

From: Ted Gerber
Sent: Thu, 31 Oct 2024 02:43:46 +0000
To: David T. Hughes
Cc: Monde, Christina; Anteneh Tesfaye; Maue, Brent
Subject: RE: Arroyo Seco Water Reuse Project - Regulatory Permitting
Attachments: 19700618_Contract_LACountyFlood(LACFCD-ArroyoSecoDropInlet)_v19700701.pdf

Hi David,

Sorry for the delay in getting back to you – I wanted to track down the right information and contact person for you.

Water use from the Arroyo Seco Channel is controlled by the Los Angeles County Flood Control District (LACFCD). Since the early-1900s, water has been diverted from the Arroyo Seco for recreational use by the Glendale Water Company, which was later purchased by the City of South Pasadena. The current diversion in the Arroyo Seco was installed at the same time the concrete channel was constructed in the mid-1900s, which diverted Channel water for disposition into a South Pasadena reservoir on the east bank of the Arroyo Seco. The water was utilized for irrigation in the recreational/park areas along the channel. In 1970, the LACFCD entered into an agreement with the City of South Pasadena (attached) to formalize the arrangement of Arroyo Seco water recreational use in the City for the purposes of flood control and water conservation. This use of diverted LACFCD Arroyo Seco water, authorized by the LACFCD, continues to this day at the South Pasadena Golf Course, which is located on recreational land adjacent to the Channel. Our contact at Los Angeles County Public Works (LACPW), James Benken – Civil Engineer (626-445-7630 jbenken@dpw.lacounty.gov), can verify that the water is controlled by LACFCD and diverted for flood control and conservation purposes. Perhaps that is the information that should be included in the CDFW form, that LACFCD controls the water and disposes it to South Pasadena via diversion by agreement. We can facilitate any further questions with James related to the existing use or expanded use if you need more information.

Hopefully, this helps, and please let us know if you need more information,
-Ted

H. Ted Gerber

Director of Public Works

City of South Pasadena

Phone: 626.403.7240

tgerber@southpasadenaca.gov

From: David T. Hughes <david.t.hughes@psomas.com>
Sent: Monday, October 7, 2024 9:20 AM
To: Ted Gerber <tgerber@southpasadenaca.gov>
Cc: Monde, Christina <cmonde@cityofpasadena.net>; Anteneh Tesfaye

<atesfaye@southpasadenaca.gov>; Maue, Brent <bmaue@cityofpasadena.net>
Subject: RE: Arroyo Seco Water Reuse Project - Regulatory Permitting

CAUTION: This email originated from outside of the City of South Pasadena. Do not click links or open attachments unless you recognize the sender and know the content is safe.

Hi Ted: per message below, can you shed some light on the issue of water rights for the city regarding the water reuse project? This is a question on our Cal Fish and Wildlife application form. Please advise – thanks!

David Hughes

Senior Project Manager, Associate
Environmental Planning and Resource Management
Office: (626) 204-6530
150 S. Arroyo Parkway, Suite 102
Pasadena, CA 91105

PSOMAS Balancing the Natural and Built Environment
[Explore a career with Psomas](#)

From: David T. Hughes
Sent: Friday, September 20, 2024 9:01 AM
To: Ted Gerber <tgerber@southpasadenaca.gov>
Cc: Monde, Christina <cmonde@cityofpasadena.net>; Anteneh Tesfaye <atesfaye@southpasadenaca.gov>; Maue, Brent <bmaue@cityofpasadena.net>
Subject: RE: Arroyo Seco Water Reuse Project - Regulatory Permitting

Hi Ted: I wanted to follow up on the issue of Arroyo Seco water rights. We got a little delayed on the permit applications for the water reuse project but we are looking to submit very soon. Can you shed any light on this? Thanks!

