



TRANSPORTATION, WATER & INFRASTRUCTURE COMMITTEE

October 13, 2016

*PLEASE NOTE DIFFERENT TIME FOR THIS MEETING:
*2:00 P.M.

651 Pine Street, Room 101, Martinez

Supervisor Mary N. Piepho, Chair
Supervisor Candace Andersen, Vice Chair

Agenda Items:	Items may be taken out of order based on the business of the day and preference of the Committee
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1. Introductions
2. Public comment on any item under the jurisdiction of the Committee and not on this agenda (speakers may be limited to three minutes).
3. **Administrative Items, if applicable.** (John Cunningham, Department of Conservation and Development)
4. **REVIEW record of meeting for August 11, 2016, Transportation, Water and Infrastructure Committee Meeting.** This record was prepared pursuant to the Better Government Ordinance 95-6, Article 25-205 (d) of the Contra Costa County Ordinance Code. Any handouts or printed copies of testimony distributed at the meeting will be attached to this meeting record. (John Cunningham, Department of Conservation and Development).
5. **ACCEPT report from the Public Works Department on the financial implications of the Municipal Regional Permit.** (Steve Kowalewski, Department of Public Works)
6. **ACCEPT report from the Public Works Department on the County's plan to achieve 70% trash load reduction by July 2017, as required by the Municipal Regional Permit, and AUTHORIZE staff to explore developing a ban on polystyrene food containers in unincorporated communities.** (Cece Sellgren, Department of Public Works)
7. **CONSIDER report on Local, State, and Federal Transportation Related Issues and take ACTION as appropriate including CONSIDERATION of specific recommendations in the report above.** (John Cunningham, Department of Conservation and Development)

8. **DISCUSS, REVISE and APPROVE the County's Federal and State Legislative Platform in preparation for the 2017 Legislative Session.** (John Cunningham, Department of Conservation and Development)
9. **CONSIDER the expansion of the County's Adopt-A-Road Program to include additional features.** (John Steere, Department of Public Works).
10. **COMMUNICATION/News Clippings.** (John Cunningham, Department of Conservation and Development)
11. The next meeting is currently scheduled for Thursday, November 10, 2016, at 1:00 p.m.
12. Adjourn

The Transportation, Water & Infrastructure Committee (TWIC) will provide reasonable accommodations for persons with disabilities planning to attend TWIC meetings. Contact the staff person listed below at least 72 hours before the meeting.

Any disclosable public records related to an open session item on a regular meeting agenda and distributed by the County to a majority of members of the TWIC less than 96 hours prior to that meeting are available for public inspection at the County Department of Conservation and Development, 30 Muir Road, Martinez during normal business hours.

Public comment may be submitted via electronic mail on agenda items at least one full work day prior to the published meeting time.

For Additional Information Contact:

John Cunningham, Committee Staff
Phone (925) 674-7833, Fax (925) 674-7250
john.cunningham@dcd.cccounty.us

Glossary of Acronyms, Abbreviations, and other Terms (in alphabetical order): Contra Costa County has a policy of making limited use of acronyms, abbreviations, and industry-specific language in meetings of its Board of Supervisors and Committees. Following is a list of commonly used abbreviations that may appear in presentations and written materials at meetings of the Transportation, Water and Infrastructure Committee:

AB Assembly Bill	HOT High-Occupancy/Toll
ABAG Association of Bay Area Governments	HOV High-Occupancy-Vehicle
ACA Assembly Constitutional Amendment	HSD Contra Costa County Health Services Department
ADA Americans with Disabilities Act of 1990	HUD United States Department of Housing and Urban Development
ALUC Airport Land Use Commission	IPM Integrated Pest Management
AOB Area of Benefit	ISO Industrial Safety Ordinance
BAAQMD Bay Area Air Quality Management District	JPA/JEPA Joint (Exercise of) Powers Authority or Agreement
BART Bay Area Rapid Transit District	Lamorinda Lafayette-Moraga-Orinda Area
BATA Bay Area Toll Authority	LAFCo Local Agency Formation Commission
BCDC Bay Conservation & Development Commission	LCC League of California Cities
BDCP Bay-Delta Conservation Plan	LTMS Long-Term Management Strategy
BGO Better Government Ordinance (Contra Costa County)	MAC Municipal Advisory Council
BOS Board of Supervisors	MAF Million Acre Feet (of water)
CALTRANS California Department of Transportation	MBE Minority Business Enterprise
CalWIN California Works Information Network	MOA Memorandum of Agreement
CalWORKS California Work Opportunity and Responsibility to Kids	MOE Maintenance of Effort
CAER Community Awareness Emergency Response	MOU Memorandum of Understanding
CAO County Administrative Officer or Office	MTC Metropolitan Transportation Commission
CCTA Contra Costa Transportation Authority	NACo National Association of Counties
CCWD Contra Costa Water District	NEPA National Environmental Protection Act
CDBG Community Development Block Grant	OES-EOC Office of Emergency Services-Emergency Operations Center
CEQA California Environmental Quality Act	PDA Priority Development Area
CFS Cubic Feet per Second (of water)	PWD Contra Costa County Public Works Department
CPI Consumer Price Index	RCRC Regional Council of Rural Counties
CSA County Service Area	RDA Redevelopment Agency or Area
CSAC California State Association of Counties	RFI Request For Information
CTC California Transportation Commission	RFP Request For Proposals
DCC Delta Counties Coalition	RFQ Request For Qualifications
DCD Contra Costa County Dept. of Conservation & Development	SB Senate Bill
DPC Delta Protection Commission	SBE Small Business Enterprise
DSC Delta Stewardship Council	SR2S Safe Routes to Schools
DWR California Department of Water Resources	STIP State Transportation Improvement Program
EBMUD East Bay Municipal Utility District	SWAT Southwest Area Transportation Committee
EIR Environmental Impact Report (a state requirement)	TRANSPAC Transportation Partnership & Cooperation (Central)
EIS Environmental Impact Statement (a federal requirement)	TRANSPLAN Transportation Planning Committee (East County)
EPA Environmental Protection Agency	TWIC Transportation, Water and Infrastructure Committee
FAA Federal Aviation Administration	USACE United States Army Corps of Engineers
FEMA Federal Emergency Management Agency	WBE Women-Owned Business Enterprise
FTE Full Time Equivalent	WCCTAC West Contra Costa Transportation Advisory Committee
FY Fiscal Year	WETA Water Emergency Transportation Authority
GHAD Geologic Hazard Abatement District	WRDA Water Resources Development Act
GIS Geographic Information System	
HBRR Highway Bridge Replacement and Rehabilitation	



Contra Costa County Board of Supervisors

Subcommittee Report

TRANSPORTATION, WATER & INFRASTRUCTURE COMMITTEE

3.

Meeting Date: 10/13/2016

Subject: Administrative Items, if applicable.

Department: Conservation & Development

Referral No.: N/A

Referral Name: N/A

Presenter: John Cunningham, DCD

Contact: John Cunningham
(925)674-7833

Referral History:

This is an Administrative Item of the Committee.

Referral Update:

Staff will review any items related to the conduct of Committee business.

Recommendation(s)/Next Step(s):

CONSIDER Administrative items and Take ACTION as appropriate.

Fiscal Impact (if any):

N/A

Attachments

No file(s) attached.



Contra Costa County Board of Supervisors

Subcommittee Report

TRANSPORTATION, WATER & INFRASTRUCTURE COMMITTEE

4.

Meeting Date: 10/13/2016

Subject: REVIEW record of meeting for August 11, 2016, Transportation, Water and Infrastructure Meeting.

Department: Conservation & Development

Referral No.: N/A

Referral Name: N/A

Presenter: John Cunningham, DCD

Contact: John Cunningham
(925)674-7833

Referral History:

County Ordinance (Better Government Ordinance 95-6, Article 25-205, [d]) requires that each County Body keep a record of its meetings. Though the record need not be verbatim, it must accurately reflect the agenda and the decisions made in the meeting.

Referral Update:

Any handouts or printed copies of testimony distributed at the meeting will be attached to this meeting record. Links to the agenda and minutes will be available at the TWI Committee web page: <http://www.cccounty.us/4327/Transportation-Water-Infrastructure>

Recommendation(s)/Next Step(s):

Staff recommends approval of the attached Record of Action for the August 11, 2016, Committee Meeting with any necessary corrections.

Fiscal Impact (if any):

N/A

Attachments

[08-11-16 TWIC Mtg Minutes](#)

[08-11-16 TWIC Mtg Sign-In Sheet](#)

[08-11-16 TWIC Mtg Guest Cards](#)

[HANDOUT 8-11-16 TWIC, Frazier re transportation bill](#)

[HANDOUT 8-11-16 TWIC, Leg](#)

[HANDOUT 8-11-16 TWIC, Pipeline Sfty](#)

[HANDOUT 8-11-16 TWIC, SB295](#)

DRAFT



TRANSPORTATION, WATER & INFRASTRUCTURE COMMITTEE

August 11, 2016

1:00 P.M.

651 Pine Street, Room 101, Martinez

Supervisor Mary N. Piepho, Chair
Supervisor Candace Andersen, Vice Chair

Agenda Items:

Items may be taken out of order based on the business of the day and preference of the Committee

Present: Mary N. Piepho, Chair
Candace Andersen, Vice Chair

Attendees: Angela Villar, CC County Public Works
Carrie Ricci, CC County Public Works
Stephen Kowalewski, CC County Public Works
Jerry Fahy, CC County Public Works
Julie Bueren, CC County Public Works
Dominic Aliano, BOS District IV
Randy Sawyer, CC County Health Services
Michael Kent, CC County Health Services
Jody London, CC County DCD
John Cunningham, CC County DCD
Sandy Fink, Alamo Improvement Association (AIA)

1. **Introductions**
2. **Public comment on any item under the jurisdiction of the Committee and not on this agenda (speakers may be limited to three minutes).**
3. **CONSIDER Administrative items and Take ACTION as appropriate.**
4. **Staff recommends approval of the attached Record of Action for the July 14, 2016, Committee Meeting with any necessary corrections.**

The Committee unanimously approved the meeting record.

5. **AUTHORIZE the Public Works Director, on behalf of the County, to submit grant applications to Caltrans for the Highway Safety Improvement Program (HSIP) Cycle 8 funding cycle.**

The Committee unanimously approved the staff recommendation to submit the HSIP grant applications.

Public Comment:

*Sandy Fink, Alamo: Supports the Danville Blvd/Orchard Court Complete Streets Improvements project.
Roger Smith, Alamo: Supports the Danville Blvd/Orchard Court Complete Streets Improvements project.
Charles Jarrett, Alamo: Supports the Danville Blvd/Orchard Court Complete Streets Improvements project.*

6. **CONSIDER report summarizing the Pipeline Safety Trust Report and staff reports in response to the recommendations, and DIRECT staff to submit the full report to the Board of Supervisors for consideration.**

The Committee unanimously approved the staff recommendation, directing staff to bring the report to the full Board of Supervisors (BOS) on consent, and independent of the BOS item to provide each Supervisor a copy of the report.

7. **CONSIDER** report on Local, State, and Federal Transportation Related Legislative Issues and take **ACTION** as appropriate including **CONSIDERATION** of any specific recommendations in the report above.

The Committee received the report and directed staff to contact Liberty Union School District regarding the recent land purchase and investigate alternatives to improve the school siting process.

8. **RECEIVE** communication and **DIRECT** staff as appropriate.

The Committee received the communication.

9. **Adjourn to next meeting date, currently scheduled for ****PLEASE NOTE DIFFERENT TIME SCHEDULED FOR NEXT TWIC MEETING****, Tuesday, September 6, 2016, at ****2:00**** p.m.**

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John Cunningham, Committee Staff

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FY Fiscal Year	WETA Water Emergency Transportation Authority
GHAD Geologic Hazard Abatement District	WRDA Water Resources Development Act
GIS Geographic Information System	
HBRR Highway Bridge Replacement and Rehabilitation	

SPEAKER CARD

If you are interested in speaking on any of the Agenda Items please complete and submit the speaker card to Staff.

Please write your Name and Address and list the item number:

Agenda Item Number: B 20

Name: Charles F. Jarrett

Address: 305 Cross Road

City: Alamo State: CA Zip Code: 94506

Telephone Number: (525) 830-5244 (Optional)



SPEAKER CARD

If you are interested in speaking on any of the Agenda Items please complete and submit the speaker card to Staff.

Please write your Name and Address and list the item number:

Agenda Item Number: 5 ✓✓

Name: Sandra Fink

Address: 1535 Diablo Vista Rd

City: Alamo State: CA Zip Code: 94507

Telephone Number: 925-933-6872 (Optional)



SPEAKER CARD

If you are interested in speaking on any of the Agenda Items please complete and submit the speaker card to Staff.

Please write your Name and Address and list the item number:

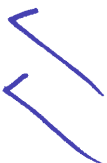
Agenda Item Number: B 36

Name: Robert Smith

Address: 85 High Eagles Rd

City: Alamo State: CA Zip Code: 94502

Telephone Number: 925-980-1655 (Optional)





DAILY REPUBLIC

FAIRFIELD-SUISUN, CALIFORNIA



State Assemblyman Jim Frazier, D-Oakley, speaks at a ribbon cutting for the first phase of the I-80/I-680/SR-12 interchange project on Tuesday. (Robinson Kuntz/Daily Republic)

Fairfield

Frazier says big transportation bill to be unveiled

By **Todd R. Hansen** From page A1 | August 10, 2016

FAIRFIELD — Assemblyman Jim Frazier, accompanied by a kind of handbone drum roll by members of the audience, told a gathering of elected officials and other transportation brass Tuesday that details of a new comprehensive state funding bill would soon be released.

Frazier, D-Oakley, offered little in the way of details except to note that the transportation package, in conjunction with Sen. Jim Beall, D-Campbell, will cover the estimated \$6 billion in road and highway needs in the state.

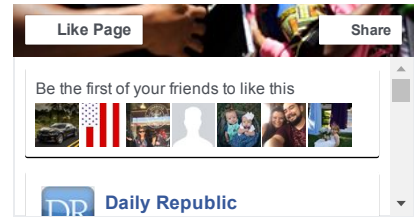
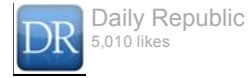
“We are right now putting the final touches on it,” Frazier said.

Frazier said his and Beall’s versions should be introduced in the next couple of weeks. He also promised the kind of “reform language” voters want to see to emphasize efficiency.

Frazier’s comments were in sharp contrast to the local funding outlook as well as Rep. John Garamendi’s assessment that Congress had failed Americans by not providing enough funding for infrastructure.

Jobs Homes

- Mechanic
- Registered Nurse - Solano County
- Cashiers - ARCO AMPM
- Bus/Limo Driver



Recent Articles

California lawmaker drops lawsuits in religious school bill

Man killed by deputy in Compton not involved with carjacker

Scathing report on Baltimore cops vindicates black residents

Donald Trump’s primary playbook leading him out of bounds

TVGrid 08-10-2016

Police: Woman killed by Florida officer in academy exercise

Clinton: Trump’s words could have “tremendous consequences”

Medical plane broke up in air before crashing, killing 4

California serial killer ‘Grim Sleeper’ sentenced to death

Horoscope: Aug. 11

Alcohol industry showing its ‘concern’

Why Ted Cruz is not shaking in his boots

Today in History: Aug. 11

Should I confront my daughter-in-law about alleged cheating?

Rio Vista wants to share a fire chief with Montezuma

The fascination of the unthinkable

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“We have a five-year transportation bill. That’s the good news,” Garamendi, D-Walnut Grove, said at a ribbon-cutting ceremony for the Interstate 80/Interstate 680/Highway 12 interchange project. “The bad news is there are only \$1 billion of new money each year.”

Garamendi said of the applications for the 212 projects seeking funding in the last round, only 18 were funded, and other grant funding sources also were insufficient.

And while there was a lot of applause and back-slapping for what has been accomplished, there was a general feeling that funding for future projects was in limbo.

That could include the next six phases of the current interchange project, which has an estimated price tag of \$740 million.

The first phase – or package as the state Department of Transportation refers to it – cost \$110 million, including \$64 million for construction.

Solano County Supervisor Jim Spering lamented the failure of Measure H and again noted that Solano is the only Bay Area county that does not have a sales tax measure for transportation.

“It really was a good effort that fell short and hopefully we will attempt this again in the future,” Spering said.

He noted the successes of using toll money for projects, but said in the light of lower gas tax revenues, a local source of transportation funding is needed.

Another critical message raised during the ceremony is that the work is critical – and offers its own economic return.

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**4 die Sunday in 2
Fairfield-area
crashes**

**Crash leaves 3
members of
Fairfield family**

Board candidate
backtracks on tax
reduction claim

Garamendi said that for every dollar spent, there is \$3.54 in economic activity generated, and further said that 21,650 jobs are created with every \$1 billion in funding.

“It impacts everything we do, and all the services we have,” Spering said of the regional transportation system.

Reach Todd R. Hansen at 427-6932 or thansen@dailyrepublic.net.



Girardi: ‘No one individual is ever bigger than this game’

Top of the charts: Anthony now top scorer in US history

Heisman dark horses: There’s no shortage of them for 2016

Coaches at odds on impact of technology overload on NFL game

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NEW LEGISLATION

- SB 295 AND AB 864 WERE RECENTLY SIGNED INTO LAW TO ADDRESS THE ISSUE OF PIPELINE SAFETY.
- THE REQUIREMENTS IN THESE NEW LAWS WOULD SIGNIFICANTLY INCREASE THE WORKLOAD FOR CALFIRE/OSFM PIPELINE SAFETY DIVISION.

SENATE BILL 295

SB 295 REQUIRES THE CAL FIRE/OSFM TO:

- CONDUCT ANNUAL INSPECTIONS OF PIPELINE OPERATORS AND THEIR PIPELINES BEGINNING JANUARY 1, 2017.
- ADOPT REGULATIONS REGARDING ANNUAL INSPECTIONS BY JANUARY 1, 2017.
- ADOPT REGULATION TO INCREASE THE FEES ASSESSED ON PIPELINE OPERATORS IN ORDER TO PAY FOR THE HIGHER NUMBER OF INSPECTIONS.

ASSEMBLY BILL 864

AB 864 REQUIRES THE CAL FIRE/OSFM TO DEVELOP REGULATIONS BY JULY 1, 2017, WHICH INCLUDE:

- INCLUDE RESEARCHING THE USE OF BEST AVAILABLE TECHNOLOGY ON PIPELINES TO REDUCE THE AMOUNT OF OIL RELEASED IN AN OIL SPILL.
- CREATING A DEFINITION OF AUTOMATIC SHUTOFF SYSTEMS.
- DEVELOPING A PROCESS TO ASSESS THE ADEQUACY OF THE PIPELINE OPERATOR'S RISK ANALYSIS.

ASSEMBLY BILL 864

AB 864 REQUIRES THE CALFIRE/OSFM TO DEVELOP REGULATIONS BY JULY 1, 2017, WHICH INCLUDE:

- DEVELOPING A PROCESS BY WHICH AN OPERATOR MAY REQUEST CONFIDENTIAL TREATMENT OF INFORMATION SUBMITTED IN THEIR PLAN OR CONTAINED IN ANY DOCUMENTS ASSOCIATED WITH THE RISK ANALYSIS.
- DETERMINE HOW NEAR TO AN ENVIRONMENTALLY AND ECOLOGICALLY SENSITIVE AREA A PIPELINE MUST BE TO BE SUBJECTED TO REGULATION BASED ON THE LIKELIHOOD OF THE PIPELINE IMPACTING THOSE AREAS.



IMPLEMENTATION

- THE DEPARTMENT IS WORKING ON THE BCP AND THE IMPLEMENTATION OF THESE NEW LAWS.
- THE DEPARTMENT IS REQUESTING 17 NEW POSITIONS STARTING JULY 2016.



Contra Costa County Board of Supervisors

Subcommittee Report

Appendix C

TRANSPORTATION, WATER & INFRASTRUCTURE COMMITTEE

7.

Meeting Date: 06/09/2016
Subject: CONSIDER Department responses to the Pipeline Safety Report and DIRECT staff on next steps.
Submitted For: TRANSPORTATION, WATER & INFRASTRUCTURE COMMITTEE,
Department: Conservation & Development
Referral No.: 15
Referral Name: Monitor the Iron Horse Corridor Program
Presenter: Carrie Ricci, Department of Public Contact: Carrie Ricci (925)313-2235 Works, and John Cunningham,
Department of Conservation and Development

Referral History:

At the April meeting of the Transportation, Water and Infrastructure Committee (TWIC), Michael Kent, Executive Assistant to the Hazardous Materials Commission presented the Pipeline Safety Report that was developed by the Pipeline Safety Trust.

The Hazardous Materials Commission supported seven of the nine recommendations moving forward. TWIC directed staff from the Departments of Conservation and Development and Public Works to review the recommendations and report on how they could be implemented within the County.

Referral Update:

On May 23, 2016 staff from the Departments of Conservation and Development and Public Works met with staff from the Office of Emergency Services, Health Services, Contra Costa County Fire Protection District and San Ramon Valley Fire District to discuss the following recommendations, what is currently being performed and any additional steps that can be taken to improve in these areas.

Recommendation: Review all development applications for opportunities to improve existing ingress/egress where currently limited, and where possible, include conditions on approvals to improve connectivity and avoid exacerbation of access problems.

Response: The Contra Costa County Fire Protection District and San Ramon Valley Fire District review development applications to determine based on the size of the development whether a second access is required. Access requirements are determined by the Contra Costa County Fire Code.

AIA Comment: Although these requirements may work well for specific developments, the concern of the Pipeline Safety Trust's report is for neighborhoods that typically involve several developments approved over time that do not consider the total neighborhood's access/egress. Currently there appears to be no ability to coordinate access/egress among more than one development. A suggestion would be to add this access/egress review requirement to the checklist of items for each development so the review also considers existing neighboring developments.

Recommendation: Plan emergency evacuation ingress/egress for areas in Alamo west of Danville Boulevard and the Iron Horse Corridor where a single pipeline crossing road is the only access for numerous homes and facilities

Appendix C with the goal of creating public accessibility across these "dead-end" neighborhoods that necessitate crossing the pipeline to access any services.

Response: The San Ramon Valley Fire Protection District is in the preliminary phase of developing evacuation maps for neighborhoods on the west side of the trail in the Danville area. They have requested feedback from the Danville Police Department and will look at the Alamo area next. The information will be incorporated into a mailer and is anticipated to be sent to residents in fiscal year 2016-17. In some emergency situations, Shelter in Place may be the most appropriate option.

AIA Comment: Given the potential explosive nature of a pipeline emergency, it would be of help to study other communities experience with this type of disaster. We can learn from San Bruno's experience when product continued to flow through a break in the pipeline. The Kinder Morgan pipeline has manual turnoff valves located 10 miles apart in this section, on the north edge of Alamo and the south edge of Danville. The pipeline elevation decreases from south to north. Although the pipeline can be turned off at the KM main control center, no one can turn off the effects of gravity on 210,000 gallons of product (diesel, kerosene, high octane jet fuel) flowing through a break in this section of the pipeline. This amount would be twice the size of the Santa Barbara spill in 2015. Sheltering in place may not be an option, it was not for San Bruno residents located close to the pipeline break.

Recommendation: Ensure the County has complete and accurate records of corridor and right of way locations. Continue to coordinate with Kinder Morgan and other utilities on resolution of encroachments into pipeline rights of way.

Response: The County has current maps that show property lines and utility easements. Staff continues to work with the utilities and property owners to address encroachments.

Recommendation: Ensure the single staff point-of-contact for citizens with concerns about multiple utility issues and right of way questions has technical training on safety concerns, adequate resources to conduct regular and broad community outreach (especially along the Iron Horse Trail Corridor), and resources to work in close coordination with other related departments and advisory groups.

Response: The Public Works Department has a single staff contact for the corridor who is the Iron Horse Corridor Manager. The Corridor Manager works with the utilities, County Survey staff and property owners to address right of way questions. The Corridor Manager interacts with other departments to address corridor concerns and attends advisory committee meetings, as needed to share information with the community. The Department has contacts with all of the utilities and the State Fire Marshal so they can provide expertise, as needed.

AIA Comment: We support better coordination of record keeping between all stake holders and all communication and community outreach efforts by CCCounty Public Works to address Iron Horse Corridor Concerns. We would like to invite the Iron Horse Corridor Manager to attend and participate in one or more of our public meetings to share information with the Alamo Community.

Recommendation: Request appropriate staff conducts an analysis of all congregate facilities located in close proximity to transmission pipelines. Work with other emergency response agencies to develop a list of resources for emergency and evacuation planning expertise for congregate facilities near pipelines that include potential hazards from a pipeline incident, and mitigation strategies for those hazards based on site-specific considerations.

Response: The Fire District and Health Services discussed working with Community Awareness and Emergency Response (CAER) to develop a fact sheet to send to the congregate facilities that describes what to consider regarding pipelines when they're developing their emergency plans. The term congregate will need to be further defined to determine what facilities would receive this information. San Ramon Valley Fire Protection District has an evacuation video developed for this type of scenario that has been promoted to surrounding jurisdictions.

AIA Comment: We support all efforts for emergency planning. Our question would be if these congregate facilities are actually aware of or will be informed of the location of pipelines within their immediate area and how this will be done/documented.

Recommendation: Adopt clear policies and deterrents regarding preventing encroachments including review of setback variances by municipal advisory councils or committees and department staff, so that properties and vegetation along utility corridors do not encroach on pipelines.

Response: The County has clear policies that prevent encroachments. Property owners and contractors are required to apply for a permit to access and/or perform work in the Iron Horse Corridor. The Public Works Department is looking into different methods to communicate this information to property owners adjacent to the Iron Horse Corridor, such as informational letters that remind residents of the corridor property lines, utilities in the corridor and the requirement to Appendix C call Underground Service Alert when digging. Other possibilities include Board of Supervisors email communication and markers in the corridor designating the property line in various locations. The County and cities along the corridor have setback requirements in place. Utilities companies, specifically Kinder Morgan routinely clears vegetation over their easement. When property owners apply for a setback variance the application may go to the appropriate municipal advisory committee for review and a recommendation.

AIA Comment: We support all efforts for better and more frequent communication of setback requirements to property owners located along the Iron Horse Corridor.

Recommendation: Consider adding goals and policies regarding pipelines to the General Plan, and amending Contra Costa County Zoning code 82.2.010 so that all gas and hazardous liquid transmission pipelines would be subject to land use regulations. Consider additional ordinances pertaining to zoning and land use that are proposed for construction, replacement, modification, or abandonment.

Response: The Land Use, Transportation and Circulation, Open Space, and Safety elements of the County General Plan contain references to pipelines that transport hazardous materials. The Land Use and Safety elements also contain policies, though they are few and their nature is more suggestive than directive. Because the County does not always have jurisdiction over pipeline projects, amending the General Plan to add goals and policies pertaining directly to pipeline development may have limited value. However, adding policies addressing the relationship of other land uses to pipelines could be useful. Examples of such policies could include, but not be limited to:

- Discouraging placement of uses and facilities which primarily house or serve vulnerable or sensitive populations (elderly, ill, children, etc.) within X feet of a hazardous materials pipeline right-of-way.*
- Requiring deed notifications for all newly subdivided lots within X feet of a hazardous materials pipeline right-of-way.*
- Encouraging new buildings to be located away from hazardous materials pipeline rights-of way when such design flexibility exists on the project site.*

Ordinance Code Section 82-2.010 currently states that pipelines are exempt from the County's zoning regulations. However, on May 24, 2016, the Board of Supervisors adopted an amendment to Section 82-2.010 clarifying that pipelines are subject to Ordinance Code Chapter 84-63, Land Use Permits for Development Projects Involving Hazardous Waste or Hazardous Materials. The amendment becomes effective 30 days after adoption.

Staff believes the Ordinance Code provides for proper review of pipelines and sees no compelling need for additional regulation of pipeline construction, replacement, modification, or abandonment. Statutory exemptions exist for replacement/modification of pipelines and often these activities take place under order from a federal or state agency. Pursuant to Chapter 84-63, pipeline projects located more than 300 feet from residential or commercial properties are not "development projects" and therefore do not require a land use permit. If a pipeline is located within 300 feet of such properties and has a hazard score Appendix C [\[1\]](#) of 80 or higher, then a land use permit is required and an environmental review will be performed.

The Transportation Risk component of hazard scoring rates pipelines as the preferred method for transporting hazardous materials, relative to truck, rail, and marine vessels. Discouraging pipeline development through unnecessary regulation could have the unintended consequence of incentivizing the use of less safe transportation methods, especially since increasing the frequency of truck, rail or vessel deliveries typical would not require a County review.

AIA Comment: We support the Board of Supervisors amendment to Ordinance 80-2.010. We would like to see proactivity in Pipeline Safety matters, so our comment would be that they “should” (instead of “could”) include but are not limited to the items shown.

During the last 10 months, the California State Legislature had enacted

Petroleum Pipelines

SB 295 – State Fire Marshal “Annual Inspection of all Intrastate Petroleum Pipelines”

AB 864 – State Fire Marshal “Testing of all California Coastal Petroleum Pipelines”, Contra Costa County is included in this for the areas close to the Bay/Straits. (October, 2015)

Gas Pipelines

AB 1420 – Division of Oil, Gas and Geothermal Resources – “Testing every Two Years” requirement for all active gas lines located in sensitive areas. (October, 2015)

AB 2856 – PUC to require “Automatic Shutoff Valves/Remote Controlled Sectionalized Block Valve in all high consequences areas and where lines travers an active seismic earthquake fault”. (Feb. 2016)

As enforcement of these new regulations by both the State Fire Marshal’s office, The California State Division of Oil, Gas and Geothermal Resources and the PUC moves forward, our question is how will CCCounty remain current and coordinate our local County regulations with these? AIA plans to present these to the County Legislative Committee and request they be added to the County’s Legislative Platform.

[1] The hazard score is calculated pursuant to Ordinance Code Section 84-63.1004 and represents a project-specific risk assessment based on the following factors (possible points for each factor are indicated in parentheses): Transportation Risk (0-10); Community Risk – Distance from Receptor (1-30); Community Risk – Type of Receptor (4-7); Facility Risk – Size of Project (Total Amount Change in Tons; 0-30); Facility Risk – Size of Project (Percentage Change; 0-6); and Hazard Category of Material or Waste (1-3).

Recommendation(s)/Next Step(s):

CONSIDER Department responses to the Pipeline Safety Report and DIRECT staff on next steps.

Fiscal Impact (if any):

N/A



Senate Bill No. 295

CHAPTER 607

An act to add Section 51015.1 to the Government Code, relating to pipeline safety.

[Approved by Governor October 8, 2015. Filed with Secretary of State October 8, 2015.]

LEGISLATIVE COUNSEL'S DIGEST

SB 295, Jackson. Pipeline safety: inspections.

Under the Elder California Pipeline Safety Act of 1981, the State Fire Marshal exercises safety regulatory jurisdiction over intrastate pipelines used for the transportation of hazardous or highly volatile liquid substances. The act authorizes the State Fire Marshal to exercise safety regulatory jurisdiction over portions of interstate pipelines located within the state and subject to an agreement between the United States Secretary of Transportation and the State Fire Marshal. The act authorizes the State Fire Marshal to enter, inspect, and examine, at reasonable times and in a reasonable manner, the records and properties of any pipeline operator that are required to be inspected and examined to determine whether the pipeline operator is in compliance with the act.

This bill would require, commencing January 1, 2017, the State Fire Marshal, or an officer or employee authorized by the State Fire Marshal, to annually inspect all intrastate pipelines and operators of intrastate pipelines under the jurisdiction of the State Fire Marshal, and would require the State Fire Marshal to adopt regulations implementing this provision by that date. The bill would prohibit the State Fire Marshal from becoming an inspection agent for specified interstate pipelines unless all regulatory and enforcement authority over those pipelines is transferred to the State Fire Marshal from the federal Pipeline and Hazardous Materials Safety Administration. The bill would require the State Fire Marshal to revise specified fees assessed to cover the costs associated with this measure.

The people of the State of California do enact as follows:

SECTION 1. Section 51015.1 is added to the Government Code, to read:
51015.1. (a) Commencing January 1, 2017, the State Fire Marshal, or an officer or employee authorized by the State Fire Marshal, shall annually inspect all intrastate pipelines and operators of intrastate pipelines under the jurisdiction of the State Fire Marshal to ensure compliance with applicable laws and regulations. By January 1, 2017, the State Fire Marshal shall adopt regulations implementing this subdivision.

(b) For portions of interstate pipelines that are not under the jurisdiction of the State Fire Marshal pursuant to Section 51010.6, the State Fire Marshal shall not become an inspection agent for those pipelines unless all regulatory and enforcement authority over those pipelines is transferred to the State Fire Marshal from the federal Pipeline and Hazardous Materials Safety Administration.

(c) The State Fire Marshal shall revise the fee assessed pursuant to Section 51019 to a level sufficient to cover the costs associated with the implementation of this section.

O



California
LEGISLATIVE INFORMATION

AB-864 Oil spill response: environmentally and ecologically sensitive areas. (2015-2016)

Assembly Bill No. 864

CHAPTER 592

An act to add Section 51013.1 to the Government Code, relating to oil spill response.

[Approved by Governor October 08, 2015. Filed with Secretary of State
October 08, 2015.]

LEGISLATIVE COUNSEL'S DIGEST

AB 864, Williams. Oil spill response: environmentally and ecologically sensitive areas.

The Lempert-Keene-Seastrand Oil Spill Prevention and Response Act requires owners or operators of various facilities, including pipelines, while operating in the waters of the state or where a spill from the pipelines could impact state waters, to have an oil spill contingency plan submitted to, and approved by, the administrator for oil spill response to ensure prompt and adequate response and removal action in case of a spill. The act requires the operator to maintain a level of readiness that will allow effective implementation of the applicable contingency plan.

The Elder California Pipeline Safety Act of 1981, among other things, requires the State Fire Marshal to adopt hazardous liquid pipeline safety regulations in compliance with the federal law relating to hazardous liquid pipeline safety. The act requires any new pipeline constructed after January 1, 1984, and which normally operates under conditions of constant flow and pressure, to be designed and constructed in accordance with specified federal regulations, and have a means of leak detection and cathodic protection that the State Fire Marshal determines is acceptable. A violation of the act is a crime. Except as provided, the act defines "pipeline" as including every intrastate pipeline used to transport hazardous liquid substances or highly volatile liquid substances, as provided.

This bill would require, by January 1, 2018, any new or replacement pipeline near environmentally and ecologically sensitive areas in the coastal zone to use best available technologies to reduce the amount of oil released in an oil spill to protect state waters and wildlife. The bill would require, by July 1, 2018, an operator of an existing pipeline near these sensitive areas to submit a plan to retrofit the pipeline, by January 1, 2020, as provided. By creating a new crime, the bill would impose a state-mandated local program. The bill would require the State Fire Marshal to adopt regulations relating to the above provisions by July 1, 2017.

The California Constitution requires the state to reimburse local agencies and school districts for certain costs mandated by the state. Statutory provisions establish procedures for making that reimbursement.

This bill would provide that no reimbursement is required by this act for a specified reason.

Vote: majority Appropriation: no Fiscal Committee: yes Local Program: yes

THE PEOPLE OF THE STATE OF CALIFORNIA DO ENACT AS FOLLOWS:

SECTION 1. Section 51013.1 is added to the Government Code, to read:

51013.1. (a) By January 1, 2018, any new or replacement pipeline near environmentally and ecologically sensitive areas in the coastal zone shall use best available technology, including, but not limited to, the

installation of leak detection technology, automatic shutoff systems, or remote controlled sectionalized block valves, or any combination of these technologies, based on a risk analysis conducted by the operator, to reduce the amount of oil released in an oil spill to protect state waters and wildlife.

(b) (1) By July 1, 2018, an operator of an existing pipeline near environmentally and ecologically sensitive areas in the coastal zone shall submit a plan to retrofit, by January 1, 2020, existing pipelines near environmentally and ecologically sensitive areas in the coastal zone with the best available technology, including, but not limited to, installation of leak detection technologies, automatic shutoff systems, or remote controlled sectionalized block valves, or any combination of these technologies, based on a risk analysis conducted by the operator to reduce the amount of oil released in an oil spill to protect state waters and wildlife.

(2) An operator may request confidential treatment of information submitted in the plan required by paragraph (1) or contained in any documents associated with the risk analysis described in this section, including, but not limited to, information regarding the proposed location of automatic shutoff valves or remote controlled sectionalized block valves.

(c) The State Fire Marshal shall adopt regulations pursuant to this section by July 1, 2017. The regulations shall include, but not be limited to, all of the following:

(1) A definition of automatic shutoff systems.

(2) A process to assess the adequacy of the operator's risk analysis.

(3) A process by which an operator may request confidential treatment of information submitted in the plan required by paragraph (1) of subdivision (b) or contained in any documents associated with the risk analysis described in this section.

(4) A determination of how near to an environmentally and ecologically sensitive area a pipeline must be to be subject to the requirements of this section based on the likelihood of the pipeline impacting those areas.

(d) An operator of a pipeline near environmentally and ecologically sensitive areas in the coastal zone shall notify the Office of the State Fire Marshal of any new construction or retrofit of pipeline in these waters.

(e) For purposes of implementing this section, the State Fire Marshal shall consult with the Office of Spill Prevention and Response about the potential impacts to state water and wildlife.

(f) For purposes of this section, "environmentally and ecologically sensitive areas" is the same term as described in subdivision (d) of Section 8574.7.

(g) (1) For purposes of this section, "best available technology" means technology that provides the greatest degree of protection by limiting the quantity of release in the event of a spill, taking into consideration whether the processes are currently in use and could be purchased anywhere in the world.

(2) The State Fire Marshal shall determine what is the best available technology and shall consider the effectiveness and engineering feasibility of the technology when making this determination.

SEC. 2. No reimbursement is required by this act pursuant to Section 6 of Article XIII B of the California Constitution because the only costs that may be incurred by a local agency or school district will be incurred because this act creates a new crime or infraction, eliminates a crime or infraction, or changes the penalty for a crime or infraction, within the meaning of Section 17556 of the Government Code, or changes the definition of a crime within the meaning of Section 6 of Article XIII B of the California Constitution.



California
LEGISLATIVE INFORMATION

AB-1420 Oil and gas: pipelines. (2015-2016)

Assembly Bill No. 1420

CHAPTER 601

An act to add Section 101042 to the Health and Safety Code, and to add Sections 3270.5 and 3270.6 to the Public Resources Code, relating to oil and gas.

[Approved by Governor October 08, 2015. Filed with Secretary of State
October 08, 2015.]

LEGISLATIVE COUNSEL'S DIGEST

AB 1420, Salas. Oil and gas: pipelines.

Existing law requires the Division of Oil, Gas, and Geothermal Resources to prescribe minimum facility maintenance standards for oil and gas production facilities, including pipelines that are not under the jurisdiction of the State Fire Marshal. Under the division's regulations, an owner or operator of an active environmentally sensitive gas pipeline that is a gathering line or an urban pipeline over 4 inches in diameter is required to perform a mechanical integrity test on the pipeline every 2 years, unless it is less than 10 years old.

This bill would require the division, by January 1, 2018, to review and evaluate, and update as appropriate, its existing regulations regarding all active gas pipelines that are 4 inches or less in diameter, in sensitive areas, and 10 years old or older, as specified. The bill would define active gas pipelines as inservice gas pipelines of any diameter within the division's jurisdiction. The bill would require operators of active gas pipelines in sensitive areas, by January 1, 2018, to submit to the division maps identifying the location of those pipelines and other locational information, as provided. The bill would require the division to perform random periodic spot check inspections to ensure that the submitted maps are accurately reported. The bill would require the division to maintain a list of active gas pipelines in sensitive areas.

Existing law establishes local health departments, under the purview of the local health officer. Existing law prescribes various duties for those local health departments, including supervising remediation when hazardous waste is released and enforcing statutes relating to public health.

