

Agenda Report

December 14, 2015

TO: Honorable Mayor and City Council

FROM: Departments of Public Works

SUBJECT: AUTHORIZATION TO ENTER INTO MEMORANDUM OF AGREEMENT BETWEEN CITY OF PASADENA AND 18 PUBLIC AGENCIES REGARDING DEVELOPMENT OF COORDINATED INTEGRATED MONITORING PROGRAM FOR UPPER LOS ANGELES RIVER WATERSHED AND AUTHORIZATION TO ENTER INTO MEMORANDUM OF UNDERSTANDING BETWEEN CITY OF PASADENA AND 11 PUBLIC AGENCIES REGARDING THE ADMINISTRATION AND COST SHARING FOR LOAD REDUCTION STRATEGY FOR THE RIO HONDO RIVER WATERSHED

RECOMMENDATION:

It is recommended that the City Council:

1. Find the memoranda proposed herein to be exempt under the California Environmental Quality Act (CEQA) in accordance with Title 14 Chapter 3, Class 8, Section 15308, actions taken by regulatory agencies to assure the maintenance, restoration, enhancement, or protection of the environment;
2. Authorize the City Manager to execute a Memorandum of Agreement (MOA) between City of Pasadena and 18 public agencies regarding the development of the Coordinated Integrated Monitoring Program (CIMP) for the Upper Los Angeles River; and
3. Authorize the City Manager to execute a Memorandum of Understanding (MOU) between the City of Pasadena and 11 public agencies regarding the administration and cost sharing for a Load Reduction Strategy (LRS) for the Rio Hondo River Watershed.

BACKGROUND:

Under the Clean Water Act, the National Pollutant Discharge Elimination System (NPDES) permit program reduces water pollution by regulating the discharge of

pollutants into lakes, rivers, and streams. The implementation of this permit program has resulted in significant improvement in the quality of this country's water resources since 1972.

On December 28, 2012, the Los Angeles NPDES Municipal Separate Storm Sewer System Permit (Municipal NPDES Permit) became effective in accordance with the Clean Water Act. The Municipal NPDES Permit covers unincorporated areas of Los Angeles County, the Los Angeles County Flood Control District (LACFCD), and 84 cities within Los Angeles County. Unlike previous permits, permittees are provided with multiple compliance pathways, including the option to develop an Enhanced Watershed Management Program (EWMP).

As a result, the City of Pasadena and many other permittees have elected to pursue the development of an EWMP and CIMP since this approach provides opportunities to collaborate with other agencies on projects that address stormwater quality issues in a more cost-effective manner than working independently.

Coordinated Integrated Monitoring Program Memorandum of Agreement (CIMP MOA)

The western portion of the City of Pasadena drains to the Arroyo Seco, and then into the Upper Los Angeles River. Therefore, the City previously joined the Upper Los Angeles River Watershed EWMP group, which is working together in the administration and development of the EWMP and CIMP plans to meet the Municipal NPDES Permit requirements in a cost-effective manner. The revised CIMP and draft EWMP plans were submitted to the Regional Water Quality Control Board before June 26, 2015. The EWMP will identify multi-benefit regional projects that are capable of retaining all non-stormwater runoff and stormwater runoff from a specified "design storm" (precipitation pattern defined for use in design of hydrologic system) while achieving other benefits such as flood control, water supply, conservation, and recreational improvements. The CIMP will allow the Upper Los Angeles River Watershed EWMP group to address the monitoring and reporting requirements of the new Municipal NPDES Permit with a comprehensive approach for the watershed.

As provided for under the new Municipal NPDES Permit, the City of Pasadena has joined 18 co-permittees as members of the EWMP group for the Upper Los Angeles River Watershed. The other agencies include the Cities of Alhambra, Burbank, Calabasas, Glendale, Hidden Hills, La Canada Flintridge, Los Angeles, Montebello, Monterey Park, Rosemead, San Fernando, San Gabriel, San Marino, South El Monte, South Pasadena, Temple City, the County of Los Angeles, and the Los Angeles County Flood Control District.

The purpose of the CIMP MOA is to allow the above agencies to collaborate on and cooperatively fund the implementation of water quality monitoring, which was approved by the Regional Water Board on August 5, 2015 pursuant to the new Municipal NPDES Permit. The City of Los Angeles is the lead agency for the CIMP MOA. The scope of work for the CIMP MOA will include:

1. Receiving Water Monitoring
2. Storm Water Outfall Monitoring
3. Non-Storm Water Outfall Monitoring
4. Data Management and Annual Reporting
5. Capital and Operation/Maintenance Expenses
6. Additional Non-Storm Water Outfall Monitoring in Rio Hondo
7. Additional Non-Storm Water Outfall Monitoring in Arroyo Seco
8. Additional Non-Storm Water Outfall Monitoring in LA River
9. LRS Document Preparation for Arroyo Seco

