



- Board of Directors  
*Engineering and Operations Committee*

6/11/2019 Board Meeting

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**7-3**

## **Subject**

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Adopt CEQA determination that the proposed action was previously addressed in the certified Environmental Impact Report and related CEQA actions, and authorize: (1) an agreement with the Tides Center in an amount not-to-exceed \$550,000; and (2) an agreement with Dudek in an amount not-to-exceed \$275,000

## **Executive Summary**

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This action authorizes the General Manager to enter into two agreements for the performance of mitigation to support rehabilitation of a blow-off structure on the Orange County Feeder that is located at the Upper Newport Bay. These agreements must be executed prior to the future construction project. The upcoming construction project is needed to improve access to the feeder for maintenance and thereby maintain reliable water deliveries.

### **Timing and Urgency**

The existing blow-off structure on the Orange County Feeder, located at the Upper Newport Bay, enables the pipeline to be dewatered in the event of an emergency and provides access for routine maintenance and inspection. Following 75 years of continuous operation in a moist environment, the blow-off valves and piping inside the structure have corroded and need to be replaced. In addition, due to ongoing erosion, the only road available to access the blow-off structure has been damaged and requires rehabilitation. With the planned agreements in place, the upcoming project will restore access to the structure and replace its internal valves and piping. Due to the environmental sensitivity of the Upper Newport Bay, regulatory permits require that mitigation measures be in place before construction can begin.

This project has been reviewed with Metropolitan's Capital Investment Plan prioritization criteria and is included in the Distribution System Reliability Program. Funds for the work to be performed pursuant to these agreements during the current biennium are available within the Capital Investment Plan Appropriation for Fiscal Years 2018/19 and 2019/20. Funds required for work performed after fiscal year 2019/20 will be appropriated after the adoption of the next biennial budget.

## **Details**

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### **Background**

The Orange County Feeder conveys treated water from the F. E. Weymouth Water Treatment Plant (Weymouth Plant) in La Verne to six member agencies in Los Angeles and Orange counties. Its diameter varies from 36- to 39-inches. The feeder was constructed in three stages: (1) the first stage, which commenced operation in 1941, extends 28 miles south from the Weymouth plant to the city of Santa Ana; (2) the second stage, which was completed in 1942, follows Bristol Street south for approximately 11 miles through the cities of Santa Ana, Costa Mesa, and Newport Beach; and (3) the third stage of the feeder, which was completed in 1953, extends 1.5 miles from the hills overlooking Newport Beach harbor to the Pacific Coast Highway.

The Orange County Feeder has 15 blow-off structures, which are located at low spots on the pipeline. These structures enable the line to be dewatered in the event of an emergency and provide access points for routine maintenance and inspection. Staff has conducted a comprehensive field assessment that identified the need to rehabilitate one blow-off structure located at the Upper Newport Bay. Decades of operation in a moist saltwater environment have led to gradual deterioration of the piping within the vault, including the valves that isolate

flows and control discharges during dewatering activities. During an unplanned repair along this section of the feeder, an inoperable isolation valve at this location would require the complete shutdown of an 8.5-mile-long portion of the Orange County Feeder, which would impact ten member agency service connections.

Regular maintenance of this structure and its associated equipment has become increasingly difficult over the years as vehicular access to the site has degraded. The existing access road to the blow-off structure has become impassable due to erosion caused by storm runoff and by vegetation. This 840-foot-long, 15-foot-wide dirt road is owned by the Orange County Flood Control District. It was used regularly until the 1990s. Since that time, development in the surrounding area led to increased storm runoff that eroded about 250 feet of the road. As a result, vehicles can no longer access the blow-off structure for maintenance activities.

In September 2011, Metropolitan's Board authorized design of repairs to the Upper Newport Bay blow-off structure. The scope of the rehabilitation includes regrading the existing access road and reinforcement of crossings where the road intersects drainage channels; strengthening of the existing turn-around area adjacent to the blow-off structure, which will allow maintenance vehicles to set up for repair activities; installation of new valves and replacement of corroded piping; and modification of piping to ensure continued compliance with current California Division of Drinking Water regulations to prevent potential cross connections. Final design of the rehabilitation project is complete.

