To build a SIP that directly and assuredly addresses “clean water,” the WASCs will need to ensure that the plan is rooted in watershed science and includes an optimized pathway to compliance with local water quality objectives.



Ideally, the SIP would directly integrate with and inform EWMP revisions that are required by the Municipal Stormwater Permit by 2021. In fact, the Permit intended for EWMPs to be structured as truly regional programs, so the Regional Program SIPs are perfectly suited tools to support local municipalities by structuring comprehensive, watershed-scale compliance plans (which can also be supplemented by local projects).

To meet these objectives and build a robust compliance road map founded in science, engineering, and stakeholder preferences, it will be necessary to apply recent lessons learned from adaptive management of EWMPs; these include (but are not limited to): updating water quality analysis assumptions and interpretations to better align with observed watershed data and the latest regulatory trends, facilitating true regional collaboration between municipalities by dissolving jurisdictional boundaries, and reimagining how watershed project portfolios can be augmented by—and dovetail with—water supply programs to reduce overall program efficiency.

Orienting the SIP around a collaborative, science-based compliance pathway will directly support local agencies, but will also reassure wary stakeholders who have previously expressed concerns about the certainty and specificity of the EWMPs.



### 3) Provide a Platform to Assess SIP Benefits at the Watershed-Scale

Although the SCWP Infrastructure Program Scoring provides an initial filter to test whether *individual* proposed projects address program objectives, project scoring (and therefore eligibility for funding) can vary once the *network* of projects is considered in the watershed context.

For example, consider a scenario where an advocate submits a project for Regional Program funding. Unbeknownst to them, another agency discovers an opportunity to capture substantial runoff volume upstream from the proposed downstream project. If the upstream project comes to fruition, the downstream project would not have access to as much runoff and its water quality and water supply benefits would be diminished. As a result, the downstream project's Infrastructure Program score may drop below the minimum threshold for consideration in the SIP. In reality, these two projects can complement each other to maximize overall watershed benefits if coordination is facilitated by the WASC. To accomplish this, the WASCs need a way to check that the overall SIP is maximizing SCWP objectives once projects are plugged into the watershed context.





The third objective of the preSIP study is therefore to develop a science-driven platform for the WASC to use to evaluate the watershed-scale benefits of their proposed SIP and adapt it by understanding the spectrum of potential opportunities. This involves designing a system that allows the WASC to easily scenario-play and test different SIP alternatives for their watershed-scale benefits, and developing a strategy to actively engage key stakeholders and generate buy-in early in the process.

**This scientific study uniquely addresses and advances all of the objectives of the SCWP** by enabling the WASCs to conduct a “programmatic feasibility study” and test their proposed SIPs to ensure—using watershed science—that they appropriately **balance water quality improvement, water supply augmentation, community investments, and nature-based solutions, while effectively leveraging local support and funds.**

## 2.0 DETAILS

### 2.1 METHODS

Building a preSIP platform that meets the intent of the SCWP is not a trivial task, and will require extensive previous work to be consolidated and leveraged. While the approach has been successfully piloted in portions of the LA River watershed (see 3.1 PREVIOUS SIMILAR STUDIES), Watershed-Area-wide application will require extensive coordination with the WASC and real-time adaptation of methods in response to stakeholder feedback.

The following general approach is proposed; it is anticipated that the specific scope of work would be finalized prior to implementation through coordination with the WASCs.

**1) Define the Goals:** Using the most up-to-date watershed data, models, and scientific understanding, the investigators will work with the WASC to develop specific goals for success. These goals will supplement existing Infrastructure Program scoring criteria with *higher-resolution, site-specific metrics* to ensure that the SIP is meaningfully judged against the goals

relevant to local communities and ecosystems. For example, the specific pollutant load reduction targets and water supply augmentation goals will be characterized to set measurable benchmarks by which SIP performance can be gauged over time at the watershed scale. This will provide a compass to steer the WASC towards projects *where* they are needed and will provide a gauge for the WASC to self-evaluate the overall success of the SIP once those projects are plugged into the watershed.

**2) Identify and Reconcile Watershed-Wide Opportunities:** Developing a functional knowledge of watershed-wide priorities, capabilities, partners, projects, and programs is necessary to guide well-informed planning and prioritization. Conversely, without an understanding of the full spectrum of potential opportunities watershed-wide, the WASC will likely struggle to justify to outside stakeholders that the SIP actually contains the “best projects.” The value of this process was proven during recent studies in the ULAR watershed—the ULAR Watershed Management Group discovered that limited resources can be optimized to meet multiple objectives if a wider aperture is used to characterize the pool of potential projects. Specifically, the ULAR Adaptive Watershed Management Screening Study demonstrated meaningful synergies between water quality and water supply projects (to the tune of 73% savings), and the Compton Creek Strategic Project Pilot Study revealed that there are extremely impactful projects hidden throughout disadvantaged communities and impaired watersheds just waiting to be discovered (over 1,600 specific opportunities identified in a 40 square mile area). See 3.1 PREVIOUS SIMILAR STUDIES for further discussion of these case studies.

This step will adapt specialized tools and models—previously forged and validated using watershed science and engineering—for Watershed-Area-wide application. The investigators will pair these tools with high-resolution datasets and an existing literature review of over 100 plans and 300 stakeholders to identify the full suite of known project opportunities watershed wide. This will ensure that SIP development is driven by a real understanding of the range of project opportunities (to provide valuable context for those submitted by project advocates).



It will also help the WASC understand how similar or proximal projects might be potentially bundled for efficiency and to reduce redundancy.

**3) Design a Technical Platform to Help the WASC Assess Alternative SIP Scenarios and Benefits:** Once meaningful, measurable goals are defined and a full roster of achievable projects is established, then these components can be combined into a system that will enable the WASC to scenario-play various alternative combinations of projects in a watershed context to build their best SIP. A key advantage of this platform is that it is a decision support tool and will allow flexibility to adapt the SIP over time as new information is discovered; **to be clear, the preSIP outcomes will certainly not generate and prescribe a SIP, but rather will give the WASC necessary, data-driven tools to confidently build one.**

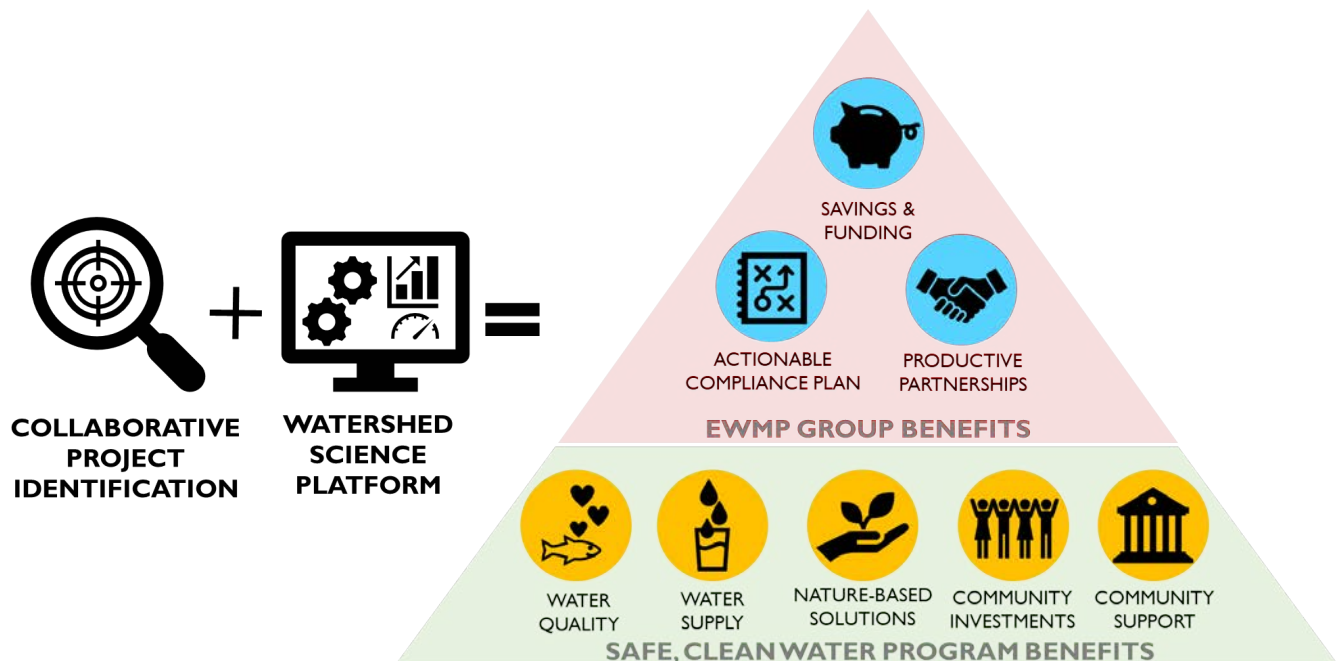


## 2.2 OUTCOMES AND REGIONAL NEXUS

Simply put, the WASCs can expect the following tangible and valuable outcomes from this scientific study:

- **a comprehensive list of candidate SIP projects (including coordination of Regional Program project submittals with concurrent local programs), and**
- **a platform to validate that the SIP maximizes SCWP objectives at the watershed scale, including flexibility to adapt the SIP over time.**

These outcomes will be useful for the RH and ULAR WASCs as they develop SIPs by providing certainty that projects being put in the ground will deliver the desired outcomes. The framework will also serve as a valuable template for WASCs and EWMP Groups to emulate as they build concurrent programs.







## 3.0 BACKGROUND

### 3.1 PREVIOUS SIMILAR STUDIES

The following case studies demonstrate how agencies in the **LA River watershed** have already successfully applied preSIP concepts to build actionable, achievable, and efficient watershed plans. These proofs of concept demonstrate that past progress throughout the watershed can be leveraged to efficiently compile project opportunities and fashion a platform for collaborative, science-driven SIP development.

#### 3.1.1 Upper LA River Adaptive Watershed Management Screening

A screening analysis was performed for a 9-square-mile area located in the ULAR watershed to test whether site-scale project understanding combined with watershed collaboration could improve EWMP achievability. The results favorably demonstrated that if project partners can be identified and leveraged (in this case, water supply agencies) and if a watershed approach is taken to evaluate project benefits, then the compliance pathway in the pilot area could be drastically streamlined from a recipe of 350 unknown projects to just 3 known regional projects currently under design. These enhancements could reduce implementation costs by at least 73 percent in the pilot area, which **demonstrates efficient, science-driven use of public dollars.** If similar opportunities are possible throughout the entire RH and ULAR Watershed Areas, then agencies could potentially achieve water quality improvements for substantially lower capital costs (this case study estimated over \$4.5 billion in savings), which would amplify the WASCs' capacity to fund additional community investments, water supply projects, and nature-based solutions.



#### 3.1.2 Compton Creek Strategic Project Pilot Case Study

The Compton Creek Pilot Study used remote-sensing and high-resolution data to identify regional stormwater capture projects with an emphasis on feasibility and constructability. A modeling framework was developed to then prioritize these projects using flexible, value-based criteria that accounted for the interactions between the potential network of projects. Results were input to an intuitive web-based mapping and dashboarding platform to enable exploration of candidate project data and real-time evaluation of forecasted Safe,

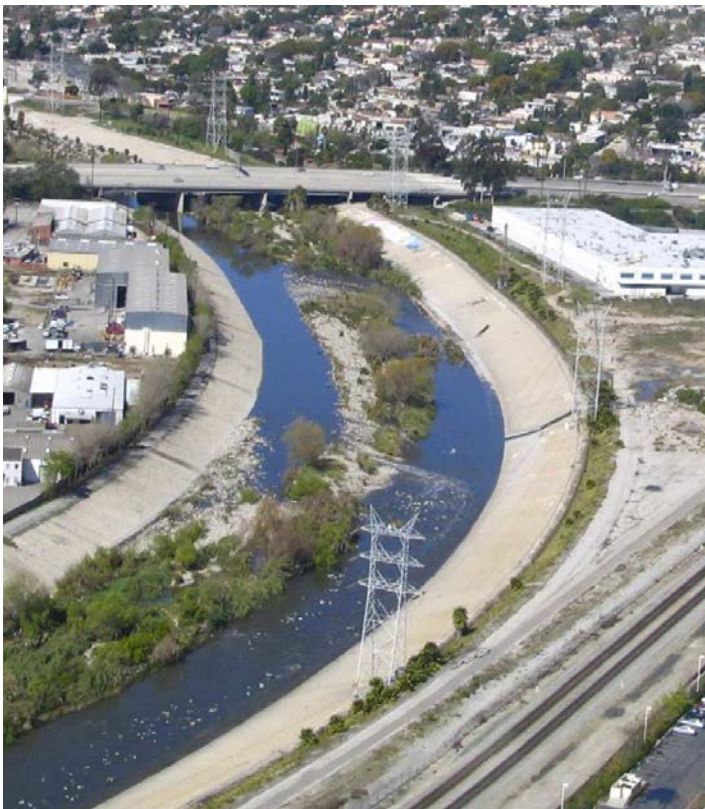
Clean Water benefits. The platform used solid watershed science to confidently prioritize capital planning decisions across a previously unmanageable suite of potential projects. This approach would be invaluable for scaling up the adaptive management strategies to the watershed scale, and demonstrated that **multi-benefit opportunities tend to be ubiquitous throughout urban watersheds if you know where to look and built an initial framework for rapid, watershed-scale assessment of stormwater investment scenario benefits.**

#### 3.1.3 Los Angeles River Upper Reach 2 Case Study

The value of enhanced watershed understanding via project-scale data was also proven by successful adaptation of the Los Angeles River Upper Reach 2 WMP. The WMP initially identified six high-impact regional stormwater capture projects distributed throughout the watershed, although the footprints and concepts contained within the WMP were developed independent of the projects' upstream/downstream context in the watershed.



A high-resolution engineering evaluation was performed to better optimize the initial project layouts and footprints to identify opportunities for cost savings while still reaching the same water quality target. Improved program efficiency was realized through three primary means: (1) application of advanced engineering understanding of each site—particularly with respect to the most cost-effective way to divert runoff from storm drains to the potential projects—and (2) right-sizing project footprints based on local water quality conditions and an understanding of each project’s location in the watershed context. The high-resolution engineering analysis resulted in the group reducing their estimated project costs by over \$100 million, which frees up funding to pursue additional watershed projects and programs. Watershed-wide, these types of efficiencies can be applied during preSIP development by evaluating a range of project configurations optimized at the site scale and by applying engineering lessons-learned to develop a more realistic roster of candidate projects for consideration in the SIP.



### 3.1.4 RHSGR reWMP Case Study

As previously discussed, the RHSGR Group pioneered many of the preSIP concepts when revising their WMP (the so-called “reWMP”), that sought to apply updated understanding of watershed science to provide a clearer, more certain, more efficient, and implementable pathway to compliance at the watershed scale. It is worthy to note that the Rio Hondo portion of the reWMP adaptation is located in the LA River watershed, which provides another proof-of-concept for watershed-wide applicability of the concepts discussed herein; however, the RHSGR reWMP is contained within jurisdictional boundaries of that Group. **It will therefore be important for the WASCs to consider how this upstream program will impact downstream SIP development from a Watershed-Area perspective.**

## 3.2 REGULATIONS

The preSIP study works within the bounds of all state and federal regulations, and, in fact, better ensures that decisions made by the WASCs will support local compliance with the Clean Water Act. This will be accomplished by directly linking the SIPs’ water quality benefits to attainment of the TMDL provisions in the MS4 Permit specific to the receiving waters in the RH and ULAR watersheds. As discussed, one of the key objectives of this study is to ensure that the water quality components of the SIP are rooted in the best watershed science, so the adaptation themes previously explored and validated in the case studies above will be applied watershed wide. Because the project identification and evaluation will occur watershed-wide, the resulting recommendations will also generate an updated compliance analysis and more meaningful, measurable, and achievable compliance road map that can be readily used by municipalities to revise their EWMPs (as required by 2021).

Applying these methods will better align project prioritization by the WASCs with meaningful, local water quality improvements and will supplement the Infrastructure Program water quality scoring criteria, which are generalized across all Watershed-Areas.





## 4.0 COST AND SCHEDULE

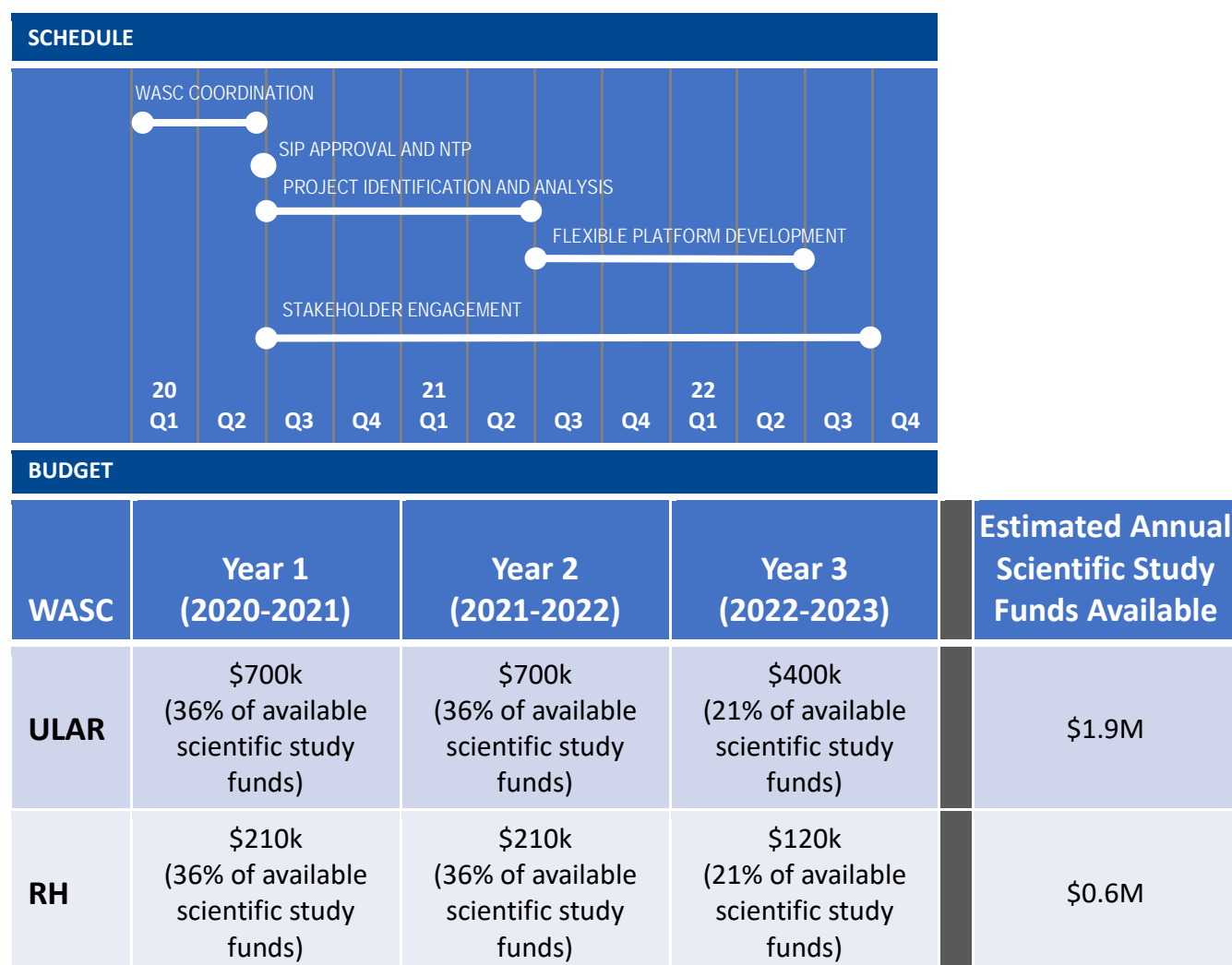
### 4.1 FUNDING SOURCES

The agencies of the ULAR and RHSGR Watershed Management Groups have already heavily invested in kickstarting the preSIP process by funding studies to adapt their programs. As discussed in the preceding section, the ULAR Watershed Management Group invested \$105,000 in the past year to pilot test if and how their EWMP can be augmented into a more collaborative, science-driven plan. In the last two years, the RHSGR Group spent over \$500,000 to improve their project understanding and reorient their WMP around achievable solutions with multi-stakeholder buy-in.

Prior progress and investments will be leveraged to enhance the efficiency of this study, but at this time no additional cost share is proposed.

### 4.2 COST ESTIMATE AND SCHEDULE

The following cost estimate and schedule are recommended to develop the preSIP. The applicants are willing to adjust the budget to the level of detail and effort desired by the WASCs.





## 5.0 SUPPORT

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The preSIP study has earned support from the following advocates, as demonstrated by the attached letters.

### **San Gabriel Valley Council of Governments**

The SGVCOG is proud to act as the principal investigator for this Scientific Study. As a joint powers authority between 30 cities, 3 LA County Supervisory Districts, and 3 Municipal Water Districts, they provide a proven, centralized organization to efficiently facilitate the necessary collaboration and contracting.

### **Upper Los Angeles River Watershed Management Group (including lower Rio Hondo jurisdictions)**

A technical advisory committee representing the 19 agencies of the ULAR Watershed Management Group voted to support submittal of this study for consideration by the WASC. The ULAR WMG includes:

- City of Alhambra
- City of Burbank
- City of Calabasas
- City of Glendale
- City of Hidden Hills
- City of La Cañada Flintridge
- City of Los Angeles
- City of Montebello
- City of Monterey Park
- City of Pasadena
- City of Rosemead
- City of San Fernando
- City of San Gabriel
- City of San Marino
- City of South El Monte
- City of South Pasadena
- City of Temple City
- Los Angeles County Flood Control District
- Unincorporated County of Los Angeles



Dawn Petschauer  
On behalf of the Upper Los Angeles River Watershed Management Group

December 4, 2019

Rio Hondo and Upper Los Angeles River  
Watershed Area Steering Committee Members  
Safe, Clean Water Program

**Subject: Letter of Support for Safe, Clean Water Regional Program Scientific Study Proposal**

To Whom It May Concern:

The Upper Los Angeles River Watershed Management Group is writing in support of this proposal for Scientific Study funding under the Rio Hondo and Upper Los Angeles River Regional Programs of the Safe, Clean Water Program.

