



**PUBLIC REQUEST TO ADDRESS
THE BOARD OF SUPERVISORS
COUNTY OF LOS ANGELES, CALIFORNIA**

Correspondence Received

MEMBERS OF THE BOARD

HILDA L. SOLIS
HOLLY J. MITCHELL
LINDSEY P. HORVATH
JANICE HAHN
KATHRYN BARGER

			The following individuals submitted comments on agenda item:	
Agenda #	Relate To	Position	Name	Comments
64.	86	Oppose	Mark A Grey	



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Correspondence Received

Agenda #	Relate To	Position	Name	Comments
64.	86	Oppose	Patricia K Johns	Members of the Board: I am writing to request that the Board defer the proposed revisions to Chapter 12.84 of the Los Angeles County Code from the current agenda in order to allow for additional review and input from the engineering, development, and environmental community. The County is obligated to align the Low-Impact Development (LID) Ordinance with the requirements of the 2021 MS4 Permit, and it appears that the proposed revisions do not align with the 2021 MS4 permit. The non-aligning revisions warrant further evaluation by the practitioners who will be responsible for interpreting, designing and constructing under these updated standards. The professional engineering community was provided with the opportunity to review the draft ordinance in February 2025 where these issues were brought up. Subsequently, there has been no response to comments, or revisions to the ordinance reflecting the comments. Contrary to the Board letter, this ordinance update will have a negative impact on current County Services and projects. Specifically, the ordinance unnecessarily restricts the definition of "Biofiltration" and "Flow-based BMPs" such that affordable housing and infill development projects will take approximately three months longer to permit by requiring project by project review by the Water Board. The more restrictive definitions are contrary to the County's Strategic Plan North Star 1 and North Star 2. Development projects on sites constrained by space limitations or geotechnical hazards, including many infill and redevelopment sites developing Housing for Homeless and affordable housing currently have access to innovative high performance biofiltration systems. The changes to the LID Ordinance will restrict access to these important tools without project specific review by the Waterboard. This will increase development costs and extend design to construction timelines. These restrictions also hamper Vibrant and Resilient Communities and Climate health goals by restricting the implementation of Low Impact Development designs that provide superior water quality outcomes based on current science. If order to provide the County the opportunity to more closely align their ordinance with the requirements for the 2021 MS4 permit and meet their North Start goals, I respectfully request that the Board: 1. Defer this item from the current agenda, and 2. Direct Public Works to conduct additional outreach, workshops, or stakeholder review sessions with licensed civil engineers, hydrology professionals, developers, and other affected parties prior to bringing the ordinance back for adoption, and 3. Align the ordinance align with the MS4 permit by revising the Ordinance definitions of "Flow-based BMPs" and "Biofiltration" Thank you for your attention to this request and for your continued leadership on water quality and sustainable development in Los Angeles County. I would welcome the opportunity to participate in any future stakeholder discussions.

As of: 11/17/2025 9:00:20 PM

			The following individuals submitted comments on agenda item:	
Agenda #	Relate To	Position	Name	Comments
64.	86	Oppose	Vaikko Allen	Please see the attached letter requesting that this item be withdrawn from the consent calendar for amendment.
		Item Total	3	
Grand Total			3	

11/17/2025

Los Angeles County Board of Supervisors
c/o Executive Office of the Board
Kenneth Hahn Hall of Administration
500 West Temple Street
Los Angeles, CA 90012

Subject: Request to Pull Item 64 from Consent Calendar for Amendment

Dear Chair and Members of the Board,

I respectfully request that Item 64 be pulled from the Consent Calendar and held for amendment.

My concern is that the proposed ordinance introduces two definitional changes that may unintentionally narrow the range of stormwater treatment options available to developers and may conflict with the Los Angeles Region MS4 Permit.

First, the definition of “flow-through treatment BMP” replaces the word “includes” with “means.”

This small change makes the definition much more restrictive than in the MS4 Permit.

