3.7 HYDROLOGY AND WATER QUALITY

This section describes the existing setting of the project site and vicinity, identifies associated regulatory requirements, and evaluates potential impacts related to construction and operation of the proposed project. Documents reviewed and incorporated as part of this analysis include the *Civil Engineering Initial Study Data* (KPFF Consulting Engineers, August 2016, Appendix G), the *Sewer Capacity Study* (KPFF Consulting Engineers, June 2016, Appendix G), the *Geotechnical Engineering Investigation – Proposed Robertson Lane Hotel and Retail Structures, and Subterranean Parking Structure Extension below West Hollywood Park* (Geotechnologies Inc, Appendix E).

3.7.1 Environmental Setting

Surface Hydrology

The City of West Hollywood discharges stormwater via regional underground storm drains into the upper reach of Ballona Creek, a subwatershed of Santa Monica Bay. The Ballona Creek Watershed is approximately 128 square miles in size and is bounded by the Santa Monica Mountains to the north and the Baldwin Hills to the south. The Santa Monica Bay monitoring site for West Hollywood and the other Ballona Creek cities discharging into Santa Monica Bay is at Dockweiler Beach, a site located over 10 miles downstream from the City of West Hollywood. Of the Ballona Creek watershed tributary to this site, 81% is under the jurisdiction of the City of Los Angeles. The other 19% of the watershed area is within the jurisdiction of the cities of Beverly Hills, Culver City, Inglewood, Santa Monica, and West Hollywood; the County of Los Angeles; and Caltrans (City of West Hollywood 2010).

Existing stormwater runoff from the project site is conveyed via sheet flow and curb drains to the adjacent streets. The existing site is generally flat with a 2% to 3% slope to the southeast. The Los Angeles County Department of Public Works (LACDPW) Hydrology Manual generally requires that new development and redevelopment projects in Los Angeles County retain on site a specified volume of stormwater runoff (called the "Stormwater Quality Design Volume") from a design storm event.[1] The existing site's peak flow generated from a 50-year storm event is approximately 6.91 cubic feet per second. Based on the Civil Engineering Initial Study Data report, there are currently no stormwater best management practices (BMPs) on the existing site.

Water Supply

Water in the City of West Hollywood is supplied by the City of Beverly Hills and the Los Angeles Department of Water and Power (City of West Hollywood 2014a). Water supply is further described in Utilities and Service Systems, Chapter 3.12.

[1] A "design storm event" is the theoretical hydrologic that is considered for drainage system design.

There is an existing 10-inch water main on Robertson Boulevard that serves the project site, and which is owned and operated by the City of Beverly Hills. Based on the flow report conducted by the City of Beverly Hills (Appendix G), the 10-inch main has a static pressure of 80 pounds per square inch (psi), and a residual pressure of 60 psi at a flow of 2,150 gallons per minute (gpm). Currently there are no existing fire hydrants along the project site's property frontage. This includes the west side of Robertson Boulevard, and the east side of La Peer Drive.

Water Quality

The Ballona Creek watershed is classified as an impaired water body by the Los Angeles RWQCB on its 303(d) list. Total Maximum Daily Loads (TMDLs) have been established for pollutants, including cadmium (an EPA-approved TMDL has made a finding of nonimpairment for cadmium), cyanide (TMDL completion expected in 2019), coliform bacteria, dissolved copper, lead, selenium, toxicity, trash, enteric viruses, and zinc. A shellfish harvesting advisory has also been established for Ballona Creek (Los Angeles RWQCB 2009).

Beneficial uses for Ballona Creek include: Municipal/Domestic Supply, Contact Water Recreation, Noncontact Water Recreation, Warm Freshwater Habitat, and Wildlife Habitat (Los Angeles RWQCB 1994).

Wastewater (Sewer)

There is an existing 8-inch public sewer main that runs north to south on La Peer Drive, and an 8-inch public sewer main that runs north to south on Robertson Boulevard. As part of the Sewer Capacity Study, a sewer manhole on each street was examined to ensure that the proposed project would not overload any sewer lines. Flow monitoring radars were installed in each of the manholes and data was collected over a two-week period, from June 30, 2014, to July 14, 2014. Pipe capacity was calculated using Manning's Formula, per the City of West Hollywood Department of Public Works' *Sewer Capacity Study Requirements*. Existing Pipe Capacity is shown in Table 3.7-1.

Table 3.7-1
Existing Pipe Capacity

Existing Sewer Main	Pipe Capacity
8-inch sewer on Robertson Boulevard	0.97 CFS
8-inch sewer on La Peer Drive	1.01 CFS

Source: KPFF Consulting Engineers, Sewer Capacity Study

The peak flow rate for each sewer main was calculated by taking the measured average daily flowrate, multiplied by a factor of 2.5, per the City's *Sewer Capacity Study Requirements*. As described above, flow monitoring radars were installed in each of the manholes, and average measured flow was calculated during the two-week examination period. Existing average daily flowrate is shown in Table 3.7-2.

Table 3.7-2
Existing Average Daily Flowrate

Existing Sewer Main	MGD; or CFS	Peak Flow Rate (cfs)
Manhole on North Robertson Boulevard	0.033; or 0.051	2.5 x 0.051 = 0.128 CFS
Manhole on North La Peer Drive	0.002; or 0.003	2.5 x 0.003 = 0.008 CFS

Source: KPFF Consulting Engineers, Sewer Capacity Study (Appendix G)
Notes: MGD = million gallons per day; CFS = cubic feet per second

Groundwater

The project site is located in the Hollywood (groundwater) Subbasin of the Coastal Plain of the Los Angeles Groundwater Basin. The Hollywood Subbasin underlies the northeastern part of the Coastal Plain of Los Angeles Groundwater Basin. The subbasin is bounded on the north by Santa Monica Mountains and the Hollywood fault, on the east by the Elysian Hills, on the west by the Inglewood fault zone, and on the south by the La Brea High, formed by an anticline that brings impermeable rocks close to the surface. Surface drainage flows southward to join Ballona Creek, then westward to the Pacific Ocean. Average annual precipitation ranges from 12 to 14 inches (South Coast Hydrologic Region 2004).