We understand that, as members of the Watershed Area Steering Committees (WASCs), you are charged with annually reconciling numerous overlapping programs and projects into cohesive 5-year Stormwater Investment Plans (SIPs). The SIPs must appropriately balance the objectives of the Safe, Clean Water Program at a watershed scale, and must consider how regionally funded projects can complement (and not compete with) concurrent municipal planning efforts to maximize watershed-wide benefits. It is also critical that the SIPs be clearly forged from sound watershed science so that they are data-driven, cost-effective, environmentally impactful, and defensible to taxpayers and stakeholders. By doing so, the SIP can take advantage of recent advances in adaptive management to create an efficient, optimized water quality compliance pathway that dovetails with an efficient water capture strategy.

As a precursor to the SIP, the preSIP Scientific Study will support the WASC by developing a platform to consolidate intertwined goals and disparate project proposals into a balanced, collaborative, and cost-effective plan that uniquely addresses and advances all objectives of the Safe, Clean Water Program. In addition, the outcomes will support data-driven decision making in the Rio Hondo and Upper Los Angeles River Regional Programs, and build an actionable, science-based compliance pathway that our Watershed Management Group can utilize to help guide our impending EWMP updates in 2021.

We respectfully encourage you to consider this Scientific Study for inclusion in the Fiscal Year 2020/2021 SIPs for the Rio Hondo and Upper Los Angeles River Watershed Areas. Should you have any questions, you may reach me at (213) 485-3961 or at dawn.petschauer@lacity.org.

Sincerely,

A handwritten signature in blue ink that reads "Dawn Petschauer".

Dawn Petschauer, Senior Water Biologist  
Upper Los Angeles River Watershed Management Group Lead

## Attachment A



### **CITY OF GLENDALE, CALIFORNIA**

Public Works  
Administration

633 E. Broadway, Suite 209  
Glendale, CA 91206-4310  
Tel. (818) 548-3900 Fax (818) 546-2207  
glendaleca.gov

December 10, 2019

Rio Hondo and Upper Los Angeles River  
Watershed Area Steering Committee Members  
Safe, Clean Water Program

Subject: Letter of Support for Pre-Stormwater Investment Plan Scientific Study Proposal

To Whom It May Concern:

We are writing in support of this proposal for Scientific Study funding under the Rio Hondo and Upper Los Angeles River Regional Programs of the Safe, Clean Water Program.

We understand that, as members of the Watershed Area Steering Committees (WASCs), you are charged with annually reconciling numerous overlapping programs and projects into cohesive 5-year Stormwater Investment Plans (SIPs). The SIPs must appropriately balance the objectives of the Safe, Clean Water Program at a watershed scale, and must consider how regionally funded projects can complement (and not compete with) concurrent municipal planning efforts to maximize watershed-wide benefits. It is also critical that the SIPs be clearly forged from sound watershed science so that they are data-driven, cost-effective, environmentally impactful, and defensible to taxpayers and stakeholders. By doing so, the SIP can take advantage of recent advances in adaptive management to create an efficient, optimized water quality compliance pathway that dovetails with an efficient water capture strategy.

As a precursor to the SIP, the preSIP Scientific Study will support the WASC by developing a platform to consolidate intertwined goals and disparate project proposals into a balanced, collaborative, and cost-effective plan. This Scientific Study uniquely addresses and advances all objectives of the Safe, Clean Water Program by enabling the WASCs to identify, understand, and organize the comprehensive suite of candidate project opportunities and evaluate their benefits in a watershed context to design an efficient, adaptable SIP. The outcomes will not only support data-driven decision making in the Rio Hondo and Upper Los Angeles River Regional Programs, but will also build an actionable, science-based compliance pathway that watershed planners can emulate to inform impending EWMP updates.

We respectfully encourage you to consider this Scientific Study for inclusion in the Fiscal Year 2020/2021 SIPs for the Rio Hondo and Upper Los Angeles River Watershed Areas. Should you have any questions, you may contact Chris Chew at (818) 548-3945 or [cchew@glendaleca.gov](mailto:cchew@glendaleca.gov).

Sincerely,

A handwritten signature in blue ink, appearing to read "Yazdan T. Emrani".

Yazdan T. Emrani, P.E.  
Director of Public Works



## Attachment A



OFFICE OF THE DIRECTOR  
DEPARTMENT OF PUBLIC WORKS  
December 11, 2019

Rio Hondo and Upper Los Angeles River  
Watershed Area Steering Committee Members  
Safe, Clean Water Program

**Subject: Letter of Support for Safe, Clean Water Regional Program Scientific Study Proposal**

To Whom It May Concern:

We are writing in support of this proposal for Scientific Study funding under the Rio Hondo and Upper Los Angeles River Regional Programs of the Safe, Clean Water Program.

We understand that, as members of the Watershed Area Steering Committees (WASCs), you are charged with annually reconciling numerous overlapping programs and projects into cohesive 5-year Stormwater Investment Plans (SIPs). The SIPs must appropriately balance the objectives of the Safe, Clean Water Program at a watershed scale, and must consider how regionally funded projects can complement (and not compete with) concurrent municipal planning efforts to maximize watershed-wide benefits. It is also critical that the SIPs be clearly forged from sound watershed science so that they are data-driven, cost-effective, environmentally impactful, and defensible to taxpayers and stakeholders. By doing so, the SIP can take advantage of recent advances in adaptive management to create an efficient, optimized water quality compliance pathway that dovetails with an efficient water capture strategy.

As a precursor to the SIP, the preSIP Scientific Study will support the WASC by developing a platform to consolidate intertwined goals and disparate project proposals into a balanced, collaborative, and cost-effective plan. This Scientific Study uniquely addresses and advances all objectives of the Safe, Clean Water Program by enabling the WASCs to identify, understand, and organize the comprehensive suite of candidate project opportunities and evaluate their benefits in a watershed context to design an efficient, adaptable SIP. The outcomes will not only support data-driven decision making in the Rio Hondo and Upper Los Angeles River Regional Programs, but will also build an actionable, science-based compliance pathway that watershed planners can emulate to inform impending EWMP updates.

We respectfully encourage you to consider this Scientific Study for inclusion in the Fiscal Year 2020/2021 SIPs for the Rio Hondo and Upper Los Angeles River Watershed Areas. Should you have any questions, you may contact Kris Markarian, City Engineer, at (626) 744-4695 or [kmarkarian@cityofpasadena.net](mailto:kmarkarian@cityofpasadena.net).

Sincerely,

Ara Maloyan, P.E.  
Director of Public Works



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## **ATTACHMENTS FOR SECTION 3:**

### **Outcomes**

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## **ATTACHMENTS FOR SECTION 4:**

### **Background**

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## **ATTACHMENTS FOR SECTION 5:**

### **Cost & Schedule**

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SAFE, CLEAN WATER PROGRAM

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## SCIENTIFIC STUDY SUMMARY

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*Regional Program Projects Module*

STUDY NAME	LRS Adaptation to Address the LA River Bacteria TMDL for the ULAR Watershed Management Group
STUDY LEAD(S)	San Gabriel Valley Council of Governments
SCW WATERSHED AREA(S)	Rio Hondo, Upper Los Angeles River
TOTAL FUNDING REQUESTED	\$ 250,000.00

**Created On:** Saturday, December 14, 2019

**Created By:** Katie Ward, Senior Management Analyst, San Gabriel Valley Council of Governments (Katie Ward)

## OVERVIEW

The Scientific Studies Program is part of the Safe, Clean Water Regional Program to provide funding for activities such as scientific studies, technical studies, monitoring, and modeling. 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, help design, or peer review eligible activities. All activities to be funded by the Scientific Studies Program will be conducted in accordance with accepted scientific protocols.

This document summarizes a proposed Scientific Study, based upon inputs to and outputs from the web-based tool called the 'SCW Regional Program Projects Module' (<https://portal.safecleanwaterla.org/projects-module/>).

**ORGANIZATIONAL OVERVIEW:**

**1 GENERAL INFORMATION**

1.1 General Information

**2 DETAILS**

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2.2 Objectives

2.3 Details

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**3 OUTCOMES**

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3.4 Additional Information

**4 Background**

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5.2 Funding Sources

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5.4 Additional Information

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## 1 GENERAL INFORMATION

This section provides general information on the proposed Scientific Study.

### 1.1 Overview

The following table provides an overview of the study and the Study Lead(s):

Study Name:	LRS Adaptation to Address the LA River Bacteria TMDL for the ULAR Watershed Management Group
Study Description:	The Upper Los Angeles River Watershed Management Group (Group) has faced multiple challenges during implementation of the Load Reduction Strategy (LRS) and struggled to address the current recreational water quality and Los Angeles River Bacteria TMDL (Bacteria TMDL) requirements. To improve the LRS and better protect public health and support recreational beneficial use goals, the Group is pursuing development of a LRS Adaptation Plan (Plan). This Plan will provide an effective foundation to address pathogen health risk and will help streamline efforts across agencies and other stakeholders. This Plan will help identify the most effective pathway towards improved public health and attainment of bacteria-related water quality objectives through an adaptive management process that incorporates significant advances in the state of the science. This scientific study will utilize a data-driven approach to identify efficient and effective implementation actions watershed-wide. This Plan is timely given recent advancements in the development of human markers and other diagnostic tools, successful development of an innovative risk-based approach for Orange County that provides a model for this study, and the need to move expeditiously to reduce public health risks and demonstrate compliance with the LRS requirements. A well-designed Plan is expected to inform the most effective bacteria-related implementation efforts not only in the ULAR, but across the region.
SCW Watershed Area:	Rio Hondo, Upper Los Angeles River
Call for Projects year:	FY20-21
Total Funding Requested:	\$ 250,000.00
Study Lead(s):	San Gabriel Valley Council of Governments
Additional Study Collaborators:	Upper Los Angeles River Watershed Management Group (includes 19 agencies)
Additional Study Collaborators:	N/A
Additional Study Collaborators:	N/A

## 2 DETAILS

This section provides an overview of the study details including problem statement and objectives.

### 2.1 Statement

**The following describes the Study problem statement:**

The current LRS approach, was incorporated in the ULAR Enhanced Watershed Management Program (EWMP) to address dry weather Bacteria TMDL requirements. Based on outfall monitoring data collected at the time, areas were prioritized for implementation using a Monte Carlo simulation to identify priority outfalls (consistently high E. coli loading rates) and outlier outfalls (episodically high E. coli loading rates).

As the Group has moved forward with implementation, LRS efforts have broadly been focused on the development of dry weather structural controls. For example, in Segment B of the LA River, four priority outfalls were identified and the initial proposed LRS actions included two low flow diversions, reuse and removal of an urban flow system, and an infiltration wetland. The two low flow diversions were successfully implemented; however, other proposed projects encountered feasibility issues, including utility conflicts, traffic mitigation issues, and soil contamination. These issues led the Group to request time extensions in November and December 2018 for completing implementation of the LRS for Segment B of the LA River, Arroyo Seco, and Rio Hondo. These implementation challenges are further outlined in the requests for time extension. The Group has continued to encounter similar issues as alternative project opportunities are investigated. For example, recently at the San Rafael Creek and Arroyo Seco confluence while searching for project ideas, the Group found a low flow diversion that is diverting from Arroyo Seco to a nearby golf course, which presents additional water rights issues with installing upstream structural controls that capture flows.

In addition to the implementation challenges of structural controls, it is widely known that these controls may not be effective in reducing pathogens or may further exacerbate these problems in some cases. Given these issues, the Group recognizes the advantages of incorporating a stronger emphasis on source control efforts. To do so, a more comprehensive evaluation of water quality data, bacteria/pathogen source information, and other information is required to effectively guide implementation actions, which is a key element of the adaptation approach to be developed under this scientific study. Planned efforts will be adapted, as needed, leading to a more successful program that better focuses on reducing human health risks in recreational waterbodies.

### 2.2 Objectives

**The following describes the Study objectives:**

The Group met with the Los Angeles Water Quality Control Board (Regional Board) on September 27, 2019 to discuss the multiple challenges the Group has encountered during LRS implementation and proposed an adaptive management update of the existing LRS. Recognizing the current approach focuses on structural BMPs and dry weather controls which may be ineffective in reducing pathogens, the Group and Regional Board staff discussed improvements that could be made to better protect public health and support recreational beneficial use goals. These improvements include prioritizing identification and abatement of human sources of waste based on recent scientific advancements in the understanding of human health risk and pathogen sources. Source control efforts will be given more attention in the LRS, versus the current approach that emphasizes structural controls. An adaptive management update of the current LRS will also provide greater certainty in reducing pathogens and attaining the recreational beneficial use.

The goal of the study is to adapt the LRS to better align implementation actions in order to successfully reduce potential health risks to recreators. Recent studies and knowledge gained have shown this requires a focus on human sources; therefore, adaptation of the LRS will focus on prioritizing actions to identify and abate sources of human waste for a more effective implementation plan. This approach will leverage information gathered and work completed to date under the current LRS. The proposed adaptive management update is timely given recent advancements in the development of human markers and other diagnostic tools, successful development of an innovative risk-based pathogen health risk prioritization approach for Orange County that provides a model for this study, and the need to move expeditiously to reduce public health risks and demonstrate compliance with the LRS requirements. It is important to note this study is complementary to the proposed Regional Bacteria Study, but not dependent on the outcomes of that study given the scientific consensus on the need to shift resources to focus on reducing human sources of waste and utilizing the best tools currently available. Furthermore, a well-designed adaptive management update to the LRS will accomplish the goals stated above and will help support implementation efforts across the region.

### 2.3 Details

**The following provides additional details on the Study including location of study, date to be collected, study methodology, etc.:**

The Group will develop a LRS Adaptation Plan that incorporates a detailed catchment prioritization and source

tracking/abatement framework, for the areas of the existing LRS shown in the associated map in the formatted proposal uploaded as additional information, that focuses on reducing pathogen health risks. The core elements of the Plan include:

- 1) Incorporation of existing data gathered through the LRS and other related programs to reprioritize areas of concern to focus implementation actions;
- 2) Identification of data gaps and additional monitoring needs, including monitoring locations and parameters, such as additional analyses for human markers and specific source identification monitoring; and
- 3) Within areas of concern, identification of the most effective abatement efforts, focused on source control and feasible/effective locations for structural BMPs and dry weather controls designed to provide multiple benefits.

This Plan will provide greater assurance that the actions taken by the Group efficiently progress towards meeting recreational beneficial use requirements. The comprehensive screening and targeting of human waste control strategies are expected to result in significant long-term pathogen reduction benefits during both dry and wet weather, which represents a significant improvement over the current LRS approach. This Plan will support immediate efforts to protect public health within the ULAR and downstream. The Plan will leverage information gathered through past and current LRS efforts and similar work conducted in other studies to sequentially target priority outfall areas based on the LRS timeline already established and any updates to the timeline that may be needed.

The Plan will be focused around six key elements:

- 1) Assessment of Receiving Water Quality Conditions: Impaired receiving waters for bacteria are assessed based on available water quality data. If conditions are meeting applicable water quality objectives, catchments draining to the receiving water are considered a low priority.
- 2) Upstream Assessment of Outfall Water Quality Conditions: Similar assessment of outfalls based on available water quality data. If conditions are meeting applicable water quality objectives, catchments draining to the outfall are considered a low priority. Additionally, assess connectivity of the MS4 network to receiving waters, where areas eventually draining to and potentially impacting impaired receiving waters are the focus for prioritization and subsequent investigation and abatement activities.
- 3) Catchment Prioritization: Prioritize upstream catchments based on (1) and (2), potential sources of human waste, and other factors related to the potential impact each catchment may have on water quality conditions in impaired receiving waters. Inform follow-up steps (4) and (5).
- 4) Source Identification Monitoring: Based on the results of (1) – (3) confirm highest priority catchments that may contribute to receiving water impairments through collection of additional receiving water and outfall monitoring data. Identify additional monitoring needs to locate sources within priority areas and guide abatement activities in step (5).
- 5) Source Abatement and Implementation Actions
  - Implement human waste control actions based on the findings of (4), tailored in different locations based on identified sources. Where necessary, site feasible projects to effectively reduce priority catchments contribution to receiving water impairments.
- 6) Performance Monitoring: Evaluate impact/success of abatement activities. Monitoring to confirm the source(s) identified were eliminated or successfully mitigated.

Available bacteria/human marker/pathogen data and GIS information will be used to assess water quality conditions in receiving waters and at outfalls. This assessment, in combination with information on potential pathogen sources that are the greatest threat to public health will be used to refine the prioritization of areas of concern for dry and wet weather investigation efforts to meet the EWMP milestones per the Bacteria TMDL. The Plan will provide guidance for initial source identification and abatement efforts in the highest priority areas. The Plan will schedule these initial efforts, focused first on meeting the earliest regulatory deadlines. The funding requested herein for FY 20-21 will support initial data collection and review, development of the updated prioritization approach, an initial source tracking study in Segment B and ultimately development of the Plan. The Plan will focus on technical deliverables, such as maps and narrative of the approach and outcomes from the prioritization to guide future source identification and abatement efforts across the ULAR region prioritization (with the revised approach from the current LRS). Given that data collection efforts are currently at different stages across the region, the Plan will include a second phase of development that will be pursued in FY 21-22 to automate future data incorporation and provide other enhancements to continually inform source identification and abatement priorities.

Potential pathogen sources and pathways to receiving waters in the ULAR watershed are presented in the associated conceptual model in the formatted proposal uploaded as additional information (note the graphic highlights key potential pathogen sources but is not meant to represent all potential sources). Some of these sources may already be addressed through other programs/requirements but will still be part of the investigation to identify active sources in the watershed that may be contributing to receiving water impairments. There are other sources, such as pet waste, that provides a lower risk to recreators that will also be considered in development of the strategy; however, the focus will primarily be on human sources given the greater associated risk. In addition, some preliminary evidence suggests fires may exacerbate bacteria issues in the watershed. These potential sources will be further investigated and evaluated in the Plan using available data, as well as identifying where additional data is needed. The data driven approach for prioritization of areas of concern will help identify efficient and effective implementation actions. Understanding the potential pathogen sources throughout the watershed is critical to siting and implementing appropriate source controls and abatement efforts.

Future source investigations and abatement efforts will begin with the dry weather high priority areas of concern. Investigations during dry weather will include actions such as searching for sewer leaks, illicit sewer connections, and other illicit waste discharges. The dry weather investigation and abatement phases will be followed by or conducted in parallel with wet weather investigations, which may mobilize additional waste sources from the watershed to be addressed.

Source identification monitoring will follow a systematic approach adapted from the California Microbial Source Identification Manual developed by the Southern California Coastal Water Research Project (SCCWRP). The approach will be further developed in the Plan but is expected to include a range of traditional and non-traditional pathogen health risk indicators available to aggressively and effectively track and identify human waste sources of pathogens. Physical, bacterial, viral, and/or chemical markers may be used to support source identification efforts, to be selected based on available knowledge for the area of concern. As previously mentioned, the approach will also leverage the significant data gathered and processed during development of the Plan to design investigations which are targeted and maximize available resources.

Source abatement and implementation actions will be sited and designed based on the source identification results. Abatement actions, in addition to structural controls, will incorporate existing strategies, optimization of these strategies, and new strategies which include (but are not limited to): regional coordination and communication; MS4 system assessments; sewer condition assessments; sewer rehabilitation; illicit discharge, detection, and elimination response; fats, oils, and grease management; support for people experiencing homelessness; onsite waste management systems; commercial stormwater inspections; private lateral maintenance; and RV dumping.

The Plan will align key elements of the updated approach with other ongoing ULAR projects and priorities. This effort will also track and leverage the results of other key bacteria/pathogen-related projects and initiatives, including the following:

- San Diego Region Bacteria TMDL Reopener status and updates
- Ongoing development of potential HF183 threshold values
- Ongoing regulatory discussions with the Regional Board, State Water Board, USEPA, and other agencies
- Planning for upcoming revisions to the Los Angeles Region MS4 Permit
- Statewide Bacteria Provisions recently adopted
- Development of South Orange County (SOC) Comprehensive Human Waste Source Reduction Strategy (CHWSRS)
- Development of the City of San Diego Human Waste Prioritization Study (in progress, leverages the approach Tetra Tech developed for South Orange County)
- Progress on the San Diego River Investigative Order to quantify the sources and transport of human fecal material in the watershed
- Recent scientific advancements in microbial source tracking (MST), special studies, and EPA methods development

In addition, this Plan will leverage the approach developed for Orange County for a similar human source-focused implementation plan, which can be accessed following the link below:

[http://www.ocwatersheds.com/documents/south\\_oc\\_water\\_quality\\_improvement\\_plan\\_\(wqip\)/comprehensive\\_human\\_waste](http://www.ocwatersheds.com/documents/south_oc_water_quality_improvement_plan_(wqip)/comprehensive_human_waste)

## 2.4 Additional Information

Additional information regarding Study details is provided as the following attachments:

Attachments for this Section	
Attachment Name	Description
Proposal for LRS Scientific Study Application_12.13.2019.pdf	Regional Program Scientific Study Proposal - LRS Adaptation to Address the LA River Bacteria TMDL for the Upper Los Angeles River Watershed Management Group
City of Glendale LRS Scientific Study Letter of Support.PDF	Letter of Support - Glendale
City of Montebello LRS Scientific Study Letter of Support.pdf	Letter of Support - Montebello
City of Pasadena LRS Scientific Study Letter of Support.pdf	Letter of Support - Pasadena
City of San Marino LRS Scientific Study Letter of Support.pdf	Letter of Support - San Marino
SCCWRP LRS Scientific Study Letter of Support.pdf	Letter of Support - SCCWRP
SOC LRS Letter of Support.pdf	Letter of Support - South Orange County

### 3 Outcomes

This section provides an overview of the anticipated Study outcomes and the nexus to water supply and water quality.

