October 18, 2019

Mr. Tim Little
Rose Foundation for Communities and the Environment
201 4th Street, Suite 102
Oakland, CA 94607

RESOLUTION NO. R19-007 APPROVING THE 2019 DISADVANTAGED COMMUNITY SUPPLEMENTAL ENVIRONMENTAL PROJECT LIST; ROSE FOUNDATION FOR COMMUNITIES AND THE ENVIRONMENT

Dear Mr. Little,

On October 10, 2019, the Regional Board adopted Resolution No. R19-007 approving the 2019 Disadvantaged Community Supplemental Environmental Project List submitted by the Rose Foundation for Communities and the Environment. Enclosed is the final resolution as adopted by the Regional Board.

If you have any questions regarding the matter, please contact Mr. Russ Colby at (213) 620-6373 or Ms. Bobbi Valencia at (213) 620-6362.

Sincerely,

Hugh Marley
Assistant Executive Officer

Enclosure
cc: See Attached Mailing List
Sophie Froelich, Office of Chief Council, State Water Resources Control Board
Laura Fernandez, Rose Foundation for Communities and the Environment
Haley Feng, California Greenworks, Inc.
Jordan Wells, California Product Stewardship Council
Paul Saba, Center for Biological Diversity
Felipe Aguirre, Comite Pro 1
Cynthia Babich, Del Amo Action Committee
Ivy Panlilio, Esperanza Community Housing
Shelly Backlar, Friends of the Los Angeles River
Sheila McSherry, Heal the Bay
Laura Joseph, Los Angeles Alliance for a New Economy
Cedar Landsman, Los Angeles Food Policy Council
Sarah Freiermuth, The Nature Conservancy
Belinda Faustinos, Nature for All
Sophia Sleap, Proyecto Pastoral
Lou Pieh, River LA
Christina Gonzalez, San Gabriel Valley Conservation Corps
Heather Merenda, Santa Clara River Conservancy
Lynne Plambeck, Santa Clarita Organization for Planning and the Environment
Rachel Labbe Bellas, The 5 Gyres Institute
Christine Buckley, Tree People
Geraldine Burrola, Los Angeles Waterkeeper
Alessandro Negrete, East Yard Communities for Environmental Justice
WHEREAS:

1. The Regional Board is an agency of the State of California with the mission of preserving, protecting, enhancing, and restoring water quality within major portions of Los Angeles and Ventura Counties. In support of that mission, the Regional Board has the authority to enforce permit conditions and provisions of the Board’s Water Quality Control Plans by issuing Administrative Civil Liability Orders (ACL Orders).

2. Dischargers who wish to settle alleged water quality violations may offer to complete Supplemental Environmental Projects (SEPs) that offset the financial liability that may otherwise be imposed by the Board; dischargers may fund SEPs in lieu of submitting payments to the State Water Resources Control Board’s (State Board) Water Pollution Cleanup and Abatement Account and/or Waste Discharge Permit Fund. SEP settlements are memorialized in Stipulated ACL Orders.

3. The State Board has adopted a Water Quality Enforcement Policy effective October 5, 2017 and a Statewide Policy on Supplemental Environmental Projects (SEP Policy) effective May 3, 2018 that together regulate the use of SEPs statewide.

4. As defined by Public Resources Code section 71118, subdivision (a)(3), a SEP is “an environmentally beneficial project that a person subject to an enforcement action voluntarily agrees to undertake in settlement of the action and to offset a portion of a civil liability.” Water Code section 13385, subdivision (1)(2) further defines a SEP, in part, as “an environmentally beneficial project that a person agrees to undertake, with the approval of the regional board, that would not be undertaken in the absence of an enforcement action.”

5. The Rose Foundation for Communities and the Environment (Rose Foundation) is a grantmaking public charity based in Oakland, California with extensive experience in managing SEP funds related to Clean Water Act settlements and other similar settlement funds related to environmental protection, public health, social justice and consumer protection.

6. The Rose Foundation is ideally situated to work within these communities to develop SEPs for their benefit, as it has demonstrated that it has the institutional capacity, the proven track record, and the connections within disadvantaged
communities (DAC) to help promote the DAC SEP Program and to provide oversight of the SEPs themselves.