David Hughes

Senior Project Manager, Associate
Environmental Planning and Resource Management
Office: (626) 204-6530
150 S. Arroyo Parkway, Suite 102
Pasadena, CA 91105

PSOMAS Balancing the Natural and Built Environment
[Explore a career with Psomas](#)

From: Ted Gerber <tgerber@southpasadenaca.gov>
Sent: Monday, August 5, 2024 7:03 PM
To: David T. Hughes <david.t.hughes@psomas.com>

Cc: Monde, Christina <cmonde@cityofpasadena.net>; Anteneh Tesfaye <atesfaye@southpasadenaca.gov>; Maue, Brent <bmaue@cityofpasadena.net>
Subject: RE: Arroyo Seco Water Reuse Project - Regulatory Permitting

Hi David – Anteneh and I will try and get some information back to you tomorrow.

Thanks,
-Ted

H. Ted Gerber
Director of Public Works
City of South Pasadena
Phone: 626.403.7240
tgerber@southpasadenaca.gov

From: Maue, Brent <bmaue@cityofpasadena.net>
Sent: Monday, August 5, 2024 3:27 PM
To: Ted Gerber <tgerber@southpasadenaca.gov>; Anteneh Tesfaye <atesfaye@southpasadenaca.gov>
Cc: David.t.hughes@psomas.com; Monde, Christina <cmonde@cityofpasadena.net>
Subject: FW: Arroyo Seco Water Reuse Project - Regulatory Permitting

CAUTION: This email originated from outside of the City of South Pasadena. Do not click links or open attachments unless you recognize the sender and know the content is safe.

Ted, Anteneh,

Can you respond to David re: water rights?

Thanks,

Brent

Sent from my Galaxy

----- Original message -----

From: "David T. Hughes" <david.t.hughes@psomas.com>
Date: 8/5/24 3:00 PM (GMT-08:00)
To: "Maue, Brent" <bmaue@cityofpasadena.net>
Cc: "Monde, Christina" <cmonde@cityofpasadena.net>

Subject: RE: Arroyo Seco Water Reuse Project - Regulatory Permitting

[] CAUTION: This email was delivered from the Internet. Do not click links or open attachments unless you *know* the content is safe. Report phish using the Phish Alert Button. For more information about the Phish Alert Button view article "KB0010263" on the DoIT portal.

Hi Brent:

A couple items to push the permitting for this project forward:

First, I was able to use your CDFW login credentials you provided to complete the CDFW permit application. However, a few questions remain that I'm not able to answer that I hope you can help with:

1. The application asks if this project involves water rights, which I believe it does (South Pasadena's – yes?). It asks what **category** of water rights are involved: (appropriative, purchased/contracted, riparian, or other), also what **sub-category** (pre- or post-1914), and the **water right ID number**. If the water rights belong to the golf course, any ideas on who to talk to about this info?
2. Water Diversion Rates. The MND project description comments initially that the project will have a max diversion of 25 cfs at each site for a total diversion of 50 cfs. Later in the description, it indicates 6.3 cfs to be diverted from San Rafael Creek and 15 cfs diverted into San Pascual basin. Can you clarify?
3. Will you need to install a stream diversion during construction in San Rafael Creek to construct the diversion device. I assume a sand bag coffer dam with a pipe carrying water past the work area to maintain a dry work area?
4. Application fees for CDFW are based on the project construction costs. Since the project occurs in two discrete locations, CDFW will charge two separate fees. Do you have any sort of estimate for construction costs? How do you want to pay application fees? Fees can be paid electronically (credit card) or by check. I assume the City will be paying by check?

Secondly, you provided CDFW login credentials, but I need to get you signed up on the Army Corps website as well. Per instructions in my earlier email below, please go to <https://rrs.usace.army.mil/rrs>. The click on "Apply for a Permit" and then on the next page, click on "Create an Account". Quick and easy. I tried to complete the permit under my credentials over the weekend, but they require it to occur under the applicant's account.

Lastly, a reminder that we're meeting with the Regional Water Quality Control Board staff on **Thursday at 2:00** to go over the project. I'll share some project exhibits with them and describe the project. They'll have a bunch of questions which we'll do our best to answer.

Thanks!!

