



# CITY COUNCIL AGENDA REPORT



**DEPARTMENT:** Public Works

**MEETING DATE:** February 5, 2013

**PREPARED BY:** Heather Maloney, Senior Management Analyst

**AGENDA LOCATION:** AR-2

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**TITLE:** Agreement with Gateway Cities Council of Governments Regarding the Administration and Cost Sharing of the Coordinated Monitoring Plan for the Los Angeles River and Tributaries Bacteria Total Maximum Daily Loads (TMDL), for the Period Ending March 23, 2028

**OBJECTIVE:** To approve an Agreement with the Gateway Cities Council of Governments to implement the Los Angeles River and Tributaries Bacteria Total Maximum Daily Loads' (TMDL) requirement to develop a Coordinated Monitoring Plan (CMP) and conduct annual receiving water quality monitoring

**BACKGROUND:** On July 9, 2010, the Los Angeles Regional Water Quality Control Board (Regional Board) adopted the Los Angeles River and Tributaries Bacteria TMDL. The TMDL was developed because the Los Angeles River was identified by the California Regional Water Quality Control Board (RWQCB) as having exceeded water quality objectives for bacteria. For this reason, the Clean Water Act requires a TMDL be developed to restore the impaired waterbodies to their full beneficial uses.

This TMDL became enforceable on November 8, 2012, upon the adoption of the Municipal Storm Water National Pollutant Discharge Elimination System (NPDES) Permit for the County of Los Angeles (Board Order No. R4-2012-0175; NPDES Permit No. CAS004001), issued to the Los Angeles County Flood Control District and all co-permittee cities, including Monrovia (MS4 NPDES Permit). The TMDL contains a numeric target for each municipality to reduce the amount of bacteria (E. coli), discharged to the LA River and tributaries.

Among the TMDL's many requirements, all Los Angeles River (LAR) watershed cities and agencies are required to develop a Coordinated Monitoring Plan (CMP). The purpose of the CMP is to assess the amount of bacteria pollutants in the Los Angeles River and its' tributaries. The CMP must be prepared and submitted to the Regional Water Quality Control Board by March 23, 2013. Monitoring is to begin upon approval of the CMP by the Regional Board.

**ANALYSIS:** Thirty-seven (37) municipalities of the forty-three tributary agencies that discharge to the Los Angeles River have indicated their intent to enter into a Memorandum of Agreement with the Gateway Cities Council of Governments (GCCOG) to share the cost to prepare and implement the CMP.

The term of the Los Angeles River and Tributaries Bacteria TMDL extends until March 23, 2028, for dry-weather and has not been established for the wet-weather portion. Therefore, the proposed Memorandum of Agreement (MOA) extends only through March 23, 2028. Participating cities may

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withdraw at any time with 30-days' notice; however, once withdrawn, cities would be responsible for developing their own Monitoring Plan and conducting independent routine receiving water monitoring.

The City of Los Angeles has provided a Scope of Services for this Bacteria TMDL CMP (MOA Exhibit B). The total annual costs will be approximately \$140,000, which includes monitoring and the COG's administrative costs. There is also a one-time setup cost of approximately \$20,000 for CMP preparation. Based on the MOA's cost share formula, the City of Monrovia's annual costs would be approximately \$3,129.56. Costs may vary from year to year based on the actual number of samples taken and the costs of testing; however, annual costs would be divided among participating agencies based on the MOA's cost share formula. The first invoice will be due no later than July 31, 2013, with the understanding that all agencies will execute the agreement not later than March 31, 2013. Subsequent annual invoices will be due no later than July 31 of each year.

Additional to the scope of work that will be conducted through the proposed MOA, the City, like other cities in the Watershed, will be required to complete additional compliance activities (eg. planning, monitoring, implementation and reporting) in order to meet the City's requirements under the LA River Bacteria TMDL. Further information regarding the City's required actions under the LA River Bacteria TMDL is provided in the "Stormwater Quality Program Update" Administrative Report.

**ENVIRONMENTAL IMPACT:** The proposed MOA provides the City an opportunity to cooperatively complete the LA River Bacteria TMDL requirements to prepare a Coordinated Monitoring Plan and to conduct receiving water quality monitoring.

**FISCAL IMPACT:** Annual costs would be divided among participating agencies based on the MOA's cost share formula. The City of Monrovia's annual costs would equal to approximately \$3,129.56; however, costs may vary from year to year based on the number of participating agencies, the actual number of samples taken, and the costs of testing. The MOA costs will be covered by the Stormdrain Maintenance Fund.

**OPTIONS:** The following options are presented for consideration:

1. Approve an agreement with the GCCOG to develop a Bacteria CMP and conduct monitoring in support of the LA River Bacteria TMDL's requirements.
2. Reject the agreement with GCCOG and direct Staff to explore alternatives to meet the LA River Bacteria TMDL's requirements to develop a Bacteria CMP and conduct receiving water monitoring.

**RECOMMENDATION:** Staff recommends Option 1, approving an agreement with the GCCOG to develop a Bacteria Coordinated Monitoring Plan and conduct monitoring in support of the LA River Bacteria TMDL's requirements.

