

Agenda Report

October 23, 2023

TO: Honorable Mayor and City Council

FROM: Department of Public Works

SUBJECT: ENTER INTO TWO FUND TRANSFER AGREEMENTS WITH LOS ANGELES COUNTY FLOOD CONTROL DISTRICT TO ACCEPT COMPETITIVE SAFE, CLEAN WATER GRANT FUNDS

RECOMMENDATION:

It is recommended that the City Council:

1. Find that the proposed action is not a "project" as defined in the California Environmental Quality Act (CEQA), Public Resources Code Section 21065 and Section 15378(b)(4) and (5) of the State CEQA Guidelines and, as such, is not subject to environmental review; and
2. Authorize the City Manager to execute two fund transfer agreements with the Los Angeles County Flood Control District to receive a total of \$4,491,374 in Measure W – Safe, Clean, Water Program Regional Program grant funds.

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 MS4 Permit) became effective in accordance with the Clean Water Act. The MS4 Permit covers unincorporated areas of Los Angeles County, the Los Angeles County Flood Control District (LACFCD), and 84 cities within Los Angeles County and requires City-specific reductions in water pollution through the reduction of municipal sources of pollutants to the storm drain system through targeted source control of structural measures to infiltrate or mitigate polluted flows. The City of Pasadena is subject to specific water quality pollutant reductions, that if not

implemented, are subject to regulatory enforcement, which can include monetary fines and penalties.

The City was awarded \$2,198,612 million from the Safe, Clean Water Program Grant for the *Brookside Park Stormwater Capture Project – Design Phase (76294)*. Brookside Park is a City-owned public park located within the Upper Los Angeles River watershed. The goal of this project is to intercept stormwater flows from a large storm drain servicing the northeast portion of the City and divert these flows to a subsurface filtration, storage, and infiltration system to be constructed beneath the Brookside Park Parking Lot (Lot I). Project intent is to address water quality compliance needs for the Arroyo Seco and downstream Los Angeles River, as well as to provide multiple community benefits through nature-based solutions, including permeable pavement, vegetated bioswales, and increased tree canopy. In turn, the project will increase the City's water resiliency and combat aggregate climate change impacts.

The City was also awarded an additional \$2,292,762 million from the Safe, Clean Water Program's Regional Infrastructure grant funds for the *Eaton Wash Stormwater Capture Project – Design Phase (76295)*. This project proposes to divert dry-weather and stormwater flows from the Eaton Wash at a City-owned vacant parcel along S. Kinneloa Avenue adjacent to the channel for treatment through a series of filters and vegetated ponds prior to capture in a subsurface storage reservoir. This work will provide water quality improvements for the Eaton Wash, Rio Hondo, and the downstream Los Angeles River to address similar water quality compliance needs and increase the City's water resiliency. Moreover, it will create new green space and passive recreational benefits for the community through nature-based solutions, restore vital habitat, and provide urban greening.

COUNCIL POLICY CONSIDERATION:

These projects are consistent with the City Council's goals to increase conservation and sustainability, support and promote the quality of life for our community, and to improve, maintain, and enhance public facilities and infrastructure. They also support the General Plan Land Use policy to encourage and promote the stewardship of Pasadena's natural environment, including water conservation and protection of water quality.

ENVIRONMENTAL ANALYSIS:

The actions proposed herein are an authorization to accept funding and not the construction of any project. Accordingly, the authorization to apply for grants is exempt from CEQA pursuant to State CEQA Guidelines Section 15061(b)(3). The appropriate level of CEQA analysis for the proposed projects will be included in the scope of work for the projects and determined at the appropriate time in the future.

FISCAL IMPACT:

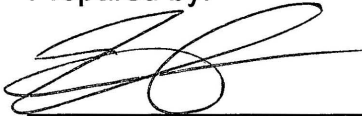
This action will allow staff to accept competitive Safe, Clean Water Program Regional Program grant funding in the amount of \$4,491,374 million for the *Brookside Park and Eaton Wash Stormwater Capture* projects, collectively. Upon approval of these agreements, the County will release the funds to the City. The grant funding appropriation for these projects is included as a separate item as part of the October 23, 2023 Capital Improvement Program Budget Amendments. No local match is required to receive this collective funding.

Respectfully submitted,



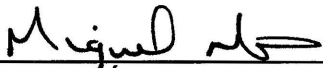
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Director of Public Works

Prepared by:



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Approved by:



MIGUEL MARQUEZ
City Manager