Groundwater in the Hollywood Subbasin is replenished by percolation of precipitation and stream flow from the higher areas to the north. Paving of streets and lining of drainage channels have decreased greatly the surface area open to direct percolation. Subsurface inflow may take place to a limited extent from underflow through fractured rock of the Santa Monica Mountains and potentially from underflow around the La Brea High. Surface area of the Hollywood Subbasin is 10,500 acres (16.4 square miles), and the total storage capacity is estimated at about 200,000 acre feet (South Coast Hydrologic Region 2004).

The Hollywood Basin is unadjudicated (i.e., no regulations or agreements specify how much water may be withdrawn from the basin). At present, the only major user of groundwater in the basin is the City of Beverly Hills, which withdraws up to 1,850 acre feet per year. The Beverly Hills municipal wells have static water levels ranging from 227 feet to 313 feet below the surface (MWD 2007).

Exploratory borings were undertaken at the project site and park site. Groundwater was encountered at depths between 22 and 32.5 feet below the existing site grade in the exploratory borings. The historically highest groundwater level was established by review of California Geological Survey Seismic Hazard Zone Report of the Beverly Hills Quadrangle. Review of this report indicates that the historically highest groundwater level is on the order of 10 feet below the existing site grade (Appendix E).

Floodplains

The Federal Emergency Management Agency (FEMA) is responsible for the preparation of Flood Insurance Rate Maps (FIRMs). These maps present flood hazard, expressed as areas that are subject to inundation in a storm with either a 1% Annual Exceedance Probability (AEP), also referred to as a 100-year flood, or a 0.2% AEP (500-year flood). Two areas of the City of West Hollywood lie within the 0.2% AEP boundary. An area on either side of Santa Monica Boulevard between Fairfax Avenue and Curson Avenue, and an area south of Santa Monica Boulevard between Westmont Drive and San Vicente Boulevard are currently within a FEMA 500-year flood zone. No areas of the City lie within the 1% AEP boundary, and no portions of West Hollywood lie within a federally designated mandatory flood insurance zone (City of West Hollywood 2010).

The Flood Insurance Rate Map for the City indicates that the project site is located within flood zone designation "X," defined by the Federal Emergency Management Agency (FEMA) as an area determined to be outside the 100-and 500-year flood zones.

Inundation

There are no surface water bodies, including reservoirs, in the project vicinity that could result in a seiche and subsequent flooding of the project site. The project site is not in the vicinity of dams or levees, and therefore not within a dam inundation area. Tsunamis are generated wave trains generally caused by tectonic displacement of the sea floor associated with shallow earthquakes, sea floor landslides, rock falls, and exploding volcanic islands. The nearest source of a tsunami is the Pacific Ocean; however, the project site is approximately 8 miles east of the Pacific Ocean and approximately 230 feet above mean sea level. As such, inundation is not a concern for the project site.

3.7.2 Relevant Plan, Policies, and Ordinances

Federal

National Flood Insurance Act

FEMA administers the National Flood Insurance Program (NFIP) to provide subsidized flood insurance to communities that comply with FEMA regulations that limit development in floodplains. FEMA also issues FIRMs that identify which land areas are subject to flooding. These maps provide flood information and identify flood hazard zones in the community. The design standard for flood protection covered by the FIRMs is established by FEMA, with the minimum level of flood protection for new development determined to be the 1-in-100 AEP (i.e., the 100-year flood event). As developments are proposed and constructed, FEMA is also responsible for

issuing revisions to FIRMs, such as Conditional Letters of Map Revision (CLOMR) and Letters of Map Revision (LOMR) through the local agencies that work with the NFIP.

Clean Water Act

In 1972, the Federal Water Pollution Control Act (later referred to as the Clean Water Act [CWA]) was amended to require that the discharge of pollutants into waters of the United States from any point source be effectively prohibited unless the discharge is in compliance with a NPDES permit. In 1987, the CWA was again amended to require that the EPA establish regulations for the permitting of stormwater discharges (as a point source) by municipal and industrial facilities and construction activities under the NPDES permit program. The regulations require that Municipal Separate Storm Sewer System (MS4) discharges to surface waters be regulated by an NPDES permit.

The CWA requires states to adopt water quality standards for water bodies and have those standards approved by the EPA. Water quality standards consist of designated beneficial uses for a particular water body (e.g., wildlife habitat, agricultural supply, fishing), along with water quality criteria necessary to support those uses. Water quality criteria are set concentrations or levels of constituents such as lead, suspended sediment, and fecal coliform bacteria, or narrative statements that represent the quality of water that support a particular use. Because California had not established a complete list of acceptable water quality criteria for toxic pollutants, the EPA Region IX established numeric water quality criteria for toxic constituents in the form of the California Toxics Rule (CTR).

When designated beneficial uses of a particular water body are being compromised by water quality, Section 303(d) of the CWA requires identifying and listing that water body as impaired. Once a water body has been deemed impaired, a TMDL must be developed for each impairing water quality constituent. A TMDL is an estimate of the total load of pollutants from point, nonpoint, and natural sources that a water body may receive without exceeding applicable water quality standards (often with a "factor of safety" included, which limits the total load of pollutants to a level well below that which could cause the standard to be exceeded). Once established, the TMDL is allocated among current and future dischargers into the water body.

The receiving water for the project site, as described in greater detail below, has constituents on the 303(d) list and is considered impaired; one TMDL has been developed to address an impairment.

National Pollutant Discharge Elimination System Permit Program

The NPDES permit program was established in the CWA to regulate municipal and industrial discharges to surface waters of the United States. A discharge from any point source is unlawful unless the discharge is in compliance with an NPDES permit. Federal NPDES permit regulations

have been established for broad categories of discharges, including point-source municipal waste discharges and nonpoint-source stormwater runoff. NPDES permits generally identify effluent and receiving water limits on allowable concentrations and/or mass emissions of pollutants contained in the discharge; prohibitions on discharges not specifically allowed under the permit; and provisions that describe required actions by the discharger, including industrial pretreatment, pollution prevention, self-monitoring, and other activities.

