

**DATE:** July 23, 2015

**TO:** Watershed Conservation Authority Governing Board

**FROM:** Robert Romanek, Project Manager

**THROUGH:** Mark Stanley, Executive Officer

**SUBJECT:** Item 15: Consideration of a resolution to authorize the Executive Officer, or designee, to accept funds for a study regarding drainage acceptance on to the Walnut Creek Property.

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**RECOMMENDATION:** That the Watershed Conservation Authority (WCA) authorize the Executive Officer, or designee to accept funds for a study of drainage acceptance on to the Walnut Creek Property and potential impacts.

**PROJECT DESCRIPTION:** Buddhist Tzu Chi Foundation (BTCF) U.S. Headquarters abuts the Walnut Creek Property in unincorporated West San Dimas. BTCF has approached WCA to enter into a covenant and agreement to 1) accept drainage from a parking lot on to portions of the property held in fee ownership by the WCA, and, 2) release the County of Los Angeles from any liability claims related to surface water drainage alteration resulting from its issuance of a building and/or grading permit for improvements that are on the BTCF campus. Prior to the WCA Governing Board considering to accept this request staff intends to examine environmental effects, including hydrological impacts to the property and regulatory liabilities to the WCA. Exhibit A identifies the property location in the context of the WCA Territory, while Exhibit B is a property map that identifies the proposed flow for the requested drainage acceptance.

**BACKGROUND:** Walnut Creek Habitat and Open Space Property is a total of 60.8 acres. It is located directly east of Bonelli Regional Park and along the Walnut Creek riparian corridor. Approximately 6.7 acres are owned by the City of San Dimas (City) and approximately 54 acres owned by the WCA. Acquired in 2008, the collective ownership of the WCA and City property is approximately 1/3 of the former campus of the Voorhis Unit of California Polytechnic University. Approximately 2/3 of the former campus is owned by the BTCF, an education and international humanitarian relief organization.

The Walnut Creek Habitat and Open Space Property was acquired by the City and WCA from a developer that was proposing a 70 unit residential development on the site. The purchase was made due to the significant natural resources that would be threatened by the proposed development.

BTCF utilizes its portion of the former Voorhis campus as its United States Headquarters campus, which includes a large parking lot for special event parking that has been developed on a high terrace above Walnut Creek. Current runoff from this parking lot is threatening to undermine the steep slope, possibly leading to slope failure. BTCF therefore proposes a drainage project to capture parking lot runoff, and redirect the flow into an existing storm drain conveyance system. The outlet of this conveyance system is located in WCA fee ownership, following into a 2,000 ft. natural drainage that confluences with Walnut Creek. The project will add approximately 19.6 cubic feet per second to the outlet, and will include filtration through catch basins to the inlets of the storm drain pipes.

As part of Los Angeles County Department of Public Work's review and permitting of the proposed drainage project, BTCF is required to gain consent from the WCA for the added flows that will drain on to the Walnut Creek Property. BTCF has requested WCA consideration to enter into an agreement, based on a standard County template entitled 'COVENANT AND AGREEMENT BY OFFSITE PROPERTY OWNER REGARDING DRAINAGE ACCEPTANCE FROM TR/PM AND RELEASE OF LIABILITY'.

To provide the WCA Governing Board with a recommendation as to this proposed agreement staff is requiring authorization to accept funds for a study to examine environmental effects. This includes: 1) a legal review, including potential responsibilities to the WCA and recommendation as to applicable protections such as indemnification by the BTCF; and, 2) engineering review of hydrological impacts by a consultant representing WCA interest. The engineering services will entail:

- Review of requested Drainage Acceptance Covenant between WCA and BTCF
- Review of Hydrology Study submitted to LA County DPW to ascertain amount of additional stormwater runoff discharged onto WCA property
- Provide summary input on potential regulatory issues/impacts to WCA

**FISCAL INFORMATION:** Anticipated expenses to study the proposed drainage acceptance and to review the requested covenant and agreement is calculated to be approximately \$5,415. These expenses are detailed as follows:

