



REPORT TO CITY COUNCIL

DATE: MAY 23, 2018
TO: HONORABLE MAYOR AND MEMBERS OF THE CITY COUNCIL
FROM: GREG RAMIREZ, CITY MANAGER 
BY: RAMIRO ADEVA, DIRECTOR OF PUBLIC WORKS 
SUBJECT: PROVIDE UPDATE ON LOS ANGELES COUNTY'S PROPOSED SAFE CLEAN WATER PROGRAM

City and County staff will provide an update on the County's proposed ballot measure for the November 6, 2018 election, entitled the "Safe Clean Water Program." The presentation will include, among other things, information specific to the City's stormwater compliance requirements, a summary of local and regional capital projects the City is responsible for per the approved Enhanced Watershed Management Plan (EWMP), an overview of the program intent, an explanation of the tax methodology, expenditure plan, expected revenues, funding allocation, and a near-term schedule.

RECOMMENDATION

Staff respectfully recommends the City Council discuss the details of the program, and ask any clarifying questions as needed.

Attachments:

Program Overview
Fact Sheet
Frequently Asked Questions

What is the Safe, Clean Water Program?

Program Overview¹

The Safe, Clean Water Program will implement stormwater projects and programs that improve water quality, increase water supply, and invest in communities by developing a skilled local work force, greening schools, parks and wetlands, and increasing public access to natural areas like rivers, lakes, and streams.

The program will fund the construction and maintenance of projects that:

- Protect public health by cleaning stormwater pollution and contamination
- Safeguard marine and other wildlife from trash and contaminants in stormwater runoff
- Mitigate severe drought impacts by increasing local water supply
- Update infrastructure to capture and treat stormwater
- Help cities meet their Clean Water Act obligation to clean stormwater



Image: Dominguez Gap Wetlands

The program prioritizes projects that use nature-based solutions to capture and clean stormwater, which can beautify communities while improving our resilience against extreme weather patterns of drought and heavy storms.

Program Principles

- Promote equity and inclusion for all communities in LA County
- Invest in local job training and employment
- Leverage other funding sources to maximize returns on investment
- Provide strong oversight to measure and ensure Program results over time
- Engage stakeholders throughout the region in developing projects
- Ensure fiscal accountability for the program and projects
- Provide multiple benefits — for instance, improving water quality while managing flood risk

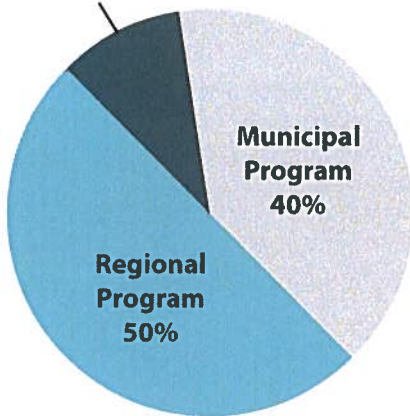
Funding Mechanism

The program is funded through a parcel tax on private property owners in the LA County Flood Control District. The tax is based on a property's total area of paved or built (impermeable) surface, where rain cannot infiltrate into the ground and runs off into the street. Currently under discussion are options for crediting those who already capture stormwater, and incentivizing others who want to do more.

¹The information described on this document reflects the Draft Safe, Clean Water Program Elements currently under consideration by the LA County Department of Public Works and undergoing review by stakeholders and the public. The Board of Supervisors is expected to consider adoption of an ordinance to finalize Program details at their meeting on June 26, 2018.



District Program 10%



Funding Breakdown

Municipal Program — 40% of the program funds return directly to cities and unincorporated areas.

- The 'local return' is proportionate to what parcels within a city or municipality paid into the program, and is designed to maximize flexibility for local governments to address local concerns.
- Projects are required to have a water quality benefit and are strongly encouraged to incorporate additional benefits, including increased water supply and community investments.
- Cities and municipalities can use up to 30% of their local return revenues to pay for water quality activities that existed prior to commencement of the SCW Program.

