



● **Board of Directors**
Real Property and Asset Management Committee

12/12/2017 Board Meeting

7-5

Subject

Adopt CEQA determination and authorize entry permit to the city of Yorba Linda for access to Metropolitan's fee-owned property at the Robert B. Diemer Water Treatment plant

Executive Summary

This action authorizes the General Manager to grant an entry permit to the city of Yorba Linda for the purpose of establishing access rights to conduct inspections and monitoring of proposed storm drain bio-filters, which are to be installed in connection with the planned construction of Metropolitan's Orange County Region Service Center at the Robert B. Diemer Water Treatment Plant (Diemer).

Timing and Urgency

Metropolitan's planned construction of the new Orange County Region Service Center at Diemer requires the installation of approximately five bio-filter storm drains, which must comply with operation and inspection requirements under the applicable local Municipal Separate Storm Sewer System (MS4) Permit, to minimize pollutants in storm water runoff. Metropolitan's compliance with the MS4 storm water collection requirements will be monitored by the city of Yorba Linda and will grant an entry permit to the City. Board authorization to grant an entry permit is needed at this time for the City to issue a building permit and to allow construction of the new Orange County Region Service Center to proceed.

Details

Background

In August 2014, Metropolitan's Board authorized the design of a new operations and maintenance service center at the Diemer plant to support the Orange County operating region. Final design of the new facility is nearing completion, and award of the construction contract is scheduled for early 2018. The planned site development improvements for the facility require the installation of bio-filter storm drains. These storm drains will collect surface flows from the vicinity of the service center and convey them to the larger storm drain that collects the entire Diemer plant storm runoff. An entry permit for storm drain inspections by the City is required to comply with the applicable MS4 requirements. The MS4 program was instituted in 2013 to regulate storm water discharges from municipalities throughout California. These new regulations are part of the National Pollutant Discharge Elimination System (NPDES) permit process. Further, the MS4 regulations applicable to the Diemer site require the treatment of storm runoff with bio-filter-type storm drains before entry to the main storm water system. Bio-filter storm drains are designed using traditional catch basins in combination with vegetation and filter media to treat storm runoff. This type of treatment is intended to prevent high-frequency storm runoff from polluting off-site storm water collection systems. As part of these requirements, the city of Yorba Linda on behalf of the Regional Water Quality Control Board has established monitoring, inspection, entry, reporting, and record-keeping requirements to ensure that treatment methods are in compliance.

For security purposes, Metropolitan staff will provide escorted access to the City through the Diemer plant's main entrance gate. The City will be limited to the facility's bio-filter locations which will be clearly depicted in the recorded entry permit and its accompanying exhibits.

The entry permit will have the following key provisions:

- The city of Yorba Linda will not interfere with Metropolitan's paramount rights to use the property.
- The entry permit will be a recordable document that will terminate when the storm drains are removed or are no longer in use.
- The entry permit will allow the city of Yorba Linda to inspect, report, record-keep, and monitor bio-filter storm drains and in cases where the bio-filters do not function properly, to direct necessary repairs or other preventive measures that will serve the Orange County Region Service Center.

Policy

Metropolitan Water District Administrative Code Section 8230: Grants of Real Property Interests

Metropolitan Water District Administrative Code Section 8232: Terms and Conditions of Management

By Minute Item 49855, dated August 19, 2014, the Board authorized design of the Orange County Region Service Center.

California Environmental Quality Act (CEQA)

CEQA determination for Option #1:

The environmental effects of the funding, design, construction, and operation of the Orange County Conveyance and Distribution Maintenance Facility were evaluated in the environmental impact report (EIR) for the Robert B. Diemer Water Treatment Plant Upgrades Project (SCH No. 2013101072). The final EIR was certified by the Board on January 12, 2016. The Board also approved the Findings of Fact (Findings), the Statement of Overriding Considerations (SOC), the Mitigation Monitoring and Reporting Program (MMRP), and the project itself. The present action is solely based on authorization of an entry permit for the future inspection and operation of the Orange County Region Service Center and not on any substantial changes to the original Project. Hence, the previous environmental documentation prepared by the Board in conjunction with the proposed action fully complies with CEQA and the State CEQA Guidelines. Accordingly, no further environmental documentation is necessary for the Board to act on the proposed action.

The CEQA determination is: Determine that the proposed action has been previously addressed in the certified 2016 Final EIR, Findings, SOC, and MMRP, and that no further environmental analysis or documentation is required.

CEQA determination for Option #2:

None required

Board Options

Option #1

Adopt the CEQA determination that the proposed action has been previously addressed in the certified 2016 Final EIR, Findings, SOC, and MMRP, and that no further environmental analysis or documentation is required, and

Authorize entry permit for the city of Yorba Linda to access the Diemer plant for inspections under the state Municipal Storm Water Program

Fiscal Impact: None

Business Analysis: This option will enable construction to proceed on the Orange County Region Service Center, which will enhance reliability and efficiency of O&M activities within the Orange County operating region.