This bill would require a local health officer or his or her designee, if he or she is notified of a leak in an active gas pipeline within a sensitive area and makes certain determinations, to take certain actions related to the leak, working collaboratively with the division and the owner or operator of that pipeline. The bill would require the local public health officer or his or her designee to direct the responsible party to notify residents affected by the leak if he or she determines that the leak poses a serious threat to public health and safety. Because the bill would require a local health officer or his or her designee to provide a higher level of service to the public, this bill would impose a state-mandated local program.

This bill would require an owner or operator of an active gas pipeline in a sensitive area, upon discovery of a leak from the pipeline, to notify the division and the appropriate local health officer or his or her designee of the leak. Because a violation of this requirement would be a crime, this bill would impose a state-mandated local program.

The California Constitution requires the state to reimburse local agencies and school districts for certain costs mandated by the state. Statutory provisions establish procedures for making that reimbursement.

This bill would provide that with regard to certain mandates no reimbursement is required by this act for a specified reason.

With regard to any other mandates, this bill would provide that, if the Commission on State Mandates determines that the bill contains costs so mandated by the state, reimbursement for those costs shall be made pursuant to the statutory provisions noted above.

Vote: majority Appropriation: no Fiscal Committee: yes Local Program: yes

THE PEOPLE OF THE STATE OF CALIFORNIA DO ENACT AS FOLLOWS:

SECTION 1. The Legislature finds and declares all of the following:

(a) In March 2014, a gas leak was detected beneath the community of Arvin, California. Families were evacuated from their homes and unable to return for several months.

(b) Existing regulations for the regular testing and evaluation of smaller diameter pipelines like the one that leaked in Arvin, California were insufficient to protect that community from a serious gas leak.

(c) In view of the Arvin, California leak, the Division of Oil, Gas, and Geothermal Resources should review and reassess its existing regulations for active gas pipelines that are four inches or less in diameter and update its regulations to ensure the integrity of those active gas pipelines and to prevent, as far as possible, damage to life, health, property, and natural resources.

(d) Given its jurisdiction and expertise, the Division of Oil, Gas, and Geothermal Resources has the authority to determine the appropriate methods for assessing the integrity of active gas pipelines.

SEC. 2. Section 101042 is added to the Health and Safety Code, to read:

101042. (a) If the local health officer or his or her designee is notified of a leak in an active gas pipeline, that is within the jurisdiction of the Division of Oil, Gas, and Geothermal Resources and within a sensitive area, pursuant to Section 3270.6 of the Public Resources Code and the local health officer or his or her designee determines that the leak poses a risk to public health or safety and that the response to the leak has been inadequate to protect the public health or safety, the local health officer or his or her designee shall, working collaboratively with the division and the owner or operator of the pipeline, do both of the following:

(1) Direct the responsible party to test, to the satisfaction of the agency overseeing the testing, the soil, air, and water in the affected area for contamination caused by the leak and disclose the results of the tests to the public.

(2) Make a determination, based on the result of the tests, on whether the leak poses a serious threat to the public health and safety of residents affected by the leak, and require the responsible party to provide assistance, including temporary relocation, to those residents if the local health officer or his or her designee so determines.

(b) If the local health officer or his or her designee determines, based on the results of the test, that the leak poses a serious threat to public health and safety, the local health officer or his or her designee shall direct the responsible party to notify all residents affected by the leak.

(c) The responsible party shall be liable for the costs incurred by the local health officer or his or her designee pursuant to this section.

(d) Providing resident assistance and reimbursement for local health officer expenses shall not relieve a responsible party from liability for damages, and a responsible party shall not condition assistance or request a waiver of liability from the recipient of the assistance.

SEC. 3. Section 3270.5 is added to the Public Resources Code, to read:

3270.5. (a) (1) By January 1, 2018, the division shall review and evaluate, and update as appropriate, its existing regulations regarding all active gas pipelines that are four inches or less in diameter, located in sensitive areas, and 10 years old or older. The division shall make a written finding of its review and evaluation of these pipelines.

(2) In its review and evaluation, the division shall consider existing pipeline integrity, pipeline leak detection, and other pipeline assessment requirements imposed by other regulators to determine which of these forms of assessment meet the division's needs.

(3) The regulations shall ensure the integrity and operation of these active gas pipelines pursuant to Sections 3106 and 3270.

(b) (1) By January 1, 2018, an operator of an active gas pipeline in a sensitive area shall submit to the division, as part of compliance with pipeline management plan requirements pursuant to Section 1774.2 of Title 14 of the California Code of Regulations, an up-to-date and accurate map identifying the location of the pipeline and other up-to-date and accurate locational information of the pipeline as determined and in a format specified by the division.

(2) The division shall perform random periodic spot check inspections to ensure that the information submitted pursuant to paragraph (1) is accurately reported.

(3) The division shall maintain a list of active gas pipelines in sensitive areas.

(c) For purposes of this section, the following terms are defined as follows:

(1) "Active gas pipeline" means an inservice gas pipeline regardless of diameter that is within the division's jurisdiction.

(2) "Sensitive area" means any of the following:

(A) An area containing a building intended for human occupancy, such as a residence, school, hospital, or business, that is located within 300 feet of an active gas pipeline and that is not necessary to the operation of the pipeline.

(B) An area determined by the supervisor to present significant potential threat to life, health, property, or natural resources in the event of a leak from an active gas pipeline.

(C) An area determined by the supervisor to have an active gas pipeline that has a history of chronic leaks.

(d) This section does not affect or limit the authority of the supervisor pursuant to Section 3106, 3270, or any other section of this code, or any regulation implementing those sections.

SEC. 4. Section 3270.6 is added to the Public Resources Code, to read:

3270.6. Upon the discovery of a leak from an active gas pipeline that is within a sensitive area, as defined in Section 3270.5, the owner or operator of the pipeline shall promptly notify the division and the local health officer, or his or her designee, of the jurisdiction in which the leak is located.

SEC. 5. No reimbursement is required by this act pursuant to Section 6 of Article XIII B of the California Constitution for certain costs that may be incurred by a local agency or school district because, in that regard, this act creates a new crime or infraction, eliminates a crime or infraction, or changes the penalty for a crime or infraction, within the meaning of Section 17556 of the Government Code, or changes the definition of a crime within the meaning of Section 6 of Article XIII B of the California Constitution.

However, if the Commission on State Mandates determines that this act contains other costs mandated by the state, reimbursement to local agencies and school districts for those costs shall be made pursuant to Part 7 (commencing with Section 17500) of Division 4 of Title 2 of the Government Code.



California
LEGISLATIVE INFORMATION

AB-2856 Intrastate transmission line: safety valves. (2015-2016)

CALIFORNIA LEGISLATURE— 2015–2016 REGULAR SESSION

ASSEMBLY BILL

No. 2856

Introduced by Assembly Member Burke

February 19, 2016

An act to amend Section 957 of the Public Utilities Code, relating to oil and gas.

LEGISLATIVE COUNSEL'S DIGEST

AB 2856, as introduced, Burke. Intrastate transmission line: safety valves.

Under existing law, the Public Utilities Commission has regulatory authority over public utilities, including gas corporations, as defined. The Public Utilities Act authorizes the commission to ascertain and fix just and reasonable standards, classifications, regulations, practices, measurements, or services to be furnished, imposed, observed, and followed by specified public utilities, including gas corporations.

Existing law requires the installation of automatic shutoff or remote controlled sectionalized block valves on certain intrastate transmission lines that are located in a high consequence area, as defined, or that traverse an active seismic earthquake fault. Existing law requires the owner or operator of a commission-regulated gas pipeline facility that is an intrastate transmission line to provide the commission with a valve location plan, along with any recommendations for valve locations, and authorizes the commission to make modifications to the valve location plan.

This bill would make a nonsubstantive change to this provision.

Vote: majority Appropriation: no Fiscal Committee: no Local Program: no

THE PEOPLE OF THE STATE OF CALIFORNIA DO ENACT AS FOLLOWS:

SECTION 1. Section 957 of the Public Utilities Code is amended to read:

957. (a) (1) Unless the commission determines that it is prohibited from doing so by subdivision (c) of Section 60104 of Title 49 of the United States Code, the commission shall require the installation of automatic shutoff or remote controlled sectionalized block valves on both of the following facilities, if it determines those valves are necessary for the protection of the public:

(A) Intrastate transmission lines that are located in a high consequence area.

(B) Intrastate transmission lines that traverse an active seismic earthquake fault.

(2) Each owner or operator of a commission-regulated gas pipeline facility that is an intrastate transmission line shall provide the commission with a valve location ~~plan, along with~~ *plan and* any recommendations for valve locations. The commission may make modifications to the valve location plan or provide for variations from any location requirements adopted by the commission pursuant to this section that it deems necessary or appropriate and consistent with protection of the public.

(3) The commission shall additionally establish action timelines, adopt standards for how to prioritize installation of automatic shutoff or remote controlled sectionalized block valves pursuant to paragraph (1), ensure that remote and automatic shutoff valves are installed as quickly as is reasonably possible, and establish ongoing procedures for monitoring progress in achieving the requirements of this section.

(b) The commission shall authorize recovery in rates for all reasonably incurred costs incurred for implementation of the requirements of this section.

(c) The commission, in consultation with the Pipeline and Hazardous Materials Safety Administration of the United States Department of Transportation, shall adopt and enforce compatible safety standards for commission-regulated gas pipeline facilities that the commission determines should be adopted to implement the requirements of this section.



Contra Costa County Board of Supervisors

Subcommittee Report

TRANSPORTATION, WATER & INFRASTRUCTURE COMMITTEE

5.

Meeting Date: 10/13/2016

Subject: ACCEPT report from the Public Works Department on the financial implications of the Municipal Regional Permit.

Submitted For: TRANSPORTATION, WATER & INFRASTRUCTURE COMMITTEE,

Department: Conservation & Development

Referral No.: 5

Referral Name: REVIEW issues associated with the health of the San Francisco Bay and Delta, including water quality.

Presenter: Steve Kowalewski, Department of Public Works (925) 313-2225

Contact: Mike Carlson, Department of Public Works (925) 313-2321

Referral History:

The Regional Water Quality Control Boards issue the County a stormwater permit on a five-year recurring cycle. The first permit was issued in 1993 and the current permit was issued last November. The objective of the permit is to reduce pollutants in stormwater to improve stormwater quality, and increase stormwater infiltration into soils to improve watershed health.

Just before the first permit was issued, the County modified the Flood Control District Act to allow the District to collect an annual assessment on parcels throughout the County, for the cities and the County to fund permit compliance costs. The permit compliance cost for each subsequent permit has increased dramatically over the prior permit. The Transportation, Water, and Infrastructure Committee and the full Board have been following the policy and financial issues associated with implementing these stormwater permits for many years.

Board members have testified before the Regional Water Board several times describing the impacts their stormwater permit has on the County budget.

Referral Update:

The new Stormwater permit, referred to as the Municipal Regional Permit 2.0, follows the prior Municipal Regional Permit 1.0 issued at the end of 2009.

In 2010, the beginning of the MRP 1.0 five-year permit, there was a surplus of funds in the counties Stormwater Program. In 2015, the last year of the MRP 1.0 permit, compliance costs exceeded the annual revenue of assessment funds in the surplus was virtually gone.

On June 9, 2016, the Committee accepted a report on the policy implications of the MRP 2.0. This was the first of three reports to be developed on the topic. Attached is the second report that outlines the financial implications of implementing the new Municipal Regional Permit 2.0.

Recommendation(s)/Next Step(s):

ACCEPT report on the financial implications of implementing the new Municipal Regional Permit 2.0, CONSIDER staff's recommendation to prepare an Options Report for a future Committee meeting outlining possible options to finance compliance costs, DIRECT staff to meet with Regional Board staff to ensure the financial implications represented in this report accurately reflect permit requirements, and PROVIDE direction and feedback to staff.

Fiscal Impact (if any):

N/A

Attachments

TWIC Report. Final. October 13 2016

Table 1. Green Infrastructure Costs List

Table 2. Trash Costs List

Table 3. PCB Costs List

Table 4. Mercury Load

Table 5. PCB and Mercury Load Reductions

Table 6. Summary of MRP 20 Costs

Chart 1 - Final

Chart 2

Appendix A with attachments



Contra Costa County
Public Works
Department

Julia R. Bueren, Director

Deputy Directors
Brian M. Balbas
Mike Carlson
Stephen Kowalewski
Carrie Ricci
Joe Yee

Financial Implications of the Municipal Regional Permit

Report to the

Transportation, Water, and Infrastructure
Committee

October 13, 2016

By

Public Works Department

"Accredited by the American Public Works Association"

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**2015 Municipal Regional Permit
Report to the Transportation, Water, and Infrastructure Committee
October 13, 2016**

I. Introduction

This Financial Report to the Transportation Water and Infrastructure Committee explores the financial implications of implementing the recently adopted Municipal Regional Permit (MRP). This is the second of three reports on this topic. The first report to the Committee on June 9, 2016, provided an overall background and history of past stormwater permits that have led to the current permit, and the policy implications of implementing the new MRP. Those implications, briefly, result in the following:

- Constructing new stormwater infrastructure treatment systems rather than relying on education programs and studies to reduce pollutants
- Increasing maintenance costs for a new system of stormwater infrastructure
- Integrating Green Infrastructure into all County capital improvement programs
- Coordinating requirements that span multiple departments
- Rebuilding existing facilities to incorporate stormwater infiltration and treatment capacity

These new permit requirements also have fiscal implications, which were reviewed in the first report and are summarized as follows:

- Reduced Road Funds available for the Road Program as a result of including Green Infrastructure elements into road projects
- Reduced funding available for the Community Drainage Program as a result of more stormwater assessment funds used for pollutant load reduction measures
- Reduced funding available for the Facilities Capital Program as a result of including Green Infrastructure elements into building projects
- Reduced funding available for the Flood Protection Program as a result of increased compliance costs to the Flood Control District
- Increased costs to the County as other departments integrate permit requirements into their business procedures

This report will provide an in-depth analysis of the financial implications of MRP 2.0.

II. Background

The first Municipal Regional Permit (MRP 1.0) was issued by the Regional Water Quality Control Board in 2009. That permit's new approach, requiring specific activities with measurable results, resulted in a dramatic increase in compliance costs. Last year (FY 2014/15), compliance costs for the County exceeded the annual revenue amount for the first time. The County has a small reserve remaining, which is expected to be consumed in fiscal year 2016/17. This report quantifies the projected costs to comply with the new Municipal Regional Permit issued in 2015 (MRP 2.0), reviews how funds are apportioned in the Stormwater Program, and discusses the various funding sources available to meet compliance costs and the impact to County programs and services.

The requirements in MRP 2.0 include all of the requirements for MRP 1.0 plus four major additional provision requirements. To determine the expected compliance costs for MRP 2.0, the costs for MRP 1.0 were added to the expected costs for the four additional requirements. Those four additional requirements in MRP 2.0 are: Green Infrastructure, Trash, PCBs, and Mercury. The compliance costs estimated in this Financial Report are for full compliance, not for compliance constrained by current revenue streams. A more detailed analysis of revenue streams and strategic methods of more cost effectively complying with permit requirements will be the subject of the third report to the Committee.

III. Compliance Costs for MRP 1.0

Compliance costs for MRP 1.0 and MRP 2.0 are made up of several components. Costs incurred in meeting permit requirements are from Public Works Department staff, staff from other County departments, contract work (for example street sweeping), annual dues to the Contra Costa Clean Water Program, and fees to the Regional Board. The year before MRP 1.0, in fiscal year 2009/10, compliance costs were \$1.66 million. Compliance costs for the first year of MRP 1.0 in 2010/11 was \$1.97 million, and compliance costs for the last year of the permit in 2014/15 was \$2.98 million. The major driver of increasing costs in MRP 1.0 was the trash requirement. Chart 1 shows the implementation costs for MRP 1.0.

IV. Compliance Costs for MRP 2.0

The additional compliance costs for MRP 2.0 include the new requirement for Green Infrastructure, and the added requirements beyond those in MRP 1.0 for Trash, Mercury, and PCBs. The costs for each one of these additional requirements as described below.

Green Infrastructure. In the Regional Board's view, Green Infrastructure represents a comprehensive approach to stormwater treatment and infiltration. Although it is a

relatively new term, the regulatory concept is incorporation of Low Impact Development (LID) design elements into public projects, design elements that have been utilized in private development projects for many years. Green Infrastructure includes grassy swales, bio-retention ponds, infiltration basins, and other similar facilities designed to increase stormwater storage and infiltration to recharge groundwater basins and facilitate stormwater treatment to remove pollutants. The following are the Regional Board's objectives in requiring Green Infrastructure, which may help to understand the regulations:

- Provide a long range vision and strategy to convert gray infrastructure to green infrastructure
- Include LID drainage design into public projects
- Provide a planning tool to meet TMDL requirements
- Create a comprehensive Green Infrastructure Master Plan that incorporates individual waste load reduction plans for pollutants of concern

Green infrastructure facilities serve multiple purposes. In addition to increasing groundwater recharge, these facilities settle out and capture sediment particles. PCBs and Mercury molecules attach themselves to sediment particles, so Green Infrastructure facilities are an effective tool at removing these two pollutants of concern. The vegetation in these facilities is also effective at capturing trash where it can be picked up before it reaches the storm drain system. The Green Infrastructure requirements outline a detailed process for the County to establish a Green Infrastructure Plan, incorporate these design elements into County project development processes and foundational planning documents, develop a financing plan, conduct training of staff, planning commissioners, and elected officials, advocate/promote green infrastructure projects, and track and monitor progress and effectiveness. The requirements also include an early implementation clause to ensure Green Infrastructure features are included in every County project now that the permit is in effect, regardless of where the project is in the planning – permitting – design continuum.

Attached is Table 1 that shows the estimated costs to implement Green Infrastructure requirements for each year of the permit term. Table 1 summarizes a detailed cost analysis of each requirement within the Green Infrastructure provision (C.3.j), which is included in Appendix A of this report.

The total estimated cost to implement Green Infrastructure requirements over the permit term is \$1,064,500.

Trash. The objective of this provision is to eliminate trash in our waterways and receiving water bodies. To achieve this goal, MRP 2.0 requires the County to reduce trash 60% by July 2016, 70% by July 2017, and 80% by July 2019. These reductions are measured from baseline trash amounts established in 2009. The County has

currently reduced trash by 43%. This reduction did not meet the 60% requirement for this July, which triggered a subsequent requirement to develop a detailed plan to achieve 70% reduction by July 2017. While Green Infrastructure is the control measure of choice for stormwater treatment, full trash capture devices are the preferred control measure to reduce trash. There is a requirement to install a minimum number of full trash capture devices in drainage systems, which range from trash screens placed in drainage inlets to trash collection facilities installed at the end of drainage pipes. In addition, if the County does not meet the 70% trash load reduction by 2017 or the 80% load reduction by 2019 all drainage systems would have to be outfitted with full trash capture devices (or an equivalent measure). Conducting creek cleanups with volunteer groups and cleaning up homeless encampments has been one of the County's strategies for reducing trash. MRP 2.0 gives less credit for these activities, devaluing them as a load reduction measure.

The County has developed a plan to achieve a 70% trash load reduction by July 2017. The plan proposes to install more full trash capture devices in storm drain inlets, increase the contract for on-land cleanup to increase pickup of trash along County roads and in unincorporated communities, expand the clean-up of homeless encampments in creeks, implement a community-based trash abatement program, such as Adopt-a-Spot, and with Committee approval explore the issues and process involved in banning polystyrene food containers.

Attached is Table 2 that shows the estimated costs to implement the additional Trash requirements in MRP 2.0 for each year of the permit term. Table 2 summarizes a detailed cost analysis of each requirement within the Trash provision (C.10), which is included in Appendix A of this report.

The total estimated cost to implement the additional Trash requirements over the permit term is \$2,076,000.

Polychlorinated Biphenyls (PCBs). The Environmental Protection Agency requires the Regional Board to establish Total Maximum Daily Load (TMDL) requirements for certain pollutants. A TMDL represents the maximum amount of that pollutant a receiving water body can accept and still meet water quality standards. Along with the TMDL is an implementation plan to reduce current levels of the pollutant to meet the maximum amount. In the Bay Area the Regional Board has a TMDL and implementation plan for PCBs and Mercury, both of which have been incorporated into the Basin Plan, the foundational planning document of the Regional Board. MRP 2.0 provisions for PCBs and Mercury are designed to meet the TMDL requirements. Contra Costa County's share of the PCB load reduction for the Bay Area is 90 grams per year by 2018 and 560 grams per year by 2020. The County's share, based on population (15.26%), is 13.73 grams per year by 2018 and 85.45 grams per year by 2020.

PCBs are dispersed throughout the landscape but are concentrated in building caulk in older structures (built before 1980) and on industrial parcels that stored or utilized PCBs in their industrial processes ("source properties"). As a result, MRP 2.0 gives the County a 67% load reduction credit to develop and implement a program to ensure proper handling of PCBs during building demolition. MRP 2.0 also includes an accounting system to calculate load reduction that establishes "land-use yields" for four land-use types: Old Industrial, Old Urban, New Urban, and Open Space, and gives a high premium for identifying source properties that have high concentrations of PCBs. Old Urban is development that occurred before 1980 and New Urban is development that occurred after 1980. Land-use yields are used to calculate the load reduction for treating a drainage area within the different land-use types. For example, to meet the entire 13.73 grams per year by treating stormwater drainage, the County would have to treat 159 acres of sediment laden stormwater draining from Old Industrial land uses, 453 acres of stormwater draining from Old Urban land uses, or 3,923 acres of stormwater draining from New Urban land uses, or 3193 acres of stormwater draining from Open Space areas. Based on the load reduction yields per acre, it makes sense to focus on areas with Old Industrial and Old Urban land uses. Alternatively, the County could meet the same requirements by remediating 7 acres of source properties.

MRP 2.0 requires the County to use Green Infrastructure to meet at least 3.51 grams per year of the load reduction target. The amount of acreage needed to be treated is shown on attached Table 5. Besides Green Infrastructure, the County has three other control measures: identifying source properties, constructing a large-scale treatment facility in the North Richmond Pump Station drainage, and constructing curb and gutter in and around Old Industrial land uses and implementing street sweeping on a regular basis.

Attached is Table 3 that shows the estimated costs to implement the additional PCB requirements in MRP 2.0 for each year of the permit term. Table 3 summarizes a detailed cost analysis of each requirement within the PCB provision (C.12), which is included in Appendix A of this report.

The total estimated cost to implement the additional PCB requirements over the permit term is \$198,980,000.

Mercury. The requirements for meeting the waste load reductions specified in the Mercury TMDL are also included in the MRP 2.0 and are very similar to the discussion on PCBs above. Like PCBs, there is a requirement to use Green Infrastructure to reduce loads, in this case by at least 1.37 grams per year. Table 5 shows the treated acreage for PCBs is much higher than for Mercury, so meeting the Green Infrastructure requirement for PCBs also meets the Green Infrastructure requirement for Mercury.

Attached is Table 4 that shows the estimated costs to implement the additional Mercury requirements in MRP 2.0 for each year of the permit term. Table 4 summarizes a detailed cost analysis of each requirement within the Mercury provision (C.11), which is included in Appendix A of this report. The costs in Table 4 are somewhat misleading as all the compliance costs are included in the PCB compliance costs. To meet the Mercury requirements alone would result in costs comparable to the PCB costs, although the acreage needed to be treated would be less.

The total estimated cost to implement the additional Mercury requirements over the permit term is included in the costs for PCBs.

V. Summary. Adding up the estimated costs for implementing the Green Infrastructure, Trash, PCBs, and Mercury provisions (additional provisions) results in total expenditures of \$86,000 in 2016, \$821,500 in 2017, \$14,003,000 in 2018, \$14,639,000 in 2019, and \$172,571,000 in 2020. These costs are shown in Table 6.

The total cost for MRP 2.0 over the permit term is estimated at \$202 million (rounded to the appropriate level of accuracy).

Note: It should be noted that these costs are based on limited comparable data, as these requirements are relatively new and untested. In addition, the intent was to invest enough time to give a sense of scale to the costs involved rather than expend an inordinate amount of time to achieve, for example, a 95% accuracy level. These estimates were prepared by staff and peer-reviewed by consultants working in the stormwater field, so they are adequate for the planning stage we are currently in. It should also be noted the consultant indicated that costs to treat 1 acre using Green Infrastructure varied from \$200,000 up to \$365,000. The estimates in this report are based on \$215,000 per acre, which is the cost of a Public Works Department Green Infrastructure project. If anything, the costs in this report may be low.

VI. MRP 2.0 Estimated Costs versus Revenue

In fiscal year 2014/15, the last year of implementing the MRP 1.0 stormwater permit, Stormwater Program costs exceeded revenue. The Stormwater Program work consists of MRP compliance, Community Drainage maintenance, and flood protection in several West County and far East County communities. Chart 1 shows the expenditures of these three elements of the Stormwater Program. The additional costs from MRP 2.0 will certainly exceed current revenue sources and require a realignment of existing funding, an injection of new funds, or both. The Stormwater Program is funded primarily with a dedicated stream of revenue referred to as Stormwater Utility Assessment 17 (SUA 17). The Flood Control District collects an assessment on each parcel in the County and then disperses to each municipality the assessments collected within their jurisdiction. Each jurisdiction is assigned an assessment number, the

County's being 17. The County's parcel assessment is currently at its maximum amount of \$30 (based on a standard residential unit) that generates about \$2.76 million per year. This assessment cannot be raised without a majority vote of all property owners or two-thirds vote of registered voters in the County's unincorporated communities. The County and the Flood Control District took the lead in 2012 to sponsor an initiative of the Contra Costa Clean Water Program to increase funding. This funding measure was defeated by a 20% margin. At this point, there is no plan to attempt another funding measure to increase revenue.

In addition to the \$2.76 million in revenue from SUA 17, the Stormwater Program receives approximately \$280,000 in developer fees each year, which fluctuates depending upon development. From time to time the County is successful in receiving grant funds, which is also a source of revenue but is unpredictable and unreliable for program planning purposes.

SUA 17 is a restricted revenue source that can only fund stormwater services, primarily MRP compliance costs. It can also be used to fund drainage maintenance. There are three types of drainage maintenance in the County. First is maintenance of Flood Control District drainage facilities (regional-scale infrastructure that serves cities and communities throughout the County) funded with Flood Control District revenue. Second is maintenance of road drainage facilities (facilities that drain County roads) funded with Road Fund revenue. Third is maintenance of Community Drainage facilities (pipes and ditches that serve unincorporated communities and are not in the road right-of-way), which has no dedicated revenue source. Years ago Community Drainage was funded with General Fund revenue. When the Stormwater Utility Assessments were initiated in 1993, the County was experiencing revenue shifts from the State and decided to remove General Fund from Community Drainage maintenance and use the new SUA 17 revenue instead. For the last two fiscal years General Fund revenue has been appropriated to help pay for Community Drainage maintenance.

VII. Available Funds for Compliance Costs

To meet the compliance costs for MRP 2.0 will require possible realignment of existing program funding and an infusion of new revenue from other fund sources. This section will describe the various fund sources available to pay for compliance costs and the realignment options.

Road Fund. Road Funds are restricted revenue that can only be used on roads and transportation facilities within the road right-of-way. Compliance costs that meet that test can be funded with Road Fund revenue. With the requirement to integrate Green Infrastructure into department capital project programs, the County's road rights-of-way will become priority areas. One reason for including Green Infrastructure into road projects and reconstructing roads to include stormwater treatment is that roads

produce some of the most polluted runoff. The County's Road Funds are used to pay for road and transportation improvements and maintenance. The Road Program is currently underfunded. For example, the pavement maintenance backlog is running approximately \$25 million per year and our Pavement Condition Index has been falling for the last several years. If Road Funds are diverted to fund new MRP 2.0 requirements, then there will be an investment reduction in our already underfunded transportation infrastructure. This will result in increased traffic congestion and a decrease in the structural quality of the transportation system.

Over the past several years the Road Program in the Public Works Department received approximately \$25 million per year in Road Funds from the State. This revenue source has been dwindling over the last two years due to increased vehicle gas mileage efficiencies and sales of hybrid and fully electric vehicles, and reduced sales tax revenue from lower priced gas. Adding to that a requirement to pay debt service for State general obligation transportation bonding has all resulted in a much reduced Road Fund disbursement this year of about \$19 million (projected). Chart 2 shows the Road Funds the County has received each year since 2010.

Community Drainage. Community Drainage systems are the pipes and ditches in the County's 17 unincorporated communities that protect property from flooding. For many years now the Community Drainage program has been funded with SUA 17 funds. A realignment of funding to shift more SUA 17 revenue to pollution reduction measures instead of community drainage maintenance would provide more funding for MRP compliance. Historically, the County spends about \$375,000 per year on Community Drainage maintenance. In fiscal year 2015/16 General Fund revenue was budgeted to help pay for Community Drainage maintenance. If this becomes a long term commitment of funding, it would help meet MRP 2.0 requirements. Reducing the Community Drainage maintenance program would lead to long-term problems, as community drainage infrastructure is getting old and facilities are beginning to fail. A recent \$740,000 sinkhole repair created by failure of an old pipe in Hazel Avenue in Kensington suggests an increase in funding is needed rather than a decrease. The cost of this project was shared with the City of Richmond (\$610,000 County, \$130,000 City).

Flood Control District Fund. The Flood Control District provides flood protection services to many cities and communities in the County. Some of the watersheds have inadequate funding due to low tax rates that were locked in when Proposition 13 was passed in 1978. In these cases the Flood Control District looks to the city being served to help fund flood protection services. For unincorporated communities the Flood Control District turns to the County. Since 1993, the County has been using SUA funds to help pay for flood protection services in the Wildcat, San Pablo, Rodeo, and Kellogg Creek watersheds. Each year the County spends about \$350,000 per year to fund flood protection services in the unincorporated communities in these watersheds. A realignment of this funding would free up additional SUA 17 revenue for MRP permit

compliance. However, the County or Flood Control District would need to backfill with other funds or there would be a reduction in flood protection services in these communities.

Similar to community drainage, Flood Control District facilities are reaching the end of their service life and a dramatic increase in investment will be required when they begin to fail. The Flood Control District has estimated the current asset value of their infrastructure system at \$1 billion and future replacement costs at \$2.4 billion. To determine a more accurate replacement cost and schedule, the District has embarked on a multi-year conditions assessment to determine the remaining service life of its flood protection infrastructure. The District has been reporting for several years now the need for increased investment in flood protection infrastructure, and not backfilling any revenue realignment would be going in the opposite fiscal direction.

County General Fund. This funding source is the most flexible source of funding available to the County. Naturally, there are a lot of demands placed on the General Fund to pay for County services. Any request for General Funds to help pay for MRP 2.0 permit compliance would have to be considered in the context of all other requests during the annual budget cycle.

VIII. Recommended Next Steps

The following are suggested next steps recommended by staff to fully understand the implications of MRP 2.0 and develop a plan to finance implementation costs:

Regional Board. Staff intends to meet with Regional Board staff and go over this report to ensure that County staff is correctly interpreting the MRP 2.0 permit provisions and their resultant costs.

Strategic Plan. Staff has been working for several months now on developing a Strategic Plan to implement MRP 2.0 in the most cost-effective manner that achieves the overall objective of improving stormwater quality. Elements of the Strategic Plan are becoming evident with the analysis prepared for this Financial Report. As we work our way through the implementation issues, with direction from the Committee and the Board, staff will be able to complete the Strategic Plan.

Options Report. With all the financial analysis done, staff can start putting together options for the Committee and the Board to consider in order to meet MRP 2.0 permit compliance. Staff will bring back an Options Report for the committee to consider by the end of the year. This report will include funding options to meet full compliance of MRP 2.0, options to perform compliance activities within the existing Stormwater Program budget, and options somewhere in between.

Feedback. Staff would appreciate any feedback, thoughts, and comments the Committee can offer on this approach to developing an implementation plan for MRP 2.0, and when to bring this to the full Board.

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Table 1. MRP 2.0 Additional Provision Costs: C.3 Green Infrastructure Cost Summary

Provision Number	Requirement	2016	2017	2018	2019	2020
C.3.j.i.1	Prepare Green Infrastructure Plan framework	\$0	\$34,500	\$0	\$0	\$0
C.3.j.i.2.a	Develop mechanism to map and prioritize GI projects on a watershed basis	\$0	\$0	\$0	\$216,000	\$0
C.3.j.i.2.b	Outputs from mapping and prioritization mechanism (see C.3.j.i.2.a)	\$0	\$0	\$0	\$0	\$0
C.3.j.i.2.c	Develop urban built environment retrofit targets	\$0	\$0	\$0	\$20,000	\$0
C.3.j.i.2.d	Develop process to track and map completed GI projects	\$0	\$0	\$0	\$2,000	\$2,000
C.3.j.i.2.e	Develop guidelines for project development, design, and construction to ensure GI is included in projects	\$0	\$0	\$0	\$20,000	\$0
C.3.j.i.2.f	Prepare standard specifications and standard plans	\$0	\$0	\$0	\$40,000	\$0
C.3.j.i.g	Develop options to include hydro-modification in GI projects	\$0	\$0	\$0	\$55,000	\$0
C.3.j.i.2.h	Update County's foundational planning documents	\$0	\$0	\$0	\$250,000	\$0
C.3.j.i.2.i	Develop work-plan to ensure GI and LID measures are included in future planning document amendments	\$0	\$0	\$0	\$25,000	\$0
C.3.j.i.2.j	Develop work-plan to complete prioritized GI projects	\$0	\$0	\$0	\$125,000	\$0
C.3.j.i.2.k	Develop a GI Financing Plan	\$0	\$0	\$0	\$25,000	\$0
C.3.j.i.3	Develop and adopt policies, ordinances to ensure GI Plan implementation	\$0	\$0	\$0	\$45,000	\$0
C.3.j.i.4.a	Conduct public outreach on the GI Plan	\$0	\$11,000	\$11,000	\$11,000	\$11,000
C.3.j.i.4.b	Provide staff training on the GI Plan	\$0	\$6,000	\$3,000	\$3,000	\$3,000
C.3.j.i.4.c	Educate County elected officials on the GI Plan	\$0	\$5,000	\$2,000	\$2,000	\$2,000
C.3.j.i.5	Progress report on GI planning	\$0	\$5,000	\$5,000	\$5,000	\$5,000
C.3.j.ii.1	Prepare and maintain a list of public and private GI projects	\$0	\$12,000	\$2,000	\$2,000	\$2,000
C.3.j.ii.2	Prepare a status summary for each public and private GI project	\$0	\$6,000	\$6,000	\$6,000	\$6,000
C.3.j.iii.1	Influence regional, state, and federal agencies to fund and incorporate GI measures	\$0	\$5,000	\$5,000	\$5,000	\$5,000
C.3.j.iii.2	Report on participation goals	\$0	\$5,000	\$5,000	\$5,000	\$5,000
C.3.j.iii.3	Prepare a plan and schedule for GI advocacy efforts	\$0	\$0	\$0	\$5,000	\$0
C.3.j.iv.1	Develop regionally consistent tracking method for GI	\$0	\$0	\$0	\$20,000	\$0
C.3.j.iv.2	Report progress on tracking methods each year	\$0	\$2,000	\$2,000	\$2,000	\$2,000
C.3.j.iv.3	Submit tracking methods and status in 2019 Annual Report (see j.iv.1)	\$0	\$0	\$0	\$0	\$0
Total Costs		\$0	\$91,500	\$41,000	\$889,000	\$43,000

Table 2. MRP 2.0 Additional Provision Costs: C.10 Trash Load Reduction Costs Summary

Provision Number	Requirement	Estimated Costs				
		2016	2017	2018	2019	2020
C.10.a.i.	Meet prescribed schedule	\$25,000	\$0	\$25,000	\$0	\$0
a.i.	Meet trash reduction targets: Full trash capture devices	\$0	\$300,000	\$60,000	\$60,000	\$60,000
a.i.	Meet trash reduction targets: On-land clean-up	\$0	\$150,000	\$150,000	\$150,000	\$150,000
a.i.	Meet trash reduction targets: Community-based measures	\$5,000	\$25,000	\$10,000	\$10,000	\$10,000
a.i.	Meet trash reduction targets: Direct discharge control (See e.ii)	\$0	\$0	\$0	\$0	\$0
a.ii.	Update trash generation areas	\$25,000	\$0	\$0	\$0	\$0
a.ii.a.	Establish full trash capture systems as the standard	\$0	\$0	\$0	\$0	\$0
a.ii.b.	Private storm drains to include full trash capture	\$0	\$0	\$160,000	\$0	\$0
a.iii.	Install minimum full trash capture systems (In MRP 1.0)	\$0	\$0	\$0	\$0	\$0
b.i.a.	Maintenance Plan for full trash capture devices	\$0	\$35,000	\$0	\$0	\$0
b.i.b.	Report on effectiveness of full trash capture devices	\$0	\$3,000	\$3,000	\$3,000	\$3,000
b.i.c.	Certification of full trash capture systems	\$0	\$1,000	\$1,000	\$1,000	\$1,000
b.ii.a.	Document other trash management actions	\$0	\$25,000	\$0	\$0	\$0
b.ii.b.	Effectiveness of other trash management actions	\$0	\$0	\$0	\$50,000	\$0
b.iii.	Calculate trash discharge reduction	\$0	\$5,000	\$5,000	\$5,000	\$5,000
b.iv.	Develop source control strategy (see Note 1)	\$0	\$0	\$0	\$25,000	\$0
b.v.	Develop receiving water monitoring program	\$0	\$0	\$15,000	\$5,000	\$5,000
c.	Clean-up trash hotspots (In MRP 1.0)	\$0	\$0	\$0	\$0	\$0
d.	Update Trash Load Reduction Plan (see C.10.a.i)	\$0	\$0	\$0	\$0	\$0
e.i.	Evaluate creek/shoreline cleanups as a control measure	\$0	\$25,000	\$5,000	\$5,000	\$5,000
e.ii.	Evaluate direct trash discharge control measures	\$0	\$150,000	\$105,000	\$105,000	\$105,000
f.v.b.	Prepare non-compliance report (If necessary) (see Note 2)					
Total Costs		\$55,000	\$719,000	\$539,000	\$419,000	\$344,000

Notes:

1. Does not include a ban on plastic bags. If the source control strategy includes a ban on plastic bags, that effort would cost an additional estimated \$75,000. It would also cost \$75,000 to adopt a ban on polystyren containers.
2. If County does not meet the 70% load reduction by 2017 or 80% load reduction by 2018, then the County would convert drainage inlets in the non-attainment area to full trash capture. This would result in an implementation cost of \$3,780,000 in 2018 and \$420,000 annual increase in maintenance costs.

