



MARK PESTRELLA, Director

**COUNTY OF LOS ANGELES
DEPARTMENT OF PUBLIC WORKS**

"To Enrich Lives Through Effective and Caring Service"

900 SOUTH FREMONT AVENUE
ALHAMBRA, CALIFORNIA 91803-1331
Telephone (626) 458-5100
<http://dpw.lacounty.gov>

ADDRESS ALL CORRESPONDENCE TO:
P.O. BOX 1460
ALHAMBRA, CALIFORNIA 91802-1460

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ADOPTED

BOARD OF SUPERVISORS
COUNTY OF LOS ANGELES

May 21, 2024

58 May 21, 2024

The Honorable Board of Supervisors
County of Los Angeles
383 Kenneth Hahn Hall of Administration
500 West Temple Street
Los Angeles, California 90012

JEFF LEVINSON
INTERIM EXECUTIVE OFFICER

Dear Supervisors:

**WATER RESOURCES CORE SERVICE AREA
DELEGATE AUTHORITY TO UPDATE WATERSHED MANAGEMENT PROGRAM
AND COORDINATED INTEGRATED MONITORING PROGRAM PLANS AND TO
NEGOTIATE, ENTER INTO, AND AMEND COOPERATIVE AND/OR COST-SHARING
AGREEMENTS ON BEHALF OF THE COUNTY OF LOS ANGELES FOR
IMPLEMENTING THE PLANS
(ALL SUPERVISORIAL DISTRICTS)
(3 VOTES)**

SUBJECT

Public Works is seeking Board approval to authorize the Director of Public Works or his designee, on behalf of the County of Los Angeles, to update the Watershed Management Program and Coordinated Integrated Monitoring Program plans and submit the updated plans to the Los Angeles Regional Water Quality Control Board; to negotiate, enter into, and amend cooperative and/or cost-sharing agreements with the Los Angeles County Flood Control District, municipalities, and other public agencies to implement the 12 Watershed Management Program plans established pursuant to the National Pollutant Discharge Elimination System Municipal Separate Storm Sewer System Permit; and to undertake other activities needed for compliance with the National Pollutant Discharge Elimination System Municipal Separate Storm Sewer System Permit. This delegated authority shall supersede the previous delegated authority adopted by the Board on June 20, 2017.

IT IS RECOMMENDED THAT THE BOARD:

1. Find that the proposed actions are not a project under the California Environmental Quality Act, or in the alternative, exempt, for the reasons stated in this Board letter and in the administrative record.
2. Authorize the Director of Public Works or his designee, on behalf of the County of Los Angeles, to

update the Watershed Management Program and Coordinated Integrated Monitoring Program plans, as deemed appropriate based on the results of updated reasonable assurance analyses and other adaptive management efforts, and to submit those plans to the Los Angeles Regional Water Quality Control Board.

3. Authorize the Director of Public Works or his designee, on behalf of the County of Los Angeles, to negotiate, enter into, and amend cooperative and/or cost-sharing agreements with the Los Angeles County Flood Control District, municipalities, and other public agencies related to the implementation of the Watershed Management Program plans and/or other activities needed for compliance with National Pollutant Discharge Elimination System Municipal Separate Storm Sewer System Permit requirements, and provided further that the County of Los Angeles' annual cost-sharing contribution for collaborative activities in each Watershed Management Program group, including a 10 percent contingency, does not exceed \$330,000, and the County of Los Angeles' aggregate annual cost share for collaborative activities in all Watershed Management Program groups does not exceed \$1 million.

PURPOSE/JUSTIFICATION OF RECOMMENDED ACTION

On May 26, 2015, the Board approved the Enhanced Watershed Management Program (EWMP) plans and certified the Program Environmental Impact Report (PEIR) for the EWMP plans in compliance with the 2012 National Pollutant Discharge Elimination System Municipal Separate Storm Sewer System (MS4) Permit.