**COUNCIL ACTION REQUIRED:** If the City Council concurs, the appropriate action would be a motion to approve an agreement with Gateway Cities Council of Governments Regarding the Administration and Cost Sharing of the Coordinated Monitoring Plan for the Los Angeles River and Tributaries Bacteria Total Maximum Daily Loads (TMDL), and authorize the City Manager to execute the necessary documents.

## EXHIBIT A

<b>Year 1 Costs Bacteria TMDL</b>	<b>Area in Square Miles</b>	<b>Distribution</b>	<b>Base Rate (\$)</b>	<b>Allocation on Square Miles (\$)</b>	<b>Total Rate (\$)</b>
Alhambra	7.6	0.013004471	864.86	1,664.57	2,529.44
Arcadia	10.93	0.018702482	864.86	2,393.92	3,258.78
Bell	2.74	0.004688454	864.86	600.12	1,464.99
Bell Gardens	2.48	0.004243564	864.86	543.18	1,408.04
Bradbury	1.4	0.002395560	864.86	306.63	1,171.50
Burbank	17.35	0.029687838	864.86	3,800.04	4,664.91
Caltrans*	11.24	0.000000000	0.00	0.00	0.00
Calabasas*	5.58	0.000000000	0.00	0.00	0.00
Carson	0.88	0.001505781	864.86	192.74	1,057.60
Commerce	6.56	0.011224912	864.86	1,436.79	2,301.65
Compton*	8.6	0.000000000	0.00	0.00	0.00
Cudahy	1.12	0.001916448	864.86	245.31	1,110.17
Downey	5.66	0.009684909	864.86	1,239.67	2,104.53
Duarte	2.3	0.003935564	864.86	503.75	1,368.62
El Monte*	6.97	0.000000000	0.00	0.00	0.00
Glendale	30.62	0.052394328	864.86	6,706.47	7,571.34
Hidden Hills	1.57	0.002686450	864.86	343.87	1,208.73
Huntington Park	3.03	0.005184677	864.86	663.64	1,528.50
Irwindale	1.89	0.003234007	864.86	413.95	1,278.82
La Canada Flintridge	8.57	0.014664252	864.86	1,877.02	2,741.89
Lakewood	0.0844	0.000144418	864.86	18.49	883.35
Long Beach	16.66	0.028507169	864.86	3,648.92	4,513.78
City of Los Angeles	281.44	0.481576087	864.86	61,641.74	62,506.60
Lynwood	4.85	0.008298906	864.86	1,062.26	1,927.12
Maywood*	1.18	0.000000000	0.00	0.00	0.00
Monrovia	10.34	0.017692925	864.86	2,264.69	3,129.56
Montebello	8.36	0.014304918	864.86	1,831.03	2,695.89
Monterey Park	7.66	0.013107138	864.86	1,677.71	2,542.58
Paramount	4.34	0.007426237	864.86	950.56	1,815.42
Pasadena	22.7	0.038842301	864.86	4,971.81	5,836.68
Pico Rivera	3.12	0.005338677	864.86	683.35	1,548.22
Rosemead	5.14	0.008795129	864.86	1,125.78	1,990.64
San Fernando	2.41	0.004123786	864.86	527.84	1,392.71
San Gabriel	4.12	0.007049792	864.86	902.37	1,767.24
San Marino	3.76	0.006433791	864.86	823.53	1,688.39
Sierra Madre	2.99	0.005116233	864.86	654.88	1,519.74
Signal Hill	1.13	0.001933559	864.86	247.50	1,112.36
South El Monte*	2.09	0.000000000	0.00	0.00	0.00
South Gate	7.48	0.012799137	864.86	1,638.29	2,503.15
South Pasadena	3.43	0.005869123	864.86	751.25	1,616.11
Temple City	4.01	0.006861569	864.86	878.28	1,743.15
Vernon	5.08	0.008692462	864.86	1,112.64	1,977.50
Unincorporated LA County Areas	80.61	0.137932946	864.86	17,655.42	18,520.28
<b>Total</b>	<b>584.4144</b>	<b>1</b>	<b>32,000.00</b>	<b>128,000.00</b>	<b>160,000.00</b>

\* indicates no response or non-participation

**Los Angeles River Bacteria TMDL Ambient Monitoring Program**

Estimated Annual Cost of Monitoring

Prepared by City of Los Angeles - Watershed Protection Division

<b>Field Work</b>	<b>No. Sampling Sites</b>	<b>Cost per Site</b>	<b>Total Cost per Month</b>	<b>Events per Year</b>	<b>Annual cost</b>
Grab Sampling: <i>Main Stem (Segments A-E) and Tributaries</i>	16	\$ 200.00	\$ 3,200.00	12	\$ 38,400.00
<i>Subtotal</i>					<b>\$ 38,400.00</b>

<b>Laboratory Analysis</b>	<b>No. Samples (per yr)<sup>c</sup></b>	<b>Cost Per Sample<sup>d</sup></b>	<b>Annual cost</b>
<i>E. coli (Idexx Colilert, chromogenic substrate method)</i>	216	\$ 44.87	\$ 9,691.92
<i>Subtotal</i>			<b>\$ 9,691.92</b>