As written, it may force all high-rate biofilters into the “flow-through treatment BMP” category and prevent TAPE-certified or other innovative biofiltration systems from being classified as biofiltration, even when they meet the permit’s performance criteria and are properly sized for the design storm. This would reduce flexibility and raise compliance costs without improving water quality.

Second, the ordinance’s definition of biofiltration is internally inconsistent.

The first sentence states that biofiltration must include incidental infiltration, while the next sentence offers an alternative pathway of either incidental infiltration or achieving equivalent pollutant reduction with an underdrain. This ambiguity could be interpreted to require incidental infiltration for all biofiltration systems—contrary to the MS4 Permit, which clearly allows underdrained or lined systems that meet equivalent performance. This could inadvertently prohibit the use of fully compliant underdrained biofilters in areas with geotechnical or groundwater constraints.

For these reasons, I ask that Item 64 not proceed today, and that the ordinance be amended to align its definitions with those in the MS4 Permit, preserving the full toolbox of compliant and cost-effective stormwater treatment BMPs.

Furthermore, please note that the Low Impact Development Manual, which will contain guidance for implementation of stormwater management requirements on land development projects from the Los Angeles Regional MS4 Permit and the LID Ordinance, is under development by the Los Angeles County Department of Public Works. The release of this manual is expected to coincide with adoption of the LID Ordinance, but no

draft has been released for public review or comment. We respectfully request that you direct Public Works staff to release a draft for public review and comment prior to finalization. Feedback from public review comments should be incorporated as appropriate. Development of the prior LID Manual included a stakeholder group representing engineering, environmental, land development and other technical stakeholders. A similar process should be undertaken here to strengthen the revised manual.

Thank you for considering these requests.

Sincerely,



Vaikko Allen
Director – Stormwater Regulatory Management
Contech Engineered Solutions, LLC
Vaikko.Allen@ContechES.com



Patricia Johns, PE, QSD/QSP
Senior Technical Specialist/KPFF Consulting Engineers
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Log Beach, CA 90802
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November 17, 2025

Los Angeles County Board of Supervisors
c/o Executive Office of the Board
Kenneth Hahn Hall of Administration
500 West Temple Street
Los Angeles, CA 90012

RE: Agenda Item – Revisions to Los Angeles County Code Chapter 12.84
(Low-Impact Development Ordinance)
Request to Defer Item Pending Further Engineering Review

Members of the Board:

I am writing to request that the Board defer the proposed revisions to Chapter 12.84 of the Los Angeles County Code from the current agenda in order to allow for additional review and input from the engineering, development, and environmental community.

The County is obligated to align the Low-Impact Development (LID) Ordinance with the requirements of the 2021 MS4 Permit, and it appears that the proposed revisions do not align with the 2021 MS4 permit. The non-aligning revisions warrant further evaluation by the practitioners who will be responsible for interpreting, designing and constructing under these updated standards.

The professional engineering community was provided with the opportunity to review the draft ordinance in February 2025 where these issues were brought up. Subsequently, there has been no response to comments, or revisions to the ordinance reflecting the comments.

Contrary to the Board letter, this ordinance update will have a negative impact on current County Services and projects. Specifically, the ordinance unnecessarily restricts the definition of



“Biofiltration” and “Flow-based BMPs” such that affordable housing and infill development projects will take approximately three months longer to permit by requiring project by project review by the Water Board.

The more restrictive definitions are contrary to the County’s Strategic Plan North Star 1 and North Star 2. Development projects on sites constrained by space limitations or geotechnical hazards, including many infill and redevelopment sites developing Housing for Homeless and affordable housing currently have access to innovative high performance biofiltration systems. The changes to the LID Ordinance will restrict access to these important tools without project specific review by the Waterboard. This will increase development costs and extend design to construction timelines. These restrictions also hamper Vibrant and Resilient Communities and Climate health goals by restricting the implementation of Low Impact Development designs that provide superior water quality outcomes based on current science.