7. On June 15, 2018, the Regional Board and the Rose Foundation entered a Memorandum of Understanding (MOU) to establish, develop and administer a Los Angeles Region DAC SEP Fund (Attachment A). This launched the program to promote the allocation of SEP monies to DACs. The Rose Foundation helps DACs to develop SEP proposals, proposes a list of these proposals to the Regional Board on an annual basis, assists DACs and their advocates in the implementation of these SEPs by providing third-party oversight as the SEPs are funded, implemented, and completed.

8. The Rose Foundation has committed to proposing updates to the DAC SEP List each year. These lists are to contain a catalogue of SEPs that dischargers facing administrative civil liability may fund in lieu of making payments to the State Water Board’s Water Pollution Cleanup and Abatement Account and/or Waste Discharge Permit Fund.

9. The 2019 DAC SEP List (Attachment B) was submitted to the Regional Board in April of 2019. It consists of 26 projects which showcase a wide variety of groups that work at the intersection of water quality and community benefit. This includes a number of local grassroots organizations as well as larger regional and statewide organizations. All projects have been reviewed to ensure they meet agency goals and that no proposed projects contain elements that are contrary to established state policy.

10. The Rose Foundation shall confirm how the funds were expended in an annual report to the Regional Board.

THEREFORE BE IT RESOLVED, the Regional Board, after considering the entire record, including written and oral testimony at the hearing:

1. Approves the 2019 DAC SEP List.

2. Authorizes the Rose Foundation to propose updates to the DAC SEP List on an annual basis that will fund projects to benefit DACs in the Los Angeles Region as described in Attachment A to this Resolution.

3. Directs the Rose Foundation to annually conduct an open application process that will allow new organizations to submit a qualifying proposal for consideration for the Project List and/or allow organizations to update past proposals.

4. Directs the Rose Foundation to annually bring this list back to the Regional Board for approval.

5. Directs Board staff to work with the Rose Foundation to publicize the DAC SEP Program on the Regional Board’s website, and to give serious consideration to all

---

1 The complete set of Project Proposals for the 2019 DAC SEP List is available to the public at the Regional Board offices, and upon request. Please see Attachment C for a list of the SEP Proponents.
proposals that would include these SEPs as a part of the settlement of a discharger’s potential civil liability

6. Allows dischargers the ability to select which projects from the 2019 DAC SEP list are funded with their financial contributions.

7. Allows dischargers the ability to direct funds to the Rose Foundation for use in a SEP on the DAC SEP list. Dischargers will have an equivalent amount of administrative civil liability suspended at the time they make actual payment of the amount agreed to in the ACL Order to the Rose Foundation, provided that the ACL Order also states that the Regional Board is entitled to recover any funds that are not expended in accordance with the terms of the ACL Order.

I, Renee Purdy, Executive Officer, do hereby certify that this Resolution is a full, true and correct copy of a Resolution adopted by the California Regional Water Quality Control Board, Los Angeles Region on October 10, 2019.

Renee Purdy, Executive Officer
Attachment A

Memorandum of Understanding between the Rose Foundation for Communities and the Environment and the Los Angeles Regional Water Quality Control Board to Establish, Develop, and Administer a Los Angeles Region Disadvantaged Community Supplemental Environmental Project Fund
Attachment B

