



# City of Malibu

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December 31, 2014

*Sent via Email to [sunger@waterboards.ca.gov](mailto:sunger@waterboards.ca.gov)*

Mr. Sam Unger, Executive Officer  
California Regional Water Quality Control Board  
Los Angeles Region  
320 W. 4<sup>th</sup> Street, Suite 200  
Los Angeles, CA 90013

RE: Memorandum of Understanding (MOU) Quarterly Progress Report  
Malibu Civic Center Wastewater Treatment Plan

Dear Sam:

The following is the quarterly progress report for the Malibu Civic Center Wastewater Treatment Plan, which covers work activities performed on this project during the period between October 1, 2014 and December 31, 2014. To date, the City continues to make progress on all MOU Milestone requirements.

Below is a list of the work performed during the last quarter:

- Continued work to further develop the Malibu Valley Joint Salt-Nutrient Management Plan (SNMP) and Groundwater Management Plan (GWMP). These plans are highly complex but necessary for recycled water use, management of the groundwater basin, and for funding purposes.
- Conducted a series of office and field meetings with the Los Angeles County Fire Department regarding fuel modification plans for the wastewater treatment plant site which are needed as part of the project's final design. Landscape redesign work was performed to satisfy requirements of the Fire Department and the Final Fuel Modification Plans were submitted to the Los Angeles County Fire Department for approval on November 20, 2014 (Attachment 5).
- Addressed all review comments and released the Final Environmental Impact Report (Final EIR) on November 21, 2014 (Attachment 6).
- Conducted a Public Hearing at the Malibu Planning Commission on December 15, 2014 for recommendation of the Final EIR to the Malibu City Council for approval (Attachments 2, 6, and 13).



- Continued to conduct regular monthly coordination meetings with Los Angeles Regional Water Quality Control Board (Board) staff to discuss project progress, areas of regulatory concern, and basis of permitting the project, i.e. Waste Discharge Requirements (WDR) Permit conditions (Attachment 3).
- Continued to work with the Board staff to finalize the project's groundwater monitoring reporting Plan.
- Continued to work with State Water Resources Control Board (State Board) staff to prepare and submit a Clean Water State Revolving Fund (SRF) Loan Application (consisting of the Technical, Environmental, and Financial Packages) for the Malibu Civic Center Wastewater Treatment Facility Project (Attachments 4 and 7).
- Conducted archaeological investigative work to demonstrate compliance with regulations implementing Section 106 of the National Historic Preservation Act and to satisfy the requirements of the State Board for securing funding through the Clean Water State Revolving Fund (SRF) Program (Attachments 10 and 11).
- Continued to work with Los Angeles County Water District 29 to seek possible recycled water demand opportunities further west of the Civic Center Area of Malibu.
- Continued to conduct regular monthly meetings with Stakeholders and Stakeholder groups to discuss the Civic Center Wastewater Treatment Facility Project (Attachments 1 and 12).
- On November 24, 2014, the Malibu City Council approved the revised MOU between the City, the Board, and the State Board for the phased implementation of the Basis Plan Amendment for the Malibu Civic Center Area Prohibition (Attachment 8).
- On December 4, 2014, the Board conducted a Public Meeting to authorize the Executive Officer to sign the revised MOU with the City of Malibu and the State Water Resources Control Board regarding the implementation of the Basin Plan amendment Prohibiting On-site Wastewater Disposal Systems in the Malibu Civic Center Area (Attachment 9). At that meeting, the Malibu City Manager also presented to the Board a progress update of the Malibu Civic Center Wastewater Treatment Facility Project.
- Continued preparatory work necessary for the creation of an Assessment District (AD) such as benefits analysis which includes defining loads and flows from each parcel, capital cost estimates, operation and maintenance cost estimates, and initial modeling of alternative cost allocation methodologies.
- Continued with work to check and refine the project's final construction plans and specifications necessary for public bidding of the project (98% complete).
- Continued analysis of commercial and residential tie-in locations and hookup points along the project's wastewater collection and reclaimed water systems.

- Continued performing independent expert review of the project's design concept, treatment processes, instrumentation controls, sizing, and site configuration of the wastewater treatment plant facility to ensure plant design and processes are effective and efficient.