#### 3.1 Nexus

**The following describes the Study's nexus to stormwater, urban runoff and / or water supply:**

The LRS Adaptation Plan will integrate with other ongoing efforts and studies in the ULAR region. The Plan will identify where coordination with other existing programs, and potential enhancements to these programs, would benefit the LRS efforts by further mitigating or eliminating pathogen sources.

Development of an outreach strategy and engagement with other government departments (internally and externally) will be an important element of the Plan. This collaboration is necessary given the shift away from implementing traditional stormwater controls to specific actions designed to reduce and eliminate human waste at the source. Participation by other agencies and departments will be critical to the monitoring studies and other investigations, as well as abatement efforts.

#### 3.2 Outcomes

**The following describes the expected outcomes of the Study in terms of implementation of BMPs or development of tools or applications:**

The LRS Adaptation Plan will guide more targeted source identification, source abatement, and overall implementation actions that successfully reduce potential health risks to recreators. This Plan will update the existing LRS approach to leverage existing efforts while identifying more cost-effective implementation actions throughout the ULAR region. The Plan will also identify where additional data, including source identification monitoring and identification of potential sources, would be beneficial to help guide recommended implementation actions. The LRS adaptation will be developed specifically for the ULAR, however the methods and data gathered are expected to provide valuable information that can be leveraged region-wide. The first phase of the LRS Adaptation pursued herein for FY 20-21 funding includes data collection and review, development of the updated prioritization approach, an initial source tracking study in Segment B based on initial prioritization (which is a current focus for the Group given the existing LRS schedule), and ultimately development of the LRS Adaptation Plan. The Plan will focus on technical deliverables, such as maps and narrative on the approach and outcomes from the prioritization to guide future source identification and abatement efforts across the ULAR region. Development of this Plan will include coordination with Board staff throughout to ensure the methods and outcomes are in line with regulatory expectations. There will be ongoing engagement with the Regional Board to discuss the update to the existing LRS and the shift in focus to source control efforts. This engagement is critical to ensure policy directions are consistent with the updated implementation approach the Group is pursuing.

To further demonstrate the outcomes of the LRS adaptation approach, two conceptual examples are presented. These conceptual examples are in areas that have been the focus of previous LRS efforts for the ULAR Group to demonstrate the benefits of the Plan and how prioritization of source control/abatement efforts would be pursued along with refining existing LRS strategies to identify feasible and effective implementation actions.

Conceptual Example #1 provides a broader framework on how the Plan could update priority areas and identify more appropriate implementation actions. Conceptual Example #2 demonstrates the process that could be implemented through the Plan, which will leverage information already gathered through the LRS and other associated efforts to complete and track more effective source abatement actions.

Conceptual Example #1: LA River Segment B, Priority Outfall R2-04.

Existing LRS Approach: The existing LRS approach for the LA River Segment B in the ULAR responsible areas identified four priority outfalls and five outlier outfalls, see the associated map in the formatted proposal uploaded as additional information. As previously discussed, the Group has successfully implemented two low flow diversion to address priority outfalls R2-A and R2-K. However, there have been challenges with the identified implementation actions to address the remaining two priority outfalls. This example focuses on priority outfall R2-04. The following summarizes the existing LRS approach to address this outfall drainage area:

- Original Proposed LRS Action: Infiltration Wetland
- Initial Follow-Up: Alternative proposed to divert dry weather flow into the existing sewer line owned and operated by Los Angeles County Sanitation Districts
- Challenges:
  - o Soil investigations indicated lead contamination originating from Exide facility. Department of Toxic Substances Control cleaning up contamination
  - o Unable to identify feasible project location and design

LRS Adaptation Approach: In the prioritized LA River Segment B drainage area, the LRS adaptation will leverage available data, including that used to identify the priority and outlier outfalls that originally indicated areas of concern. This will be combined with potential source information, such as the examples shown in the associated graphic in the formatted



proposal uploaded as additional information (potential sewer exfiltration and private lateral impacts, presence of homeless encampments, history of sanitary sewer overflows (SSOs), etc), to refine the prioritized areas of concern. Note, in some cases this may result in similar high priority areas to be addressed but provide additional guidance regarding the follow-up actions needed. This may also result in adjusting priority areas and identifying new areas for the ULAR Group to focus on that may be contributing pathogens to local and downstream waterbodies. As a hypothetical example, the Plan may identify potential sewer exfiltration and encampments within the R2-04 outfall drainage area. In which case, instead of continuing to look for opportunities for a diversion project within this priority area, the Group would conduct additional source identification monitoring to confirm the sources, then perform sewer condition assessments and rehabilitation where needed, as well as conduct encampment cleanups in the area. The Plan may also identify other priority areas for the ULAR Group, that would result in a greater benefit (in terms of reducing the risk to public health), therefore providing greater value if efforts were focused within these areas. For example, the area adjacent to the R2-04 outfall drainage area, while associated with an outfall that demonstrated only episodically poor water quality conditions (based on E. coli loading rates), may contain a greater number of pathogen sources, that could feasibly be addressed to significantly reduce pathogens transported to receiving waters. Note, in the areas the Group has already successfully implemented low flow divisions, the Plan may no longer consider these a priority during dry weather for follow-up source identification and abatement efforts, but may require further implementation actions to address wet weather in the future.

### Conceptual Example #2: Arroyo Seco, Priority Outfall AS-41

Existing LRS Approach: The existing LRS approach for the Arroyo Seco tributary identified four priority outfalls and two outlier outfalls. This example focuses on priority outfall AS-41, see the associated map in the formatted proposal uploaded as additional information. The following summarizes the existing LRS approach to address this outfall drainage area:

- Original Proposed LRS Action: Diversion to dry well system
- Initial Follow-Up: Performed source investigations, televised various storm drains for illicit connections, performed additional water quality monitoring, and conducted soil/percolation tests at Lower Arroyo Park
- Challenges:
  - o Constrained by high water table, reducing infiltration possibilities
  - o Limited opportunities to divert to sewer system
  - o Area multi-jurisdictional, requiring outreach with multiple community organizations and various stakeholders
  - o Unable to identify feasible project location and design

LRS Adaptation Approach: A significant amount of data has already been gathered in this area regarding potential sources. The Plan will compile the available water quality and source investigation data to first confirm this area should be a high priority for implementation actions (i.e., consistently poor water quality data and identified potential pathogen sources within the drainage area). If other areas within the watershed are identified as higher priority due to potential pathogen source contributions, these may be the focus of implementation actions where feasible. However, if this area is confirmed a high priority under the revised criteria, with the continued challenges to site and design a structural project, the implementation focus will shift towards using the source investigation results to carry out targeted source abatement. Performance monitoring will follow the source abatement efforts to confirm the identified sources are eliminated or successfully mitigated.

### 3.3 Benefits

**The following describes how the Study is anticipated to improve water quality, increase water supply, or enhance community investments:**

The LRS Adaptation Plan will better align implementation actions in order to successfully reduce potential health risks to recreators. The keys benefits are a targeted approach to decrease health risks due to bacteria-related issues in the watershed, which therefore improves water quality conditions for recreators. The ULAR Group, and the Los Angeles region overall, has faced challenges addressing bacteria-related issues. The targeted approach in the LRS Adaptation Plan emphasizes source control and provides an expedited pathway for improving water quality conditions, compared to existing efforts that focused primarily on implementing traditional structural controls that may not reduce pathogen concentrations. This Plan will also provide guidance for future Reasonable Assurance Analysis (RAA) updates as part of the Enhanced Watershed Management Programs (EWMPs).

### 3.4 Additional Information

**Additional information regarding Study outcomes and its nexus to water quality and supply is provided as the following attachments:**

## 4 Background

This section provides additional background on the Study.

### 4.1 Previous

**The following describes previous / similar studies conducted and how previous efforts will be leveraged for the Study:**

The current LRS catalogued or screened 1,812 outfalls throughout the ULAR region. An LRS has been submitted for five of the 16 prioritized segments and tributaries, including Arroyo Seco, Compton Creek, Rio Hondo, Segment B and Segment E. The Group has successfully completed two projects, constructing low flow diversions for Priority Outfalls R2-A and R2-K for Segment B. In addition, the Group has completed extensive research and designs for proposed projects, with 25 priority projects identified and nine projects currently in design. However, the Group has encountered numerous challenges pursuing LRS implementation. Therefore, on November 30, 2018, the Group submitted a request for a five-year extension on projects that were identified to address Segment B and Arroyo Seco. The extension was requested due to unforeseen contamination issues, to allow for exploration of alternative designs, time requirements of public and stakeholder outreach, mitigation of road and traffic issues, and other site conflicts identified during the design phase. The request was denied by the Regional Board. On December 12, 2018, the Group also submitted a request for a five-year extension on projects that were identified for Rio Hondo. This extension was requested to allow the agencies to investigate grant and other funding opportunities to support the development and construction of projects. Given the challenges the Group has encountered, as well as the ongoing discussion in the region regarding cost-effective strategies to address recreational human health risk, which is the driver behind the Bacteria TMDL, the Group is now pursuing this adaptive management of their existing LRS.

The LRS Adaptation Plan will align key elements of the updated approach with other ongoing ULAR projects and priorities. This effort will also track and leverage the results of other key bacteria/pathogen-related projects and initiatives, including the following:

- San Diego Region Bacteria TMDL Reopener status and updates
- Ongoing development of potential HF183 threshold values
- Ongoing regulatory discussions with the Regional Board, State Water Board, USEPA, and other agencies
- Planning for upcoming revisions to the Los Angeles Region MS4 Permit
- Statewide Bacteria Provisions recently adopted
- Development of SOC CHWSRS
- Development of the City of San Diego Human Waste Prioritization Study (in progress, leverages the approach Tetra Tech developed for South Orange County)
- Progress on the San Diego River Investigative Order to quantify the sources and transport of human fecal material in the watershed
- Recent scientific advancements in MST, special studies, and EPA methods development

In addition, this Plan will leverage the approach developed for Orange County for a similar human source-focused implementation plan, which can be accessed following the link below:

[http://www.ocwatersheds.com/documents/south\\_oc\\_water\\_quality\\_improvement\\_plan\\_\(wqip\)/comprehensive\\_human\\_waste](http://www.ocwatersheds.com/documents/south_oc_water_quality_improvement_plan_(wqip)/comprehensive_human_waste)

### 4.2 Regulations

**The following describes state and federal regulations in the study area that will be considered by the Study:**

The ULAR Group has been pursuing the LRS to address the Los Angeles River Bacteria TMDL segments as an optional approach to demonstrate attainment with the TMDL waste load allocations. The LRS includes a phased approach towards compliance, based on prioritization of Los Angeles River segments and tributaries. The Group prioritized 16 segments and tributaries, for which the Group would conduct: (1) Phase I screening, (2) Phase I monitoring and follow-up, (3) implementation actions to control bacteria, and (4) submittal of the LRS. If bacteria exceedances continue, Phase II may be initiated to determine additional actions and revise the LRS.

The Group met with the Regional Board on September 27, 2019 to discuss the multiple challenges the Group has encountered during implementation of their LRS and proposed an adaptive management update of the existing LRS. Based on agreement with the Regional Board, the Group submitted a formal proposal for the adaptive management of the existing LRS for review. Development of this Plan will include coordination with Board staff throughout to ensure the methods and outcomes are in line with regulatory expectations. There will be ongoing engagement with the Regional Board to discuss the update to the existing LRS and the shift in focus to source control efforts. This engagement is critical to ensure policy directions are consistent with the updated implementation approach the Group is pursuing.

### 4.3 Additional Information

**Additional information regarding the Study background is provided as the following attachments:**

## 5 Cost & Schedule

This section provides an overview of the estimated cost and schedule for the Study.

### 5.1 Cost of Study

The following details the Study cost and breakdown of its cost by SCW Watershed Area.

**Total funding requested: \$ 250,000.00**

**The following table details the percent and amount of funding requested for each watershed:**

Percent of Study Funding Requested Per Watershed		
Watershed	Cost Percent	Amount
Rio Hondo	23	\$ 57,500.00
Upper Los Angeles River	77	\$ 192,500.00

## 5.2 Funding Sources

**The following is a summary of other sources of funding the have been or will be explored for the Study:**

The Group is committed to adapting the existing LRS to meet regulatory requirements and due to the critical need to meet upcoming milestones, the Group plans to fund an initial \$50,000 to begin data collection and refinement of priority areas to support the LRS Adaptation Plan and inform source tracking efforts prior to the start of FY 20-21. Development of the Plan and the source tracking study, however, are dependent on the requested funding herein through the Safe, Clean Water Program for FY 20-21.

**Is additional funding anticipated to be leveraged as a Cost Share for this Project?**

No

**The following table details the additional funding already attained for the Study:**

Additional Study Funding Sources		
Funding Type	Description	Funding Amount
None provided	N/A	N/A

### 5.3 Schedule

The following table details a preliminary schedule required to design, permit, construct, operate, and maintain the Project:

Schedule Milestone Table	
Milestone Name	Completion Date
Data Collection and Review	01/31/2020
Develop Initial Prioritization and Findings for Segment B (GIS and Maps only)	05/31/2020
Preliminary SAP and QAPP for Segment B	06/30/2020
Source Tracking Study for Dry Weather for Segment B	08/31/2020
Updated Prioritization for ULAR Region	06/30/2021
LRS Adaptation Plan Technical Deliverables	06/30/2021
Regional Board Outreach Strategy and Engagement	06/30/2021

## **5.4 Additional Information**

**Additional information regarding Study cost and schedule is provided as the following attachments:**

## **6 ATTACHMENTS**

Attachments are bundled and organized in the following pages, with cover pages between each subsection.



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## **ATTACHMENTS FOR SECTION 2:**

### **Details**

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# PROPOSAL

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<b>To:</b>	Safe, Clean Water Program – Rio Hondo Watershed Area & Upper Los Angeles River Watershed Area
<b>From:</b>	San Gabriel Valley Council of Governments
<b>Cc:</b>	County of Los Angeles, Los Angeles County Flood Control District, and Cities of Alhambra, Burbank, Calabasas, Glendale, Hidden Hills, La Canada Flintridge, Los Angeles, Montebello, Monterey Park, Pasadena, Rosemead, San Fernando, San Gabriel, San Marino, South El Monte, South Pasadena, and Temple City
<b>Date:</b>	December 13, 2019
<b>Subject:</b>	Regional Program Scientific Study Proposal –LRS Adaptation to Address the LA River Bacteria TMDL for the Upper Los Angeles River Watershed Management Group

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The following scientific study proposal was developed to follow the format of the Safe, Clean Water Program online submittal portal, with the section headers corresponding to each requested input in the online sections.

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### GENERAL INFORMATION

**Study Name:**

LRS Adaptation to Address the LA River Bacteria TMDL for the Upper Los Angeles River Watershed Management Group

**Study Description:**

The Upper Los Angeles River Watershed Management Group (Group) has faced multiple challenges during implementation of the Load Reduction Strategy (LRS) and struggled to address the current recreational water quality and Los Angeles River Bacteria TMDL (Bacteria TMDL) requirements. To improve the LRS and better protect public health and support recreational beneficial use goals, the Group is pursuing development of a LRS Adaptation Plan (Plan). This Plan will provide an effective foundation to address pathogen health risk and will help streamline efforts across agencies and other stakeholders. This Plan will help identify the most effective pathway towards improved public health and attainment of bacteria-related water quality objectives through an adaptive management process that incorporates significant advances in the state of the science.

This scientific study will utilize a data-driven approach to identify efficient and effective implementation actions watershed-wide. This Plan is timely given recent advancements in the development of human markers and other diagnostic tools, successful development of an innovative risk-based approach for Orange County that provides a model for this study, and the need to move expeditiously to reduce public health risks and demonstrate compliance with the LRS requirements. A well-designed Plan is expected to inform the most effective bacteria-related implementation efforts not only in the ULAR, but across the region.

**Total Funding Requested:**

\$250,000

**Call for Projects Year:**

FY 20-21 (with second phase in FY 21-22)

**Watershed(s) to be Studied:**

Rio Hondo and Upper Los Angeles River

**Study Lead:**

San Gabriel Valley Council of Governments



## Attachment B

Regional Program Scientific Study Proposal –LRS Adaptation to Address the LA River Bacteria TMDL for the Upper Los Angeles River Watershed Management Group

### **Additional Study Collaborators:**

Upper Los Angeles River Watershed Management Group (includes 19 agencies)



CITY of CALABASAS



## DETAILS

### Statement

The current LRS approach, was incorporated in the ULAR Enhanced Watershed Management Program (EWMP) to address dry weather Bacteria TMDL requirements. Based on outfall monitoring data collected at the time, areas were prioritized for implementation using a Monte Carlo simulation to identify priority outfalls (consistently high *E. coli* loading rates) and outlier outfalls (episodically high *E. coli* loading rates).

As the Group has moved forward with implementation, LRS efforts have broadly been focused on the development of dry weather structural controls. For example, in Segment B of the LA River, four priority outfalls were identified and the initial proposed LRS actions included two low flow diversions, reuse and removal of an urban flow system, and an infiltration wetland. The two low flow diversions were successfully implemented; however, other proposed projects encountered feasibility issues, including utility conflicts, traffic mitigation issues, and soil contamination. These issues led the Group to request time extensions in November and December 2018 for completing implementation of the LRS for Segment B of the LA River, Arroyo Seco, and Rio Hondo. These implementation challenges are further outlined in the requests for time extension. The Group has continued to encounter similar issues as alternative project opportunities are investigated. For example, recently at the San Rafael Creek and Arroyo Seco confluence while searching for project ideas, the Group found a low flow diversion that is diverting from Arroyo Seco to a nearby golf course, which presents additional water rights issues with installing upstream structural controls that capture flows.

In addition to the implementation challenges of structural controls, it is widely known that these controls may not be effective in reducing pathogens or may further exacerbate these problems in some cases. Given these issues, the Group recognizes the advantages of incorporating a stronger emphasis on source control efforts. To do so, a more comprehensive evaluation of water quality data, bacteria/pathogen source information, and other information is required to effectively guide implementation actions, which is a key element of the adaptation approach to be developed under this scientific study. Planned efforts will be adapted, as needed, leading to a more successful program that better focuses on reducing human health risks in recreational waterbodies.

### Objectives

The Group met with the Los Angeles Water Quality Control Board (Regional Board) on September 27, 2019 to discuss the multiple challenges the Group has encountered during LRS implementation and proposed an adaptive management update of the existing LRS. Recognizing the current approach focuses on structural BMPs and dry weather controls which may be ineffective in reducing pathogens, the Group and Regional Board staff discussed improvements that could be made to better protect public health and support recreational beneficial use goals. These improvements include prioritizing identification and abatement of human sources of waste based on recent scientific advancements in the understanding of human health risk and pathogen sources. Source control efforts will be given more attention in the LRS, versus the current approach that emphasizes structural controls. An adaptive management update of the current LRS will also provide greater certainty in reducing pathogens and attaining the recreational beneficial use.

**The goal of the study is to adapt the LRS to better align implementation actions in order to successfully reduce potential health risks to recreators.** Recent studies and knowledge gained have shown this requires a focus on human sources; therefore, adaptation of the LRS will focus on prioritizing actions to identify and abate sources of human waste for a more effective implementation plan. This approach will leverage information gathered and work completed to date under the current LRS. The proposed adaptive management update is timely given recent advancements in the development of human markers and other diagnostic tools, successful development of an innovative risk-based pathogen health risk prioritization approach for Orange County that provides a model for this study, and the need to move expeditiously to reduce public health risks and demonstrate

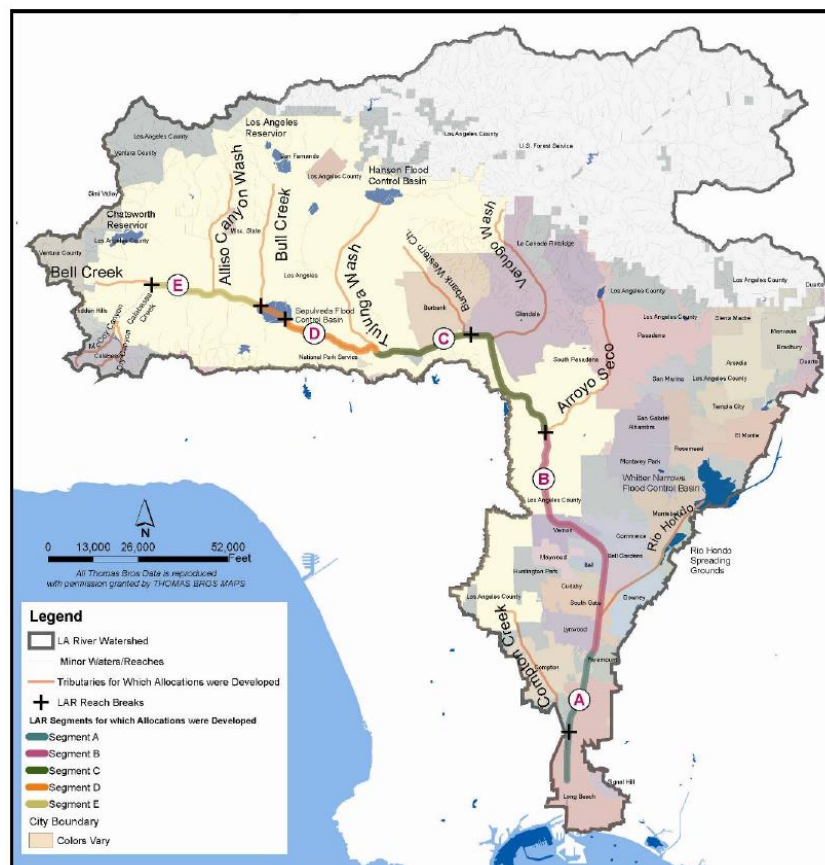
Regional Program Scientific Study Proposal –LRS Adaptation to Address the LA River Bacteria TMDL for the Upper Los Angeles River Watershed Management Group

compliance with the LRS requirements. It is important to note this study is complementary to the proposed Regional Bacteria Study, but not dependent on the outcomes of that study given the scientific consensus on the need to shift resources to focus on reducing human sources of waste and utilizing the best tools currently available. Furthermore, a well-designed adaptive management update to the LRS will accomplish the goals stated above and will help support implementation efforts across the region.