<b>Equipment &amp; Supplies</b>	<b>Annual Cost</b>
Miscellaneous Consumables	\$ 2,000.00
Sterile Bottles and preservative	\$ 500.00
<i>Subtotal</i>	<b>\$ 2,500.00</b>

<b>Program Management</b>	<b>Annual Cost</b>
Supervision, Coordination w/ Lab, Data Management, Reporting, etc. ( <i>recurring costs</i> )	\$ 20,000.00
<i>Subtotal</i>	<b>\$ 20,000.00</b>

As Required by MS-4 Permit

Water Quality Measurements <sup>a</sup> <i>(pH, Temp, DO, Conductivity)</i>	16	\$ 50.00	\$ 800.00	12	\$ 9,600.00
Flow Measurements <sup>b</sup>	16	\$ 250.00	\$ 4,000.00	12	\$ 48,000.00

<b>Total Annual Cost</b>	<b>\$ 128,191.92</b>
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<b>Program Management</b>	<b>First Year Cost only</b>
Monitoring Plan and Quality Assurance Plan Development ( <i>one time cost</i> )	\$ 15,000.00
Reporting Template Set up ( <i>one time cost</i> )	\$ 5,000.00

<b>Total One Time Program Cost</b>	<b>\$ 20,000.00</b>
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Footnotes:

<sup>a</sup> The TMDL does not require water quality measurements (pH, temperature, Dissolved O<sub>2</sub>, conductivity); cost is optional depending on Stakeholders' preference.

<sup>b</sup> The TMDL does not explicitly require Flow Measurements; however, Flow Measurements would be necessary to calculate bacteria loads for each of the River segments and Tributaries.

<sup>c</sup> The number of samples per year includes a Field Blank and Field Duplicate for each sample event.

<sup>d</sup> The cost per sample could increase if the min/max reporting limits need to be expanded. For example, two Idexx test kits would be needed (per sample) to quantify bacteria concentrations between 1 MPN/100 mL and 2.4 Million MPN/100 mL.



EDMUND G. BROWN JR.  
GOVERNOR

MATTHEW RODRIGUEZ  
SECRETARY FOR  
ENVIRONMENTAL PROTECTION

**Los Angeles Regional Water Quality Control Board**

**TO:** Stakeholders and Responsible Parties of the Los Angeles River Watershed Bacteria Total Maximum Daily Load (TMDL)

**FROM:** L.B. Nye, Ph.D.  
Chief, Standards and TMDLs

**DATE:** April 11, 2012

**SUBJECT:** NOTIFICATION OF EFFECTIVE DATE — TOTAL MAXIMUM DAILY LOAD FOR BACTERIA IN LOS ANGELES RIVER WATERSHED

The Los Angeles Regional Water Quality Control Board (Regional Board) hereby notifies all stakeholders and responsible parties identified in the Los Angeles River Watershed Bacteria Total Maximum Daily Load (TMDL) that the TMDL is in effect as of March 23, 2012 upon approval by the United States Environmental Protection Agency, Region IX after approval by the State Water Resources Control Board on November 1, 2011 (SWRCB Resolution No. 2011-0056) and the Office of Administrative Law on March 21, 2012 (OAL File No. 2012-0215-04C). The requirements of this Bacteria TMDL are detailed in the Regional Board Resolution R10-017, and Attachment A, Amendment to the Water Quality Control Plan Los Angeles Region (Basin Plan Amendment). The CEQA Filing Fee was paid to the California Department of Fish and Game. The Notice of Decision, the Resolution, and the Basin Plan Amendment have been filed with the California Resources Agency on April 5, 2012, and the relevant documents are available at the Regional Board website at:  
[http://www.waterboards.ca.gov/losangeles/water\\_issues/programs/tmdl/tmdl\\_list.shtml](http://www.waterboards.ca.gov/losangeles/water_issues/programs/tmdl/tmdl_list.shtml).

The TMDL requires responsible parties to implement tasks adhering to the schedules provided in Basin Plan Amendment, which describe the compliance requirements. Responsible parties shall submit a Bacteria Coordinated Monitoring Plan (CMP) no later than one year after the effective date of the TMDL. Based on the effective date of March 23, 2012, the CMP must be received no later than **March 23, 2013**. Six months after approval of the CMP, responsible parties shall conduct ambient water quality monitoring set forth in the CMP. Other requirements and milestones are listed in Attachment A to Regional Board Resolution R10-017.

Please feel free to contact Mr. Man Voong at (213) 576-6690 or [mvoong@waterboards.ca.gov](mailto:mvoong@waterboards.ca.gov) or Dr. L.B. Nye at (213) 576-6785 or [lnye@waterboards.ca.gov](mailto:lnye@waterboards.ca.gov) with any questions. We look forward to working with stakeholders and all responsible parties toward the successful implementation of this Bacteria TMDL.

MARIA MEHRANIAN, CHAIR | SAMUEL UNGER, EXECUTIVE OFFICER

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