On September 11, 2021, the current MS4 Permit became effective in which Watershed Management Program (WMP) plans, formerly known as EWMP plans, provide voluntary, alternative compliance pathways where a permittee or group of permittees develops a comprehensive program on a watershed scale to achieve compliance. Permittees have participated in watershed groups to collaborate with one another in developing long-range comprehensive multipollutant programs to comply with the Total Maximum Daily Load requirements of the MS4 Permit. The County participates in 12 WMP groups, as shown in the enclosed map and table.

The WMP plans identify strategies, Best Management Practices (BMPs), and projects to be undertaken by various group members to achieve effective and collaborative watershed planning in accordance with the MS4 Permit.

Each WMP plan is also accompanied by a Coordinated Integrated Monitoring Program (CIMP) plan, which was developed to meet the monitoring requirements of the MS4 Permit.

The WMP and CIMP plans are all subject to a requirement of adaptive management, including periodic updates to BMPs, water quality modeling known as reasonable assurance analysis, and water quality sampling locations, frequencies, and parameters. Based on the results of these periodic adaptive management efforts, it is anticipated that the WMP and CIMP plans will be updated from time to time and resubmitted to the Los Angeles Regional Water Quality Control Board (Regional Board) for approval.

It is anticipated that many of the updates will not involve any projects that the County is responsible for implementing or will involve only projects that are exempt from the California Environmental Quality Act (CEQA). The delegation of authority to Public Works to approve WMP and CIMP plan updates under these circumstances would significantly increase administrative efficiency and reduce administrative costs.

Implementation of the WMP plans and other activities needed for compliance with the MS4 Permit include (1) conducting feasibility studies; (2) developing conceptual designs for the projects identified in the WMP plans; (3) soliciting grant opportunities and preparing grant applications; (4) developing green street implementation plans; (5) implementing nonstructural BMPs, such as localized educational outreach efforts; (6) conducting site-specific studies to analyze pollutants; and (7) performing general programmatic and administrative tasks, such as preparing and submitting Reports of Waste Discharge. In many cases, it would be beneficial for the County to collaborate with other permittees and/or other public agencies to perform these activities as well as the adaptive management described above, which would include the sharing of information, expertise, and consultant costs. Where such partnerships are available, new agreements or amendments to existing agreements would be necessary to memorialize cost-share funding and clarify cooperative responsibilities. The County currently participates in cost-sharing agreements for each of the 12 WMP groups.

The term for the agreements will be up to 5 years from the date of execution, depending on the collaboration group and type of activities. Participating in these collaborative agreements is part of the County's ongoing program to comply with its obligations under the MS4 Permit.

The purpose of the recommended actions is to find that the proposed delegations of authority are not projects under CEQA and to authorize the Director of Public Works or his designee to (1) update WMP and CIMP plans, as deemed appropriate based on the results of updated reasonable assurance analyses and other adaptive management efforts, and to submit those plans to the Regional Board, provided that the updates that are not deemed to be a project under CEQA, or in the alternative exempt; and (2) negotiate, enter into, and/or amend, on behalf of the County, cooperative and/or cost-sharing agreements related to the implementation of the WMP and CIMP plans and/or other activities to comply with the MS4 Permit, provided that the implementation and other activities are not deemed to be a project under CEQA, or in the alternative exempt, and provided further that the County's annual cost-share contribution for collaborative activities in each WMP group will not exceed \$330,000, and the County's aggregate annual cost share for collaborative activities in all WMP groups will not exceed \$1 million.

Implementation of Strategic Plan Goals

These recommendations support the County Strategic Plan: North Star 2, Foster Vibrant and Resilient Communities, Focus Area Goal D, Sustainability, Strategy iii, Natural Resources, and Strategy iv, Environmental Justice, by implementing the WMP and CIMP plans to facilitate compliance with the requirements of the MS4 Permit to support thriving ecosystems, habitats, and biodiversity; promote healthy communities; and maintain access to safe, clean water, improving the quality of life for communities.

FISCAL IMPACT/FINANCING

The County's annual cost share for collaborative activities to implement the WMP plans will not exceed \$330,000 for each WMP group, and the aggregate annual cost share to the County for all collaborative WMP activities will not exceed \$1 million. This not-to-exceed annual cost includes contract administration, consultant services, and contingencies for each WMP group.