## Details

The Group will develop a LRS Adaptation Plan that incorporates a detailed catchment prioritization and source tracking/abatement framework, for the areas of the existing LRS shown in the map below, that focuses on reducing pathogen health risks. The core elements of the Plan include:

- 1) *Incorporation of existing data gathered through the LRS and other related programs to reprioritize areas of concern to focus implementation actions;*
- 2) *Identification of data gaps and additional monitoring needs, including monitoring locations and parameters, such as additional analyses for human markers and specific source identification monitoring; and*
- 3) *Within areas of concern, identification of the most effective abatement efforts, focused on source control and feasible/effective locations for structural BMPs and dry weather controls designed to provide multiple benefits.*



This Plan will provide greater assurance that the actions taken by the Group efficiently progress towards meeting recreational beneficial use requirements. The comprehensive screening and targeting of human waste control strategies are expected to result in significant long-term pathogen reduction benefits during both dry and wet

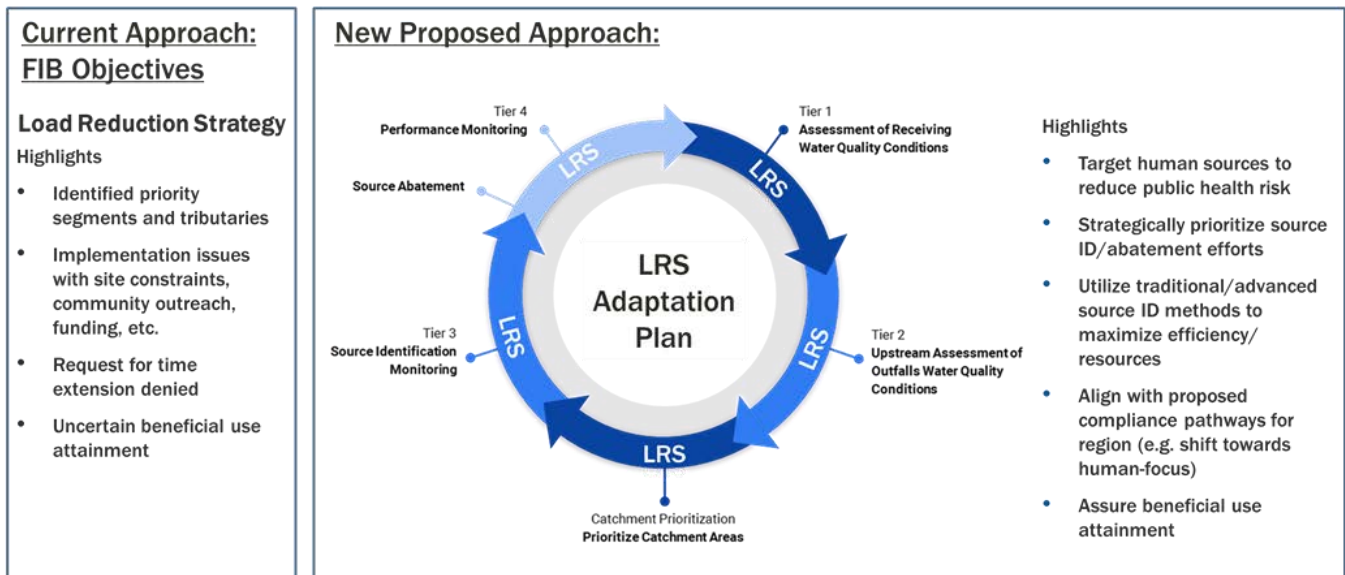


## Regional Program Scientific Study Proposal –LRS Adaptation to Address the LA River Bacteria TMDL for the Upper Los Angeles River Watershed Management Group

weather, which represents a significant improvement over the current LRS approach. This Plan will support immediate efforts to protect public health within the ULAR and downstream. The Plan will leverage information gathered through past and current LRS efforts and similar work conducted in other studies to sequentially target priority outfall areas based on the LRS timeline already established and any updates to the timeline that may be needed.

The Plan will be focused around six key elements:

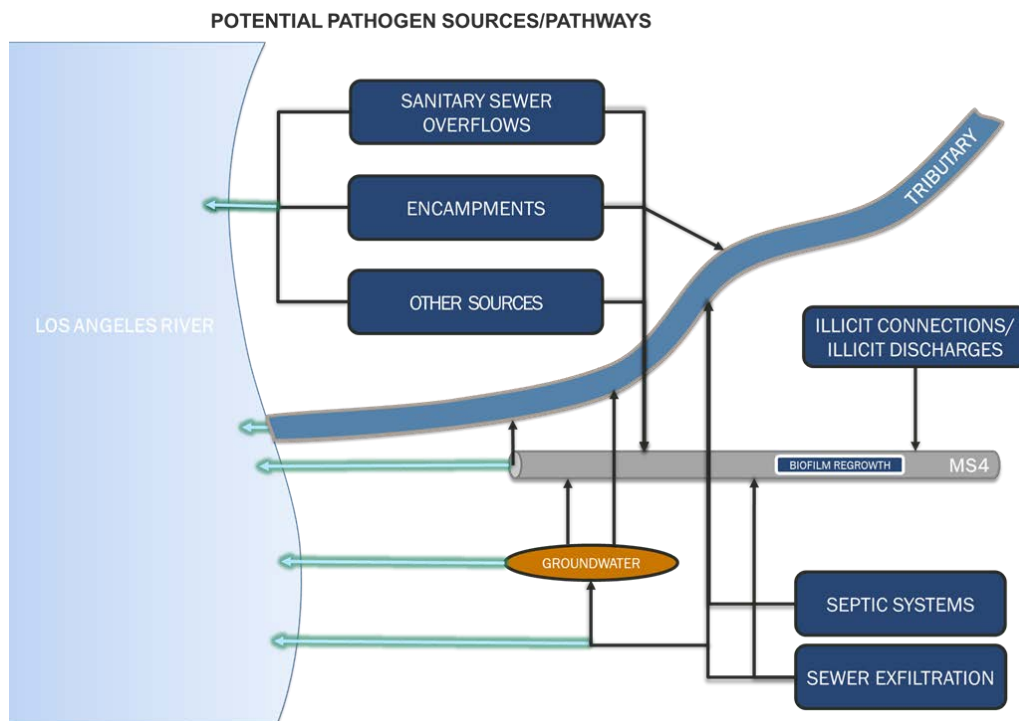
- 1) *Assessment of Receiving Water Quality Conditions*
  - *Impaired receiving waters for bacteria are assessed based on available water quality data. If conditions are meeting applicable water quality objectives, catchments draining to the receiving water are considered a low priority.*
- 2) *Upstream Assessment of Outfall Water Quality Conditions*
  - *Similar assessment of outfalls based on available water quality data. If conditions are meeting applicable water quality objectives, catchments draining to the outfall are considered a low priority. Additionally, assess connectivity of the MS4 network to receiving waters, where areas eventually draining to and potentially impacting impaired receiving waters are the focus for prioritization and subsequent investigation and abatement activities.*
- 3) *Catchment Prioritization*
  - *Prioritize upstream catchments based on (1) and (2), potential sources of human waste, and other factors related to the potential impact each catchment may have on water quality conditions in impaired receiving waters. Inform follow-up steps (4) and (5).*
- 4) *Source Identification Monitoring*
  - *Based on the results of (1) – (3) confirm highest priority catchments that may contribute to receiving water impairments through collection of additional receiving water and outfall monitoring data. Identify additional monitoring needs to locate sources within priority areas and guide abatement activities in step (5).*
- 5) *Source Abatement and Implementation Actions*
  - *Implement human waste control actions based on the findings of (4), tailored in different locations based on identified sources. Where necessary, site feasible projects to effectively reduce priority catchments contribution to receiving water impairments.*
- 6) *Performance Monitoring*
  - *Evaluate impact/success of abatement activities. Monitoring to confirm the source(s) identified were eliminated or successfully mitigated.*



## Regional Program Scientific Study Proposal –LRS Adaptation to Address the LA River Bacteria TMDL for the Upper Los Angeles River Watershed Management Group

Available bacteria/human marker/pathogen data and GIS information will be used to assess water quality conditions in receiving waters and at outfalls. This assessment, in combination with information on potential pathogen sources that are the greatest threat to public health will be used to refine the prioritization of areas of concern for dry and wet weather investigation efforts to meet the EWMP milestones per the Bacteria TMDL. The Plan will provide guidance for initial source identification and abatement efforts in the highest priority areas. The Plan will schedule these initial efforts, focused first on meeting the earliest regulatory deadlines. The funding requested herein for FY 20-21 will support initial data collection and review, development of the updated prioritization approach, an initial source tracking study in Segment B and ultimately development of the Plan. The Plan will focus on technical deliverables, such as maps and narrative of the approach and outcomes from the prioritization to guide future source identification and abatement efforts across the ULAR region prioritization (with the revised approach from the current LRS). Given that data collection efforts are currently at different stages across the region, the Plan will include a second phase of development that will be pursued in FY 21-22 to automate future data incorporation and provide other enhancements to continually inform source identification and abatement priorities.

Potential pathogen sources and pathways to receiving waters in the ULAR watershed are presented in the following conceptual model (note the graphic highlights key potential pathogen sources but is not meant to represent all potential sources). Some of these sources may already be addressed through other programs/requirements but will still be part of the investigation to identify active sources in the watershed that may be contributing to receiving water impairments. There are other sources, such as pet waste, that provides a lower risk to recreators that will also be considered in development of the strategy; however, the focus will primarily be on human sources given the greater associated risk. In addition, some preliminary evidence suggests fires may exacerbate bacteria issues in the watershed. These potential sources will be further investigated and evaluated in the Plan using available data, as well as identifying where additional data is needed. The data driven approach for prioritization of areas of concern will help identify efficient and effective implementation actions. Understanding the potential pathogen sources throughout the watershed is critical to siting and implementing appropriate source controls and abatement efforts.



### Regional Program Scientific Study Proposal –LRS Adaptation to Address the LA River Bacteria TMDL for the Upper Los Angeles River Watershed Management Group

Future source investigations and abatement efforts will begin with the dry weather high priority areas of concern. Investigations during dry weather will include actions such as searching for sewer leaks, illicit sewer connections, and other illicit waste discharges. The dry weather investigation and abatement phases will be followed by or conducted in parallel with wet weather investigations, which may mobilize additional waste sources from the watershed to be addressed.

Source identification monitoring will follow a systematic approach adapted from the California Microbial Source Identification Manual developed by the Southern California Coastal Water Research Project (SCCWRP). The approach will be further developed in the Plan but is expected to include a range of traditional and non-traditional pathogen health risk indicators available to aggressively and effectively track and identify human waste sources of pathogens. Physical, bacterial, viral, and/or chemical markers may be used to support source identification efforts, to be selected based on available knowledge for the area of concern. As previously mentioned, the approach will also leverage the significant data gathered and processed during development of the Plan to design investigations which are targeted and maximize available resources.

Source abatement and implementation actions will be sited and designed based on the source identification results. Abatement actions, in addition to structural controls, will incorporate existing strategies, optimization of these strategies, and new strategies which include (but are not limited to): regional coordination and communication; MS4 system assessments; sewer condition assessments; sewer rehabilitation; illicit discharge, detection, and elimination response; fats, oils, and grease management; support for people experiencing homelessness; onsite waste management systems; commercial stormwater inspections; private lateral maintenance; and RV dumping.

The Plan will align key elements of the updated approach with other ongoing ULAR projects and priorities. This effort will also track and leverage the results of other key bacteria/pathogen-related projects and initiatives, including the following:

- San Diego Region Bacteria TMDL Reopener status and updates
- Ongoing development of potential HF183 threshold values
- Ongoing regulatory discussions with the Regional Board, State Water Board, USEPA, and other agencies
- Planning for upcoming revisions to the Los Angeles Region MS4 Permit
- Statewide Bacteria Provisions recently adopted
- Development of South Orange County (SOC) Comprehensive Human Waste Source Reduction Strategy (CHWSRS)
- Development of the City of San Diego Human Waste Prioritization Study (in progress, leverages the approach Tetra Tech developed for South Orange County)
- Progress on the San Diego River Investigative Order to quantify the sources and transport of human fecal material in the watershed
- Recent scientific advancements in microbial source tracking (MST), special studies, and EPA methods development

In addition, this Plan will leverage the approach developed for Orange County for a similar human source-focused implementation plan, which can be accessed following the link below:

[http://www.ocwatersheds.com/documents/south\\_oc\\_water\\_quality\\_improvement\\_plan\\_\(wqip\)/comprehensive\\_human\\_waste\\_source\\_reduction\\_strategy\\_work\\_plan](http://www.ocwatersheds.com/documents/south_oc_water_quality_improvement_plan_(wqip)/comprehensive_human_waste_source_reduction_strategy_work_plan)



## OUTCOMES

### Nexus

The LRS Adaptation Plan will integrate with other ongoing efforts and studies in the ULAR region. The Plan will identify where coordination with other existing programs, and potential enhancements to these programs, would benefit the LRS efforts by further mitigating or eliminating pathogen sources.

Development of an outreach strategy and engagement with other government departments (internally and externally) will be an important element of the Plan. This collaboration is necessary given the shift away from implementing traditional stormwater controls to specific actions designed to reduce and eliminate human waste at the source. Participation by other agencies and departments will be critical to the monitoring studies and other investigations, as well as abatement efforts.

### Outcomes

The LRS Adaptation Plan will guide more targeted source identification, source abatement, and overall implementation actions that successfully reduce potential health risks to recreators. This Plan will update the existing LRS approach to leverage existing efforts while identifying more cost-effective implementation actions throughout the ULAR region. The Plan will also identify where additional data, including source identification monitoring and identification of potential sources, would be beneficial to help guide recommended implementation actions. The LRS adaptation will be developed specifically for the ULAR, however the methods and data gathered are expected to provide valuable information that can be leveraged region-wide. The first phase of the LRS Adaptation pursued herein for FY 20-21 funding includes data collection and review, development of the updated prioritization approach, an initial source tracking study in Segment B based on initial prioritization (which is a current focus for the Group given the existing LRS schedule), and ultimately development of the LRS Adaptation Plan. The Plan will focus on technical deliverables, such as maps and narrative on the approach and outcomes from the prioritization to guide future source identification and abatement efforts across the ULAR region. Development of this Plan will include coordination with Board staff throughout to ensure the methods and outcomes are in line with regulatory expectations. There will be ongoing engagement with the Regional Board to discuss the update to the existing LRS and the shift in focus to source control efforts. This engagement is critical to ensure policy directions are consistent with the updated implementation approach the Group is pursuing.

To further demonstrate the outcomes of the LRS adaptation approach, two conceptual examples are presented. These conceptual examples are in areas that have been the focus of previous LRS efforts for the ULAR Group to demonstrate the benefits of the Plan and how prioritization of source control/abatement efforts would be pursued along with refining existing LRS strategies to identify feasible and effective implementation actions.

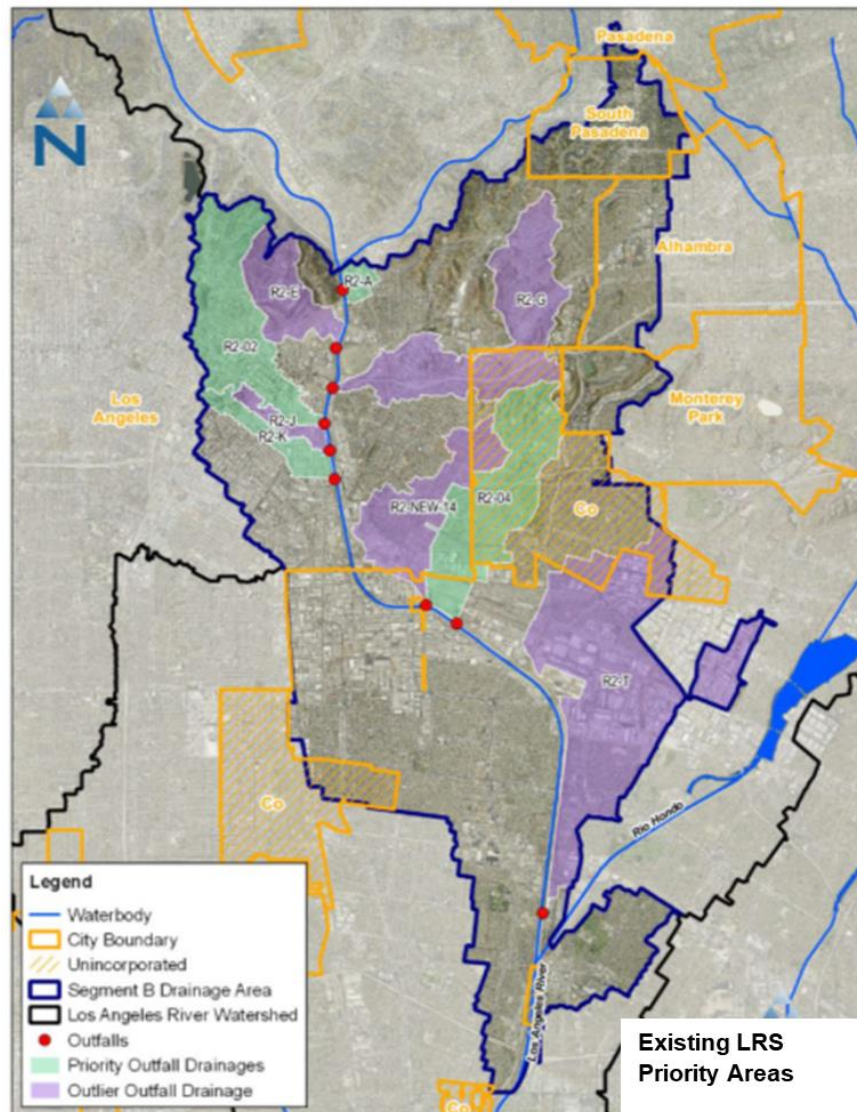
**Conceptual Example #1** provides a broader framework on how the Plan could update priority areas and identify more appropriate implementation actions. **Conceptual Example #2** demonstrates the process that could be implemented through the Plan, which will leverage information already gathered through the LRS and other associated efforts to complete and track more effective source abatement actions.

## Conceptual Example #1: LA River Segment B, Priority Outfall R2-04.

### Existing LRS Approach

The existing LRS approach for the LA River Segment B in the ULAR responsible areas identified four priority outfalls and five outlier outfalls, see the map on the next page. As previously discussed, the Group has successfully implemented two low flow diversion to address priority outfalls R2-A and R2-K. However, there have been challenges with the identified implementation actions to address the remaining two priority outfalls. This example focuses on priority outfall R2-04. The following summarizes the existing LRS approach to address this outfall drainage area:

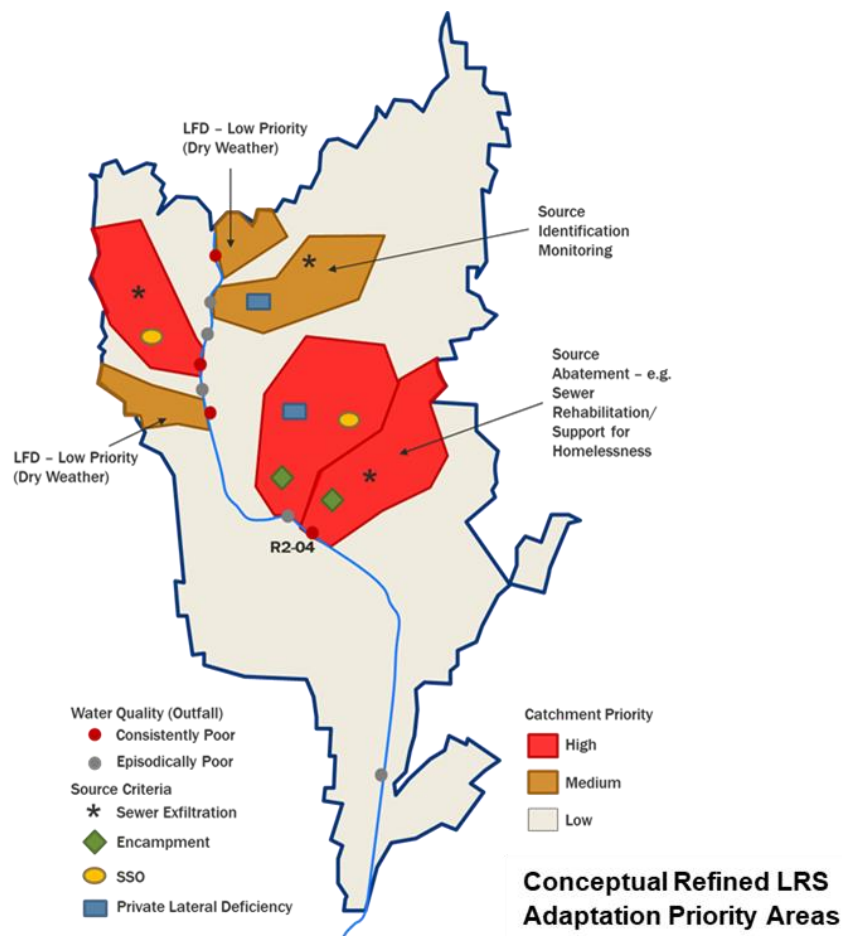
- Original Proposed LRS Action: Infiltration Wetland
- Initial Follow-Up: Alternative proposed to divert dry weather flow into the existing sewer line owned and operated by Los Angeles County Sanitation Districts
- Challenges:
  - Soil investigations indicated lead contamination originating from Exide facility. Department of Toxic Substances Control cleaning up contamination
  - Unable to identify feasible project location and design



## Regional Program Scientific Study Proposal –LRS Adaptation to Address the LA River Bacteria TMDL for the Upper Los Angeles River Watershed Management Group

### LRS Adaptation Approach

In the prioritized LA River Segment B drainage area, the LRS adaptation will leverage available data, including that used to identify the priority and outlier outfalls that originally indicated areas of concern. This will be combined with potential source information, such as the examples shown in the graphic below (potential sewer exfiltration and private lateral impacts, presence of homeless encampments, history of sanitary sewer overflows (SSOs), etc), to refine the prioritized areas of concern. Note, in some cases this may result in similar high priority areas to be addressed but provide additional guidance regarding the follow-up actions needed. This may also result in adjusting priority areas and identifying new areas for the ULAR Group to focus on that may be contributing pathogens to local and downstream waterbodies. As a hypothetical example, the Plan may identify potential sewer exfiltration and encampments within the R2-04 outfall drainage area. In which case, instead of continuing to look for opportunities for a diversion project within this priority area, the Group would conduct additional source identification monitoring to confirm the sources, then perform sewer condition assessments and rehabilitation where needed, as well as conduct encampment cleanups in the area. The Plan may also identify other priority areas for the ULAR Group, that would result in a greater benefit (in terms of reducing the risk to public health), therefore providing greater value if efforts were focused within these areas. For example, the area adjacent to the R2-04 outfall drainage area, while associated with an outfall that demonstrated only episodically poor water quality conditions (based on *E. coli* loading rates), may contain a greater number of pathogen sources, that could feasibly be addressed to significantly reduce pathogens transported to receiving waters. Note, in the areas the Group has already successfully implemented low flow divisions, the Plan may no longer consider these a priority during dry weather for follow-up source identification and abatement efforts, but may require further implementation actions to address wet weather in the future.