Table 3. MRP 2.0 Additional Provision Costs: C.12 PCB Load Reduction Cost Summary

Provision Number	Requirement	2016	2017	2018	2019	2020
C.12.a.i.	Implement PCB control measures	\$0	\$0	\$0	\$0	\$0
a.ii.1	Identify management areas with control measures	\$11,000	\$0	\$0	\$0	\$0
a.ii.2.	Identify current and new control measures (see C.12.a.ii.1)	\$0	\$0	\$0	\$0	\$0
a.ii.3.	Develop implementation schedule	\$10,000	\$1,000	\$1,000	\$1,000	\$1,000
a.ii.4.	Implement Source Properties control measure	\$0	\$0	\$80,000	\$80,000	\$80,000
a.ii.4.	Implement North Richmon Pump Station control measure	\$0	\$0	\$115,000	\$0	\$0
a.ii.4.	Implement Street Sweeping control measure	\$0	\$0	\$255,000	\$230,000	\$230,000
a.ii.4.	Implement Green Infrastructure control measure	\$0	\$0	\$12,960,000	\$12,960,000	\$172,800,000
a.iii.1.	Progress report on control measures	\$5,000	\$0	\$0	\$0	\$0
a.iii.2.	Develop status for each Annual Report	\$3,000	\$3,000	\$3,000	\$3,000	\$3,000
a.iii.3.	Update on control measures, source properties, milestones (see C.12.a.iii.2)	\$0	\$0	\$0	\$0	\$0
a.iii.4.	Alternative load reduction distribution (optional) (see Note 1)					
b.i.	Develop load reduction assessment methodology (BASMAA)	\$0	\$0	\$0	\$0	\$0
b.ii.	Calculate PCB load reduction each year	\$0	\$5,000	\$5,000	\$5,000	\$5,000
b.iii.1.	Submit assessment methodology (BASMAA)	\$0	\$0	\$0	\$0	\$0
b.iii.2.	Provide PCB load reductions each year (included in C.12.b.ii)	\$0	\$0	\$0	\$0	\$0
b.iii.3	Update assessment methodology (BASMAA)	\$0	\$0	\$0	\$0	\$0
b.iii.4	Alternative load reduction distribution (optional) (see Note 1)					
c.i.	Minimum GI projects for PCBs (see C.12.a.ii.4)	\$0	\$0	\$0	\$0	\$0
c.ii.1	Implement GI projects for specified reduction (included in C.12.a.ii.4)	\$0	\$0	\$0	\$0	\$0
c.ii.2.	Reasonable assurance analysis on GI projects (BASMAA)	\$0	\$0	\$0	\$0	\$2,000
c.iii.1.	Report on GI and PCB load reduction (BASMAA)	\$0	\$0	\$0	\$0	\$0
c.iii.2.	Report on land area treated by GI (BASMAA)	\$0	\$0	\$0	\$0	\$5,000
c.iii.3.	Submit a reasonable assurance analysis (included in C.12.c.ii.2)	\$0	\$0	\$0	\$0	\$0
c.iii.4.	Report on PCBs removed with GI	\$0	\$0	\$0	\$2,000	\$2,000
d.i.	Implementation plan for TMDL waste-load allocations (see C.12.d.ii.1)	\$0	\$0	\$0	\$0	\$0
d.ii.1.	Identify control measures	\$0	\$0	\$0	\$0	\$15,000
d.ii.2.	Implement control measures	\$0	\$0	\$0	\$0	\$5,000
d.ii.3.	Evaluate effectiveness of control measures	\$0	\$0	\$0	\$0	\$16,000

Table 3. MRP 2.0 Additional Provision Costs: C.12 PCB Load Reduction Cost Summary

Provision Number	Requirement	2016	2017	2018	2019	2020
d.iii.	Submit implementation plan (included in C.12.d.ii.1)	\$0	\$0	\$0	\$0	\$0
e.i.-iii.	Evaluate PCBs in public infrastructure facilities (BASMAA)	\$0	\$0	\$2,000	\$0	0
C.12.f.i.	Manage demolition debris to contain PCBs (see C.12.f.ii.1)	\$0	\$0	\$0	\$0	\$0
f.ii.1.	Develop debris management protocols	\$0	\$0	\$0	\$45,000	\$0
f.ii.2.	Implement debris management protocols	\$0	\$0	\$0	\$5,000	\$0
f.ii.3.	Assessment of debris management effectiveness (BASMAA)	\$0	\$0	\$0	\$0	\$0
f.iii.1.	Report on implementing debris management	\$2,000	\$2,000	\$2,000	\$0	\$0
f.iii.2.	Prepare exemption justification (not applicable)					
f.iii.3.	Report on debris management protocols	\$0	\$0	\$0	\$0	\$2,000
f.iii.4.	Report on applicable buildings	\$0	\$0	\$0	\$0	\$11,000
f.iii.5.	Assessment methodology for load reduction (BASMAA)	\$0	\$0	\$0	\$0	\$0
g.i.-iii.	Fate and transport study (SFEI)	\$0	\$0	\$0	\$0	\$0
h.i.-iii.	Risk reduction program (included in MRP 1.0)	\$0	\$0	\$0	\$0	\$0
Total Costs		\$31,000	\$11,000	\$13,423,000	\$13,331,000	\$173,177,000

- Note:**
- The current distribution method of load reduction within the county is based on the proportional population of each co-permittee. If the Clean Water Program decided to develop an alternative distribution methodology, the estimated cost would be \$25,000.

Table 4. MRP 2.0 Additional Provision Costs: Mercury Load Reduction Cost Summary

Provision Number	Requirement	2016	2017	2018	2019	2020
a.i.	Implement Mercury control measures (see Note 1)	\$0	\$0	\$0	\$0	\$0
a.ii.1	Identify management areas with control measures (see Note 1)	\$0	\$0	\$0	\$0	\$0
a.ii.2.	Identify current and new control measures (see Note 1)	\$0	\$0	\$0	\$0	\$0
a.ii.3.	Develop implementation schedule (see Note 1)	\$0	\$0	\$0	\$0	\$0
a.ii.4.	Implement Green Infrastructure control measure (see Note 1)	\$0	\$0	\$0	\$0	\$0
a.iii.1.	Progress report on control measures (see Note 1)	\$0	\$0	\$0	\$0	\$0
a.iii.2.	Develop status for each Annual Report (see Note 1)	\$0	\$0	\$0	\$0	\$0
a.iii.3.	Update on control measures, source properties, milestones (see Note 1)	\$0	\$0	\$0	\$0	\$0
b.i.	Develop load reduction assessment methodology (BASMAA) (see Note 1)	\$0	\$0	\$0	\$0	\$0
b.ii.	Calculate Mercury load reduction each year (see Note 1)	\$0	\$0	\$0	\$0	\$0
b.iii.1.	Submit assessment methodology (BASMAA) (see Note 1)	\$0	\$0	\$0	\$0	\$0
b.iii.2.	Provide Mercury load reductions each year (included in b.ii) (see Note 1)	\$0	\$0	\$0	\$0	\$0
b.iii.3	Update assessment methodology (BASMAA) (see Note 1)	\$0	\$0	\$0	\$0	\$0
c.i.	Minimum GI projects for Mercury (see Note 1)	\$0	\$0	\$0	\$0	\$0
c.ii.1	Implement GI projects for specified reduction (included in a.ii.4) (see Note 1)	\$0	\$0	\$0	\$0	\$0
c.ii.2.	Reasonable assurance analysis on GI projects (BASMAA) (see Note 1)	\$0	\$0	\$0	\$0	\$0
c.iii.1.	Report on GI and Mercury load reduction (BASMAA) (see Note 1)	\$0	\$0	\$0	\$0	\$0
c.iii.2.	Report on land area treated by GI (BASMAA) (see Note 1)	\$0	\$0	\$0	\$0	\$0
c.iii.3.	Submit a reasonable assurance analysis (included in c.ii.2) (see Note 1)	\$0	\$0	\$0	\$0	\$0
c.iii.4.	Report on Mercury removed with GI (see Note 1)	\$0	\$0	\$0	\$0	\$0
d.i.	Implementation plan for TMDL waste-load allocations (see Note 1)	\$0	\$0	\$0	\$0	\$0
d.ii.1.	Identify control measures	\$0	\$0	\$0	\$0	\$7,000
d.ii.2.	Implement control measures (see Note 1)	\$0	\$0	\$0	\$0	\$0
d.ii.3.	Evaluate effectiveness of control measures (see Note 1)	\$0	\$0	\$0	\$0	\$0
d.iii.	Submit implementation plan (included in d.ii.1) (see Note 1)	\$0	\$0	\$0	\$0	\$0
e.i.-iii.	Risk reduction program (included in MRP 1.0) (see Note 1)	\$0	\$0	\$0	\$0	\$0
Total Costs		\$0	\$0	\$0	\$0	\$7,000

Note: 1. Almost all of the costs to implement the Mercury requirements are covered by the PCB implementation costs. In meeting PCB load reduction requirements, the County also meets the Mercury load reduction requirements.

**Table 5. PCB and Mercury Load Reduction
Using Green Infrastructure in Different Land Use Types**

Land Use Type	Land Use Yield gm/acre/yr	PCB Load Reduction				Mercury Load Reduction	
		Annual Target (2018) gm/yr	Green Infrastructure Required			Annual Target (2020) gm/yr	Green Infrastructure Required
			2018 Acres	2019 Acres	2020 Acres		2020 Acres
Old Industrial	0.0865	3.51	58	58	58		
Old Urban	0.0303		165.4	165.4	165.4		
New Urban	0.0035		1432.7	1432.7	1432.7		
Open Space	0.0043		1166.1	1166.1	1166.1		
Old Industrial	1.3					1.37	1.5
Old Urban	0.215						9.1
New Urban/Other	0.033						59.3

PCB and Mercury Load Reduction with Clean-Up of Source Properties

Land Use Type	Land Use Yield gm/acre/yr	PCB Load Reduction				Mercury Load Reduction	
		Annual Target (2018) gm/yr	2018 Acres	2019 Acres	2020 Acres	Annual Target (2020) gm/yr	2020 Acres
Source Properties	3.94	3.51	1.8	1.8	1.8		
Source Properties	Not Available					1.37	N/A

Notes

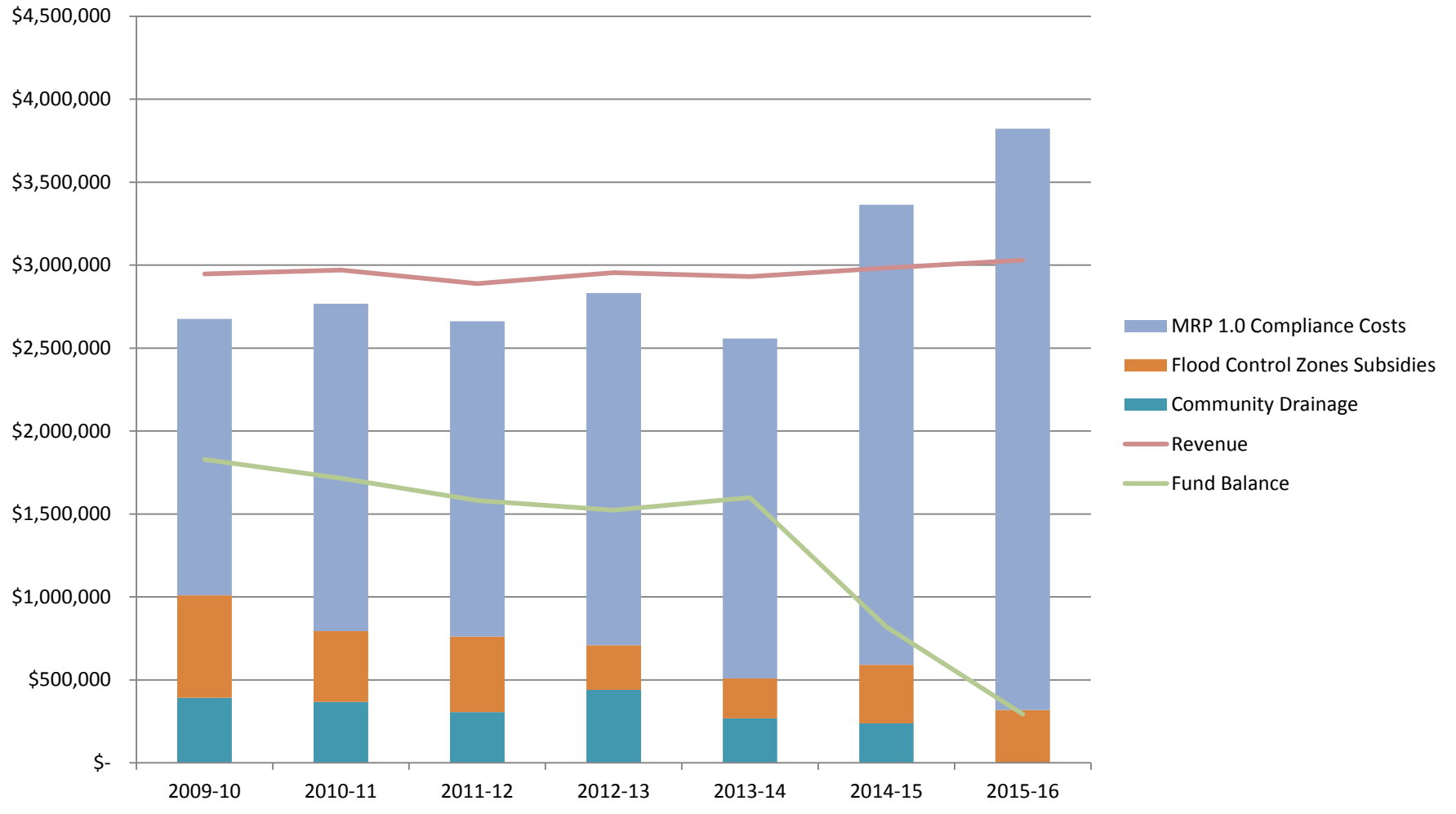
1. The Land Use Yield for Source Properties of 3.94 is taken from the MRP Fact Sheet, although the draft guidelines has a yield of 4.03 gram/acre/year.
2. The amount of acreage calculated each year for Source Properties is .90 acres, but the permit only allows a 50% credit until the property is cleaned up so twice the acreage is needed to meet the annual load reduction.
3. A 70% efficiency factor (default factor) is applied to all green infrastructure treatment. No efficiency factor is required for source control projects.

Table 6. Summary of MRP 2.0 Costs

Provision No.	Additional Requirements	Expenditures					Totals
		2016	2017	2018	2019	2020	
C.3	Trash	\$55,000	\$719,000	\$539,000	\$419,000	\$344,000	\$2,076,000
C.10	Green Infrastructure	\$0	\$91,500	\$41,000	\$889,000	\$43,000	\$1,064,500
C.11 and C.12	Mercury and PCB	\$31,000	\$11,000	\$13,423,000	\$13,331,000	\$172,184,000	\$198,980,000
Totals		\$86,000	\$821,500	\$14,003,000	\$14,639,000	\$172,571,000	\$202,120,500

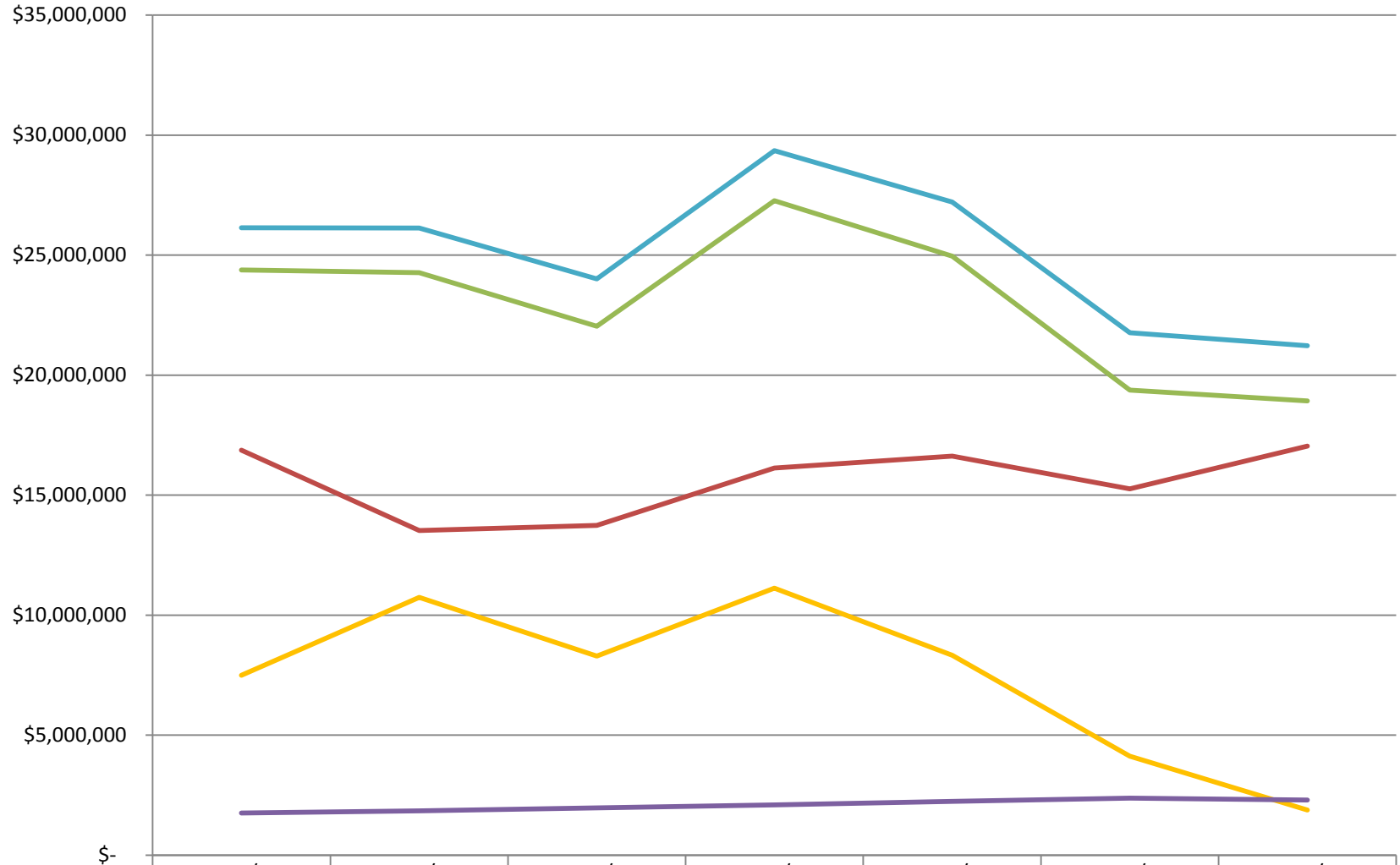
Chart 1

Stormwater Program Revenue, Expenditures, Reserves for MRP 1.0



**Chart 2. Decline of Contra Costa's Gas Tax 2010/11 - 2016/17
(2015/16 and 2016/17 are projected)**

Gas Tax/Measure J Revenues



	2010/11	2011/12	2012/13	2013/14	2014/15	2015/16	2016/17
2103 Gas Tax (Sales Tax Portion)	\$7,501,500	\$10,743,435	\$8,292,261	\$11,131,261	\$8,329,355	\$4,122,479	\$1,885,048
2104-2106 Gas Tax (Excise Tax Portion)	\$16,878,683	\$13,530,068	\$13,740,134	\$16,131,222	\$16,632,275	\$15,258,336	\$17,041,840
Total Gas Tax	\$24,380,183	\$24,273,503	\$22,032,395	\$27,262,483	\$24,961,630	\$19,380,815	\$18,926,888
Measure J-RTS	\$1,759,963	\$1,854,682	\$1,975,401	\$2,095,036	\$2,246,537	\$2,384,478	\$2,300,000
Total Discretionary Road Fund	\$26,140,146	\$26,128,185	\$24,007,796	\$29,357,519	\$27,208,167	\$21,765,293	\$21,226,888

Fiscal Year



Report to the Transportation, Water and Infrastructure Committee

October 13, 2016

Detailed cost analysis of the additional requirements in the
Municipal Regional Permit 2.0

C.3	Trash	Page 2
C.10	Green Infrastructure	Page 10
C.11	Mercury	Page 17
C.12	PCB's	Page 24

TRASH

Meeting the Trash Load Reduction Schedule for Contra Costa County

A requirement of the current Municipal Regional Permit (MRP 2.0)

I. Objective and Purpose

The following is the objective and purpose of the Trash Load Reduction requirement in the Municipal Regional Permit 2.0:

- Eliminate trash in our waterways and receiving water bodies

The following are observations of the Trash Load Reduction requirements:

- Full trash capture devices installed in drainage inlets is the preferred trash load reduction measure
- Creek clean-ups have been devalued as a trash load reduction measure
- Trash load reduction offsets are a temporary solution
- The County did not meet the required 60% load reduction by 2016, however, neither did nine of the 19 cities in the County

II. Trash Load Reduction Process and Cost

The following is a step by step process and resultant costs to meet the Trash Load Reduction requirements specified in the Municipal Regional Permit 2.0:

Provision C.10.a Trash Reduction Requirements

a.i. Meet the prescribed trash reduction targets. (2017, 2019)

The County must reduce trash discharges by 70% by July 1, 2017, and 80% by July 1, 2019. In addition, the County should have achieved 60% reduction by July 1, 2016. If the 60% reduction milestone is not achieved, then the County must prepare a plan and schedule for implementing additional trash load reduction control actions. The County did not reach the 60% milestone, achieving 43% by July 1, 2016. Meeting this requirement will entail developing a plan and schedule at \$25,000 in 2016 and 2018. The plan to meet 70% load reduction by July 2017 includes four key elements: full trash capture devices, on-land cleanups, community-based trash abatement measures, and direct

discharge controls. These four key elements and their estimated implementation costs are described in more detail below.

- Develop plan and schedule for 2016 and 2018. \$25,000 each

Full Trash Capture Devices. The County is proposing to invest \$300,000 to install full trash capture devices in storm drain inlets located in high and very high trash generation areas. Based on a 2013 project to install full trash capture devices, the average construction cost is about \$600. Adding to the cost of construction the cost of project planning, development, design, and construction management at \$400 brings the total cost per unit to \$1,000. With this budget, the County will be able to retrofit 300 storm drain inlets and will assume an annual maintenance cost of \$200 each per year.

- Convert drainage inlets to full trash capture. \$300,000
- Annual cost to maintain 300 full trash capture inlets. \$60,000

On-Land Clean Up. The County currently has a contract with a debris hauler that provides general pickup service of trash along the County's roadways and within the unincorporated communities. This contract would be expanded to include trash pickup in additional areas, and/or more frequent pickup in the existing service area at \$150,000.

- Additional on-land cleanup services. \$150,000

Community-based Trash Abatement Measures. Trash abatement in heavy trash load areas will be more effective if they are supported by the community and the community actively participates. An example of a community-based trash abatement measure would be the proposed Adopt-a-Spot program, an extension of the County's successful Adopt-a-Road program. In this case, a person, group of neighbors, or a neighborhood would adopt a drainage inlet or other trash collection feature and actively maintain it. This would entail researching and identifying feasible community-based trash abatement measures and where they could be applied at \$5,000, developing a specific abatement measure, such as the Adopt-a-Spot program, going through the program approval process, and getting it set up and operating at \$25,000, and ongoing annual operational costs at \$10,000.

- Develop a community-based trash abatement program. \$5,000
- Implement an Adopt-a-Spot program (or other program). \$25,000
- Annual operational costs. \$10,000

Direct Discharge Control. This control measure and compliance costs are discussed in more detail later on in provision e.ii.

a.ii. Update trash generation areas. (2016) Trash generation areas were developed, mapped, and submitted in February 2014 using the best data at the time. Based on information and observations since then, the County must update the trash generation areas with the 2016 Annual Report. This will entail analyzing data from the trash generation areas, determine if the trash generation areas are in the correct trash generation rate category (Low, Moderate, High, or Very High), and update the Trash Generation Area Maps at \$25,000.

- Updating the Trash Generation Area Maps. \$25,000

a.ii.a. Establishes full trash capture systems as the standard. Requires trash prevention and control actions be equivalent to or better than full trash capture systems, and defines this as "essentially no trash discharge except in very large storm flows".

- There is no cost for this item

a.ii.b. Modify private storm drain systems to include full trash capture. (2018) The County must ensure that trash from private storm drains that drain to public drainage facilities is captured with full trash capture systems or the equivalent. The County must map all properties greater than 10,000 ft.² that drain directly to public drainage systems by July 2018, indicate the trash generation rate category they are in, and indicate their trash control status. The County has 3129 acres in the Moderate trash generation rate category, 1348 acres in the High trash generation rate category, and 131 acres in the Very High trash generation rate category. These numbers represent the acres of trash generation categories that are within the Urban Limit Line plus a few key connector roads. Meeting this requirement will entail developing a map of 10,000 ft.² parcels at \$25,000, develop an inventory of and map private drainage systems throughout the County that drain to public systems at \$50,000, determine the trash capture status of parcels that drain to public drainage systems at \$10,000, develop a legal means to require full trash capture devices on private property at \$50,000, and implement full trash capture requirements on private land at \$25,000.

- Modify private storm drain systems. \$160,000

a.iii. Install mandatory minimum full trash capture systems. The County must install and maintain full trash capture devices to treat runoff

from 157 acres (30% of the County's retail/wholesale land area). This requirement was in MRP 1.0 and was completed with the help of grant funding. There is no additional cost for MRP 2.0.

- No additional costs.

b.i.a. Develop a Maintenance Plan to ensure maintenance of full trash capture devices. (2017, 18, 19, 20) The County must maintain full trash capture devices to prevent flooding, plugging of the 5 mm screen, or overflow of the device's trash storage reservoir. Inspection must occur at least once a year, and in High or Very High trash generation rate category areas at least twice per year. The capacity of a device's trash storage reservoir cannot exceed 50% at the time of inspection. This will entail developing a maintenance checklist to ensure appropriate data is gathered with each inspection and developing a maintenance schedule, by trash generation rate category, at \$25,000, developing an acceptable maintenance report format to include the trash storage capacity at the time of maintenance at \$10,000, and budget the cost to maintain full trash capture devices at \$200 each per year. The County currently has 139 full trash capture devices in place. The cost to maintain the current full trash capture devices was part of MRP 1.0, so no cost increase is associated with MRP 2.0 unless more devices are installed.

- Ensure maintenance of full trash capture devices. \$35,000
- Additional annual cost of maintenance (included in MRP 1.0). \$0

b.i.b. Maintain maintenance records and report annually on effectiveness of full trash capture devices. (2017, 18, 19, 20) The County must retain specific information for each full trash capture device, including the date of maintenance, capacity of the trash storage reservoir, any flooding or special problems, any damage that would reduce its function, etc. This information must be reported each year with the Annual Report. All this information will be developed with the maintenance plan identified above, so the only additional cost is for the Annual Report at \$3,000 per year.

- Annual cost to prepare the Annual Report maintenance log. \$3,000

b.i.c. Annual certification of full trash capture systems. (2017, 18, 19, 20) The County must certify each year that their full trash capture systems meet permit compliance. Areas that drain to full trash capture systems are considered to be in a Low trash generation rate category. The cost to develop the certification for the Annual Report is \$1000 per year.

- Annual cost to provide certification. \$1000

b.ii.a. Document trash management actions other than full trash capture devices. (2017) The County must identify and document Other Trash Control Actions, defined as all actions other than full trash capture systems. Documentation must include a description of the action, level of implementation, timing and frequency of implementation, standard operating procedures, location, drainage area affected, tracking and enforcement procedures, etc. The County is contemplating several additional control measures such as increasing street sweeping in commercial areas, providing street sweeping in areas currently not swept, expanding the Adopt-a-Road program to include visual assessments to get credit for trash collection, installing curb and gutter in areas with roadside ditches to facilitate street sweeping, or converting roadside ditches to bio-retention facilities, which also act as trash capture devices. This will entail evaluating each potential trash control action, developing a tracking system to gather the required data and provide information for the Annual Report to achieve approximately 27% credit towards the 70% goal at \$25,000.

- Document trash management actions. \$25,000

b.ii.b. Conduct visual assessment to determine effectiveness of other trash management actions. (2019) The County must conduct visual assessments of each trash generation area that has Other Trash Management Actions to determine their effectiveness (full trash capture devices are handled separately). This would entail conducting observations along sidewalks, curbs and gutters, and other places associated with trash generation, at locations covering at least 10% of the trash management area's street miles, and at a frequency consistent with the estimated trash generation rates at \$50,000.

- Conduct visual assessments. \$50,000

b.iii. Calculate trash discharge reduction each year. (2017, 18, 19, 20) The County must calculate the reduction in trash discharge to receiving waters based on the formula provided in MRP 2.0 and submit it with each Annual Report. This will entail gathering the required data to perform the calculation at \$5,000 each year.

- Annual calculation of trash discharge reduction. \$5,000

b.iv. Develop a source control strategy. (2019) The County may adopt source control actions to reduce trash load reductions, which may be valued at up to 10% of the total required load reduction. An example of

a source control action would be adopting a ban on plastic bags. This was proposed two years ago and the Board decided not to go forward at that time for a variety of reasons. However, given the value of load reduction this represents, it may be worth revisiting this source control measure. Developing a strategy would involve identifying possible source control measures, evaluating those measures, determining the feasibility of viable measures, and developing a recommendation and draft strategy for review and approval at \$25,000. Adopting a ban on plastic bags would entail preparing an environmental document at \$5,000, coordinating with surrounding cities at \$25,000, developing an ordinance at \$10,000, going through the ordinance review process at \$25,000, and the ordinance approval process at \$10,000. Adopting a ban on polystyrene products at restaurants would cost the same.

- Develop a source control strategy. \$25,000
- Adopt a ban on plastic bags. \$75,000
- Adopt a ban on polystyrene containers. \$75,000

b.v. Develop receiving water monitoring program, with tools and protocols, and conduct the monitoring. (2018, 19, 20) BASMAA will be developing the receiving water monitoring program. The cost to the County will be a share of the start-up costs to develop the program in 2018 at \$10,000 and an annual cost to maintain the program at \$5,000.

- Develop receiving water monitoring program cost share. \$10,000
- Annual cost to manage the receiving water monitoring program. \$5,000

c. Select trash hotspots and conduct cleanups. This requirement is the same as MRP 1.0, so there are no additional costs with the new MRP 2.0.

- No additional costs.

d. Prepare amendments to the Trash Load Reduction Plan. (2016, 18) This will entail preparing amendments to the County's Trash Load Reduction Plan to meet the required load reduction of 70% by 2017 and 80% by 2019. These costs are included in section C.10.a.i.

- There is no additional cost for this item.

e.i. Evaluate creek and shoreline cleanups as a trash control measure. (2017, 18) The County is allowed to utilize creek and shoreline cleanups as an offset to the trash load reduction requirement. The offset is calculated from a formula contained in MRP 2.0. Based on the formula, the County will receive 1% offset for every 63 cubic yards of

trash picked up, with a maximum offset of 10%. A small cleanup can fill up one or two 6-yard debris boxes and an average cleanup can fill up one 20-yard debris box. A standard 10 wheel dump truck in our Maintenance Division holds about 10 cubic yards. To receive a 1% offset (and put 63 cubic yards in perspective) would require three average cleanups or six dump truck loads of trash. In 2019 the volume will be increased to 190 cubic yards of trash to receive a 1% offset, or about 19 dump truck loads full of trash. To meet this offset will entail identifying partners to conduct creek and shoreline cleanups, determining the cost to coordinate and conduct the cleanups, calculating the percent offset to the trash load reduction target, evaluating their benefit to meeting the County's requirement at \$25,000, and analysis of its annual effectiveness at \$5,000 per year.

- Evaluate creek cleanups as a control measure. \$25,000
- Annual analysis of effectiveness. \$5,000

e.ii. Evaluate direct trash discharge control measures to help meet the trash load requirement. (2017, 18) The County is allowed an offset to the trash load reduction requirement for controlling direct discharges of trash to receiving waters from non-storm drain system sources. The offset is calculated from a formula contained in MRP 2.0. The formula results in the same trash volumes as C.10.e.i, 63 cubic yards in 2017 and 190 cubic yards in 2019. The maximum offset is 15%. Cleaning up homeless encampments along creeks would be the most applicable example of a direct discharge of trash from a non-storm drain system source. The County has been spending over \$100,000 a year on homeless encampment cleanups with MRP 1.0. Unfortunately, homeless encampments are usually repopulated within a couple of weeks. This trash discharge control measure would have to prevent repopulation of homeless encampments to be effective. This will entail taking a leadership role and coordinating with various County departments, non-profit organizations, and cities to develop an effective homeless encampment removal plan, determining the responsible agency for implementing the various components of the plan for the applicable creeks in the County, and determining the responsible agency for enforcement of the plan to prevent repopulation at \$50,000. The County share to implement and enforce the plan each year at \$200,000 (minus \$100,000 existing costs in MRP 1.0) and analysis of its annual effectiveness at \$5,000 per year.

- Develop a homeless encampment removal plan. \$50,000
- Annual cost to implement and enforce the plan. \$100,000
- Annual analysis of effectiveness. \$5,000

f.v.b. Prepare non-compliance report IF the County does not meet the trash load reductions required in 2017 or 2019. If the County does not meet 70% trash load reduction by 2017 or 80% load reduction by 2019, a noncompliance report must be prepared and submitted to the Regional Board. The report must include a plan and schedule to implement full trash capture systems, or equivalent, to attain the required reduction. It is assumed that the fallback plan is to convert all inlets in non-attainment areas to full trash capture. The County has about 7,300 drainage inlets, of which 2,100 are located in Moderate, High, or Very High trash generation areas. It is assumed that 20% of the 2,100 conversions to full trash capture would present an operational problem and require extensive modifications of the storm drain inlet to resolve. For example, if a drainage inlet is functioning marginally in collecting stormwaters and a full trash capture device would cause flooding, then perhaps an additional inlet would need to be installed just downstream to handle the overflows. Implementing this option would entail identifying the drainage inlets in the non-attainment areas and assessing their ability to be converted to full trash capture at \$50,000, develop the non-compliance report at \$25,000, develop a project and install full trash capture devices in 1,680 drainage inlets at \$1000 per inlet (\$600 installation plus \$400 in project planning, development, design, and construction management), develop a project and construct drainage inlet modifications for 420 drainage inlets at \$5000 per inlet, and budget the cost to maintain these additional full trash capture devices at \$200 each per year.

Note: These activities and costs will not be necessary if the required trash load reduction targets are attained.

- Develop the non-compliance report. \$25,000
- Drainage system assessment. \$50,000
- Convert drainage inlets to full trash capture. \$1,680,000
- Structurally modify inlets to accommodate full trash capture. \$2,100,000
- Annual cost to maintain 2,100 full trash capture inlets. \$420,000

GREEN INFRASTRUCTURE

Developing a Green Infrastructure Plan for Contra Costa County

A requirement of the current Municipal Regional Permit (MRP 2.0)

I. Objective and Purpose

The following are the stated objectives and purpose of the Green Infrastructure Plan requirement in the Municipal Regional Permit 2.0:

- Include LID drainage design into public projects
- Provide an implementation guide and planning tool to meet TMDL requirements
- Develop a reasonable assurance analysis that waste load allocations will be met
- Monitor/track implementation effectiveness
- Provide a vision and strategy to convert gray infrastructure to green infrastructure
- Provide criteria and methodology to prioritize Green Infrastructure projects
- Incorporate other waste load reduction plans into a Green Infrastructure Plan, creating an overall master plan
- Track area treated by Green Infrastructure and track amount of directly connected impervious surfaces

Note: This provision C.3.j defines the concept of and outlines the requirements for Green Infrastructure. The compliance costs for implementing Green Infrastructure to effectuate pollutant load reduction, however, will be found in the PCB requirements.

II. Plan Development Process and Cost

The following is a step by step process and resultant costs to meet Green Infrastructure Plan requirements specified in the Municipal Regional Permit 2.0:

Provision C.3.j.i Green Infrastructure Program Plan Development

1. Prepare a Green Infrastructure Plan framework document. (2017)

This will describe the detailed process for the County Board of Supervisors to approve a Plan by June 30, 2017. The framework must include a statement of purpose, specific tasks, and time frames to complete the required elements listed in MRP 2.0. This will entail a primary author, likely an engineer or consultant, for two weeks at \$16,000 (80 x 200), coordination with staff at \$2,000, three team meetings at \$1,500 each, and a review process at \$5,000. To receive Board Approval will require a TWIC meeting with a report and other documentation at \$5,000 and a Board of Supervisors report and presentation at \$2,000.

- Green Infrastructure Plan framework document. \$27,500
- Board approval process. \$7,000

2.a. Develop a mechanism to map and prioritize GI projects on a watershed basis. (2019, 20) It is assumed we will use San Francisco Estuary Institute's (SFEI) GreenPlanIT tool to map areas for potential and public planned projects. GreenPlanIT is a GIS-based tool that uses land-use, pollution loading, hydrology, and cost data to optimize the placement of Green Infrastructure projects. To use the tool, we will need to provide land-use data at \$1,000, drainage inventory at \$50,000, data on source properties at \$10,000, data for developing feasibility criteria, such as utility location, community design, neighborhood compatibility, soil type, right-of-way availability, etc. at \$50,000, data for developing prioritization criteria, such as water quality parameters, TMDL load reduction requirements, etc. at \$10,000, and coordination at \$5,000. There will also need to be an agreement with SFEI to operate the tool and work with SFEI to ensure data transfer is compatible with our various CIPs (ie, CRIP, Capital Projects, FCCIP) at \$5,000. Finally there will be an annual cost to "operate" the tool at \$5,000 per year. GreenPlanIT is a new program still under development and these estimated costs will need to be verified with SFEI.

For private projects it is assumed we will also use SFEI's GreenPlanIT for tracking purposes, and it is assumed project prioritization is NOT required as implementation is dependent on developer's independent schedules. This will entail estimating Green Infrastructure projects proposed developments will construct, identifying all Green Infrastructure projects under design by developments, and providing this data to SFEI at least once a year at \$5,000 per year. Identifying opportunity areas on private property, such as parking lots, will entail determining criteria for what types of opportunity areas the County has the jurisdiction to impose Green Infrastructure, and when and how, at \$25,000, reviewing aerial maps and identifying opportunity sites at \$25,000, and determining and implementing the best way to require Green Infrastructure on private parcels at \$25,000.

- Mapping and prioritization mechanism for public projects. \$131,000
- Mapping and prioritization mechanism for private projects. \$75,000
- Annual cost to determine private project data. \$5,000
- Annual operational costs. \$5,000

2.b. Outputs from the mapping and prioritization mechanism. (2019) It is assumed that the cost for the outputs such as maps, project lists, project ranking, etc., are included in the development of the mechanism itself (C.3.j.i.2.a). This may change as we better understand what the output needs are and how they will be developed.

- No additional cost for this item.

2.c. Develop urban built environment retrofit targets. (2019) It is assumed that the load reduction calculations to determine the targets will be included in the costs for Provision C.11 and C.12. There will be an administrative cost to adapt the load reduction calculations into targets and prepare a report at \$10,000 each for public and private spaces.

- Targets to retrofit the public urban built environment. \$10,000
- Targets to retrofit the private urban built environment. \$10,000

2.d. Develop a process for tracking and mapping completed GI projects. (2019, 20) It is assumed this capability will be available for both public and private projects with SFEI's tool and general coordination will be all that is needed at \$2,000 each year.

- Annual coordination costs. \$2,000

2.e. Develop guidelines for project development, design, and construction to ensure that green infrastructure is not precluded but is included in projects. (2019) The process to develop these guidelines would be required for all types of projects, such as roads, buildings, parking lots, parks, airports, and drainage. It is assumed this would be done at a regional level and our role would be to coordinate the development of guidelines. For example, perhaps MTC for ABAG would take the lead in developing some or all of these guidelines. There would be a cost share to the County for the regional entity to hire the consultant at \$5,000, staff involvement at \$10,000, and staff cost to tweak the guidelines to meet the County's specific needs at \$5,000.

- Develop a suite of guidelines. \$20,000

2.f. Prepare standard specifications and standard plans. (2019) It is assumed this could be done at a regional level, however, we have a significant amount of unique requirements for specifications and construction details that would add additional costs. There would be a cost share to the County for the regional entity to hire a consultant at \$5,000, staff involvement at \$10,000, and staff cost to tweak the standard specifications and standard plans to meet the County's specific needs at \$25,000.

- Prepare standard specifications and plans. \$40,000

2.g. Develop options to include hydro-modification in GI projects. (2019) Hydro-modification must be included in Regulated Projects but a variety of options could be used for non-Regulated Projects. The options analysis should consider watershed health, creek improvements, TMDL load reductions, etc. To achieve this will require developing an options analysis at \$25,000, a

policy level discussion and decision at \$10,000, and staff cost to integrate the options into our project development, design, and construction checklists and other planning and implementation processes at \$20,000.

- Develop options for HMP. \$55,000

2.h. Update County's foundational planning documents. (2019) This entails updating the County's General Plan, Specific Plans, Transportation Plan, the Flood Control District's 50 Year Plan, and other key planning documents that impact the design of impervious surfaces. The cost to update the General Plan is likely \$100,000, to develop a Flood Control District plan is also likely \$100,000, and to modify the Transportation Plan is likely \$50,000. Other plans would have to be identified and update costs estimated. These costs represent a placeholder estimate, as it is difficult to estimate the cost of updating these documents until more specifics are known about the Green Infrastructure program, which will be determined when we get closer to implementation and the program is better defined. For example, if an EIR is needed the costs would be substantially more.