Regional Program — 50% of revenues to fund watershed-based projects with regional benefits.

- Revenues are returned proportionally to each of nine Watershed Areas (see map), with local Steering Committees allocating funding for projects.
- A percentage of funds reserved for small-budget, small-scale projects at the parcel and neighborhood level.
- Revenues generated by disadvantaged communities will return to those communities, plus an additional sum to jumpstart investment.
- Regional Program funds will also be set aside for scientific studies and technical assistance; activities like special studies, monitoring, modeling, project feasibility study development, and providing technical resources for community groups, disadvantaged communities, nonprofits, and community-based organizations.

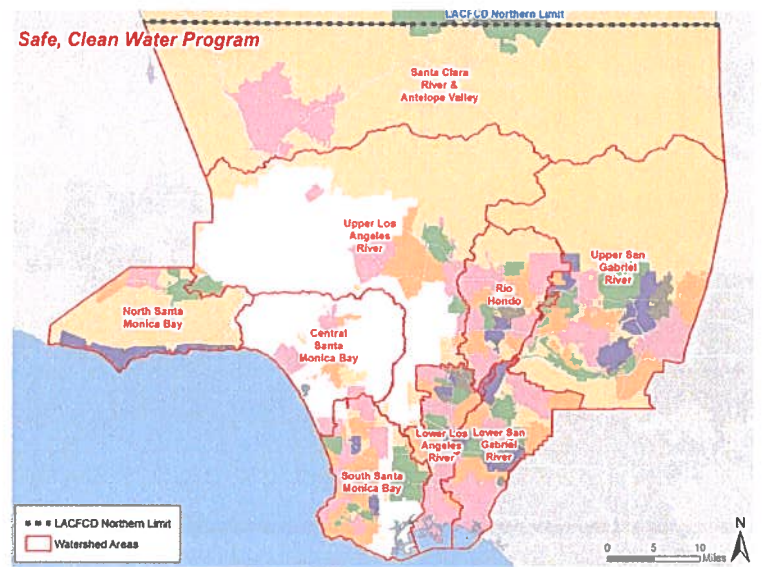


Image: Watershed Areas for the Safe, Clean Water Program

District Program — 10% of revenues to the LA County Flood Control District.

- Funds will go toward development of programs in concert with stakeholders and community groups, and may include:
 - Schools programming and curriculum
 - Local workforce job training, including certification classes and vocational training
 - Watershed coordinators to provide resources, educational workshops, partnership opportunities, and networking for communities
 - Public education program (individualized for different communities)
- This Program will fund specific FCD projects.
- FCD to perform overall administration of the Safe, Clean Water Program



Water is Scarce in LA County

We live in a water-scarce area. Los Angeles County residents rely heavily on imported water from the Sierra Mountains, the Central Valley and other states. Extreme weather conditions and the five-year drought have severely impacted communities across the County.

Over 100 Billion Gallons of Water Lost

Rain that falls on LA County flows through our region's rivers, creeks and streams. It replenishes groundwater, an important source of local drinking water.

However, because so much of our region is paved over, too much precious rainfall is lost to the ocean before we can capture it for use. When we experience heavy rains, our existing system captures only a fraction of rainfall: LA County lost over 150 billion gallons of water during last year's storms – enough to meet the needs of more than 2.5 million people for an entire year.

Pollutants and Toxins Threaten Public Health, Our Water Resources and the Environment

Stormwater picks up chemicals and toxins as it flows through streets and other developed areas to our rivers and streams and into the ocean, threatening public health and marine life. That's why beach closures follow nearly every heavy rain.

Thousands of marine animals have washed up sick or dead along Southern California's shoreline over the last ten years. Each year, stormwater carries 4,200 tons of trash from our streets onto local beaches.

LA County has relied on the US EPA, and State and Federal Clean Water Acts, to ensure strong water quality standards. However, they provide only minimal funding, and it is critically important that we take local action to improve water resources for LA County residents.

