

July 20, 2004

Honorable Mayor and Members of
the Hermosa Beach City Council

Regular Meeting of
July 27, 2004

**APPROVE MEMORANDUM OF AGREEMENT – SANTA MONICA BAY BEACHES
BACTERIA TMDL IMPLEMENTATION PLAN DEVELOPMENT
JURISDICTIONAL GROUPS FIVE AND SIX**

Recommendation:

It is recommended that the City Council:

1. Approve the Memorandum of Agreement for Jurisdictions Five and Six of the Santa Monica Bay Beaches Bacteria Total Maximum Daily Load Implementation Plan Development;
2. Approve funding contributions to the City of Redondo Beach for the consultant, Camp Dresser & McKee, Inc., to be used for the Implementation Plan Development in the amount of \$20,591.00; and
3. Authorize the Mayor to execute and the City Clerk to attest the agreement subject to approval by the City Attorney.

Summary:

Santa Monica Bay Beaches Bacteria TMDL

The California Water Quality Control Plan, Los Angeles Region (Basin Plan), sets beneficial use standards for water bodies in the region. Santa Monica Bay Beaches have been designated as an REC-1 beneficial use water body that provides for recreational water activities such as swimming, wading, water skiing, skin and scuba diving involving body contact where ingestion of water is reasonably possible. To ensure that impaired water body's beneficial uses are maintained, Total Maximum Daily Loadings (TMDL) are developed by the Regional Water Quality Board (RWQCB) which are to specify the maximum amount of pollutants what a water body can receive and still meet water quality standards.

On July 15, 2003, the RWQCB promulgated the Santa Monica Bay Beaches Bacteria (SMBBB) TMDL for both dry and wet weather. The goal of this TMDL is to reduce bacteria levels at the Santa Monica Bay Beaches where total and fecal coliform bacteria are used as indicators of the likely presence of disease-causing pathogens in surface waters.

The RWQCB developed the allowable bacterial conditions using a "Reference Beach" approach. Leo Carrillo Beach, located in the west end of the County near the Ventura-Los Angeles County line, was selected as the reference beach. Since an exceedance of the allowable bacteria concentration for REC-1 use could be caused by runoff from natural sources, the RWQCB elected to establish allowable conditions based on the number of times the allowable concentration was exceeded.

The RWQCB believes that dry weather urban runoff (over irrigation of lawns, car washing, restaurant washout, etc.) and storm water conveyed by storm drains are the primary sources of bacteria to the Santa Monica Bay Beaches in dry and wet weather. The RWQCB identifies the following possible sources of bacteria:

- Sanitary sewer leaks and spills
- Illicit connections of sanitary lines to the storm drain system
- Runoff from homeless encampments
- Pet waste
- Illegal discharges from recreational vehicle holding tanks
- Direct illegal discharges from boats
- Illicit discharges from private drains such as restaurants
- Swimmer “wash-off”
- Fecal matter from animals and birds
- Vegetation and food waste
- Runoff from roadways

Hermosa Beach in Jurisdictions Five and Six

The RWQCB, through the SMBBB TMDL, has established responsible agencies within nine jurisdictional groups. These groups were primarily defined along watershed boundaries and therefore may cross over governmental agency boundaries. The SMBBB TMDL further required that these groups develop a monitoring and an implementation plan, which would define strategies to identify sources of bacteria and elimination and remediation process.

Jurisdictions Five and Six are comprised of responsible agencies, which include the Cities of El Segundo, Manhattan Beach, Redondo Beach, Torrance and agencies of Caltrans and the County of Los Angeles. Hermosa Beach is designated to cover drainage areas in both Jurisdictions Five and Six herein referred to as J5&6, for the total of 661 acres. The City has proceeded cooperatively with the other agencies involved to comply with the deadlines set forth by the RWQCB.

Monitoring Plan

The SMBBB TMDL required that the responsible agencies prepare a Coordinated Monitoring Plan (CMP). This plan has already been prepared and submitted to the RWQCB by the group members. The plan was subsequently approved by this agency. The CMP will be used to show the responsible agencies are in compliance with the SMBBB TMDL and will be the primary means by which the effectiveness of the Implementation Plan will be judged. A full copy of the CMP can be obtained from the County of Los Angeles web site: www.lacpw.org. The agreement to conduct group monitoring with the associated cost will be submitted to Council for review and approval at a future date. Monitoring must begin no later than November 1, 2004.

Implementation Plan

The SMBBB TMDL describes possible implementation strategies for both the dry weather and wet weather SMBBB TMDL's. The dry weather strategies included diversions to the sanitary sewer system, illicit discharge elimination, controlling other sources such as including ground water and "End of Pipe" (EOP) treatment. The wet weather highlighted three potential strategies: 1) Integrated Water Resources (IWR) Strategy for Beneficial Re-Use; 2) Upstream Structural and Non-Structural Control Strategy; and 3) Interim Diversion Strategy. The implementation of the dry weather strategies is to be implemented within three to six years. The implementation of the Types 2 and 3 wet weather strategies are allowed 10 years and the Type 1 strategy is allowed 18 years.