- Update County planning documents. \$250,000

2.i. Develop work plan to ensure GI and LID measures are included in developing and amending future planning documents. (2019) This would entail developing a process in those departments and programs that have or will develop or update a key planning document (primarily DCD and PWD) to ensure GI and LID design elements and requirements are included at \$25,000.

- Develop work plan. \$25,000.

2.j. Develop work plan to complete prioritized GI projects. (2019) This work plan is meant to ensure completion of projects identified in an Alternative Compliance Program or part of the Early Implementation list of projects, but these underlying processes will also be used for future GI projects. This will entail developing a separate Green Infrastructure Capital Improvement Program (CIP) at \$50,000, updating our existing road infrastructure CRIP at \$25,000, and modifying our Facilities CIP in Capital Projects at \$25,000, and developing a work plan outlining the process to achieve this at \$25,000.

- Develop work plan and CIP modifications. \$125,000

2.k. Develop a Green Infrastructure Financing Plan. (2019) This requires an evaluation and prioritization of project funding options, such as Alternative Compliance funds, grants, transportation funding from federal, state, and local sources, etc. To achieve this will require research of available funding options, analysis of which projects best fit the various funding options and development of a strategic plan to go after specific funding for specific projects at \$25,000.

- Develop Financing Plan. \$25,000
- 3. Develop and adopt policies, ordinances, etc., to ensure implementation of the Green Infrastructure Plan. (2019)** This will entail developing standard conditions of approval at \$10,000, revising design manuals and checklists at \$10,000, developing ordinance code language at \$10,000, and going through the review and adoption process for the ordinance code revisions at \$25,000.
- Adopt policies and ordinances. \$45,000
- 4.a. Conduct public outreach on the Green Infrastructure Plan and its requirements. (2017, 18, 19, 20)** This will entail making presentations at various organizations, such as the Contra Costa Watershed Forum, East Bay Municipal Engineers, Public Managers Association, City County Engineering Advisory Committee, etc. at \$5,000, and planning, preparing, and holding three workshops at \$2,000 each.
- Annual cost to conduct public outreach. \$11,000
- 4.b. Provide training to staff on the Green Infrastructure Plan, its requirements, and implementation methods. (2017, 18, 19, 20)** This will entail developing a staff training program at \$3,000, and implementing a staff training program at \$3,000 per year.
- Develop staff training. \$3,000
 - Annual cost to train staff. \$3,000
- 4.c. Educate County elected officials on the Green Infrastructure Plan and its requirements and implementation methods. (2017, 18, 19, 20)** This will entail planning, preparing, and holding a workshop for the County Planning Commission, the Transportation, Water, and Infrastructure Committee, and the Board of Supervisors at \$5,000 and conduct a workshop at \$2,000 each year thereafter.
- Develop and conduct workshop for County elected officials. \$5,000
 - Annual cost to hold workshop. \$2,000
- 5. Report on Green Infrastructure planning progress. (2017, 18, 19, 20)** This entails preparing a report each year outlining the progress on developing and implementing the County's Green Infrastructure Plan at \$5,000 per year.
- Annual cost to report on Green Infrastructure Plan progress. \$5,000

Provision C.3.j.ii. Early Implementation of Green Infrastructure Projects (No Missed Opportunities)

1. **Prepare and maintain a list of public and private GI projects, and infrastructure projects that could include GI measures. (2017, 18, 19, 20)** This would entail reviewing all development projects and developing a list of GI projects and other projects that could include GI at \$5,000, and reviewing our current CIP project lists to determine which projects could include a GI component at \$5,000. There would also be an annual cost to update and maintain the list at \$1,000 per year for each list.
 - Prepare list of public and private GI projects. \$10,000
 - Annual cost to update project lists. \$2,000

2. **Prepare a status summary for each public and private GI project. (2017, 18, 19, 20)** The intent of this requirement is to report how each public and private project is incorporating Green Infrastructure elements, and explain why Green Infrastructure was not added to those projects that do not have a Green Infrastructure element. These status summaries would be provided in the Annual Report. This would entail researching and drafting a summary report for each private development project each year at \$3,000 and for each public project each year at \$3,000.
 - Annual cost to provide project status reports. \$6,000

Provision C.3.j.iii. Participate in Processes to Promote Green Infrastructure

1. **Influence regional, state, and federal agencies to fund and incorporate GI measures into local projects. (2017, 18, 19, 20)** This requires an annual effort to track political, grant, and financial processes at all levels of government and advocate for the development of Green Infrastructure, the need for additional funding, and ways to increase efficiencies. It is assumed this would be performed at the regional level (for example BASMAA) and would result in a cost share for the County and staff coordination of \$5,000 each year.
 - Annual cost to advocate for Green Infrastructure. \$5,000

2. **Report on participation goals. (2017, 18, 19, 20)** It is assumed this would be performed at a regional level and would entail the County's share in an effort to report on the goals and outcomes of participating in the promotion and advocacy for Green Infrastructure each year at \$5,000.
 - Annual cost to develop participation goals. \$5,000

3. **Prepare a plan and schedule for new advocacy efforts. (2019)** This is required in the 2019 Annual Report. It is assumed this would be performed at a regional level and would entail the County's share in an effort to develop a plan of new and ongoing efforts to promote and advocate for Green Infrastructure at \$5,000.
 - Prepare an advocacy plan and schedule. \$5,000

Provision C.3.j.iv. Tracking and Reporting Progress

1. **Develop regionally consistent tracking method for Green Infrastructure. (2019)** The intent is to have a tracking system that has information from each jurisdiction (in a format that is consistent throughout the Bay Area) of Green Infrastructure, treated area, and connected and disconnected impervious areas for both public and private projects. The system must also provide information necessary to develop reasonable assurance analysis for TMDL waste load allocations. It is assumed this would be developed at a regional level, possibly through SFEI or BASMAA, with a required cost share from the County at \$10,000 and staff coordination costs of \$10,000.
 - Develop tracking method for Green Infrastructure. \$20,000
2. **Report progress on tracking methods each year. (2017, 18, 19, 20)** This will entail reviewing the activities for the year, extracting information from the regional tracking entity, and preparing a report for the Annual Report at \$2,000.
 - Annual cost to report on tracking method. \$2,000
3. **Submit tracking methods and status in 2019 Annual Report. (2019)** This information would have been developed in the two items above so no additional cost is needed.
 - No additional cost for this item.

MERCURY

Meeting the Mercury Load Reduction Schedule for Contra Costa County

A Requirement of the Current Municipal Regional Permit (MRP 2.0)

I. Objective and Purpose

The following are the objectives and purpose of the Mercury Load Reduction requirement in the Municipal Regional Permit 2.0:

- Meet the TMDL schedule for all permittees in the San Francisco Bay Area to remove 48 grams per year by the end of the permit term
- Implement and test a variety of control measures to remove Mercury
- Identify and abate source properties

The following are observations of the Mercury Load Reduction requirements:

- Green Infrastructure is the most favored overall control measure.
- Old industrial and old urban land uses are considered the overall primary source of Mercury, other than source properties.

II. Mercury Load Reduction Process and Cost

The following is a step by step process to meet the Mercury Load Reduction requirements specified in the Municipal Regional Permit 2.0:

Note: Many of the control measures to reduce PCB loads will also reduce Mercury loads, so the cost to comply with almost all the Mercury provisions is included in the compliance costs for PCBs.

Provision C.11: Reducing Mercury Levels in the Bay

a.i. Implement control measures to reduce Mercury. The County must implement source and treatment control measures to reduce Mercury loads, with a specific requirement to reduce 1.37 grams per year by July 2020. All co-permittees within the County must reduce Mercury loads by 9 grams per year by 2020. The County's share of that load reduction, based on population as of January 2015, is 15.26%. The cost to implement the control measures identified in this provision is covered in the provisions outlining the control measures.

- No additional cost for this item.

a.ii.1. Identify current and proposed watersheds or management areas with control measures. (2016) The County must identify the watersheds or management areas (portions of watersheds) where Mercury control measures are currently being implemented and where new control measures will be implemented. This activity is also required for PCBs and the cost to meet this Mercury provision is included in the PCB costs.

- No additional cost for this item.

a.ii.2. Identify current and new control measures. (2016) The County must identify the various types of control measures that are currently being implemented (primarily street sweeping) and control measures that will be implemented. Control measures can include abating source properties, constructing green infrastructure treatment facilities, sweeping streets in management areas, cleaning drainage inlets, redeveloping contaminated areas, diverting stormwater from pump stations to sewer treatment plants, and flushing streets. This activity is also required for PCBs and the cost to meet this Mercury provision is included in the PCB costs.

Note: It should be noted that like PCBs, Mercury attaches to sediment particles, so control measures that remove sediment are an effective way to remove Mercury. However, while PCBs can be highly concentrated in source properties, Mercury is dispersed more evenly throughout the watershed, so control measures that focus on remediating source properties is not as effective with Mercury as with PCBs.

- No additional cost for this item.

a.ii.3. Develop implementation schedule. (2016, 17, 18, 19, 20) The County must develop a schedule to implement new control measures. This activity is also required for PCBs and the cost to meet this Mercury provision is included in the PCB costs.

- No additional cost for this item.

a.ii.4. Implement control measures to meet load reduction requirements. (2018, 2020) The County must implement control measures to reduce Mercury by at least 1.37 grams per year with Green Infrastructure. The calculation of load reduction is based on the land-use type of the drainage area flowing to the control measure. Treating sediment laden stormwater draining from, or preventing sediment from mobilizing in, areas with Old Industrial land uses yields a load reduction of

1.3 grams per acre per year, while Old Urban land uses yields 0.215 grams per acre per year, and New Urban/Other land uses yields 0.033 grams per acre per year. "Old" land use areas are those generally constructed before 1980 and "New" constructed after 1980. This activity is also required for PCBs and the cost to meet this Mercury provision is included in the PCB costs.

- No additional cost for this item.

a.iii.1. Develop a Progress Report on implementation of control measures. (2016) The County must develop a progress report by April 2016 outlining the steps taken to develop a list of watersheds, identify control measures, and justify the selection of watersheds using monitoring data. This activity is also required for PCBs and the cost to meet this Mercury provision is included in the PCB costs.

- No additional cost for this item.

a.iii.2. Develop an implementation status report for each Annual Report. (2016, 17, 18, 19, 20) The County must develop a status report each year that includes the number, type, and location of control measures (included in C.11.a.ii.2), the description, scope, and start date of the control measures plus implementation progress milestones and schedule for milestone achievement (partially included in C.11.a.ii.2 and C.11.a.ii.3), and indicate the roles and responsibilities of each participating co-permittee where multiple jurisdictions are involved. This activity is also required for PCBs and the cost to meet this Mercury provision is included in the PCB costs.

- No additional cost for this item.

a.iii.3. Annual updates of control measures and implementation milestone achievement. (2017, 18, 19, 20) The County must update the report required in section a.iii.2 above each year. This activity is also required for PCBs and the cost to meet this Mercury provision is included in the PCB costs.

- No additional cost for this item.

b.i. Develop an assessment methodology to quantify Mercury load reductions. (2016) The MRP 2.0 includes a load reduction accounting system based on land-use. The system provides a certain load reduction credit by treating sediment laden stormwater draining from or preventing sediment from mobilizing in areas with Old Industrial, Old Urban, and New Urban/Other land-uses. BASMAA will be developing the assessment

methodology based on this accounting system to satisfy this requirement. This activity is also required for PCBs and the cost to meet this Mercury provision is included in the PCB costs.

- No additional cost for this item.

b.ii. Calculate the Mercury load reduction achieved through the control measures each year. (2017, 18, 19, 20) The County must calculate the reduction in Mercury load reduction with each of the control measures implemented and operating during the year. This activity is also required for PCBs and the cost to meet this Mercury provision is included in the PCB costs.

- No additional cost for this item.

b.iii.1. Submit the assessment methodology to the Executive Officer. (2016) This requirement is being met by BASMAA with no additional cost to the County.

- No additional cost for this item.

b.iii.2. Provide Mercury load reductions each year in the Annual Report. (2017, 18, 19, 20) This is included in b.ii above, so there are no additional costs.

- No additional cost for this item.

b.iii.3 Submit an update of the assessment methodology to the Executive Officer. (2018) This update will be performed by BASMAA at no additional cost to the County.

- No additional cost for this item.

c.i. Implement a minimum amount of green infrastructure projects to reduce Mercury loads. (2020) This activity is also required for PCBs and the cost to meet this Mercury provision is included in the PCB costs.

- No additional cost for this item.

c.ii.1 Implement green infrastructure projects to reduce Mercury loads by a specified amount. (2020) All co-permittees in the County must reduce PCB loads by 9 grams per year by June 30, 2020. The County's share of that (15.26%) is 1.37 grams per year. Each permittee may meet this requirement individually or all co-permittees may meet this

requirement collectively with agreement through the Clean Water Program. To meet the Mercury load requirement of 1.37 grams per year would require treating 1.5 acres of Old Industrial land uses or 9.1 acres of Old Urban land uses. The County is required to reduce PCBs by 3.51 grams per year with Green Infrastructure. To meet this PCB load reduction would require treating 58.0 acres of Old Industrial land uses or 165.4 acres of Old Urban land uses. This calculation includes a 70% efficiency factor, which is the default factor approved by the Regional Board. The PCB acreage to meet load reduction targets is much greater than the Mercury load reduction acreage, so meeting the PCB requirement will also meet the Mercury requirement. As a result, the cost to meet the Mercury requirements for this section is included in the cost to meet the PCB requirements.

- No additional cost for this item.

c.ii.2. Prepare a reasonable assurance analysis on the effectiveness of Green Infrastructure projects. (2020) The reasonable assurance analysis must demonstrate how Green Infrastructure will be implemented to achieve load reduction goals by the five counties in the Bay Area with MRP permits, and achieve reductions of at least 10,000 grams per year by 2040. The report must be scientifically rigorous including documentation of all model development, model runs, and required peer review. This analysis and report will be prepared by BASMAA. This activity is also required for PCBs and the cost to meet this Mercury provision is included in the PCB costs.

- No additional cost for this item.

c.iii.1. Prepare report on the quantitative relationship between Green Infrastructure and Mercury load reduction. (2018) This report will be prepared by BASMAA with no additional cost to the County.

- No additional cost for this item

c.iii.2. Prepare report on amount and characteristics of land area treated by Green Infrastructure. (2020) This report must estimate the area of land treated by Green Infrastructure and the land-use type of the treatment area for the years 2020, 2030, and 2040. The report will be prepared by BASMAA at no additional cost to the County.

- No additional cost for this item.

c.iii.3. Submit a reasonable assurance analysis. (2020) This reporting requirement is included in section C.11.c.ii.2.

- No additional cost for this item.

c.iii.4. Prepare report on the amount of Mercury removed with Green Infrastructure (2019, 20) This report must estimate the amount of Mercury load reductions achieved with Green Infrastructure during the term of the permit. This activity is also required for PCBs and the cost to meet this Mercury provision is included in the PCB costs.

- No additional cost for this item.

d.i. Prepare implementation plan and schedule to achieve TMDL waste-load allocations. (2020) The County must provide an implementation plan and schedule to implement control measures to meet load reduction requirements and prepare a reasonable assurance analysis that the control measures will attain the TMDL waste-load allocations by 2028. BASMAA will provide an overall framework for the reasonable assurance analysis, but each permittee will have to develop the analysis for their particular control measures. The costs for this provision is included in the more specific requirements outlined below.

d.ii.1. Identify control measures to be implemented. (2020) The implementation plan must identify all technically and economically feasible control measures that will be implemented by the County. The reasonable assurance analysis must demonstrate that the control measures will meet the County's proportional share of the TMDL waste-load allocations by 2028. While much of this work will be covered by the requirements in the PCB provision, there will be some additional work needed. This will entail identifying control measures at \$2,000 and preparing the reasonable assurance analysis at \$5,000.

- Identify control measures and perform assurance analysis. \$7,000

d.ii.2. Develop a schedule to implement control measures. (2020) The County must develop a schedule to implement the control measures in the implementation plan. This activity is also required for PCBs and the cost to meet this Mercury provision is included in the PCB costs.

- No additional cost for this item.

d.ii.3. Evaluate overall effectiveness of control measures. (2020) For each control measure the County must quantify the Mercury load reduction based on field testing results or agreed to equivalencies, identify the capital construction costs and annual maintenance costs, identify any significant environmental impacts resulting from implementation, and

develop metrics and calculate efficiencies on a unit basis for comparison purposes. This activity is also required for PCBs and the cost to meet this Mercury provision is included in the PCB costs.

- No additional cost for this item.

d.iii. Submit the plan and schedule in the 2020 Annual Report. The cost for this provision is included in the more specific requirements outlined above.

- No additional cost for this item.

e.i.-iii. Implement a risk reduction program. (2016, 17, 18, 19, 20) This provision requires development of a risk reduction program to reduce health risks to those people likely to consume fish caught in San Francisco Bay. This was also a requirement of MRP 1.0 and implemented through the Regional Monitoring Program, so there is no additional cost for MRP 2.0.

- No additional cost for this item.

POLYCHLORINATED BIPHENYLS (PCBs)

Meeting the PCB Load Reduction Schedule for Contra Costa County

A Requirement of the Current Municipal Regional Permit (MRP 2.0)

I. Objective and Purpose

The following are the objectives and purpose of the Polychlorinated Biphenyls (PCBs) Load Reduction requirement in the Municipal Regional Permit 2.0:

- Meet the TMDL schedule for San Francisco Bay to remove 3 kg/year by the end of the permit term.
- Implement and test a variety of control measures to remove PCBs.
- Identify and abate source properties
- Establish PCB management during building demolition activities.

The following are observations of the PCB Load Reduction requirements:

- Green Infrastructure is the most favored overall control measure.
- Old industrial and old urban land uses are considered the overall primary source of PCBs other than source properties.

II. PCB Load Reduction Process and Cost

The following is a step by step process and resultant costs to meet the PCB Load Reduction requirements specified in the Municipal Regional Permit 2.0:

Provision C.12: Reducing PCB Levels in the Bay

a.i. Implement control measures to reduce PCBs. (2018, 2020)

All co-permittees within Contra Costa County must reduce PCB loads by 90 grams per year by 2018 and 560 grams per year by 2020. The County's share of that load reduction, based on population as of January 2015, is 15.26%. So, the County must implement source and treatment control measures to reduce PCBs by 13.73 grams per year by 2018 and 85.45 grams per year by 2020 and

The cost to implement the control measures identified in this provision is covered in the provisions outlining the specific control measure.

- No additional cost for this item

a.ii.1 Identify current and proposed watersheds or management areas with control measures. (2016) The County must identify the

watersheds or management areas (portions of watersheds) where PCB control measures are currently being implemented and where new control measures will be implemented. This will entail identifying where control measures are currently being implemented at \$1,000, and analyzing and identifying where new control measures can be implemented at \$10,000.

- Identify watersheds/management areas with control measures. \$11,000

a.ii.2. Identify current and new control measures. (2016) The County must identify the various types of control measures that are currently being implemented (primarily street sweeping) and control measures that will be implemented. PCB molecules attach themselves to sediment particles, so control measures that settle out or capture sediment particles are most effective. Control measures can include abating “source properties” (properties where PCBs were stored or used in industrial processes), constructing green infrastructure treatment facilities, sweeping streets in management areas, cleaning drainage inlets, redeveloping contaminated areas, diverting stormwater from pump stations to sewer treatment plants, flushing streets, and managing debris during building demolition and renovation. This will entail identifying the various types of current control measures being used and analyzing and determining what type of control measure would be most appropriate in the new management areas. These costs are included in C.12.a.ii.1 above.

Note: The County is proposing four control measures, 1) identifying source properties throughout the unincorporated County and referring them to the Regional Board, 2) developing a large scale treatment project in the North Richmond Pump Station drainage, 3) construct curb and gutter where none now exists to facilitate street sweeping in and around Old Industrial areas, and 4) construct Green Infrastructure projects throughout the unincorporated County.

- There is no additional cost for this item

a.ii.3. Develop implementation schedule. (2016, 17, 18, 19, 20) The County must develop a schedule to implement new control measures at \$10,000, and update it as necessary each year at \$1,000 per year.

- Develop implementation schedule. \$10,000
- Annual cost to update schedule. \$1,000

a.ii.4. Implement control measures to meet load reduction requirements. (2018, 2020) The County must implement control

measures to reduce PCBs by 13.73 grams per year by 2018 and 85.45 grams per year by 2020. It is assumed that the County will avail itself of the 67% load reduction credit for implementing a demolition control program, leaving a 33% load reduction balance of 4.53 grams per year by 2018 and 28.20 grams per year by 2020. Provision C.12.c.ii.1 requires a minimum of 3.51 grams per year load reduction through Green Infrastructure by 2020.

The determination of load reduction is based on the land-use type of the drainage area flowing to the control measure. Treating sediment laden stormwater draining from, or preventing sediment from mobilizing in, areas with Old Industrial land uses yields a load reduction of 0.0865 grams per acre per year, while Old Urban land uses yields 0.0303 grams per acre per year, New Urban land uses yields 0.0035 grams per acre per year, and Open Space land uses yields 0.0043 grams per acre per year. "Old" land use areas are those generally constructed before 1980 and "New" are those areas constructed after 1980. To meet the load requirement of 4.53 grams per year would require treating 52.4 acres of Old Industrial land uses, 149.5 acres of Old Urban land uses, 1294.3 acres of New Urban land uses, or 1053.5 acres of Open Space land uses. Based on the load reduction yields per acre, it makes sense to focus on areas with Old Industrial land uses and Old Urban land uses.

The County is proposing four control measures to meet PCB load reduction requirements as follows:

Source Properties. This measure would identify properties with very high concentrations of PCBs due to historic uses of the property. The County could then proceed to abate the PCBs or refer the property to the Regional Board for investigation and abatement. If the property is referred to the Regional Board, the County must submit a plan with the referral that describes how the County will prevent PCBs from leaving the site, or from entering the storm drain system. The County would receive 50% of the load reduction credit for properties referred to the Regional Board upon referral, and the remaining 50% credit would be received upon completion of the abatement. If the County abates the property, 100% of the load reduction would be credited upon completion. Abatement projects can take several years. The load reduction credit for these types of properties is 4.035 grams per acre per year, substantially more than the credit for Old Industrial land uses! A one-acre site referred to the Regional Board each year would result in 2 grams per year credit. To implement this control measure the County would need to identify potential parcels for testing at \$10,000, and conduct field testing to determine if there are excessive levels of PCBs at \$25,000. If a parcel is identified and assuming it will be referred to the Regional Board, then the

County would need to prepare a referral letter with documentation at \$10,000, develop a containment plan to prevent PCBs from entering the storm drain system at \$10,000, and implement the containment project at \$25,000. The County has been looking at properties in likely areas but has only discovered one potential site, so it is assumed this control measure will only yield 1.0 grams per year.

Cost for possibly 1.0 gram of PCBs per year. \$80,000

North Richmond Pump Station. This measure would divert dry weather flows to the West County Wastewater District to remove PCB laden sediments from the stormwater runoff. In addition, first flush wet weather events would also be diverted for treatment. The County conducted a pilot stormwater diversion project at the North Richmond Pump Station in 2015. That project resulted in 0.00064 grams of PCBs removed in 9.5 work-days (eight hour days), and 0.00084 grams of PCBs removed in one wet weather first flush event. Assuming the Pump Station can divert dry weather type flows for treatment 330 days per year and divert five first flush wet weather events per year, the PCB load reduction would be 0.0262 grams per year. To implement this control measure the County would need to install a permanent connection from the Pump Station to the Wastewater District manhole in Gertrude Avenue at \$50,000, negotiate a permit/agreement with the Wastewater District to treat the diverted flows at \$10,000, and pay a connection fee to the Wastewater District at \$15,000. Load reductions could be increased by doubling the discharge rate to 200 gallons per minute and operating 24 hours per day for 330 days per year. This would increase load reduction to 0.137 grams per year, but would likely require increased testing equipment to safeguard the Wastewater District treatment process at \$25,000 and likely double the connection fee to \$30,000. Further load reduction increases could be achieved by modifying the Pump Station to maximize flows to the Wastewater District by adding a storage component to capture all flows yet not exceed the capacity of the Wastewater District pipe system. This would be an expensive project and one not contemplated during this permit term.

One time capital cost for 0.0262 grams of PCBs per year. \$75,000

One time capital cost for 0.137 grams of PCBs per year. \$115,000

Annual cost to treat 95 million gallons. \$Unknown

Enhanced Street Sweeping. This measure would construct curb and gutter in and around Old Industrial land uses where none currently exist. This would allow sediment to be picked up by street sweeping. Street sweeping is not effective without curb and gutter. To implement this control measure the County would need to identify areas with Old

Industrial land uses where installing curb and gutter would be feasible at \$25,000, developing and building a project to install curb and gutter along 10 blocks (200 feet long blocks) at \$90 per lineal foot (curb and gutter plus 18 inches of pavement), assuming no drainage work is necessary (big assumption), and conducting additional street sweeping at \$50,000. It is assumed this control measure will yield 1.0 grams per year of PCBs.

Develop feasibility analysis. \$25,000

Cost for 1.0 grams of PCBs per year. \$230,000

Green Infrastructure. This measure would construct Green Infrastructure projects, mostly in areas with Old Industrial and Old Urban land uses. Projects in Old Industrial areas would be located where installation of curb and gutter was not feasible but conversion of an existing roadside ditch to a bio-retention facility would work. Both public and private Green Infrastructure projects count in calculating the load reduction. It is assumed that private projects will be able to treat 10 acres per year of a mix of Old Industrial and Old Urban land use, with an equivalent load reduction of 0.5 grams. This would entail identifying all Green Infrastructure projects proposed by developers, determining the land-use category and area draining to the Green Infrastructure project, and tracking other information required by the Load Reduction Calculator at \$5,000 per year. The County would need to meet the balance of its requirements by implementing Green Infrastructure projects on public property. This would entail identifying the target acreage needed to be treated in Old Industrial or Old Urban land use areas and developing projects to treat the drainage area at a unit treatment cost of \$215,000 per acre (based on the 255 Glacier Drive Parking Lot bio-retention project that treated 1.35 acres at a cost of \$290,000) and an annual maintenance cost of \$1,000 per treated acre. Given the assumptions with the other control measures of 1.0 grams per year from Source Properties, 0.14 grams per year from the Pump Station, 1.0 grams per year from Street Sweeping, and 0.5 grams per year from private Green Infrastructure projects, the public Green Infrastructure project component will have to yield load reductions of 1.89 grams per year in 2018 and 2019, and 25.56 grams per year in 2020. Using the 70% efficiency factor (default factor) for Green Infrastructure required by the Regional Board, the final load reductions are 2.70 grams per year in 2018 and 2019 and 36.51 grams per year in 2020. To meet the load reduction requirement of 2.70 grams per year would require treating 31.21 acres of Old Industrial land use area or 89.11 acres of Old Urban land use area. It is assumed 60 acres of a mix of these two land uses will be treated to meet the requirement. Using the same methodology to determine the load reduction requirement costs for 2020, it is assumed that the contribution from private projects will hold steady at 10 acres with a load reduction of 0.5 grams per year, so the

balance of 36.01 grams per year will have to be picked up with public projects. The cost to the County would be treating approximately 800 acres of mixed land-use at a unit treatment cost of \$215,000 per acre, and an annual maintenance cost of \$1,000 per treated acre.

Note: The permit allows implementation collaboratively with other jurisdictions within the County or within the region, which may reduce unit costs.

It should also be noted these costs were peer-reviewed by a consultant in the stormwater field. The consultant indicated costs to construct Green Infrastructure to treat 1 acre of drainage ranges from \$200,000 up to \$365,000. This report used a cost of \$215,000 per acre, based on a Public Works Department project, which is at the low end of the range.

- Implement control measures (2018). \$12,900,000
- Implement control measures (2019). \$12,900,000
- Implement control measures (2020). \$172,000,000
- Annual cost to track private Green Infrastructure projects. \$5,000
- Annual maintenance costs (2018). \$60,000
- Annual maintenance costs (2019). \$60,000
- Annual maintenance costs (2020). \$800,000

a.iii.1. Develop a Progress Report on implementation of control measures. (2016) The County must develop a progress report by April 2016 outlining the steps taken to develop a list of watersheds, identify control measures, justify the selection of watersheds using monitoring data, and report on contamination sites referred to the Regional Board at \$5,000.

- Develop Progress Report. \$5,000

a.iii.2. Develop an implementation status report for each Annual Report. (2017, 18, 19, 20) The County must develop a status report each year that includes the number, type, and location of control measures (included in C.12.a.ii.2), the cumulative listing of all PCB contaminated sites referred to the Regional Board (included in C.12.a.ii.2), the description, scope, and start date of the control measures plus implementation progress milestones and schedule for milestone achievement (partially included in C.12.a.ii.2 and C.12.a.ii.3), and indicate the roles and responsibilities of each participating co-permittee where multiple jurisdictions are involved all at \$5,000.

- Annual cost to do the status report for the Annual Report. \$3,000

a.iii.3. Annual updates of control measures, sites referred to the Regional Board, and implementation milestone achievement. (2017, 18, 19, 20) The County must update the report required in section C.12.a.iii.2 above each year. This cost is included in the provision C.12.a.iii.2 above.

- No additional cost for this item.

a.iii.4. Develop alternative load reduction distribution criteria (optional). (2017) The County must identify and document an alternative method of distributing load reductions within the County, only if it chooses to do so. This would be done in conjunction with all co-permittees within the Clean Water Program. The current method of load reduction distribution is based on the proportional population of each co-permittee within the County, and there is no reason to believe an alternate method would be needed.

- There is no additional cost for this item, unless an alternative load reduction distribution is needed. Developing an alternative load reduction distribution criteria would cost approximately \$25,000.

b.i. Develop an assessment methodology to quantify PCB load reductions. (2016) The MRP 2.0 includes a load reduction accounting system based on land-use. The system provides a certain load reduction credit by treating sediment laden stormwater draining from or preventing sediment from mobilizing in areas with Old Industrial, Old Urban, New Urban, and Open Space land-uses. BASMAA will be developing the assessment methodology based on this accounting system to satisfy this requirement. The work has been included in this year's BASMAA budget so no additional costs from the County will be needed.

- No additional cost for this item

b.ii. Calculate the PCB load reduction achieved through the control measures each year. (2017, 18, 19, 20) The County must calculate the reduction in PCB load reduction with each of the control measures implemented and operating during the year. BASMAA is developing a Permittee Load Reduction Credit Calculator to facilitate this calculation. The County will receive a 67% load reduction credit per year if it implements a program to manage building and construction demolition debris containing PCBs (provision C.12.f). Meeting this requirement will entail gathering the specified data and entering it into the Load Reduction Calculator at \$5,000 per year.

- Annual calculation of PCB load reduction. \$5,000

- b.iii.1. Submit the assessment methodology to the Executive Officer. (2016)** This requirement is being met by BASMAA with no additional cost to the County.
 - No additional cost for this item
- b.iii.2. Provide PCB load reductions each year in the Annual Report. (2017, 18, 19, 20)** This is included in C.12.b.ii above, so there are no additional costs.
 - No additional cost for this item
- b.iii.3 Submit an update of the assessment methodology to the Executive Officer. (2018)** This update will be performed by BASMAA at no additional cost to the County.
 - No additional cost for this item.
- b.iii.4 Develop alternative load reduction distribution criteria (optional). (2019)** This provision is similar to C.12.a.iii.4, except the load reduction distribution alternative is specifically for implementing a PCB containment program for demolition debris.
 - There is no additional cost for this item, unless an alternative load reduction distribution is needed. Developing and alternative load reduction distribution criteria would cost approximately \$25,000.
- c.i. Implement a minimum amount of green infrastructure projects to reduce PCB loads. (2020)** The cost for this provision is included in the more specific requirements outlined below.
- c.ii.1 Implement green infrastructure projects to reduce PCB loads by a specified amount. (2020)** All co-permittees in Contra Costa County must reduce PCB loads by 23 grams per year by June 30, 2020. The County's share of that (15.26%) is 3.51 grams per year. Each co-permittee may meet this requirement individually or all co-permittees may meet this requirement collectively with agreement through the Clean Water Program. To meet the load requirement of 3.51 grams per year would require treating 58.0 acres of Old Industrial land uses or 165.4 acres of Old Urban land uses. This acreage is calculated using the 70% default efficiency factor approved by the Regional Board. It is assumed 80 acres of a mix of these two land uses will be treated to meet the requirement. These quantities are significantly below those proposed in

the Green Infrastructure Section of provision C.12.a.ii.4, so this requirement is covered in that prior section.

- There is no additional cost for this item.

c.ii.2. Prepare a reasonable assurance analysis on the effectiveness of Green Infrastructure projects. (2020) The reasonable assurance analysis must demonstrate how Green Infrastructure will be implemented to achieve a load reduction of 3 kg per year by the five counties in the Bay Area with MRP permits. The report must be scientifically rigorous including documentation of all model development, model runs, and required peer review. This analysis and report will be prepared by BASMAA and will be included in their annual budget over the next two or three years, so there will be no additional cost to the County. There will be some coordination effort and review time required of County staff to ensure County needs are met at \$2,000.

- Cost to coordinate with the reasonable assurance analysis. \$2,000

c.iii.1. Prepare report on the quantitative relationship between Green Infrastructure and PCB load reduction. (2018) This report will be prepared by BASMAA with no additional cost to the County.

- No additional cost for this item

c.iii.2. Prepare report on amount and characteristics of land area treated by Green Infrastructure. (2020) This report must estimate the area of land treated by Green Infrastructure and the land-use type of the treatment area for the years 2020, 2030, and 2040. The report will be prepared by BASMAA at no additional cost to the County, however, the County will need to coordinate with and provide data to BASMAA for the report at \$5,000.

- Provide information for report. \$5,000

c.iii.3. Submit a reasonable assurance analysis. (2020) This reporting requirement was included in section C.12.c.ii.2.

c.iii.4. Prepare report on the amount of PCBs removed with Green Infrastructure (2019, 20) This report must estimate the amount of PCB load reductions achieved with Green Infrastructure during the term of the permit. This will entail analyzing test results and calculating load reductions at \$2,000 per year.

- Annual cost for report on load reduction. \$2,000

- d.i. Prepare implementation plan and schedule to achieve TMDL waste-load allocations. (2020)** The County must provide an implementation plan and schedule to implement control measures to meet load reduction requirements and prepare a reasonable assurance analysis that the control measures will attain the TMDL waste-load allocations by 2030. BASMAA will provide an overall framework for the reasonable assurance analysis, but each permittee will have to develop the analysis for their particular control measures. The costs for this provision is included in the more specific requirements outlined below.
- d.ii.1. Identify control measures to be implemented. (2020)** The implementation plan must identify all technically and economically feasible control measures that will be implemented by the County. The reasonable assurance analysis must demonstrate that the control measures will meet the County's proportional share of the TMDL waste-load allocations by 2030. This will entail identifying the control measures at \$5,000 and preparing the reasonable assurance analysis at \$10,000.
- Identify control measures and perform assurance analysis. \$15,000
- d.ii.2. Develop a schedule to implement control measures. (2020)** The County must develop a schedule to implement the control measures in the implementation plan at \$5,000.
- Develop implementation schedule. \$5,000
- d.ii.3. Evaluate overall effectiveness of control measures. (2020)** BASMAA will assist the counties by developing a framework to guide this work. However, for each control measure the County must quantify the PCB load reduction based on field testing results or agreed to equivalencies at \$2,000, identify the capital construction costs and annual maintenance costs at \$2,000, identify any significant environmental impacts resulting from implementation at \$2,000, and develop metrics and calculate efficiencies on a unit basis for comparison purposes at \$10,000.
- Evaluate the effectiveness of control measures. \$16,000
- d.iii. Submit the plan and schedule in the 2020 Annual Report.** The cost for this provision is included in the more specific requirements outlined above.
- e.i.-iii. Evaluate PCBs in public infrastructure facilities. (2018)** This provision requires collection of caulk samples from sealants in storm drain facilities, between concrete curbs and street pavement, and other

infrastructure to determine the amount of PCBs present in the caulking materials. BASMAA will be collecting the samples, performing the analysis, and preparing the report to meet this requirement at no additional cost to the County. There will be some coordination effort and review time required of County staff to ensure County needs are met at \$2,000.

- Cost to coordinate with evaluation study. \$2,000

f.i. Manage demolition debris to prevent PCBs from entering storm drain systems. This provision requires development of a program to manage PCB laden materials with concentrations of 50 ppm or greater during the demolition of buildings to prevent pollutants from entering the storm drain system. This requires preventing mobilization and transport of PCBs through vehicle track out, airborne releases, soil erosion, or stormwater runoff. This requirement applies to commercial, public, institutional, and industrial structures, but does not apply to single-family residential or wood-frame structures. The costs for this provision is included in the more specific requirements outlined below.

f.ii.1. Develop demolition debris management protocols. (2019) The County must demonstrate it has the necessary authority to require management of PCBs during the demolition of applicable structures, a method for identifying the applicable structures within the County's jurisdiction, and management methods to ensure PCBs are not discharged to the storm drain system. BASMAA will prepare a model ordinance and develop a range of acceptable sample protocols for managing construction debris during demolition activities at no additional cost to the County. This will entail adapting the model ordinance to County format at \$5,000, shepherding the prospective ordinance through the County review and approval process at \$10,000, developing a mechanism to flag parcels with applicable buildings in the permit database at \$25,000, and adapting the sample management protocols to the County's business procedures and incorporating them into the permit process at \$5,000.

- Develop debris management protocols. \$45,000

f.ii.2. Implement demolition debris management protocols. (2019) The County must incorporate debris management protocols into its permit and inspection system. Most of the cost for this provision is included in section C.12.f.ii.1 above. This will require training of office staff and field inspectors on the new protocols at \$5,000.

- Implement debris management protocols. \$5,000

f.ii.3. Develop assessment methods to determine effectiveness of demolition debris management protocols. (2019) This provision requires development of an assessment methodology and data collection program to determine the effectiveness of managing demolition debris to reduce PCB loads. BASMAA will be developing the assessment methodology and data collection program, and preparing the report to meet this requirement at no cost to the County.

- No additional cost for this item

Note: It should be noted here that BASMAA will be taking on a significant amount of technical studies to support permittees in meeting MRP 2.0 requirements. At this time it is assumed that all this work can be accomplished with no increase in the annual "dues". However, due to the complexity and amount of work involved with MRP 2.0 an increase in the annual dues to BASMAA would seem likely.

f.iii.1. Prepare annual status report on implementing demolition debris management protocols. (2016, 17, 18) The County must report on efforts to implement debris management protocols, such as developing ordinances and implementation policies and procedures, obtaining information needed for the various studies, incorporation of this requirement into business practices and processes, and training at \$2,000 each year.

- Annual cost to provide status report. \$2,000

f.iii.2. Prepare exemption justification. (2017) This applies only to jurisdictions requesting an exemption from these requirements, which the County does not qualify for.

- No additional cost for this item

f.iii.3. Prepare status reports on implementing demolition debris management protocols. (2020) This provision requires the County to document how it has met the minimum requirements for implementing debris management protocols at \$2,000.

- Implementation status report. \$2,000

f.iii.4. Prepare report on applicable buildings. (2020) This provision requires the County to track and report on the number of applicable buildings issued a demolition permit each year, a running list of total permits, and description of PCB control measures used. This will entail developing a tracking system for demolition permits with the control

measures used at \$10,000 and extracting the information and reporting out at \$1,000.

- Prepare reports on applicable buildings. \$11,000

f.iii.5. Develop assessment methods to determine quantity of PCBs removed with demolition debris management protocols. (2020)

This provision requires development of an assessment methodology and data collection program to determine the quantities of PCBs removed by managing demolition debris. BASMAA will be developing the assessment methodology and data collection program, and preparing the report to meet this requirement at no cost to the County.