David Hughes

Senior Project Manager, Associate

Environmental Planning and Resource Management

Office: (626) 204-6530

150 S. Arroyo Parkway, Suite 102

Pasadena, CA 91105

PSOMAS Balancing the Natural and Built Environment

[Explore a career with Psomas](#)

From: Maue, Brent <bmaue@cityofpasadena.net>
Sent: Wednesday, June 26, 2024 10:48 AM
To: David T. Hughes <david.t.hughes@psomas.com>
Cc: Monde, Christina <cmonde@cityofpasadena.net>
Subject: RE: Arroyo Seco Water Reuse Project - Regulatory Permitting

David,

I received my credentials for the CDFW site.



Let me know if you need anything else from me.

Brent Maue, P.E.

Assistant City Engineer

Public Works Department

626-744-4307

bmaue@cityofpasadena.net

From: David T. Hughes <david.t.hughes@psomas.com>
Sent: Thursday, June 20, 2024 10:08 AM
To: Maue, Brent <bmaue@cityofpasadena.net>
Subject: RE: Arroyo Seco Water Reuse Project - Regulatory Permitting

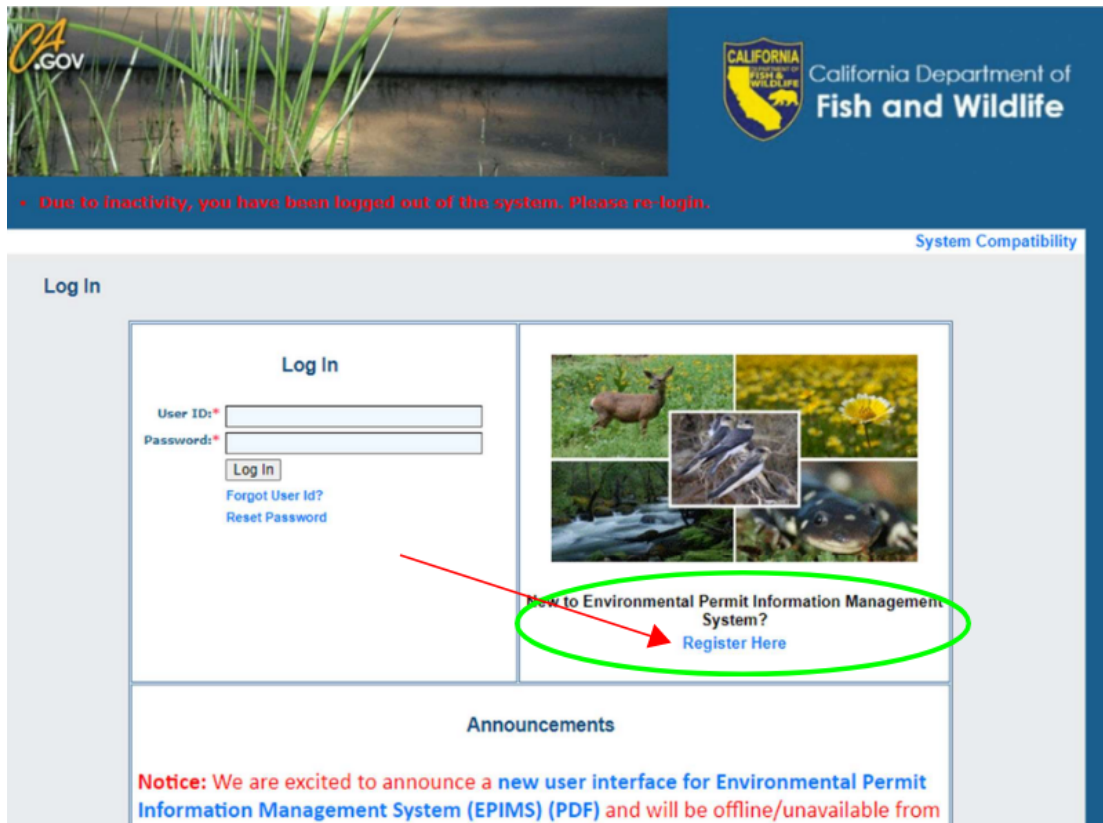
You don't often get email from david.t.hughes@psomas.com. [Learn why this is important](#)

[] CAUTION: This email was delivered from the Internet. Do not click links or open attachments unless you *know* the content is safe. Report phish using the Phish Alert Button. For more information about the Phish Alert Button view article "KB0010263" on the DoIT portal.

