MWD
METROPOLITAN WATER DISTRICT OF SOUTHERN CALIFORNIA

BOARD ACTION

- **Board of Directors**
  Communications and Legislation Committee

April 11, 2006 Board Meeting

7-3

Subject

Express support for H.R. 4545 (Sanchez, D-Norwalk and Napolitano, D-South Gate): Would amend the Reclamation Wastewater and Groundwater Study and Facilities Act to authorize the Secretary of the Interior to participate in the Los Angeles County Water Supply Augmentation Demonstration Project

Description

Summary

H.R. 4545 (**Attachment 1**), would amend the Reclamation Wastewater and Groundwater Study and Facilities Act (43 U.S.C. 390 et seq) [Title XVI of P.L. 102-575 (1992)] to authorize the Secretary of the Interior (Secretary) to participate in and fund up to 25 percent of the Los Angeles County Water Supply Augmentation Demonstration Project (Demonstration Project), and for other purposes. The Secretary, along with the Los Angeles and San Gabriel Rivers Watershed Council, would participate in the design, planning, and construction of, and assessment of a neighborhood demonstration project utilizing storm water runoff for groundwater recharge. This Demonstration Project has two components: (1) a demonstration of the potential for infiltration of storm water runoff to recharge groundwater by retrofitting one or more sites in the Los Angeles area to reflect state-of-the-art best management practices and (2) pre-development and post-development monitoring and assessment.

Background

In 1992, Congress adopted the Reclamation Projects Authorization and Adjustment Act (P.L. 102-575, 106 Stat. 4006). Title XVI of this Act, the Wastewater and Groundwater Study Feasibility Act, authorized a program of wastewater reclamation and reuse feasibility and demonstration projects within the Reclamation States. The federal portion of costs was limited to 50 percent. The Act authorized the construction of five reclamation and reuse projects. In 1996, this Act was amended, due to the volume of requests for participation in the program and its high associated cost, to limit federal contributions to 25 percent of the total cost, with a maximum of $20 million, and the requirement of a feasibility analysis prior to any fund disbursement for construction. This 1996 Act amended Title XVI and also authorized 18 additional water reclamation and reuse projects in California, New Mexico, Texas, Nevada, and Utah. The Act has been subsequently amended numerous times to authorize other water reclamation and reuse projects.

Staff Review

Metropolitan is currently participating in the feasibility study of this Demonstration Project, along with the Los Angeles and San Gabriel Rivers Watershed Council, City of Los Angeles Department of Water and Power, Los Angeles County Department of Public Works, Los Angeles Regional Water Quality Control Board, Water Replenishment District of Southern California, City of Los Angeles Bureau of Sanitation, and the City of Santa Monica Environmental Programs Division. The Demonstration Project started in 2000 to assess whether the capture and infiltration of urban storm runoff would augment water supplies without adverse impact to groundwater quality. The feasibility study involves retrofitting six sites with different land uses, analyzing water quality of storm runoff, soil and groundwater for two to five years. In August 2005, the Los Angeles and San Gabriel Rivers Watershed Council published the results of the monitoring which found no statistically significant degradation of groundwater soil or quality from storm water infiltration.

Staff believes that local demonstration projects such as this contribute to the future water supply reliability of the region and should be supported and funded. This program assists local agencies in reducing their demand for imported and non-recycled potable water and helps protect against future droughts.

Policy

By Minute Item 41222, dated January 10, 1995, board amendment to Policy Principle on Groundwater Management

By Minute Item 45828, dated July 12, 2004, board adoption of the Integrated Water Resource Plan Update

California Environmental Quality Act (CEQA)

CEQA determination for Staff Recommendation:

The proposed action is not defined as a project under CEQA because it involves continuing administrative activities, such as general policy and procedure making (Section 15378(b)(2) of the State CEQA Guidelines). In addition, where it can be seen with certainty that there is no possibility that the proposed action in question may have a significant effect on the environment, the proposed action is not subject to CEQA (Section 15061(b)(3) of the State CEQA Guidelines).

The CEQA determination is: Determine that the proposed action is not subject to CEQA pursuant to Sections 15378(b)(2) and 15061(b)(3) of the State CEQA Guidelines.

Staff Recommendation

Adopt the CEQA determination and authorize the General Manager to express Metropolitan's support for H.R. 4545.

Stephen N. Arakawa 3/28/2006
Manager, Water Resource Management *Date*

Jeffrey Kightlinger 3/28/2006
General Manager *Date*

Attachment 1 – 109th Congress - 1st Session H. R. 4545 - To amend the Reclamation Wastewater and Groundwater Study and Facilities Act to authorize the Secretary of the Interior to participate in the Los Angeles County Water Supply Augmentation Demonstration Project, and for other purposes

BLA #4417

575, title XVI; 43 U.S.C. 390h et seq.) is amended by adding at the end the following:

"SEC. 16___. LOS ANGELES COUNTY WATER SUPPLY AUGMENTATION DEMONSTRATION PROJECT.

"(a) IN GENERAL.—The Secretary of the Interior, in cooperation with the Los Angeles and San Gabriel Rivers Watershed Council, is authorized to participate in the planning, design, construction, and assessment of a neighborhood demonstration project to—

"(1) demonstrate the potential for infiltration of stormwater runoff to recharge groundwater by retrofitting one or more sites in the Los Angeles area with features designed to reflect state-of-the-art best management practices for water conservation, pollution reduction and treatment, and habitat restoration; and

"(2) through predevelopment and postdevelopment monitoring, assess—

"(A) the potential new water supply yield based on increased infiltration; and

"(B) the value of the new water.

"(b) COST SHARING.—The Federal share of the cost of the project described in subsection (a) shall not exceed 25 percent of the total cost of the project.

''(c) LIMITATION.—No Federal funds shall be used for the operation and maintenance of the project described in subsection (a). For purposes of this subsection, pre- and post-development monitoring for not more than 2 years before and after project installation for project assessment purposes shall not be considered operation and maintenance.''.

(b) CLERICAL AMENDMENT.—The table of sections in section 2 of Public Law 102–575 is amended by inserting after the item relating to section 16____ the following:

''Sec. 16____. Los Angeles County Water Supply Augmentation Demonstration Project.''.