Funding for the agreements is included in the Public Works General Fund (A01, Services and Supplies and Other Charges) Fiscal Year 2023-24 Budget. Funding for the agreements and amendments for subsequent fiscal years will be requested through the annual budget process.

The County and other participating agencies' final cost-share amounts, for collaboration WMP activities, will be based on their tributary area within each WMP group or project drainage area and reflected in each agreement.

FACTS AND PROVISIONS/LEGAL REQUIREMENTS

On May 26, 2015, the Board, acting as the governing body of the County and the Los Angeles County Flood Control District, certified the PEIR for the EWMP plans needed for the County to comply with the requirements of the State's MS4 program. The PEIR analyzed the environmental impacts from implementation of the general types of structural BMPs proposed in the EWMP plans, including distributed, centralized, and regional BMPs providing for infiltration, treatment, and storage of runoff. The PEIR also analyzed the environmental impacts of nonstructural BMPs identified in the MS4 Permit.

The term of the cooperative and/or cost-sharing agreements will be up to 5 years from the date of execution, depending on the collaboration group and type of activities. Where consultants are retained to perform the activities, the agreement will identify the party or parties that will act as Contract Administrator and be responsible for consultant contract administration on behalf of all agreement participants. It is anticipated that the County will act as Contract Administrator to implement the collaborative activities for several WMP plans and, per the agreements or amendments, will be reimbursed at the rate of no more than 10 percent of the total cost of the activities. All agreements and amendments will identify the estimated not-to-exceed annual cost, including contingencies, to the County and each of the other parties to the agreement or amendment. Any proposed agreement or amendment that does not conform to the criteria described in this letter will be submitted to the Board for approval.

All agreements or amendments will be reviewed and approved as to form by County Counsel prior to the execution by the Director of Public Works or his designee.

ENVIRONMENTAL DOCUMENTATION

The proposed actions are not subject to CEQA because they are activities that are excluded from the definition of a project by Section 21065 of the Public Resources Code and Section 15378 (b) of the State CEQA Guidelines. The proposed delegations of authority are an administrative activity of government, which will not result in direct or indirect physical changes to the environment.

It is anticipated that many of the WMP and CIMP plan updates will not involve any projects that the County is responsible for implementing or will involve only projects that are exempt from CEQA. The delegation of authority to Public Works to approve plan updates under these circumstances would significantly increase administrative efficiency and reduce administrative costs.

Upon the Board's approval of the recommended actions, Public Works will file a Notice of Exemption with the County Clerk in accordance with Section 21152 of the Public Resources Code.

IMPACT ON CURRENT SERVICES (OR PROJECTS)

Participating in these cooperative and/or cost-sharing agreements and amendments is part of the County's ongoing program to comply with its obligations under the MS4 Permit. There will be no

The Honorable Board of Supervisors

5/21/2024

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negative impact on current services.

CONCLUSION

Please return one adopted copy of this letter to Public Works, Stormwater Quality Division.

Respectfully submitted,

A handwritten signature in black ink, appearing to read "Mark Pestrella". The signature is fluid and cursive, with the first name "Mark" written in a larger, more prominent script than the last name "Pestrella".

MARK PESTRELLA, PE

Director

MP:ML:dw

Enclosures

c: Chief Executive Office (Chia-Ann Yen)
County Counsel (Grace Chang)
Executive Office