Currently, the design of the wastewater treatment plant, the wastewater collection system, the recycled water system, and the groundwater injection system is about 98% complete. During this period, our design consultant and city staff also worked with the Los Angeles County Fire Department staff to redesign the wastewater treatment plant site landscaping so that it would comply with the Fire Department's onsite fuel modification requirements. As such, the project's Final Fuel Modification Plans were submitted to the Los Angeles County Fire Department for approval on November 20, 2014 (Attachment 5). The City's approach of performing tasks simultaneously and on parallel tracks continues to keep this project moving forward.

Our design consultant and city staff completed review comments for the Draft EIR and released the project's Final EIR last November (Attachment 6). A Public Hearing for the Final EIR was held on December 15, 2014 before the Malibu Planning Commission (Attachment 2). The Public Hearing included a detailed presentation of the project by city staff and the project consultant team. The Public Hearing also provided an opportunity for the Planning Commission and the public to ask detailed questions about the project. Overwhelming support for the project came from representatives of Water Keeper, Heal the Bay, Surfrider Foundation, and the Board staff. After the Public Hearing, the Planning Commission adopted a resolution recommending that the Malibu City Council certify the Final EIR (Attachment 13). Recommendation for certification of the Final EIR and approval of other regulatory requirements, such as the CDP, LCPA, and the CUP, is scheduled on the January 12, 2015 Malibu City Council Regular Meeting Agenda (Attachment 14). Separate, but related, Agenda items also recommended for approval at the January 12, 2015 Regular City Council Meeting include an ordinance creating a Prohibition Zone and a Consultation Zone to protect the City's recycled water injection wells serving the proposed Civic Center Wastewater Treatment Facility (Attachment 15), and adoption of a resolution authorizing the City Manager to execute documents for the SRF Loan application for the proposed Civic Center Wastewater Treatment Facility (Attachment 16).

Our design consultant and city staff continue to meet on a monthly basis with Dr. Eric Wu and Dr. T. Don Tsai of the Board's Groundwater & Permitting Unit to discuss the status and details of the project including the groundwater well injection and testing program, status of the City's regulatory requirements (CDP, CEQA, EIR), WDR permit limits and requirements, water balance and recycled water use, groundwater basin and monitoring plan, Malibu Creek Nutrient TMDL, and local Agency Management Plan (Attachment 3). Dr. Wu (as well as yourself) also attended the December 15, 2014 Planning Commission Public Hearing (Attachments 2 and 13), and he and his staff continue to assist the city with development of the groundwater monitoring plan. During the design and permitting phase of this project, Dr. Wu and his staff continue to be very helpful to our staff and have provided our team with clarity and guidance where we continue to look forward to his and the Board's continued support throughout this project.

Our Assessment Engineering Consultant, David Taussig & Associates, continues to perform the required work necessary for the formation of the Civic Center Wastewater Treatment Facility Assessment District. As you are aware, commercial property owners previously approved

establishment of a Community Facilities District (CFD) to fund the project's remaining field, design, and permitting work. Formation of an Assessment District (AD) is critical as it will provide the funding necessary to construct and operate the wastewater treatment facility. In the City's continued effort to seek other low cost sources of funding for construction of this project, city staff has directed our design consultant to provide additional services associated with preparing and submitting loan applications and documents and completing additional cultural and resources screenings work which is necessary to be eligible to receive available low interest State Revolving Fund (SRF) Loans (Attachments 4, 7, 10, and 11).

Finally, the City continues to have monthly meetings with stakeholders, and stakeholder groups, about the CCWTF project (Attachments 1 & 12). For several years, the City has met on a monthly basis with stakeholder groups comprised of commercial property owners, residential homeowners' association (HOA) representatives and other interested community members. The City also makes presentations to HOA organizations within the prohibition boundary area when requested. There appears to be continued support from the commercial property owners for the wastewater treatment plan moving forward. There is however much greater concern from residential property owners with regards to cost and overall impacts.

