

**DATE:** July 22, 2019

**TO:** RMC Governing Board

**FROM:** Mark Stanley, Executive Officer

**SUBJECT:** Item 11: Consideration of a resolution approving a grant amendment to the County of Los Angeles Department of Public Works for the Parkway Basin Water Quality Improvement Project (RMC 17011)

**PROGRAM AREA:** Urban Lands

**PROJECT TYPE:** Implementation

**JURISDICTION:** County of Los Angeles

**PROJECT MANAGER:** Sally Gee

**RECOMMENDATION:** That the RMC authorize a grant amendment with County of Los Angeles Department of Public Works (LADPW) to revise the timeline and modify the budget for the Parkway Basin Water Quality Improvement Project (RMC17011).

Exhibit A – LADPW Amendment Request

**PROJECT DESCRIPTION:** The Parkway Basin Water Quality Improvement Project will construct 30 parkway basins in unincorporated Los Angeles County. The Los Angeles County Department of Public Works (LADPW) has partnered with the River Project (TRP), a 501(c) non-profit, to design and construct the 30 parkway basins within Disadvantaged Communities of Florence/Firestone, Whittier/Los Nietos, and West Puente Valley/ Basset. The project team has selected locations of the parkway basins based on the permeability of the soil (confirmed through soil testing) and from the support of the community. The Parkway Basins are only being installed in front of residences where homeowners have agreed, through a stewardship agreement, to perform basic maintenance (including trash removal, weeding, sediment removal, etc). The project team connected with interested homeowners through local Neighborhood Councils and Community Based Organizations, and they built participation through workshops, access to education materials and videos, and established an ongoing support presence.

LADPW is submitting an amendment request to extend the project timeline from August 1, 2019 to April 30, 2019 (Exhibit A). Fourteen Parkway Basins have been completed to date, and it is expected that the construction of the other Parkway Basins will be completed by August 2019. An extension of the grant will allow for continued follow-up with the stewards after construction to ensure that the basins are properly maintained and functioning.

LADPW has also requested a revision to the budget. The cost to complete Task 3: Soil Testing was less than expected, and LADPW requests to reallocate the remaining budget for that task to Task 2: Site Investigations/ Reconnaissance (Exhibit A). The effort to locate the sites and establish stewardship agreements was more than expected, and the budget reallocation would help to offset costs. The total grant amount remains unchanged with this reallocation.

**BACKGROUND:** A Parkway is typically defined as the area between a road's curb and the sidewalk. Parkway basins are designed to capture and treat stormwater and dry season flow (urban runoff) by utilizing urban runoff for irrigation and promote groundwater infiltration. These basins are constructed by excavating and lowering a portion of parkway, then cutting an opening in the curb to facilitate the flow of water from the street. The basins contain rock reinforced slopes to prevent erosion, along with the native vegetation which will detain, remediate, and help infiltrate urban runoff. When a basin is full, any additional urban runoff will be unable to enter and will continue to travel in the gutter eventually to the storm drain system. The goal of this BMP is to allow for the treatment of urban runoff and for infiltration. Parkway basins have been successfully constructed for many years in numerous cities including: Tucson, Arizona; New York City; Portland, Oregon; and other municipalities. Locally, parkway basins have been constructed successfully in Panorama City and Studio City.

The construction of parkway basins will:

- contribute towards meeting water quality regulations.
- promote water conservation by infiltrating urban runoff
- reduce the demand of potable water by utilizing urban runoff to irrigate parkways.
- increase the amount of habitat for wildlife.