- No additional cost for this item

g.i.-iii. Develop a fate and transport study of PCBs. (2017, 18, 20)

This provision requires development of a fate and transport study describing biological uptake of PCBs in the San Francisco Bay margins. This study will be developed by the San Francisco Estuary Institute at no additional cost to the County.

- No additional cost for this item

h.i.-iii. Implement a risk reduction program. (2016, 17, 18, 19, 20)

This provision requires development of a risk reduction program to reduce health risks to those people likely to consume fish caught in San Francisco Bay. This was also a requirement of MRP 1.0 and implemented through the Regional Monitoring Program, so there is no additional cost for MRP 2.0.

- No additional cost for this item



Contra Costa County Board of Supervisors

Subcommittee Report

TRANSPORTATION, WATER & INFRASTRUCTURE COMMITTEE

6.

Meeting Date: 10/13/2016

Subject: ACCEPT Report from Public Works Department to achieve 70% trash load reduction by July 2017, and AUTHORIZE staff to explore a polystyrene ban.

Submitted For: Julia R. Bueren, Public Works Director/Chief Engineer

Department: Public Works

Referral No.: 7

Referral Name: Monitor creek and watershed issues and seek funding for improvement projects related to these issues.

Presenter: Cece Sellgren, Department of Public Works **Contact:** Cece Sellgren
(925)313-2296

Referral History:

County Watershed Staff last addressed trash reduction issues at the October 9, 2014, TWIC meeting. During that meeting, the County Watershed Program laid out an ambitious program to address trash in multiple communities using staff from several County departments. This plan proved too expansive to implement with existing County Watershed staff resources.

Referral Update:

In the last two years, trash reduction efforts have stalled due to budget limitations and increased staff focus on negotiations for the new Municipal Regional National Pollutant Discharge Elimination System Permit (MRP 2) and additional National Pollutant Discharge Elimination System requirements to address other stormwater pollutants such as PCBs and Mercury. With the imposition of MRP 2 in November 2015, some activities that had provided trash reduction credit were no longer available. Other trash reduction activities were discounted by 1/3. The net result was the County achieved only 43.6% trash reduction and failed to meet the 60% trash reduction requirement.

As a result, the County must submit a plan to achieve 70% trash reduction by June 30, 2017. If the County fails to achieve the required 70% reduction by the stated deadline, then the County will be required to install trash capture devices in all storm drain inlets or storm drain lines within the unincorporated County. There are approximately 1,750–2,100 storm drain inlets in the County's right of way, or that drain County rights of way, within areas that have medium, high, or very high trash loads. With an estimated cost of \$1,500 per inlet to determine safety, proper size, and installation, the costs for installing trash capture devices in every inlet will amount to \$2,650,000–\$3,150,000. Maintenance of these trash capture devices will cost between \$1,003,000/year and \$2,240,000/year to maintain.

The costs to install and maintain trash capture devices will likely be borne by road funds, which are already experiencing historic funding challenges. It is paramount to achieve the 70% reduction.

Expanded programs include preparing and implementing a plan to curtail direct discharges of trash into local waterways, increasing on-land cleanups on connector roads, and passing and implementing a polystyrene foam food-ware ordinance.

Recommendation(s)/Next Step(s):

DIRECT staff to expand and add the additional identified trash reduction programs in order to fulfill new requirements imposed by the State Water Resources Control Board.

Fiscal Impact (if any):

The sources of that funding are laid out in detail in Table 1 and include road funds, Stormwater Utility Area 17, general fund, flood control zones, and general fund – environmental health.

Attachments

Table 1

Table 1—Proposed trash reduction activities to achieve 70% by June 30, 2017

Trash Reduction Strategy	Potential Trash Reduction Benefits	Anticipated Costs	Source of \$
Existing Trash Reduction Activities	43.6%	~\$560,000/yr. for contractor + \$10,000 for staff monitoring of effectiveness	SUA 17
Install trash capture devices in the Montalvin Manor and NE Bay Point neighborhoods	7.5%	Inlet trash capture: \$420,000 (installation) + \$355,000/yr. (maintenance)	Road Funds to purchase, install, and maintain
Design and implement a Direct Discharge Reduction Program to address illegal dumping directly into streams, primarily from homeless encampments	Up to 15%	\$50,000 to plan & write \$200,000+/yr. to implement	SUA 17 and General Fund to plan and write; General Fund & FCD Zones to Implement
Increase on-land cleanups using contractors at strategic locations to achieve a cleaner standard	0–14.4%	Additional \$136,000/yr. for contractor cleanups	SUA 17
Pass a polystyrene food-ware ordinance	3–5%	\$20,000 to plan & implement + \$5,000/yr. to monitor	SUA 17 to plan + General Fund (Env. Health) to Monitor
Community-based trash abatement	3–5% +?	\$20,000 to start + \$10,000 yr.	SUA 17
TOTAL Trash Reduction	86.5–90.5%	\$1,186,000 + \$580,000/yr.	



Contra Costa County Board of Supervisors

Subcommittee Report

TRANSPORTATION, WATER & INFRASTRUCTURE COMMITTEE

7.

Meeting Date: 10/13/2016

Subject: CONSIDER report on Local, State, and Federal Transportation Related Issues and take ACTION as appropriate.

Department: Conservation & Development

Referral No.: 1

Referral Name: REVIEW legislative matters on transportation, water, and infrastructure.

Presenter: John Cunningham, DCD

Contact: John Cunningham
(925)674-7883

Referral History:

This is a standing item on the Transportation, Water, and Infrastructure Committee referral list and meeting agenda.

Referral Update:

In developing transportation related legislative issues and proposals to bring forward for consideration by TWIC, staff receives input from the Board of Supervisors (BOS), references the County's adopted Legislative Platforms, coordinates with our legislative advocates, partner agencies and organizations, and consults with the Committee itself.

Recommendations are summarized in the Recommendation(s)/Next Step(s) section at the end of this report. Specific recommendations, if provided, are underlined in the report below. This report includes three sections, 1) **LOCAL**, 2) **STATE**, and 3) **FEDERAL**.

1) LOCAL

Transportation Expenditure Plan (TEP): The Contra Costa Transportation Authority (CCTA) has completed its effort to put a half-cent transportation sales tax on the ballot in November 2016. The final TEP is available here: http://ccta.net/uploads/Transportation_Expenditure_Plan.pdf

Accessible Transit Service Strategic Plan/Transportation Expenditure Plan: In response to advocates and the County, CCTA included language in the TEP that required 1) an "Accessible Transit Service (ATS) Strategic Plan" be conducted and, 2) transit providers must participate in the planning effort in order to be eligible for any transit funding in the TEP.

As discussed at previous TWIC meetings, there may be a general understanding or assumption with decision makers that an ATS Plan will need to be conducted regardless of

the success of Measure X. That said, a small working group of staff has been meeting to discuss the scope and options relative to the ATS Plan.

One issue being discussed is that if Measure X doesn't pass funding will have to be identified to conduct the study.

One option being considered is the Caltrans Sustainable Transportation Planning Grant Program. Issues being discussed by staff in considering whether or not to apply for this grant:

- If Measure X passes, and we receive the grant the timing of the grant (*Fall 2017 - Grantees may begin work*) is not consistent with the requirements in Measure X to have an expedited study (*The ATS Strategic Plan must be adopted no later than April 1, 2018.*) Unless an exception or some other arrangement is worked out with Caltrans, we would have to withdraw our grant application. That said, applying for the grant would be at-risk, we may not be able to use the grant in the event it is awarded. However, applying for *any* grant is typically an at-risk effort.
- If Measure X fails and we receive the grant we may be able to move ahead with the ATS Study more expeditiously.
- Discussions are underway with CCTA staff regarding the possibility of the grant application. The application would be a substantial amount of work and, due to the existing structure of transit provision in the County, would necessitate a coordinated, multi-jurisdictional effort.

Direction from TWIC on this issue is requested.

Contra Costa Health Plan/County Connection Coordination: Several meetings ago, John Barclay from the Health Services Department/Contra Costa Health Plan commented that there were ongoing issues relative to funding for CC Health Plan Members relative to LINK service. At the suggestion of the Committee, staff met with Rick Ramacier from County Connection to discuss the issue. Mr. Ramacier was helpful in initiating a dialog with his staff and Mr. Barclay. There has been progress, staff will provide an update at the October TWIC meeting.

School Safety & Siting

Liberty Union High School District (LUHSD): As discussed at our last meeting, LUHSD has purchased additional parcels south of Discovery Bay without notifying the County as required in Public Resources Code §21151.2 and Government Code §65402. The Department of Conservation and Development reached out to LUHSD (see attached letter: 08-24-16 SIGNED - DCD to Eric Volta reLUHSD Purchase of APN's).

A meeting has been set for October 27 between staff from Conservation and Development, LUHSD, and the Public Works Department.

For additional school issues issues please see *School Safety & Siting* in the **State section below.**

RECOMMENDATION: DISCUSS any local issues of note and take ACTION as appropriate.

2) STATE

Legislative Report: The legislative report from the County's legislative advocate, Mark Watts, is attached (*October TWIC Report*).

Mr. Watts will be present at the October meeting to discuss state legislation, the status of the state budget/transportation revenues, Iron Horse corridor status and other items of interest to the Committee.

School Safety & Siting

School Siting: The California Department of Education (CDE) has recently initiated an effort to revise Title 5 (see attachment: CDE Title 5 Announcement). Title 5 contains the language that addresses school site selection and design. The launch of the effort was on October 4th with a conference call hosted by CDE.

We are seeking advice from the Committee on how to better address this longstanding issue. In the interest of crafting a more effective strategy, a list of barriers to progress on this issue is provided:

- **Authority:** CDE staff may not have statutory authority to impose requirements on local school districts. That said, time spent on outreach to our legislative delegation may be required in addition to working with CDE directly. Companion legislation may be necessary to achieve the desired impact of new Title 5 regulations. In the recent Title 5 Revision conference call, reference was also made to the State Board of Education as being a controlling factor in any changes to the regulations as well. Outreach to the State Board may be advisable.
- **Denial of the problem:** Despite the problem being acknowledged by numerous agencies in various documents (1), when pressed on the issue decision makers often state that there is no problem with the school siting program.
- **Diminishment of the problem:** In meeting with advocates, decision makers, and state staff there is often the response that problems with school siting are only seen in limited areas so that, *on average*, there isn't really a problem with the program. By "averaging" the issue, the gravely acute safety and land use problems with those certain school sites are ignored.
- **Building Industry:** As we have discussed in the past, the building industry has expressed concerns about placing additional requirements on school site development.

(1) • The Superintendent of Public Instruction has acknowledged the issue in two published studies, • The original AB32 scoping plan in 2008 included school siting requirements in the draft plan. Those requirements were removed in the final draft. • Early implementation of the Health in All Policies initiative included school siting as an issue; that issue was removed in later planning documents. • CDE and the Office of Policy and Research acknowledged that school siting needs to be addressed at a Policy Symposium in 2012. Specifically, these agencies stated that school siting needs to be brought under the fold of the new land use planning paradigm initiated by AB32, SB375, etc. There has been no progress on this issue to date.

Speed Camera/Automated Speed Enforcement (ASE): The two largest barriers to increasing both safety and walk/bike rates for students during the home/school/home trip are **1)** school siting and land development patterns, and **2)** speeding vehicles. School siting is being addressed as described in the section above and land development patterns are currently the focus of numerous state, regional, and local efforts focused on climate change and growth management related efforts.

The remaining issue, speeding vehicles, remains to be addressed in a systematic and effective manner. ASE has been proposed as a solution and has been discussed by TWIC in the past. Staff believes that ASE is likely to be the best strategy to control speeds in appropriate areas. However, state authorization is needed prior to implementation. Information on Automated Speed Enforcement is attached: ASE Information.pdf.

TWIC is reviewing the state legislative platform later in the agenda, the Committee should consider adding support for ASE. At the time the County moved ahead with the school zone reform bill (SB 632) in 2015 the San Francisco Metropolitan Transportation Authority was planning to introduce ASE legislation. It appears that the legislation will now be introduced in 2017. However, the initial scope of the bill, described as a "pilot program" is planned to be limited as follows:

- **Geographic:** City/County of San Francisco, and San Jose.
- **Situational:** Authorization will be limited to areas where there is a history of collisions where speed was a factor.

Given these limitations, Contra Costa County will not see the benefit of the legislation.

Regarding the geographic limitation, SFMTA staff indicated that there is an adopted Vision Zero policy in both San Francisco and San Jose demonstrating a broad, formal base of support for safety increases and speed control. In summary, Vision Zero is a recognition that traffic fatalities are preventable, and a commitment to ensure that no one is killed in traffic. Jurisdictions that adopt Vision Zero (VZ) set out to end traffic deaths within a specific time frame. Dozens of entities in the United States have adopted VZ policies including local jurisdictions, Caltrans, and the Federal Highway Administration. While no Contra Costa jurisdiction has an adopted VZ policy, the Contra Costa County Public Works Department is considering implementing similar policies. See the attached, Vision Zero (San Jose).pdf for more information on the concept.

Regarding the situational limitation, the approach that there needs to be collisions (and we assume injuries or deaths) before implementing solutions is fundamentally flawed. Staff understands this limitation was negotiated with advocacy groups concerned with the ASE proposal.

If the County is interested in developing the ASE tool for use in the County we will need to seek our own authorization. If TWIC and the Board of Supervisors is interested in pursuing ASE as a strategy staff the effort should begin with the development of a Vision Zero policy possibly with countywide advocacy rather than through a County-led or initiated effort.

RECOMMENDATION: DIRECT staff to bring draft letters to the appropriate parties to the full Board of Supervisors regarding the Title 5 revision process, DISCUSS any other state issues of note and take other ACTION as appropriate.

3) **FEDERAL**

No written report in May.

RECOMMENDATION: DISCUSS any federal issues of note and take ACTION as appropriate.

Recommendation(s)/Next Step(s):

CONSIDER report on Local, State, and Federal Transportation Related Legislative Issues and take ACTION as appropriate including addressing any specific recommendations in the report above.

Fiscal Impact (if any):

There is no fiscal impact.

Attachments

08-24-16 SIGNED - DCD to Eric Volta reLUHSD Purchase of APN's.pdf

Mark Watts October 2016 TWIC Report

CDE Title 5 Announcement

ASE Information

Vision Zero (San Jose).pdf

**Department of
Conservation and
Development**

30 Muir Road
Martinez, CA 94553

Phone: 1-855-323-2626

**Contra
Costa
County**



John Kopchik
Director

Aruna Bhat
Deputy Director

Jason Crapo
Deputy Director

Maureen Toms
Deputy Director

Kara Douglas
Assistant Deputy Director

Victoria Mejia
Business Operations Manager

August 24, 2016

Eric Volta, Superintendent
Liberty Union High School District
20 Oak Street
Brentwood, CA 94513

Subject: LUHSD Purchase of APN #s: 011210028, 011210027, 011210026

Dear Superintendent Volta:

It has come to the County's attention that last year the Liberty Union High School District (LUHSD) purchased Assessor's Parcel Number (APN) 011210028 south of Discovery Bay at the end of Kellogg Creek Road. Public Resources Code §21151.2 and Government Code §65402 require, among other actions, that school districts notify the local planning department and planning commission prior to any acquisition. To my knowledge, the County received no such notification. These notifications help keep the County informed of activities in the unincorporated areas. In addition, these statutes help to promote collaboration between our two agencies through the reporting and investigative activities mentioned in the code.

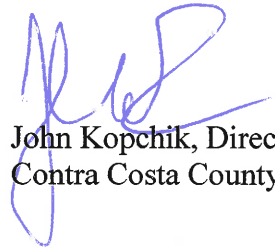
We understand that this latest acquisition is expanding LUHSD's existing holdings immediately to the north (APNs 011210027 and 011210026) which were purchased in 2010. I understand that these two parcels were also purchased without the notification required in the aforementioned code sections.

If the subject parcels are to be developed such that they produce a positive community asset, include safe, sufficient access, and result in an adequate California Environmental Quality Act analysis, a collaborative process with the County will be critical. In this light, the land acquisitions without the required notifications are of concern to the County as we have responsibility for the transportation network surrounding the facility.

Eric Volta, Superintendent
August 23, 2016

I would appreciate it if we could meet to review our options for communicating and coordinating on these matters. If you or members of your staff could please contact me (674-7819, john.kopchik@dcd.cccounty.us) or John Cunningham, Principal Planner (925-674-7833, john.cunningham@dcd.cccounty.us) at your earliest convenience I would appreciate it.

Sincerely,



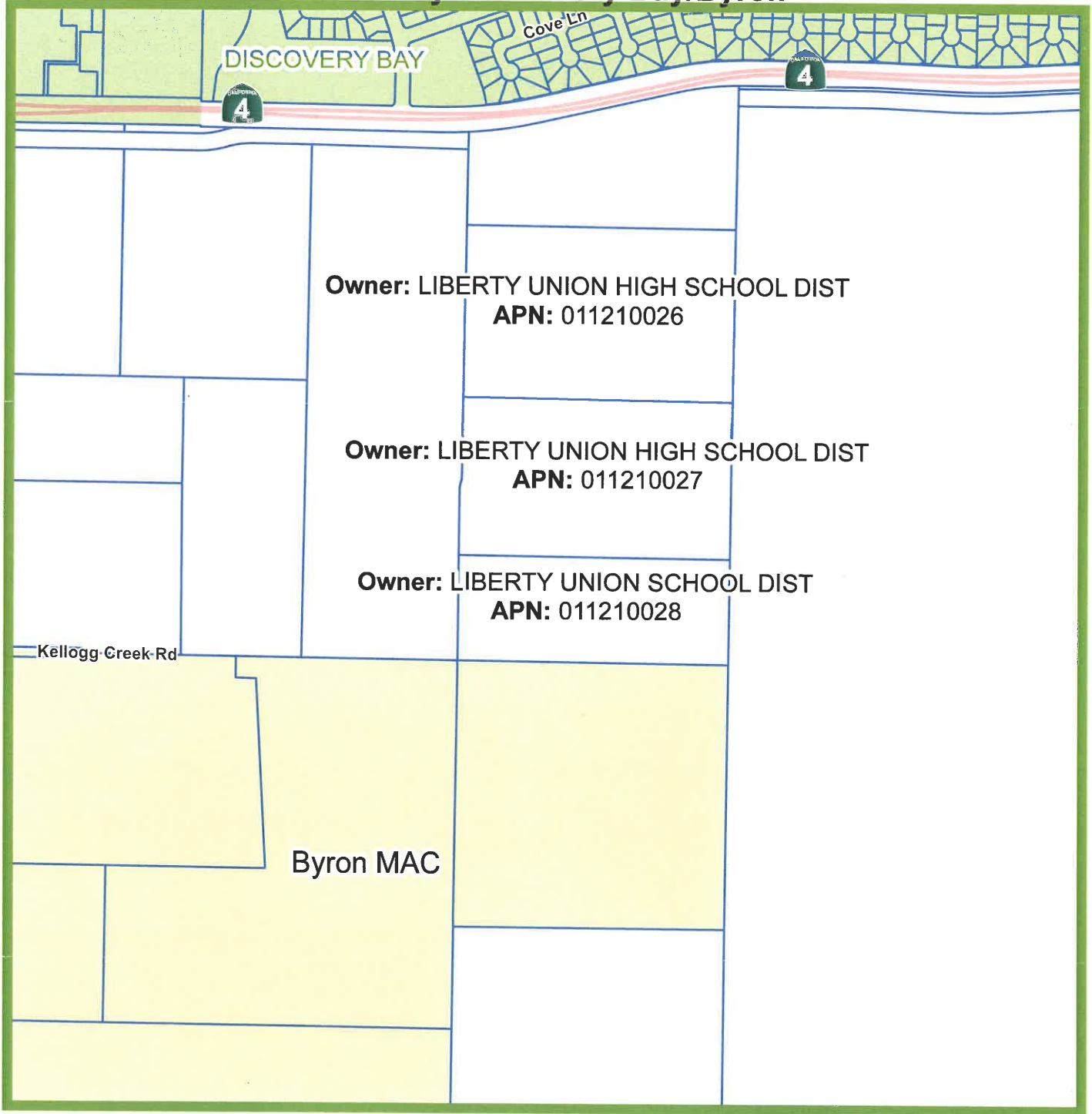
John Kopchik, Director
Contra Costa County Department of Conservation and Development




cc:

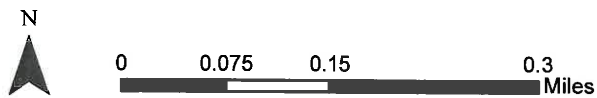
Federal D. Glover, Supervisor – District V
Mary N. Piepho, Supervisor – District III
Bryan Montgomery, City Manager – Oakley
Gustavo Vina, City Manager – Brentwood
Julie Bueren, Director – Public Works Department
Dan Peddycord, Director of Public Health – Health Services
Catherine Kutsuris, Interim General Manager – Discovery Bay CSD

Attachment: 5th High School Site Area Map

Central Contra Costa County: Discovery Bay/Byron



-  DISCOVERY BAY CSD
-  Byron MAC
-  Parcel Lines



Smith, Watts & Hartmann, LLC.

Consulting and Governmental Relations

MEMORANDUM

TO: John Cunningham

FROM: Mark Watts

DATE: September 29, 2016

SUBJECT: **October TWIC Report**

Key Bills - Update

Presented below is a brief update of AB 1592 (Bonilla). A brief summary of a new transportation funding proposal is included, as well.

AB 1592 (Bonilla)

This measure authorizes the Contra Costa Transportation Authority to conduct a pilot project for the testing of autonomous vehicles.

As of this writing, the bill was passed by the legislature (August 29th) and was processed to the Governor on September 2nd. He has until the end of the month to approve or reject the bill. [Update from John Cunningham: Governor Brown [signed the bill](#) on September 29th]

In the meantime, USDOT released its long-awaited guidance on Autonomous Vehicles (AVs). California Transportation Secretary Brian Kelly related the state's positive views on the US guidelines, calling them "...a leap forward.." that will enable California to advance vehicle safety; he also called attention to the DMV regulatory process underway at present. DMV plans to release revisions to their draft regulations and conduct a workshop on October 20.

Legislative Special Session on Transportation

The Special Session on Transportation and Infrastructure, which was convened by Governor Brown in June 2015, continues in existence during this period after the Regular Legislative Session has recessed through the end of November 2016.

The "Fix Our Roads" Coalition, which includes the California Transit Association among other transportation industry and allied labor organizations, has been pushing for the legislature to address transportation funding needs for the better part of two years and is finally beginning to see some movement toward a post-election Special Session to address the state's transportation funding crisis.

If these plans move forward, the session would likely be held in the days following the State's November 8th General Election. Discussions with leadership staff indicate that steps are

being considered to ensure that members are present to be called Special Session in Sacramento.

While this progress is a bit of good news, there are still many obstacles to be overcome if we move to a post-election session. Lame duck sessions, while common in the U.S. Congress, are unusual for California.

State Transportation Funding Proposals

On August 18th, Assembly Member Jim Frazier introduced to the transportation stakeholder community the long-awaited transportation package developed jointly with Senator Jim Beall. This new package, contained in ABX1 26 and SBX1 1, is designed to repair and maintain our state highways and local roads, improve our trade corridors, and support public transit and active transportation. A summary provided by the authors indicates that it would result in a \$7.4 billion annual transportation-funding package, and that it draws from familiar elements in existing proposals that preceded it in the Extraordinary Session on Transportation Infrastructure.

The summary shows that the package will include a combination of new revenues (gas tax, diesel tax, sales tax on diesel, registration fee), return of truck weight fees, a modest infusion of additional Cap and Trade auction proceeds, accelerated loan repayments, Caltrans efficiencies & streamlined project delivery, accountability measures, and constitutional protections.

New revenues or Resources

- Eliminate the Board of Equalization's annual adjustment of the gas excise tax, increase the gas excise tax by 17 cents and index it to the Consumer Price Index (generating \$3.6 billion annually)□
- Increase the diesel excise tax by 30 cents and index it to the Consumer Price Index (generating \$900 million annually)□
- Increase the incremental diesel sales tax to 5.25% and index the increment to the Consumer Price Index (generating \$216 million annually)□
- Increase the vehicle registration fee by \$38 and index it to the Consumer Price Index (generating \$1.3 billion annually)□
- Introduce an annual zero-emission vehicle fee of \$165 per vehicle and index it to the Consumer Price Index (generating \$16 million annually)□
- Redirect vehicle weight fees that are currently allocated to transportation debt service to transportation purposes (repurposing \$1 billion over five years)
- Identify miscellaneous transportation revenues (netting \$149 million annually)□
- Require repayment of outstanding transportation loans over two years (freeing \$746 million in one-time revenue)

Key features

Self-Help Counties. The proposal would set aside \$200 million of annual revenues to counties that adopt local sales tax measures. Applies to present and future tax programs.

Revenue Sharing. Generally directs revenue on a 50-50 split between state and local agencies for transportation maintenance and rehabilitation needs

Convert Caltrans Efficiencies into Active Transportation funds. \$80 million of annual revenues to the California Transportation Commission for the Active Transportation Program from Caltrans efficiencies.

Transit Funds. The bill would increase funding for transit by doubling the Cap and Trade proportions for the Transit and Intercity Rail Capital Program (TIRCP) and Low Carbon Transit Operations Program (LCTOP). In addition, the diesel sales tax, which funds the State Transit Assistance (STA) program, is increased from 1.75% to 5.25%.

Protections. Would propose constitutional protections that would prohibit the Legislature from borrowing or redirecting new revenues for purposes other than those specifically outlined in Article 19 of the State Constitution.

Iron Horse Trail

Subsequent to conversations with the new CTC Executive Director on the commission's reaction to the letter that they had suggested the County send to them the Commission staff has requested another meeting with County principals, which has been scheduled for October 31.

John Cunningham

From: Fred Yeager <FYEAGER@cde.ca.gov>
Sent: Wednesday, September 28, 2016 8:29 AM
To: Fred Yeager
Subject: Title 5 School Siting and Design Standards Review

The California Department of Education, School Facilities and Transportation Services Division (CDE), is reviewing the school siting and design standards contained in *California Code of Regulations*, Title 5 14001 et seq., and I would like to invite you to offer your perspectives on Title 5 at the first stakeholder meeting to be held from 1:00-4:00 on October 4, 2016, in Room 1801 at CDE headquarters at 1401 N Street, Sacramento.

A brief background on the Title 5 standards and the major concepts expressed previously by stakeholders will be summarized prior to the CDE receiving additional input. Additional opportunities for stakeholder input will be scheduled over the coming months. CDE will also accept written comments.

Following the conclusion of these meetings, CDE will review all the comments and prepare draft regulations as needed and request the State Board of Education to open the public comment period. Stakeholders will then have the opportunity to review the proposed regulation changes and provide comments.

The current Title 5 regulations are available at: <http://www.cde.ca.gov/ls/fa/sf/title5regs.asp>.

Please contact me if you have any questions. If you let me know of your attendance ahead of time, it will facilitate your check in with building security. I look forward to seeing you on October 4th.

Fred Yeager, Assistant Division Director
School Facilities and Transportation Services Division
California Department of Education
916-327-7148

Safe Speed Enforcement

Reducing speed to save lives



AUTOMATED SPEED ENFORCEMENT

We all want safer streets. However, people are injured everyday and sometimes killed while walking, biking or driving. According to the Federal Highway Administration (FHWA) and the Insurance Institute of Highway Safety, speeding was a contributing factor in about 30% of traffic collision fatalities nationwide in 2013.

In order to make our streets hospitable for all road users, we must **discourage** drivers from traveling



EXCESSIVE SPEEDS

such as 50 mph on a 25 mph residential street.



Automated Speed Enforcement (ASE) is a safety technique that uses cameras and vehicle speed sensors to capture images of cars traveling excessive speeds. ASE is a proven tool to deter illegal speeding because the technology provides consistent and predictable enforcement of the speed limit.

141 communities in the United States have ASE programs. These communities experienced a decline in:

- ◇ Drivers that speed excessively (10 mph+ over the speed limit).
- ◇ Severe and fatal injury collisions.
- ◇ The number of violations given to drivers, demonstrating that speed cameras are changing driver behavior.



Currently, automated speed enforcement is not legal in California. **To make our streets safer, California state law must be changed.**

VISION ZERO

Vision Zero SF the City's commitment to build better and safer streets, educate the public on traffic safety, enforce traffic laws, and adopt policy changes that save lives.

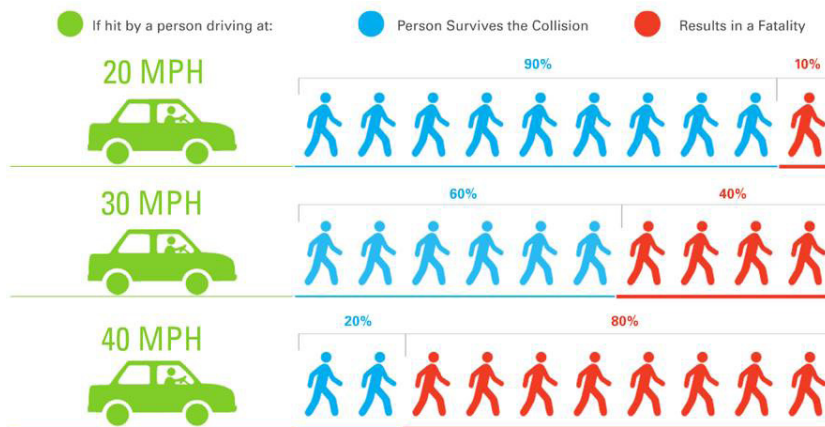
THE GOAL:

ZERO TRAFFIC DEATHS IN SAN FRANCISCO BY 2024

Driving **excessive speeds** is dangerous for everyone. Speed cameras would compliment traditional police enforcement and help achieve the City's Vision Zero goal.



Slower Speeds Saves Lives



If you are hit by a car traveling 20 mph, you will likely survive.

If you are hit by a car traveling 40 mph, you will most likely not.

Seniors only have an 8% chance of survival if hit by a car traveling 40 mph



Effectiveness of Speed Cameras in the US

San Jose, CA
had a 15% decline in the proportion of drivers traveling 10 mph over the speed limit prior to the program's termination.

Portland, OR
reported a 54% reduction in fatalities.

Scottsdale, AZ
had a 88% decrease in vehicles traveling 11 mph or more above the 65 mph limit.

Washington, DC
found a 70% reduction in fatalities.

Montgomery, MD
experienced a 40% reduction in collisions.

Chicago, IL
realized a 31% decline in speeding vehicles.

Protecting Our Most Vulnerable Road Users

Pui Fong Yim Lee was 78 years old when she was hit and killed by a vehicle in a crosswalk.



Mi'yana (My-My) Gregory was 2 years old when she was hit and killed by a vehicle. The driver never stopped.



Automated Speed Enforcement

Frequently Asked Questions



Q: There is so much traffic in San Francisco, is speeding really a problem?

A: In San Francisco, approximately 30 people are killed and 200+ are severely injured each year in traffic collisions. **Unsafe speed is the leading collision factor in fatal and severe injury collisions.** The faster a car is traveling, the greater the risk of serious injury or death to those in and outside a car in a collision. If hit by a vehicle traveling at 20 mph, there is a 90% chance of survival and at 40 mph, 80% of people will die compared to only 10% at 20 mph; seniors and children are more vulnerable to serious injury than adults.

Q: Will drivers know where the cameras are located?

A: The purpose is to inform people that they must obey the speed limit. Many cities post signs notifying drivers when they are approaching an area enforced by automated speed enforcement. **The notification signs provide drivers with the knowledge and opportunity to obey the law.**

Q: How will the revenues be used?

A: This is not about money. The purpose of enhancing our traditional speed enforcement efforts is to reduce the occurrences of excessive speeding and save lives. The fine amount from ASE will likely be less than the amount of a speeding ticket issued by a police officer. Issuing small fines has demonstrated a change in driver behavior.

Q: What are the economic costs of Automated Speed Enforcement?

A: The annual medical cost in San Francisco for pedestrians injured in a traffic collision is **\$15 million**. **\$564 million** is the total annual economic costs of traffic injuries and fatalities. **55%** of patients that are administered to San Francisco General Hospital after suffering trauma from a traffic collision charge their medical bills to public funds. Lack of increased enforcement will increase the burden on tax payers.

Q: What about privacy? Will the cameras take pictures of the driver?

A: The cameras used as part of an ASE program are not general surveillance cameras. They are designed only to capture photographic evidence of traffic law violations. The cameras snap images when a vehicle is traveling an **excessive speed. ASE cameras can be programmed to only capture license plate data and not the driver.** Information captured by the cameras can only be used for the purposes in which they were authorized.

Q: Will citations issued by automated enforcement systems be the same as citations given by police officers?

A: Many cities have decriminalized speeding violations captured by a speed camera, changing the violation to an administrative offense, **similar to a parking ticket**, and reducing the fine amount.

Q: If a camera captures me speeding, will I receive a citation right away? Will I keep receiving citations?

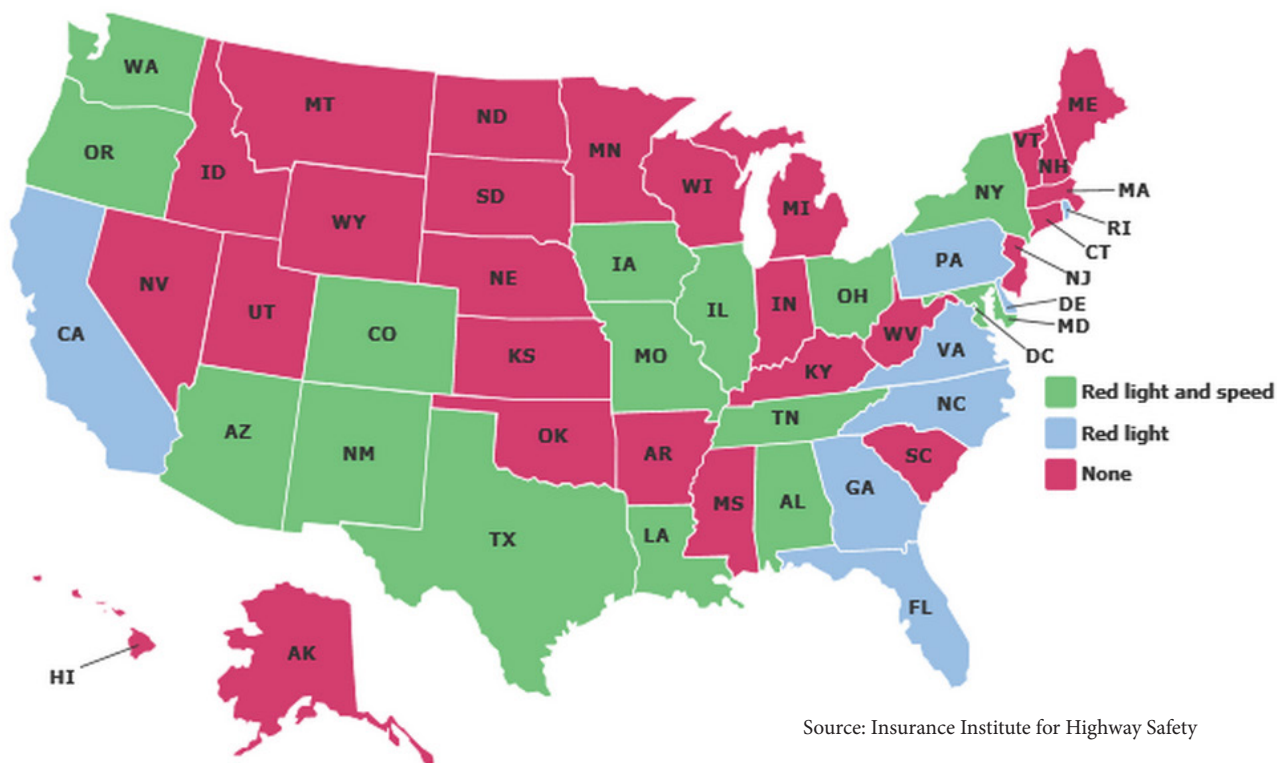
A: Many cities with ASE programs had a **warning period for several months** prior to issuing actual citations. Cities such as Chicago, Seattle, and Washington, DC have experienced a decline in repeat offenders and violations proving that the cameras change driver behavior.

Automated Speed Enforcement

Reducing Speed to Save Lives



There are 139 communities in the United States with Automated Speed Enforcement Programs



SELECTED FINDINGS OF ASE EFFECTIVENESS FROM WITHIN THE U.S.

Washington, DC found a 70% reduction in fatalities.

Chicago, IL reported a 31% decline in speeding vehicles.

New York City, NY reported that violations at locations with fixed cameras dropped 59% in a four-month period.

Portland, OR reported a 54% reduction in fatalities since program inception.

Seattle, WA reported a 64% decrease in average violations per camera per day.

Montgomery, MD experienced a 40% reduction in crashes.

Scottsdale, AZ reported a 88% decrease in the odds of vehicles traveling 11 mph or more above the 65 mph limit.

Denver, CO realized a 28% reduction in vehicle speeds.

Study: Speed cameras reduce traffic crashes

David Shepardson, Detroit News Washington Bureau 12:07 a.m. EDT September 1, 2015

A new study released Tuesday shows speed cameras have prompted long-term changes in driver behavior and led to substantial reductions in deaths and injuries.

The Insurance Institute for Highway Safety says a study of speed cameras first introduced in Montgomery County, Maryland — just outside Washington, D.C. — in 2007 shows a big decline in crashes and changes in driver behavior.

The program reduces fatal or incapacitating injuries by 39 percent on residential roads with speed limits of 25-35 mph, the researchers found.

As of 2014, the county had 56 fixed cameras, 30 portable cameras and six mobile speed vans. The cameras are used on residential streets with speed limits of 35 mph or less and in school zones.

IIHS originally looked at the Montgomery County program during its first year. Six months into the program, the proportion of drivers traveling at least 10 miles over the speed limit had fallen on streets with cameras.

Seven years later, the program is still working. Cameras have reduced by 59 percent the likelihood of a driver exceeding the speed limit by more than 10 mph, compared with similar roads in two nearby Virginia counties that don't have speed cameras, the latest study found.

"We hope this research will help energize the discussion around speed," said IIHS President Adrian Lund, who will unveil the findings Tuesday at the annual meeting of the Governors Highway Safety Association in Nashville. "We're all accustomed to seeing posted limits ignored, but it's a mistake to think nothing can be done about it. Automated enforcement is one of the tools we have at our disposal."

Automated speed enforcement is still rare but gradually becoming more common around the country. IIHS — the industry-funded group that works to reduce auto crashes — says just 138 jurisdictions operate such programs. If all U.S. communities had speed-camera programs like the one IIHS studied in Maryland's Montgomery County, the group estimates more than 21,000 fatal or incapacitating injuries would have been prevented in 2013.

The study compared crashes on camera-eligible roads in Montgomery County to comparable roads in Virginia. They found that the camera program resulted in a 19 percent reduction in the likelihood that a crash would involve a fatality or an incapacitating injury.

“Speed cameras get drivers to ease off the accelerator, and crashes are less likely to be deadly at lower speeds,” Lund said. “This study connects the dots to show that speed cameras save lives.”

In 2012, Montgomery County introduced speed-camera corridors. With corridors, enforcement is focused on long segments of roads instead of specific locations. The cameras are regularly moved to different locations on those roads so drivers don’t become familiar with their exact locations.

The study said corridor approach led to further gains, reducing the likelihood of a crash involving fatal or incapacitating injury an additional 30 percent beyond the use of cameras alone.

“Speed-camera corridors force drivers to watch their speed for the length of the road, instead of slamming on the brakes at a specific location and then speeding up again,” said Anne McCartt, the Institute’s senior vice president for research and a co-author of the study.

The total benefit would likely be even greater because that number doesn’t include any spillover effect. Drivers in Montgomery County seem to have slowed down even on roads that aren’t eligible for automated enforcement. The researchers found that fatal or incapacitating injuries fell 27 percent on 40 mph roads as a result of the camera program on roads with limits of 35 mph or less.

