



December 3, 2013

Mr. David Gibson
Executive Officer
California Regional Water Quality Control Board, San Diego Region
2375 Northside Drive, Suite 100
San Diego, CA 92108-2700

Re: 631922: BGriffey
Tentative Order 2013-00137 Settlement Agreement and Stipulation for Entry of Order for
City of La Mesa Administrative Civil Liability Compliant No. R9-2012-0014

Dear Mr. Gibson:

The City of La Mesa is in receipt of your letter dated November 22, 2013 requesting additional information for the Alvarado Channel Restoration Supplemental Environmental Project (SEP). Information is provided as requested below.

Description of the process used to identify and select the SEP and the reasons for the location of the proposed SEP

The State Water Resources Control Board Policy on Supplemental Environmental Projects dated February 3, 2009 states that a Regional Water Board may allow a discharger to satisfy part of the monetary assessment imposed in an administrative civil liability order by completing a Supplemental Environmental Project (SEP). SEPs are defined as projects that enhance the beneficial uses of the waters of the State, that provide a benefit to the public at large, and that at the time they are included in the resolution of an administrative civil liability action, are not otherwise required. California Water Code allows use of SEPs for up to 50 percent of an assessed penalty.

In an effort to offset a portion of the settlement penalty as allowed by Water Board policy, City staff researched compliance projects proposed by other agencies. The City's desire was to find a project within the City limits that met the policy criteria and could be a benefit to residents.

Research discovered that for a recent enforcement action issued to the City of Oceanside, that a sewer re-lining project though an environmentally sensitive area was accepted by the Regional Board for a penalty offset. La Mesa staff proposed a similar project which consisted of sewer improvements within the University Channel. The University Channel Sewer Project would have re-lined a segment of sewer pipe and relocated a portion of pipe and two manholes out of the channel. After reviewing the proposed project, Regional Board staff made the determination that the University project would not be a project that was over and above what would be expected as normal operating procedures and did not therefore meet the policy criteria.

City of La Mesa staff then met to discuss other potential options within the City. After reviewing the various watercourse locations, it was determined that the Alvarado Channel near SR-125 and Fletcher Parkway was a good candidate for a project. The City periodically conducts creek clean

up events in this location, and is well aware of the details concerning this reach of channel. A portion of this Channel is also primarily unimproved and one of the last remaining unimproved segments in La Mesa.

There are several reasons that the Alvarado Channel Restoration was selected as a SEP which is consistent with the policy criteria.

- The restoration of the channel goes above and beyond the otherwise applicable obligations of the City of La Mesa.
- The restoration of the channel is not required by any rule or regulation and is not required as any project impact mitigation.
- The restoration of the channel should benefit surface water quality.
- The restoration of the channel will include:
 - A monitoring program;
 - Habitat restoration;
 - Pollution reduction; and
 - Wetland restoration.

The location for the SEP was chosen because of the following reasons.

- This portion of the Alvarado channel is one of the last remaining open and unimproved segments.
- The area is full of non-native species which have overgrown the channel making it very difficult to access, thus reducing stormwater pollutant removal potential. Overgrown vegetation makes channel cleanup difficult. The overgrown vegetation also provides safe harbor for transients and nefarious activities.
- The channel has areas of concrete hardened banks which do not aide in pollutant removal and could be removed during restoration.
- The area of channel is within the City limits.
- Parties with rights over the property have agreed to the proposed project and feel that it will be beneficial. The ability to obtain the property rights to construct the project, and in a timely manner, was a critical factor in the selection process.
- The location is within close proximity to residential and commercial areas, and will provide an increased benefit to City residents.
- The project has the potential to become a recreational and educational amenity. Nearby residential and commercial properties are within walking distance and could be easily connected by the project. Alvarado Avenue, a public street, provides easy access and parking.

- The project area is highly visible from nearby businesses and the trolley.
- The proposed location meets with the policy criteria for a SEP.
- There is a nexus between the violation and the project. Two of the sewer spills that occurred during the violation are located within the Alvarado channel drainage basin. The project should improve pollutant removal and water quality within the drainage basin.
- The project has the potential to be a showcase for the City and the Regional Board.