Metropolitan force construction will be used to rehabilitate the valve structure. This work will be timed to take advantage of a planned shutdown for the Orange County Feeder Lining Repair project and the end of the bird nesting season in September 2019. The existing topography and storm runoff paths are currently obscured by vegetation and exact as-is conditions at the site are unknown. Once the mitigation is in place, Metropolitan forces will clear the work area of vegetation, update the existing topographical survey, adjust the existing design to conform to the new data, and complete construction work outside of the bird nesting cycle (September 2019 to February 2020). The estimated construction cost for this project is \$400,000. The following paragraphs and **Attachment 1** provide the allocation of budgeted funds for this project. The total estimated cost of the Orange County Feeder Blow-off Rehabilitation is anticipated to range from \$2.9 million to \$3.4 million.

### **Orange County Feeder Blow-off Structure Rehabilitation – Mitigation**

The Upper Newport Bay tidal estuary forms the habitat for nearly 200 species of birds and numerous species of mammals, fish, and native plants. Regulatory permits have been acquired from the California Coastal Commission (CCC), California Department of Fish and Wildlife, the Regional Water Quality Control Board, U.S. Army Corps of Engineers, and the U.S. Fish and Wildlife Service. These permits require Metropolitan to provide compensatory mitigation including the creation, enhancement, and restoration of wetland and riparian habitats to offset impacts from the project's construction within the Upper Newport Bay. The compensatory mitigation must be in place before the construction activities described above can begin.

Staff recommends providing funding to Project Grow, a component of the CCC's Marine Education Project (MEP) to fulfill this mitigation obligation. The funding would support Project Grow's programs in the Upper Newport Bay Ecological Reserve and Newport Valley Restoration Site, both in Newport Beach. Funding of Project Grow is one of the mitigation requirement options included in the Final Environmental Impact (Final EIR) certified by the Board in March 2016. The funding agreement for the mitigation would be with the Tides Center Marine Education Project (Tides Center), the fiscal agent for the CCC's MEP, which manages the administrative aspects of the program and allows the MEP to maintain its non-profit status.

This action authorizes an agreement with the Tides Center to perform mitigation required for the upcoming rehabilitation work on the Orange County Feeder Blow-off Structure. The total estimated cost for this mitigation work is \$1,065,000, which includes \$550,000 in compensatory mitigation; \$53,000 for vegetation removal by Metropolitan forces, \$275,000 in specialized environmental support as described below; and \$187,000 for project management, permitting activities, and environmental monitoring.

### **Specialized Environmental Support – Environmental Monitoring and Mitigation Compliance**

Specialized technical support during construction of the project is recommended to be provided by Dudek under a new agreement in an amount not-to-exceed \$275,000. Dudek previously prepared the project's EIR and provided technical support to acquire the regulatory permits for the project. This work is highly specialized and Metropolitan has insufficient technical staff in-house to perform these activities. Dudek will provide

environmental monitoring and mitigation compliance during construction of the project, and monitor and report on the implementation of the Project Grow mitigation sites for a period of five years. Dudek has staff with the expertise and qualifications required by the permitting agencies.

The planned scope of consultant work includes conducting surveys of sensitive animal and plant species; monitoring for compliance as required by the regulatory permits; providing compliance with regulatory permit mitigation requirements; providing compliance with the project's habitat migration and monitoring plan; providing pre-construction education related to permit compliance; and submitting reports of the surveys and monitoring. Dudek is a Small Business Enterprise (SBE) firm and thus achieves 100 percent SBE participation. Planned subconsultants under this agreement are Habitat Restoration Sciences, Inc. and Gabrieleno Kizh Nation.

### **Summary**

This action authorizes an agreement with Tides Center for implementation of off-site mitigation to support rehabilitation of a blow-off structure on the Orange County Feeder. This action also authorizes an agreement with Dudek for specialized environmental support. See **Attachment 1** for the Allocation of Budgeted Funds and **Attachment 2** for the Location Map.