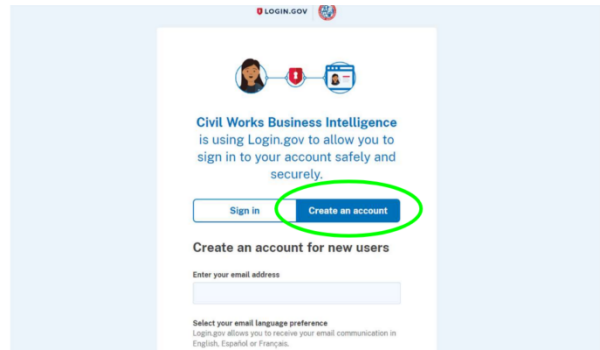
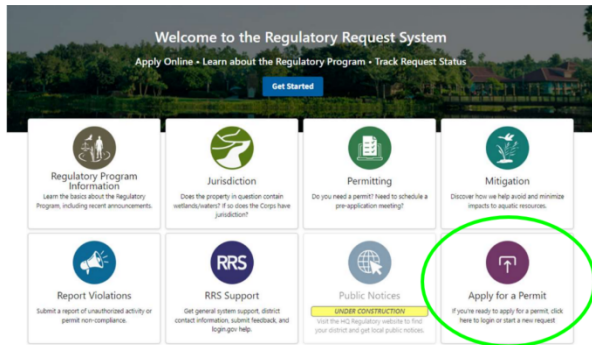
Hi Brent:

We haven't worked together on such permits since the Berkshire Creek project a few years ago. To review, we need to acquire authorizations from three agencies: California Department of Fish and Wildlife (CDFW); Los Angeles Regional Water Quality Control Board (LARWQCB); and the U.S. Army Corps of Engineers (USACE). CDFW and USACE have moved to an entirely electronic format where all materials are uploaded onto their websites (the USACE portal just came out a couple weeks ago, so this will be my first opportunity to see how it works).

To create a CDFW account, go to : <https://epims.wildlife.ca.gov/> and hit the 'register here' tab to create a new account for permitting per below. It takes a couple days for CDFW to finalize the account and send you a confirmation e-mail. Once you're up and running, its easiest if you provide me your log on credentials and I can prep everything under your account (you would do a final review and ultimately hit the 'send' button). Alternatively, you can open a new permit request and add me as a consultant by calling CDFW – this generally takes a day or two to process and honestly, I've just found it easier to work under the applicant's credentials. Let me know your preference.



The Army Corps permitting portal is at: <https://rrs.usace.army.mil/rrs>. On this page, hit the "Apply for a Permit" button and then on the next page, click on "Create an Account". Pretty straightforward process. Since this is a new process, I'm not sure if the consultant can apply for a permit on your behalf, but I think its best to run it through the Project Applicant's log in credentials to ensure any important info is coming to you.



For the LARWQCB, they still work with their typical application form (I'll fill that out and send to you for signature). We also need to set up a pre-application zoom meeting with them prior to submitting the application. Are there any times over the next few weeks that won't work for you (i.e., if you're taking any vacation).

Let me know if you have any questions or run into any obstacles.

David Hughes

Senior Project Manager, Associate

Environmental Planning and Resource Management

Office: (626) 204-6530

150 S. Arroyo Parkway, Suite 102

Pasadena, CA 91105

PSOMAS Balancing the Natural and Built Environment

[Explore a career with Psomas](#)

From: Maue, Brent <bmaue@cityofpasadena.net>

Sent: Wednesday, June 19, 2024 5:15 PM

To: David T. Hughes <david.t.hughes@psomas.com>

Subject: RE: Arroyo Seco Water Reuse Project - Regulatory Permitting

Yes David. Send me the info I'll need.

Thank you!

