

ENERGY AND ENVIRONMENT and PUBLIC WORKS AND GANG REDUCTION COMMITTEES' REPORT relative to stormwater management guidelines for public street construction and reconstruction.

Recommendations for Council action, as initiated by Motion (Fuentes - Bonin):

1. INSTRUCT the Bureau of Sanitation (BOS), in conjunction with the Bureau of Street Services (BSS), Bureau of Engineering (BOE), Los Angeles Department of Water and Power (LADWP), City Administrative Officer (CAO), Chief Legislative Analyst (CLA), and City Attorney to prepare and present an Ordinance that incorporates stormwater management checklist requirements for public right-of-way (ROW) projects as follows:
 - a. Checklist requirements consisting of the following:
 - i. Water quality improvement and regulatory standards
 - ii. Stormwater infiltration/filtration feasibility
 - iii. Drainage capacity/flood mitigation
 - b. Checklist requirements to be applied to the following public ROW activities:
 - i. Department of Public Works projects by private contractors and capital projects by City Departments such as streets, sewers, storm drains, bridges, street lights, traffic signals, bike lanes and landscaping.
 - ii. B-Permit projects (City/Non-City) - large projects in the public ROW often as part of development projects or projects by City Departments other than the Department of Public Works.
 - iii. Assessment projects (new sewers, streets, street lights, etc. paid by property owners)
 - c. Checklist requirements to be applied to the following public ROW projects contingent on requirement feasibility/applicability to projects (i.e., an impervious surface, no drainage capacity):
 - i. U-Permits - excavation in the streets by utilities
 - ii. E-Permits - excavations in the street by other entities
 - iii. A-Permits - curbs/sidewalks/driveways
 - iv. S-Permits - sewer connections
 - v. R-Permits - revocable permits for conditional encroachment
2. INSTRUCT the BOS, in conjunction with the BSS, BOE, and LADWP, to develop a Stormwater

Management Handbook for Public ROW projects that consists of the following implementation/administration elements for consideration by the Board of Public Works:

- a. Defines green/sustainable elements for projects including acceptable practices, design recommendations, and sizing guidance.
 - b. Defines feasibility/applicability standards including Best Management Practice selection and selecting design and performance goals on a site-specific basis.
 - c. Details operations and maintenance activities, frequencies, and requirements for green/sustainable street elements; identify the party or parties responsible for ongoing operations and maintenance and related activities.
3. INSTRUCT the CAO and the CLA, in conjunction with the BOS, BSS, BOE, and LADWP, to identify potential funding strategies to support related programs and activities, such as permit/in-lieu fees.

Fiscal Impact Statement: None submitted by the BOS/BOE/BSS. Neither the CAO nor the CLA has completed a financial analysis of this report.

Community Impact Statement: Yes

For: Glassell Park Neighborhood Council

Summary:

On February 18, 2015, the Energy and Environment and Public Works and Gang Reduction Committees considered a January 14, 2015 Joint BOS/BOE/BSS report in response to Motion (Fuentes - Bonin) relative to stormwater management guidelines for public street construction and reconstruction. According to the Motion, streets convey not only automobiles and pedestrians but also water. When it rains, water flows from the street into catch basins and storm drains that then divert the runoff into our local tributaries, rivers and ocean. In the process, street pollution contaminates waterways, and stormwater that could be captured and reused is discharged into the ocean.

This system presents a number of challenges for the City. First, it does not sufficiently address runoff pollution, which the City is mandated to mitigate. The City currently must satisfy 22 Total Maximum Daily Load regulations as part of its Municipal Separate Storm Sewer System Permit. Failure to comply with the permit could result in extensive financial penalties. Second, the current system fails to capitalize on stormwater capture and groundwater infiltration opportunities. Local efforts to bolster our local water supply, particularly in this time of drought, are necessary in order to meet the Mayor's goal of reducing City water imports by half. Finally, it does not adequately protect against flooding. There are more than 400 known locations that have drainage problems causing localized flooding in our neighborhoods and exposing our residents, motorists, and bicyclists to potential safety hazards.

In addition, poor drainage and chronic flooding can damage and undermine street pavement. Incorporating Best Management Practices and green street infrastructure such as bioswales, curb cuts, and tree wells can mitigate a number of these concerns by infiltrating water where appropriate and removing contaminants from polluted water before discharge.

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According to the joint report, the BOS, BSS, BOE, LADWP CAO, CLA, and Council District 7 began meeting as a working group to assess the goals of the Motion and ways to coordinate their efforts. They met several times between August and October 2014 and developed the framework for the draft ordinance requiring stormwater management elements for all public ROW projects. The framework established stormwater management checklist requirements for public ROW projects consisting of:

- a. Water quality improvement and regulatory standards
- b. Stormwater infiltration/filtration feasibility
- c. Drainage capacity/flood mitigation.

These three elements are key to ensuring that the ordinance addresses the objectives of increasing water quality, augmenting water supply, and minimizing the impacts of flooding associated with stormwater conveyance.

In addition, the framework identified the public ROW projects that would be subject to the checklist requirements. The listing encompassed both public and private development projects along the ROW. The listing also identified public ROW projects that may be exempt from the stormwater management checklist requirements depending on the feasibility and applicability of the requirements to the project. For example, some projects may be in areas with low drainage capacity or an impervious surface. In these instances, the requirements may not be applied however; an in-lieu fee may be assessed to ensure that stormwater management objectives are met in another area of the City.

Subsequent to the adoption of a final ordinance, the working group determined that a Handbook would be developed jointly by the BOS, BSS, BOE and the LADWP that provides details of implementation/administration for the stormwater management checklist requirements. These provisions would:

- a. Define green/sustainable elements for projects including acceptable practices, design recommendations, and sizing guidance.
- b. Define feasibility/applicability standards including Best Management Practice (BMPP) selection and selecting design and performance goals on a site specific basis.
- c. Detail operations and maintenance activities, frequencies, and requirements for green/sustainable street elements; identify the party or parties responsible for ongoing operations and maintenance and related liabilities.

The Handbook would be considered by the Board of Public Works (BPW) when it was fully vetted by the various departments and stakeholders. The working group determined that the Handbook should be viewed as a living document that can be updated as necessary through BPW action.

After further consideration and having provided an opportunity for public comment, both Committees moved to recommend approval of the recommendations as contained in the January 14, 2015 Joint BOS/BOE/BSS report and detailed in the above recommendations. This matter is now submitted to Council for its consideration.

ENERGY AND ENVIRONMENT COMMITTEE



MEMBER **VOTE**

FUENTES: YES

BLUMENFIELD: YES

LABONGE: YES

HUIZAR: ABSENT

KORETZ: YES

PUBLIC WORKS AND GANG REDUCTION COMMITTEE



MEMBER **VOTE**

BUSCAINO: YES

PRICE: YES

PRICE: YES

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-NOT OFFICIAL UNTIL COUNCIL ACTS-