Alternatives Considered

University Channel Sewer Project

The first project that City proposed was the University Channel Sewer Project. This project consisted of a realignment and rehabilitation of a stretch of sewer main within close proximity to where the main December 2010 sewer spill occurred. The City believed that the nexus between the spill event and the relocation of an existing sewer line in good condition, which is in close proximity to environmental receptors was a good project candidate.

This project would have entailed the rehabilitation and protection of 1,245 linear feet of sewer located within the alignment of the University Channel, a storm water conveyance feature in southern La Mesa. The project would have also included the abandonment and replacement of two manholes and raising of one additional manhole within the channel. The project proposed to use predominately the cured-in -place (CIPP) process to protect the sewer pipe.

University Channel Restoration

The restoration of a portion of the University Channel was a considered project. An open portion of the University Channel downstream of Yale Avenue was examined as a channel restoration project. However, this location contains severe constraints related to property rights and hydrology. This section of channel is owned by many different parties, which would necessitate the negotiation with dozens of individuals for access requiring significant time and effort.

Additionally, the channel is constrained along the rear of commercial businesses and contains steep hardened channel banks. The hydrology of the existing channel would require a bank widening, and sufficient area is not believed to be available to construct a proper restoration.

Quantification of the anticipated public benefits of the proposed SEP.

The anticipated public benefits of the Alvarado Channel Restoration Project are as follows:

- Removal of overgrown, non native vegetation will reduce stormwater flooding potential. Vegetation removal will improve access and visibility in the Channel.
- Enhancement and re-vegetation of the area with 22,000 square feet of native riparian vegetation and 8,800 square feet of native wetland vegetation. Stormwater pollutant removal will be improved through the restoration of riparian and wetland vegetation. Water quality in the immediate vicinity and downstream should benefit.

- Improved stormwater quality may increase contact recreation activities.
- Removal of a 100 linear foot section of concrete channel bank along the north side of the segment and replacement with natural vegetation will improve stormwater pollutant removal.
- The City shall monitor and maintain the restoration area for a period of five years, or until long term success criteria are met. Success criteria shall, at a minimum, include vegetative cover, a maximum percent of invasive species, and CRAM (California Rapid Assessment Method) metrics, or similar type assessment in order to characterize the quality of the reach before and after the project.
- In the past the channel has experience illegal dumping, homeless encampments and graffiti. Removal of the invasive vegetation will reduce the likely hood of this unwanted activity from continuing and will improve public safety. City resources will then be able to be allocated to other areas of need.

Elaborate on the public benefits to the community, environment, and water quality anticipated to be provided by the SEP.

The public benefits of the SEP include the ability for the public to access the area and view the restoration. The area is accessible via the parking lot at 8881 Fletcher Parkway and via Alvarado Avenue. The City currently holds clean up events at the location each year and will continue to do so after the SEP is completed. There is nearby residential housing and transit, as the area is in a commercial and residential mixed use location. The City shall construct a park style kiosk showing the restoration area, and presenting the project specifics.

Benefits to the environment will include the removal of exotic species and replacement with riparian native species. Areas of hardened channel bank will be removed and replaced with natural channel bank. The effect will be the overall restoration of the native channel environment which will benefit native plant and animal species over the long term.

Benefits to water quality will include increased access to remove trash during clean up events, and decreased cover for transients to camp within the channel. This decrease in transient camping may result in lower levels of pollutants within the water due to the transient camps. The area has historically been used by transients because of the thick brush and lack of easy access. The proposed restoration will open up the area, and allow for less obvious areas to camp.

Provide maps showing the location of the City of La Mesa, the SEP on a regional scale, and the SEP on a localized scale.

See Attachments.

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If you have any questions, please contact me at 619.667.1146 or via email at ghumora@ci.la-mesa.ca.us.