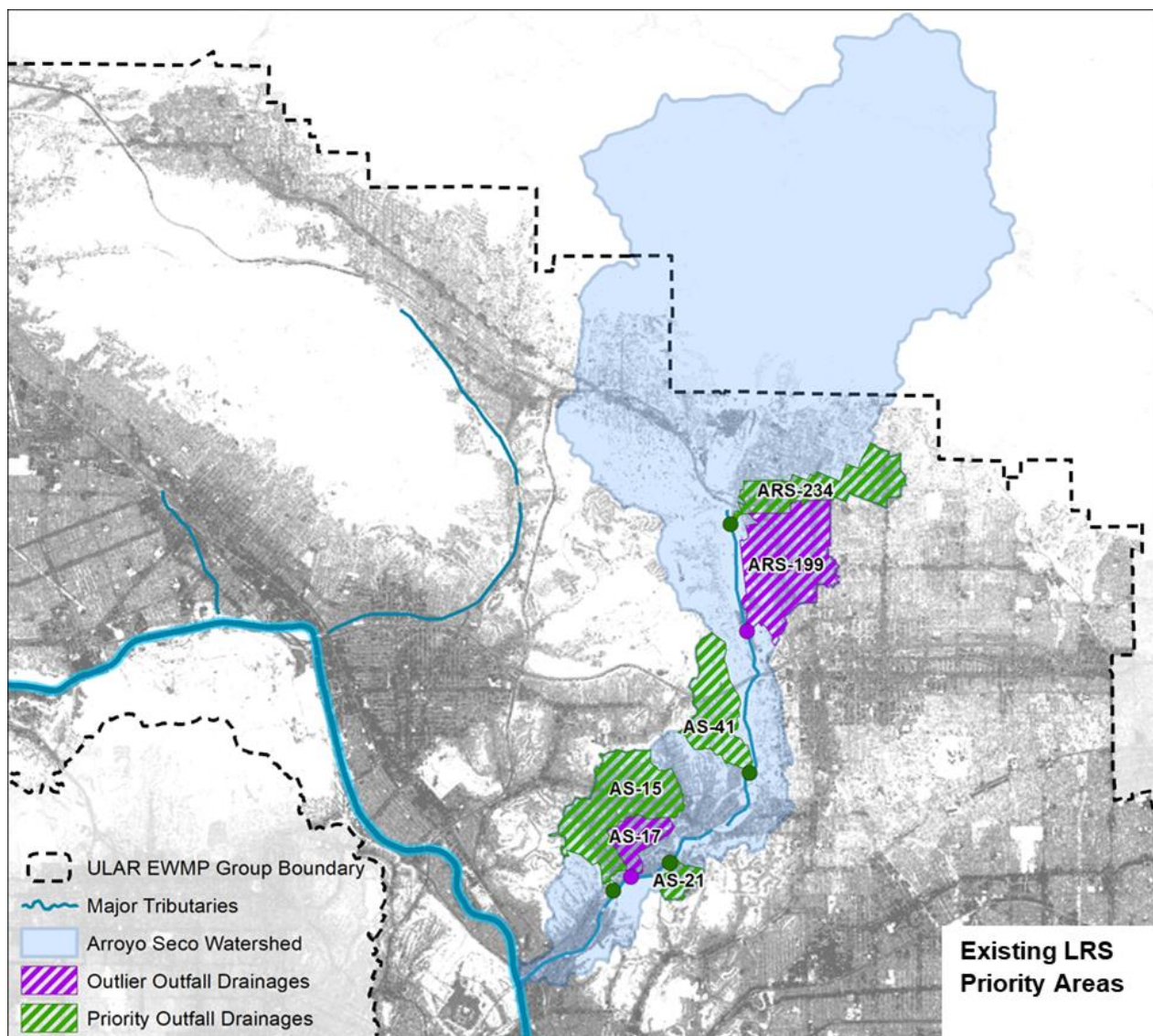


## Conceptual Example #2: Arroyo Seco, Priority Outfall AS-41

### Existing LRS Approach

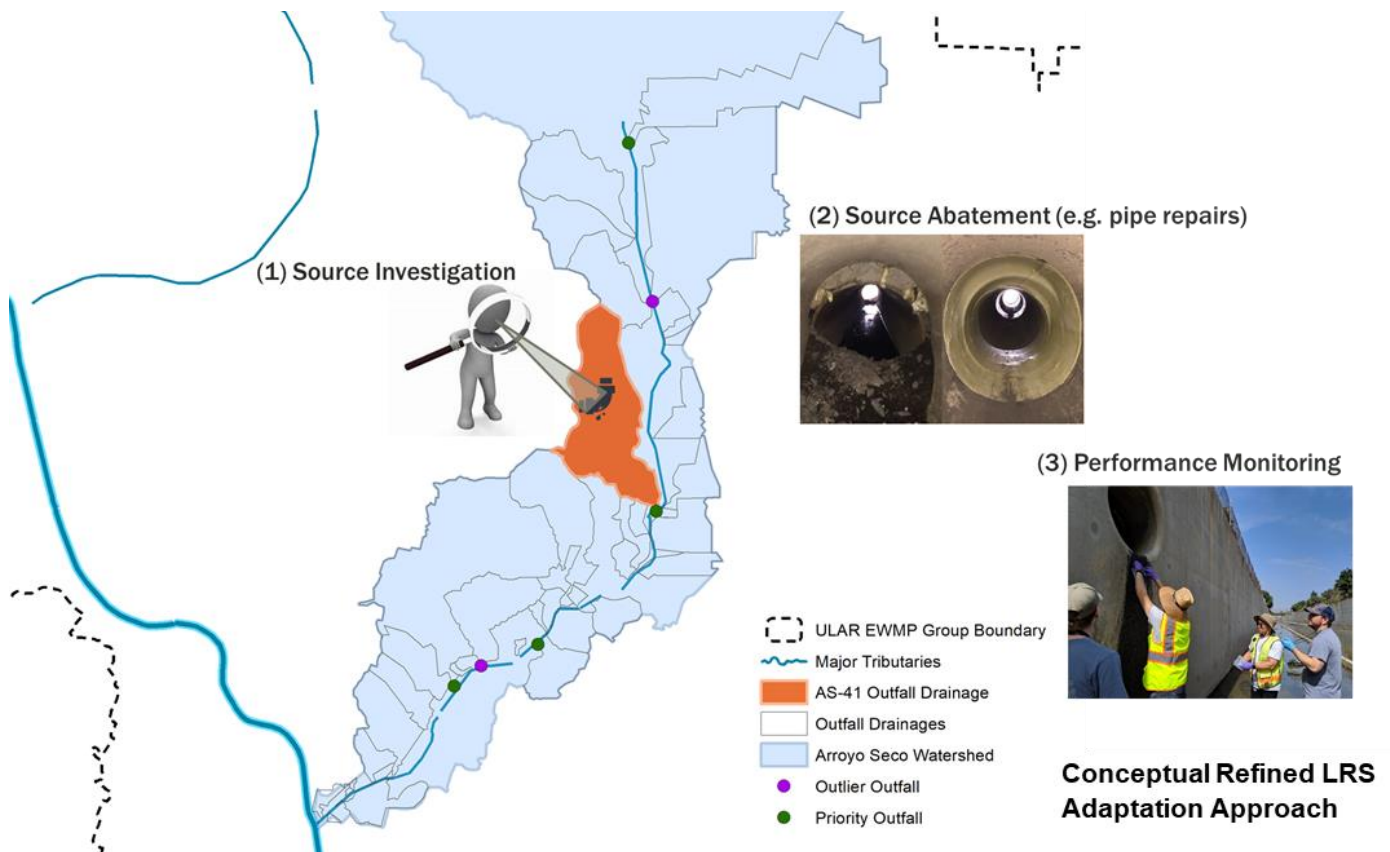
The existing LRS approach for the Arroyo Seco tributary identified four priority outfalls and two outlier outfalls. This example focuses on priority outfall AS-41, see the map below. The following summarizes the existing LRS approach to address this outfall drainage area:

- Original Proposed LRS Action: Diversion to dry well system
- Initial Follow-Up: Performed source investigations, televised various storm drains for illicit connections, performed additional water quality monitoring, and conducted soil/percolation tests at Lower Arroyo Park
- Challenges:
  - Constrained by high water table, reducing infiltration possibilities
  - Limited opportunities to divert to sewer system
  - Area multi-jurisdictional, requiring outreach with multiple community organizations and various stakeholders
  - Unable to identify feasible project location and design



## LRS Adaptation Approach

A significant amount of data has already been gathered in this area regarding potential sources. The Plan will compile the available water quality and source investigation data to first confirm this area should be a high priority for implementation actions (i.e., consistently poor water quality data and identified potential pathogen sources within the drainage area). If other areas within the watershed are identified as higher priority due to potential pathogen source contributions, these may be the focus of implementation actions where feasible. However, if this area is confirmed a high priority under the revised criteria, with the continued challenges to site and design a structural project, the implementation focus will shift towards using the source investigation results to carry out targeted source abatement. Performance monitoring will follow the source abatement efforts to confirm the identified sources are eliminated or successfully mitigated.



## Benefits

The LRS Adaptation Plan will better align implementation actions in order to successfully reduce potential health risks to recreators. The keys benefits are a targeted approach to decrease health risks due to bacteria-related issues in the watershed, which therefore improves water quality conditions for recreators. The ULAR Group, and the Los Angeles region overall, has faced challenges addressing bacteria-related issues. The targeted approach in the LRS Adaptation Plan emphasizes source control and provides an expedited pathway for improving water quality conditions, compared to existing efforts that focused primarily on implementing traditional structural controls that may not reduce pathogen concentrations. This Plan will also provide guidance for future Reasonable Assurance Analysis (RAA) updates as part of the Enhanced Watershed Management Programs (EWMPs).

## BACKGROUND

### Previous

The current LRS catalogued or screened 1,812 outfalls throughout the ULAR region. An LRS has been submitted for five of the 16 prioritized segments and tributaries, including Arroyo Seco, Compton Creek, Rio Hondo, Segment B and Segment E. The Group has successfully completed two projects, constructing low flow diversions for Priority Outfalls R2-A and R2-K for Segment B. In addition, the Group has completed extensive research and designs for proposed projects, with 25 priority projects identified and nine projects currently in design. However, the Group has encountered numerous challenges pursuing LRS implementation. Therefore, on November 30, 2018, the Group submitted a request for a five-year extension on projects that were identified to address Segment B and Arroyo Seco. The extension was requested due to unforeseen contamination issues, to allow for exploration of alternative designs, time requirements of public and stakeholder outreach, mitigation of road and traffic issues, and other site conflicts identified during the design phase. The request was denied by the Regional Board. On December 12, 2018, the Group also submitted a request for a five-year extension on projects that were identified for Rio Hondo. This extension was requested to allow the agencies to investigate grant and other funding opportunities to support the development and construction of projects. Given the challenges the Group has encountered, as well as the ongoing discussion in the region regarding cost-effective strategies to address recreational human health risk, which is the driver behind the Bacteria TMDL, the Group is now pursuing this adaptive management of their existing LRS.

The LRS Adaptation Plan will align key elements of the updated approach with other ongoing ULAR projects and priorities. This effort will also track and leverage the results of other key bacteria/pathogen-related projects and initiatives, including the following:

- San Diego Region Bacteria TMDL Reopener status and updates
- Ongoing development of potential HF183 threshold values
- Ongoing regulatory discussions with the Regional Board, State Water Board, USEPA, and other agencies
- Planning for upcoming revisions to the Los Angeles Region MS4 Permit
- Statewide Bacteria Provisions recently adopted
- Development of SOC CHWSRS
- Development of the City of San Diego Human Waste Prioritization Study (in progress, leverages the approach Tetra Tech developed for South Orange County)
- Progress on the San Diego River Investigative Order to quantify the sources and transport of human fecal material in the watershed
- Recent scientific advancements in MST, special studies, and EPA methods development

In addition, this Plan will leverage the approach developed for Orange County for a similar human source-focused implementation plan, which can be accessed following the link below:

[http://www.ocwatersheds.com/documents/south\\_oc\\_water\\_quality\\_improvement\\_plan\\_\(wqip\)/comprehensive\\_human\\_waste\\_source\\_reduction\\_strategy\\_work\\_plan](http://www.ocwatersheds.com/documents/south_oc_water_quality_improvement_plan_(wqip)/comprehensive_human_waste_source_reduction_strategy_work_plan)

### Regulations

The ULAR Group has been pursuing the LRS to address the Los Angeles River Bacteria TMDL segments as an optional approach to demonstrate attainment with the TMDL waste load allocations. The LRS includes a phased approach towards compliance, based on prioritization of Los Angeles River segments and tributaries. The Group prioritized 16 segments and tributaries, for which the Group would conduct: (1) Phase I screening, (2) Phase I monitoring and follow-up, (3) implementation actions to control bacteria, and (4) submittal of the LRS. If bacteria exceedances continue, Phase II may be initiated to determine additional actions and revise the LRS.

## Regional Program Scientific Study Proposal –LRS Adaptation to Address the LA River Bacteria TMDL for the Upper Los Angeles River Watershed Management Group

The Group met with the Regional Board on September 27, 2019 to discuss the multiple challenges the Group has encountered during implementation of their LRS and proposed an adaptive management update of the existing LRS. Based on agreement with the Regional Board, the Group submitted a formal proposal for the adaptive management of the existing LRS for review. Development of this Plan will include coordination with Board staff throughout to ensure the methods and outcomes are in line with regulatory expectations. There will be ongoing engagement with the Regional Board to discuss the update to the existing LRS and the shift in focus to source control efforts. This engagement is critical to ensure policy directions are consistent with the updated implementation approach the Group is pursuing.

## COST & SCHEDULE

### Cost of Study

Total Funding Requested: \$250,000

Watershed Area	Percent of Total Cost	Cost
Rio Hondo	23%	\$57,500
Upper Los Angeles River	77%	\$192,500

### Funding Sources

The Group is committed to adapting the existing LRS to meet regulatory requirements and due to the critical need to meet upcoming milestones, the Group plans to fund an initial \$50,000 to begin data collection and refinement of priority areas to support the LRS Adaptation Plan and inform source tracking efforts prior to the start of FY 20-21. Development of the Plan and the source tracking study, however, are dependent on the requested funding herein through the Safe, Clean Water Program for FY 20-21.

### Schedule

The following schedule assumes initial funding through other sources prior to the start of FY 20-21, beginning in January 2020.

Milestone Name	Completion Date
Data Collection and Review	End of January 2020
Develop Initial Prioritization and Findings for Segment B (GIS and Maps only)	April/May 2020
Preliminary SAP and QAPP for Segment B	May/June 2020
Source Tracking Study for Dry Weather for Segment B	Begin July/August 2020
Updated Prioritization for ULAR Region	September 2020 – June 2021
LRS Adaptation Plan Technical Deliverables	September 2020 – June 2021
Regional Board Outreach Strategy and Engagement	Ongoing





**CITY OF GLENDALE, CALIFORNIA**

Public Works  
Administration

633 E. Broadway, Suite 209  
Glendale, CA 91206-4310  
Tel. (818) 548-3900 Fax (818) 546-2207  
glendaleca.gov

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December 10, 2019

Rio Hondo and Upper Los Angeles River  
Watershed Area Steering Committee Members  
Safe, Clean Water Program

Subject: Letter of Support for Load Reduction Strategies Scientific Study Proposal

To Whom It May Concern:

We are writing in support of this proposal for Scientific Study funding under the Rio Hondo and Upper Los Angeles River Regional Programs of the Safe, Clean Water Program.

The Upper Los Angeles River Watershed Management Group (Group) has faced multiple challenges during implementation of the LRS and struggled to address the current recreational water quality and Los Angeles River Bacteria TMDL requirements. To improve the LRS and better protect public health and support recreational beneficial use goals, the Group is pursuing development of an LRS adaptation plan. We believe this adaptation plan will provide an effective foundation to address pathogen health risk and will help streamline efforts across agencies and other stakeholders. We understand the annual consideration for funding under the Stormwater Investment Plans (SIPs) must balance the objectives of the Safe, Clean Water Program across many proposed studies and projects. The LRS adaptation plan will help identify the most effective pathway towards improved public health and attainment of bacteria-related water quality objectives through an adaptive management process that incorporates significant advances in the state of the science.

This Scientific Study will utilize a data-driven approach to identify efficient and effective implementation actions watershed-wide. The proposed adaptation plan is timely given recent advancements in the development of human markers and other diagnostic tools, successful development of an innovative risk-based approach for Orange County that provides a model for this study, and the need to move expeditiously to reduce public health risks and demonstrate compliance with the LRS requirements. A well-designed adaptation plan is expected to inform the most effective bacteria-related implementation efforts not only in the ULAR, but across the region.

We respectfully encourage you to consider this Scientific Study for inclusion in the Fiscal Year 2020/2021 SIPs for the Rio Hondo and Upper Los Angeles River Watershed Areas. Should you have any questions, you may contact Chris Chew at (818) 548-3945 or [cchew@glendaleca.gov](mailto:cchew@glendaleca.gov).

Sincerely,

A handwritten signature in blue ink, appearing to read "Yazdan T. Emrani".

Yazdan T. Emrani, P.E.

Director of Public Works





December 10, 2019

Rio Hondo and Upper Los Angeles River  
Watershed Area Steering Committee Members  
Safe, Clean Water Program

**Subject: Letter of Support for Safe, Clean Water Regional Program Scientific Study Proposal**

To Whom It May Concern:

We are writing in support of this proposal for Scientific Study funding under the Rio Hondo and Upper Los Angeles River Regional Programs of the Safe, Clean Water Program.

The Upper Los Angeles River Watershed Management Group (Group) has faced multiple challenges during implementation of the LRS and struggled to address the current recreational water quality and Los Angeles River Bacteria TMDL requirements. To improve the LRS and better protect public health and support recreational beneficial use goals, the Group is pursuing development of an LRS adaptation plan. We believe this adaptation plan will provide an effective foundation to address pathogen health risk and will help streamline efforts across agencies and other stakeholders. We understand the annual consideration for funding under the Stormwater Investment Plans (SIPs) must balance the objectives of the Safe, Clean Water Program across many proposed studies and projects. The LRS adaptation plan will help identify the most effective pathway towards improved public health and attainment of bacteria-related water quality objectives through an adaptive management process that incorporates significant advances in the state of the science.

This Scientific Study will utilize a data-driven approach to identify efficient and effective implementation actions watershed-wide. The proposed adaptation plan is timely given recent advancements in the development of human markers and other diagnostic tools, successful development of an innovative risk-based approach for Orange County that provides a model for this study, and the need to move expeditiously to reduce public health risks and demonstrate compliance with the LRS requirements. A well-designed adaptation plan is expected to inform the most effective bacteria-related implementation efforts not only in the ULAR, but across the region.

We respectfully encourage you to consider this Scientific Study for inclusion in the Fiscal Year 2020/2021 SIPs for the Rio Hondo and Upper Los Angeles River Watershed Areas. Should you have any questions, you may contact me, Danilo Batson, (323) 887-1462 or [dbatson@cityofmontebello.com](mailto:dbatson@cityofmontebello.com).

Sincerely,

A blue ink signature of Danilo Batson.

Danilo Batson  
Director of Public Works



OFFICE OF THE DIRECTOR  
DEPARTMENT OF PUBLIC WORKS

December 11, 2019

Rio Hondo and Upper Los Angeles River  
Watershed Area Steering Committee Members  
Safe, Clean Water Program

**Subject: Letter of Support for Safe, Clean Water Regional Program Scientific Study Proposal**

To Whom It May Concern:

We are writing in support of this proposal for Scientific Study funding under the Rio Hondo and Upper Los Angeles River Regional Programs of the Safe, Clean Water Program.

The Upper Los Angeles River Watershed Management Group (Group) has faced multiple challenges during implementation of the LRS and struggled to address the current recreational water quality and Los Angeles River Bacteria TMDL requirements. To improve the LRS and better protect public health and support recreational beneficial use goals, the Group is pursuing development of an LRS adaptation plan. We believe this adaptation plan will provide an effective foundation to address pathogen health risk and will help streamline efforts across agencies and other stakeholders. We understand the annual consideration for funding under the Stormwater Investment Plans (SIPs) must balance the objectives of the Safe, Clean Water Program across many proposed studies and projects. The LRS adaptation plan will help identify the most effective pathway towards improved public health and attainment of bacteria-related water quality objectives through an adaptive management process that incorporates significant advances in the state of the science.

This Scientific Study will utilize a data-driven approach to identify efficient and effective implementation actions watershed-wide. The proposed adaptation plan is timely given recent advancements in the development of human markers and other diagnostic tools, successful development of an innovative risk-based approach for Orange County that provides a model for this study, and the need to move expeditiously to reduce public health risks and demonstrate compliance with the LRS requirements. A well-designed adaptation plan is expected to inform the most effective bacteria-related implementation efforts not only in the ULAR, but across the region.