Watershed Management Program Groups

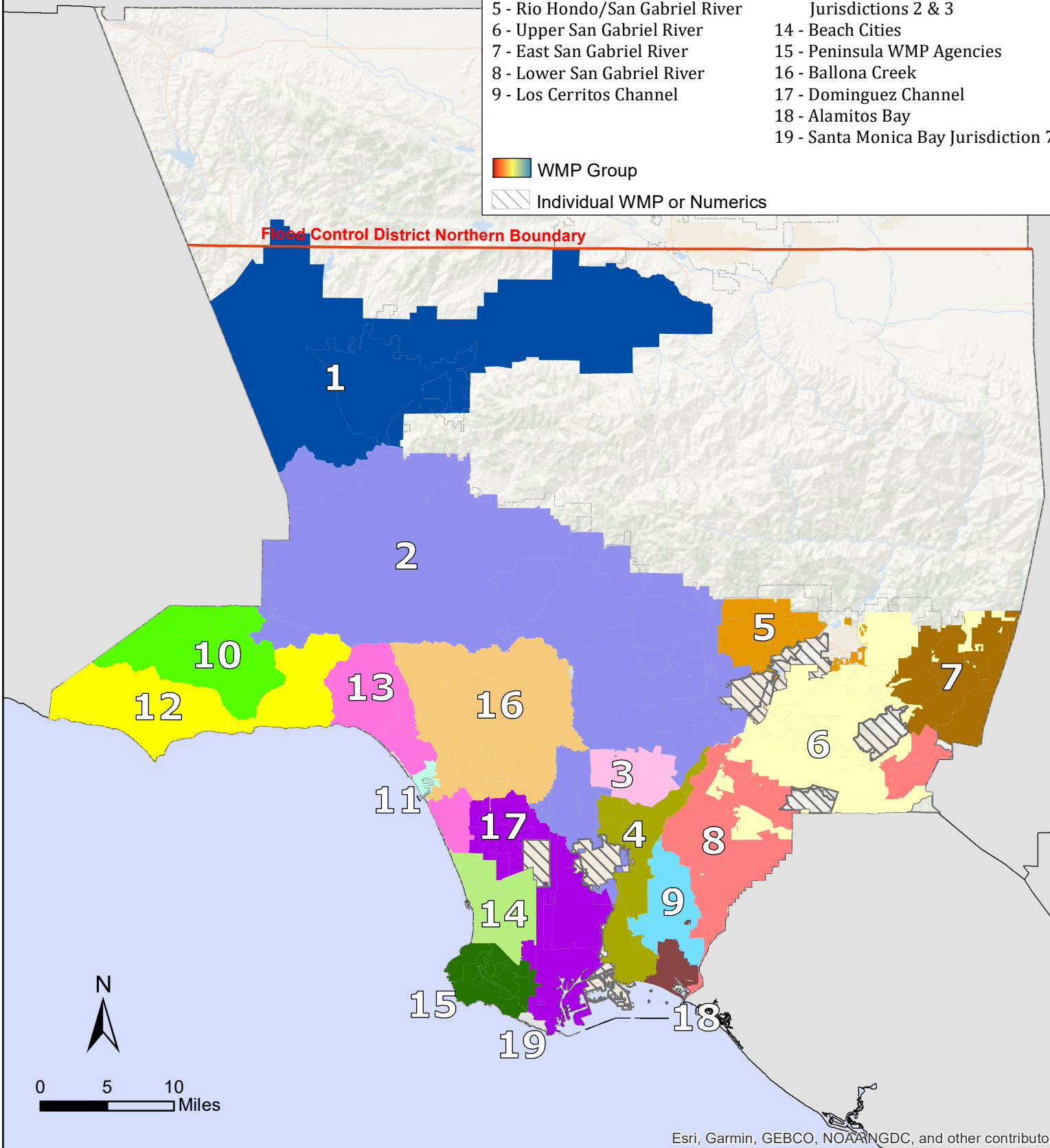
WMP Groups:

- | | |
|---------------------------------|---|
| 1 - Upper Santa Clara River | 10 - Malibu Creek |
| 2 - Upper Los Angeles River | 11 - Marina Del Rey |
| 3 - LA River Upper Reach 2 | 12 - North Santa Monica Bay |
| 4 - Lower LA River | 13 - Santa Monica Bay Jurisdictions 2 & 3 |
| 5 - Rio Hondo/San Gabriel River | 14 - Beach Cities |
| 6 - Upper San Gabriel River | 15 - Peninsula WMP Agencies |
| 7 - East San Gabriel River | 16 - Ballona Creek |
| 8 - Lower San Gabriel River | 17 - Dominguez Channel |
| 9 - Los Cerritos Channel | 18 - Alamos Bay |
| | 19 - Santa Monica Bay Jurisdiction 7 |

