

Agenda Report

TO: CITY COUNCIL

DATE: September 22, 2008

FROM: CITY MANAGER

SUBJECT: MEMORANDUM OF AGREEMENT FOR THE ADMINISTRATION AND COST SHARING OF THE COORDINATED MONITORING PLAN FOR THE LOS ANGELES RIVER AND TRIBUTARIES METALS TMDL

RECOMMENDATION:

It is recommended that the City Council approve the monitoring administration and cost sharing Memorandum of Agreement (MOA) with the Gateway Cities Council of Governments and authorize the City Manager to execute the MOA.

BACKGROUND:

Several segments of the Los Angeles River (LAR) and its tributaries have been identified in the Clean Water Act as impaired water bodies due to various metals. A Total Maximum Daily Load (TMDL) establishes a maximum limit for a specific pollutant that can be discharged into a water body without exceeding water quality standards and impairing beneficial uses.

The LAR Metals TMDL requires 40 cities, Los Angeles County and Caltrans to submit a Coordinated Monitoring Plan (CMP). The CMP was submitted and approved by the Los Angeles Regional Water Quality Control Board (LARWQCB) on April 11, 2008. Sampling is required to begin within six months after approval of the CMP.

A 22-year implementation schedule for the TMDL requires dry and wet weather compliance milestones for impacted reaches of the LAR watershed. The four-year background or ambient monitoring period is covered by this Agreement. For the balance of the 22-year period, the compliance or effectiveness-monitoring period will require another agreement because the watershed may separate into Jurisdictional Groups for the implementation of projects to comply with the TMDL.

Preparation and implementation of a Coordinated Monitoring Plan (CMP) is a mandatory TMDL requirement. The CMP's goals are to monitor water quality at key locations along the river, in addition to future targeted monitoring if found necessary. The estimated first year watershed wide CMP costs are approximately \$590,000, which includes purchase and installation of auto-sampling devices. The annual monitoring costs are estimated at

\$192,000. An additional amount of approximately \$23,000 is required for the first two years for additional wet weather sampling to verify the default translator values used in the TMDL to calculate the fractionation between dissolved and total metals. The current estimated City of Pasadena shares of the costs are \$20,005 for the first year, \$7,284 for the second year, and \$6,511 for each of the final two years, based on the Metal TMDLs allocation formula.

The CMP will require administration, invoicing of participating local governments, bill payments and auditing. A Steering Committee comprised of City Managers recommends that the Gateway Cities Council of Governments (GCCOG) administer the CMP. The GCCOG has a decade of experience in administering multi-agency agreements with Los Angeles County, Caltrans and local communities. Fifteen of the GCCOG cities are impacted, along with large areas of unincorporated Los Angeles County. The GCCOG's direct and actual administration costs would be fully paid by the participating agencies, including the costs of auditing, legal reviews of agreements and staff. The GCCOG anticipates costs of \$10,000 per year in administrative costs, which will be shared among the 42 agencies, based on the funding formula. These costs are included in the costs as stated above.

Each of the 42 watershed agencies must approve the CMP MOA with the GCCOG in order for the watershed to meet the monitoring deadline of October 11, 2008 (six months after approval of the CMP). The Steering Committee surveyed the agencies to assess management support for the funding formula and the mandatory CMP, prior to drafting this MOA. All cities and agencies have responded in the affirmative to participate in this CMP.

FISCAL IMPACT:

Funds for the City's share of the cost for the implementation of the required CMP are available in Budget Account No. 76290, NPDES – Storm Water Pollution Prevention Program.


Respectfully submitted,

Edn 
BERNARD K. MELEKIAN
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