



## Legislation Text

File #: 2023-0321, Version: 1

### Report to Mayor and City Council

Tuesday, June 06, 2023

Consent

#### **SUBJECT:**

**APPROVE THE MEMORANDUM OF AGREEMENT BETWEEN THE CITY OF LOS ANGELES, THE CITY OF CARSON, THE CITY OF EL SEGUNDO, THE CITY OF HAWTHORNE, THE CITY OF INGLEWOOD, THE CITY OF LAWDALE, THE CITY OF LOMITA, LOS ANGELES COUNTY FLOOD CONTROL DISTRICT, THE COUNTY OF LOS ANGELES, AND THE SOUTH BAY CITIES COUNCIL OF GOVERNMENTS REGARDING THE ADMINISTRATION AND COST SHARING FOR IMPLEMENTING THE COORDINATED INTEGRATED MONITORING PROGRAM (CIMP) AND WATERSHED MANAGEMENT PROGRAM (WMP) FOR THE DOMINGUEZ CHANNEL WATERSHED MANAGEMENT AREA**

#### **I. SUMMARY**

To comply with all applicable monitoring requirements of the National Pollutant Discharge Elimination System (NPDES) Municipal Storm Separate Sewer System (MS4) Permit, the City joined in the development of a Watershed Management Program (WMP) and a Coordinated Integrated Monitoring Program (CIMP) in accordance with the MS4 Permit of the Dominguez Channel Watershed Management Area (DCWMA) Group. A Memorandum of Agreement (MOA) has been completed to define the South Bay Cities Council of Government's (SBCCOG) responsibility in the implementation of the CIMP and WMP. The agreement is required to perform water quality monitoring and develop a watershed management plan as part of the MS4 Permit.

On June 5, 2018, City Council approved the current MOA with SBCCOG for administration and cost sharing of CIMP and WMP for the DCWMA. The current MOA expires June 30<sup>th</sup>, 2023, and a new MOA is required to continue compliance activities.

Staff requests that the City Council approve the Memorandum of Agreement (Exhibit No. 1) to cooperatively fund the monitoring services and tasks of the Dominguez Channel Watershed Management Area Group's CIMP and WMP and to authorize the SBCCOG to administer the cost sharing with other cities related to the implementation of the CIMP and WMP for the DCWMA.

## **II. RECOMMENDATION**

TAKE the following actions:

1. APPROVE the Memorandum of Agreement between the City of Los Angeles, the City of Carson, the City of El Segundo, the City of Hawthorne, the City of Inglewood, the City of Lawndale, the City of Lomita, the Los Angeles Flood Control District, the County of Los Angeles, and the South Bay Cities Council of Governments regarding the administration and cost sharing for implementing the Coordinated Integrated Monitoring Plan and Watershed Management Plan for the Dominguez Channel Watershed Management Area.
2. AUTHORIZE the City Manager to execute the Memorandum of Agreement following approval as to form by the City Attorney.

## **III. ALTERNATIVES**

1. DO NOT APPROVE the Memorandum of Agreement. This is not recommended because the City is in the midst of submitting an updated WMP together with SBCCOG and withdrawing from the WMP would cause complications.
2. TAKE another action the City Council deems appropriate, consistent with the requirement of the law.

## **IV. BACKGROUND**

On December 28, 2012, the NPDES Permit under the Federal Clean Water Act for discharges from the MS4 within the coastal watersheds of Los Angeles County, became effective. The State Water Board, through its Regional Boards, is responsible for enforcing the Clean Water Act. 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 are responsible for controlling water pollution in their jurisdictions. It allows the cities to customize their stormwater programs through the development and implementation of a WMP and CIMP designed to achieve compliance. On July 15, 2015, staff requested that the DCWMA Group allow the City to join their Enhanced WMP and CIMP in order to comply with the pollutant reduction requirements of the NPDES Permit. This action was performed to reduce the overall cost of complying with the Permit and improving the City's stormwater program by coordinating with neighboring cities.

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 the agencies in administering the EWMP and CIMP.

On June 5, 2018, City Council approved the current Memorandum of Agreement for FY 18-19 to FY 22-23, which is substantially similar to the upcoming agreement. Funding for the five-year agreement term was approved through the general fund.

On July 23, 2021, a new MS4 permit was issued by the Regional Board, becoming effective on September 11, 2021. The new Permit made minor changes and further regulated stormwater discharges from all municipalities in the region. In response to the new permit, the DCWMA group developed a revised WMP, of which the latest submittal is in the process of being approved by the Regional Board with the most recent submittal occurring on May 8, 2023.

The Memorandum of Agreement expires at the end of FY 22-23 and the requested new Agreement is needed to maintain compliance. The City of Los Angeles is designated as the lead agency and will administer the compliance monitoring required by the CIMP and WMP related tasks, such as studies, communications, and reporting. Additionally, the SBCCOG will continue to administer collection of each agency's share of the program implementation cost.

The City Council is requested to approve the collaborative MOA between the City of Los Angeles, the City of Carson, the City of El Segundo, the City of Hawthorne, the City of Inglewood, the City of Lawndale, the City of Lomita, Los Angeles Flood Control District, and the County of Los Angeles, and the South Bay Cities Council of Governments related to the administration and cost sharing for implementing the CIMP and EWMP, in order to comply with the monitoring and reporting elements of the NPDES Permit.

## **V. FISCAL IMPACT**

None. The total three year estimated cost for the City to participate jointly in the DCWMA Group's CIMP and EWMP is \$797,852. Funds for the FY 2023-24 MOA costs have been requested in the FY 2023-24 General Fund Budget within Public Works Water Compliance Account 101-80-820-285-6004. Funds for the following years of the agreement shall be appropriated accordingly.

The agreement term is for three years beginning July 1, 2023, to June 30, 2026. The following is the cost breakdown by year:

- FY 23-24                      \$249,069
- FY 24-25                      \$236,327
- FY 25-26                      \$312,456

**VI. EXHIBITS**

1. Memorandum of Agreement

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