The exact locations of the parkway basins within the selected disadvantage communities are identified following a detailed screening. The screening consists of the following categories:

1. Suitable Parkway width
  - a. A minimum parkway width of five feet is required, seven feet is preferred.
2. Disadvantaged Community
  - a. Locations determined by CalEnviroScreen 2.0 to be in the 20% range of disadvantaged communities, with strong preference for the upper 10%
3. Upcoming water quality regulation deadlines.
  - a. Priority will be given to those areas with upcoming water quality regulation deadlines.
4. Well-draining soils
  - a. Soil percolation tests will be conducted prior to construction.
5. Mitigate local flooding
  - a. Locations that will help eliminate small scale flooding and ponded water will be given priority.
6. Limited urban tree canopy
  - a. Locations where greening and public open space improvements are most needed
7. Willingness of residents to assume maintenance
  - a. Upon award of the grant, extensive community outreach/project siting will be conducted to identify specific project locations.

Public Works oversees compliance with stormwater quality regulations throughout the unincorporated areas within Los Angeles County. The River Project is a non-profit 501(c)(3) organization dedicated to natural resource protection, conservation, and enhancement. The mission of The River Project is to work towards living rivers nourished by healthy watersheds for the social, economic, and environmental benefit of our communities.

Replacing grass covered parkways with native, drought tolerant landscaping will offset potable water usage and the burden of irrigation for residents in these DACs. Collectively the 30 Parkway Basins are estimated to save approximately 60,000 gallons of water per year. Parkway basins

provide a tremendous opportunity to treat a large amount of stormwater in a distributed manner throughout the watershed while maximizing local infiltration and used to water trees, plants, and soil that are critical for shade, carbon-sequestration, and habitat. Additionally, Parkway Basins can be placed in targeted areas to maximize benefits and help address the issue of stormwater contamination in the Los Angeles and San Gabriel River watersheds. This Project promises to act as an example for future EWMP projects to include the community in region-wide efforts to capture stormwater.

**FISCAL INFORMATION:** No change to the total project budget is requested as part of this amendment. This grant was initially authorized from Proposition 1 funds by the RMC on January 23, 2017 in the amount of \$268,500 to the Los Angeles County Department of Public Works under Resolution 2017-04. Funding sources in addition to RMC funding include a matching contribution of \$268,500 from LADPW.

**LEGISLATIVE AUTHORITY AND RMC ADOPTED POLICIES/AUTHORITIES:** The Rivers and Mountains Conservancy (RMC) statute provides in part that:

Section 32602: There is in the Resources Agency, the San Gabriel and Lower Los Angeles Rivers and Mountains Conservancy, which is created as a state agency for the following purposes:

- (a) To acquire and manage public lands within the Lower Los Angeles River and San Gabriel River watersheds, and to provide open-space, low-impact recreational and educational uses, water conservation, watershed improvement, wildlife and habitat restoration and protection, and watershed improvement within the territory.
- (b) To preserve the San Gabriel River and the Lower Los Angeles River consistent with existing and adopted river and flood control projects for the protection of life and property.
- (c) To acquire open-space lands within the territory of the conservancy.

Section 32604: The conservancy shall do all of the following:

- (a) Establish policies and priorities for the conservancy regarding the San Gabriel River and the Lower Los Angeles River, and their watersheds, and conduct any necessary planning activities, in accordance with the purposes set forth in Section 32602.
- (b) Approve conservancy funded projects that advance the policies and priorities set forth in Section 32602.
- (d) To provide for the public's enjoyment and enhancement of recreational and educational experiences on public lands in the San Gabriel Watershed and Lower Los Angeles River, and the San Gabriel Mountains in a manner consistent with the protection of lands and resources in those watersheds.

Section 32614: The conservancy may do all of the following:

- (b) Enter into contracts with any public agency, private entity, or person necessary for the proper discharge of the conservancy's duties, and enter into a joint powers agreement with a public agency, in furtherance of the purposes set forth in Section 32602.
- (e) Enter into any other agreement with any public agency, private entity, or person necessary for the proper discharge of the conservancy's duties for the purposes set forth in Section 32602.
- (f) Recruit and coordinate volunteers and experts to conduct interpretive and recreational programs and assist with construction projects and the maintenance of parkway facilities.

