



Los Angeles
Department of
Water & Power

RESOLUTION NO. _____

INFORMATIONAL BOARD LETTER

Aram Benyamin
Aram Benyamin (Feb 14, 2024 14:38 PST)

ARAM BENYAMIN
Chief Operating Officer

MARTIN L. ADAMS
General Manager and Chief Engineer

DATE: January 30, 2023

SUBJECT: Amended Report on Purchase of Mitigation Credits for LADWP
Environmental Project Impacts – July through September 2023
and Cumulative Payments for Quarters 1 – 4, 2023

PURPOSE

The amended Report on Third Quarter payments for mitigation credits include further details as requested at the January 23, 2024, Board of Water and Power Commissioner's (Board) meeting with regards to the payment for the Western Joshua Trees.

For future reports, any payments that exceed two million dollars must have a thorough description on impacts. The table has been updated to include more details on the Western Joshua Tree mitigation payment.

BACKGROUND

As part of providing water and electric service, LADWP is subject to Federal, State, and local environmental regulations. Due to the complexity of the regulations and the variable nature of LADWP's capital projects and maintenance activities, LADWP obtains permits to protect and restore environmental impacts, should they occur.

These permits are necessary in order to proceed with projects and maintenance activities that may impact the environment.

On November 2, 2010, the Board adopted Resolution 011-131, which delegated authority for payment of permit fees to the General Manager and his designee, with concurrence by the City Attorney's Office. On April 11, 2023, Resolution 011-131 was amended to allow for the payment of mitigation credits required by permits for environmental impacts associated with LADWP capital projects and maintenance

activities. As part of the resolution, the General Manager is required to submit a report detailing purchase of the mitigation credits paid on a quarterly basis.

THIRD QUARTER REPORT: July – September 2023

Water Quality

- No mitigation credits purchased in the Third Quarter 2023

CEQA Planning and Assessment

Date Paid	Description of Project Impacts	Mitigation Required	Amount Paid
7/27/23	<p>Western Joshua Trees at North Haiwee Dam Project</p> <p>The North Haiwee Dam Seismic Improvement Project, also referred to as North Haiwee Dam No. 2 (NHD2 or Project), consists of the construction of a second dam approximately 800 feet north of the existing North Haiwee Dam and realignment of a portion of the Los Angeles Aqueduct to accommodate the footprint of the new dam. Construction impacts from NHD2 resulted in the impact to 108.13 acres of Western Joshua Tree habitat, 610 individual Western Joshua Trees were removed as a result of this project, and 69 Western Joshua Trees were translocated to a</p>	Purchase of 359.39 Western Joshua Tree Credits	\$8,909,750

	<p>nearby site for conservation.</p> <p>Western Joshua Tree was listed as a candidate species under the California Endangered Species Act on October 9, 2020, and afforded the same protections as a fully-listed species. LADWP initiated Major Amendment 1 to the existing Incidental Take Permit (ITP) for the addition of Western Joshua Tree. This amendment was issued by the California Department of Fish and Wildlife (CDFW) on March 15, 2022.</p> <p>Major Amendment 1 to the ITP requires a mitigation ratio of 3.3:1 for Western Joshua Tree be fulfilled through the perpetual conservation of habitat through a CDFW-approved mitigation bank. With this mitigation ratio, 356.39 acres were required to be compensated. Currently, only one habitat conservation bank for Western Joshua Tree has been approved by the CDFW. CDFW also requires mitigation land purchases to be completed within 18</p>		
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	<p>months of the execution of an ITP. The purchase for mitigation credits was completed on July 27, 2023, from the sole CDFW-approved Western Joshua Tree conservation bank at a rate of \$25,000 per acre, for a total purchase price of \$8,909,750</p>		
9/14/23	<p>Riparian Habitat Impacts at the Van Norman Complex</p> <p>LADWP owns and operates the 1,340-acre Van Norman Complex (VNC), which contains a number of drainage features including debris basins, concrete channels, earthen channels, and storm drains. Routine drainage clearance of these features is needed to protect critical LADWP water and power infrastructure and property, and reduce flood risk. The regular maintenance requires permitting issued by the California Department of Fish and Wildlife (CDFW) among other agencies.</p> <p>During a recent CDFW permit amendment, additional mitigation was identified for permanent impacts to willow and</p>	2.62 acres of riparian (Lake and Streambed Alteration) Credits	\$654,700

	<p>mulefat habitat. CDFW required purchase of conservation bank credits in exchange for these permanent impacts. LADWP entered into an agreement for sale of conservation credits with Petersen Ranch for 2.62 acres of habitat, costing \$654,700 in total.</p>		
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CUMULATIVE PENALTIES for Quarters 1 – 4, 2023:

Wastewater Quality

- Regional Water Quality Control Board

Quarter 1	Quarter 2	Quarter 3	Quarter 4	Total
\$0	\$0	\$0	\$0	\$0

- Army Corp of Engineers

Quarter 1	Quarter 2	Quarter 3	Quarter 4	Total
\$0	\$0	\$0	\$0	\$0

CEQA Planning and Assessment

- California Department of Fish and Wildlife

Quarter 1	Quarter 2	Quarter 3	Quarter 4	Total
\$0	\$0	\$9,564,450	\$0	\$9,564,450