We respectfully encourage you to consider this Scientific Study for inclusion in the Fiscal Year 2020/2021 SIPs for the Rio Hondo and Upper Los Angeles River Watershed Areas. Should you have any questions, you may contact Kris Markarian, City Engineer, at (626) 744-4695 or [kmarkarian@cityofpasadena.net](mailto:kmarkarian@cityofpasadena.net).

Sincerely,

A handwritten signature in blue ink, appearing to read "Ara Maloyan", is written over a blue circular stamp.

Ara Maloyan, P.E.  
Director of Public Works





## City of San Marino

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December 9, 2019

Rio Hondo and Upper Los Angeles River  
Watershed Area Steering Committee Members  
Safe, Clean Water Program

**Subject: Letter of Support for Safe, Clean Water Regional Program Scientific Study Proposal**

To Whom It May Concern:

The City of San Marino is writing in support of this proposal for Scientific Study funding under the Rio Hondo and Upper Los Angeles River Regional Programs of the Safe, Clean Water Program.

The Upper Los Angeles River Watershed Management Group (Group) has faced multiple challenges during implementation of the LRS and struggled to address the current recreational water quality and Los Angeles River Bacteria TMDL requirements. To improve the LRS and better protect public health and support recreational beneficial use goals, the Group is pursuing development of an LRS adaptation plan. We believe this adaptation plan will provide an effective foundation to address pathogen health risk and will help streamline efforts across agencies and other stakeholders. We understand the annual consideration for funding under the Stormwater Investment Plans (SIPs) must balance the objectives of the Safe, Clean Water Program across many proposed studies and projects. The LRS adaptation plan will help identify the most effective pathway towards improved public health and attainment of bacteria-related water quality objectives through an adaptive management process that incorporates significant advances in the state of the science.

This Scientific Study will utilize a data-driven approach to identify efficient and effective implementation actions watershed-wide. The proposed adaptation plan is timely given recent advancements in the development of human markers and other diagnostic tools, successful development of an innovative risk-based approach for Orange County that provides a model for this study, and the need to move expeditiously to reduce public health risks and demonstrate compliance with the LRS requirements. A well-designed adaptation plan is expected to inform

the most effective bacteria-related implementation efforts not only in the ULAR, but across the region.

On behalf of the City, I respectfully encourage you to consider this Scientific Study for inclusion in the Fiscal Year 2020/2021 SIPs for the Rio Hondo and Upper Los Angeles River Watershed Areas. Should you have any questions, you may contact me at 626 300-0765 or [MThrone@CityOfSanMarino.org](mailto:MThrone@CityOfSanMarino.org).

Sincerely,



Michael Throne, PE, Director of Parks and Public Works/City Engineer





**SOUTHERN CALIFORNIA COASTAL WATER RESEARCH PROJECT**  
*A Public Agency for Environmental Research*

December 4, 2019

Rio Hondo and Upper Los Angeles River  
Watershed Area Steering Committee Members  
Safe, Clean Water Program

**Re: Letter of Support for Safe, Clean Water Regional Program Scientific Study Proposal**

To Ms Petschauer:

Like most municipalities, the Upper Los Angeles River Watershed Management Group (Group) has faced multiple challenges during implementation of the LRS and struggled to address the current recreational water quality and Los Angeles River Bacteria TMDL requirements.

To improve the LRS and better protect public health and support recreational beneficial use goals, the Group is pursuing development of an LRS adaptation plan that prioritizes human fecal pollution sources.

This human source focused approach is consistent with the 15+ years of research by the Southern California Coastal Water Research Project (SCCWRP) to support such management approaches. The management framework, human fecal source indicators and measurement methods, and human health risk profiles developed by SCCWRP and our collaborators has been continually refined for management decision making. These tools and approaches are currently being utilized in Orange County and San Diego. These tools are available to the Group for the LRS.

Sincerely,

Kenneth Schiff  
Deputy Director  
Southern California Coastal Water Research Project

November 15, 2019

Dawn Petschauer  
LA Sanitation  
Watershed Protection Division  
1149 S Broadway Ave, 10<sup>th</sup> Floor  
Los Angeles, CA 90015

**Subject: Bacteria/Pathogen Adaptive Management Recommendations**

Dear Ms. Petschauer and Upper Los Angeles River (ULAR) Watershed Management Group:

Similar to the challenges faced by the ULAR Group, the South Orange County (SOC) MS4 permittees have struggled to address the current recreational water quality and Bacteria TMDL requirements. In an effort to address potential human health risks in local waterbodies more directly, we developed the SOC Water Quality Improvement Plan (WQIP) to focus on pathogen health risk (as one of our highest priorities), rather than fecal indicator bacteria which can be problematic due to natural sources and other complicating factors. In June of 2019, we submitted a proposed Comprehensive Human Waste Source Reduction Strategy (CHWSRS) Work Plan to San Diego Regional Water Quality Control Board staff for their review. Upon finalization, which we hope will occur by the end of this year, this Work Plan will guide efforts to identify and abate sources of human waste in both wet and dry weather runoff, thereby reducing health risk in receiving waters where water contact recreation occurs. The SOC MS4 Permittees worked closely with Tetra Tech to develop the Work Plan, which included recommendations from experts in the fields of microbial source identification and pathogen health risk. Work Plan development also included input from the SOC Integrated Regional Water Management (IRWM) group, San Diego Regional Water Quality Control Board staff, and other key stakeholders. The Work Plan incorporates an innovative risk-based catchment prioritization approach and source identification/abatement methods that were developed based on the latest scientific advancements and recommendations.

We believe this Work Plan provides an effective foundation to address pathogen health risk and will help streamline efforts across agencies and other stakeholders. Further, I believe the approach used to develop this Work Plan would significantly benefit the implementation efforts of the ULAR Group and other watershed groups throughout the region. Application of this approach across the region will help support consistent messaging with the public and regulatory community regarding the need to focus on pathogen health risk, rather than fecal indicator bacteria outcomes. In addition to the benefits of the catchment prioritization approach and other components, the Work Plan emphasizes source control strategies rather than implementation of traditional structural BMPs and dry weather controls that may be ineffective or can potentially exacerbate bacteria/pathogen problems. We have also been working closely with staff of the San Diego Regional Water Quality Board for several years to address the regulatory challenges we face in this area and would be happy to share our experience and lessons learned.

Please feel free to contact me if I can be of further assistance (714-955-0633 or by email at [grant.sharp@ocpw.ocgov.com](mailto:grant.sharp@ocpw.ocgov.com)).

Sincerely,



Grant Sharp, Manager  
South Orange County Watershed Management Area



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## **ATTACHMENTS FOR SECTION 3:**

### **Outcomes**

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## **ATTACHMENTS FOR SECTION 4:**

### **Background**

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## **ATTACHMENTS FOR SECTION 5:**

### **Cost & Schedule**

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**TRANSFER AGREEMENT BETWEEN  
THE LOS ANGELES COUNTY FLOOD CONTROL DISTRICT  
AND**

**AGREEMENT NO.  
SAFE, CLEAN WATER PROGRAM – REGIONAL PROGRAM**

This Transfer Agreement, hereinafter referred to as "Agreement," is entered into as of \_\_\_\_\_ by and between the Los Angeles County Flood Control District, hereinafter referred to as "District," and, hereinafter referred to as "Recipient."

**WHEREAS**, District, pursuant to the Los Angeles Region Safe, Clean Water (SCW) Program ordinance (Chapter 16 of the Los Angeles County Flood Control District Code) and the SCW Program Implementation Ordinance (Chapter 18 of the Los Angeles County Flood Control District Code), administers the SCW Program for the purpose of funding Projects and Programs to increase stormwater and urban runoff capture and reduce stormwater and urban runoff pollution in the District;

**WHEREAS**, Recipient proposes to implement a Funded Activity (as hereafter defined) that is eligible for funding under the SCW Program;

**WHEREAS**, the Funded Activity is included in a Stormwater Investment Plan (SIP) that has been approved by the County of Los Angeles Board of Supervisors;

**WHEREAS**, the Board approved a standard template Agreement as required by and in accordance with Section 18.09 of the Los Angeles County Flood Control District Code;

**NOW, THEREFORE**, in consideration of the promises, mutual representations, covenants and agreements in this Agreement, the District and the Recipient, each binding itself, its successors and assigns, do mutually promise, covenant, and agree as follows:

**I. DEFINITIONS**

The definitions set forth in Sections 16.03 and 18.02 of the Los Angeles County Flood Control District Code shall apply to this Agreement. In addition, the following definitions shall also apply:

"Activity Completion" means that the Funded Activity is complete to the reasonable satisfaction of the District based on review of reports and other documentation as deemed appropriate by the District. If the Funded Activity is an Infrastructure Program Project on District Right-of-Way a separate use and maintenance agreement is required.

"Activity Costs" means the total costs necessary to achieve Activity Completion. The Activity Costs for the Funded Activity are described in Exhibit A.

"Agreement" means this Transfer Agreement, including all exhibits and attachments hereto.

“Budget Plan” means a Recipient’s plan for funding Activity Completion, including a description of all sources of funds for Activity Costs and a description of how the SCW Program Contribution will be allocated among the tasks identified in the Scope of Work within each fiscal year. Recipient’s Budget Plan is described in Exhibit A.

“Days” means calendar days unless otherwise expressly indicated.

“Fiscal Year” means the period of twelve (12) months terminating on June 30 of any year.

“Funded Activity” means the Infrastructure Program Project, or Scientific Study described in Exhibit A – Scope of Work, including the Stakeholder and Community Outreach Plan and all other tasks and activities described in Exhibit A.

“Safe Clean Water (SCW) Program Contribution” means the portion of the Activity Costs to be paid for with Regional Program funds provided by the District from the SCW Program as described in the Budget Plan.

“Year” means calendar year unless otherwise expressly indicated.

## II. PARTY CONTACTS

The District and the Recipient designate the following individuals as the primary points of contact and communication regarding the Funded Activity and the administration and implementation of this Agreement.

Los Angeles County Flood Control District		Recipient:	
Name:		Name:	
Address:		Address:	
Phone:		Phone:	
Email:		Email:	

Either party to this Agreement may change the individual identified above by providing written notice of the change to the other party.

## III. EXHIBITS INCORPORATED BY REFERENCE

The following exhibits to this Agreement, including any amendments and supplements hereto, are hereby incorporated herein and made a part of this Agreement:

EXHIBIT A – SCOPE OF WORK

EXHIBIT B – GENERAL TERMS AND CONDITIONS

EXHIBIT C – SPECIAL CONDITIONS

EXHIBIT D – ADDENDUM TO AGREEMENT

## EXHIBIT E – NATURE-BASED SOLUTIONS (Best Management Practices)

## EXHIBIT F – OPERATIONS AND MAINTENANCE GUIDANCE DOCUMENT

**IV. ACTIVITY COMPLETION**

- A. The Recipient shall implement and complete the Funded Activity in accordance with the work schedule described in Exhibit A,
- B. The Recipient shall comply with the terms and conditions in Exhibits A, B, C, D, E, and F of this Agreement, and all applicable provisions of Chapters 16 and 18 of the Code.
- C. The Recipient shall fulfill all assurances, declarations, representations, and commitments made by the Recipient in its application for SCW Program Contributions, accompanying documents, and communications filed in support of its application for SCW Program Contributions.

**V. SCW PROGRAM FUNDING FOR FUNDED ACTIVITY**

- A. The District shall disburse the SCW Program Contribution for the 2020-2021 Fiscal Year as described in the corresponding approved Stormwater Investment Plan (SIP) within 45-days of receipt of the signed executed Agreement.
- B. If the Funded Activity is included in a duly approved SIP for a subsequent Fiscal Year, the parties shall enter into an addendum to this Agreement, in the form attached as Exhibit D, regarding the disbursement of the SCW Program Contribution for that subsequent Fiscal Year. The Recipient expressly acknowledges and agrees that the District is not obligated to disburse any SCW Program Contributions to Recipient for any Fiscal Year beyond the 2020-21 Fiscal Year unless the Funded Activity is included in a duly approved SIP for a subsequent Fiscal Year, the Recipient has complied with the provisions related to the California Environmental Quality Act in Exhibit C, and the parties have duly executed an addendum to this Agreement for that Fiscal Year.
- C. Notwithstanding any other provision of this Agreement, no disbursement shall be made at any time or in any manner that is in violation of or in conflict with federal, state, County laws, policies, or regulations.
- D. All disbursements shall be subject to and be made in accordance with the terms and conditions in this Agreement and Chapters 16 and 18 of the Code.
- E. The Recipient shall submit the scope of work described in Exhibit A 45-days after approval of the SIP. If the Funded Activity is included in a duly approved SIP for a subsequent Fiscal Year, and there are any changes to the Scope of Work, Budget Plan or any other portions of Exhibit A for that Fiscal Year, a revised Exhibit A will be required as part of the addendum to this Agreement for that Fiscal Year.

**VI. Execution of Agreement**

This Agreement may be executed simultaneously or in any number of counterparts, including both counterparts that are executed manually on paper and counterparts that are in the form of electronic records and are executed electronically, whether digital or encrypted, each of which shall be deemed an original and together shall constitute one and the same instrument.

The District and the Recipient hereby agree to regard facsimile/electronic representations of original signatures of authorized officers of each party, when appearing in appropriate places on this Agreement and on any addenda or amendments thereto, delivered or sent via facsimile or electronic mail or other electronic means, as legally sufficient evidence that such original signatures have been affixed to this Agreement and any addenda or amendments thereto such that the parties need not follow up facsimile/electronic transmissions of such documents with subsequent (non-facsimile/electronic) transmission of "original" versions of such documents.

Further, the District and the Recipient: (i) agree that an electronic signature of any party may be used to authenticate this Agreement or any addenda or amendment thereto, and if used, will have the same force and effect as a manual signature; (ii) acknowledge that if an electronic signature is used, the other party will rely on such signature as binding the party using such signature, and (iii) hereby waive any defenses to the enforcement of the terms of this agreement based on the foregoing forms of signature.

IN WITNESS WHEREOF, this Agreement has been executed by the parties hereto.

\_\_\_\_\_:

By: \_\_\_\_\_

Name:

Title:

Date: \_\_\_\_\_

LOS ANGELES COUNTY  
FLOOD CONTROL DISTRICT:

By: \_\_\_\_\_

Name:

Title:

Date: \_\_\_\_\_

**EXHIBIT A – SCOPE OF WORK****A-1. Budget Plan**

The Recipient shall submit a detailed Budget Plan for all eligible expenditures (those incurred after November 7, 2018) for all phases and tasks included in the work schedule for the Funded Activity. The Recipient shall include a summary of leveraged funds and in-kind services for the Funded Activity. For a Funded Activity that will be performed over more than one Fiscal Year, the Budget Plan must clearly identify the amount of SCW Program Contribution for each Fiscal Year.

**A-2. Consistent with SCW Program Goals**

By signing this Agreement, the Recipient shall provide certification that the Budget Plan is consistent with SCW Program Goals as described in Chapter 18.04 of the Code.

The Recipient shall include a summary of how the identified SCW Program Goals are expected to be achieved through the Funded Activity, including quantitative targets and corresponding metrics for subsequent reporting of all applicable parameters.

**A-3. Estimated Reasonable Total Activity Cost**

The Recipient shall submit a detailed estimate total Activity Cost for all phases and tasks included in the work schedule for the Funded Activity.

**A-4. Funded Activity Description and Scope of Work**

The Recipient shall provide a general description of the Funded Activity and a detailed scope of work. The scope of work may include:

1. Project Management, including required reporting
2. General Compliance Requirements/Project Effectiveness and Performance
3. Permitting and Environmental Compliance
4. Planning, Design, and Engineering
5. Stakeholder and Community Outreach/Engagement Activities
6. Right of Way Acquisition
7. Construction and Implementation
8. Operation and Maintenance

#### A-5. Operations and Maintenance (O&M) Plan

Where the Funded Activity is an Infrastructure Program Project, the Recipient shall submit a plan describing the activities that are expected to be necessary to perform O&M for the Infrastructure Program Project to ensure it remains in good working order throughout the useful life of the Infrastructure Program Project using SCW Program Contributions. The O&M plan shall address the activities described in Exhibit F to the greatest extent feasible and in as much detail as possible based on the completeness of the Project design and construction. The Recipient shall update the O&M plan in connection with each Addenda until completion of the Infrastructure Program Project and the submittal of a final O&M plan.

The Recipient shall specifically identify the entity that will be performing the O&M for the lifetime of the Project. If this is not the Recipient, the Recipient shall submit a letter of commitment from the entity that will be performing the O&M (See Exhibit F, for example activities). The letter of commitment shall include details demonstrating how the provider is qualified and capable of providing the necessary ongoing O&M services.

The Recipient may elect to request the local Municipality or District to provide O&M for the useful life of the Infrastructure Program Project using SCW Program Contributions. If the Recipient does not elect to seek the District's services or if the District is unable to provide the services as requested, the Recipient shall include in the letter of commitment reference to the above details demonstrating how the provider is qualified and capable of providing the necessary ongoing O&M services.

#### A-6. Post-Construction Monitoring

Where the Funded Activity is an Infrastructure Program Project, stormwater quality monitoring data shall be collected and reported in a manner consistent with the SWRCB database, the CEDEN for a period of three years. The Recipient shall submit a post-construction monitoring plan when the design phase is complete. The post-construction monitoring plan will evaluate the effectiveness of stormwater treatment facilities and include the project description; quality objectives; sampling design; sampling procedures; quality control; data management verification, and reporting; data quality assessment; and data analysis procedures.

#### A-7. Sustainability Rating

Where the Funded Activity is an Infrastructure Program Project that has applied for Institute for Sustainable Infrastructure (ISI) verification, the Recipient shall submit the final score and Envision award level.

#### A-8. Stakeholder and Community Outreach/Engagement Plan

The Recipient shall submit a Stakeholder and Community Outreach/Engagement Plan for Infrastructure Program Projects and include a discussion of how local NGOs or CBOs will be involved, if applicable, and if not, why. Additional outreach/engagement



activities, even if funded by other sources, should be referenced to provide an overview of anticipated overall project approach. The plan shall, at a minimum include:

1. Community outreach activities to provide information to residents and information about upcoming meetings or other engagement activity event is scheduled. Outreach methods used should be appropriate in scale and type to the community being served. Outreach methods include but are not limited to: Online Media Outreach (email blasts, social media, publication on a website) Local Media Outreach (newsletters, local and regional newspapers, and local radio and television) and/or Grassroots Outreach (door-to-door canvassing, phone banking, surveys and focus groups, and distribution of flyers or other printed materials). The District will support outreach efforts through web-based platforms if requested at least four weeks prior to the requested publish date. The District should be included in all social media outreach and notified of all meetings and other engagement events.
2. Community engagement activities solicit, address and seek input from community members for Funded Activities. These events may occur as part of any public meeting with multiple agenda items such as council, commission or committee meetings where public input is invited; or at festivals, fairs, or open houses where a table or booth may be set up.
3. Stakeholder and Community Outreach/Engagement Plan requirements:

Stakeholder and Community Outreach/Engagement Plan activities should occur at the onset of the project, during the design phase, and during construction.

Infrastructure Program Project Funds	Required Activity 1	Required Activity 2
Up to \$2 M	Outreach or Engagement	
Up to \$10 M	Outreach	≥1 Engagement
Over \$10 M	Outreach	≥ 2 Engagements

4. If the Funded Activity is for the O&M of an Infrastructure Program Project Stakeholder and Community Outreach/Engagement Plan activities should occur biennially to remind communities of the SCW Program Contribution.
5. Activities and measures to mitigate against displacement and gentrification. This includes, as applicable, an acknowledgment that the Funded Activity will be fully subject to and comply with any County-wide displacement policies as well as with any specific anti-displacement requirements associated with other funding sources.

A-9. Tracking Infrastructure Program Project Benefits

The Recipient shall submit an overview of the benefits achieved upon the Activity Completion. SOW shall include quantitative targets and corresponding metrics for subsequent reporting of all applicable parameters.

A-10. Work Schedule and Completion Date

The Recipient shall submit a detailed schedule, including start and completion dates for all phases and tasks of the scope of work for the Funded Activity. For Funded Activities that will be performed over more than one Fiscal Year, the work schedule must clearly identify the phases and tasks that will be performed in each Fiscal Year.

**EXHIBIT B – GENERAL TERMS AND CONDITIONS****B-1. Accounting and Deposit of Funding Disbursement**

1. SCW Program Contributions distributed to the Recipient shall be held in a separate interest-bearing account and shall not be combined with other funds. Interest earned from each account shall be used by the Recipient only for eligible expenditures consistent with the requirements of the SCW Program.
2. The Recipient shall not be entitled to interest earned on undisbursed SCW Program Contributions; interest earned prior to disbursement is property of the District.
3. The Recipient shall operate in accordance with Generally Accepted Accounting Principles (GAAP).
4. The Recipient shall be strictly accountable for all funds, receipts, and disbursements related to all SCW Program Contributions made to the Recipient.

**B-2. Acknowledgement of Credit and Signage**

The Recipient shall include appropriate acknowledgement of credit to the District for its support when promoting the Funded Activity or using any data and/or information developed under this Agreement. When the Funded Activity involves the construction phase of an Infrastructure Program Project, signage shall be posted in a prominent location at Project site(s) or at the Recipients headquarters and shall include the Safe, Clean Water Program color logo and the following disclosure statement: "Funding for this project has been provided in full or in part from the Los Angeles County Flood Control District's Safe, Clean Water Program." At a minimum the sign shall be 2' x 3' in size. The Recipient shall also include in each of its contracts for work under this Agreement a provision that incorporates the requirements stated within this paragraph.

When the Funded Activity involves a scientific study, the Recipient shall include the following statement in the study report: "Funding for this study has been provided in full or in part from the Los Angeles County Flood Control District's Safe, Clean Water Program." The Recipient shall also include in each of its contracts for work under this Agreement a provision that incorporates the requirements stated within this paragraph.

**B-3. Acquisition of Real Property – Covenant**

Any real property acquired in whole or in part with SCW Program funds shall be used for Projects and Programs that are consistent with the SCW Program Goals and with the provisions of Chapter 16 and 18 of the Code.