Section 303(d) Impaired Waters List

Under Section 303(d) of the CWA, states are required to develop lists of water bodies that would not attain water quality objectives after implementation of required levels of treatment by pointsource dischargers (municipalities and industries). Section 303(d) requires that the state develop a TMDL for each of the listed pollutants. The TMDL is the amount of loading that the water body can receive and still be in compliance with water quality objectives. The TMDL can also act as a plan to reduce loading of a specific pollutant from various sources to achieve compliance with water quality objectives. The TMDL prepared by the state must include an allocation of allowable loadings to point and nonpoint sources, with consideration of background loadings and a margin of safety. The TMDL must also include an analysis that shows links between loading reductions and the attainment of water quality objectives. EPA must either approve a TMDL prepared by the state or, if it disapproves the state's TMDL, issue its own. NPDES permit limits for listed pollutants must be consistent with the waste load allocation prescribed in the TMDL. After implementation of a TMDL, it is intended that the problems that led to placement of a given pollutant on the Section 303(d) list would be remediated.

Section 401 Water Quality Certification or Waiver

Under Section 401 of the CWA, an applicant for a Section 404 permit (to discharge dredged or fill material into waters of the United States) must first obtain a certificate from the appropriate state agency stating that the fill is consistent with the state's water quality standards and criteria. In California, the authority to either grant water quality certification or waive the requirement is delegated by the State Water Resources Control Board (SWRCB) to the nine RWQCBs.

Antidegradation Policy

The federal antidegradation policy, established in 1968, is designed to protect existing uses, water quality, and national water resources. The deferral policy directs states to adopt a statewide policy that includes the following primary provisions:

- Existing in-stream uses and the water quality necessary to protect those uses shall be maintained and protected.

- Where existing water quality is better than necessary to support fishing and swimming conditions, that quality shall be maintained and protected unless the state finds that allowing lower water quality is necessary for important local economic or social development.
- Where high-quality waters constitute an outstanding national resource, such as waters of national and state parks, wildlife refuges, and waters of exceptional recreational or ecological significance, that water quality shall be maintained and protected.

Safe Drinking Water Act

Under the Safe Drinking Water Act (Public Law 93-523) passed in 1974, EPA regulates contaminants of concern to domestic water supply. Contaminants of concern relevant to domestic water supply are defined as those that pose a public health threat or that alter the aesthetic acceptability of the water. These types of contaminants are regulated by EPA's primary and secondary maximum contaminant levels (MCLs), which are applicable to treated water supplies delivered to the distribution system. MCLs and the process for setting these standards are reviewed triennially. Amendments to the Safe Drinking Water Act enacted in 1986 and 1996 established an accelerated schedule for setting MCLs for drinking water.

EPA has delegated to the California Department of Public Health (DPH) the responsibility for administering California's drinking-water program. The DPH is accountable to EPA for program implementation and for adopting standards and regulations that are at least as stringent as those developed by EPA. The applicable state primary and secondary MCLs are set forth in CCR Title 22, Division 4, Chapter 15, Article 4 and described in "Title 22 Standards" below.

National Toxics Rule and California Toxics Rule

In 1992, the EPA promulgated the National Toxics Rule (NTR) under the CWA to establish numeric criteria for priority toxic pollutants for California. The National Toxics Rule established water quality standards for 42 pollutants not covered under California's statewide water quality regulations at that time. As a result of the court-ordered revocation of California's statewide Basin Plans in September 1994, the EPA initiated efforts to promulgate additional federal water quality standards for California. In May 2000, the EPA issued the CTR, which includes all the priority pollutants for which the EPA has issued numeric criteria not included in the NTR.

Executive Order 11988

Executive Order 11988 (Floodplain Management) addresses floodplain issues related to public safety, conservation, and economics. It generally requires federal agencies constructing, permitting, or funding a project in a floodplain to do the following:

- Avoid incompatible floodplain development,

- Be consistent with the standards and criteria of the NFIP, and
- Restore and preserve natural and beneficial floodplain values.

U.S. Army Corps of Engineers

The U.S. Army Corps of Engineers (USACE) is responsible for issuing permits for the placement of fill or discharge of material into waters of the United States. These permits are required under Sections 401 and 404 of the CWA. Water supply projects that involve instream construction, such as dams or other types of diversion structures, trigger the need for these permits and related environmental reviews by USACE. USACE also is responsible for flood control planning and assisting state and local agencies with the design and funding of local flood control projects.

State

State Water Resources Control Board

In California, the SWRCB has broad authority over water quality control issues for the state. The SWRCB is responsible for developing statewide water quality policy and exercises the powers delegated to the state by the federal government under the CWA. Other state agencies with jurisdiction over water quality regulation in California include DPH (for drinking-water regulations), the California Department of Pesticide Regulation, California Department of Fish and Wildlife, and the Office of Environmental Health and Hazard Assessment.

Regional authority for planning, permitting, and enforcement is delegated to the nine RWQCBs. The regional boards are required to formulate and adopt Basin Plans for all areas in the region and establish water quality objectives in the plans. California water quality objectives (or "criteria" under the CWA) are found in the Basin Plans adopted by the SWRCB and each of the nine RWQCBs.

Title 22 Standards

Water quality standards are enforceable limits composed of two parts: (1) the designated beneficial uses of water and (2) criteria (i.e., numeric or narrative limits) to protect those beneficial uses. Municipal and domestic supply (MUN) is among the "beneficial uses" as defined in Section 13050(f) of the Porter-Cologne Act, which defines them as uses of surface water and groundwater that must be protected against water quality degradation. MCLs are components of the drinking water standards adopted by DPH pursuant to the California Safe Drinking Water Act. California MCLs may be found in CCR Title 22, Division 4, Chapter 15, Domestic Water Quality and Monitoring. Title 22 of the CCR (Article 16, Section 64449) defines secondary drinking water standards, established primarily for reasons of consumer acceptance (i.e., taste) rather than because of health issues.

Drinking water MCLs are directly applicable to water supply systems "at the tap," (i.e., at the point of use by consumers in their home, office, etc.) and are enforceable by DPH. California MCLs, both Primary and Secondary, are directly applicable to groundwater and surface water resources when they are specifically referenced as water quality objectives in the pertinent Basin Plan. In such cases, MCLs become enforceable limits by the SWRCB and RWQCBs. When fully health protective, MCLs may also be used to interpret narrative water quality objectives prohibiting toxicity to humans in water designated as a source of drinking water (MUN) in the Basin Plan.

California Porter-Cologne Water Quality Control Act

The federal CWA places the primary responsibility for the control of water pollution and for planning the development and use of water resources within the states, although it does establish certain guidelines for the states to follow in developing their programs.