J5&6 intend to pursue the IWR Strategy however, all approaches are to be analyzed so that the most cost and time effective alternative is proposed that will achieve compliance. The IWR Strategy is reflected in the following:

The IWR strategy for achieving the bacteria SMBBB TMDL requirement is generally considered, but not limited to, the following:

- Structural Best Management Practices (BMPs)
 - Storm drain/open channel low flow diversions to the sanitary sewer system (LFD's)
 - Water quality treatment plants with detention basins
 - Onsite treatment including UV or Ozone treatment units
- Non-Structural BMPs
 - Source control for high bacteria locations
 - Public education & outreach
 - Codes, ordinances, and permitting
 - Fees and taxes
- Treated water reuse
 - Ground water replenishment (spreading & direct injection)
 - Seawater Barrier injection
 - Direct reuse into gray water systems (irrigation & other non-potable uses)
 - Multi-use facilities incorporating structural BMPs, reuse, recreation, and other enhancements
- Multiple pollutants – in addition to the bacteria pollutants, the plans must address other pollutants that have been identified as causing impairment of the beneficial use of Santa Monica Bay.

The agencies within J5&6 have elected to develop an implementation plan that covers the areas within each group. The SMBBB TMDL requires "Responsible Agencies" (those defined by the RWQCB) to submit a draft implementation plan by March 15, 2005 for review and approval by the RWQCB.

Compliance Dates

This TMDL does not currently have an enforcement mechanism, however, the RWQCB will most likely incorporate the TMDL's into the Los Angeles County Municipal Storm Water NPDES Permit.

The RWQCB established the following timelines for achieving compliance:

- Completion of implementation plan by March 15, 2005
- Summer – dry weather, three years after the effective date: July 15, 2006
- Winter – dry weather, six years after the effective date: July 15, 2009
- Wet weather, 10 to 18 years after the effective day, July 15, 2013 to 2021. The Wet weather also has a milestone date for achieving partial compliance.

Project Objective

The objective of the project is for the J5&6 agencies to jointly hire Consultants and vendors to undertake and perform the work program as outlined. The agencies within J5&6 further decided to cooperatively follow the CMP approved by the Regional Board and to retain a private laboratory to perform all the monitoring required by this plan.

In addition, these jurisdictions had selected to jointly retain a consultant to develop the Implementation Plan. The consultant will complete the work in accordance with the schedule and develop an Implementation Plan that will achieve compliance with the SMBBB TMDL in the required time limits. Furthermore, the plan is expected to be prepared so that it will be approved by the RWQCB.

A Request for Proposals was issued and representatives of the jurisdictions held interviews. Three firms were considered: Kleinfelder, Brown & Caldwell, Camp Dresser & McKee, Inc. (CDM). The City of Redondo Beach will act as the lead agency to hire Camp Dresser and McKee, Inc. to develop the Implementation Plan; therefore, the City of Hermosa Beach and the other agencies in J5&6 needs to enter into an agreement with the City of Redondo Beach to pay for and administrate this professional services agreement. CDM was selected because of their experience and cost efficiency. They are also preparing the Implementation Plan for Jurisdictions One and Two (Malibu, Santa Monica, the City of Los Angeles and the County of Los Angeles). A copy of CDM's proposal is available for review in the Public Works Department.

Conclusion

Staff recommends that the City of Hermosa Beach enter into a Memorandum of Agreement with the City of Redondo Beach for SMBBB TMDL Implementation Plan Development and, subsequently, the other agencies within J5&6 to meet the requirements of the SMBBB TMDL.

Fiscal Impact:

- Implementation Plan is to be developed by the Consultant, CDM, no later than March 15, 2005. The Total Cost will be \$185,000. The City's portion of the Total Cost will be **\$20,591.00**.

- \$18,000 is budgeted in Account 160-3102-4201 for this project. Public Works will reduce the amount for storm drain videotaping to compensate for the additional \$2,591 needed.
- A private laboratory will conduct monitoring to begin no later than November 1, 2004: cost to be determined.
- Compliance to start no later than July 15, 2006, three years after the adoption date of this TMDL by the RWQCB; cost to be determined.

Attachments:

1. Memorandum of Agreement
2. Resolution

Respectfully submitted,

Concur:

Homayoun Behboodi
Associate Engineer

Richard D. Morgan, P.E.
Director of Public Works/City Engineer

Noted for fiscal impact:

Concur:

Viki Copeland
Finance Director

Stephen R. Burrell
City Manager