Our Solution: Safe, Clean Water Program

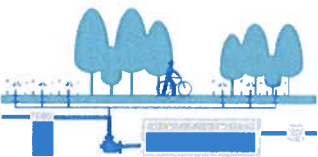
The good news is there are smart, modern solutions to help address these problems.

We can use science, technology and nature-based solutions to protect public health and our environment and to maximize a clean, locally-controlled water supply:

- Capture more rainfall to store, clean and re-use
- Protect local lakes, rivers, streams, beaches and the ocean from contamination
- Improve communities' protection against extreme weather patterns while adding natural areas, shade and green space to enjoy

The County and Los Angeles County Flood Control District are reaching out to stakeholders throughout our local communities to get input about how to create a Safe, Clean Water Program to achieve these goals and ensure safe, clean water resources for Los Angeles County residents.

Public input is important to us. For more information, please contact: info@SafeCleanWaterLA.org, and for more information, visit: www.SafeCleanWaterLA.org.





Questions and Answers

Q: Why does LA County need the Safe, Clean Water Program?

We live in a water-scarce area, and forces outside of our control can threaten our local water resources, including lakes, rivers and beaches. LA County residents rely heavily on imported water – as much as two-thirds of our water is imported from the Sacramento-San Joaquin Delta, Owens River, Arizona, and the Colorado River – hundreds of miles away. Climate change is causing more and more extreme weather conditions, making these remote sources more unreliable. The impacts of the recent five-year drought were widely felt here.

Rainfall is an essential, local source of LA's water. Rain runs through local rivers, creeks and streams and can be absorbed into the ground, replenishing groundwater, which is a local source of drinking water. However, because so much of our region is paved over, when we *do* experience heavy rain, too much of that precious water is lost to the ocean before we can capture it for use.

Our local water resources are also threatened by contaminants and pollution as stormwater runs over streets and over-paved areas into our rivers, creeks and streams. Pollution flows onto our beaches and into the ocean, posing a risk to public health risk and marine life.

Q: Is clean water normally scarce in the LA region or did the recent drought cause a water shortage?

Even in years with normal rainfall, LA County is a water-scarce region. The recent five-year drought put even more stress on our local water resources and made our normal situation dramatically worse.

As climate change causes more weather extremes like the drought, we need to take significant steps to protect and improve our local water resources.

Q: I know the drought was seriously harmful for our local water supply, but didn't the heavy rains last winter make up for it?

Unfortunately, no. When we do experience heavy rains, like this past winter, our existing system can only capture a fraction of that rainfall. Each year, LA County loses over 100 billion gallons of water – enough to meet the needs of more than 2 million people for an entire year.

In addition to missing the opportunity to capture more water, stormwater runoff picks up toxins from parking lots, streets and other developed areas and carries them into our rivers, lakes, streams and eventually our ocean.



As extreme weather conditions become the new normal, we need a system that can capture more local rainfall, and clean and save it for future use.

Q: Do we capture and store rain already when we experience storms? How much rainwater can we capture and store now?

Right now, we capture and store enough rain each year to meet the needs of approximately 1 million LA County residents – about 10 percent of our county's population. Existing dams in the front range of the San Gabriel Mountains capture rainfall and stormwater that is conveyed to a network of “spreading grounds” – shallow and deep basins that have a sandy, gravelly, and/or cobbled bottom that allows water to pass into the ground, naturally filtering it along the way. The spreading grounds work in conjunction with the dams to capture as much water as possible to minimize the amount that flows to the ocean. Eventually, this water gets pumped into a water treatment and distribution system for us to use.

Unfortunately, our current system can't capture all the rainfall we get. A major opportunity for a more reliable, local water supply is capturing more rainfall, which we can store underground, clean, and re-use.

Q: How much more water could we be saving for our region?

With smart investment, we could as much as triple the amount of rain we capture, preserving enough water to meet the needs of nearly 1/3 of the County's residents, ensuring our region can capitalize on erratic and intense rain events.