California's primary statute governing water quality and water pollution is the Porter-Cologne Water Quality Control Act of 1970 (Porter-Cologne Act). The Porter-Cologne Act grants the SWRCB and the RWQCB broad powers to protect water quality and is the primary vehicle for implementation of California's responsibility under the federal CWA. The Porter-Cologne Act grants the SWRCB and RWQCBs the authority and responsibility to adopt plans and policies, to regulate discharges to surface and groundwater, to regulate waste disposal sites, and to require cleanup of discharges of hazardous materials and other pollutants. The Porter-Cologne Act also establishes reporting requirements for unintended discharges of any hazardous substance, sewage, oil, or petroleum product.

Each RWQCB must formulate and adopt a water quality plan for its region. The regional plans are to conform to the policies set forth in the Porter-Cologne Act and established by the SWRCB in its state water policy. The Porter-Cologne Act also provides that a RWQCB may include in its region a regional plan with water discharge prohibitions applicable to particular conditions, areas, or types of waste. The RWQCBs are also authorized to enforce discharge limitations, take actions to prevent violations of these limitations from occurring, and conduct investigations to determine the status of quality of any of the waters of the state within their region. Civil and criminal penalties are also applicable to persons who violate the requirement of the Porter-Cologne Act or SWRCB/RWQCB orders.

California State Nondegradation Policy

In 1968, as required under the federal antidegradation policy described above, the SWRCB adopted a nondegradation policy aimed at maintaining high quality for waters in California. The nondegradation policy states that the disposal of wastes into state waters shall be regulated to achieve the highest water quality consistent with maximum benefit to the people of the state

and to promote the peace, health, safety, and welfare of the people of the state. The policy provides as follows:

- Where the existing quality of water is better than required under existing water quality control plans, such quality would be maintained until it has been demonstrated that any change would be consistent with maximum benefit to the people of the State and would not reasonably affect present and anticipated beneficial uses of such water.
- Any activity which produces waste or increases the volume or concentration of waste and which discharges to existing high-quality waters would be required to meet waste discharge requirements, which would ensure (1) pollution or nuisance would not occur and (2) the highest water quality consistent with the maximum benefit to the people of the State would be maintained.

Water Quality Control Plan, Los Angeles River Basin (Basin Plan)

The Los Angeles RWQCB has adopted the Basin Plan for the Coastal Watersheds of Los Angeles and Ventura Counties (Basin Plan) for its region of responsibility, which includes the City. The Los Angeles RWQCB has delineated water resource area boundaries based on hydrological features. For purposes of achieving and maintaining water quality protection, specific beneficial uses have been identified for each of the hydrologic areas described in the Basin Plan. The Basin Plan also establishes implementation programs to achieve water quality objectives to protect beneficial uses and requires monitoring to evaluate the effectiveness of the programs. These objectives must comply with the State antidegradation policy (State Board Resolution No. 68-16), which is designed to maintain high-quality waters while allowing some flexibility if beneficial uses are not unreasonably affected.

Beneficial uses of water are defined in the Basin Plan as those necessary for the survival or wellbeing of humans, plants, and wildlife. Examples of beneficial uses include drinking water supplies, swimming, industrial and agricultural water supply, and the support of freshwater and marine habitats and their organisms.

The existing beneficial uses for the Hollywood (groundwater) Subbasin as designated by the RWQCB in the Basin Plan are listed below.

- Municipal and Domestic Supply (MUN): Includes uses of groundwater for community, military, municipal, or individual water supply systems.
- Agricultural Supply (AGR): Includes uses of groundwater for farming, horticulture, or ranching. These uses include but are not limited to irrigation, stock watering, and support of vegetation for range grazing.

- Industrial Service Supply (IND): Includes uses of groundwater for industrial activities that do not depend primarily on water quality such as mining, cooling water supply, hydraulic conveyance, gravel washing, fire protection, and oil well repressurization.
- Industrial Process Supply (PROC): Includes uses of groundwater for industrial activities that depend primarily on water quality, which include process water supply and all uses of water related to product manufacture or food preparation.

California Toxics Rule

The CTR provides water quality criteria for certain potentially toxic compounds for inland surface waters, enclosed bays, estuaries, and waters designated with human health or aquatic life uses. Although the CTR criteria do not apply directly to the discharges of stormwater runoff, the CTR criteria are utilized as benchmarks for toxics in urban runoff. The CTR and other water quality criteria and targets are used as benchmarks to evaluate the potential ecological impacts of stormwater runoff to receiving waters. The CTR establishes acute and chronic surface water quality standards for certain water bodies. Acute criteria provide benchmarks for the highest permissible concentration, below which aquatic life can be exposed for short periods of time without deleterious effects. Chronic criteria provide benchmarks for an extended period of time (i.e., for four days or more) without deleterious effects. The acute CTR criteria have a shorter relevant averaging period (less than four days) and provide a more appropriate benchmark for comparison for stormwater flows.

CTR criteria are applicable to the receiving water body and, therefore, must be calculated based on the probable hardness values of the receiving waters. At higher hardness values for receiving waters, certain constituents, including copper, lead, and zinc are more likely to be complexed (bound with) components in the water column. This, in turn, reduces the bioavailability and resulting potential toxicity of these metals.

Construction General Permit

On September 2, 2009, the State Water Resources Control Board adopted the *National Pollutant Discharge Elimination System (NPDES) General Permit for Storm Water Discharges Associated with Construction and Land Disturbance Activities* (Order No. 2009-0009-DWQ, as amended by Order No. 2010-0014-DWQ, NPDES No. CAS000002). This permit is referred to herein as the "Construction General Permit." In accordance with NPDES regulations, the State of California requires that any construction activity disturbing one acre or more of soil comply with the Construction General Permit. To obtain authorization for proposed stormwater discharges pursuant to this permit, the landowner (discharger) is required to submit a Notice of Intent and Permit Registration Documents, including a risk assessment, site map, SWPPP, annual fee, and signed certification statement to the State Water Resources Control Board. Dischargers are

required to implement BMPs meeting the technological standards of Best Available Technology/Best Control Technology to reduce or eliminate stormwater pollution. BMPs include programs, technologies, processes, practices, and devices that control, prevent, or remove or reduce pollution. Permittees must also maintain BMPs and conduct inspection and sampling programs as required by the permit. Dischargers are also required to comply with monitoring and reporting requirements to ensure that discharges comply with the numeric action levels and numeric effluent limitations specified in the permit.