Brent

Sent from my Galaxy

----- Original message -----

From: "David T. Hughes" <david.t.hughes@psomas.com>

Date: 6/19/24 3:58 PM (GMT-08:00)

To: "Maue, Brent" <bmaue@cityofpasadena.net>

Subject: RE: Arroyo Seco Water Reuse Project - Regulatory Permitting

You don't often get email from david.t.hughes@psomas.com. [Learn why this is important](#)

[] CAUTION: This email was delivered from the Internet. Do not click links or open attachments unless you *know* the content is safe. Report phish using the Phish Alert Button. For more information about the Phish Alert Button view article "KB0010263" on the DoIT portal.

Hi Brent:

I touched base with Christina Monde last week to discuss the regulatory permitting for the Arroyo Seco water reuse project and she indicated that you are a likely candidate to be the official 'project applicant' for the permits(?) Let me know if you agree – the official applicant needs to set up an account on the agency online permitting portals. I can send you some info on how to do so (or you can let me know who else should be take on the mantle of project applicant). Thanks!

David Hughes

Senior Project Manager, Associate

Environmental Planning and Resource Management

Office: (626) 204-6530

150 S. Arroyo Parkway, Suite 102

Pasadena, CA 91105

PSOMAS Balancing the Natural and Built Environment

[Explore a career with Psomas](#)

From: Monde, Christina <cmonde@cityofpasadena.net>

Sent: Tuesday, June 11, 2024 2:21 PM

To: David T. Hughes <david.t.hughes@psomas.com>

Subject: Re: Arroyo Seco Water Reuse Project - Regulatory Permitting

Hi David,

We are scheduled to go to Council for adoption of the MND on 6/17.

I would put Brent Maue, our Assistant City Engineer, as the project applicant. He will be here long after me . What info do you need to get him registered?

Thank you

From: David T. Hughes <david.t.hughes@psomas.com>
Sent: Tuesday, June 11, 2024 11:10 AM
To: Monde, Christina <cmonde@cityofpasadena.net>
Subject: Arroyo Seco Water Reuse Project - Regulatory Permitting

[] CAUTION: This email was delivered from the Internet. Do not click links or open attachments unless you *know* the content is safe. Report phish using the Phish Alert Button. For more information about the Phish Alert Button view article "KB0010263" on the DoIT portal.

Hi Christina:

I spoke with Jillian recently and she indicated that the MND was complete for this project, so I was hoping to get moving on acquiring the necessary permits from the LA Regional Water Quality Control Board and the Department of Fish and Wildlife. Agencies are moving to electronic submittals of permitting materials so that a critical initial step in this process is to identify who is willing to accept the title of Project Applicant as we need to get that person registered on the agency websites that will allow us to submit application materials. Please advise – thanks!

David Hughes

Senior Project Manager, Associate
Environmental Planning and Resource Management
Office: (626) 204-6530
150 S. Arroyo Parkway, Suite 102
Pasadena, CA 91105

PSOMAS Balancing the Natural and Built Environment
[Explore a career with Psomas](#)

DOCUMENT NUMBER

07074

AGENDA NO.

80

MINUTE ENTRY NO.

75

FOR BOARD OFFICE USE ONLY

EXEC. OFF. REFER TO

EXEC. OFF. FILE

PLACE ON AGENDA TO:

APPROVE

DISAPPROVE

RECEIVE AND FILE

POLICY

OTHER

So Pas
910.

FOR CAO USE ONLY

CHIEF ADMINISTRATIVE OFFICER

RECOMMENDATION: approve

JM

CAO OFFICE	action	info
HOLLINGER		
DURKEE		
DAVIS		
HUFFORD	✓	
LEONE		
SCHOEPPE		
STEELE		
McLAUGHLIN		
BLINN		
FILE		
CIRCULATE		

JUN 24 1970

1601

mic

FOR EXECUTIVE OFFICE USE ONLY

RECORDS INDEXING

PROCESSOR MAY NISHIMOTO

DATE 7-1-70

CONTRACT NO. 16473

note correction
180 pg.