Q: What funding exists for these important projects?

While some types of water supply projects are supported by reliable revenue, like regular rates, there is no dedicated funding source for stormwater projects.

Q: Can we count on the federal government to protect our beaches and water resources?

The U.S. Environmental Protection Agency and Federal Clean Water Act have historically been key in establishing stringent water quality standards; however, they provide minimal funding. Today, it's more important than ever for our County leadership to take action to improve local water resources for LA County residents.

Q: How is LA County helping to solve these challenges?

There are smart, modern solutions to help address the challenges we face when it comes to protecting and improving our water resources, our beaches, rivers, creeks and streams. LA County and the Los Angeles County Flood Control District are developing a program – the Safe, Clean Water Program – based on modern science, technology and nature-based solutions to:



- Keep toxins and trash from washing into local lakes, rivers, streams, beaches and the ocean
- Take advantage of less regular, more intense rainstorms in order to save more rainfall and clean it for use, which would mitigate the impact of drought and also protect public health
- Improve communities' protection against extreme weather patterns and climate change while adding natural areas, shade and green space to enjoy

PROGRAM DETAILS¹

Q: What would the LA County Safe, Clean Water Program do?

The Safe, Clean Water Program would fund stormwater capture projects and programs that improve water quality; increase water supply; and invest in communities by developing a skilled local work force, greening schools, parks and wetlands, and increasing public access to natural areas like rivers, lakes, and streams.

The Program would fund the construction and maintenance of projects that:

- Protect public health by cleaning stormwater pollution and contamination
- Safeguard marine and other wildlife from trash and toxins in stormwater runoff
- Mitigate severe drought impacts by increasing local water supply
- Update infrastructure to capture and treat stormwater
- Help cities meet their Clean Water Act obligation to clean stormwater

The program would prioritize projects that use nature-based solutions to capture, clean, and conserve stormwater, which can beautify communities while improving our resilience against extreme weather patterns of drought and heavy storms.

Q: What types of projects would the Safe, Clean Water Program Fund?

The Safe, Clean Water Program would fund a suite of project types that capture, clean, and conserve stormwater, from regional projects that benefit entire watersheds, to small local projects in communities. Some example project types include large wetland projects, enhancement of spreading grounds to capture water, water infiltration galleries under parks or other open space, or other "low impact development" that uses greening to capture and treat stormwater.

The best way to capture more water is to rely on natural areas, like streambeds, grassy parks, grassy fields at schools and other non-paved areas. These areas absorb rain

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naturally and refill our underground reserves. One of the most exciting parts of the Safe, Clean Water Program is that the projects would use this strategy to not only capture more rain, but to also increase shade, parkland and natural areas for people and wildlife in our area in the process. Conceptual examples of projects that the Safe, Clean Water Program may fund are available on the website “Our Game Plan” page at <http://safecleanwaterla.org/our-game-plan/>.

Q: Would the Safe, Clean Water Program fund any programs?

Yes! In addition to projects on the ground, the Safe, Clean Water Program would also fund a variety of educational and capacity-building programs for the region, which may include: local workforce job training; curriculum for schools; and public education on stormwater.

Q: How would the Safe, Clean Water Program be funded, and what would it cost me?

The LA County Department of Public Works has analyzed costs and funding mechanisms to support critical rainwater capture and water quality projects, and is proposing that the LA County Flood Control District levy a special parcel tax based on impermeable surface area – paved or built areas where water cannot infiltrate, and instead runs off as stormwater.

The tax would be levied on private properties in cities and unincorporated areas located within the LA County Flood Control District. The ultimate cost of the tax per parcel would be based on total area of impermeable surface on each property. An appeals process would be available for any properties that believe their tax amount has been incorrectly calculated.

Currently under discussion are options for crediting those who are already capturing stormwater, and incentivizing others who want to do more.

Q: How much money would the Safe, Clean Water Program raise, and how would the money be spent?