Further, Section 32614 provides that: The conservancy may do all of the following:

- (g) Undertake, within the territory, site improvement projects, regulate public access, and revegetate and otherwise rehabilitate degraded areas, in consultation with any other public agency with appropriate jurisdiction and expertise, in accordance with the purposes set forth in Section 32602. The conservancy may also, within the territory, upgrade deteriorating facilities and construct new facilities as needed for outdoor recreation, nature appreciation and interpretation, and natural resources projection. The conservancy may undertake those projects by itself or in conjunction with another local agency; however, the conservancy shall provide overall coordination of those projects by setting priorities for the projects and by ensuring a uniform approach to projects. The conservancy may undertake those projects with prior notification to the legislative body of the local agency that has jurisdiction in the area in which the conservancy proposes to undertake that activity.

Section 32614.5:

- (a) The conservancy may award grants to local public agencies, state agencies, federal agencies, and nonprofit organizations for the purposes of this division.
- (b) Grants to nonprofit organizations for the acquisition of real property or interests in real property shall be subject to all of the following conditions:
  - (1) The purchase price of any interest in land acquired by the nonprofit organization may not exceed fair market value as established by an appraisal approved by the conservancy.
  - (2) The conservancy approves the terms under which the interest in land is acquired.
  - (3) The interest in land acquired pursuant to a grant from the conservancy may not be used as security for any debt incurred by the nonprofit organization unless the conservancy approves the transaction.
  - (4) The transfer of land acquired pursuant to a grant shall be subject to the approval of the conservancy and the execution of an agreement between the conservancy and the transferee sufficient to protect the interests of the state.
  - (5) The state shall have a right of entry and power of termination in and over all interests in real property acquired with state funds, which may be exercised if any essential term or condition of the grant is violated.
  - (6) If the existence of the nonprofit organization is terminated for any reason, title to all interest in real property acquired with state funds shall immediately vest in the state, except that, prior to that termination, another public agency or nonprofit organization may receive title to all or a portion of that interest in real property, by recording its acceptance of title, together with the conservancy's approval, in writing.
- (c) Any deed or other instrument of conveyance whereby real property is acquired by a nonprofit organization pursuant to this section shall be recorded and shall set forth the executor interest or right of entry on the part of the state.

Funding for this project will be allocated from the following sections of Proposition 1, under statute:

79731 (f): San Gabriel and Lower Los Angeles Rivers and Mountains Conservancy, the sum of thirty million dollars (\$30,000,000) and section 79735 (a) of the funds authorized by Section 79730, one hundred million dollars (\$100,000,000) shall be available, upon appropriation by the Legislature, for projects to protect and enhance an urban creek, as defined in subdivision (e) of Section 7048, and its tributaries pursuant to Division 22.8 (commencing with Section 79508....



# COUNTY OF LOS ANGELES

## DEPARTMENT OF PUBLIC WORKS

*"To Enrich Lives Through Effective and Caring Service"*

900 SOUTH FREMONT AVENUE  
ALHAMBRA, CALIFORNIA 91803-1331  
Telephone: (626) 458-5100  
<http://dpw.lacounty.gov>

MARK PESTRELLA, Director

July 17, 2019

ADDRESS ALL CORRESPONDENCE TO:  
P.O. BOX 1460  
ALHAMBRA, CALIFORNIA 91802-1460

IN REPLY PLEASE

REFER TO FILE: **SWQ-5**

Ms. Marybeth Vergara-Garcia, MPP  
Rivers and Mountains Conservancy  
100 North Old San Gabriel Canyon Road  
Azusa, CA 91702

Dear Ms. Vergara-Garcia:

### **AGREEMENT NO. RMC17011 – LOS ANGELES COUNTY – PARKWAY BASIN WATER QUALITY IMPROVEMENT PROJECT GRANT TIMELINE AND BUDGET MODIFICATION REQUEST LETTER**

Los Angeles County (County) Public Works is requesting modifications to the grant timeline and budget for the Parkway Basin Water Quality Improvement Project. The proposed revisions will not affect the Project's goals, scope, deliverables, or overall budget request.