Urban Water Management Planning Act

Each urban water supplier in California is required to prepare an Urban Water Management Plan (UWMP) and update the plan on or before December 31 in years ending in 5 and 0, pursuant to California Water Code Sections 10610–10657, as last amended by SB 318 (Chapter 688, Statutes of 2004), the Urban Water Management Planning Act. SB 318 is the 18th amendment to the original bill requiring a UWMP, which was initially enacted in 1983.

Recycled Water Requirements

Wastewater recycling in California is regulated under Title 22, Division 4, of the CCRs under the jurisdiction of DPH. The intent of these regulations is to ensure protection of public health associated with the use of recycled water. The regulations establish acceptable levels of constituents in recycled water for a range of uses and prescribe a means for ensuring reliability in the production of recycled water. Using recycled water for nonpotable uses is common throughout the state and is an effective means of maximizing use of water resources. The RWQCB establishes water reclamation requirements under the Title 22 regulations and is responsible for implementing wastewater recycling projects.

Local

Drainage and Flood Control

Drainage and flood control structures and improvements in the project vicinity are subject to review and approval by the City for on-site local drainage facilities and improvements. The regulatory and design frameworks pertaining to such facilities include the following:

- **County Regional Facilities.** Facilities owned, maintained, and operated by the County of Los Angeles (County) with watersheds that cover at least 1,000 acres. County regional facilities must be designed to accommodate 100-year frequency storms as outlined in the Los Angeles County Hydrology Manual.
- **County Subregional Facilities.** County facilities consisting of watersheds that range in size from 640 to 1,000 acres. Systems with tributary areas 640 acres or greater must be

designed for a 100-year frequency storm event as outlined in the Lost Angeles County Hydrology Manual.

- **Local Facilities.** These are facilities with watersheds less than 640 acres that are owned and maintained by the local jurisdiction or the County. Facilities with tributary areas less than 640 acres must be designed for a 25-year frequency storm event, as outlined in the Los Angeles County Hydrology Manual.

Dewatering Permit

The discharge of treated or untreated groundwater associated with construction or project dewatering to surface waters in coastal watersheds of Los Angeles and Ventura Counties is regulated by the *Waste Discharge Requirements for Discharges of Groundwater from Construction and Project Dewatering to Surface Waters in Coastal Watersheds of Los Angeles and Ventura Counties* (Order No. R4-2013-0095, NPDES No. CAG994004), adopted by the Los Angeles RWQCB on June 6, 2013. This permit specifies the discharge prohibitions, receiving water limitations, monitoring and reporting program requirements, and general compliance determination criteria for said discharges. Each Permittee must submit a Notice of Intent to begin the application process.

Municipal National Pollutant Discharge Elimination System (NPDES) Permit

The City of West Hollywood along with the Los Angeles County Flood Control District, the County of Los Angeles and 84 incorporated cities within the coastal watersheds of Los Angeles County are permittees under the Municipal Separate Storm Sewer System (MS4) with exception of the City of Long Beach (Order No. R4-2012-0175, NPDES Permit No. CAS004001). This permit is referred to herein as the "Municipal NPDES Permit".

This permit specifies that all new development and redevelopment projects that fall under specific priority project categories must comply with the City's Low Impact Development (LID) Requirements. The LID Requirements include BMP requirements for site design, source control, and treatment control.

City of West Hollywood Municipal Code

Chapter 15.56, Storm Water Runoff Pollution Control, in the City of West Hollywood's Municipal Code sets forth standards to protect water quality in the City. These standards include the requirements of the Municipal NPDES Permit. The proposed project is subject to Section 15.56.095 of this ordinance, which sets forth LID requirements for new development and redevelopment projects.

Chapter 15.52, Water Conservation Plan, regulates irrigation water practices in the City to reduce potable water consumption. Section 19.26.090, Plant Materials, discusses and regulates the City's drought tolerance requirements for plant materials. Chapter 19.26.070, Irrigation and Water Conservation, contains standards for landscape irrigation and conservation and irrigation equipment standards.

Section 19.20.060 describes minimum green building requirements for specific categories of new development, remodel and tenant improvement projects. The green building requirements include provisions for storm drain management, permeable surfaces and stormwater diversion.

3.7.3 Thresholds of Significance

The following thresholds of significance are based on Appendix G of the CEQA Guidelines. Based on these thresholds, implementation of the proposed project would have a significant adverse impact related to hydrology and water quality if it would:

a. Violate any water quality standards or waste discharge requirements

b. Substantially deplete groundwater supplies or interfere substantially with groundwater recharge such that there would be a net deficit in aquifer volume or a lowering of the local groundwater level (e.g., the production rate of preexisting nearby wells would drop to a level that would not support existing land uses or planned uses for which permits have been granted)

c. Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river, in a manner which would result in substantial erosion or siltation on or off site

d. Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river, or substantially increase the rate or amount of surface runoff in a manner which would result in flooding on or off site

e. Create or contribute runoff water which would exceed the capacity of existing or planned storm water drainage systems or provide substantial additional sources of polluted runoff

f. Otherwise substantially degrade water quality

g. Place housing within a 100-year flood hazard area as mapped on a federal Flood Hazard Boundary or Flood Insurance Rate Map or other flood delineation map

h. Place within a 100-year flood hazard area structures that would impede or redirect flood flows

i. Expose people or structures to a significant risk of loss, injury, or death involving flooding, including flooding as a result of the failure of a levee or a dam

j. Inundation by seiche, tsunami, or mudflow

3.7.4 Methodology

Project impacts to hydrology and water quality were evaluated based on the proposed project's adherence to local, State, and federal standards, proposed land use, site design, and proposed BMPs for control of surface runoff and reduction of pollutants in runoff. Documents reviewed and incorporated as part of this analysis include the *Civil Engineering Initial Study Data* (KPFF Consulting Engineers, August 2016, Appendix G), the *Sewer Capacity Study* (KPFF Consulting Engineers, June 2016, Appendix G), the *Geotechnical Engineering Investigation – Proposed Robertson Lane Hotel and Retail Structures*, and the *Additional Exploration and Preliminary Geotechnical Design Recommendations – Proposed Subterranean Parking Structure Extension below West Hollywood Park* (Geotechnologies Inc, Appendix E).