Any Recipient that acquires the fee title to real property using, in whole or in part, SCW Program funds shall record a document in the office of the Registrar-Recorder/County Clerk containing a covenant not to sell or otherwise convey the real property without the

prior express written consent of the District, which consent shall not be unreasonably withheld.

#### B-4. Amendment

Except as provided in Section II of the Agreement, no amendment or variation of the terms of this Agreement shall be valid unless made in writing and signed by the parties. No oral or written understanding or agreement not incorporated in this Agreement is binding on any of the parties.

#### B-5. Assignment

The Recipient will not assign this Agreement without the prior consent of the District.

#### B-6. Audit and Recordkeeping

1. The Recipient shall retain for a period of seven (7) years after Activity Completion, all records necessary in accordance with Generally Accepted Accounting Principles to determine the amounts expended, and eligibility of Projects implemented using SCW Program Contributions. The Recipient, upon demand by authorized representatives of the District, shall make such records available for examination and review or audit by the District or its authorized representatives. 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 Contributions and expenditures.
2. The Recipient is responsible for obtaining an independent audit to determine Funded Activity compliance with the terms and conditions of this Agreement and all requirements applicable to the Recipient contained in chapters 16 and 18 of the Code promptly upon Activity Completion. For a Funded Activity that will be performed over the course of a period exceeding three years, the District may also perform an interim independent audit every three (3) years until Activity Completion. Audits shall be funded with Regional Program funds.
3. Recipient shall file a copy of the Activity Completion audit report with the District by the end of the ninth (9<sup>th</sup>) month from Activity Completion. Recipient shall file a copy of all interim audit reports by the ninth (9<sup>th</sup>) month from the end of each three (3) year period. Audit reports shall be posted on the District's publicly accessible website.

<b>End-of-Activity</b>		<b>Every Third Fiscal Year</b>		
<b><u>Projected End Date</u></b>	<b><u>Audit Report Due to District</u></b>	<b><u>SIP Fiscal Year</u></b>	<b><u>Audit Period</u></b>	<b><u>Audit Report Due to District</u></b>
1/15/2022	No later than 10/31/2022	2020-21	7/1/2020 to 6/30/2023	No later than 3/31/2024

4. Upon reasonable advanced request, the Recipient shall permit the Chief Engineer, at the District's cost and expense, to examine the Funded Activity. The Recipient shall permit the authorized District representative, including the Auditor-Controller, at the District's cost and expense, to examine, review, audit, and transcribe any and all audit reports, other reports, books, accounts, papers, maps, and other records that relate to the Funded Activity.
5. Expenditures determined by an audit to be in violation of any provision of Chapters 16 or 18 of the Code, or of this Agreement, shall be subject to the enforcement and remedy provisions of Section 18.14 of the Code.

If at any time the Funded Activity cannot fulfill the provisions outlined in Exhibit A, the accounts and books of the Recipient may be reviewed or audited by the District.

#### B-7. Availability of Funds

District's obligation to disburse the SCW Program Contribution is contingent upon the availability of sufficient funds to permit the disbursements provided for herein. If sufficient funds are not available for any reason including, but not limited to, failure to fund allocations necessary for disbursement of the SCW Program Contribution, the District shall not be obligated to make any disbursements to the Recipient under this Agreement. This provision shall be construed as a condition precedent to the obligation of the District to make any disbursements under this Agreement. Nothing in this Agreement shall be construed to provide the Recipient with a right of priority for disbursement over any other recipient. If any disbursements due the Recipient under this Agreement are deferred because sufficient funds are unavailable, it is the intention of the District that such disbursement will be made to the Recipient when sufficient funds do become available, but this intention is not binding. If this Agreement's funding for any fiscal year is reduced or deleted by order of the Board, the District shall have the option to either cancel this Agreement with no liability occurring to the District or offer an amendment to the Recipient to reflect the reduced amount.

1. The Recipient will not seek disbursement of any Activity Costs that will be disbursed or reimbursed from other funding sources.
2. The Recipient agrees that it will not request a disbursement unless that cost is allowable, reasonable, and allocable.

**B-8. Choice of Law**

The laws of the State of California govern this Agreement.

**B-9. Claims**

Any claim of the Recipient is limited to the rights, remedies, and claims procedures provided to the Recipient under this Agreement. Recipient expenditures of a SCW Program Contribution that involves the District shall utilize a separate and specific agreement to that Project that includes appropriate indemnification superseding that in this Agreement.

**B-10. Completion of Funded Activity by the Recipient**

The Recipient agrees to pay any and all Activity Costs in excess of the SCW Program Contribution necessary for Activity Completion. The Recipient expressly acknowledges and agrees that if the SCW Program Contribution is not sufficient to pay the Activity Costs in full, the Recipient shall nonetheless complete the Funded Activity and pay that portion of the Activity Costs in excess of the SCW Program Contribution, subject to the provisions of Exhibit C, as applicable.

**B-11. Compliance with Law, Regulations, etc.**

The Recipient shall, at all times, comply with and require its contractors and subcontractors to comply with all applicable County, state and federal laws, rules, guidelines, regulations, and requirements. Without limitation of the foregoing, the Recipient agrees that, to the extent applicable, the Recipient shall comply with the Code.

**B-12. Competitive Bidding and Procurements**

The Recipient's contracts with other entities for the acquisition of goods and services and construction of public works with SCW Program Contributions must be in writing and shall comply with all applicable laws and regulations regarding the securing of competitive bids and undertaking competitive negotiations. If the Recipient does not have a written policy to award contracts through a competitive bidding or sole source process, the State Contracting Manual rules must be followed and are available at: <https://www.dgs.ca.gov/OLS/Resources/Page-Content/Office-of-Legal-Services-Resources-List-Folder/State-Contracting#@ViewBag.JumpTo>

**B-13. Continuous Use of Funded Activity; Lease or Disposal of Funded Activity**

Where the Funded Activity involves an Infrastructure Program Project, the Recipient shall not abandon, substantially discontinue use of, lease, or dispose of all or a significant part or portion of the Funded Activity during the useful life of 30 years of the Funded Activity without prior written approval of the District. Such approval may be conditioned as determined to be appropriate by the District, including a condition requiring repayment of pro rata amount of all disbursed SCW Program Contributions together with interest on

said amount accruing from the date of abandonment, substantial discontinuance, lease or disposal of the Project.

#### B-14. Default Provisions

The Recipient will be in default under this Agreement under any of the following circumstances:

1. The Recipient has made or makes any false warranty, representation, or statement with respect to this Agreement, any addendum or the application filed to obtain this Agreement;
2. The Recipient materially breaches this Agreement or any addendum, including but not limited to:
  - a. Fails to operate or maintain Project in accordance with this Agreement;
  - b. Fails to submit timely Quarterly Progress/Expenditure Reports.
  - c. Fails to remain in Good Standing (see Section B-34, below).
  - d. The Recipient fails to maintain reasonable progress toward SCW Program Goals as described in Section 18.04 of the Code, following an opportunity to cure.
  - e. The Recipient fails to maintain reasonable progress toward Project Completion.
  - f. Use of SCW Program Contributions for ineligible expenses and/or activities not consistent with the Agreement.
  - g. Inappropriate use of SCW Program Contributions, as deemed by the District

Should an event of default occur, the District shall provide a notice of default to the Recipient and shall give the Recipient at least ten calendar days or such longer period as the District, in its reasonable discretion, may authorize, to cure the default from the date the notice is sent via first-class mail to the Recipient. If the Recipient fails to cure the default within the time prescribed by the District, the District may do any of the following:

1. Declare the SCW Program Contribution be immediately repaid, with interest, which shall be equal to the State of California general obligation bond interest rate in effect at the time of the default.
2. Terminate any obligation to make future payments to the Recipient.
3. Terminate the Agreement.

4. Take any other action that it deems necessary to protect its interests.

The Recipient shall not be in default under this Agreement as a result of any breach of this Agreement by the Recipient that is the direct result of the District's failure to make a SCW Program Contribution for any Fiscal Year. Under these circumstances the District may, in its reasonable discretion, terminate this Agreement by providing the Recipient with a written notice of termination. If this Agreement is terminated pursuant to this paragraph, the parties shall thereafter have no further obligations to each other in connection with the Funded Activity except that the Recipient's indemnification obligations shall survive the termination of this Agreement and continue in full force and effect.

#### B-15. Disputes

Should a dispute arise between the parties, the party asserting the dispute will notify the other parties in writing of the dispute. The parties will then meet and confer within 21 calendar days of the notice in a good faith attempt to resolve the dispute.

If the matter has not been resolved through the process set forth in the preceding paragraph, any party may initiate mediation of the dispute. Mediation will be before a retired judge or mediation service mutually agreeable to the parties. All costs of the mediation, including mediator fees, will be paid one-half by the District and one-half by the Recipient. SCW Program Contributions shall not be used to pay for any costs of the mediation.

The parties will attempt to resolve any dispute through the process set forth above before filing any action relating to the dispute in any court of law.

#### B-16. Final Inspection and Certification of Registered Professional

Where the Funded Activity is an Infrastructure Program Project, upon completion of the design phase and before construction, the Recipient shall provide certification by a California Registered Professional (i.e., Professional Civil Engineer, Engineering Geologist) that the design has been completed.

Where the Funded Activity is an Infrastructure Program Project, upon completion of the Project, the Recipient shall provide for a final inspection and certification by a California Registered Professional (i.e., Professional Civil Engineer, Engineering Geologist), that the Project has been completed in accordance with submitted final plans and specifications and any modifications thereto and in accordance with this Agreement.

#### B-17. Force Majeure.

In the event that Recipient is delayed or hindered from the performance of any act required hereunder by reason of strikes, lockouts, labor troubles, inability to procure materials not related to the price thereof, riots, insurrection, war, or other reasons of a like nature beyond the control of the Recipient, then performance of such acts shall be



excused for the period of the delay, and the period for the performance of any such act shall be extended for a period equivalent to the period of such delay.

#### B-18. Funded Activity Access

When the Funded Activity involves an Infrastructure Program Project the Recipient shall, upon receipt of reasonable advance notice from the District, ensure that the District or any authorized representative of the foregoing, will have safe and suitable access to the site of the Funded Activity at all reasonable times through Activity Completion.

#### B-19. Funding Considerations and Exclusions

1. All expenditures of the SCW Program Contribution by Recipient must comply with the provisions of Chapters 16 and 18 of the Code, including but not limited to the provisions regarding eligible expenditures contained in Section 16.05.A.2 and the provision regarding ineligible expenditures contained in Section 16.05.A.3.
2. SCW Program Contributions shall not be used in connection with any Funded Activity 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 Funded Activity 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; provided, however, that SCW funds may be used for a Funded Activity implemented pursuant to a time schedule order ("TSO") issued by the Los Angeles Regional Water Quality Control Board if, at the time the TSO was issued, the Funded Activity was included in an approved watershed management program (including enhanced watershed management programs) developed pursuant to the MS4 Permit.

Recipient certifies that: (a) the Funded Activity is not being implemented as an ECA or SEP; (b) the Funded Activity is not being 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; and (c) the Funded Activity is not being implemented pursuant to a TSO issued by the Los Angeles Regional Water Quality Control Board unless, at the time the TSO was issued, the Funded Activity was included in an approved watershed management program (including enhanced watershed management programs) developed pursuant to the MS4 Permit.

#### B-20. Indemnification

The Recipient shall indemnify, defend and hold harmless the District and their elected and appointed officers, agents, and employees from and against any and all liability and expense arising from any act or omission of the Recipient, its officers, employees, agents, or subconsultants or contractors in conjunction with Recipient's performance under or pursuant to this Agreement, including defense costs, legal fees, claims, actions, and

causes of action for damages of any nature whatsoever, including but not limited to bodily injury, death, personal injury, or property damage.

**B-21. Independent Actor**

The Recipient, and its agents and employees, if any, in the performance of this Agreement, shall act in an independent capacity and not as officers, employees, or agents of the District.

The Recipient shall not contract work with a contractor who is in a period of debarment from any agency within the District. (LACC Chapter 2.202)

**B-22. Integration**

This is an integrated Agreement. This Agreement is intended to be a full and complete statement of the terms of the agreement between the District and Recipient, and expressly supersedes any and all prior oral or written agreements, covenants, representations and warranties, express or implied, concerning the subject matter of this Agreement.

**B-23. Lapsed Funds**

1. The Recipient 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 Recipient.
2. If the Recipient is unable to expend the SCW Program Contribution within five (5) years from the end of the Fiscal Year in which those funds are transferred from the District to the Recipient, then lapsed funding procedures will apply. Lapsed funds are funds that were transferred to the Recipient but were not committed 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.
3. Lapsed funds shall be allocated by the Watershed Area Steering Committee of the respective Watershed Area to a new Project with benefit to that Municipality or Watershed Area.
4. In the event that funds are to lapse, due to circumstances beyond the Recipient's control, then the Recipient may request an extension of up to twelve (12) months in which to commit the funds to eligible expenditures. Extension Requests must contain sufficient justification and be submitted to the District in writing no later than three (3) months before the funds are to lapse.
5. The decision to grant an extension is at the sole discretion of the District.
6. Funds still uncommitted to eligible expenditures after an extension is granted will be subject to lapsed funding procedures without exception.

## 7. Example:

<b><u>Fiscal Year Transferred</u></b>	<b><u>Funds Lapse After</u></b>	<b><u>Extension Request Due</u></b>	<b><u>Commit By</u></b>
2020–21	6/30/2026	No later than 3/31/2026	No later than 6/30/2027

## B-24. Modification

This Agreement may be amended or modified only by mutual written consent of the Board and Recipient.

## B-25. Non-Discrimination

The Recipient agrees to abide by all federal, state, and County laws, regulations, and policies regarding non-discrimination in employment and equal employment opportunity.

## B-26. No Obligation of the District

The District will transfer the SCW Program Contribution to the Recipient for the funding of the Funded Activity. The District will have no further obligation, other than to transfer the funds, with respect to the Funded Activity itself.

## B-27. No Third-Party Rights

The parties to this Agreement do not create rights in, or grant remedies to, any third party as a beneficiary of this Agreement, or of any duty, covenant, obligation, or undertaking established herein

## B-28. Notice

1. The Recipient shall notify the District in writing within five (5) working days of the occurrence of the following:
  - a. Bankruptcy, insolvency, receivership or similar event of the Recipient; or
  - b. Actions taken pursuant to State law in anticipation of filing for bankruptcy.
2. The Recipient shall notify the District within ten (10) working days of any litigation pending or threatened against the Recipient regarding its continued existence, consideration of dissolution, or disincorporation.
3. The Recipient shall notify the District promptly of the following:
  - a. Any significant deviation from in the submitted scope of the Funded Activity for the current Fiscal Year, including discussion of any major changes to the scope of the Funded Activity, noteworthy delays in implementation, anticipated

reduction in benefits, and/or modifications that change the SCW Program Goals intended to be accomplished by the Funded Activity. Under no circumstances may the Recipient make changes to the scope of the Funded Activity without receiving prior approval.

- b. Cessation of work on the Funded Activity where such cessation of work is expected to or does extend for a period of thirty (30) days or more;
- c. Any circumstance, combination of circumstances, or condition, which is expected to or does delay Activity Completion;
- d. Discovery of any potential archaeological or historical resource. Should a potential archaeological or historical resource be discovered during construction, the Recipient agrees that all work in the area of the find will cease until a qualified archaeologist has evaluated the situation and made recommendations regarding preservation of the resource. When the District is acting as the Lead Agency under CEQA for the Funded Activity, all work in the area of the find will remain suspended until the District has determined what actions should be taken to protect and preserve the resource and the Recipient agrees to implement appropriate actions as directed by the District;
- e. Any public or media event publicizing the accomplishments and/or results of this Agreement and provide the opportunity for attendance and participation by District representatives with at least fourteen (14) days' notice to the District;
- f. Activity completion.

#### B-29. Public Records

The Recipient acknowledges that, except for a subset of information regarding archaeological records, the Funded Activity records and locations are public records including, but not limited to, all of the submissions accompanying the application, all of the documents incorporated by reference into this Agreement, and all reports, disbursement requests, and supporting documentation submitted hereunder.

#### B-30. Recipient's Responsibility for Work

The Recipient shall be responsible for all work and for persons or entities engaged in work performed pursuant to this Agreement including, but not limited to, contractors, subcontractors, suppliers, and providers of services. The Recipient shall be responsible for responding to any and all disputes arising out of its contracts for work on the Project. The District will not mediate disputes between the Recipient and any other entity concerning responsibility for performance of work.

#### B-31. Related Litigation

The Recipient is prohibited from using the SCW Program Contribution to pay costs associated with any litigation described in Section 16.05.A.3. of the Code. Regardless of

whether the Project or any eventual related project is the subject of litigation, the Recipient agrees to complete the Project funded by the Agreement or to repay all the SCW Program Contribution plus interest to the District.

#### B-32. Remaining Balance

In the event that the Recipient does not spend all the SCW Program Contribution disbursed for the Funded Activity, Recipient shall promptly return the unspent SCW Program Contribution to the District.

#### B-33. Reporting

The Recipient shall be subject to and comply with all applicable requirements of the District regarding reporting requirements. Recipients shall report available data through the SCW Reporting Module, once available.

- Quarterly Progress/Expenditure Reports. The Recipient shall submit Quarterly Progress/Expenditure Reports, using a format provided by the District, within forty-five (45) days following the end of the calendar quarter (March, June, September, and December) to the District. The Quarterly Progress/Expenditure Reports shall be posted on the District's publicly accessible website. The Quarterly Progress/Expenditure Report shall include:
  - a. Amount of funds received;
  - b. Percent overall Funded Activity completion estimate;
  - c. Breakdown of how the SCW Program Contribution has been expended;
  - d. Documentation that the SCW Program Contribution was used for eligible expenditures in accordance with Chapters 16 and 18 of the Code;
  - e. Description of activities that have occurred, milestones achieved, and progress made to date, during the applicable reporting period including comparison to Exhibit A submission and corresponding metrics;
  - f. Identification of any phases or tasks of the scope of work that were scheduled to be started or completed during the reporting period (according to the work schedule), but which were delayed, and a discussion of the reasons for the delay, and of lessons learned;
  - g. Scheduling concerns and issues encountered that may delay completion of the task;
  - h. Work anticipated for the next reporting period;
  - i. Any anticipated schedule or budget modifications;

- j. Photo documentation (e.g. photos of community outreach events, stakeholder meetings, groundbreaking ceremonies, and project site that may be used on the publicly accessible District website) of the phases or tasks of the Project completed during the reporting period, as appropriate;
  - k. Additional financial or project-related information as required by the District;
  - l. Certification from a California Registered Professional (Civil Engineer or Geologist, as appropriate), that the Project was conducted in accordance with Exhibit A;
  - m. Status of Recipient's insurance; and
  - n. Description of post-performance for each completed infrastructure project is required after the first operational year and for a total of three years after the project begins operation. Post-performance reports shall focus on how each project is actually performing compared to its expected performance; whether the project is operated and maintained and providing intended benefits as proposed. A post-performance template will be provided by the District.
- Quarterly Progress/Expenditure Reports shall be submitted to the District Program Manager no later than forty-five days following the end of the calendar quarter as follows:

<b><u>Quarter</u></b>	<b><u>End of Quarter</u></b>	<b><u>Report Due</u></b>
First Quarter	September	15 November
Second Quarter	December	15 February
Third Quarter	March	15 May
Fourth Quarter	June	15 August

- 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 by the Recipient. The summary report shall be submitted six (6) months after the close of the Fourth Quarter. The summary report shall include:
  - 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 Chapter 18.04 of the Code for the prior year. This includes comparisons to Exhibit A and alignment with corresponding specific quantitative targets and metrics (note that SCW Reporting Module will facilitate graphical representation of pertinent data).

- When the Funded Activity is an Infrastructure Program Project, include a description of how the County's Local and Targeted Worker Hire Policy has been applied and enforced; or if the Recipient is a Municipality and has adopted its own policy, include a description of how its policy was applied and enforced.
- Where the Funded Activity is an Infrastructure Program Project that has applied for Institute for Sustainable Infrastructure (ISI) verification, include a description of the final score and Envision award level. Annually, the Recipient shall prepare and provide members of the public with up-to-date information on the actual and budgeted use of the SCW Program Contribution.
- As Needed Information or Reports. The Recipient agrees to promptly provide such reports, data, and information as may be reasonably requested by the District including, but not limited to material necessary or appropriate for evaluation of the SCW Program or to fulfill any reporting requirements of the County, state or federal government.

#### B-34. Representations, Warranties, and Commitments

The Recipient represents, warrants, and commits as follows:

1. Authorization and Validity. The execution and delivery of this Agreement, including all incorporated documents, by the individual signing on behalf of Recipient, has been duly authorized by the governing individual(s), board or body of Recipient, as applicable. This Agreement constitutes a valid and binding obligation of the Recipient, enforceable in accordance with its terms, except as such enforcement may be limited by law.
2. No Violations. The execution, delivery, and performance by the Recipient of this Agreement, including all incorporated documents, do not violate any provision of any law or regulation in effect as of the date set forth on the first page hereof, or result in any breach or default under any contract, obligation, indenture, or other instrument to which the Recipient is a party or by which the Recipient is bound as of the date set forth on the first page hereof.
3. No Litigation. There are no pending or, to the Recipient's knowledge, threatened actions, claims, investigations, suits, or proceedings before any governmental authority, court, or administrative agency which affect the Recipient's ability to complete the Funded Activity.
4. Solvency. None of the transactions contemplated by this Agreement will be or have been made with an actual intent to hinder, delay, or defraud any present or future creditors of the Recipient. As of the date set forth on the first page hereof, the Recipient is solvent and will not be rendered insolvent by the transactions

contemplated by this Agreement. The Recipient is able to pay its debts as they become due.