The County is requesting that the end date of the Performance Period of Grant Agreement No. RMC17011 be extended from August 1, 2019, to April 30, 2021. Exhibit A – Task List and Timeline of the Grant Agreement will remain the same, including the anticipated end of construction of 30 parkway basins by August 2019. Although Task 7 – Stewardship Follow Up will continue until August 1, 2021, 2 years after completion of construction, the County will submit all grant close-out exhibits, preliminary results, and payment requests by April 30, 2021.

Revision to the budget is requested to address (1) overestimation of budget needed for Task 3 – Soil Testing, and (2) underestimation of budget that was required for Task 2 – Site Investigation/Reconnaissance. The proposed revisions will allow the County to complete the Project without requesting additional funding from Rivers and Mountains Conservancy.

For Task 3, soil testing was performed by a combination of hand augers at 12 sites to a depth of about 4 feet, as well as soil infiltration tests at 3 sites. The number of tests were deemed appropriate to provide characterization of the soil media and infiltration rates for all sites. The actual total cost to complete the Soil Testing task was \$36,000, which is less than the \$50,000 that was estimated and budgeted in the Grant Agreement. However, Task 2 – Site Investigation/Reconnaissance required an increased outreach effort to familiarize communities with the parkway basins and secure residents who would commit to long-term maintenance and participation in the construction of the 30 parkway basins.

Ms. Marybeth Vergara-Garcia  
 July 17, 2019  
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The proposed changes to the budget, as shown in the table below, will modify Exhibit B – Budget/Expenditure Tracking of Agreement No. RMC17011. Rivers and Mountains Conservancy's Total Budget Request of \$268,500.00 will remain unchanged.

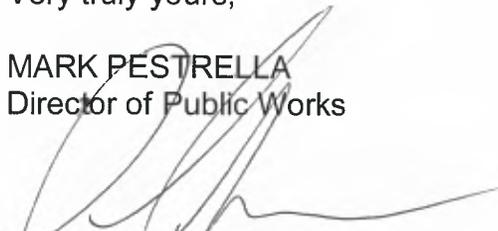
**Modified Exhibit B**

	<b>Work Plan Task Number and Name</b>	<b>Cost Per Task</b>	<b>RMC Budget</b>	<b>Matching Funds- Los Angeles County</b>
1	Identification of Project Locations	\$ 24,000.00	\$ 12,000.00	\$ 12,000.00
2	Site Investigation / Reconnaissance	<del>\$ 79,000.00</del> \$ 93,000.00	<del>\$ 39,500.00</del> \$ 46,500.00	<del>\$ 39,500.00</del> \$ 46,500.00
3	Soil Testing	<del>\$ 50,000.00</del> \$ 36,000.00	<del>\$ 25,000.00</del> \$ 18,000.00	<del>\$ 25,000.00</del> \$ 18,000.00
4	Design Plans	\$ 64,000.00	\$ 32,000.00	\$ 32,000.00
5	Construction	\$ 121,000.00	\$ 60,500.00	\$ 60,500.00
6	Monitoring and Assessment Plan/Completion Report	\$ 62,000.00	\$ 31,000.00	\$ 31,000.00
7	Stewardship Follow Up	\$ 137,000.00	\$ 68,500.00	\$ 68,500.00
			\$ 268,500.00	\$ 268,500.00

If you have any questions or concerns, please contact me at (626) 458-4325 or [palva@pw.lacounty.gov](mailto:palva@pw.lacounty.gov) or your staff may contact Ms. Mercedes Passanisi at (626) 458-7121 or [mpassanisi@pw.lacounty.gov](mailto:mpassanisi@pw.lacounty.gov).

Very truly yours,

MARK PESTRELLA  
 Director of Public Works



PAUL ALVA  
 Assistant Deputy Director  
 Stormwater Quality Division

AC:dw  
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Attach.