3.7.5 Impact Analysis

Threshold A: Would the project violate any water quality standards or waste discharge requirements?

Construction

Construction of the proposed multi-use hotel building on the project site would occur in four primary phases: demolition of existing buildings and structures, grading and site preparation activities, construction of the multi-use hotel building and related infrastructure, and application of architectural coatings. On the project site, ground disturbing activities would primarily occur during the demolition and grading/site preparation phases, which would be phased over an 8-month period. Construction of the subterranean parking garage on the park site would occur in three primary phases: grading and site preparation; garage construction; and backfill, site grading, and park construction.

During construction of the proposed project, gasoline, diesel fuel, lubricating oils, grease, and solvents may be used on the project site. Such chemicals would have the potential to be transported off site in surface water runoff. Soils loosened during excavation and grading could also degrade water quality if mobilized and transported off site via water flow. In accordance with NPDES regulations, the State of California requires that any construction activity disturbing one acre or more of soil comply with the Construction General Permit. The NPDES requirements mandate that stormwater BMPs be implemented during project construction, including preparation of and compliance with a SWPPP. Additionally, the City of West Hollywood requires a Local Storm Water Pollution Prevention Plan (LSWPPP), which would be approved and filed with the City. The project's SWPPP and LSWPPP would identify potential pollutant sources that may affect the quality of discharge associated with construction activities, identify non-stormwater discharges, and recommend means and methods to effectively prohibit the entry of pollutants into the public storm drain system during construction.

Based on the geotechnical report (see Appendix E), due to high groundwater levels in the project vicinity, pre-construction dewatering measures would be needed to achieve the required excavation depths. Dewatering would need to continue until the subterranean construction is completed and the parking structure is waterproofed and backfilled. There is a potential for groundwater dewatering to temporarily affect groundwater levels and soil characteristics at the project site, as well as in the project vicinity. As described in Section 2.5, a design-level geotechnical investigation and groundwater analysis would be performed by the applicant to establish procedures for dewatering implementation consistent with State and City geotechnical standards so that useable aquifers and surrounding soils and building foundations are not adversely impacted by groundwater withdrawal. Additionally, a qualified dewatering consultant would be employed to determine the most effective means and methods of dewatering the project site. It is anticipated that the dewatering system would consist of the installation of wellpoints around the perimeter of the project site and park site. Pumping of the wells would begin in advance of construction to allow drawdown of the water level below the excavation levels. The extent and nature of the dewatering program that would be required, as well as the anticipated pumping volumes, would be determined by the dewatering consultant after the installation and pumping of the test wells at the project site. A groundwater dewatering permit would be required from the RWQCB. Any groundwater dewatering or construction-related non-stormwater discharges would be controlled in compliance with the Los Angeles RWQCB's *Waste Discharge Requirements for Discharges of Groundwater from Construction and Project Dewatering to Surface Waters in Coastal Watersheds of Los Angeles and Ventura Counties* (Order No. R4-2013-0095, NPDES No. CAG994004). This permit requires permittees to conduct monitoring of dewatering discharges and adhere to effluent and receiving water limitations contained within the permit so that water quality of surface waters is ensured protection. Compliance with the dewatering permit would further ensure that the impacts of these discharges are appropriately addressed. Compliance with RWQCB permit requirements for the discharge of groundwater during construction is expected to reduce any potential water quality impacts to a less than significant level.

With adherence to State and City regulations and implementation of BMPs, impacts to water quality standards and waste discharge requirements during construction would be **less than significant**.

Operation

The proposed project would be required to submit a site drainage plan for review and approval by the City prior to the issuance of a building permit. This submittal must include BMPs to limit discharge of sediment and pollutants during long-term operation in accordance with the Municipal NPDES Permit requirements.

The proposed project does not include any uses that might discharge unusual pollutants, such as industrial or manufacturing uses. During operation, the proposed project would provide subterranean parking for the hotel and retail/restaurant uses, thereby minimizing the amount of automobile-related pollutants that could be directly exposed to rain and become surface runoff (the site is currently occupied by surface parking lots with no stormwater BMPs in place). Additionally, the building foundation would be designed to prevent groundwater from intruding into the structure. These design elements would include a mat foundation designed to withstand hydrostatic uplift pressures, perimeter basement walls designed to withstand hydrostatic pressures, and potential use of micropiles and waterproofing, if required (Appendix E). These design components would ensure that a permanent dewatering program would not be required during long-term project operation.

Permanent post-construction stormwater management measures would be required per the LACDPW LID Standards Manual. LID is a stormwater management strategy with goals to reduce the impacts of increased runoff and stormwater pollution as close to its source as possible. Per the latest LID guidelines, new construction developments must treat stormwater through infiltration, capture and reuse, or biofiltration. The proposed development would decrease the existing impervious area by adding planting and landscaping around the site and upper levels. Considering the proposed development's subterranean footprint and lack of setbacks, it is expected that infiltration of stormwater would be infeasible. As such, the project has been designed to capture stormwater in above-grade planter boxes with layers of mulch, soil, and gravel which filter water before discharging into the street. As determined in the Civil Engineering Initial Study Data (Appendix G), all of the required stormwater treatment flow could be treated using biofiltration, per the LACDPW LID Standards Manual. Permanent post-construction stormwater management practices would be implemented per the LACDPW LID Standards Manual, dated February 14, 2014, and are summarized in Section 2.4 of this EIR. Flow-through infiltration planters have been incorporated into the proposed project. Catch basin inserts and screens would be installed as applicable to provide runoff contaminant removal. The proposed planter boxes and landscaping have been designed to accept the anticipated levels of stormwater runoff. Because the proposed project would redevelop a site that is partially occupied by a surface parking lot with no BMPs in place, it is anticipated that the proposed post-construction stormwater management practices would improve stormwater quality and reduce volumes compared to existing conditions.

Regarding waste discharge, adding the estimated peak flow generated from the proposed project to either the 8-inch public sewer main on Robertson Blvd, or the 8-inch public sewer main on La Peer Drive, would result in an estimated peak flow that is below the 50% full capacity required by the City of West Hollywood. Both existing sewer lines have adequate capacity to serve the proposed development and impacts to waste discharge would be less than significant.