As you can see, the City is committed to working with the community and the Board in a diligent effort towards the design and completion of the wastewater treatment facility for the Civic Center area. The City also recognizes and appreciates the Board's help and cooperation with revising the MOU Phase 1 and 2 completion dates. Although the City still faces a monumental task in completing this project within the Board and revised MOU completion dates, we are very proud of the work we have accomplished thus far, and are fully committed to cooperatively working with the Board in making every effort to complete this highly complex wastewater project within the time allowed.

If you have any questions, or require additional clarification, please do not hesitate to contact me at (310) 456-2489, extension 247, or [bbrager@malibucity.org](mailto:bbrager@malibucity.org).

Sincerely,



Robert L. Brager, PE, JD  
Public Works Director/City Engineer

Attachments:

1. Power Point Presentation for the October 30, 2014 Malibu Civic Center Stakeholders Meeting.
2. Notice of Public Hearing for the December 15, 2014 City of Malibu Planning Commission Meeting for the Malibu Civic Center Wastewater Treatment Facility Project.
3. Meeting Agenda and Minutes for monthly meetings held with the RWQCB staff for the Malibu Civic Center Wastewater Treatment Facility Project on November 5, 2014.

4. November 12, 2014 Malibu City Council Administrative and Finance Subcommittee Special Meeting Agenda for Amendment to Agreement with RMC Water and Environment to Prepare State Revolving Fund (SRF) Loan Applications for the Civic Center Wastewater Treatment Facility Project.
5. Transmittal for submission of the Final Fuel Modification Plans to the Los Angeles County Fire Department on November 20, 2014 for the Malibu Civic Center Wastewater Treatment Facility Project.
6. Final Environmental Impact Report for the Malibu Civic Center Wastewater Treatment Facility Project dated November 2014.
7. November 24, 2014 Malibu City Council Agenda Report for Amendment to Agreement with RMC Water and Environment to Prepare State Revolving Fund (SRF) Loan Applications for the Malibu Civic Center Wastewater Treatment Facility Project.
8. November 24, 2014 Malibu City Council Meeting Agenda Report for Revised Memorandum of Understanding (MOU) for the Phased Implementation of the Basin Plan Amendment for the Malibu Civic Center Area Prohibition.
9. December 4, 2014 Los Angeles Regional Water Quality Control Board Meeting Agenda for the revised MOU with the City of Malibu and the State Water Resources Control Board regarding the implementation of the Basin Plan amendment Prohibiting On-site Wastewater Disposal Systems in the Malibu Civic Center Area.
10. December 8, 2014 Malibu City Council Administrative and Finance Subcommittee Special Meeting Agenda for Amendment to Agreement with RMC Water and Environment to Provide Cultural Resources and Screening Services for the Malibu Civic Center Wastewater Treatment Facility Project.
11. December 8, 2014 Malibu City Council Agenda Report for Amendment to Agreement with RMC Water and Environment to Provide Cultural Resources and Screening Services for the Civic Center Wastewater Treatment Facility Project.
12. December 11, 2014 Malibu Civic Center Stakeholders Meeting combined for November 2014 and December 2014.
13. December 15, 2014 Malibu Planning Commission Agenda and Report recommending to the Malibu City Council certification of the Malibu Environmental Impact Report and adoption of the Mitigation Monitoring and Reporting Program for the Malibu Civic Center Wastewater Treatment Facility Project.
14. January 12, 2015 Malibu City Council Agenda Report for certification of the Final Environmental Impact Report for the Malibu Civic Center Wastewater Treatment Facility Project.
15. January 12, 2015 Malibu City Council Agenda Report for approving a City Ordinance creating a Prohibition Zone and Consultation Zone to protect the City's recycled water injection wells serving the Malibu Civic Center Wastewater Treatment Facility Project.
16. January 12, 2015 Malibu City Council Agenda Report for adopting a resolution authorizing the City Manager to execute documents for the SRF Loan application for the Malibu Civic Center Wastewater Treatment Facility Project.

cc: Mayor Skylar Peak and Honorable Members of the Malibu City Council  
Jim Thorsen, City Manager  
Vic Peterson, Environmental Sustainability Director  
Bonnie Blue, Planning Manager  
Craig George, Environmental Sustainability Manager / Deputy Building Official  
Eric Wu, Ph.D., P.E., RWQCB  
T. Don Tsai, Ph.D., RWQCB