IIHS notes that cameras succeed in changing behavior only if drivers know about them. In Montgomery County, 95 percent of drivers surveyed were aware of them. More than three-quarters said they had reduced their speed because of the program, and 59 percent had received a speed-camera ticket personally.

The group noted that automated enforcement has been criticized, and some communities have eliminated programs because of a backlash.

AAA said Washington, D.C., raised \$85 million in ticket revenue in 2011, including \$72 million from speed cameras and \$13 million in red-light tickets. AAA says it “strongly supports traffic safety measures designed to reduce red light running, including increased enforcement and traffic-engineering improvements. The installation of red light cameras

is acceptable when these counter-measures are not successful. However, the sole purpose of red light cameras must be increased safety, not increased revenue.”

Jonathan Adkins, Executive Director, Governors Highway Safety Association, said, “This study demonstrates that automated enforcement can be an effective deterrent to an speeding, which continues to contribute to about one-third of all traffic fatalities nationally. The Maryland program is a model for other communities looking to address this often overlooked, yet pervasive dangerous driving behavior.”

Since 2013, the Michigan legislature has considered several proposals to allow counties and cities to use speed and red-light cameras. Michigan does not currently use them because then-state Attorney General Mike Cox issued an opinion in February 2007 declaring that red-light cameras are illegal under state law. That scuttled a plan by Southgate to install the cameras.

Monday, September 26, 2016

9 Comments

More Evidence That Speed Cameras Work

by [Angie Schmitt](#)

The evidence is clear: [Speed cameras save lives.](#)

Here's the latest success story — an update from Jonathan Maus at [Bike Portland](#) on the city's first speed camera, which was installed on Beaverton-Hillsdale Highway last month:

Here are some facts about the BHH camera released by PBOT today:

- ▶ Before the cameras were installed, an average 1,417 vehicles a day traveled 51 mph or faster, according to readings by a pneumatic tube laid across the roadway.
- ▶ During the warning period from Aug. 24 to Sept. 18, an average 93 vehicles a day were found traveling 51 mph or faster — a **93.4 percent reduction** from the tube count.
- ▶ In the first week of the warning period, cameras recorded **an average 115 violations a day**. **Violations dropped to an average 72 a day** by the week of Sept. 12 to 18.



Photo: PBOT via [Bike Portland](#)

PBOT Director Leah Treat, who had to spearhead a change in Oregon law just to be able to install cameras like these, said, "For us to reach our Vision Zero goal of ending traffic fatalities and serious injuries, we need tools like these cameras."

Thanks to the [passage of HB 2621](#) last year the City of Portland can install speed cameras (PBOT calls them "safety cameras") only on designated High Crash Corridors within Portland city limits. When someone is caught speeding by one of these cameras, the typical fine is \$160. By law, that revenue must be spent to pay for the camera program or to make safety improvements along High Crash Corridors.

Think of all the collisions and injuries that could be prevented with more automated speed enforcement in Portland alone. It will be interesting to see further results as the program expands.

Elsewhere on the Network today: [Cyclelicious](#) responds to a Tennessee law professor's outrageous assertion that drivers should have a right to run over protestors who stand in their way. [Transport Providence](#) writes that reducing local car taxes in Rhode Island may not be the best way to help low-income people. And [The Political Environment](#) reports that highway fatalities in Wisconsin are up after the state raised speed limits — and no one should be surprised.

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Perspectives

What is Vision Zero?

In 1997, the national government of Sweden introduced “Vision Zero” as a street safety policy that strives for the elimination of traffic fatalities for all transportation modes. The initial goal was to eliminate fatalities by 2020—Sweden has since adjusted their reduction target to 50% by 2020 and to zero deaths by 2050.

Over the past decade, many European nations have adopted Vision Zero programs and have achieved significant fatality reductions, for example: Sweden (39%), Switzerland (41%), Germany (45%), France (48%) and Spain (53%).

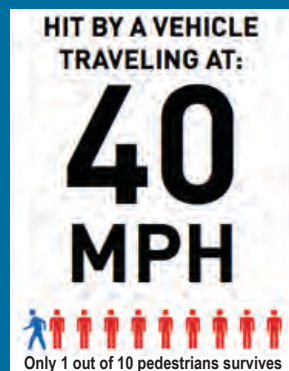
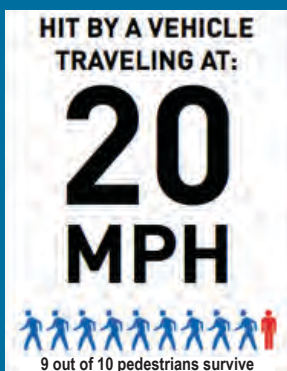
The effectiveness of Vision Zero comes from a “safety first” collaboration among political leaders, roadway designers and managers, traffic enforcement agencies, vehicle manufacturers, transit operators, government regulators, educators, public health officials, community advocates, and the public.



Core Principles

The core principles that guide Vision Zero are:

1. Traffic deaths are preventable and unacceptable.
2. Human life takes priority over mobility and other objectives of the road system. The street system should be safe for all users, for all modes of transportation, in all communities and for people of all ages and abilities.
3. Human error is inevitable and unpredictable; the transportation system should be designed to anticipate error so the consequence is not severe injury or death. Advancements in vehicle design and technology are a necessary component toward avoiding the safety impacts of human errors and poor behaviors.
4. People are inherently vulnerable and speed is a fundamental predictor of crash survival. The transportation system should be designed for speeds that protect human life.
5. Safe human behaviors, education and enforcement are essential contributors to a safe system.
6. Policies at all levels of government need to align with making safety the highest priority for roadways.



Related US Safety Initiatives

In addition to international Vision Zero initiatives that have become popular among European countries in the past decade and more recently for a growing number of US cities, several other similar national street safety programs have developed over the past year, as described below.



Toward Zero Deaths

In 2014, a group of national organizations led by the American Association of State Highway and Transportation Officials (AASHTO) adapted Sweden's Vision Zero program and established a national strategy on highway safety referred to as *Toward Zero Deaths* (TZD). TZD uses a data-driven, interdisciplinary approach and focuses on the topics of 1) safer drivers and passengers, 2) safer vulnerable users, 3) safer vehicles, 4) safer infrastructure, 5) enhanced emergency medical services, and 6) improved safety management. In 2014, San Jose Department of Transportation (DOT) registered as a "proud partner" of the *Towards Zero Deaths* program.



National Association of City Transportation Officials

NACTO is a coalition of transportation agencies serving America's largest cities. San Jose DOT joined NACTO in 2014. NACTO has adopted advocacy actions that urge the federal government to endorse a Vision Zero policy with a goal to eliminate fatalities and serious injuries on streets, roads and highways.



US DOT Mayors' Challenge for Safer People and Safer Streets

In 2015, US DOT Secretary Anthony Foxx issued a challenge for mayors to take significant action to improve safety for bicycle riders and pedestrians of all ages and abilities over the next year. US DOT recognizes the many benefits walking and bicycling provide—including health, safety, environmental, transportation and quality of life. In March 2015, San Jose DOT, in coordination with Mayor Sam Liccardo, accepted the challenge and joined nearly 200 cities across the nation. Among the "challenge" activities include issuing a statement about the importance of bicycle and pedestrian safety, and delivering on a series of actions supporting safer streets. The actions in *Vision Zero San Jose* boldly address Secretary Foxx's challenge.



Contra Costa County Board of Supervisors

Subcommittee Report

TRANSPORTATION, WATER & INFRASTRUCTURE COMMITTEE

8.

Meeting Date: 10/13/2016
Subject: DISCUSS 2016 Federal and State Legislative Platform Updates
Submitted For: TRANSPORTATION, WATER & INFRASTRUCTURE COMMITTEE,
Department: Conservation & Development
Referral No.: 1
Referral Name: John Cunningham, DCD
Presenter: John Cunningham (925)674-7833 **Contact:** John Cunningham
(925)674-7833

Referral History:

TWIC annually reviews the State and Federal Legislative Platforms for revisions to sections under its purview.

Referral Update:

Revisions were submitted by staff from the Airports Division, East Contra Costa Habitat Conservancy, and Conservation and Development Transportation staff. Staff will review the revisions at the October 13th Committee meeting.

Not included in the attached revisions is support for Automated Speed Enforcement (ASE) pilot authorization. The discussion under the prior item, "CONSIDER report on Local, Regional, State, and Federal Transportation Related Legislative Issues..." can be continued under this legislative platform update if necessary.

Recommendation(s)/Next Step(s):

DISCUSS and REVISE edits to the federal and state legislative platforms, APPROVE and forward revisions to the full Board of Supervisors and/or the Legislative Committee as appropriate.

Fiscal Impact (if any):

None.

Attachments

ADOPTED 2016 STATE Platform - Review For TWIC-2017

ADOPTED 2016 FEDERAL Platform - Review For TWIC-2017



~~2016~~ 2017
STATE LEGISLATIVE
PLATFORM

Contra Costa County

January 12, 2016



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2016 STATE LEGISLATIVE PLATFORM CONTRA COSTA COUNTY

Each year, the Board of Supervisors adopts a State Legislative Platform that establishes priorities and policy positions with regard to potential State legislation and regulation. The State Legislative Platform includes County-sponsored bill proposals, legislative or regulatory advocacy priorities for the year, and policies that provide direction and guidance for identification of and advocacy on bills which would affect the services, programs or finances of Contra Costa County.

COUNTY-SPONSORED LEGISLATION

Pursue legislation to clarify that the disability retirement provisions applicable to Tier III members of the Contra Costa County Retirement Association (CCCERA) also apply to County and dependent special district non-safety employees who become New Members, as defined in Public Employees' Pension Reform Act (PEPRA), of CCCERA.

LEGISLATIVE/REGULATORY ADVOCACY PRIORITIES

Each year, issues emerge through the legislative process that are of importance to the County and require advocacy efforts. For 2016, it is anticipated that critical issues requiring legislative advocacy will include the following:

Priority 1: State Budget – The state's continuing economic recovery, prior budget cuts, and the additional, temporary taxes provided by Proposition 30 have combined to bring the State Budget to a much improved financial condition. While the Governor's Budget identifies cost pressures and budget risks in health and human services programs, of particular concern to counties is the inadequate reimbursement for our ever-increasing cost of operating several human services programs: the "Human Services Funding Deficit," formerly referred to as the "Cost of Doing Business." The annual shortfall between actual county expenses and state reimbursement has grown to over \$1 billion since 2001, creating a de facto cost shift to counties. The funding gap forces counties to reduce services to vulnerable populations and/or divert scarce county resources from other critical local services. It also increases the risk of state and federal penalties.

Priority 2: Health Care – Counties play a critical role in California's health reform efforts. Counties serve as employers, payers, and providers of care to vulnerable populations. Consequently, counties stand ready to actively participate in discussions of how to best reform the health care system in California and implement the national health care reform legislation passed in 2010, The Patient Protection and Affordable Care Act (ACA).

The optional Medi-Cal Expansion, in effect on Jan. 1, 2014, was a significant part of the State Budget process in 2013. The ACA had required states to expand Medicaid programs to allow childless adults at or below 138 percent of poverty to be eligible for Medicaid (known as Medi-

Cal in California). The Supreme Court struck down that mandate but allowed it to be an option for states, which California exercised.

However, significant unknowns remain including questions about the actual impact of the ACA coverage expansions on counties and the number of uninsured individuals to whom counties will still need to provide services. Counties will retain the Section 17000 responsibility, and there will be significant variations in the impacts of both the ACA and AB 85 for the different types of counties: county hospital (12 counties including Contra Costa County), payor/clinic and County Medical Services Program (CMSP) counties.

In the coming year, the County will continue to work on the implementation of required health care reform measures to maximize federal revenue. The County will support efforts to provide counties with the necessary tools to implement health care reform which may include performing eligibility and enrollment, preserving existing county resources from 1991 Realignment, providing for a smooth transition for the various operational systems, and supporting legislation to ensure that low-income families are covered under the Affordable Care Act while opposing legislation which would reduce Medi-Cal eligibility. In addition, the County will continue to work to reduce uncompensated health care costs and on the adequacy of rates under the new health care system.

Priority 3: Water and Levees /The Sacramento-San Joaquin Delta – The enactment of the Delta Reform Act (2009), a bill that established the co-equal goals for reliable water supply and ecosystem restoration for the Delta, created the Delta Stewardship Council, and supported the proposed Bay Delta Conservation Plan (BDCP) --an effort to construct a pair of massive tunnels under the Delta-- will bring significant, large-scale change to the Delta as we know it. The scope and content of these changes, as well as enduring political battles between northern and southern California over water, will continue to guide legislative and administrative agendas in the coming year. Enabling legislation was also passed in 2009 for a state water bond, which was delayed from the 2010 and 2012 ballots but successfully passed on the 2014 state ballot, as Proposition 1.

Significant future impacts on the County in the areas of water quality and supply, levee stability, ecosystem health, local land use authority and flood control are anticipated.

Particular areas of concern for 2016 include, but are not limited to: (1) the ongoing development of the BDCP project, now recast as the California WaterFix (CWF) and whether the state water bond appropriates funds specific to the BDCP/CWF; and (2) the impacts of the Delta Plan on local land use authority, efforts to expedite state bond funding for levee improvement projects, and the development of flow standards that will impact water quality and ecosystem health in the Delta. The County's adopted Delta Water Platform, as well as the Strategic and Action Plans, are incorporated in this Platform by reference.

Priority 4: Realignment Implementation – The battle for constitutional protections for 2011 Realignment concluded successfully on November 6, 2012 when Proposition 30 was passed by the voters. Proposition 30 provides constitutional guarantees to the funding that supports Realignment and safeguards against future program expansion without accompanying funding.

With these provisions in place, Contra Costa County can continue to implement the array of programs transferred under 2011 Realignment, confident that funding is secure and programmatic responsibilities are defined. However, the County remains concerned that the funding is not sufficient and is also concerned about liability issues arising from the new responsibilities.

Any future proposals to realign programs to counties must have constitutionally guaranteed ongoing funding and protections. The County will oppose any proposals that will transfer additional program responsibility to counties without funding, constitutional protections, county participation and approval. The County will also oppose efforts that limit county flexibility in implementing programs and services realigned in 2011 or infringe upon our ability to innovate locally. The County resolves to remain accountable to our local constituents in delivering high-quality programs that efficiently and effectively respond to local needs. Further, we support counties' development of appropriate measures of local outcomes and dissemination of best practices.

With regard to Public Safety realignment, counties have received parolees whose latest crime fits the specified "non-violent, non-serious, non-sex offender" (N3) definition but who have a criminal background that includes violent, serious and/or sexual crimes. Under the current legislation, the person's latest offense/crime determines if they meet the N3 criteria. Specifically, a change would be requested to prevent those whose total criminal background does not meet the N3 criteria. These individuals should stay under the responsibility of the state.

The County will also support efforts to provide additional funding/grants to those counties that have a commitment to lowering the crime rate and reducing recidivism through the provision of innovative, comprehensive, evidence-based programs for offender populations and their families. The County will also continue to support efforts to ensure that the receipt of Local Community Corrections Funds matches the amounts anticipated from the state, without undue delay. Finally, the County also supports more funding for mental health and behavioral health programs and facilities in order to meet the requirements of Realignment and the goal of reducing recidivism.

STATE PLATFORM POLICY POSITIONS

A brief background statement accompanies policy positions that are not self-evident. Explanatory notes are included either as the preface to an issue area or following a specific policy position. Please note that new and revised policy positions are highlighted. The rationale for the policy position is italicized.

Agriculture

1. SUPPORT efforts to ensure sufficient State funding for pest and disease control and eradication efforts to protect both agriculture and the native environment, including glassy-winged sharpshooter, light brown apple moth, and Japanese dodder activities; high risk pest exclusion activities; pesticide regulatory and law enforcement activities; and noxious weed pest management. *Agriculture is an important industry in Contra Costa County. Protection of this industry from pests and diseases is important for its continued viability.*
2. SUPPORT continued appropriations for regulation and research on sudden oak death, a fungal disease affecting many species of trees and shrubs in native oak woodlands. *The County's natural environment is being threatened by this disease.*
3. SUPPORT funding for agricultural land conservation programs and agricultural enterprise programs, and support revisions to State school siting policies, to protect and enhance the viability of local agriculture. *The growth in East County and elsewhere has put significant pressure on agricultural lands, yet agriculture is important not only for its production of fresh fruits, vegetables and livestock, but also as a source of open space.*
4. SUPPORT legislation to establish legal authority where needed to facilitate the efforts by the California Department of Food and Agriculture and the Department of Boating and Waterways to survey and treat all infestations of the South American spongeplant and to rid the Delta of this and other invasive aquatic species through integrated pest management methods. *Invasive aquatic species are a threat to agriculture, the environment and recreation in the Delta. This position includes support for efforts by the Department of Boating and Waterways to secure multi-year permits for eradication of multiple invasive aquatic plant species in the Sacramento-San Joaquin Delta, its tributaries, and its marshes.*
5. SUPPORT the CSAC policy statement regarding revisions to the California Conservation Act of 1965 (the Williamson Act) to support legislative changes that preserve the integrity of the Williamson Act, eliminate abuses resulting in unjustified and premature conversions of contracted land for development, and to fully restore Williamson Act subventions. The state subventions to counties also must be revised to recognize all local tax losses.

Animal Services

6. SUPPORT efforts to protect local revenue sources designated for use by the Animal Services Department; i.e., animal licensing, fines and fees. *Fines, fees, and licensing are major sources of revenue for the Animal Services Department. The demand for animal services is increasing each year as does the demand on the General Fund. It is important to protect these revenue sources to continue to provide quality animal service and to meet local needs.*
7. SUPPORT efforts to protect or increase local control and flexibility over the scope and level of animal services. *Local control over the scope of animal services is necessary to efficiently address public safety and other community concerns. Local control affords jurisdictions the ability to tailor animal service programs to fit their communities. Animal related issues in dense urban areas vary from those in small, affluent communities.*
8. SUPPORT efforts to protect against unfunded mandates in animal services or mandates that are not accompanied by specific revenue sources which completely offset the costs of the new mandates, both when adopted and in future years. *Unfunded mandates drain our limited fiscal resources and, at the same time, chip away at local control over the scope and level of services.*
9. SUPPORT efforts to ensure full funding of State animal services mandates, including defense of the Department of Finance's lawsuit against the State Commission on Mandates regarding the State obligations for reimbursement of local costs for animal services incurred in compliance with SB 1785. *The County invested large sums of money to comply with SB 1785, with the assurance that our cost would be offset by reimbursements from the State. Failure by the State to honor the reimbursements negatively impacts the County General Fund and Animal Services' budget.*
10. SUPPORT efforts to protect and/or increase County flexibility to provide animal services consistent with local needs and priorities. *The demand for quality animal service programming continues to increase each year. The County is experiencing population growth and changing demographics. It is incumbent upon the Animal Services Department to be flexible enough to adjust to the changing needs and priorities.*
11. SUPPORT efforts to preserve the integrity of existing County policy relating to Animal Services (e.g., the Animal Control Ordinance and land use requirements). *Contra Costa is looked upon as one of the model Animal Services Departments in the state. Its policies, procedures, and ordinances are the yardstick against which other Animal Control organizations are measured. The local control exercised by the Board of Supervisors is key to that hallmark.*

Child Support Services

12. SUPPORT the establishment of a statewide electronic registry for the creation and release/satisfaction of liens placed on property of a non-custodial parent as necessary to collect delinquent child support payments. *California law currently provides that recording an abstract or notice of support judgment with a County Recorder creates a lien on real property. This requires recording the judgment in each of the 58 counties in order not to miss a property transaction. An electronic registry would simplify not only the creation of liens but also the release/satisfaction of liens because there would be a single statewide point of contact, and the entire process would be handled electronically through automated means.*
13. SUPPORT amendment of current law that states that documents completed and recorded by a local child support agency may be recorded without acknowledgement (notarization) to clarify that the exception is for documents completed or recorded by a local child support agency. *This amendment clarifies that documents that are prepared by the local child support agency and then sent for recording either by the local child support agency or by the obligor (non-custodial parent) or by a title insurance company are covered by the exemption, a technical point not acknowledged by all county recorder offices.*
14. SUPPORT efforts to simplify the court process for modifying child support orders by the court by requiring court appearances only when one of the parties objects to the modification. *Currently, establishment of parentage and support by the court is permitted without court appearance if both parties are in agreement. A similar process for modification would reduce court time, the workload of all involved agencies and parties, and streamline the process.*
15. SUPPORT efforts to ensure that the reduction to the California Department of Child Support Services is not passed down as a reduction to the local program.
16. SUPPORT efforts that would require the Department of Child Support Services to provide any notice form, information, or document that is required or authorized to be given, distributed, or provided to an individual, a customer, or a member of the public to be given, distributed, or provided in a digitized form, and by any means the Department determines is feasible, including, but not limited to, e-mail or by means of a website.

Climate Change

17. SUPPORT the *CSAC Climate Change Policy Statements and Principles* which address a broad range of issues affected by climate change, including water, air quality, agriculture, forestry, land use, solid waste, energy and health. *The document is largely based on existing CSAC policy and adapted to climate change. Additionally, the document contains a set of general principles which establish local government as a vital partner in the climate change issue and maintain that counties should be an active participant in the discussions in the development of greenhouse gas reduction strategies underway at the state and regional level.*
18. SUPPORT efforts to ensure that the implementation of AB 32 results in harmony between the greenhouse gas reduction target created by the Air Resources Board for each regional/local agency, the housing needs numbers provided by the state Department of Housing and Community Development pursuant to housing element law, and the Sustainable Communities Strategy developed through the Regional Transportation Plan processes.
19. SUPPORT legislative or administrative efforts that favor allocation of funding from the California Greenhouse Gas Cap and Trade Program to jurisdictions that are the largest emitters of greenhouse gas, have disadvantaged communities that are disproportionately affected by environmental pollution, and have demonstrated a local commitment to climate protection (e.g. established emissions reduction targets, prepared Climate Action Plans, etc.).
- ~~19.~~20. SUPPORT revisions to the Public Resources Code and the Air Resources Board's Investment Plans to provide Cap and Trade funding for the conservation of natural lands, parks and open space through fee title acquisition as well as easements.

Delta Water Platform

To protect the Sacramento-San Joaquin Delta from various detrimental forces that are affecting its health and resources, it is the policy of Contra Costa County to support implementation of projects and actions that will help improve the Delta ecosystem and the economic conditions of the Delta. Contra Costa County has adopted a *Delta Water Platform* to identify and promote activities and policy positions that support the creation of a healthy Sacramento-San Joaquin Delta. Contra Costa County will use this Platform to guide its own actions and advocacy in other public venues regarding the future of the Delta.

Elections

- ~~20.~~21. SUPPORT legislation to adjust precinct sizing from 1,000 voters per precinct to 1,250 voters per precinct. *With the option of being able to have up to 1,250 voters per precinct, the best polling locations in a neighborhood can be selected, and that same site is more*

likely to be used for several elections, thus avoiding the need to change poll sites for voters.

21.22. SUPPORT full state reimbursement for state mandates imposed upon local registrars by the Secretary of State, including special state elections. *The state has committed to reimburse Counties for the cost of certain state mandates. That reimbursement process, SB 90, can be lengthy and contentious. The SB 90 process is also subject to uncertainties including partial payments, delayed payments, and now, suspended or no payments. In lieu of the SB 90 process for Elections, there is merit in the examination of having the state pay its pro-rata share of costs when state candidates/measures are on the ballot.*

22.23. SUPPORT legislation that would add provisions to the state Elections Code that would allow special elections to fill a vacancy in a congressional or legislative district to be conducted by all mailed ballots at the county's discretion.

Emergency Preparedness, Emergency Response

23.24. SUPPORT legislation that would give local agencies more authority to train volunteers, provide funding for Community Emergency Response Training (CERT), and help clean-up oil spills without taking on additional legal liability.

24.25. SUPPORT legislation that would require the state's Oil Spill Prevention and Response Agency to improve communication and clean-up technology, increase safety standards for ships and establish special protections for ecologically sensitive areas.

25.26. SUPPORT legislation that would require responses to future oil spills in a shorter timeframe, with a more regional approach.

26.27. SUPPORT measures that enable counties and other local agencies to better exercise their responsibilities to plan for and respond to emergencies and disasters without taking on additional legal liability and oppose those that do not recognize or support the county and local agency role in the State's Standardized Emergency Management System.

27.28. SUPPORT legislation or other measures requiring the creation or utilization of emergency rock stockpiles suitable for levee repair throughout the Delta, enabling increasingly efficient and less costly prevention of levee breaks and enhancement of initial response capabilities.

28.29. SUPPORT legislation that expands school safety improvement programs such as education regarding and placement of automated external defibrillator(s) (AED(s)) in schools.

Eminent Domain

29.30. SUPPORT legislation that maintains the distinction in the California Constitution between Section 19, Article I, which establishes the law for eminent domain, and Section

7, Article XI, which establishes the law for legislative and administrative action to protect the public health, safety, and welfare.

~~30.~~31. SUPPORT legislation that would provide a comprehensive and exclusive basis in the California Constitution to compensate property owners when property is taken or damaged by state or local governments, without affecting legislative and administrative actions taken to protect the public health, safety, and welfare.

Flood Control and Clean Water

~~31.~~32. SUPPORT authorization for regional approaches to comply with aquatic pesticide permit issues under the purview of the State Water Resources Control Board. *Contra Costa County entered into an agreement with a neighboring county and several cities to share the costs of monitoring. While it makes sense for local government to pool resources to save money, State Board regulations make regional monitoring infeasible.*

~~32.~~33. SUPPORT efforts to provide local agencies with more flexibility and options to fund stormwater programs. *Stormwater permit requirements issued by the Regional Water Quality Control Boards are becoming more and more expensive, yet there is no funding. Stormwater services, encompassing both water quality and drainage/flood control, could be structured like a utility with the ability to set rates similar to the other two key water services: drinking water and wastewater.*

~~33.~~34. SUPPORT efforts to provide immunity to local public agencies for any liability for their clean-up of contaminations on private lands. *This will be more critical as the Regional Water Quality Control Boards institute Total Maximum Daily Loads, which establish a maximum allowable amount of a pollutant (like mercury) in the stormwater from a watershed.*

~~34.~~35. SUPPORT efforts to require the Department of Water Resources (DWR) to provide 200 year flood plain mapping for all areas in the legal Delta. SB 5 requires the County and cities in the Delta to insure certain development projects must have 200 year level of protection and to make certain related findings. *DWR has revisited developing zoning flood plain mapping, and if they do, only working in areas protected by project levees which does not include any areas within Contra Costa County.*

~~35.~~36. SUPPORT legislation to enable Zone 7 Water Agency to become a new public agency, separate and apart from the Alameda County Flood Control and Water Conservation District, with territory in both Alameda and Contra Costa counties and the power to provide specific services, insofar as the legislation is guided by adopted Principles of Understanding.

General Revenues/Finance

As a political subdivision of the State, many of Contra Costa County's services and programs are the result of state statute and regulation. The State also provides a substantial portion of the County's revenues. However, the State has often used its authority to shift costs to counties and to generally put counties in the difficult position of trying to meet local service needs with inadequate resources. While Proposition 1A provided some protections for counties, vigilance is necessary to protect the fiscal integrity of the County.

36.37. SUPPORT the State's effort to balance its budget through actions that do not adversely affect County revenues, services or ability to carry out its governmental responsibilities.

37.38. OPPOSE any state-imposed redistribution, reduction or use restriction on general purpose revenue, sales taxes or property taxes unless financially beneficial to the County. *(Note that a redistribution of sales and property tax may be beneficial to Contra Costa County in the event that sales tax growth lags behind property tax growth.)*

38.39. OPPOSE efforts to limit local authority over transient occupancy taxes (TOT).

39.40. OPPOSE any efforts to increase the County's share-of-cost, maintenance-of-effort requirements or other financing responsibility for State mandated programs absent new revenues sufficient to meet current and future program needs.

40.41. SUPPORT efforts to ensure that Contra Costa County receives its fair share of State allocations, including mental health funding under Proposition 63 and pass-through of federal funds for anti-terrorism and homeland security measures. *The State utilizes a variety of methods to allocate funds among counties, at times detrimental to Contra Costa County.*

41.42. SUPPORT efforts to receive reimbursement for local tax revenues lost pursuant to sales and property tax exemptions approved by the Legislature and the State Board of Equalization.

42.43. SUPPORT continued efforts to reform the state/local relationship in a way that makes both fiscal and programmatic sense for local government and conforms to the adopted 2010 CSAC Realignment Principles, with an emphasis on maximum flexibility for counties to manage the existing and realigned discretionary programs.

43.44. SUPPORT efforts to relieve California of the federal Child Support penalties without shifting the cost of the penalties to the counties.

44.45. SUPPORT a reduction in the 2/3rd vote requirement to 55% voter approval for locally-approved special taxes that fund health, education, economic, stormwater services, library, transportation and/or public safety programs and services.

45.46. SUPPORT efforts to authorize counties to impose forfeitures for violations of ordinances, as currently authorized for cities. *This would provide the County with the opportunity to*

require deposits to assure compliance with specific ordinance requirements as well as retain the deposit if the ordinance requirements are not met. Currently, the County is limited to imposing fines which are limited to only \$100 - \$200 for the first violation, which has proven to be an ineffective deterrent in some cases.

46-47. SUPPORT efforts to redefine the circumstances under which commercial and industrial property is reassessed to reduce the growing imbalance between the share of overall property tax paid by residential property owners versus commercial/industrial owners.

47-48. SUPPORT efforts to reduce County costs for Workers' Compensation, including the ability to control excessive medical utilization and litigation. *Workers' Compensation costs are significant, diverting funds that could be utilized for County services. Workers' Compensation should provide a safety net for injured employees, for a reasonable period of time, and not provide an incentive for employees to claim more time than medically necessary.*

48-49. SUPPORT state actions that maximize Federal and State revenues for county-run services and programs.

49-50. SUPPORT legislative compliance with both the intent and language of Proposition 1A.

50-51. SUPPORT the provisions of Proposition 22 that would protect County revenues, particularly as related to transportation revenues and excluding those provisions related to redevelopment funds.

51-52. SUPPORT full State funding of all statewide special elections, including recall elections.

52-53. OPPOSE efforts of the State to avoid state mandate claims through the practice of repealing the statutes, then re-enacting them. *In 2005, the State Legislature repealed sections of the Brown Act that were subject to mandate claims, then re-enacted the same language pursuant to a voter-approval initiative, and therefore, not subject to mandate claims.*

53-54. SUPPORT strong Public Utilities Commission (PUC) oversight of state-franchised providers of cable and telecommunications services, including rigorous review of financial reports and protection of consumer interests. *AB 2987 (Núñez), Chapter 700, statutes of 2006 transferred regulatory oversight authority from local government to the PUC.*

54-55. SUPPORT timely, full payments to counties by the State for programs operated on their behalf or by mandate. *The State currently owes counties over \$1 billion in State General Funds for social services program costs dating back to FY 2002-03.*

55-56. SUPPORT full State participation in funding the County's retiree and retiree health care unfunded liability. *Counties perform most of their services on behalf of the State and*

Federal governments. Funding of retiree costs should be the responsibility of the State, to the same extent that the State is responsible for operational costs.

56-57. SUPPORT legislation that provides constitutional protections and guaranteed funding to counties under Realignment.

Health Care

The County remains concerned about the implementation of any health care reform measures that could transfer responsibility to counties, without commensurate financing structures or in a manner not compatible with the County's system. The County supports a concept of universal health coverage for all Californians. Toward that end, the County urges the state to enact a system of health coverage and care delivery that builds upon the strengths of the current systems in our state, including county-operated systems serving vulnerable populations.

Currently, California has a complex array of existing coverage and delivery systems that serve many, but not all, Californians. Moving this array of systems into a universal coverage framework is a complex undertaking that requires sound analysis, thoughtful and deliberative planning, and a multi-year implementation process. As California moves forward with health care reform, the County urges the state to prevent reform efforts from exacerbating problems with existing service and funding. The state must also consider the differences across California counties and the impacts of reform efforts on the network of safety-net providers, including county providers. The end result of health reform must provide a strengthened health care delivery system for all Californians, including those served by the safety net.

57-58. SUPPORT state action to increase health care access and affordability. *Access to care and affordability of care are critical components of any health reform plan. Expanding eligibility for existing programs will not provide access to care in significant areas of the state. Important improvements to our current programs, including Medi-Cal, must be made either prior to, or in concert with, a coverage expansion in order to ensure access. Coverage must be affordable for all Californians to access care.*

58-59. SUPPORT Medi-Cal reimbursement rate increases to incentivize providers to participate in the program.

59-60. SUPPORT actions that address provider shortages (including physicians, particularly specialists, and nurses). Innovative programs, such as loan forgiveness programs, should be expanded. In an effort to recruit physicians from other states, the licensing and reciprocity requirements should be re-examined. Steps should be taken to reduce the amount of time it takes to obtain a Medi-Cal provider number (currently six to nine months).

60-61. SUPPORT efforts that implement comprehensive systems of care, including case management, for frequent users of emergency care and those with chronic diseases and/or dual (or multiple) diagnoses. *Approaches could be modeled after current programs in place in safety net systems.*

61-62. SUPPORT efforts that provide sufficient time for detailed data gathering of current safety funding in the system and the impact of any redirection of funds on remaining county responsibilities. *The interconnectedness of county indigent health funding to public health, correctional health, mental health, alcohol and drug services and social services*

must be fully understood and accounted for in order to protect, and enhance as appropriate, funding for these related services.

- ~~62-63.~~ 63-64. OPPOSE safety net funding transfers until an analysis of who would remain uninsured (e.g. medically indigent adults, including citizens, who cannot document citizenship under current Medicaid eligibility rules) is completed in order to adequately fund services for these populations.
- ~~63-64.~~ 64-65. SUPPORT efforts to clearly define and adequately fund remaining county responsibilities.
- ~~64-65.~~ 65-66. SUPPORT state action to provide an analysis of current health care infrastructure (facilities and providers), including current safety net facilities across the state, to ensure that there are adequate providers and health care facilities (including recovery facilities), and that they can remain viable after health reform.
- ~~65-66.~~ 66-67. SUPPORT efforts to provide adequate financing for health care reforms to succeed.
- ~~66-67.~~ 67-68. SUPPORT measures that maximize federal reimbursement from Medicaid and S-CHIP.
- ~~67-68.~~ 68-69. SUPPORT state action to complete actuarial studies on the costs of transferring indigent populations, who currently receive mostly episodic care, to a coverage model to ensure that there is adequate funding in the model.
- ~~68-69.~~ 69-70. SUPPORT efforts that ensure that safety net health care facilities remain viable during the transition period and be supported afterwards based on analyses of the changing health market and of the remaining safety net population.
- ~~69-70.~~ 70-71. SUPPORT state action to implement a Medi-Cal waiver in a manner that maximizes the drawdown of federal funds for services and facilities, provides flexibility, and ensures that counties receive their fair share of funding.
- ~~70-71.~~ 71-72. SUPPORT efforts to increase revenues and to contain mandated costs in the County's hospital and clinics system.
- ~~71-72.~~ 72-73. SUPPORT efforts to obtain a fair-share of any state funds in a distribution of funding for the integration of IHSS and managed care.
- ~~72-73.~~ 73-74. SUPPORT efforts to increase the availability of health care (including alcohol and other drugs recovery) to the uninsured in California, whether employed or not.
- ~~73-74.~~ 74-75. SUPPORT legislation that improves the quality of health care, whether through the use of technology, innovative delivery models or combining and better accessing various streams of revenue, including but not limited to acute and long term care integration.

- ~~74~~.75. SUPPORT legislation to protect safety net providers, both public and private. Legislation should focus on stabilizing Medi-Cal rates and delivery modes and should advocate that these actions are essential to the success of any effort to improve access and make health care more affordable.
- ~~75~~.76. SUPPORT efforts that allow counties to draw down federal Medicaid funds for providing confidential alcohol and drug screening and brief intervention services to pregnant women and women of childbearing age who also qualify for Medi-Cal benefits.
- ~~76~~.77. SUPPORT state efforts to increase the scope of benefits and reimbursement rates contained in Minor Consent Medi-Cal to give youth suffering from substance abuse disorders access to a continuum of care, including residential and one-on-one outpatient treatment.
- ~~77~~.78. SUPPORT efforts to give incentives to providers to establish more youth-driven treatment facilities within the community.
- ~~78~~.79. SUPPORT efforts to extend Minor Consent Medi-Cal Coverage to incarcerated youths, many of whom are in custody due to drug related crimes. *This could greatly decrease recidivism in the juvenile justice system.*
- ~~79~~.80. SUPPORT county efforts in the promotion of partnerships that provide integrated responses to the needs of alcohol and other drugs populations, including criminal justice, perinatal and youth as well as those populations with co-occurring disorders.
- ~~80~~.81. SUPPORT and encourage the development of strategies that include alcohol and other drugs services in the provision of all culturally appropriate health care services.
- ~~81~~.82. SUPPORT efforts to require coverage of medically necessary alcohol and substance abuse related disorder treatment on the same levels as other medical conditions in health care service plans and disability insurance policies. *Alcohol and other drugs treatment services are the most under-funded of all health services. Neither the state nor the federal allocations to the County covers medical treatment for AOD services, and so are a cost borne by the County.*
- ~~82~~.83. SUPPORT legislation that extends the restrictions and prohibitions against the smoking of tobacco products to include restrictions or prohibitions against electronic cigarettes (e-cigarettes) in various places, including, but not limited to, places of employment, school campuses, public buildings, day care facilities, retail food facilities, multi-family housing, and health facilities; preventing the use of tobacco, electronic smoking devices (e-cigarettes) and flavored tobacco by youth and young adults; eliminating exposure to second-hand and third-hand smoke; restrictions on advertising of electronic smoking devices; reducing and eliminating disparities related to tobacco use and its effects among specific populations; increasing the minimum age to 21 to purchase tobacco products; and the promotion of cessation among young people and adults.

83.84. SUPPORT and encourage state, federal and/or private funding for pharmaceutical research for the development of new cannabis products which would meet Federal Drug Administration (FDA) standards of known strengths and attributes (and without unnecessary side effects) which would be dispensable through pharmacies and medical facilities consistent with State and Federal law.

84.85. SUPPORT funding and policy changes to support population-based chronic disease prevention efforts. Collectively, these include efforts to move up-stream from the treatment of illness associated with chronic disease to advance a policy, systems and organizational-change approach to address the underlying environmental factors and conditions that influence health and health behaviors.

85.86. SUPPORT efforts that would advance a Health-In-All-Policies approach to policy work done across the County. This implies consideration of how health is influenced by the built environment and a connection with land use planning and development.

86.87. SUPPORT ongoing study of the health impacts of global and regional climate change and ongoing countywide mitigation efforts.

87.88. SUPPORT efforts that would preserve the nature and quality of safety net services historically provided at the local level, such as the California Children's Services (CCS) and Child Health and Disability Prevention (CHDP) programs, which are being transitioned into managed care at the state level.

88.89. SUPPORT maintaining level or enhanced funding, streamlined processes and greater flexibility for Public Health Emergency Preparedness initiatives including Pandemic Influenza, and continued funding for all categories related to Public Health Preparedness, including Hospital Preparedness Program, Cities Readiness Initiative and core Public Health Preparedness.

89.90. SUPPORT increased funding and policy changes for Tuberculosis (TB) prevention and treatment, to reflect the increased risk of transmission faced across the Bay Area. *The Bay Area, including Contra Costa County, experienced more cases of active Tuberculosis than do most states in the nation. The demographic make-up of our communities combined with frequent international travel between the Bay and areas where TB is endemic, present an added risk and thus the need to maintain adequate funding and program infrastructure.*

90.91. SUPPORT increased funding for the public health infrastructure and prevention services as outlined in the public health components of the Affordable Care Act and the National Prevention and Public Health Fund.