Load Reduction Strategy Memorandum of Understanding (LRS MOU)

In addition, the eastern portion of the City of Pasadena drains to Eaton Wash, and then into the Rio Hondo River. The Rio Hondo River Watershed is a subset of the Upper Los Angeles River Watershed. Therefore, it is necessary for the City to join 11 co-permittees (that also drain into the Rio Hondo River) to address the Municipal NPDES Permit requirements for the Rio Hondo River watershed. The 11 agencies include the cities of Alhambra, Montebello, Monterey Park, Rosemead, San Gabriel, San Marino, South El Monte, South Pasadena, Temple City, the County of Los Angeles, and the Los Angeles County Flood Control District. The County of Los Angeles is the lead agency for the LRS MOU.

The LRS MOU will allow the agencies to collaborate on and cooperatively fund the development of a LRS to comply with the Bacteria Total Maximum Daily Load (TMDL), to protect recreational uses in the waterbody by meeting targets to reduce the E. coli bacterium. The Bacteria TMDL became effective on March 23, 2012 pursuant to the new Municipal NPDES Permit. The scope of work LRS MOU will include:

1. Non-Storm Water Snapshot Monitoring/Screening
2. Outfall Drainage Area Assessment
3. LRS Development
4. Preparation LRS Report
5. Best Management Practice (BMP) Structural Controls and Concept Designs (if approved by group)

When the subject work under the CIMP MOA and LRS MOU is completed, it is anticipated that the City of Pasadena will continue to work with the other agencies involved to design and implement the necessary BMPs to meet the water quality requirements. When the results of these collaborative efforts are available and the proper BMPs are determined, an update to the Municipal Services Committee will be provided.

The subject memoranda have been reviewed by the Department of Public Works and the City Attorney's Office and is ready for City Council approval.

COUNCIL POLICY CONSIDERATION:

The proposed action is consistent with the City Council's goal to increase conservation and sustainability and the General Plan Land Use policy to encourage and promote the stewardship of Pasadena's natural environment, including water conservation and the protection of water quality and natural open space.

ENVIRONMENTAL ANALYSIS:

The proposed actions to approve the MOA regarding the CIMP for the Upper Los Angeles River, and the MOU regarding the LRS for the Rio Hondo watershed, have been determined to be exempt from CEQA per Section 15308, actions taken by regulatory agencies to assure the maintenance, restoration, enhancement, or protection of the environment.

FISCAL IMPACT:

The City of Pasadena has elected to collaborate with other agencies on the CIMP MOA and LRS MOU to address these specific stormwater quality issues because it will reduce the initial costs of the above monitoring and studies, and may potentially lead to reduced future costs to implement these Municipal NPDES Permit requirements. The City's share of the CIMP MOA cost is \$417,959, with payments due over three fiscal years (2016, 2017, and 2018). The total cost of the CIMP MOA for all agencies is \$6 million, and the City of Los Angeles and Los Angeles County will be paying approximately 70 percent of this cost. The City's share of the LRS MOU cost is \$111,372, with the full payment due during Fiscal Year 2016. The total cost for all agencies of the LRS MOU is \$576,000, and Los Angeles County will be paying approximately 26 percent of this cost. The City's share of the subject costs are based on Pasadena's area within the watersheds, and include both contingency and program management fees. The total cost to the City of Pasadena of this action is \$560,000.

Funding for this action will be addressed by the utilization of existing budgeted Sewer Maintenance and Construction funds in the NPDES – Storm Water Pollution Prevention Program (Budget Account No. 76290).

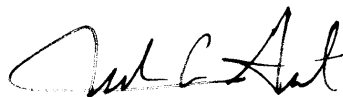
The following table represents a contract summary CIMP MOA.

CIMP MOA (Lead Agency: City of LA)	\$417,959
Administration	\$22,041
Total Fiscal Impact	\$440,000

The following table represents a contract summary for the LRS MOU.

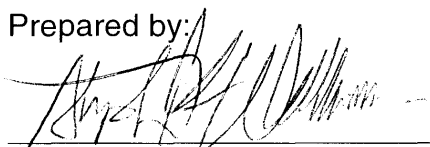
LRS MOU (Lead Agency: LA County)	\$111,372
Administration	\$8,628
Total Fiscal Impact	\$120,000

Respectfully submitted,



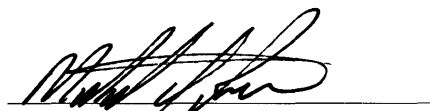
JULIE A. GUTIERREZ
Interim Director of Public Works

Prepared by:



Stephen Walker
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Approved by:



MICHAEL J. BECK
City Manager

Attachment A – Map of Upper LA River Group