Option #2

Do not authorize the execution of the entry permit.

Fiscal Impact: None

Business Analysis: Under this option, a building permit would not be issued for the Orange County Region Service Center at its planned location on the grounds of the Diemer plant. Staff would return to the Board with alternate options for locating permanent warehouse space, offices, and shop facilities within the Orange County region.

Staff Recommendation

Option # 1



Lilly L. Shyaibati
Manager, Real Property

11/27/2017
Date



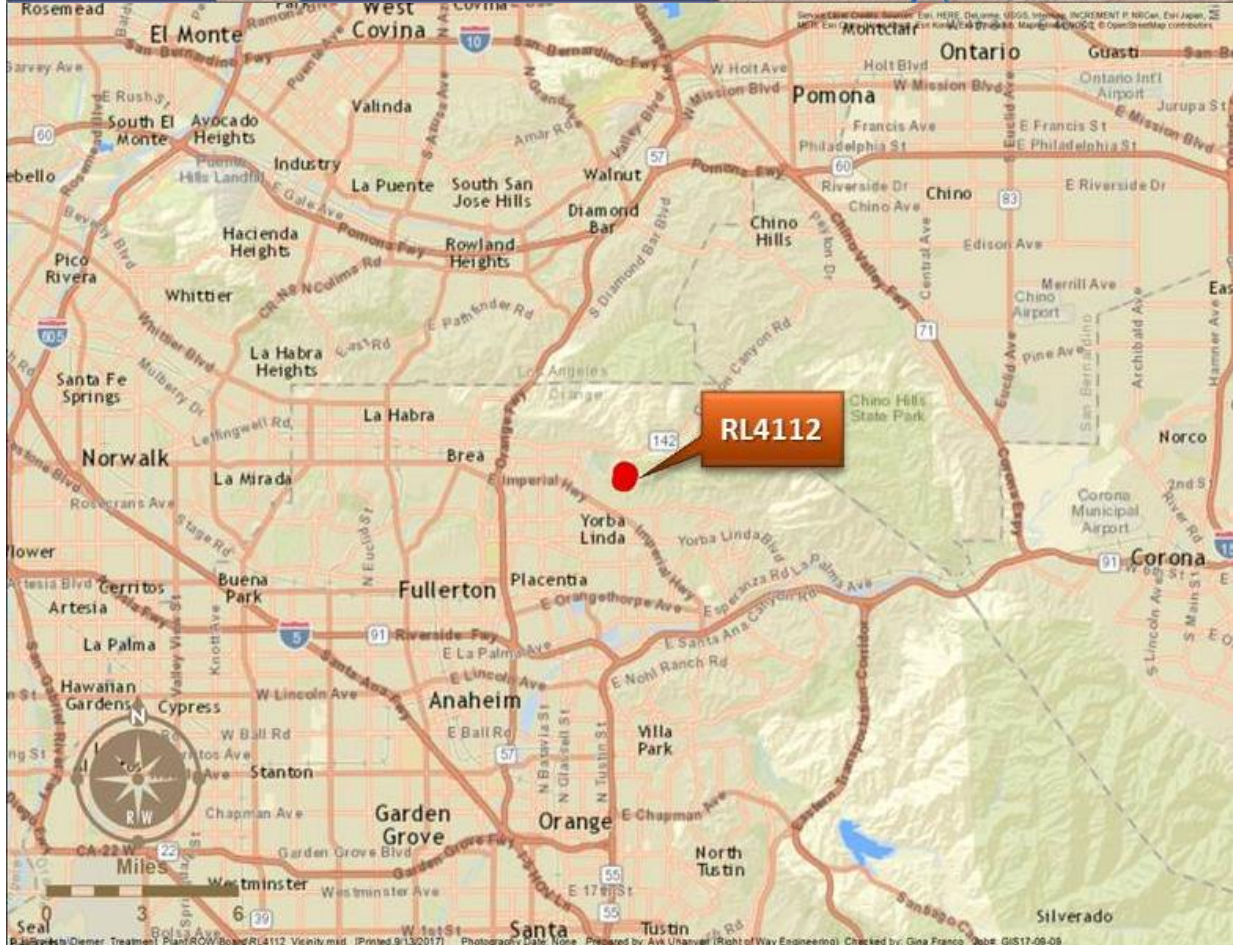
Jeffrey Kightlinger
General Manager

11/27/2017
Date

Attachment 1 – Location and Site Maps

Ref# rpd12657337

Location and Site Maps



Location and Site Maps