Regarding the park site, once the parking garage has been completed, the park site would be restored consistent with plans for the site that have been established as part of the Phase II Park

Master Plan Implementation Project. The environmental effects of the Park Master Plan, including those related to water quality standards and waste discharge requirements, have been previously analyzed under CEQA in the 2004 Park Master Plan IS/MND and in the 2014 Park Master Plan IS/MND Addendum. As concluded in those documents, the Park Master Plan would have a less than significant impact relative to water quality standards and waste discharge requirements (City of West Hollywood 2004, 2014b). The presence of a subterranean parking garage and two aboveground pedestrian exit/entrance structures on the park site are not anticipated to increase the severity of impacts identified in the previous CEQA documents to the extent that new impacts to water quality would occur.

With adherence to State and City regulations and implementation of postconstruction BMPs, impacts to water quality standards and waste discharge requirements during project operation would be **less than significant**.

Threshold B: Would the project substantially deplete groundwater supplies or interfere substantially with groundwater recharge such that there would be a net deficit in aquifer volume or a lowering of the local groundwater level (e.g., the production rate of preexisting nearby wells would drop to a level that would not support existing land uses or planned uses for which permits have been granted)?

Groundwater recharge in the Hollywood Basin occurs primarily in the Santa Monica Mountains, since the lowland portion of the basin, including the City of West Hollywood, is urbanized. The City of Beverly Hills operates the only water supply wells that draw from the Hollywood Basin (City of West Hollywood 2010).

Construction

During construction, it is anticipated that the project site and the park site would be dewatered to allow for construction of a subterranean parking garage below groundwater levels. During dewatering, groundwater would be pumped from the sites and discharged to the storm drain system, resulting in a loss of groundwater and a temporary and localized fluctuation in the depth of groundwater (groundwater levels would not be affected below the lowest point of excavation, or approximately 50 feet below grade). Although some localized lowering would occur in the vicinity of the project site, there are no water supply wells that draw groundwater from the project site or adjacent sites. Furthermore, the amount of water withdrawn would be 100 gallons per minute from the project site during the 26-week grading/site preparation phase and 100 gallons per minute from the park site during the 25-week grading/site preparation phase at the park site. Because these phases do not overlap, it is conservatively assumed that up to 100 gallons per minute would be extracted for the 51-week excavation period. This amount would be negligible relative to the volume of water in the groundwater basin. The temporary extraction of

groundwater at the project site and park site is therefore not anticipated to substantially deplete groundwater supplies such that there would be a net deficit in aquifer volume or a lowering of the local groundwater level. It is not anticipated that dewatering of the project site and park site would affect the production rate of the water supply wells operated by the City of Beverly Hills that draw from the Hollywood Basin. Once temporary construction dewatering is discontinued, it is anticipated that the water table would return to its current elevation on the sites.

Operation

The 1.94-acre project site is currently developed with paved parking lots, buildings, and other impervious surfaces. As such, the construction of a new multi-use hotel building on the site is not expected to substantially change the amount of existing impervious surfaces on site or otherwise alter the amount of potential groundwater infiltration. The park site is developed with a grass lawn, which currently allows for groundwater infiltration. Construction of a parking garage beneath this portion of the park would reduce the potential for groundwater infiltration at the site relative to existing conditions. However, because the site is 1.2 acres in size, is not within an area where groundwater recharge of the Hollywood Basin occurs (i.e., the Santa Monica Mountains), and is generally surrounded by urbanized areas, the park site does not substantially contribute to groundwater recharge in the area under existing conditions. Therefore, the installation of underground parking at this site would not interfere substantially with groundwater recharge such that there would be a net deficit in aquifer volume or a lowering of the local groundwater level. It is not anticipated that operation of the proposed project would affect the production rate of the water supply wells operated by the City of Beverly Hills that draw from the Hollywood Basin.

For the reasons described above, implementation of the proposed project would not substantially deplete groundwater supplies or interfere substantially with groundwater recharge. Impacts would be **less than significant**.

Threshold C: Would the project substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river, in a manner which would result in substantial erosion or siltation on or off site?

Or

Threshold D: Would the project substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river, or substantially increase the rate or amount of surface runoff in a manner which would result in flooding on or off site?

Development of the proposed project would not require any substantial changes to the existing drainage pattern of the site or the area, and there are no natural water courses on or

near the site. The project site is currently almost entirely developed with impervious surfaces. Construction of the proposed project would not substantially change the amount of impervious surface on the project site.

Regarding the park site, placement of a parking garage below the park would not substantially alter the rate or amount of surface runoff relative to existing conditions. Once the parking garage has been completed, the park site would be restored consistent with plans for the site that have been established as part of the Phase II Park Master Plan Implementation Project. The environmental effects of the Park Master Plan, including those related to surface runoff and flooding, have been previously analyzed under CEQA in the 2004 Park Master Plan IS/MND and in the 2014 Park Master Plan IS/MND Addendum. As concluded in those documents, the Park Master Plan would have a less than significant impact relative to surface runoff (City of West Hollywood 2004, 2014b). The presence of a subterranean parking garage and two aboveground pedestrian exit/entrance structures on the park site are not anticipated to increase the severity of impacts identified in the previous CEQA documents to the extent that new impacts to surface runoff would occur.

Because no streams or rivers are present within the project site or the park site, implementation of the proposed project would not alter the course of a stream or river. During construction, implementation of the erosion control measures specified in the required SWPPP would minimize erosion that could potentially result from ground disturbance on the project site and park site. During operation, the project site would be covered with a building, hardscape, and landscaping, which would preclude on-site erosion and siltation. The park site would be covered with landscaping and hardscape, which would also preclude on-site erosion and siltation. Any long-term changes in drainage patterns that would occur as a result of the proposed project would be limited to minor, highly localized changes that would not lead to erosion or flooding on site or off site. Furthermore, pursuant to Section 15.95.095 of the City's Municipal Code, the project would be required to prepare and comply with a LID plan, which would reduce stormwater runoff from the project site, thereby reducing the potential for off-site erosion, siltation, and flooding. Due to the developed, urbanized nature of the project area and required compliance with existing regulations, any minor alterations to the existing drainage pattern of the project site and park site would result in a **less than significant impact** relative to erosion, siltation, and flooding on or off the sites during construction and operation.