Sincerely,

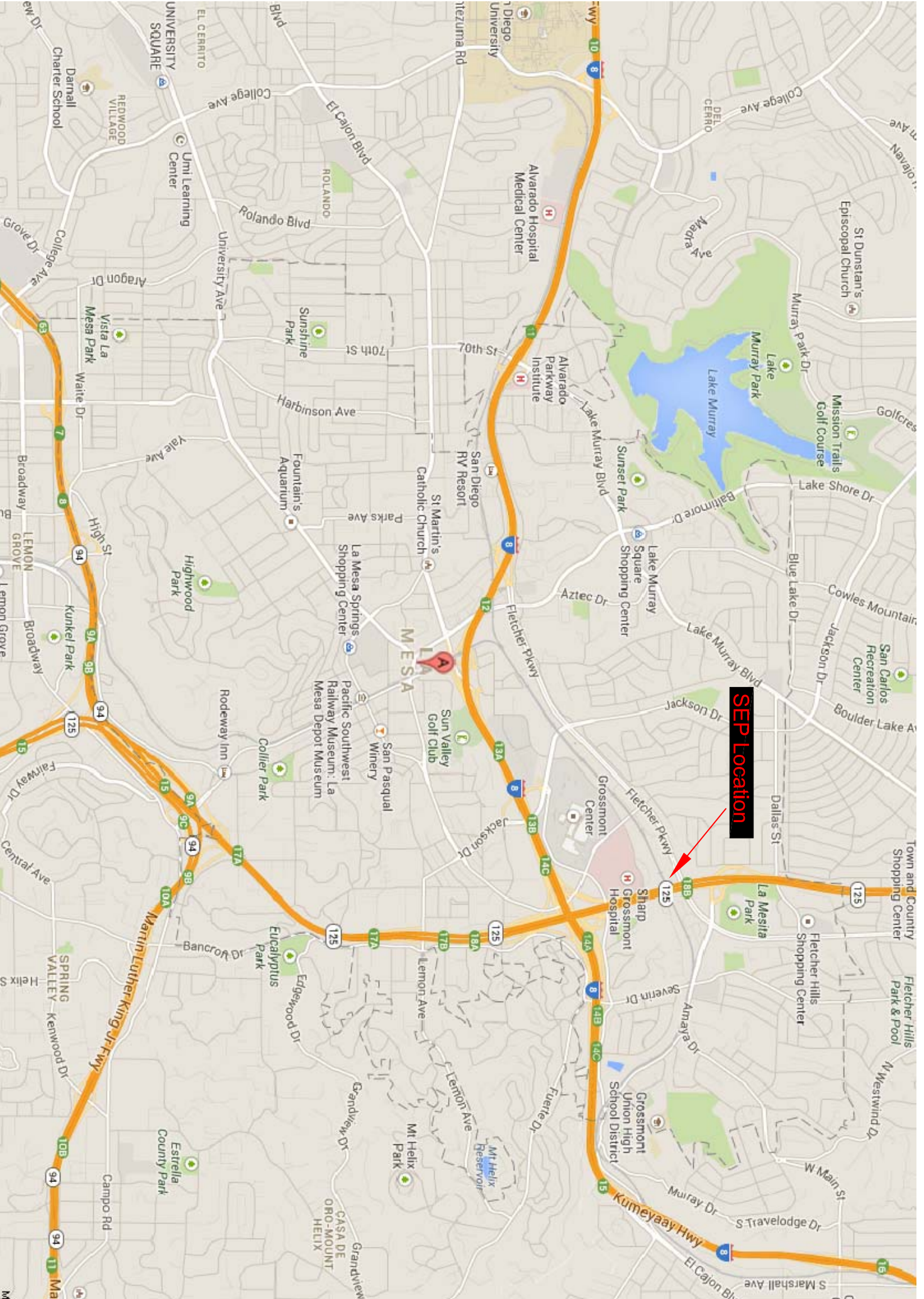


Gregory P. Humora
Director of Public Works/City Engineer

cc: Dave Witt, City Manager
File: 0840-35

Attachments: City of La Mesa Map
Regional Scale SEP Location Map
Localized Scale SEP Location Map

Regional Scale SEP Location



Localized Scale SEP Location