91.92. SUPPORT recognition of Local Public Health Departments as an authorized provider for reimbursement related to the provision of Immunization, Family Planning, HIV, STD and TB services.

92-93. SUPPORT the reversal of the pre-emption language regarding local Menu-Labeling that is included in the Affordable Care Act.

93-94. SUPPORT enhanced funding for public health programs, specifically:

- a. Prevention programs in the areas of chronic disease, specifically oral health, obesity, diabetes, cancer, teen pregnancy and injury prevention as well as health promotion programs, such as nutrition and activity education;
- b. Protecting the Prevention and Public Health Fund (PPHF), as established in the Affordable Care Act.
- c. Increased resources dedicated to surveillance and prevention programs targeting chronic diseases such as cardiovascular, stroke, cancer, diabetes, and asthma, as well as injury and violence;
- d. Combating infectious diseases, such as Hepatitis B, Hepatitis C, Chlamydia, and Influenza and providing screening, diagnosis, and treatment;
- e. Provide for adequate State funding for children's programs, including the California Children's Services (CCS) program for clients who are not Medi-Cal eligible to assure that counties are not overmatched in their financial participation; and
- f. Programs which seek to limit the effects of injury, violence and abuse on children and adults.

94-95. SUPPORT efforts to strengthen needle exchange programs as part of an overall program to combat the spread of HIV and other diseases; allowing items associated with needle exchange programs such as, cookers, sterile water, and cotton to be distributed along with clean needles; and the elimination of the federal ban on funding needle exchange programs.

95-96. SUPPORT legislative efforts to reduce or eliminate lead and toxic substances in consumer products, particularly those used by infants and children.

96-97. SUPPORT legislative efforts to reduce exposure to toxic air pollutants and the reduction of CO₂ emissions.

97-98. SUPPORT funding, policy and programs dedicated to suicide and violence prevention.

98-99. SUPPORT funding, policy and programs aimed at reducing the misuse of prescription drugs, most especially opioids. Additionally, support restrictions on the sale and use of powdered alcohol, which can lead to unsafe levels of intoxication if it is mixed incorrectly or ingested in its powdered form.

99-100. SUPPORT necessary County infrastructure and adequate funding related to the support and enforcement functions of newly passed State Medical Marijuana regulatory controls.

100-101. SUPPORT legislation such as AB 1357 and/or similar policy efforts to tax certain beverages that contain added sugars, by establishing a per fluid ounce health impact fee on sugar sweetened beverages at the distributor level. In addition, support SB 203, a two

year bill, or similar efforts which would create the Sugar Sweetened Beverage Safety warning act, which would require a safety warning on all sealed sugar sweetened beverages.

~~101~~.102. SUPPORT legislation such as AB 292 (Santiago) and/or similar efforts that support healthy meals and adequate meal time for school-age children. The bill would require school districts, in addition to providing a nutritionally adequate free or reduced-price meal for each needy pupil each school day, to ensure that each of the schools in their respective jurisdictions makes available to its pupils adequate time to eat after being served lunch. The bill would declare that the State Department of Education specifies that an adequate time to eat school lunch is 20 minutes after being served. The bill would require a school that determines, upon annual review of its bell schedule, that it is currently not providing pupils with adequate time to eat, to identify and develop a plan to implement, in consultation with the school district, ways to increase pupils' time to eat lunch.

~~102~~.103. SUPPORT efforts to dedicate funding that sustains and expands non-infrastructure Safe Routes to School programs that educate students, parents, and school staff about safe walking and bicycling to school.

Human Services

~~103~~.104. SUPPORT efforts to promote safety of Adult Protective Services workers conducting required unannounced home visits by allowing them to request and receive from law enforcement criminal record checks through the California Law Enforcement Telecommunications System (CLETS). *This would primarily be used for reported abusers in the household.*

~~104~~.105. SUPPORT efforts to develop emergency/and or temporary shelter options for Adult Protective Services population and consider options that include but are not limited to, licensing of facilities specifically for this population and exploring Medi-Cal billing options to support clients in hospitals and other care facilities pending a more permanent housing placement.

~~105~~.106. SUPPORT simplification of IHSS service hour calculation and allocation to insure compliance with the Fair Labor Standards Act (FLSA) and efficiently provide services to consumers.

~~106~~.107. SUPPORT efforts that seek to identify and eliminate elder financial abuse and elder exposure to crime that may be committed through conservatorships, powers of attorney, notaries and others who have the right to control elder assets, including through solutions that allow access for Adult Protective Services to access financial records for investigation of financial abuse and exploitation. *Financial abuse is a fast-growing form of abuse of seniors and adults with disabilities and current law does not authorize financial institutions to grant access to financial records necessary to investigate the reported abuse without the consent of the account holder or authorized representative.*

~~107~~.108. SUPPORT legislation that authorizes juvenile courts to deny reunification services to a parent who has knowingly engaged in or consented to the sexual exploitation of the child.

~~108~~.109. SUPPORT efforts to extend family stabilization mental health/substance abuse funding to include all family members. *Current law only funds services for adult Welfare to Work participants.*

~~109~~.110. SUPPORT revision of CalWORKs Program regulations to eliminate the Welfare to Work 24 Month Time Clock in order to provide clients with a full 48 months to participate in Welfare to Work activities.

~~110~~.111. SUPPORT solutions to address gaps in existing state statute that cause disruptions to continuity of care for some Covered California Insurance Affordability Program (IAP) enrollees when a new determination of IAP takes place.

~~111~~.112. SUPPORT the use of state funds to pay for CalFresh benefits for those Deferred Action for Childhood Arrivals (DACAs) who would otherwise be ineligible for CalFresh.

~~112~~.113. SUPPORT efforts to extend eligibility to zero share of cost Medi-Cal when recipients report new earned income. *Potential increases to state and local minimum wage impacts eligibility to free health care.*

~~113~~.114. SUPPORT efforts to increase CalFresh participation by eliminating Gross Income Test for all applicants, exempting Veteran's Benefits from any income test, increasing shelter deduction to average rate based on County of Residence (varied across State), and eliminating countable resources and/or expanding Modified Categorically Eligible regulations to all households.

~~114~~.115. SUPPORT efforts to simplify the CalFresh application process through the creation of a statewide telephonic and electronic signature system to reduce denials and discontinuances due to failure to provide.

~~115~~.116. SUPPORT efforts to extend eligibility of CalWORKs benefit by exempting the first 6 months of earned income received from new employment or wage increases. *Intended to create better financial stability when a family's income increases due to changes in local and state minimum wage law.*

~~116~~.117. SUPPORT fully funding Medi-Cal Administrative costs.

~~117~~.118. SUPPORT increased funding for Foster Parent Recruitment and Retention.

~~118~~.119. SUPPORT expanding CalWORKs Homeless Services Program.

~~119.120.~~ SUPPORT eliminating the Maximum Family Grant (MFG) Rule. *MFG prevents families from receiving benefits for children conceived and born while receiving CalWORKs benefits.*

~~120.121.~~ SUPPORT funding for statewide Adult Protective Services training.

~~121.122.~~ SUPPORT the efforts of CHSA (California Head Start Association) in securing legislation to support a state-wide integrated child care licensing structure. This will allow childcare programs to apply for and have one child care license for all children 0-5 as opposed to the current system of a two-license structure for varying ages of children in care. California remains only one of two states in the nation to maintain the two license structure.

~~122.123.~~ SUPPORT efforts to increase County flexibility in the use of CalWORKs funds and in program requirements in order to better support the transition of welfare dependent families from welfare-to-work to self-sufficiency, including, but not limited to: extending supportive services beyond the current limit; enhancing supportive services; increasing diversion and early intervention to obviate the need for aid.

Legislative changes to support these initiatives could include the following:

- a. **Supportive Services.** Extending the length of time CalWORKS recipients can receive supportive service such as help with transportation, child care, work uniforms, etc.
- b. **Welfare to Work.** Extending the length of time families can receive Welfare to Work services (job training and search and other employment related services) including job retention services. Currently CalWORKS recipients are eligible to receive supportive services and Welfare to Work services for up to 48 months if they are in compliance with CalWORKS rules. After 48 months these services or for CalWORKS cash aid. Helping people move from poverty and significant education gaps to full time employment in jobs that pay a high enough wage to be self-sufficient is difficult. It can take longer than 48 months and allowing for the flexibility to extend supportive services and training past the 48 month time limit would help.
- c. **Diversion:** Removing the criteria that someone has to be apparently eligible to CalWORKs in order to qualify for diversion and base the criteria on the client's circumstance and ability to maintain the situation on their own without the need of continued assistance.
 - When applying income and resource requirements for diversion, use only half of their income and/or resource value or increase the limits for income and resources for diversion only.
 - Increasing the amount of the diversion payment. If the applicant doesn't "use" all of the amount, they have 12 months to come back into the office and apply for the remaining amount of their diversion payments.

- Allowing families to reapply for CalWORKs during their diversion period without a repayment penalty or CalWORKs ineligibility.
- d. Expanding job retention services;
- e. Exempting the hard-to-serve from Welfare-to-Work activities and the 20% exemption or providing flexibility in the time limit (dependent upon terms and conditions of TANF authorization). Developing an eligibility definition to 250% of the federal poverty level (FPL). Currently, the CalWORKs poverty level is 130% of the FPL for each Assistance Unit (AU). An increase to 250% would ensure more families meet income eligibility requirements.

All of these measures would make it easier for CalWORKs families to enter employment services, become employed, and continue with the support they need in order to maintain their jobs.

~~123.~~124. SUPPORT efforts to revise the definition of “homelessness” in the Welfare & Institutions Codes to include families who have received eviction notices due to a verified financial hardship, thus allowing early intervention assistance for CalWORKs families. *Current law prevents CalWORKs from providing homeless assistance until the CalWORKs family is actually “on the street.” This rule change would enable the County to work with CalWORKs families who are being threatened with homelessness to prevent the eviction and, presumably, better maintain the family members’ employment status.*

~~124.~~125. SUPPORT efforts to establish an “umbrella code” for the reporting of incidents of elder abuse to the Department of Justice, thus more accurately recording the incidence of abuse. Current reporting policies within California’s law enforcement community and social services departments are uncoordinated in regards to the reporting of adult abuse. Under an “umbrella code,” law enforcement agencies and social services departments would uniformly report incidents of elder abuse and California would have much better data for policy and budget development purposes.

~~125.~~126. SUPPORT efforts to ensure funding of child care for CalWORKs and former CalWORKs families at levels sufficient to meet demand. The State of California has not fully funded the cost of child care for the “working poor.” *Additional funding would allow more CalWORKs and post-CalWORKs families to become and/or stay employed.*

~~126.~~127. OPPOSE legislation, rules, regulations or policies that restrict or affect the amount of funds available to, or the local autonomy of, First 5 Commissions to allocate their funds in accordance with local needs.

~~127.~~128. OPPOSE any legislation that increases tobacco taxes but fails to include language to replace any funds subsequently lost to The California Children and Families Act/Trust Fund for local services funded by tobacco taxes, Prop. 10 in 1998 and Prop. 99 in 1988.

- ~~128.~~129. SUPPORT efforts by the Contra Costa County's executive directors and program administrators of all Child Care and Development Programs to restore state budget allocations to the FY 2009-10 levels if verified that this is an increase by fiscal analysts for the California State Preschool Program (CSPP), California Center-Based General Child Care Program (CCTR), CalWORKs Stage 2 (C2AP), CalWORKs Stage 3 (C3AP), Alternate Payment Program (CAPP), Child Care and Development Grant and the Child Care Retention Program (AB 212). *Budgets in these programs have been flat or cut and an increase would greatly help low-income people find work and stay in jobs.*
- ~~129.~~130. SUPPORT efforts to increase the number of subsidized child care slots to address the shortage of over 20,000 slots serving children 0-12 years of age in Contra Costa County; and SUPPORT efforts to enhance the quality of early learning programs and maintain local Quality Rating and Improvement Systems (QRIS) for early learning providers. *Affordable child care is key to low-income workers remaining employed and there is a significant dearth of subsidized child care slots. Increasing quality of early learning is important to developing skills in the next generation.*
- ~~130.~~131. SUPPORT the restoration of funding for Facility Restoration and Repair (FRR) grants by California Department of Education. *Increasing the funding amounts for facility restoration of early childhood education would allow for improved facilities at Head Start sites.*
- ~~131.~~132. SUPPORT continued and improved funding for substance abuse treatment and mental health services including those that provide alternatives to incarceration and Laura's Law.
- ~~132.~~133. SUPPORT alignment of verification requirements for CalWORKS, CalFRESH and Medi-Cal programs to simplify the customer experience and reduce the potential for error. Consider letting all programs access the Federal Hub used through CalHEERS. *Currently these programs have different requirements for client verification, though they are all benefit programs. Alignment of verifications would make program administration more efficient and improve the client experience.*
- ~~133.~~134. SUPPORT legislation to expand early child care and education and increase funding for preschool and early learning.
- ~~134.~~135. SUPPORT allowing all individuals in receipt of Unemployment Benefits (UIB) to be automatically eligible for CalFresh. *Applying for UI and CalFresh is duplicative because requirements of both programs are so similar. This would increase CalFresh uptake in an efficient way.*
- ~~135.~~136. SUPPORT establishing a State funded and administered General Assistance Program. *The General Assistance Program is 100% County funded. Moving it to the State would relieve pressure on the County budget and appropriately direct costs to the State.*

Indian Gaming Issues

Contra Costa County is currently home to the Lytton Band of the Pomo Indians' Casino in San Pablo, a Class II gaming facility. There is also a proposal for an additional casino in North Richmond. Local governments have limited authority in determining whether or not such facilities should be sited in their jurisdiction; the terms and conditions under which the facilities will operate; and what, if any, mitigation will be paid to offset the cost of increased services and lost revenues. Contra Costa County has been active in working with CSAC and others to address these issues, as well as the need for funding for participation in the federal and state review processes and for mitigation for the existing Class II casino.

~~136.~~137. _____ SUPPORT efforts to ensure that counties who have existing or proposed Class II Indian gaming facilities receive the Special Distribution Funds.

~~137.~~138. _____ CONSIDER, on a case by case basis, whether or not to SUPPORT or OPPOSE Indian gaming facilities in Contra Costa County, and only SUPPORT facilities that are unique in nature and can demonstrate significant community benefits above and beyond the costs associated with mitigating community impacts.

~~138.~~139. _____ OPPOSE the expansion or approval of Class III gaming machines at the existing gaming facility in Contra Costa County unless it can be demonstrated that there would be significant community benefits above and beyond the costs associated with mitigating community impacts.

~~139.~~140. _____ SUPPORT State authority to tighten up the definition of a Class II machine.

~~140.~~141. _____ SUPPORT State legislative and administration actions consistent with the CSAC policy documents on development on Indian Lands and Compact negotiations for Indian gaming.

Land Use/Community Development

~~141.~~142. _____ SUPPORT efforts to promote economic incentives for "smart growth," in Priority Development and Priority Production Areas including in-fill and transit-oriented development. *Balancing the need for housing and economic growth with the urban limit line requirements of Measure J (2004) will rely on maximum utilization of "smart growth" and Sustainable Community Strategy principles.*

~~142.~~143. _____ SUPPORT efforts to increase the supply of affordable housing, including, but not limited to, state issuance of private activity bonds, affordable and low income housing bond measures, low-income housing tax credits and state infrastructure financing. *This position supports Goals 2, 3 and 4 of the County General Plan Housing Element.*

~~143.~~144. _____ SUPPORT establishment of a CEQA exemption for affordable housing financing. Current law provides a statutory exemption from CEQA to state agencies for financing of affordable housing (Section 21080.10(b) of the California Public Resources Code and Section 15267 of the CEQA Guidelines)—but not to local agencies. *The current exemption for state agencies is only operational if a CEQA review process has been completed by another agency (e.g., by the land use permitting agency). Since the act of*

financing does not change the environmental setting, the net effect of the exemption is streamlining the process for providing financial assistance for already approved projects. AB 2518 (Houston) in 2006 was a Contra Costa County-sponsored bill to accomplish this, but it was not successful in the Legislature.

144.145. SUPPORT efforts to obtain a CEQA exemption or to utilize CEQA streamlining provisions for infill development or Priority Development Areas, including in unincorporated areas. Section 15332 of the CEQA Guidelines is a Categorical Exemption for infill development projects but only within cities or unincorporated areas of a certain size surrounded by cities. *Without the exemption, housing projects in the unincorporated areas that are not surrounded by cities (e.g. North Richmond, Montalvin Manor and Rodeo) are subject to a more time-consuming and costly process in order to comply with the CEQA guidelines than that which is required of cities, despite having similar housing obligations. The CEQA exemption bill signed by the Governor in 2013 (SB 741) only applies to mixed-use or non-residential projects in the unincorporated areas that are both within ½ mile of a BART station and within the boundaries of an adopted Specific Plan.*

145.146. SUPPORT efforts to reform State housing element law to promote the actual production and preservation of affordable housing and to focus less on process and paper compliance.

146.147. OPPOSE efforts to limit the County's ability to exercise local land use authority.

147.148. SUPPORT efforts to reduce the fiscalization of land use decision-making by local government, which favors retail uses over other job-creating uses and housing. *Reducing incentives for inappropriate land use decisions, particularly those that negatively affect neighboring jurisdictions, could result in more rational and harmonious land use.*

148.149. SUPPORT allocations, appropriations, and policies that support and leverage the benefits of approved Natural Community Conservation Plans (NCCPs), such as the East Contra Costa County NCCP. Support the granting of approximately \$24 million to the East Contra Costa County NCCP from the \$90 million allocation for NCCPs in Proposition 84. Support the inclusion of NCCPs for funding in allocations from Proposition 1. Support \$90 million for implementation of NCCPs and an additional \$100 million for watershed protection and habitat conservation in future park, water or natural resource bonds. Support the position that NCCPs are an effective strategy for addressing the impacts of climate change and encourage appropriate recognition of the NCCP tool in implementation of climate change legislation such as SB 375, AB 32 as well as an appropriate tool for spending ~~CAP~~ Cap and Trade revenues. Promote effective implementation of NCCPs as a top priority for the California Department of Fish and Wildlife. Support an increase to \$1.6 million for the California Department of Fish and Wildlife's Local Assistance Grant program.— Support efforts to streamline implementation of NCCPs including exemptions from unnecessary regulatory oversight such as the Delta Plan Covered Actions process administered by the Delta Stewardship Council. Support alignment of State and Regional of Water Board permits (Section 401

clean water act and storm water permits) and CA Department of Fish and Wildlife Streambed Alteration Agreement (Section 1602 of the Fish and Game code) and other State natural resource permitting with California Endangered Species Act permitting through NCCPs to improve the overall efficiency, predictability and effectiveness of natural resource regulation.

~~149.~~150. SUPPORT legislation that would give local agencies specific tools for economic development purposes in order to enhance job opportunities, with emphasis on attracting and retaining businesses, blight removal and promoting smart growth and affordable housing development, while balancing the impacts on revenues for health and safety programs and healthy communities.

~~150.~~151. OPPOSE legislation that would create substantial uncertainty over the tax allocation bonds issued by redevelopment agencies and possible negative credit impact.

~~151.~~152. SUPPORT legislation that would resolve the administrative funding gap for agencies serving as the Successor Housing Agency. Such legislation should not have a negative impact on the localities' general fund. The Redevelopment Dissolution Act allows Successor Agencies a modest allowance of tax increment funds to support Successor Agency administrative costs. There is no such carve out for Housing Successors. However, unlike Successor Agencies, Housing Successors have an ongoing obligation to monitor existing affordable housing developments. These obligations will continue for up to 55 years.

~~152.~~153. SUPPORT legislation that would clarify the ability of successor agencies to former redevelopment agencies to enter into contracts with its sponsoring jurisdiction and third parties to fulfill enforceable obligations. *The existing redevelopment dissolution statute limits the contracting powers of successor agencies which is causing delays in their ability to expeditiously retire certain enforceable obligations of the former redevelopment agencies.*

~~153.~~154. SUPPORT legislative and regulatory efforts that streamline compliance with the California Environmental Quality Act (CEQA) by integrating it with other environmental protection laws and regulations, modifying the tiering of environmental reviews, expanding the application of prior environmental reviews, focusing areas of potential CEQA litigation, and enhancing public disclosure and accountability.

~~154.~~155. OPPOSE CEQA reform efforts that reduce environmental protections for projects that cross county or city boundaries.

~~155.~~156. SUPPORT efforts to improve or streamline CEQA for efficiency without losing sight of its ultimate goal to thoroughly identify environmental impacts and mitigations.

~~156.~~157. OPPOSE efforts to change CEQA solely to accommodate one particular infrastructure project or set of projects.

~~157.158.~~ SUPPORT legislation that amends Section 20133 of the Public Contract Code to
1) delete the existing sunset date of July 1, 2014 for design-build authority granted to
counties, and 2) eliminate the current project cost threshold of \$2.5 million required for
the use of the design-build method.

Law and Justice System

- ~~158.~~159. SUPPORT legislation that seeks to curb metal theft by making it easier for law enforcement agencies to track stolen metals sold to scrap dealers through such means as requiring identification from customers selling commonly stolen metals, banning cash transactions over a certain amount, and requiring scrap dealers to hold materials they buy for a certain period of time before melting them down or reselling them.
- ~~159.~~160. SUPPORT legislation that provides a practical and efficient solution to addressing the problem of abandoned and trespassing vessels and ground tackle in an administrative process that allows the California State Lands Commission to both remove and dispose of such vessels and unpermitted ground tackle. *Boat owners in increasing numbers are abandoning both recreational and commercial vessels in areas within the Commission's jurisdiction. Our state waterways are becoming clogged with hulks that break up, leak, sink and add pollutants to our waterways and marine habitat.*
- ~~160.~~161. OPPOSE legislative proposals to realign additional program responsibility to counties without adequate funding and protections.
- ~~161.~~162. OPPOSE legislation that would shift the responsibility of parolees from the state to the counties without adequate notification, documentation and funding.
- ~~162.~~163. SUPPORT legislation that will help counties implement the 2011 Public Safety Realignment as long as the proposal would: provide for county flexibility, eliminate redundant or unnecessary reporting, and would not transfer more responsibility without funding.
- ~~163.~~164. SUPPORT legislation that will combat the negative impact that human trafficking has on victims in our communities, including the impact that this activity has on a range of County services and supports, and support efforts to provide additional tools, resources and funding to help counties address this growing problem.
- ~~164.~~165. ADVOCATE for State legislation banning the sale of alcopop products by businesses that sell alcoholic beverages. The California Department of Alcoholic Beverage Control is responsible for regulating the type of alcohol products that a business may sell. *A type of flavored malt alcoholic beverage product known as "alcopops" has been identified as a contributor to under-age drinking in the County. The term alcopops usually refers to sweetened malt or alcoholic beverages that are typically sold in single-serving bottles or cans. The Board, through recommendations from the Public Protection Committee, has adopted amendments to the Alcoholic Beverage Sales Commercial Activities Zoning Ordinance that authorizes the County to prohibit the sale of alcopops at any establishment not in compliance with the performance standards. Along with the code changes, various implementation strategies were also approved in order to better coordinate efforts between County Departments and agencies for streamlined implementation and enforcement of the Ordinance.*

Levees

~~165.166.~~ 166.166. ADVOCATE for administrative and legislative action to provide significant funding for rehabilitation of levees in the western and central Delta. *Proposition 1E, passed in November 2006, provides for over \$3 billion for levees, primarily those in the Central Valley Flood Control Program. Language is included in the bond for other Delta levees but funding is not specifically directed. The County will work to actively advocate for \$1 billion in funding through this bond.*

~~166.167.~~ 167.167. SUPPORT legislation that requires the levee repair funds generated by Proposition 1E be spent within one year or legislative hearings conducted on expediting the expenditure of bond proceeds through the Department of Water Resources Delta Levees Section. Many public agencies, including reclamation districts charged with maintaining levees, have complained about the state's inaction in allocating and distributing the levee funds that were raised by the bond sales authorized by Proposition 1E in 2008. Legislation could require the immediate distribution of these funds to local levee projects. The Delta Reform Act of 2009 authorized over \$202 million for levee repairs. Legislative hearings may produce explanations from the state as to why these funds are not being distributed or identify methods to streamline administration of these funds.

~~167.168.~~ 168.168. SUPPORT legislation to amend California Water Code Section 12986, to maintain the state/local funding ratio of 75/25 for the state's Delta Levees Subventions Program, which provides funds for local levee repair and maintenance projects. The code provisions that have the state paying 75% of project costs will expire on July 1, 2013. At that time the matching ratio will change to 50/50. This means local reclamation districts will have to pay a larger portion of project costs (50%, compared to their current 25% requirement). Many districts do not have the funding to do so. The Delta Levees Subventions Program should continue to use funds from bonds or other dedicated sources, rather than the state's General Fund. For the past several years the program has been funded from bonds. When these bond funds run out, the program will have to be funded from the General Fund, unless some other new dedicated funding source is established.

~~168.169.~~ 169.169. ADVOCATE for legislation dealing with the Delta, including levees and levee programs, level and type of flood protection, beneficiary-pays programs, flood insurance, liability and other levee/land use issues.

~~169.170.~~ 170.170. SUPPORT legislation/regulation requiring Reclamation Districts to develop, publish, and maintain hazard emergency plans for their districts. *Emergency response plans are critical to emergency management, particularly in an area or situation like the Delta where a levee break could trigger other emergencies. This legislation/regulation should also include the requirement for plan review and annual distribution of the plan to the residents of the district, County Office of Emergency Services and other government agencies that have emergency response interests within the district.*

~~170.~~171. SUPPORT legislation to amend California Water Code Section 85057.5 to bring the Delta Stewardship Council's "covered actions" land-use review process into consistency with CEQA. This section of state code defines a "covered action," which refers to local permit decisions that are subject to potential revocation by the Council, as adopted in the Council's Delta Plan. The proposed process works as follows: (1) if a local permit application meets the definition of a "covered action," the jurisdiction must evaluate it for consistency with all of the policies in the Council's Delta Plan. (2) If the jurisdiction finds the project is consistent with the Delta Plan, they notify the Council of this finding. (3) Anyone who objects to the project may appeal the consistency finding, and it will be up to the Council to make the final decision. Should the Council decide against the local jurisdiction, there is no appeal process available to the jurisdiction or project applicant other than legal action.

"Covered actions" are defined in Section 85057.5 of the California Water Code. It defines them as plans, projects or programs as defined by CEQA, and then goes on to grant several exemptions to certain types of projects. It does not, however, provide exemptions for all the project types that CEQA itself exempts. CEQA provides a lengthy list of categorical exemptions for plans, projects and programs that generally do not have significant environmental impacts, and projects that have compelling reasons to move forward quickly (such as public safety projects). The entire list of categorical exemptions from CEQA also should be exempt from the Delta Stewardship Council's "covered actions" process.

Library

~~171.~~172. SUPPORT State financial assistance in the operation of public libraries, including full funding of the Public Library Fund (PLF) and the Direct/Interlibrary Loan (Transaction Based Reimbursement) program.

~~172.~~173. SUPPORT State bonds for public library construction. The 2000 library construction bond provided funding for two libraries in Contra Costa County. There is currently a need of approximately \$289,000,000 for public library construction, expansion and renovation in Contra Costa County.

~~173.~~174. SUPPORT continued funding for the California Library Literacy and English Acquisition Services Program, which provides matching funds for public library adult literacy programs that offer free, confidential, one-on-one basic literacy instruction to English-speaking adults who want to improve their reading, writing, and spelling skills.

Telecommunications and Broadband

~~174.~~175. SUPPORT clean-up legislation on AB 2987 that provides for local emergency notifications similar to provisions in cable franchises for the last 20 years. *Currently our franchises require the cable systems to carry emergency messages in the event of local emergencies. With the occurrence of several local refinery incidents, this service is critical for Contra Costa. Under federal law, Emergency Alert System requirements leave*

broad discretion to broadcasters to decide when and what information to broadcast, emergency management offices to communicate with the public in times of emergencies.

175.176. SUPPORT preservation of local government ownership and control of the local public rights-of-way. *Currently, local government has authority over the time, place, and manner in which infrastructure is placed in their rights-of-way. The California Public Utilities Commission is considering rulemaking that would give them jurisdiction to decide issues between local government and telecommunication providers.*

176.177. SUPPORT the expansion of broadband (high speed internet service) to drive economic development and job opportunities, support county service delivery, and improve health, education and public safety outcomes for residents. For communities to realize these full benefits of broadband it must be capable of supporting current technology.

Access and adoption are both necessary elements that should be supported in state and federal legislative or regulatory proposals. This entails the following:

- Establishing and maintaining reliable broadband in unserved or underserved communities;
- Promoting the knowledge, skills and behaviors that comprise digital literacy;
- Making broadband affordable for all households;
- Maximizing funding for infrastructure; and
- Reducing infrastructure deployment barriers.

Transportation

177.178. SUPPORT increased flexibility in the use of transportation funds.

178.179. SUPPORT regional coordination that provides for local input in addressing transportation needs. *Coordinated planning and delivery of public transit, paratransit, and rail services will help ensure the best possible service delivery to the public. Regional coordination also will be needed to effectively deal with the traffic impacts of Indian gaming casinos such as those in West County. Regional coordination also will be essential to complete planning and development of important regional transportation projects that benefit the state and local road system such as TriLink (State Route 239), improvements to Vasco Road, completion of remaining segments of the Bay Trail, improvements to the Delta DeAnza Regional Trail, and the proposed California Delta and Marsh Creek Trails.* There may be interest in seeking enhanced local input requirements for developing the Sustainable Communities Strategy for the Bay Area mandated by SB 375 for greenhouse gas reduction. It is important that the regional coordination efforts are based on input gathered from the local level, to ensure the regional approach does not negatively impact local communities. “Top-down” regional planning efforts would be inconsistent with this goal.

~~179.~~180. SUPPORT efforts to improve safety throughout the transportation system. *The County supports new and expanded projects and programs to improve safety for bicyclists, pedestrians and wheelchair users, as well as projects to improve safety on high-accident transportation facilities such as Vasco Road. Data on transportation safety would be improved by including global positioning system (GPS) location data for every reported accident to assist in safety analysis and planning. The County also supports the expansion of school safety improvement programs such as crossing guards, revised school zone references in the vehicle code, Safe Routes to Schools (SR2S) grants, efforts to improve the safety, expansion and security of freight transportation system including public and private maritime ports, airports, rail yards, railroad lines, rail bridges and sidings. The County also supports limits or elimination of public liability for installing traffic-calming devices on residential neighborhood streets.*

~~180.~~181. SUPPORT funding or incentives for the use of renewable resources in transportation construction projects. *The County seeks and supports grant programs, tax credits for manufacturers, state purchasing programs, and other incentives for local jurisdictions to use environmentally friendly materials such as the rubberized asphalt (made from recycled tires) that the County has used as paving material on San Pablo Dam Road and Pacheco Boulevard.*

~~181.~~182. SUPPORT streamlining the delivery of transportation safety projects. *The length of time and amount of paperwork should be reduced to bring a transportation safety project more quickly through the planning, engineering and design, environmental review, funding application, and construction phases, such as for Vasco Road. This could include streamlining the environmental review process and also streamlining all state permitting requirements that pertain to transportation projects. Realistic deadlines for use of federal transportation funds would help local jurisdictions deliver complex projects without running afoul of federal time limits which are unrealistically tight for complex projects.*

~~182.~~183. SUPPORT efforts to coordinate development of state-funded or regulated facilities such as courts, schools, jails, roads and state offices with local planning. The County supports preserving the authority of Public Works over County roads by way of ensuring the Board of Supervisors' control over County roads as established in the Streets & Highways Code (Ch2 §940) is not undermined. This includes strongly opposing any action by a non-local entity that would ultimately dilute current Board of Supervisors discretion relative to road design and land use.

~~183.~~184. SUPPORT efforts to coordinate planning between school districts, the state, and local jurisdictions for the purposes of: (1) locating and planning new schools, (2) funding programs that foster collaboration and joint use of facilities, and (3) financing off-site transportation improvements for improved access to existing schools. The County ~~supports the~~ will urge the California Department of Education's current Title 5 update effort to ~~better leverage include removing the current conflict between current~~ school facilities-siting policies and in-developing sustainable communities. Related to this effort, the County supports reform of school siting practices by way of legislative changes

related to any new statewide school construction bond authorization. The County takes the position that reform components should include bringing school siting practices and school zone references in the vehicle code into alignment with local growth management policies, safe routes to school best practices, State SB 375 principles, and the State Strategic Growth Council's "Health in All Policies Initiative."

~~184.~~185. SUPPORT regional aviation transportation planning efforts for coordinated aviation network planning to improve service delivery. Regional aviation coordination could also improve the surrounding surface transportation system by providing expanded local options for people and goods movement.

~~185.~~186. SUPPORT efforts to increase waterborne transport of goods and obtaining funds to support this effort. *The San Francisco to Stockton Ship Channel is a major transportation route for the region, providing water access to a large number of industries and the Ports of Sacramento and Stockton. A project is underway to deepen the channel, providing additional capacity to accommodate increasing commerce needs of the Ports and providing better operational flexibility for the other industries. Increased goods movement via waterways has clear benefits to congestion management on highways and railroads (with resultant air quality benefits).*

~~186.~~187. SUPPORT legislative and administrative measures to enhance rail safety, increase state oversight of railroad bridges, provide funding for the training of first responders, and implement regulations that increase tank car safety standards for cars transporting crude oil and other hazardous materials, and regulations that require railroads to share data with state emergency managers and local responders.

~~187.~~188. SUPPORT funding increases for active transportation projects including funding for enhancements and expansion of separated trails (Class I, cycle track) including corridor planning, trail access improvements, trail expansion/enhancements, overcrossings, intersection improvements, Class I trail inter-connectivity projects, and wayfinding/signage projects.

Veterans

~~188.~~189. SUPPORT legislation and budget actions that will continue the state's annual local assistance for County Veterans Service Offices at a minimum of the \$5.6 million level. The eventual goal is to fully fund CVSOs by appropriating the full \$11 million in local assistance funding as reflected in Military and Veterans Code Section 972.1(d). *County Veterans Service Offices (CVSOs) play a vital role in the local veteran community, not only within the Veterans Affairs claims process, but in other aspects as well. This includes providing information about all veterans' benefits (Federal, State and local), as well as providing claims assistance for all veteran-related benefits, referring veterans to ancillary community resources, providing hands-on development and case management services for claims and appeals and transporting local veterans to VA facilities.*

~~189~~.190. _____ SUPPORT legislation and budget actions that will provide veterans organizations with resources to make necessary repairs to, or replacement of, their meeting halls and facilities. *Across California, the meeting halls and posts of Veterans Service Organizations such as the American Legion and Veterans of Foreign Wars serve as unofficial community centers. Many of these facilities are not compliant with Americans with Disabilities Act accessibility standards, are not earthquake retrofitted, or have deteriorated in recent years due to declining membership and reduced rental revenues as a result of the economic downturn. The County will support legislation that would create a competitive grant program for veterans' organizations, classified by the IRS as 501c19 non-profit organizations and comprised primarily of past or present members of the United States Armed Forces and their family members, to use for repairs and improvements to their existing facilities.*

~~190~~.191. _____ SUPPORT legislation that will improve the timeliness and quality of both VA benefits claim decisions and VA healthcare services. Specifically, legislation that works toward improving on the expedited processing of claims, providing VA healthcare, and administering of benefits to populations with unique needs, such as homeless Veterans, Women Veterans, and Veterans experiencing service related Posttraumatic Stress Disorder or service related Traumatic Brain Injury.

Waste Management

~~191~~.192. _____ SUPPORT legislation that establishes producer responsibility for management at the end of their useful life of products, including pharmaceuticals, batteries, sharps and veterinary medicine.

~~192~~.193. _____ SUPPORT efforts to increase the development of markets for recycled materials.

~~193~~.194. _____ SUPPORT legislative and regulatory efforts to allow third parties, under specific circumstances and conditions, to collect and transport household hazardous waste to collection facilities.

~~194~~.195. _____ SUPPORT legislation that seeks to remedy the environmental degradation and solid waste management problems on a State-wide basis of polystyrene containers and single-use plastic bags typically given away for free at grocery, retail and other establishments.

~~195~~.196. _____ SUPPORT legislation that does not require increased diversion from landfills without an adequate funding mechanism.

~~196~~.197. _____ SUPPORT legislation that would make changes to the used tire redemption program. *Instead of collecting a disposal fee from the consumer when new tires are purchased, a disposal fee would be collected at the wholesale level and redeemed by the disposal site when the used tires are brought to the site. The party bringing the tires to the disposal site would also receive a portion of the fee.*

~~197.198.~~ SUPPORT legislation that relieves counties with privately-operated landfills from the state requirement for maintaining a 15-year supply of disposal capacity for waste generated within each county. *In 1989, Contra Costa County amended its general plan to accommodate construction of Keller Canyon Landfill. Due to the difficulty in siting landfills and the requirements of Public Resources Code 47100 – Countywide Siting Element, the County maintained authority to control the amount of waste disposed at this facility from outside the county. Despite Contra Costa County’s opposition, AB 845 became law on January 1, 2013 and prohibits any jurisdiction from regulating the amount of waste disposed at a privately-operated landfill based on its place of origin.*

Because local jurisdictions can no longer control importation of waste to privately-operated landfills, a host County that receives a significant amount of waste from outside the county will have a greater need to undertake the difficult task of identifying new disposal capacity pursuant to the Countywide Siting Element requirement. Since the state believes there is no need for local jurisdictions to regulate disposal of solid waste by place of origin, the state should remove existing statutes that require each County with privately-operated landfills to identify sufficient disposal capacity for the waste generated by the jurisdictions within that County.

~~198.199.~~ SUPPORT legislation that can reduce the amount of harmful pharmaceuticals (including veterinary medicine) that ultimately enter waste water treatment facilities, bodies of water, and landfills.

~~199.200.~~ SUPPORT legislative and regulatory efforts to restrict payments from the Beverage Container Recycling Program Fund for redemption of beverage containers sold out of state. *Fraudulent redemption of these beverage containers is costing the Fund from \$40 million to \$200 million annually. This fraud combined with loans to the General Fund to reduce the State budget deficit has significantly reduced the availability of funds for increasing recycling as intended under the law.*

~~200.201.~~ SUPPORT legislative and regulatory efforts that correct the imbalance between the County’s regulatory authority to control the collection and disposal of solid waste generated within the unincorporated areas and our exposure to state penalties for failing to meet state mandates for diverting solid waste generated within these areas as a result of Appellate Court decisions. *In litigation where the County sought to protect its solid waste franchise authority for unincorporated areas the court awarded franchise authority to the Rodeo Sanitary District and Mountain View Sanitary District while the County remains exposed to state penalties for failing to meet state mandates for reducing disposal of solid waste generated in these areas.*

Workforce Development

201-202. SUPPORT legislative and regulatory efforts that make the necessary changes to existing law for the implementation of the federal Workforce Innovation and Opportunity Act (WIOA) in California. *An implementation bill (currently SB 45) will be before the State Legislature in 2016. The County supports legislation that would include provisions that state that the Local Plan developed by local workforce boards should be the basis of all workforce planning in the local areas and all workforce-related state grants. Additionally, the County supports provisions that ensure that staffing costs and support services should be included in the training expenditure requirement. Finally, the County supports provisions that require all programs listed in the Workforce Innovation & Opportunity Act (WIOA) work together to ensure that data is collected and reported across all programs, utilizing the state's base-wage file system to ease local reporting burdens.*



~~2016~~2017 FEDERAL LEGISLATIVE PLATFORM

Contra Costa County

As amended August 2, 2016



2016 FEDERAL LEGISLATIVE PLATFORM CONTRA COSTA COUNTY

Each year, the Board of Supervisors adopts a Federal Legislative Platform that establishes priorities and policy positions with regard to potential federal legislation and regulation. The 2016 Federal Legislative Platform identifies 10 funding needs for FFY 2017 and 5 requests for the federal transportation act.

