

# CITY OF LOS ANGELES

CALIFORNIA



**ERIC GARCETTI**  
MAYOR

Public Comment  
SWRP & Prop 1 Funding Guidelines  
Deadline: 10/13/15 by 12:00 noon

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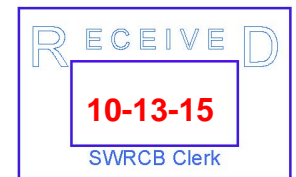
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October 8, 2015

Jeanine Townsend, Clerk to the Board  
State Water Resources Control Board  
1001 I Street, 24th Floor  
Sacramento, CA 95814



Dear Ms. Townsend,

### **RE: COMMENT LETTER FOR STORMWATER RESOURCE PLAN GUIDELINES AND DRAFT PROPOSITION 1 STORMWATER GRANT PROGRAM GUIDELINES**

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Thank you for the opportunity to comment on the draft Proposition 1 Stormwater Grant Program Guidelines and the draft Stormwater Resource Plan Guidelines. The City of Los Angeles Bureau of Sanitation (LASAN) looks forward to working with the State Water Board in pursuit of funding for multi-benefit stormwater management projects.

The City of Los Angeles (City) is in the process of reducing its reliance on purchased imported water supplies and expanding development of local water resources under Mayor Garcetti's and Governor Brown's drought directives. Stormwater management projects will provide multi-benefits to augment water supply, improve water quality, reduced local flooding, and enhance habitat, open space and environment for healthy communities.

The City of Los Angeles (City) Stormwater Program is governed by a National Pollution Discharge Elimination System Permit (MS4 Permit). The most recent Permit was adopted by the Los Angeles Regional Water Quality Board (RWQCB) in November 2012 and became effective on December 28, 2012. Under the new MS4 permit, requirements call for Watershed and Enhanced Watershed Management Programs (EWMP) to implement projects to meet TMDL requirements in the MS4 permit. The \$200 million in grants provided in Proposition 1, Chapter 7 provides essential support to meet these requirements. LASAN and the Los Angeles Department of Water and Power (LADWP), are currently working cooperatively to improve stormwater management in the City. LASAN has developed the following comments on the subject guidelines in consultation with LADWP, who will also be submitting their comments in a separate letter.

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### **Stormwater Resource Plan Guidelines Comments:**

Section I: Purpose: As stated in paragraph 2, “Existing planning documents and local ordinances may be utilized as a functionally equivalent Plan, including but not limited to: watershed management plans<sup>1</sup> ...” If the process of developing these watershed plans satisfied the standards of Water Code (WC) section 10560, the resulting plans should de facto satisfy WC section 10560. LASAN’s Watershed and Enhanced Watershed Management Plan development and LADWP’s Stormwater Capture Master Plan (SCMP) included extensive public participation through outreach to local communities, nongovernmental organizations, State Regional Boards, State Water Resources Control Board, etc. through workshops, meetings, and public comment opportunities. Plan development that included these activities should be equivalent to the requirements of WC 10560. LASAN requests that the Watershed and Enhanced Watershed Management Programs as well as the SCMP be deemed equivalent.

Section III, C- Grant Amount: The maximum implementation grant amount should be raised to \$10 million. Regional projects in urban areas, where limited public land is available, are very expensive because significant stormwater capture and treatment project components are needed to manage conflicting underground utilities and beneficial uses to maintain existing surface usage. LASAN requests an urban project grant ceiling of \$10 million is most appropriate for urbanized areas like Los Angeles.

Section IV, C: Submission to entities overseeing Integrated Regional Water Management Plans (IRWMP) and other local plans: Compliance for the submission of a storm water resource plan (or its functional equivalent) to the local IRWMP should be made as easy as possible. The submission via electronic means or physical means should be deemed to be incorporated into regional plans for purposes of grant eligibility. In the Los Angeles region, IRWMP groups only meet on a quarterly basis. Should formal approval during a scheduled IRWMP meeting be required, projects contained in those submitted, but not yet incorporated plans would be ineligible for grant consideration. LASAN requests that the Watershed and Enhanced Watershed Management Programs and the SCMP meet this requirement since an exhaustive public process has been met during its development as mentioned earlier.

Appendix C-2- Implementation Proposal Evaluation Criteria: The points scoring in each section is not consistent with the text of the scored criteria. For instance, the Workplan section text reads “40 points possible,” however the total points for that section sum to only 35. Please correct the point allocations in the table.

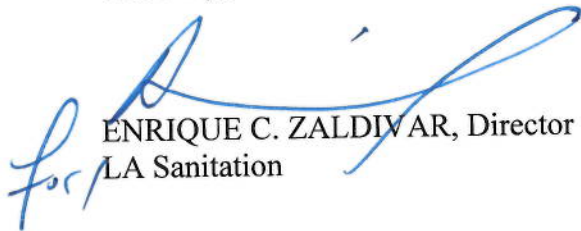
### **Draft Proposition 1 Stormwater Grant Program Guidelines Comments:**

Section III, D,1- Disadvantaged and Economically Distressed Areas Funding Match Reduction: The City has received State funding as a DAC in the past, and currently exhibits a median household income (MHI) that is 81% of the state MHI. The threshold for a community to be considered a DAC is a MHI of less than 80%. Although the City as a whole doesn’t qualify as a DAC, several of our projects benefit disadvantaged areas within the City. These types of projects benefiting disadvantaged areas within a larger community should be given consideration for a reduced funding match.

Section V, N - Reimbursement of Costs: LASAN is concerned that “Advance funds will not be provided”. LANSAN requests the State allow a portion, if not all grant funds to be advanced. This will help municipal agencies with eligible and competitive projects to receive the needed cash flow to construct and implement the project in a timely manner. Proposition 218 has severely limited the ability to raise revenues for local governments such as LASAN to front fund stormwater management projects.

On behalf of LASAN, I thank you and your staff for your work and for the consideration of our comments as you finalize both Guidelines. If you have any questions, please feel free to contact Mr. Wing Tam at (213) 485-3985.

Sincerely,

  
ENRIQUE C. ZALDIVAR, Director  
LA Sanitation

EZ:WKT  
WPDCR9226

cc: Barbara Romero, Mayor's Office  
Ted Bardacke, Mayor's Office  
Liz Crosson, Mayor's Office  
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