



## Staff Report

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Honorable Mayor and Members of the Hermosa Beach City Council  
Regular Meeting of September 8, 2020

**MEMORANDUM OF UNDERSTANDING BETWEEN THE  
CITY OF REDONDO BEACH, THE CITY OF HERMOSA  
BEACH, THE CITY OF MANHATTAN BEACH, THE CITY  
OF TORRANCE, AND THE LOS ANGELES COUNTY  
FLOOD CONTROL DISTRICT REGARDING THE  
ADMINISTRATION AND COST SHARING FOR UPDATING  
THE ENHANCED WATERSHED MANAGEMENT PROGRAM  
AND REASONABLE ASSURANCE ANALYSIS FOR THE  
BEACH CITIES WATERSHED MANAGEMENT GROUP**  
(Environmental Programs Manager, Douglas Krauss)

**Recommended Action:**

Staff recommends that City Council:

1. Approve the Memorandum of Understanding between the City of Redondo Beach, the City of Hermosa Beach, the City of Manhattan Beach, the City of Torrance, and the Los Angeles County Flood Control District regarding the administration and cost sharing for updating the Enhanced Watershed Management Program and Reasonable Assurance Analysis for the Beach Cities Watershed Management Group (EWMP MOU); and
2. Appropriate \$107,964 from the Storm Drain Fund to Study 401, EWMP Update/Feasibility Study.

**Executive Summary:**

Updating the Enhanced Watershed Management Plan and Reasonable Assurance Analysis is a requirement of the National Pollutant Discharge Elimination System Municipal Separate Storm Sewer System Permit. The proposed MOU would facilitate this update and the corresponding feasibility studies required to identify new storm water improvement projects, which are necessary to help the City meet its pollutant reduction requirements. The MOU would also ensure the continuity of the Beach Cities Watershed Management Group's storm water compliance efforts.

**Background:**

The cities of Hermosa Beach, Torrance, Redondo Beach, Manhattan Beach, and the Los Angeles County Flood Control District formed the Beach Cities Group to develop an Enhanced Watershed Management Program (EWMP) to comply with the Los Angeles Regional Water Quality Control Board's (Regional Board) 2012 National Pollutant Discharge Elimination System Municipal Separate

Storm Sewer System Permit (MS4 Permit). The Beach Cities Group entered into an MOU to cost share the development of the EWMP and a Coordinated Integrated Monitoring Plan (CIMP) in 2013 (**Attachment 1**). The Beach Cities EWMP was submitted to the Regional Board on February 9, 2016 and was approved by the Executive Officer of the Regional Board via a letter dated April 18, 2016. The Beach Cities Group was directed by the Executive Officer of the Regional Board to begin implementation of the EWMP immediately, including construction of identified capital projects.

Upon approval of the EWMP and CIMP by the Regional Board in 2016, the cities entered into an MOU to implement the CIMP and the monitoring and reporting activities it outlines (CIMP MOU). Annual administration of the EWMP program and coordination between the cities are included in the CIMP MOU and are performed by consultants and administered by Manhattan Beach. Staff will bring an amendment to the CIMP MOU to continue those activities to Council separately. This new EWMP MOU (**Attachment 2**) is for the update of the existing EWMP and Reasonable Assurance Analysis (RAA) and would be administered by the City of Redondo Beach. Redondo Beach received a proposal for these services from Geosyntec (**Attachment 3**), the consultant that currently performs monitoring activities outlined in the CIMP and modeled the original RAA for the Beach Cities Group EWMP. Geosyntec's familiarity with the Beach Cities Group EWMP and CIMP qualifies it to perform this work and Redondo Beach staff was able to get approval from its City Council to proceed with this MOU.

### **Analysis:**

The MS4 Permit requires that Permittees submit an updated EWMP with an updated RAA by June 30, 2021. The Updated EWMP and RAA must incorporate both water quality data and control measure performance data and any other information informing the adaptive management process gathered through December 31, 2020. The document would also reflect any new information or lessons learned from the group's implementation thus far of the EWMP. This means the group's monitoring data and planned or constructed projects would be assessed and incorporated into the updated RAA.