Staff time, Planning and Negotiations: \$1,065

Legal review and recommendations: \$750

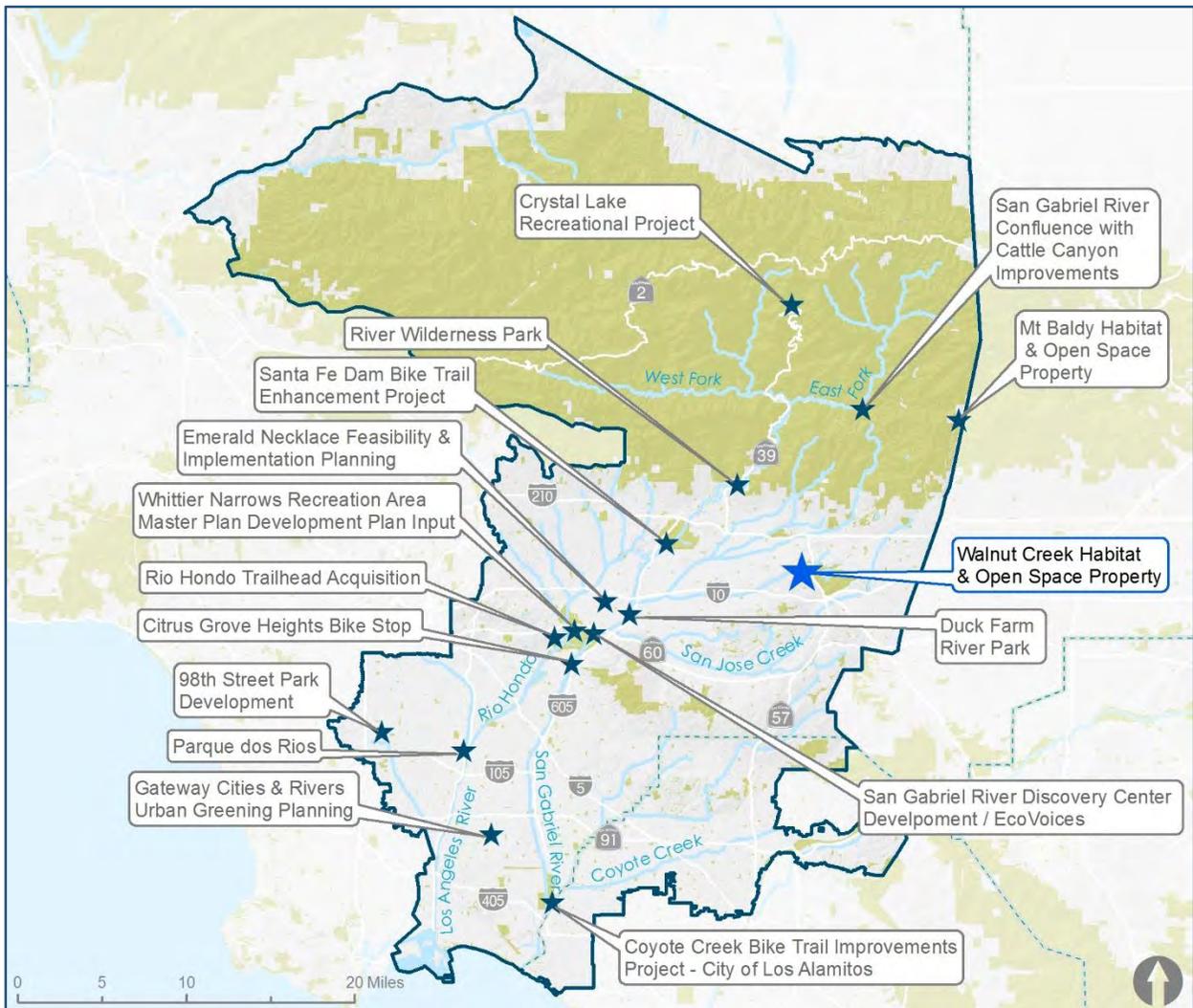
Engineering review and recommendation: \$3,600

Staff has calculated these expenses for the purpose of imposing an acceptable fee in an approximate amount. If authorized, an advance of these funds will be requested. Review will be initiated upon receipt of advanced funds. Following WCA review any unexpended funds will be returned to the BTCF. If BTCF cancels its request the WCA will deduct expenses that have been incurred in connection with the study prior to any refund.



## Exhibit A

### Territory Map: Walnut Creek Property





# Exhibit B: Property Map of Requested Drainage Acceptance

## *Walnut Creek Habitat & Open Space Property*



Jurisdictional information presented in this map based on preliminary assessment and not a formal delineation. Intended use for planning purposes only.

### Legend

-  USACE Jurisdiction - "Waters of the U.S."
-  CDFW Jurisdictional Streambed
-  WCA Property Line

0 200 400 800 Feet



July 23, 2015 - Item 15

**RESOLUTION 2015-31**

**RESOLUTION OF THE WATERSHED CONSERVATION AUTHORITY  
TO AUTHORIZE THE EXECUTIVE OFFICER, OR DESIGNEE, TO  
ACCEPT FUNDS FOR A STUDY REGARDING DRAINAGE  
ACCEPTANCE ON TO THE WALNUT CREEK PROPERTY.**

**WHEREAS**, the Watershed Conservation Authority (WCA) has been established as a joint powers agency between the Rivers and Mountains Conservancy (RMC) and the Los Angeles County Flood Control District (District); and

**WHEREAS**, the Watershed Conservation Authority (WCA) has further been established to focus on projects which will provide open space, habitat restoration, and watershed improvement projects in both the San Gabriel and Lower Los Angeles Rivers watershed; and

**WHEREAS**, this action authorizes the Executive Officer, or designee, to accept funds for a study regarding drainage acceptance on to the Walnut Creek property; and

**WHEREAS**, the proposed action is exempt from the provisions of the California Environmental Quality Act; NOW

*Therefore be it resolved that the WCA hereby:*

1. **FINDS** that this action is consistent with the purposes and objectives of the WCA.
2. **FINDS** that the actions contemplated by this resolution are exempt from the environmental impact report requirements of the California Environmental Quality Act (CEQA).
3. **ADOPTS** the staff report dated July 23, 2015.
4. **AUTHORIZES** the Executive Officer, or designee, to accept funds for a study regarding drainage acceptance on to the Walnut Creek property.

*~ End of Resolution ~*

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Motion: \_\_\_\_\_ Second: \_\_\_\_\_

Ayes: \_\_\_\_\_ Nays: \_\_\_\_\_ Abstentions: \_\_\_\_\_

Resolution 2015-31

Passed and Adopted by the Board of the  
**WATERSHED CONSERVATION AUTHORITY**  
On July 23, 2015

\_\_\_\_\_  
Brian Mejia, Chairperson

ATTEST: \_\_\_\_\_  
Terry Fujimoto  
Deputy Attorney General