Threshold E: Would the project create or contribute runoff water which would exceed the capacity of existing or planned storm water drainage systems or provide substantial additional sources of polluted runoff?

Construction

During construction, stormwater runoff from construction sites would be discharged to existing stormwater drainage systems. However, compliance with the required SWPPP and LSWPPP

would reduce the amount of runoff that would be created during construction. The anticipated dewatering of the project site and park site would involve temporary increases in discharges to the storm drain system. However, such discharges would be temporary and would be conducted in accordance with the required dewatering permit from the Los Angeles RWQCB, as discussed in Section 3.7.2. Due to the temporary nature of the dewatering activities and the requirement to comply with applicable permitting procedures, the capacity of the stormwater drainage system would not be exceeded.

Groundwater has the potential to contain water pollutants and contaminants. In the event that contaminated groundwater is discharged to the storm drain system, it would have the potential to provide a temporary albeit substantial source of polluted runoff. However, as part of the test pumping process that would be necessary to develop a detailed dewatering program, testing for contamination would be conducted. Discharges of groundwater during construction would be required to comply with the applicable Los Angeles RWQCB permit for discharge of groundwater to surface waters during construction. Application for the permit would involve collecting and analyzing groundwater samples to determine its constituents. In the event that contamination is identified, the permit would include specific types of treatment requirements to ensure compliance with the discharge standards. This permit also establishes requirements for initial and continuous groundwater testing throughout the dewatering process to ensure that the water remains suitable for discharge. As such, while the potential for contamination is present, compliance with existing regulations would ensure that contamination is identified and addressed prior to discharge of the groundwater.

For these reasons, construction of the project would not result in exceedances of the storm drain capacity and would not provide a substantial additional source of polluted runoff to the storm drain system. Impacts would be **less than significant**.

Operation

Stormwater runoff from the project site would be conveyed to the public streets via roof downspouts and site area and podium drains. The storm drain design would include planter boxes or other approved BMPs in order to treat stormwater runoff as required by LACDPW and the City.

The proposed development would decrease the existing impervious area by adding planting and landscaping around the site and upper levels. Additionally, the project is required to have a LID Plan, per Section 15.56.095 of the Municipal Code. In accordance with this section of the Municipal Code, the project has been designed to control pollutants, pollutant loads, and runoff volume to the maximum extent feasible. The project is required to either retain 100% of the stormwater quality design volume on site or may biofiltrate one and one-half times the portion of the remaining stormwater quality design volume that is not reliably retained on-site. (The

stormwater quality design volume is defined as the 85th percentile 24-hour runoff event as determined from the Los Angeles County 85th percentile precipitation isohyetal map or the volume of runoff produced from a 3/4-inch, 24-hour rain event, whichever is greater.) The remaining stormwater quality design volume that cannot be retained or biofiltered on site must be treated on site to reduce pollutant loading. As explained under Threshold A, it is anticipated that the proposed landscaping and/or catch basin inserts and screens would capture and/or filter the required amount of stormwater on site. Because the proposed project would redevelop a site that is partially occupied by a surface parking lot with no BMPs in place, it is anticipated that the proposed post-construction stormwater management practices would improve stormwater quality and reduce volumes compared to existing conditions.

Regarding the park site, the Park Master Plan would be implemented at the site once construction of the parking garage is complete. The hydrological effects of the Park Master Plan, including effects relating to the stormwater drainage system, were determined to be less than significant. It is not anticipated that the addition of a subterranean parking garage beneath the park site or the two aboveground pedestrian exit/entrance structures would increase the severity of impacts identified in the previous CEQA documents to the extent that new impacts to the storm drain system would occur.

Therefore, compliance with existing regulations for stormwater runoff would ensure that the proposed project would not exceed the City's stormwater capacity. As such, the proposed project would not result in the need for new or expanded stormwater infrastructure, impacts would be **less than significant**.

Threshold F: Would the project otherwise substantially degrade water quality?

Refer to Threshold A.

Threshold G: Would the project place housing within a 100-year flood hazard area as mapped on a federal Flood Hazard Boundary or Flood Insurance Rate Map or other flood delineation map?

Or,

Threshold H: Would the project place within a 100-year flood hazard area structures that would impede or redirect flood flows?

As stated in Section 3.7.1, the Flood Insurance Rate Map for the City indicates that the project site is located within flood zone designation "X," defined by FEMA as an area determined to be outside the 100-and 500-year flood zones. Additionally, according to the General Plan Safety and Noise

Element, no portions of the City lie within a 100-year flood hazard zone. The proposed project would not place housing or structures within a 100-year flood zone, resulting in **no impacts**.

Threshold I: Would the project expose people or structures to a significant risk of loss, injury, or death involving flooding, as a result of the failure of a levee or a dam?

As shown in the Dam Inundation Hazard Areas map in the City's general plan, the project site and park site are not within a dam inundation hazard area. Furthermore, no area of the City is mapped within a 100-year flood hazard zone. While the City may be subject to localized flooding during a storm event, such flooding does not typically overtop curbs and generally dissipates quickly after heavy rain ceases (City of West Hollywood 2011). Therefore, the proposed project would not expose people or structures to a significant risk of loss, injury, or death involving flooding, including flooding as a result of levee or dam failure, impacts would be **less than significant**.

Threshold J: Would the project cause or expose people or structures to inundation by seiche, tsunami, or mudflow?

Due to the distance of the project site and park site from the Pacific Ocean, which is located approximately eight miles to the southwest of the sites, and the numerous structures between the sites and the ocean, there is virtually no risk of on-site hazard due to tsunamis (seismically-induced waves). There are no enclosed water bodies within the vicinity of the sites that could place them at risk from inundation due to a seiche (large waves that occur within a land-locked water body, such as a lake or a reservoir). Regarding mudflow, the project area is generally level and highly developed. As such, the risk of mudflows is considered negligible, and impacts would be **less than significant**.

3.7.6 Mitigation Measures

With adherence to and implementation of State and local water quality permits and regulations and incorporation of the proposed design features and BMPs, impacts to hydrology and water quality are less than significant. No mitigation measures are required.

3.7.7 Significance after Mitigation

No mitigation measures are required; impacts related to hydrology and water quality would remain less than significant.

3.7.8 References

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