JUN 30 1970

DATE OF BOARD MEETING

MOTION BY D

	L	A	C	R	D
AUDITOR CONTROLLER	1	1			
CAO					
COUNTY COUNSEL					
COUNTY ENGINEER					
FLOOD CONTROL	1	2			
REAL ESTATE MGT.					
ROAD					
HOSPITALS					
PUBLIC SOC. SERV.					
PERSONNEL					
SPINDLE					

RECORDED

DOCUMENT NUMBER

COPIES TO CCREM

DATE

BONELLI _____

HAHN _____

CHACE Adapt

DORN _____

DEBS _____

SET _____ A.M.

BIDS _____ A.M.

NOTICE TO BE PUBLISHED IN

37044



LOS ANGELES COUNTY FLOOD CONTROL DISTRICT

P. O. BOX 2418, TERMINAL ANNEX
LOS ANGELES, CALIFORNIA 90054

TELEPHONE 223-2111

ASS'T CHIEF DEPUTY ENGINEERS
HOWARD H. HAILE
OMER D. HALL
CHESTER MAGNESS

ADMINISTRATIVE DEPUTY
JAMES R. POLLEY

A. E. BRUINGTON
CHIEF ENGINEER

M. W. RANSOM
CHIEF DEPUTY ENGINEER

June 18, 1970

FILE NO.

File No. 1.34
All Streams and Projects
Agreement for Use of Flood Control
Rights of Way for Recreational Purpose
~~First~~ District
5th

Honorable Board of Supervisors
Los Angeles County Flood Control District
Room 383, Hall of Administration
500 West Temple Street
Los Angeles, California 90012

Gentlemen:

RECOMMENDATIONS:

1. Approve the attached Agreement between the City of South Pasadena and the District.
2. Instruct the Chairman to sign.

The attached Agreement provides for the cooperation between the City of South Pasadena and the District in the development of recreational facilities located on District properties.

Honorable Board of Supervisors
Page 2
June 18, 1970

The Agreement further provides for the City of South Pasadena to assume all liability that may occur as a result of the use or modification of District rights of way and facilities for recreational purposes.

The original and three copies of this Agreement are attached and have been signed for the City of South Pasadena. Please have the Chairman sign the original and one copy, retaining the original for your files and one conformed copy for the Auditor-Controller. Please forward one fully signed copy and one conformed copy of the Agreement to this office.

One approved copy of this letter is requested.

Yours very truly,



A. E. Bruington, Chief Engineer

Enc. 4

JUN 22 11 07 AM '70
COMM. DIV.
CITY OF SOUTH PASADENA

16423

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28
29
30
31
32

AGREEMENT

THIS AGREEMENT, BY AND BETWEEN

LOS ANGELES COUNTY FLOOD CONTROL DISTRICT,
a body corporate and politic, hereinafter
referred to as "DISTRICT";

AND

CITY OF SOUTH PASADENA, a municipal
corporation in the State of California,
hereinafter referred to as "CITY";

COOPERATIVE PROGRAM

1. District, while performing its primary functions of flood control
and water conservation, will cooperate where feasible with City in the
development of recreational facilities located on District properties.

EXISTING FACILITIES

2. To establish for the purposes of this Agreement the exact extent
of the present use of District property by authorized City activities, City will,
within six (6) months of the date of execution of this Agreement, provide
District with a detailed written statement indicating the type and location
of all its present use, if any, of District properties. This statement will
constitute an application to District to recognize these facilities under the
terms of this Agreement. Written acceptance of the terms of said Agreement
by District will be effective upon transmittal to City of District's written
approval. All past permits and approvals shall be and become void when
approved for inclusion within this Agreement or two (2) years from the date of
said execution of said Agreement, whichever shall first occur.

FUTURE FACILITIES

3. City will submit written requests for any future City activities
on District properties to District for its review. Upon written notification
by Chief Engineer of District that the proposed use is compatible with District's
functions, the use may be initiated, subject to the terms of said written
notification and this Agreement. District at its sole discretion may at any
time notify City in writing of modification, or additions to the special
conditions relating to City activities. Said modifications and/or additions
shall become binding upon City from the date of notification to City upon

648 HALL OF ADMINISTRATION
LOS ANGELES, CALIFORNIA 90012
625-3611

1 failure of City to submit written objection to said conditions to District.
2 4. In the event modification of any District facility is required
3 for City development, and provided that such modification at City's expense is
4 acceptable to District, District will provide written approval of the proposal
5 and a permit will be issued by District for said modification. The use of
6 said facility will not commence until the terms of the permit have been fully
7 complied with to the satisfaction of District's Chief Engineer and a letter
8 so indicating has been received by City.