The Safe, Clean Water Program would aim to raise about \$300 million per year to implement needed stormwater capture projects. 90% of the total revenues collected for the Safe Clean Water Program – currently aimed to be roughly \$270 million – would be available as a funding source to municipalities and communities.

All tax revenues generated for the Safe, Clean Water Program would be allocated as follows:

- 40% to a Municipal Program that would return funds directly to cities and municipalities for projects that improve water quality and provide additional benefits



- 50% to a Regional Program that would fund watershed-based projects with regional benefits including increased water supply and stormwater pollution reduction
- 10% to a District Program for local workforce training, development and implementation of educational programs, and for overall Program administration

Q: What is the Municipal Program, and what would it fund?

40% of revenues from the Safe, Clean Water Program would be returned directly to cities and unincorporated areas in the LA County Flood Control District proportionate to what each municipality is contributing toward the Program. Projects would be required to at least have a water quality benefit, and are encouraged to have additional benefits, including greening of schools, creation of parks and wetlands, or increased water supply.

The intent of the Municipal Program is to provide flexibility and local control so that funds can go toward those projects and programs each local government thinks best address local stormwater challenges and opportunities.

Notably, cities and municipalities can use up to 30% of their local return revenues to pay for operations and maintenance of projects that existed prior to the commencement of the Safe, Clean Water Program, and related activities.

Q: What is the Regional Program, and what would it fund?

50% of revenues from the Safe, Clean Water Program would fund watershed-based projects that provide regional benefits, including stormwater pollution reduction, increased water supply, and investments in communities on the ground.

The majority of funding for the Regional Program would go toward regional and small-scale capital improvement projects – new infrastructure. A portion of these funds would be made available for scientific studies and technical assistance.

The Regional Program funds would be distributed to 9 identified “Watershed Areas” in the LA County Flood Control District in proportion to the revenue collected in that area. The Program would include provisions ensuring that investments are made in underserved and low-income areas for the implementation of projects that would provide clean water benefits for all.

Q: What is the District Program, and what would it fund?

10% of revenues from the Safe, Clean Water Program would fund: coordination of stormwater education and capacity-building programs; provision of regional leadership and coordination for water quality planning and modeling; implementation of multi-benefit projects; and overall administration of the Safe, Clean Water Program.



Q: Who would decide how to spend Safe, Clean Water funds?

Municipal, Regional, and District funds will be administered differently, as follows:

- Municipal Program: Each city and unincorporated area in the LA County Flood Control District would have control to allocate funds returned to them in the manner that they believe best meets Program goals
- Regional Program: Stakeholder committees for the 9 identified “Watershed Areas” in the LA County Flood Control District would identify projects, and relay them to a regional oversight committee to make a final recommendation for affirmation by the LA County Board of Supervisors
- District Program: The LA County Flood Control District would determine how to use these funds to administer programs, studies, and the Program as a whole

Oversight measures, reporting, and auditing procedures would be in place for each of these programs to ensure that Program funds are being used in the most beneficial ways possible.

Q: Who would be eligible to apply for funding?

The Safe, Clean Water Program has very broad applicant eligibility to increase access to funding. Any individual, group, special district, school, municipality, non-governmental organization (NGO), non-profit organization, community based organization (CBO), public utility, federally recognized Indian tribes, state Indian tribes listed on Native American Heritage Steering Committee’s California Tribal Consultation List, mutual water company, or other entities that submits a project for consideration would be eligible to receive funding through the Safe, Clean Water Program.

Q: Would schools benefit from the Safe, Clean Water Program?

Yes, schools would be eligible to apply for funding to implement projects. They also would be valuable partners for developing projects with other entities.

Public school districts would not be taxed under the potential funding measure.

Q: How is the County going to take advantage of other existing funding sources for this program?

LA County and the Los Angeles County Flood Control District are working to identify funding and opportunities to share costs with other agencies. Several cities in the County are investing limited funds in stormwater capture and re-use plans, and the LA County Safe, Clean Water Program would help unify these efforts and maximize resources to support safe, clean local water resources for all LA County residents.