July 22, 2019 – Item 11

RESOLUTION 2019-28

RESOLUTION OF THE SAN GABRIEL AND LOWER LOS ANGELES RIVERS AND MOUNTAINS CONSERVANCY (RMC) APPROVING A GRANT AMENDMENT TO THE COUNTY OF LOS ANGELES DEPARTMENT OF PUBLIC WORKS FOR THE PARKWAY BASIN WATER QUALITY IMPROVEMENT PROJECT (RMC 17011)

WHEREAS, The legislature has found and declared that the San Gabriel River and its tributaries, the Lower Los Angeles River and its tributaries, and the San Gabriel Mountains, Puente Hills, and San Jose Hills constitute a unique and important open space, environmental, anthropological, cultural, scientific, educational, recreational, scenic, and wildlife resource that should be held in trust to be preserved and enhanced for the enjoyment of, and appreciation by, present and future generations; and

WHEREAS, The people of the State of California have enacted the Water Quality, Supply, and Infrastructure Improvement Act of 2014 (“Proposition 1”) and

WHEREAS, the State of California has authorized an expenditure of funds from Proposition 1, the Water Quality, Supply, and Infrastructure Improvement Act of 2014 to the San Gabriel and Lower Los Angeles Rivers and Mountains Conservancy for capital outlay and local assistance multi-benefit grants for ecosystem and watershed protection and restoration projects; and

WHEREAS, The RMC may award grants to local public agencies, state agencies, federal agencies, and nonprofit organizations for the purposes of Division 22.8 the Public Resources Code; and

WHEREAS, The proposed project meets an objective of the California Water Action Plan for more reliable water supplies, restoration of important species and habitat, more resilient and sustainably managed water infrastructure; and

WHEREAS, The proposed project meets the goals of reducing greenhouse gas emissions consistent with AB 32; and

WHEREAS, The proposed project is consistent with the San Gabriel and Los Angeles River Watershed and Open Space Plan; and

WHEREAS, The proposed project protects land and water resources; and

WHEREAS, The grantee has requested a grant from Proposition 1, Section 79731 (f) or Section 79735 (a) of the Water Code; and

WHEREAS, This action is exempt from the environmental impact report requirements of the California Environmental Quality Act (CEQA); and NOW

Therefore be it resolved that the RMC hereby:

- 1 FINDS that this action is consistent with the San Gabriel and Lower Los Angeles Rivers and Mountains Conservancy Act and is necessary to carry out the purposes and objectives of Division 22.8 of the Public Resources Code.
- 2 FINDS that the Proposition 1 RMC Grant Program is consistent with the Water Quality, Supply, and Infrastructure Improvement Act of 2014 ("Proposition 1"), which provides funds for the RMC grant program.
- 3 FINDS the proposed project meets at least one of the purposes of Proposition 1.
- 4 FINDS the proposed project meets at least one of the three objectives of the California Water Action Plan.
- 5 FINDS that the proposed action is consistent with the San Gabriel and Lower San Gabriel and Los Angeles River Watershed and Open Space Plan as adopted by the Rivers and Mountains Conservancy;
- 6 FINDS that the actions contemplated by this resolution are exempt from the environmental impact report requirements of the California Environmental Quality Act.
- 7 ADOPTS the staff report dated July 22, 2019.
- 8 AUTHORIZES a grant amendment to the budget and extending the timeline from August 1, 2019 to April 30, 2019.

~ End of Resolution ~

Passed and Adopted by the Board of the  
SAN GABRIEL AND LOWER LOS ANGELES RIVERS AND MOUNTAINS  
CONSERVANCY on July 22, 2019.

Motion \_\_\_\_\_ Second: \_\_\_\_\_

Ayes: \_\_\_\_\_ Nays: \_\_\_\_\_ Abstentions: \_\_\_\_\_

\_\_\_\_\_  
Frank Colonna, Chair

ATTEST:

\_\_\_\_\_  
David Edsall, Jr.  
Deputy Attorney General