A total of \$1,065,000 is required for this work. This project has been reviewed and recommended by Metropolitan's CIP Evaluation Team. Funds for the work to be performed pursuant to these agreements during the current biennium are available within the Capital Investment Plan Appropriation for Fiscal Years 2018/19 and 2019/20 (Appropriation No. 15509). Funds required for work performed after fiscal year 2019/20 will be appropriated after adoption of the next biennial budget.

### ***Project Milestones***

December 2020 – Completion of construction work to rehabilitate the Upper Newport Bay blow-off structure on the Orange County Feeder

February 2024 – Completion of mitigation efforts to support rehabilitation of the Upper Newport Bay blow-off structure on the Orange County Feeder

### **Policy**

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Metropolitan Water District Administrative Code Section 8121: General Authority of the General Manager to Enter Contracts

By Minute Item 51353, dated October 9, 2018, the Board appropriated a total of \$290 million for projects identified in the Capital Investment Plan for Fiscal Years 2018/19 and 2019/20.

By Minute Item 50405, dated March 8, 2016, the Board authorized final design to rehabilitate a blow-off structure on the Orange County Feeder.

### **California Environmental Quality Act (CEQA)**

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#### **CEQA determination for Option #1:**

The environmental effects from the design, construction, and operation of the proposed project were evaluated in the Orange County Feeder Blow-Off Structure Rehabilitation Project Final EIR, which was certified by the Board on March 8, 2016. The Board also approved the Findings of Fact (findings) and the Mitigation Monitoring and Reporting Program, and the project itself. The present action is solely based on the authorization of a funding agreement for the project's mitigation and not on any changes to the approved project. Hence, the previously adopted environmental documentation in conjunction with the current action fully complies with CEQA and the State CEQA Guidelines. Accordingly, no further environmental documentation is necessary for the Board to act on with respect to the proposed action.

#### **CEQA determination for Option #2:**

None required.

**Board Options**

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**Option #1**

Adopt CEQA determination that the proposed action was previously addressed in the certified Environmental Impact Report and related CEQA actions, and:

- a. Authorize an agreement with Tides Center in an amount not-to-exceed \$550,000 for the performance of mitigation to support rehabilitation of a blow-off structure on the Orange County Feeder; and
- b. Authorize an agreement with Dudek in an amount not-to-exceed \$275,000 for specialized environmental support.

**Fiscal Impact:** \$1,065,000 in capital funds

**Business Analysis:** This option will protect Metropolitan’s assets, enhance delivery reliability to member agencies, and reduce the risk of costly emergency repairs.

**Option #2**

Do not proceed with the project at this time.

**Fiscal Impact:** None

**Business Analysis:** Under this option, Metropolitan will defer mitigation necessary for access and repairs to the Upper Newport Bay blow-off structure. This option would forego an opportunity to initiate the needed repairs, which could result in unplanned disruption of water deliveries and increased costs for future repairs.

**Staff Recommendation**

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Option #1

  
 \_\_\_\_\_ 5/22/2019  
 John V. Bednarski Date  
 Manager/Chief Engineer  
 Engineering Services

  
 \_\_\_\_\_ 5/29/2019  
 Jeffrey Nightlinger Date  
 General Manager

**Attachment 1 – Allocation of Budgeted Funds**

**Attachment 2 – Location Map**

Ref# ES12663836

### Allocation of Budgeted Funds for Orange County Feeder Blow-Off Structure Rehabilitation

	<b>Current Board Action (Jun. 2019)</b>
Labor	
Studies & Investigations	\$ -
Final Design	-
Owner Costs (Program mgmt., envir. monitoring)	187,000
Submittals Review & Record	-
Construction Inspection & Support	-
Metropolitan Force Construction	53,000
Materials & Supplies	-
Incidental Expenses	-
Professional/Technical Services	-
Dudek	275,000
Tides Center	550,000
Equipment Use	-
Contracts	-
Remaining Budget	-
<b>Total</b>	<b>\$ 1,065,000</b>

The total amount expended to date for Orange County Feeder Blow-Off Rehabilitation is approximately \$1.2 million. The total estimated cost to complete this project, including the amount appropriated to date, funds allocated for the work described in this action, and future construction costs, is anticipated to range from \$2.9 million to \$3.4 million.

# Distribution System

