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**File #:** 2019-101, **Version:** 1

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## **Report to Mayor and City Council**

Tuesday, February 05, 2019

Consent

### **SUBJECT:**

**APPROVE THE MEMORANDUM OF AGREEMENT BETWEEN THE CITY OF CARSON, THE CITY OF LONG BEACH, THE CITY OF LOS ANGELES, THE CITY OF TORRANCE, CALIFORNIA DEPARTMENT OF TRANSPORTATION, THE LOS ANGELES COUNTY FLOOD CONTROL DISTRICT, AND THE COUNTY OF LOS ANGELES REGARDING THE ADMINISTRATION AND COST SHARING FOR IMPLEMENTATION OF THE DOMINGUEZ CHANNEL ESTUARY BATHYMETRY AND SEDIMENT TRANSPORT STUDY, AND RESOLUTION NO. 19-025 AMENDING THE FY 2018/19 BUDGET (CITY COUNCIL)**

### **I. SUMMARY**

The State Water Resources Control Board (State Board), through its Regional Boards, is responsible for enforcing the Clean Water Act. The State Board issues permits under the National Pollutant Discharge Elimination System (NPDES). Under the NPDES permits, municipalities have certain responsibilities for controlling water pollution in their jurisdictions. To comply with all applicable monitoring requirements of the NPDES Municipal Separate Storm Sewer System (MS4) Permit, the City joined in the development of an Enhanced Watershed Management Program (EWMP), a Coordinated Integrated Monitoring Program (CIMP), and the Contaminated Sediment Management Plan (CSMP) in accordance with the MS4 Permit of the Dominguez Channel Watershed Management Area Group. A Memorandum of Agreement has been completed to define Los Angeles County's responsibility in the implementation of the Dominguez Channel Estuary Bathymetry and Sediment Transport Study.

Approval is requested from the City of Carson (City) Council for the collaborative Memorandum of Agreement (MOA) (Exhibit No. 1) between the cities of Long Beach, Los Angeles and Torrance, the California Department of Transportation; the Los Angeles Flood Control District, and the County of Los Angeles (Agencies); with the County of Los Angeles acting as the lead agency.

### **II. RECOMMENDATION**

TAKE the following actions:

1. APPROVE the Memorandum of Agreement between the Cities of Carson, Long Beach, Los Angeles and Torrance, the California Department of Transportation, the Los Angeles County Flood Control District, and the County of Los Angeles regarding the administration and cost sharing for implementation of the Dominguez Channel Estuary Bathymetry and Sediment Transport Study.
2. AUTHORIZE the Mayor to execute the Memorandum of Agreement following approval as to form by the City Attorney.
3. WAIVE further reading and ADOPT Resolution No. 19-025, "A RESOLUTION OF THE CITY OF CARSON CITY COUNCIL AMENDING THE FISCAL YEAR 2018-19 BUDGET IN THE NPDES FUND FOR THE ADMINISTRATION AND COST SHARING FOR IMPLEMENTATION OF THE DOMINGUEZ CHANNEL ESTUARY BATHYMETRY AND SEDIMENT TRANSPORT STUDY" (Exhibit No. 2).

### **III. ALTERNATIVES**

1. DO NO APPROVE the Memorandum of Agreement
2. DO NOT ADOPT Resolution No. 19-025
3. TAKE another action the City Council deems appropriate, consistent with the requirements of the law.

### **1. IV. BACKGROUND**

On December 28, 2012 the NPDES Permit for discharges from the Municipal Separate Storm Sewer System (MS4) within the coastal watersheds of Los Angeles County, became effective. The State Board, through its Regional Boards, is responsible for enforcing the Clean Water Act. The State Board, pursuant to its authority under the Clean Water Act, develops Total Maximum Daily Loads (TMDLs). The TMDLs establish the maximum amount of an identified pollutant (for example., trash, bacteria, metals, etc.) that can be discharged to an identified water body from a City's storm drain system. The Board enforces TMDLs by incorporating them into the City's NPDES permit. Los Angeles County and the cities of Los Angeles County obtained an NPDES Permit from the Board to discharge storm and urban water runoff. Under the NPDES Permit, municipalities have certain responsibilities for controlling water pollution in their jurisdictions. It allows cities to customize their stormwater programs through the development and implementation of an EWMP and CIMP designed to achieve compliance. On July 15, 2015, staff requested that the Dominguez Watershed Management Area (DCWMA) Group allow the City to join their EWMP and CIMP in order to comply with the pollutant reduction requirements of the NPDES Permit.

On December 15, 2015, City Council approved submittal of addenda to the DCWMA

Group's EWMP and CIMP to the Regional Board, which outlines the roles and responsibilities of all agencies in administering the EWMP and CIMP, and also approved the City's share of program implementation costs for FY 2015/16 through FY 2017/18 in the amount of \$745,330.00.

The MOA will establish the conditions under which the City of Carson, the City of Long Beach, the City of Los Angeles, the City of Torrance, California Department of Transportation, the Los Angeles County Flood Control District, and the County of Los Angeles will collaborate on the implementation of the Study identified in the Contaminated Sediment Management Plan (CSMP). The CSMP outlines actions to support the reduction in legacy sediment contamination in the Dominguez Channel Estuary. The MS4 permit encourages permittees to collaborate with one another in the development of planning strategies and projects to improve water quality in the County. The Dominguez Channel Toxins TMDL requirements have been incorporated into the new MS4 permit, which required permittees, including the City, to develop a CSMP. The approved CSMP identified several special studies to provide a scientific approach to meet the TMDL requirements for the Dominguez Channel Estuary.

To facilitate participation in the Study, the City will need to enter an MOA with other participating agencies. The County of Los Angeles is designated as the lead agency, and will administer the study. Participating in the implementation of the Study is part of the City's ongoing program to comply with the requirements of the MS4 permit. The study will quantify the sedimentation rates along the Dominguez Channel Estuary. Five major storm drains have been selected for monitoring Total Suspended Solids concentrations and flow rates. The selection criteria were based on site accessibility and safety, among other factors. The total estimated amount to complete the study is \$427,692.00, to be allocated to all participating agencies based on the percentage of area. The City of Carson allocated percent of total area is 49.03 percent, resulting in a cost to the City of \$199,201.00.

## **V. FISCAL IMPACT**

The total estimated cost sharing for implementation of the Dominguez Channel Estuary Bathymetry and Sediment Transport Study is \$199,201.00. This expense was included as part of the FY 2018-19 budget under account number 101-80-820-285-6004.

## **VI. EXHIBITS**

1. MOA (pgs. 4-60)
2. Resolution No. 19-025 (pg. 61)

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