If order to provide the County the opportunity to more closely align their ordinance with the requirements for the 2021 MS4 permit and meet their North Start goals, I respectfully request that the Board:

1. Defer this item from the current agenda, and
2. Direct Public Works to conduct additional outreach, workshops, or stakeholder review sessions with licensed civil engineers, hydrology professionals, developers, and other affected parties prior to bringing the ordinance back for adoption, and
3. Align the ordinance align with the MS4 permit by revising the Ordinance definitions of “Flow-based BMPs” and “Biofiltration”

Thank you for your attention to this request and for your continued leadership on water quality and sustainable development in Los Angeles County. I would welcome the opportunity to participate in any future stakeholder discussions.

Sincerely,

Patricia Johns, PE, QSD/QSP
Senior Technical Specialist



**Construction
Industry Coalition
On Water Quality**

November 17, 2025

Los Angeles County Board of Supervisors
c/o Executive Office of the Board
Kenneth Hahn Hall of Administration
500 West Temple Street
Los Angeles, CA 90012

Coalition Members:



BUILDING FORWARD



Subject: Request to Pull Item 64 from Consent Calendar for Amendment

Dear Chair and Members of the Board,

The Construction Industry Coalition on Water Quality requests that Item 64 be pulled from the Consent Calendar and held for amendment. Item 64 directly impacts our coalition membership, especially in creating new and affordable housing in existing urban areas.

Our concern is that the proposed ordinance introduces two definitional changes that may unintentionally narrow the range of stormwater treatment options available to developers and may conflict with the Los Angeles Regional MS4 Permit.

First, the definition of “flow-through treatment BMP” replaces the word “includes” with “means.” This small change makes the definition much more restrictive than in the MS4 Permit.

As written, it may force all high-rate biofilters into the “flow-through treatment BMP” category and prevent TAPE-certified or other innovative biofiltration systems from being classified as biofiltration, even when they meet the permit’s performance criteria and are properly sized for the design storm. This would reduce flexibility and raise compliance costs without improving water quality.

Second, the ordinance’s definition of biofiltration is internally inconsistent. The first sentence states that biofiltration must include incidental infiltration, while the next sentence offers an alternative pathway of either incidental infiltration or achieving equivalent pollutant reduction with an underdrain.

The ambiguity created could be interpreted to require incidental infiltration for all biofiltration systems—contrary to the MS4 Permit, which clearly allows underdrained or lined systems that meet equivalent performance. This could inadvertently prohibit the use of fully compliant underdrained biofilters in areas with geotechnical or groundwater constraints.

For these reasons, we ask that Item 64 not proceed today, and that the ordinance be amended to align its definitions with those in the Los Angeles Regional MS4 Permit, preserving the full toolbox of compliant and cost-effective stormwater treatment BMPs.

Furthermore, please note that the Low Impact Development Manual, which will contain guidance for implementation of stormwater management requirements on land development projects from the Los Angeles Regional MS4 Permit and the LID Ordinance, is under development by the Los Angeles County Department of Public Works.

The release of this manual is expected to coincide with adoption of the LID Ordinance, but no draft has been released for public review or comment. We respectfully request that prior to finalization, a draft be released for public review and comment with feedback from public review incorporated as appropriate. Development of the prior LID Manual included a stakeholder group representing engineering, environmental, land development and other technical stakeholders. A similar process should be undertaken here to strengthen the document.

Sincerely,



Michael W. Lewis
Executive Vice President
Construction Industry Coalition on Water Quality

CICWQ is an advocacy, education, and research 501(c)(6) non-profit group of trade associations representing builders and trade contractors, home builders, labor unions, landowners, and project developers.

CICWQ membership is comprised of members from four construction and building industry trade associations in southern California: The Associated General Contractors of California, Building Industry Association of Southern California, Southern California Contractors Association, and United Contractors.

Collectively, members of these associations build a significant portion of the transportation, public and private infrastructure, and commercial and residential land development projects in California.

Questions Please Contact:

Mark Grey, Ph.D.
Principal Technical Director, CICWQ
909-525-0623
mgrey@cicwq.org