5. Legal Status and Eligibility. The Recipient is duly organized and existing and in good standing under the laws of the State of California and will remain so through Activity Completion. The Recipient shall at all times maintain its current legal existence and preserve and keep in full force and effect its legal rights and authority through Activity Completion.
6. Insurance. The Recipient shall follow the Insurance Manual prepared by the Risk Management Office of the Los Angeles County Chief Executive Office. For Infrastructure Program Projects the Recipient shall provide General Liability, Automobile Liability, Worker's Compensation and Employer's Liability, Builder's Risk Course of Construction Insurance, and Professional Liability as specified in the Insurance Manual: <https://riskmanagement.lacounty.gov/wp-content/uploads/2019/06/Insurance-Manual-revised-May-2019.pdf>

#### B-35. Requirements for Good Standing

The Recipient must currently be in compliance with the District requirements set forth in this Agreement. The Recipient must demonstrate it has not failed to comply with previous County and/or District audit disallowances within the preceding five years.

#### B-36. Requirements Related to Recipient's Contractors

1. The Recipient 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) as to contractors performing work on such a Project. Alternatively, if the Recipient is a Municipality and has adopted its own policy that is substantially similar to the LTWHP, the Recipient 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.
2. The Recipient shall apply and enforce provisions mirroring those set forth in Los Angeles County Code (LACC) Chapter 2.211 (Disabled Veteran Business Enterprise Preference Program), LACC, Chapter 2.204 (Local Small Business Enterprise Preference Program), LACC, Chapter 2.205 (Social Enterprise Preference Program), LACC, Chapter 2.203 (Contractor Employee Jury Service Ordinance), LACC Chapter 2.206 (Defaulted Tax Program), LACC, Chapter 2.200 (Child Support Compliance Program, LACC, Chapter 2.160 (County Lobbyist Ordinance), Safely Surrendered Baby Law, and Zero Tolerance Policy on Human Trafficking, 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 Recipient shall take actions to promote increased contracting opportunities for Women-Owned Businesses on the Project, subject to applicable State or federal constitutional limitations.



3. The Recipient shall obtain all necessary approvals, entitlements, and permits required to implement the Project. Failure to obtain any necessary approval, entitlement, or permit shall constitute a breach of a material provision of this Agreement.
4. With respect to a Project funded with SCW Program Contributions 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 (Community Workforce Agreement), 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 Community Workforce Agreement.
5. With respect to a Project funded with SCW Program Contributions 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.
6. Payment Bond. Payment bonds for exceeding twenty-five thousand dollars are required. A payment bond is defined as a surety bond posted by a contractor to guarantee that its subcontractors and material suppliers on the Project will be paid.
7. Performance Bond. Where contractors are used, the Recipient shall not authorize construction to begin until each contractor has furnished a performance bond in favor of the Recipient in the following amounts: faithful performance (100%) of contract value, and labor and materials (100%) of contract value. This requirement shall not apply to any contract for less than \$25,000.00. Any bond issues pursuant to this paragraph must be issued by a California-admitted surety. (Pub. Contract Code, 7103; Code Civ. Proc. 995.311.)
8. Prevailing Wage. The Recipient agrees to be bound by all the provisions of Sections 1771 and 1774 of the California Labor Code regarding prevailing wages and requires each of subcontractors to also comply. The Recipient shall monitor all contracts resulting from this Agreement to assure that the prevailing wage provisions of the Labor Code are being met. The Recipient affirms that it is aware of the provisions of section 3700 of the Labor Code, which requires every employer to be insured against liability for workers' compensation or to undertake self-insurance, and the Recipient affirms that it will comply with such provisions before commencing the performance of the work under this Agreement and will make it contractors and subcontractors aware of this provision .

9. Public Funding. This Funded Activity is publicly funded. Any service provider or contractor with which the Recipient contracts must not have any role or relationship with the Recipient, that, in effect, substantially limits the Recipient's ability to exercise its rights, including cancellation rights, under the contract, based on all the facts and circumstances.

**B-37. Travel**

Any reimbursement for necessary ground transportation and lodging shall be at rates not to exceed those set by the California Department of Human Resources; per diem costs will not be eligible expenses. These rates may be found at <http://www.calhr.ca.gov/employees/Pages/travel-reimbursements.aspx>. Reimbursement will be at the State travel amounts that are current as of the date costs are incurred by the Recipient. No travel outside the Los Angeles County Flood Control District region shall be reimbursed unless prior written authorization is obtained from the Program Manager.

**B-38. Unenforceable Provision**

In the event that any provision of this Agreement is determined by a court of competent jurisdiction to be unenforceable, the parties agree that all other provisions of this Agreement have force and effect and shall not be affected thereby.

**EXHIBIT C – SPECIAL CONDITIONS**

[If the Recipient is a public agency]

- C-1. The Recipient acknowledges and agrees that the Recipient is the "lead agency" regarding compliance with the California Environmental Quality Act (CEQA) in connection with the Funded Activity and shall be responsible for the preparation of all documentation, analysis and other work and any mitigation necessary to comply with CEQA in connection with the Funded Activity. By entering into this Agreement, the District is not approving any activity that would be considered a project under CEQA.
- C-2. Upon the completion of the documentation, analysis and other work necessary to comply with CEQA as described in section C-1, the Recipient shall promptly provide such documentation, analysis and work to the District. The Recipient acknowledges that the District is a Responsible Agency under CEQA in connection with the Funded Activity and that the District will not disburse the SCW Program Contribution for any activities that meet the definition of a project under CEQA until the Recipient has provided such documentation, analysis and other work to the District and the District has complied with its obligations as a Responsible Agency under CEQA.
- C-3. In addition to its other indemnification obligations pursuant to this Agreement, the Recipient hereby agrees to indemnify, defend, and hold harmless District, the County of Los Angeles and their officers, employees, and agents from and against any and all claims and/or actions related to the Funded Activity that may be asserted by any third party or public agency alleging violations of CEQA or the State CEQA Guidelines or the NEPA.
- C-4. Notwithstanding any other provision of this Agreement, if any documentation or other analysis pursuant to CEQA discloses that the Funded Activity, or portion thereof, will have one or more significant environmental impacts that cannot be feasibly mitigated, the Recipient shall promptly notify and consult with the District. With the District's approval, the Recipient may determine to terminate or modify the implementation of all or any portion of the Funded Activity in order to avoid such environmental impacts.
- C-5. In the event the parties, pursuant to the preceding paragraph, determine to terminate the implementation of the entirety of the Funded Activity, the Recipient shall promptly return all previously disbursed but unspent SCW Program Contributions and the Recipient shall thereafter have no further obligation under this Agreement to implement the Funded Activity. In the event the parties determine to terminate the implementation of a portion of the Funded Activity, the Recipient shall promptly return all previously disbursed but unspent SCW Program Contributions for the terminated portion of the Funded Activity and the Recipient shall thereafter have no further obligation under this Agreement to implement the

terminated portion of the Funded Activity, but this Agreement shall remain in full force and effect as to the portion of the Funded Activity not terminated.

[If the Recipient is not a public agency]

- C-1. The Recipient shall be responsible for the preparation of all documentation, analysis and other work including any mitigation, necessary to comply with the California Environmental Quality Act (CEQA) in connection with the Funded Activity. Environmental documentation prepared in connection with the Funded Activity will be subject to the review and analysis of the District. Any decisions based on the documentation prepared by the Recipient will reflect the independent judgment of District. By entering into this Agreement, the District is not approving any activity that would be considered a project under CEQA and the Recipient acknowledges that the District will not disburse the SCW Program Contribution for any activities that meet the definition of a project under CEQA until the Recipient has prepared the documentation, analysis and other work necessary to comply with CEQA to the District's satisfaction.
- C-2. In addition to its other indemnification obligations pursuant to this Agreement, the Recipient hereby agrees to indemnify, defend, and hold harmless District, the County of Los Angeles and their officers, employees, and agents from and against any and all claims and/or actions related to the Funded Activity that may be asserted by any third party or public agency alleging violations of CEQA or the CEQA Guidelines or the NEPA.
- C-3. Notwithstanding any other provision of this Agreement, if any documentation or other analysis pursuant to CEQA discloses that the Funded Activity or any portion thereof will have one or more significant environmental impacts that cannot be feasibly mitigated, the District, after consultation with the Recipient, may terminate the SCW Program Contribution for all or any portion of the Funded Activity or may request that the Funded Activity be modified in order to avoid such environmental impact(s).
- C-4. In the event that the District terminates the SCW Program Contribution for the entirety of the Funded Activity, the Recipient shall promptly return all previously disbursed but unspent SCW Program Contributions and the Recipient shall thereafter have no further obligation under this Agreement to implement the Funded Activity. In the event the District terminates the SCW Program Contribution for a portion on of the Funded Activity, the Recipient shall promptly return all previously disbursed but unspent SCW Program Contributions for the terminated portion of the Funded Activity and the Recipient shall thereafter have no further obligation under this Agreement to implement the terminated portion of the Funded Activity, but this Agreement shall remain in full force and effect as to the portion of the Funded Activity for which the SCW Program Contribution was not terminated.

**EXHIBIT D – ADDENDUM TO AGREEMENT****-DRAFT TEMPLATE-**

**ADDENDUM NO. \_\_\_\_ TO  
TRANSFER AGREEMENT NO. \_\_\_\_\_ BETWEEN  
THE LOS ANGELES COUNTY FLOOD CONTROL DISTRICT  
AND (INSERT PROJECT DEVELOPER)  
SAFE, CLEAN WATER PROGRAM – REGIONAL PROGRAM**

This Addendum No. \_\_\_\_ to Transfer Agreement No. \_\_\_\_\_, hereinafter referred to as "Addendum No. \_\_\_\_", is entered into as of \_\_\_\_\_ by and between the Los Angeles County Flood Control District, hereinafter referred to as "District," and \_\_\_\_ (*Project Developer/Scientific Studies Applicant*), hereinafter referred to as "Recipient."

**WHEREAS**, District and Recipient entered into Transfer Agreement No. \_\_\_\_\_, hereinafter referred to as "Agreement", pertaining generally to the transfer of a SCW Program Contribution (as therein defined) from District to Recipient for the implementation by Recipient of a Funded Activity (as therein defined) to increase stormwater and/or urban runoff capture and/or reduce stormwater and/or urban runoff pollution, on \_\_\_\_\_;

**WHEREAS**, the Agreement provides for the disbursement of the SCW Program Contribution for the 2020-21 Fiscal Year (as therein defined), and further provides that if the Funded Activity is included in a duly approved Stormwater Investment Plan (as therein defined) for a subsequent Fiscal Year, the parties shall enter into an addendum to the Agreement regarding the disbursement of the SCW Program Contribution for that subsequent Fiscal Year;

**WHEREAS**, the Funded Activity has been included in a duly approved Stormwater Investment Plan for Fiscal Year \_\_\_\_\_;

**NOW, THEREFORE**, in consideration of the promises, mutual representations, covenants and agreements in this Agreement, the District and the Recipient, each binding itself, its successors and assigns, do mutually promise, covenant, and agree as follows:

1. The definitions set forth in Sections 16.03 and 18.02 of the Los Angeles County Flood Control District Code together with the definitions set forth in the Agreement shall apply to this Addendum No. \_\_\_\_.
2. The District shall disburse the SCW Program Contribution for the \_\_\_\_\_ Fiscal Year as described in the Budget Plan within \_\_\_\_ days of the execution of this Addendum by the last party to sign.
3. All terms and conditions of the Agreement shall remain in full force and effect.

Attachment C

IN WITNESS WHEREOF, this Addendum No. \_\_\_\_ has been executed by the parties hereto.

\_\_\_\_\_  
(Recipient):

By: \_\_\_\_\_

Name:

Title:

Date: \_\_\_\_\_

LOS ANGELES COUNTY  
FLOOD CONTROL DISTRICT:

By: \_\_\_\_\_

Name:

Title:

Date: \_\_\_\_\_

## EXHIBIT E – NATURE BASED SOLUTIONS (NBS) BEST MANAGEMENT PRACTICES

Nature-based solutions (NBS) refers to the sustainable management and use of nature for undertaking socio-environmental challenges, including climate change, water security, water pollution, food security, human health, and disaster risk management. As this environmental management practice is increasingly incorporated into projects for the SCW Program, this guidance document may be expanded upon to further quantify NBS practices based on benefits derived from their incorporation on projects.

The SCW Program defines NBS as 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; enhancing soil through composting, mulching; and, planting trees and vegetation, with preference for native species. NBS may also be designed to provide additional benefits such as sequestering carbon, supporting biodiversity, providing shade, creating and enhancing parks and open space, and improving quality of life for surrounding communities. NBS include Projects that mimic natural processes, such as green streets, spreading grounds and planted areas with water storage capacity. NBS may improve water quality, collect water for reuse or aquifer recharge, or to support vegetation growth utilizing natural processes.

Recipients are to consider using Nature-Based Solutions for infrastructure projects and include in each Quarterly Progress/Expenditure Report and annual summary whether and how their project achieves a good, better, or best for each of the 6 NBS methods in accordance with the guidance below. Additionally, Quarterly Progress/Expenditure Reports should include discussion on any considerations taken to maximize the class within each method. If at least 3 methods score within a single class, the overall project can be characterized as that class. Recipients must attach a copy of the matrix for each Project with the good, better, or best column indicated for each method, to facilitate District tracking of methods being utilized.



## Attachment C

METHODS	GOOD	BETTER	BEST
Vegetation/Green Space	Use of climate-appropriate, eco-friendly vegetation (groundcover, shrubs, and trees) / green space 5%-15% covered by new climate-appropriate vegetation	Use of native, climate-appropriate, eco-friendly vegetation (groundcover, shrubs, and trees) / green space 16%-35% covered by new native vegetation	Establishment of plant communities with a diversity of native vegetation (groundcover, shrubs, and trees) / green space that is both native and climate-appropriate More than 35% covered by new native vegetation
Increase of Permeability	Installation of vegetated landscape – 25%-49% paved area removed Redesign of existing impermeable surfaces and/or installation of permeable surfaces (e.g. permeable pavement and infiltration trenches)	Installation of vegetated landscape – 50%-74% paved area removed Improvements of soil health (e.g., compaction reduction)	Installation of vegetated landscape – 75%-100% paved area removed Creation of well-connected and self-sustained natural landscapes with healthy soils, permeable surfaces, and appropriate vegetation
Protection of Undeveloped Mountains & Floodplains	<ul style="list-style-type: none"> <li>• Preservation of native vegetation</li> <li>• Minimal negative impact to existing drainage system</li> </ul>	<ul style="list-style-type: none"> <li>• Preservation of native vegetation</li> <li>• Installation of new feature(s) to improve existing drainage system</li> </ul>	<ul style="list-style-type: none"> <li>• Creation of open green space</li> <li>• Installation of features to improve natural hydrology</li> </ul>
Creation & Restoration of Riparian Habitat & Wetlands	<ul style="list-style-type: none"> <li>• Partial restoration of existing riparian habitat and wetlands</li> <li>• Planting of climate appropriate vegetation - between 5 and 15 different climate-appropriate or native plant species newly planted</li> <li>• No potable water used to sustain the wetland</li> </ul>	<ul style="list-style-type: none"> <li>• Full restoration of existing riparian habitat and wetlands</li> <li>• Planting of native vegetation - between 16 and 30 different native plant species newly planted</li> <li>• No potable water used to sustain the wetland</li> </ul>	<ul style="list-style-type: none"> <li>• Full restoration and expansion of existing riparian habitat and wetlands</li> <li>• Planting of plant communities with a diversity of native vegetation – greater than 31 native plant species newly planted</li> <li>• No potable water used to sustain the wetland</li> </ul>



## Attachment C

New Landscape Elements	Elements designed to capture runoff for other simple usage (e.g. rain gardens and cisterns), capturing the 85th percentile 24-hour storm event for at least 50% of the entire parcel	Elements that design to capture/redirect runoff and filter pollution (e.g. bioswales and parkway basins), capturing the 85th percentile 24-hour storm event from the entire parcel	Large sized elements that capture and treat runoff to supplement or replace existing water systems (e.g. wetlands, daylighting streams, groundwater infiltration, floodplain reclamation), capturing the 90 <sup>th</sup> percentile 24-hour storm event from the entire parcel and/or capturing off-site runoff
Enhancement of Soil	Use of soil amendments such as mulch and compost to retain moisture in the soil and prevent erosion Planting of new climate-appropriate vegetation to enhance soil organic matter	Use of soil amendments such as mulch and compost that are locally generated to retain moisture in the soil, prevent erosion, and support locally based composting and other soil enhancement activities Planting of new native, climate-appropriate vegetation to enhance soil organic matter	Use of soil amendments such as mulch and compost that are locally generated, especially use of next-generation design with regenerative adsorbents (e.g. woodchips, biochar) to retain moisture in the soil, prevent erosion, and support on-site composting and other soil enhancement activities Planting of new native, climate appropriate vegetation to enhance soil organic matter

## **EXHIBIT F – OPERATIONS AND MAINTENANCE GUIDANCE DOCUMENT**

Recipient or approved Project operator shall operate and maintain infrastructure projects for the useful life of the project and are to consider using the following guidance for operations and maintenance. Operational maintenance is the care and upkeep of Projects that may require detailed technical knowledge of the Project's function and design. Project specific operational and maintenance plans shall consider the activities listed below and set forth specific activities and frequencies (not limited to those below) as determined to be appropriate by the Municipalities and best practices, including stakeholder engagement as applicable. Operational maintenance is to be performed by the operator of the Project with a purpose to make the operator aware of the state of readiness of the Project to deliver stormwater and urban runoff benefits.

### **1. Litter Control**

- Regularly removal of litter, nonhazardous waste materials, and accumulated debris near planted areas, rock areas, decomposed granite areas, rest areas, fence perimeters, adjoining access roads and driveways, drains, pedestrian trails, viewing stations, shelter houses, and bicycle pathways.
- Regularly inspection and maintenance of pet waste stations
- Maintaining trash receptacles
- Removal of trash, debris, and blockages from bioswales
- Inspection and cleaning of trash booms
- Inspection of weir gates and stop logs to clean debris, as required.

### **2. Vegetation Maintenance**

- Weed control
  - Recognition and removal of weeds, such as perennial weeds, morning glory, vine-type weeds, ragweed, and other underground spreading weeds.
  - Avoiding activities that result in weed seed germination (e.g. frequent soil cultivation near trees or shrubs)
  - Regularly removal of weeds from landscape areas, including from berms, painted areas, rock areas, gravel areas, pavement cracks along access roads and driveways, drains, pedestrian trails, viewing stations, park shelters, and bicycle paths.
- Tree and shrubbery trimming and care
  - Removal of dead trees and elimination of diseased/damaged growth
  - Prevent encroachment of adjacent property and provide vertical clearance
  - Inspect for dead or diseased plants regularly
- Wetland vegetation and landscape maintenance
  - Installation and maintenance of hydrophytic and emergent plants in perennially wet and seasonal, intermittent habitats.

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- Draining and drawdown of wetland and excessive bulrush removal
- Weed and nuisance plant control
- Removal of aquatic vegetation (e.g. algae and primrose) using appropriate watercraft and harvesting equipment
- Wildflower and meadow maintenance
- Grass, sedge, and yarrow management
- Removal of unwanted hydroseed

### 3. Wildlife Management

- Exotic species control
- Provide habitat management; promote growth of plants at appropriate densities and promote habitat structure for animal species
- Protect sensitive animal species (e.g. protection during critical life stages including breeding and migration)
- Avoid disturbances to nesting birds
- Avoid spread of invasive aquatic species

### 4. Facility Inspection

- Inspect project sites for rodent and insect infestations on a regular basis
- Inspect for and report graffiti in shelter houses, viewing stations, benches, paving surfaces, walls, fences, and educational and directional signs
- Inspect facilities for hazardous conditions on roads and trails (e.g. access roads and trails, decomposed granite pathways, and maintenance roads)
- Inspect shade structures for structural damage or defacement
- Inspect hardscapes
- Inspect and maintain interpretive and informational signs
- Inspect site furnishings (e.g. benches, hitching posts, bicycle racks)
- Maintain deck areas (e.g. benches, signs, decking surfaces)
- Visually inspect weirs and flap gates for damage; grease to prevent locking.
- Inspect all structures after major storm events, periodically inspect every 3 months, and operate gates through full cycles to prevent them from locking up.

### 5. Irrigation System Management

- Ensuring automatic irrigation controllers are functioning properly and providing various plant species with proper amount of water.
  - Cycle controller(s) through each station manually and automatically to determine if all facets are functioning properly.
  - Inspection should be performed at least monthly.
  - Recover, replace, or refasten displaced or damaged valve box covers.
  - Inspect and repair bubbler heads.

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- Repair and replace broken drip lines or emitters causing a loss of water (to prevent ponding and erosion).
  - Maintain drip system filters to prevent emitters from clogging. Inspection and cleaning should occur at least monthly.
  - Inspect and clean mainline filters, wye strainers, basket filters, and filters at backflow devices twice a year.
  - Maintain and check function of the drip system.
- Keeping irrigation control boxes clear of vegetation
  - Operating irrigation system to ensure it does not cause excessively wet, waterlogged areas, and slope failure
  - Utilizing infrequent deep watering techniques to encourage deep rooting, drought tolerant plant characteristics to promote a self-sustaining, irrigation free landscape
  - Determine watering schedules based on season, weather, variation in plant size, and plant varieties. At least four times a year (e.g. change of season), reschedule controller systems.
  - Turn off irrigation systems at the controller at the beginning of the rainy season, or when the soil has a high enough moisture content.
  - Use moisture sensing devices to determine water penetration in soil.

### 6. Erosion Management and Control

- Inspect slopes for erosion during each maintenance activity
- Inspect basins for erosion
- Take corrective measures as needed, including filling eroded surfaces, reinstalling or extending bank protection, and replanting exposed soil.

### 7. Ongoing Monitoring Activities

- Monitor controllable intake water flow and water elevation
- Examine inflow and outflow structures to ensure devices are functioning properly and are free of obstructions.
- Water quality sampling (quarterly, unless justified otherwise)
- Checking telemetry equipment
- Tracking and reporting inspection and maintenance records

### 8. Vector and Nuisance Insect Control

- Monitoring for the presence of vector and nuisance insect species
- Adequate pretreatment of influent wastewater to lessen production of larval mosquitos
- Managing emergent vegetation
- Using hydraulic control structures to rapidly dewater emergent marsh areas
- Managing flow velocities to reduce propagation of vectors