9 USE OF DISTRICT RIGHTS OF WAY

10 5. To the degree it is empowered to do so, District will grant City
11 permission to use District's rights of way to carry out the recreational
12 purposes herein contemplated, where such use is approved as provided in
13 Paragraphs 3 and 4, supra. Any change in revenue or increased cost to the
14 District caused by reason of recreational use of District's rights of way,
15 however, shall be compensated by City. These costs shall include, but not be
16 limited to, land costs, severance damages and incidental costs relative thereto.

17 FLOOD CONTROL AND WATER CONSERVATION PRIORITY

18 6. Use of facilities for recreational purposes shall be subordinated
19 to the basic flood control and water conservation purposes of the area as
20 determined by Chief Engineer for District and shall in no way conflict with
21 this purpose. Chief Engineer reserves the right to cancel any specific use
22 should, in his opinion, there develop an incompatibility between recreational
23 uses, and flood control and water conservation uses arising from any cause
24 whatsoever. Said use shall be and become void thirty (30) days after
25 notification in writing by the Chief Engineer.

26 7. City will maintain the District's rights of way and related flood
27 control facilities affected by recreational uses in accordance with any special
28 maintenance requirements established by District's Chief Engineer.

29 8. All fencing and other facilities required by City's recreational
30 use of District's rights of way will be subject to removal by District for
31 maintenance purposes as required, and cost for restoration and maintenance of
32 said facilities shall be borne by City.

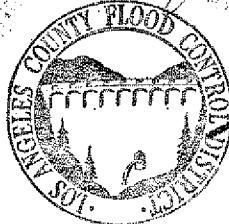
JOHN D. MAHARG, COUNTY COUNSEL
648 HALL OF ADMINISTRATION
LOS ANGELES, CALIFORNIA 90012
625-3611

JOHN D. MAHARG, COUNTY COUNSEL
648 HALL OF ADMINISTRATION
LOS ANGELES, CALIFORNIA 90012
628-3611

1 9. District will, except in cases of emergency, advise City of
2 District's maintenance or other activities which might adversely affect the
3 City's recreation facilities, at least two (2) weeks in advance of contemplated
4 activities.

5 10. City shall fully indemnify and hold District harmless from any
6 claims, loss, damage or liability to itself or to third parties occurring by
7 reason of City's use and/or modification of District's rights of way and
8 facilities. Should District prevail in any action at law or arbitration
9 between the parties to this Agreement arising out of said Agreement, City
10 agrees to pay District all costs of said arbitration or action including a
11 reasonable attorney's fee.

12 IN WITNESS WHEREOF, the parties hereto have caused this Agreement to
13 be executed by and through their respective duly authorized officers, on this
14 11th day of June, 1970, by City and on this
15 30th day of June, 1970, by District.



LOS ANGELES COUNTY FLOOD CONTROL DISTRICT

[Signature]
Chairman, Board of Supervisors

19 ATTEST:
20 James S. Mize
21 Executive Officer-Clerk of the
22 Board of Supervisors

22 By [Signature]
23 Deputy

24 APPROVED AS TO FORM:
25 John D. Maharg
26 County Counsel

26 By [Signature]
27 Deputy

CITY OF SOUTH PASADENA

28
29 By [Signature]
30 Mayor

30 ATTEST:
31 By [Signature]
32 City Clerk

ADOPTED
BOARD OF SUPERVISORS
COUNTY OF LOS ANGELES

WDM: jkm
5/26/70

APPROVED AS TO FORM:

By [Signature]
City Attorney

75

JUN 30 1970

[Signature]
JAMES S. MIZE
EXECUTIVE OFFICER

Redaction Log

Total Number of Redactions in Document: 1

Redaction Reasons by Page

Page	Reason	Description	Occurrences
5			1