

Memorandum

To : The Conservancy
The Advisory Committee

Date: May 20, 2019

From : 
Joseph T. Edmiston, FAICP, Hon. ASLA, Executive Director

Subject: **Agenda Item 13: Consideration of resolution authorizing the Santa Monica Mountains Conservancy to establish an agreement with the San Gabriel and Lower Los Angeles Rivers and Mountains Conservancy to implement the Los Angeles River Environmental Flows Study Supplemental Analysis, County of Los Angeles.**

Staff Recommendation: That the Conservancy adopt the attached resolution authorizing the Santa Monica Mountains Conservancy to establish an agreement with the San Gabriel and Lower Los Angeles Rivers and Mountains Conservancy to implement the Los Angeles River Environmental Flows Study Supplemental Analysis, County of Los Angeles.

Legislative Authority: Section 33211(c) of the Public Resources Code.

Background: In recent decades, the Los Angeles River (River) has garnered considerable public attention and support for its restoration, environmental and recreational uses. The regulatory framework for river management is spread among multiple jurisdictions, making planning and implementation of changes challenging. While there have been, and continue to be, several different planning processes focusing on the river in some way, it is only recently that such efforts have focused on the water within the river channel, also referred to as instream flow. The proposed agreement will result in a grant application for funding that would augment a study being led by the State Water Resources Control Board (State Water Board) as described below, so that the study would include additional analysis related to ecology, habitat, and recreational uses of the river's instream flow, as well as the addition of a water quality component should flow regimes be reduced. The amount and management of instream flow has direct impacts on current and previous planning efforts by the Santa Monica Mountains Conservancy and the San Gabriel and the Rivers and Mountains Conservancy, hereafter referred to as the Conservancies. The grant request will be made for Proposition 1 funding that the Conservancies jointly allocate. It is expected that the request will be for \$250,000 from each Conservancy, with matching funds for a total of \$500,000 split evenly between the two Conservancies.

The entities responsible for water and instream flow in the Los Angeles River include the State Water Resources Control Board (State Water Board) and Regional Water Quality Control Boards (collectively referred to as Water Boards). The Water Boards have invested heavily in

ensuring water quality standards, while promoting water reuse and recycling. Increased reuse could result in a reduction of instream flow, potentially impacting the beneficial uses which the Water Boards must protect via established flow rates. When a Wastewater Treatment Plant seeks to reduce the amount of water they discharge into the river, and that reduction could reduce instream flow, they must file a wastewater change petition and obtain approval under Water Code Section 1211 (1211 petition) from the State Water Board. A key provision of the 1211 petition is to demonstrate that the reduced discharge will not unreasonably affect fish and wildlife, or other public trust resources.

Much of the water that flows in the Los Angeles River year-round is discharged from upstream water treatment plants along its banks. Due to the potential impacts of reduced flows to the River downstream of the Donald C. Tillman Water Reclamation Plant in Van Nuys and the Burbank Water Reclamation Plant in Burbank, collaboration between the Conservancies to engage and contribute to the State Water Board case study of the River is beneficial for a holistic result of how reduced flows could impact ecological and recreational resources. Dischargers along the river regulated by the Water Boards, have submitted a 1211 petition for flow reduction associated with reuse. For this reason, the State Water Board has decided to pursue development of a collaborative case study for the Los Angeles River that will help them develop a methodical, science-informed approach for evaluating future 1211 petitions and other proposals for water capture and/or reuse. The Southern California Coastal Water Research Project (SCCWRP) is the lead consultant facilitating the Study.

In August 2018, the SMMC and RMC engaged each other on how to supplement the Los Angeles River Environmental Flows Study to include analysis of existing and planned recreation and habitat resources for the Los Angeles River, and recommended their joint powers authorities, to engage SCCWRP on a scope of work and budget for the supplemental analysis. The proposed project would be a supplemental analysis that would expand the State Water Board's current scope. The MRCA and WCA will jointly pursue funding through Proposition 1 to allocate the costs evenly for the Los Angeles River Environmental Flows Study Supplemental Analysis