Q: Who would oversee the Program and spending?

Oversight mechanisms are critical to ensure that Program funds are being spent responsibly and that benefits are realized throughout the region over time. Each of the funding recipients within the Municipal, Regional, and District will be required to undergo



an independent audit every 5 years.

Q: Where can I find more details about the Program?

Draft details of the Safe, Clean Water Program are available at <http://safecleanwaterla.org/wp-content/uploads/2018/04/Safe-Clean-Water-Program-Draft-Program-Elements-04.12.2018.pdf>

PROGRAM BENEFITS/RESULTS

Q: What are the primary outcomes the Safe, Clean Water Program would likely achieve?

The Safe, Clean Water Program would result in a series of outcomes, including:

- Meaningful improvements in water quality
- Meaningful increases in water supply
- Community investments, including greening of streets and schools, and improved access to rivers, lakes, and streams
- Improved collaboration with stakeholders to consider and implement projects and programs that offer the greatest potential for significant impact
- Tangible benefits in communities throughout the region

Q: Would the Safe, Clean Water Program help our cities comply with current State and federal water quality standards?

Paying for water quality is a priority for the LA County Board of Supervisors. The LA County Board of Supervisors wants to ensure that any funds spent through the Safe, Clean Water Program help our area meet standards for clean water, while also addressing other regional priorities, such as adequately protecting the region against impacts of future droughts, improving the resilience of our water system, and delivering tangible benefits to our communities. In fact, it is for this reason that the MS4 permit encourages projects that provide multiple benefits.

Q: Would the Safe, Clean Water Program be better for public health?

Yes. It's no secret that dirty water from heavy storms results in beach closures following heavy rain in Los Angeles, because of threats to public health. By using smart, nature-based projects, we could capture more runoff and filter out harmful toxins and pollutants. In the process of capturing and cleaning stormwater, projects in the Safe, Clean Water Program would add more green space, further supporting healthier communities.

Q: How would the Safe, Clean Water Program help low-income and underserved communities?

Providing benefits to low-income and underserved communities is a priority for the Safe, Clean Water Program.



There are many ways the Program will prioritize funding to disadvantaged communities, including: funding available for small-scale or community projects; priority consideration for projects benefitting disadvantaged communities or with strong community support; involvement of stakeholders and community groups in decision-making on funding priorities; funding available for technical assistance and feasibility studies, and funding stormwater education programs

Through these avenues, the Safe, Clean Water Program hopes to provide equitable access to Program funds, as well as receipt of Program benefits.

Q: Would the Safe, Clean Water Program benefit marine life?

Absolutely. Each year, marine mammals, seabirds, and fish die, either from mistakenly eating plastic garbage and other contaminants, or ensnaring themselves. Annually, over 4000 tons of trash is found on LA County beaches. By preventing stormwater runoff from carrying tons of trash and contaminants out to sea, we can better protect marine life.

NEXT STEPS

Q: What will happen next?

The Safe, Clean Water Program is currently being developed under LA County leadership and through the collaborative efforts of local city government leaders, environmentalists, business, labor, and other key stakeholders. A first draft of the Program was released to the public in April 2018, and will continue to be developed with stakeholder input through summer of 2018.

A potential special parcel tax to implement the plan is also under consideration and a public hearing before the LA County Board of Supervisors is anticipated to take place on June 26, 2018. If approved by the Board, the special parcel tax would appear as a ballot measure to be voted on by LA County residents.

Q: Where can I learn more?

Visit SafeCleanWaterLA.org for more information.

Q: How can I provide input on Program development?

Stakeholders are encouraged to provide comments on the Program on the “Safe, Clean Water Program Details” page on the website, at <http://safecleanwaterla.org/scw-program-details/>.

Q: How can I get involved?

Email info@SafeCleanWaterLA.org to get involved.