A working proposal of the next MS4 Permit, which would supersede the current permit, has been released by the Regional Board and would also require an updated EWMP and RAA by June 30, 2021, and every five years thereafter, consistent with the current requirement. This update would revise sections of the existing EWMP to reflect current guidance from the Regional Board.

Importantly, this EWMP update and MOU would incorporate new feasibility studies to identify regional storm water projects to ensure the group meets the pollutant reduction goals outlined in the existing EWMP. The City of Hermosa Beach and its Beach Cities Group partners are actively seeking alternate projects to achieve storm water diversion and pollution reductions equivalent to what would have been achieved by the cancelled Hermosa Greenbelt Infiltration Project. A separate MOU dissolving the prior MOU between the Beach Cities to implement the Greenbelt Infiltration Project was approved by Council and included a payment by the City of Hermosa Beach of \$160,000 to help directly fund the updated EWMP's feasibility studies. This search for alternative projects involves reanalyzing existing concepts and researching new projects throughout the area with the possibility

of combining multiple smaller projects to achieve compliance goals. This effort also includes discussions with the Regional Board for a time extension on pollutant reduction goals as the group's deadline for compliance by 2021 approaches.

Cost sharing for the work is determined by a combination of proportional watershed area (for feasibility study costs) and equal shares for baseline EWMP update and RAA tasks. Cost sharing tables are included in the draft MOU. The City of Hermosa Beach's share would be \$107,963.33 plus the amount of \$160,000 committed separately by the City to help fund the feasibility studies. The MOU also includes language stating that any party defaulting or unilaterally withdrawing from the MOU would be responsible for any fines, penalties or interest.

### **Past Council Actions**

Meeting Date	Description
November 12, 2013	Authorized an MOU with the Beach Cities Group to develop an EMWP and CIMP
June 23, 2015	Authorized submission of the draft EWMP to the Regional Water Quality Control Board and Adopt Los Angeles County Program Environmental Impact Report
February 9, 2016	Approved an MOU to develop and implement a CIMP with the Beach Cities WMG
July 28, 2020	Approved Dissolution of the MOU for the Greenbelt Infiltration Project and Reappropriated \$160,000 from CIP 542 to fund the feasibility studies

### **General Plan Consistency:**

This report and associated recommendations have been evaluated for their consistency with the City's General Plan. Relevant Policies are listed below:

#### *Infrastructure*

### **Goal 5. The stormwater management system is safe, sanitary, and environmentally and fiscally sustainable.**

Policies:

- **5.1 Integration of stormwater best practices.** Integrate stormwater infiltration best practices when initiating streetscape redevelopment or public facility improvement projects.
- **5.8 Low impact development.** Require new development and redevelopment projects to incorporate low impact development (LID) techniques in project designs, including but not limited to on-site drainage improvements using native vegetation to capture and clean stormwater runoff and minimize impervious surfaces.

### **Fiscal Impact:**

The City of Hermosa would be responsible for its share of the costs for the EWMP MOU. These costs would be \$267,963.33, which includes \$160,000 committed by the City to fund feasibility studies as part of the dissolution of the Greenbelt Project MOU. The \$160,000 for the feasibility study was

previously reappropriated from CIP #542 for this purpose and the difference of \$107,963.33 is being appropriated to the same account, Study 401, EWMP Update and Feasibility Study.

**Attachments:**

1. 2013 MOU for Development of EWMP and CIMP
2. Draft EWMP MOU with Cost Tables
3. Proposal from Geosyntec

**Respectfully Submitted by:** Douglas Krauss, Environmental Program Manager

**Concur:** Marnell Gibson, Public Works Director

**Noted for Fiscal Impact:** Viki Copeland, Finance Director

**Legal Review:** Mike Jenkins, City Attorney

**Approved:** Suja Lowenthal, City Manager