The 2019 Disadvantaged Community Supplemental Environmental Project List

The Complete Set of Project Proposals for the Disadvantaged Community Supplemental Environmental Project List is Available to the Public at the Regional Board Offices, and Upon Request.
<table>
<thead>
<tr>
<th>SEP Proponent</th>
<th>Project</th>
<th>Project Category</th>
</tr>
</thead>
<tbody>
<tr>
<td>California Greenworks, Inc.</td>
<td>South Los Angeles Urban Greening and Community Forestry Program</td>
<td>Pollution Prevention, Other Projects</td>
</tr>
<tr>
<td>California Product Stewardship Council</td>
<td>Sustainable Medication Take Back for Los Angeles Watersheds</td>
<td>Pollution Prevention</td>
</tr>
<tr>
<td></td>
<td>Sustainable Medication Take Back for Ventura Watersheds</td>
<td>Pollution Prevention</td>
</tr>
<tr>
<td>Center for Biological Diversity</td>
<td>Protect Southern California Watersheds (Los Angeles County)</td>
<td>Other Projects</td>
</tr>
<tr>
<td></td>
<td>Protect Southern California Watersheds (Ventura County)</td>
<td>Other Projects</td>
</tr>
<tr>
<td>Comite Pro 1</td>
<td>Maywood Water Education Project</td>
<td>Public Health, Other Projects</td>
</tr>
<tr>
<td>Del Amo Action Committee</td>
<td>Environmental Justice Educational Program: Protecting Our Water through Stormwater Management</td>
<td>Public Health, Pollution Prevention</td>
</tr>
<tr>
<td>East Yard Communities for Environmental Justice</td>
<td>Rundown the Runoff</td>
<td>Pollution Prevention, Assessment and Audits, Environmental Compliance Promotion</td>
</tr>
<tr>
<td>Esperanza Community Housing</td>
<td>Building Community Capacity to Improve Water Quality in South Los Angeles</td>
<td>Public Health, Assessment and Audits, Other Projects</td>
</tr>
<tr>
<td>Friends of the Los Angeles River</td>
<td>Improving Water Quality and Quality of Life in Disadvantaged Communities on the LA River</td>
<td>Other Projects</td>
</tr>
<tr>
<td>Heal the Bay</td>
<td>Heal the Bay’s Recreational Water Quality Monitoring and Outreach Project</td>
<td>Assessments and Audits, Other Projects</td>
</tr>
<tr>
<td>Los Angeles Alliance for a New Economy</td>
<td>Clean Safe Water for the LA Region</td>
<td>Other Projects</td>
</tr>
<tr>
<td>Los Angeles Food Policy Council</td>
<td>Scaling Waterwise Urban Agriculture in LA’s Disadvantaged Communities</td>
<td>Pollution Prevention, Pollution Reduction, Other Projects</td>
</tr>
<tr>
<td>Los Angeles Waterkeeper</td>
<td>Watershed Program Outreach and Education</td>
<td>Environmental Restoration and Protection, Other projects</td>
</tr>
<tr>
<td>Los Angeles Waterkeeper</td>
<td>Marine Program Outreach and Education</td>
<td>Environmental Restoration and Protection, Other projects</td>
</tr>
<tr>
<td>The Nature Conservancy</td>
<td>Los Angeles River Stormwater Capture and Habitat Enhancement Project</td>
<td>Environmental Restoration and Protection</td>
</tr>
<tr>
<td>Nature for All</td>
<td>Water Education Program</td>
<td>Pollution Prevention, Environmental Restoration and Protection, Other Projects</td>
</tr>
<tr>
<td>Proyecto Pastoral</td>
<td>Storm water Infrastructure in Boyle Heights - Community Health and Revitalization Project</td>
<td>Other Projects</td>
</tr>
</tbody>
</table>

*Attachment C*
<table>
<thead>
<tr>
<th>Organization</th>
<th>Project</th>
<th>Other Projects</th>
</tr>
</thead>
<tbody>
<tr>
<td>River LA (Los Angeles Revitalization Corporation)</td>
<td>South Gate LA River Pilot Project</td>
<td>Pollution Prevention, Pollution Reduction, Other Projects</td>
</tr>
<tr>
<td>San Gabriel Valley Conservation Corps</td>
<td>Watershed and Forest Revitalization Project</td>
<td>Environmental Restoration and Protection, Assessment and Audits</td>
</tr>
<tr>
<td>Santa Clara River Conservancy</td>
<td>Santa Clara River Invasive Week Task Force - Mapping and Removal Program (Los Angeles County)</td>
<td>Environmental Restoration and Protection, Assessment and Audits</td>
</tr>
<tr>
<td></td>
<td>Santa Clara River Invasive Week Task Force - Mapping and Removal Program (Ventura County)</td>
<td>Environmental Restoration and Protection, Assessment and Audits</td>
</tr>
<tr>
<td>Santa Clarita Organization for Planning and the Environment</td>
<td>Newhall Creek Community Watershed Education and Restoration Project</td>
<td>Environmental Restoration and Protection, Assessment and Audits, Other Projects</td>
</tr>
<tr>
<td>The 5 Gyres Institute</td>
<td>TrashBlitz LA: Citizen Science and Water Pollution Prevention</td>
<td>Pollution Reduction, Environmental Restoration and Protection, Assessments and Audits</td>
</tr>
<tr>
<td>Tree People</td>
<td>Calles Verdes</td>
<td>Pollution Prevention, Environmental Restoration and Protection</td>
</tr>
</tbody>
</table>