 WMP Group

 Individual WMP or Numerics

Flood Control District Northern Boundary



WMP GROUPS and INDIVIDUAL CITIES
Status as of 05/04/23

Bold = Lead/Coordinator

	Group Name	Cities/Permittees Involved	Plan	SD
1	Upper Santa Clara River Watershed	Santa Clarita , County , LACFCD	WMP	5
2	Upper Los Angeles River Watershed Group	Alhambra, Burbank, Calabasas, Glendale, Hidden Hills, La Canada Flintridge, Los Angeles , Montebello, Monterey Park, Pasadena, Rosemead, San Fernando, San Gabriel, San Marino, South El Monte, South Pasadena, Temple City, County , LACFCD	WMP	1,2,3,4,5
3	Los Angeles River Upper Reach 2 Sub Watershed	Bell, Bell Gardens, Commerce , Cudahy, Maywood, Huntington Park, Vernon, LACFCD	WMP	4
4	Lower Los Angeles River Watershed Group	Downey, Lakewood, Long Beach, Lynwood, Paramount, Pico Rivera, Signal Hill, South Gate , LACFCD	WMP	4
5	Rio Hondo/San Gabriel River Water Quality Group	Arcadia, Bradbury, Duarte, Monrovia , Sierra Madre, County , LACFCD	WMP	1,5
6	Upper San Gabriel River EWMP Group	Baldwin Park, Covina, Glendora, Industry, La Puente, West Covina, County , LACFCD	WMP	1,4,5
7	East San Gabriel Valley Watershed Management Group	Claremont , La Verne, Pomona, San Dimas	WMP	1,5
8	Lower San Gabriel River Watershed Management Group	Artesia, Bellflower, Cerritos, Diamond Bar, Downey, Hawaiian Gardens, La Mirada, Lakewood, Long Beach, Norwalk , Pico Rivera, Santa Fe Springs, Whittier, LACFCD	WMP	1,4
9	Los Cerritos Channel Watershed Group	Bellflower, Cerritos, Downey, Lakewood , Long Beach, Paramount, Signal Hill, LACFCD	WMP	4
10	Malibu Creek Watershed Group	Agoura Hills , Calabasas, Hidden Hills, Westlake Village, County , LACFCD	WMP	3
11	Marina del Rey	Culver City, Los Angeles, County , LACFCD	WMP	2
12	North Santa Monica Bay Coastal Watersheds	Malibu , County , LACFCD	WMP	3
13	Santa Monica Bay Jurisdictions 2 & 3	El Segundo, Los Angeles , Santa Monica, County , LACFCD	WMP	2,3
14	Beach Cities Watershed Management Group	Hermosa Beach, Manhattan Beach, Redondo Beach , Torrance, LACFCD	WMP	2,4
15	Peninsula EWMP Agencies	Palos Verdes Estates, Rancho Palos Verdes , Rolling Hills, Rolling Hills Estates, County , LACFCD	WMP	4
16	Ballona Creek	Beverly Hills, Culver City, Inglewood, Los Angeles , Santa Monica, West Hollywood, County , LACFCD	WMP	1,2,3,5
17	Dominguez Channel Watershed Management Area Group	Carson, El Segundo, Hawthorne, Inglewood, Lawndale, Lomita, Los Angeles , County , LACFCD	WMP	2,4
18	Alamitos Bay/Los Cerritos Channel Group	County , LACFCD	WMP	4
19	Santa Monica Bay Jurisdiction 7	Los Angeles , LACFCD	WMP	4

	City	Watershed Management Area	Compliance Method	SD
a	Azusa	San Gabriel River	Unknown	1
b	Compton	LA River (Compton Creek) & Dominguez Channel	Numerics - (Deficient WMP)	2
c	El Monte	LA River and San Gabriel River	Individual WMP	1
d	Gardena	Dominguez Channel WMA	Deficient WMP	2
e	Irwindale	LA River and San Gabriel River	Deficient WMP	1
f	La Habra Heights	San Gabriel River	Individual WMP	4
g	Rolling Hills	Peninsula WMA	Individual WMP	4
h	Walnut	San Gabriel River	Individual WMP	1
i	Long Beach	Dominguez Channel WMA, San Pedro Bay nearshore watershed	Individual WMP	4