FEDERAL FUNDING NEEDS

The following list is a preliminary ranking in priority order. Adjustments to the priority order may be appropriate once the President releases his budget. The current priority ranking gives preference to those projects that we know will not be included in the President's budget, with lower priority to Army Corps of Engineers projects which may be in the budget. Also, Army Corps project requests will be adjusted to be consistent with Corps capability.

1. Emergency Operations Center (EOC) - \$350,000,000 for state and local efforts to sustain and enhance the effectiveness of their emergency management programs for all hazards preparedness. In FY 2015, California received more than \$27.8 million, the highest funded-state in the country, of which more than \$15.5 million was sub-allocated to approximately the 58 county Operational Areas (OAs) for critical hazard preparation activities. Last year California's Office of Emergency Services (Cal OES), in accordance with program guidelines, prioritized the building, sustainment, and delivery of all-hazards emergency management capabilities in the following areas: Planning, organization, equipment acquisitions, training, exercises, Emergency Operations Center (EOC) construction and renovation, and maintenance and sustainment. Of particular interest to Contra Costa County is the allowance for funds to be expended for EOC construction and renovation, as the County is seeking funding for the development of an EOC.

2. Delta LTMS-Pinole Shoal Management, CA – \$4,500,000 for the Army Corps of Engineers to continue a Long Term Management Strategy (LTMS) for levee rehabilitation, dredging and sediment reuse in the Delta, similar to the effort completed in the Bay area. Levee work, reuse of dredged sediments, dredging and other activities have been difficult to accomplish due to permitting problems and a divergence of priorities related to water quality. Significant levee rehabilitation is critical to the long term stability of these levees and to water quality and supply for the 23 million Californians who depend upon this water. Stakeholders from the Department of Water Resources, Ports, Army Corps, levee reclamation districts, local governments and other interested parties are participating in the LTMS. A Sediment or Dredged Material Management Office will be established, and in the longer term, preparation of a Sediment Management Plan will consider beneficial reuse of dredged materials as one potential source of sediment for levees. (Note: \$500,000 appropriated for FFY 2005; \$225,000 for FFY 2006; \$500,000 for FFY 2007; \$462,000 for FFY 2008; \$235,000 for FFY 2009; \$100,000 for FFY 2010; \$0 FFY 2011-2013; \$930,000 FFY 2014.)

3. Safe and Bright Futures for Children Exposed to Domestic Violence – \$400,000 to implement the federally funded plan to diminish the damaging effects of domestic violence on children and adolescents and to stop the cycle of intentional injury and abuse. A three year assessment and planning process resulted in a program plan that is working to align and create a

system responsive to the needs of children exposed to domestic violence through identification, early intervention; raising awareness; training professionals; utilizing and disseminating data; establishing consultation teams to support providers in intervening and using best practices; and developing targeted services. Exposure to domestic violence reshapes the human brain and is the primary cause of trauma in children's lives. It influences personality, shapes personal skills and behaviors, impacts academic performance, and substantially contributes to the high cost of law enforcement, civil/criminal justice and social services. Exposure to domestic violence is associated with greater rates of substance abuse, mental illness, and adverse health outcomes in adulthood, and substantially contributes to the high cost of law enforcement, civil/criminal justice and social services. (Note: \$428,000 appropriated for FFY 2009; \$550,000 for FFY 2010.)

4. Mt. Diablo Mercury Mine Clean-up – \$483,000 for the Army Corps of Engineers to complete the Technical Planning Process for the clean-up project at the source and downstream area of the Mt. Diablo Mercury Mine. The project will clean up the mine in a cost effective, environmentally-sound manner with minimal liability exposure for the County and involving all stakeholders through an open community-based process. The Corps initiated a Technical Planning Process in June 2008 to develop a preliminary remediation plan, identify applicable permit and environmental data requirements and complete a data collection and documentation program for the clean-up of the area impacted by the Mt. Diablo Mercury Mine. Several phases of the planning process have been completed, and this appropriation will allow the Corps to continue the planning process, which will include looking at watershed issues downstream of the mercury mine. The mine site is located on private property on the northeast slope of Mt. Diablo at the upper end of the Marsh Creek watershed. (Note: \$517,000 appropriated in FFY 2008.)

5. Bay-Delta Area Studies, Surveys and Technical Analysis – \$2,500,000 for the Delta Counties Coalition to carry out technical analysis and planning associated with participation in the Bay-Delta Conservation Plan (BDCP) or implementation of any projects resulting from the Plan. The technical analysis and planning will focus on issues related to the planning of water delivery projects and conservation plans that are included in the BDCP.

6. CALFED Bay Delta Reauthorization Act Levee Stability Improvement Program (LSIP) – \$8,000,000 for the Army Corps of Engineers for levee rehabilitation planning and project implementation. The CALFED Reauthorization Act, passed in January 2004, authorized \$90 million, which may be appropriated for levee rehabilitation work. The Corps has prepared a "180-Day Report" which identifies projects and determines how these funds would be spent. Since that time, the breakdown of CALFED, coupled with the Army Corps' attempts to define an appropriate and streamlined process, has delayed funding and resultant levee work. (Note: \$500,000 appropriated for FFY 2006; \$400,000 for FFY 2007; \$4.92M for FFY 2008; \$4.844M for FFY 2010.)

7. Suisun Bay Channel/New York Slough Maintenance Dredging – \$8,700,000 for the Army Corps of Engineers for maintenance dredging of this channel to the authorized depth of minus 35 feet. Continued maintenance is essential for safe transport of crude oil and other bulk materials through the San Francisco Bay, along the Carquinez Straits and into the Sacramento/San Joaquin Delta. Dredging for this channel section is particularly costly due to requirements on placement of dredged materials in upland environments. An oil tanker ran aground in early 2001 due to severe shoaling in a section of this channel, which creates a greater potential for oil spills (Note:

\$4.559 M appropriated for FFY 2005; \$4.619M for FFY 2006; \$2.82M for FFY 2007; \$2.856M for FFY 2008; \$2.768M for FFY 2009; \$3.819M for FFY 2010; \$2.715M for FFY 2012; \$2.495M for FFY 2013; \$2.026M for FFY 2014.)

8. San Pablo/Mare Island Strait/Pinole Shoal Channel Maintenance Dredging – **\$8,400,000** for the Army Corps of Engineers for maintenance dredging of the channel to the authorized depth of minus 35 feet. The Pinole Shoal channel is a major arterial for vessel transport through the San Francisco Bay region, serving oil refineries and bulk cargo which is transported as far east as Sacramento and Stockton. *(Note: \$1M appropriated for FFY 2005; \$2.988M for FFY 2006; \$896,000 for FFY 2007; \$1.696M for FFY 2008; \$1.058M for FFY 2009; \$2.518M for FFY 2010; \$3.402M for FFY 2012; \$499,000 for FFY 2013; \$780,000 for FFY 2014.)*

9. San Francisco to Stockton (J. F. Baldwin and Stockton Channels) Ship Channel Deepening – **\$2,700,000** for the Army Corps of Engineers to continue the Deepening Project. Deepening and minor realignment of this channel will allow for operational efficiencies for many different industries, an increase in waterborne goods movement, reduced congestion on roadways, and air quality benefits. This work focused on establishing economic benefit to the nation and initial salinity modeling in the channel sections. The following steps include detailed channel design, environmental documentation, cost analysis, additional modeling, and dredged material disposal options. This project continues to have enormous implications for oil refineries, ports, and other industries that depend on safe ship transport through the channel. *(Note: \$500,000 appropriated for FFY 2005; \$200,000 for FFY 2006; \$200,000 for FFY 2007; \$403,000 for FFY 2008; \$1.34M for FFY 2009; \$0 for FFY 2010; \$0 for FFY 2011; \$800,000 for FFY 2012; \$1,546,900 for FFY 2013; \$800,000 for FFY 2014.)*

10. State Route 4 / Old River Bridge Study – **\$1,000,000** to work with San Joaquin County and the State of California on a study of improving or replacing the Old River Bridge along State Route 4 on the Contra Costa / San Joaquin County line. The study would determine a preferred alternative for expanding or replacing the existing bridge, which is part of State Route 4. The existing bridge is narrow, barely allowing two vehicles to pass each other, and is aligned on a difficult angle relative to the highway on either side, requiring motorists to make sharp turns onto and off of the bridge. The project would improve safety and traffic flow over the bridge. *(Note: no appropriations for this project as yet.)*

11. Knightsen/Byron Area Transportation Study - **\$300,000** to re-evaluate the Circulation Element of the County General Plan (GP) to improve its consistency with the Urban Limit Line (ULL) and related policies that ensure preservation of non-urban, agricultural, open space and other areas identified outside the ULL. Policies will be evaluated to provide a more efficient and affordable circulation system for the study area, serve all transportation user-groups, support the local agricultural economy and accommodate the commuter traffic destined for employment centers outside the study area. Zoning and development regulations would be updated to implement the study recommendations.

FEDERAL TRANSPORTATION ACT

The long awaited federal surface transportation reauthorization measure – the Fixing America’s Surface Transportation Act (FAST Act) – was signed into law by President Obama on December 4, 2015 and will provide five years of highway and transit program funding to States and local governments. The following are priority projects for which funding will need to be secured from the measure.

1. Vasco Road Safety Improvement Project -- \$18 million for improvements to a 2.5-mile accident-prone section of Vasco Road. Project components include widening the roadway to accommodate a concrete median barrier and shoulders on either side of the barrier, construction of the barrier, and extension of an existing passing lane. The project will eliminate cross-median accidents which have caused numerous fatalities in recent years, and will provide increased opportunities for vehicles to safely pass (unsafe passing is a major cause of accidents and fatalities on this segment of the increasingly busy two-lane undivided road). The project will include provisions for wildlife undercrossings to preserve migration patterns. The proposed improvements will complement a \$10 million completed project that was funded with American Recovery and Reinvestment Act funds.

1.b Vasco Road Safety Improvement Project Continuation -- \$30 million for improvements to the remaining 9 miles of accident-prone sections of Vasco Road. Alameda County has been working on constructing improvements in their jurisdiction and it would be desirable for the two counties to work together to complete the gap left in the concrete median barrier near the County line. In addition to completing this gap, Contra Costa desires to extend the concrete median barrier further north of the recently completed median barrier project to the Camino Diablo Road intersection.

2. North Richmond Truck Route -- \$25 million to construct a new road or other alternate access improvements that will provide truck access between businesses and the Richmond Parkway, moving the truck traffic away from a residential neighborhood and elementary school. This project will increase safety, improve public health around the school and residential area by reducing diesel particulate emissions from those areas, increase livability of the neighborhood, improve local access to the Wildcat Creek Regional Trail, stimulate economic development in the industrial area of the community and provide a better route for trucks traveling to and from the Richmond Parkway. Several potential alignments have been identified, one of which was developed through a community planning process funded through an Environmental Justice planning grant from Caltrans.

3. Eastern Contra Costa Trail Network -- \$11 million for joint planning, environmental review, right-of-way acquisition and construction of a coordinated network of trails for walking, bicycling and equestrian uses in eastern Contra Costa County including facilities and projects improving access to existing or planned transit stations. Eligible trails include, but are not limited to: (1) the Mokelumne Trail overcrossing of the State Route 4 Bypass (\$6 million); (2) Contra Costa segments of the Great California Delta Trail (\$3 million); (3) a transit supportive network of East Contra Costa trails in unincorporated County areas and the cities of Antioch, Brentwood, Oakley and Pittsburg (\$1 million); and Marsh Creek Corridor Multi-Use Path (\$1 million).

4. eBART Extension Next Phase Study/Environmental and Engineering -- \$10 million for environmental review and engineering work on the project identified in the Bay Area Rapid Transit District's (BART) eBART Next Segment Study in eastern Contra Costa County. With regard to additional stations and eBART rail corridor alignment tasks may include, but not necessarily be limited to, completion of environmental review, and partial completion of engineering. Additional work may include, but not necessarily be limited to, evaluation and refinement of alignment and stations, development of capital and operating costs, land use analysis, completion of environmental review including appropriate mitigations, development of preliminary engineering, and public outreach. (Potential Program: FTA – New Starts, FHWA/FTA Congestion Mitigation and Air Quality)

5. Iron Horse Corridor Enhancement Program -- ~~###~~ \$25 million for joint planning, environmental review, and the construction of improvements in the Iron Horse Trail Corridor, a 28 mile non-motorized facility used for commute and recreation purposes providing access to schools, recreational facilities, commercial areas, residences, and mass transit hubs. Eligible projects include corridor planning, trail access improvements, trail expansion/enhancements, overcrossings (7 overcrossings in 5 cities), intersection improvements, Class I trail inter-connectivity projects, and wayfinding/signage projects.

- **Rural Road Funding Program** – The County supports the creation of a new funding program that will provide funds for converting or upgrading rural roads into more modern and safer roads that can better handle increasing commuter traffic in growing areas, such as East County. These roads do not often compete well in current grant programs because they do not carry as many vehicles as roads in more congested urban or suburban areas. As a result, improvements such as widenings (turn lanes, clear zone/recovery areas, etc.), realignments, drainage improvements and intersection modifications often go unfunded, leaving such roads with operational and safety problems as well as insufficient capacity.
- **Transportation Funding for Disabled, Low-income, and Elderly Persons** – Transit services for elderly, disabled, and low-income persons are provided by the County, by some cities, by all of the bus transit operators, and by many community organizations and non-profits that provide social services. Increased funding is needed to provide and maintain more service vehicles, operate them longer throughout the day, upgrade the vehicle fleet and dispatching systems, improve coordination between public providers and community groups that also provide such services to their clients, ~~and~~ expand outreach programs to inform potential riders of the available services, expedite deployment of useful new technologies/systems, among other needs. The County supports continuation and increased funding levels for federal funding programs dedicated to transit services for these population groups. All of the demographic trends point to a growing need for such services in the future. For example, the 65-and-older population in the Bay Area is projected to more than double by the year 2030.
- **Surface Transportation Program/Highway Bridge Funding** – The County supports the continuation of funding levels consistent with the Highway Bridge funding program in previous transportation funding bills that will provide funds for rehabilitating and replacing our aging bridges. The County has several aging bridges with deficient sufficiency ratings.

Without federal transportation funding, these expensive projects would be deferred because they often exceed the County's funding capacity. Many of the bridges are on critical commute corridors, goods movement corridors, inter-regional routes, and farm to market routes. Failure of these important transportation assets can cause major disruptions to the transportation network. The County would also support federal funding for the rehabilitation and replacement of rail bridges.

APPROPRIATIONS AND GRANTS – SUPPORT POSITIONS

*The following support positions are listed in alphabetic order and do not reflect priority order. Please note that new and revised positions are **highlighted**.*

Buchanan Field Airport – The County approved a Master Plan for the Buchanan Field Airport in October 2008; which ~~includes~~ **included** a ~~Federal Aviation Regulation Part 150 Noise Study~~ **and a Business Plan** for project implementation; ~~all of which complemented a previously approved Federal Aviation Regulation Part 150 Noise Study~~. The comprehensive planning effort has ideally positioned Buchanan Field Airport for future aviation (general aviation, corporate aviation and commercial airline service) and aviation-related opportunities. To facilitate the economic development potential, the Business Plan prioritizes necessary infrastructure improvements for Buchanan Field Airport (including **development of a general aviation terminal/administration building and** potential replacement of the ~~60-65~~ year old control tower). Further, as the Airport is surrounded by urban residential uses, enhancing the noise program infrastructure is deemed essential for balancing the aviation needs with those of the surrounding communities. The Federal government, primarily through the Federal Aviation Administration (FAA), provides funding for planning, analysis, and infrastructure improvements. The County will support funding in all these areas for protection and enhancement of our aviation facility and network.

Byron Airport – The Byron Airport is poised for future general and corporate aviation and aviation-related development, but that future growth and full build out of the airport as shown in the Master Plan is dependent upon utility and infrastructure improvements (**such as improved road access and sewer and water connections**) both on and around the Airport. The Byron Airport Business Plan prioritizes infrastructure and possible additional land acquisition to assist the Byron Airport in fulfilling its aviation and economic development potential. The Federal government, primarily through the Federal Aviation Administration (FAA), provides funding for planning, analysis, infrastructure improvements and aviation land acquisition. The County will support funding in all these areas for protection and enhancement of our aviation facility and network.

Energy Efficiency & Conservation Block Grant (EECBG) Program – Advocate/support funding up to or above the authorized amount of \$2 billion for the EECBG Program established and authorized under the Energy Independence and Security Act (EISA) of 2007. The County's ability to continue offering programs/services improving energy efficiency and conservation while also creating jobs is contingent upon additional federal funding being appropriated to the

EECBG Program in 2012 and beyond. Contra Costa and other local governments have identified and designed many successful programs and financial incentives targeting both the private and public sector which are now being implemented using EECBG funding authorized through the ARRA of 2009. Funding for the EECBG program is necessary to ensure the nation's local governments can continue their leadership in creating clean energy jobs, reducing energy consumption and curbing greenhouse gas emissions.

Kirker Pass Road Truck Climbing Lanes – \$4.5 million for constructing northbound and \$20 million for constructing southbound truck climbing lanes on Kirker Pass Road, a heavily used arterial linking residential areas in eastern Contra Costa with job centers and the freeway system in central Contra Costa. The truck climbing lanes are needed to improve traffic flow and will also have safety benefits. The \$4.5 million will close a funding gap and augment secured funding: \$6 million in Measure J (local sales tax measure) funds and \$2.6 million in State Transportation Improvement Program funds. The \$20 million is the total cost of the southbound truck climbing lane segment.

Multimodal National Freight Network – In 2015 the primary freight network was established pursuant to MAP-21. The County supports increases in dedicated freight funding as proposed in the National Freight Strategic Plan. The County will pursue grants and appropriations for 1) the Northern Waterfront Initiative – specifically, funding for a short-line railroad feasibility study for the Northern Waterfront Corridor and a Land-Use Cost-Benefit/Fiscalization study for the Northern Waterfront; and 2) consistent with the Draft National Freight Strategic Plan congestion reduction strategy, projects along the I-680 corridor including the High Occupancy Vehicle Lane - Direct Access Ramp project.

Regional Habitat Planning and Conservation – \$85 million to the U.S. Fish and Wildlife Service's "Cooperative Endangered Species Conservation Fund" to keep pace with land costs and the increasing number of Habitat Conservation Plans (HCPs) throughout the country. The County will support funding for the Fund to be restored to \$85 million, the 2010 funding level. This will provide much needed support to regional HCPs in California and nationally, including the East Contra Costa County HCP. Given the prolific growth in the number of regional HCPs, the Fund needs to be increased even more substantially in subsequent years. The East Contra Costa County HCP has received \$37.5 million from the Cooperative Endangered Species Conservation Fund in the past ~~eight~~nine years and continuing this grant support is of vital importance to the successful implementation of that Plan. The County will pursue increasing appropriations to the Fund in partnership with numerous counties in northern and southern California and will support requests of the California Habitat Conservation Planning Coalition to increase the Fund up to \$85 million. The County will also request that the California State Association of Counties (CSAC) include this Fund increase as a priority on CSAC's federal platform.

San Francisco Bay Improvement Act – \$1 billion restoration bill authored by Congresswoman Jackie Speier in 2010 but not passed. The bill, if passed, will help finance restoration of more than 100,000 acres of the Bay's tidal wetlands. Funds from the bill would implement a restoration plan that was adopted in 1993. In addition to benefits for fish and wildlife, wetlands

restoration will create new jobs and provide regional economic infusions, as well as protect against the effects of sea level rise on the Bay's shores.

Sacramento-San Joaquin Delta National Heritage Area – a bill authored by Senator Dianne Feinstein in 2010 but not passed. The bill, if passed, will authorize and fund a National Heritage Area (NHA) for the Sacramento-San Joaquin Delta. The NHA designation would be a first step in providing federal resources to agencies in the Delta for economic development and environmental protection. *Contra Costa County supports the legislation and participated in a feasibility study for the NHA through our seat on the Delta Protection Commission, which completed the study in 2012.*

Vasco Road-Byron Highway Connector – \$30 million for design, engineering and construction of an east-west connector road between two major arterials that link Contra Costa County with Alameda and San Joaquin Counties. The Vasco Road-Byron Highway Connector will improve traffic circulation and linkages in the southeastern portion of the County and will provide a new route for truck traffic that will remove a significant portion of truck trips which currently pass through the rural community of Byron. Vasco Road is designated as State Route 84, and Byron Highway is under study as the potential alignment for future State Route 239.

2016 FEDERAL LEGISLATIVE PLATFORM POLICY POSITIONS

The following support positions are listed in alphabetic order and do not reflect priority order. Please note that new and revised policy positions are highlighted.

Affordable Housing and Homeless Programs –For Housing and Urban Development (HUD)'s Homeless Assistance Grants, the County will support funding that does not include set-asides or other requirements that limit local communities' ability to respond to the particular needs in their areas. For the Housing Assistance for People with AIDS (HOPWA) program, the County will support legislation to update the formula used to allocate HOPWA grants to reflect local housing costs as well as the number of AIDS cases.

The County supports full funding for HUD homeless assistance programs and funding for full implementation of the Homeless Emergency and Rapid Transition to Housing (HEARTH) Act of 2009.

The County supports funding the National Affordable Housing Trust Fund. Resources made available through the Trust Fund should be accessible to local housing and community development agencies, including public housing authorities. **The Housing Trust Fund should be used to complement and not supplant either the HOME or CDBG programs.**

Agricultural Pest and Disease Control – Agriculture and native environments in Contra Costa County continue to be threatened by a variety of invasive/exotic pests, diseases and non-native weeds. The Federal government provides funding for research, regulation, pest exclusion activities, survey and detection, pest management, weed control, public education and outreach. The County will support funding in all these areas for protection of our agricultural industry and

open space. Consistent with the policy position, the County will also support legislation which would authorize and direct the USDA to provide state and local funding for High Risk Prevention programs (also called Pest Detection Funding).

Beneficial Use of Dredged Materials – As the beneficial reuse of dredged materials has a clear public benefit, particularly in the Delta, the County will continue to support beneficial reuse in general and also continue to advocate for funding for a federal study to determine the feasibility of beneficial reuse, considering the benefits and impacts to water quality and water supply in the Delta, navigation, flood control damage, ecosystem restoration, and recreation. The study would include the feasibility of using Sherman Island as a rehandling site for the dredged material, for levee maintenance and/or ecosystem restoration. Language to authorize the study was included in the Water Resources and Development Act (WRDA) which was passed into law on November 8, 2007.

Broadband – Consistent with CSAC policy, Contra Costa County will support the expansion of broadband (high speed internet service) to drive economic development and job opportunities, support county service delivery, and improve health, education and public safety outcomes for residents. For communities to realize these full benefits of broadband it must be capable of supporting current technology.

Access and adoption are both necessary elements that should be supported in state and federal legislative or regulatory proposals. This entails the following:

- Establishing and maintaining reliable broadband in unserved or underserved communities;
- Promoting the knowledge, skills and behaviors that comprise digital literacy;
- Making broadband affordable for all households;
- Maximizing funding for infrastructure; and
- Reducing infrastructure deployment barriers.

Child Care – Research continues to show that quality, affordable childcare is a necessity to ensuring a family’s stability and economic success. Currently in Contra Costa County, there are over 10,000 low-income children eligible for affordable childcare services, yet only 29% of that need is met. Research also shows that in addition to a child’s long-term success with school and employment, investing in high-quality early care and education results in a higher than average return on investments in the areas of crime reduction and positive health, education and economic outcomes.

With regards to childcare, the County will support the President’s “Preschool for All” Initiative meant to close America’s school readiness gap and ensure all children have access to quality care by expanding high quality learning opportunities for children 0-5. This proposal includes:

- An increase of over 100,000 new childcare slots and \$12 billion over the next 10 years;
- A focus on children and their families who are at or below 200% of poverty;
- Financing through a new cost-sharing partnership with states, already a proven successful model with Head Start in Contra Costa County.

The County will also advocate for the following federal actions:

- Increase funding to support employment of low-income families through greater access to child care subsidies, and increase the access of children from eligible families to high-quality care that supports positive child development outcomes.
- Provide flexibility at the state and local levels so that quality care can be balanced with access and parental choice.

Child Support –The County will advocate for the following federal actions:

- Eliminate the \$25 fee for non-IV-A families.
- Restore the incentive match payments that were prohibited in the Deficit Reduction Act.
- Allow the automatic use of cash medical support to reimburse Medicaid expenditures.
- Allow IV-D agencies to access Health Insurance records for the purposes of Medical Support.

Child Welfare and Well-being –The County will advocate for the following federal actions:

- Provide states with financial incentives, as opposed to monetary penalties, under the Child and Family Services Reviews and minimize the significant administrative burden associated with the review process.
- End Title IV-E disallowances from federal audits that take away funds from an already resource-strapped child welfare system. Allow states to reinvest these funds in preventing child abuse and neglect.
- Increase prevention dollars to help maintain children safely in their own homes. Federal funding currently gives disproportional support to out-of-home care rather than to preventing children from coming into care.
- Any increase in Federal Medical Assistance Percentage should include an associated increase in the Title IV-E matching rate to help support children in foster care.

Community Development Block Grant and HOME Programs – The County’s ability to continue funding to a variety of nonprofit agencies that provide critical safety net services to lower income residents, including financing the development of affordable housing is threatened by further cuts as part of the Budget Control Act (Act) passed by Congress in July 2011. The Act established mandatory spending caps on most federal programs through 2021, and arranged additional across-the-board annual spending cuts to federal defense and non-defense discretionary (NDD) programs over this same period.

Included in non-defense discretionary programs are critical local government oriented programs including the CDBG and HOME programs. These programs are successful and productive, leveraging significant funding from non-federal sources to help spur economic development. The County agrees that reducing the federal deficit is an important component of achieving long-term national economic stability, but targeting solely NDD programs like the CDBG and HOME programs will not achieve significant reductions and will hinder the County's ability to provide critical services to its most vulnerable populations. The County will continue to oppose any further reductions in the CDBG and HOME programs as part of the Budget Control Act or any other means.

Cost Shifts to Local and State Government – Contra Costa County performs many of its services and programs pursuant to federal direction and funding. Other services and programs are performed at the behest of the state, which receives funding through the federal government. In the past, the Administration's budget has contained significant cuts to entitlement programs and/or caps on entitlements. Such actions could shift cost of services from the federal government to the state and/or local governments (and to the extent that costs would shift to the state, it is highly likely that these would be passed on to the County). The County will oppose any actions that would result in cost shifts on federal entitlement programs or which would result on greater dependency on county funded programs. In addition, the County will support federal and state financial assistance to aid county and local government efforts to meet unfunded federal mandates, such as those contained in the National Response Plan (NRP), the National Infrastructure Protection Plan (NIPP), and the National Incident Management System.

Criminal Debt Collection – Nonpayment of court-ordered victim restitution, fines and fees is a problem of epidemic proportions for all jurisdictions. Literally billions of dollars go uncollected each year across the country, resulting not only in financial suffering of victims, but also the loss of public revenue. Many states already allow for the offset of State Tax Refunds, and these programs are successful in achieving revenue recovery. Federal Tax Refunds are already being successfully offset to pay for delinquent child support. The County will support amendments to the Internal Revenue Code of 1986 to allow an offset against income tax refunds to pay for court-ordered debts that are past-due.

Delta Water Platform

To protect the Sacramento-San Joaquin Delta from various detrimental forces that are affecting its health and resources, it is the policy of Contra Costa County to support implementation of projects and actions that will help improve the Delta ecosystem and the economic conditions of the Delta. Contra Costa County has developed a Delta Water Platform to identify and promote activities and policy positions that support the creation of a healthy Sacramento-San Joaquin Delta. Contra Costa County will use this Platform to guide its own actions and advocacy in other public venues regarding the future of the Delta.

Designation of Indian Tribal Lands and Indian Gaming – The Board of Supervisors has endorsed the California State Association of Counties' (CSAC) policy documents regarding development on tribal land and prerequisites to Indian gaming. These policy statements address local government concerns for such issues as the federal government's ability to take lands into

trust and thus remove them from local land use jurisdiction, absent the consent of the state and the affected county; the need for tribes to be responsible for all off-reservation impacts of their actions; and assurance that local government will be able to continue to meet its governmental responsibilities for the health, safety, environment, infrastructure and general welfare of all members of its communities. The County will continue to advocate for federal legislation and regulation that supports the CSAC policy documents.

The County will also advocate for limitations on reservation shopping; tightening the definition of Class II gaming machines; assuring protection of the environment and public health and safety; and full mitigation of the off-reservation impacts of the trust land and its operations, including the increased cost of services and lost revenues to the County.

The County will also advocate for greater transparency, accountability and appeal opportunities for local government in the decision-making processes that permit the establishment of Indian gaming facilities. This includes sequencing the processes so that the Indian Lands Determination comes first, prior to initiation of a trust land request and associated environmental review.

The County will also consider support for federal action and/or legislation that allows Class III gaming at the existing gaming facility only if it can be shown that any change would result in a facility that would be unique in nature and the facility can demonstrate significant community benefits above and beyond the costs associated with mitigating community impacts.

Economic Development Programs – Congress should fund all the complementary programs within HUD’s community and economic development toolkit, ensuring that HUD does not lose sight of the development component of its mission. To that end, the County will support continued funding for the Section 108 loan guarantee program, the Brownfields Economic Development Initiative and the Rural Housing and Economic Development program. Each of these programs plays a unique role in building stronger, more economically viable communities, while enabling communities to leverage external financing in a way the CDBG program alone cannot do.

Federal “Statewideness” Requirements – For many federally funded programs, there is a “statewideness” requirement; i.e., all counties must operate the specific program under the same rules and regulations. This can hamper the County’s ability to meet local needs, to be cost effective and to leverage the funding of one program to reduce costs in another program. Contra Costa County cannot negotiate for federal waivers or do things differently because it is not a state, yet its population is greater than seven states. Recognizing this is a very long-term effort, the County will advocate for relaxation of the “statewideness” rule to allow individual counties or a consortium of counties to receive direct waivers from the federal government and/or adopt the rules and regulations currently in use in another state for specific programs.

Habitat Conservation Planning – The County will advocate for elevating the profile of Habitat Conservation Plans (HCPs) such as the East Contra Costa County HCP within Congress and Administration so that these critical federal/state/local partnerships can receive necessary attention and support. HCPs are flagship programs for the federal government and supporting

effective implementation of approved HCPs should be a top priority for the U.S. Department of the Interior and U.S. Fish and Wildlife Service and HCPs should be a key tool in any federal climate change or economic stimulus legislation.

Habitat Conservation Permitting and Permit Alignment – The County will advocate for and support alignment of federal resource permits with U.S Fish and Wildlife Service permits provided through a Habitat Conservation Plan, such as the U.S. Army Corps’ issuance of Regional General Permit 1 to the East Contra Costa County Habitat Conservation Plan. The alignment of permit requirements and processes improves the overall efficiency, predictability and effectiveness of natural resource regulation and project delivery.

Health – The County will advocate for the following actions by the federal government: a) provide enhanced Medicaid FMAP (the "Federal Medical Assistance Percentage" for Medicaid. It is the federal matching rate for state Medicaid expenditures.); b) suspend the Medicare “clawback” rule; c) suspend the “60-day rule” that requires states to repay the federal government overpayments identified by the state prior to collection, and even in instances where the state can never collect; d) ease the ability to cover those eligible for Medicaid by making documentation requirements less stringent; and e) prevent the implementation of the following seven federal regulations:

- Outpatient hospital
- Case Management
- School Based Administration & Transportation
- Public Provider Cost Limit
- Graduate Medical Education
- Rehabilitation Services Option
- Provider Tax

SUPPORT full funding of the Federal Medicaid program by the federal government. Medicaid provides access to health care for people whose income and resources are insufficient to pay for health care. It is jointly funded by Federal and State governments. The Patient Protection and Affordable Care Act (also known as the ACA) significantly expanded both eligibility for and federal funding of Medicaid. OPPOSE amendments to the ACA that would reduce support for Medicaid/Medi-Cal payments to providers.

Levee Restoration and Repair – The County will support legislation such as H.R. 6484, the SAFE Levee Act (Garamendi) in 2012, which will authorize the U.S. Department of the Interior to invest in Delta levee repairs, for all levees that are publicly owned or publicly maintained. The bill also requires a cost-benefit analysis for the tunnel project being planned as part of the Bay-Delta Conservation Plan.

Pension – The County will support legislation that would modify the Internal Revenue Code and corresponding regulations to permit public employees to make an irrevocable election between their current pension formula and a less rich pension formula.

In 2006, Contra Costa County and the Deputy Sheriff’s Association jointly obtained state legislation that would allow members of the Association to make a one-time irrevocable election

between their current pension formula and a less rich pension formula, called Tier C. Orange County and its labor organizations obtained similar legislation in 2009. However, neither County has been able to implement this state legislation because such elections currently have negative tax consequences for employees and for retirement plans under federal tax law as interpreted by the Internal Revenue Service.

Like many local government entities nationwide, the County's fiscal position would benefit greatly from reduced pension costs. Allowing local government entities to implement collective bargaining agreements and state legislation that permits employees to elect less rich pension formulas would be a significant step in reducing pension costs.

Private Activity Bonds for Government Buildings – The County will support legislation that would create a new category of private activity bonds for governments to join with private parties to help finance government buildings. The tax-exempt bonding mechanism would allow state and local governments to issue private activity bonds to finance the construction and upkeep of certain publically owned buildings. The County will support amending the federal tax code to provide another layer of tax-exempt financing that would encourage the use of public-private partnerships.

Public Housing Programs – The County will support legislation that results in the transformation of existing programs to improve their effectiveness and efficiency, in tandem with the design of new and innovative responses, both to build upon recent progress and address outstanding issues.

The County will support legislation to protect the nation's investment in Public Housing:

- Enact affordable housing industry proposal to allow public housing agencies (PHAs) to voluntarily convert public housing units to Section 8 project-based rental assistance in order to preserve this vital component of the national infrastructure.
- Oppose the Administration's proposal to impose a \$1 billion offset against the operating reserves of responsible, entrepreneurial PHAs.
- Support the revitalization of severely distressed public housing units.
- Address safety and security concerns connected to drug-related crime.

The County will support legislation to preserve vital community and economic development programs:

- Fully fund the Community Development Block Grant Program in order to create and save jobs, revitalize local economies, and support critical services for vulnerable populations.
- Maintain funding for HUD's cost-effective economic development tools.

The County will support legislation to strengthen and simplify the Section 8 Rental Assistance programs:

- Provide adequate funding for Housing Assistance Payment contract renewals and ongoing administrative fees.
- Enact the Section Eight Voucher Reform Act (SEVRA).
- Implement overdue regulatory and administrative revisions that ensure the efficient use of program funds.

The County will support legislation to expand Affordable Housing Opportunities and combat homelessness:

- Fully fund the Home Investment Partnerships Program and HUD's homeless assistance programs.
- Capitalize the Housing Trust Fund through a revenue-neutral approach.
- Preserve and strengthen the Low Income Housing Tax Credit Program.

The County will support legislation to foster innovation, increase efficiency, and streamline the regulatory environment:

- Promote reasonable and flexible federal oversight.
- Incentivize green building and increased Energy Efficiency.
- Support HUD's ongoing transformation efforts.
- Ensure that HUD releases and distributes federal funding in a timely manner.
- Eliminate statutory and regulatory barriers that prevent PHAs and redevelopment authorities from accessing federal programs they are qualified to administer.

Rail Safety – Contra Costa County is home to a substantial oil refinery industry with four refineries located in the County. The County supports Senator Heitkamp's *Railroad Emergency Services Preparedness, Operational Needs, and Safety Evaluation (RESPONSE) Act, S. 2547*, which would establish a Federal Emergency Management Agency (FEMA) panel focused on railroad incident first responders. By bringing together under FEMA's National Advisory Council all relevant agencies, emergency responders, technical experts, and the private sector for a review of training, resources, best practices, and unmet needs related to emergency responders to railroad hazmat incidents, the RESPONSE Act will begin the process of addressing shortcomings in existing emergency response practices and procedures. It will also address the effectiveness of funding levels related to training local emergency responders for rail hazardous materials incidents.

The County also supports FEMA funding for the training of first responders, regulations that increase tank car safety standards for cars transporting crude oil and other hazardous materials,

and regulations that require railroads to share data with state emergency managers and local responders.

Retiree and Retiree Health Care Costs – The County operates many programs on behalf of the federal government. While federal funding is available for on-going program operations, including employee salaries, the allocation is usually capped, regardless of actual costs. For retiree and retiree health care, the County’s ability to contain costs is extremely limited. The County will advocate for full federal financial participation in funding the County’s retiree and retiree health obligations.

State Criminal Alien Assistance Program (SCAAP) – On May 23, 2012, the Department of Justice (DOJ) announced a change in the State Criminal Alien Assistance Program (SCAAP) that will prohibit SCAAP funds from being used to reimburse localities for foreign-born criminal aliens housed in jails that have been classified as “unknown inmates” by the Department of Homeland Security’s Immigration and Customs Enforcement (ICE) agency. This is a significant change to the SCAAP reimbursement formula and will heavily impact counties across the nation.

The County will support the rescinding of this decision and a reinstatement of the previous reimbursement practice, which would more equitably reimburse jurisdictions for the costs of housing undocumented individuals, including those inmates whose status may be unknown to the Department of Homeland Security.

Second Chance Act – The County will support funding for the Second Chance Act, which helps counties address the growing population of individuals returning from prisons and jails. Despite massive increases in corrections spending in states and jails nationwide, recidivism rates remain high: half of all individuals released from state prison are re-incarcerated within three years. Here in California, unfortunately, the recidivism rate is even higher. Yet there is reason for hope: research shows that when individuals returning from prison or jail have access to key treatments, education, and housing services, recidivism rates go down and the families and communities they return to are stronger and safer.

The Second Chance Act ensures that the tax dollars on corrections are better spent, and provides a much-needed response to the "revolving door" of people entering and leaving prison and jail.

SparkPoint, Service Integration – The County will support federal funding for the establishment and operation of SparkPoint and Service Integration models. SparkPoint Centers are one-stop, financial-education centers that help individuals and families who are struggling to make ends meet. SparkPoint helps clients address immediate financial crises, get them back on their feet, and build financial security. Each center brings together a full range of services at one convenient location, including job training, career development and financial coaching, as well as access to higher education and savings accounts. The Contra Costa County Service Integration Program co-locates county and non-profit agency service providers and community residents in neighborhood-based family service centers to provide accessible, coordinated public services tailored to meet the specific needs and goals of low-income families, while also engaging families in resident-driven efforts to revitalize their communities.

Supplemental Nutrition Assistance Program (SNAP) – The County will advocate for the following federal actions:

- Increase SNAP benefits as a major and immediately available element of economic stimulus.
- Suspend the restrictions applying to ABAWDs. ("ABAWDs" stands for "Able-Bodied Adults without Dependents" and pertains to adults receiving food stamps who are considered employable.) They are subject to strict time limits on how long they can receive food stamps. It is difficult administratively to track this, and when unemployment is high, it can result in more adults going hungry.
- Remove the current federal barriers that prevent some nutrition programs from employing EBT technology.

Streamlining Permitting for Critical Infrastructure, Economic Stimulus, and Alternative Energy Projects –“Green” Job Creation – Request that Congress and the Administration recognize the value of Habitat Conservation Plans (HCPs) as a reliable way of streamlining critical infrastructure, economic stimulus, and alternative energy project permitting in a manner that is consistent with federal environmental regulations. HCPs not only facilitate such projects through permit streamlining, but the planning, implementation, management, and monitoring needs associated with regional HCPs plans also create many quality “green” jobs.

Telecommunications Act of 1996 Revisions – The Telecommunications Act of 1996 governs local government’s role in telecommunications, primarily broadband cable that uses the County’s right-of-way as well as consumer protections. As Congress works to update the Act, the County will continue to advocate for strengthening consumer protections and local government oversight of critical communications technologies; local access to affordable and reliable high speed broadband infrastructures to support the local economy; the right of local municipalities and communities to offer high-speed broadband access; coordination and integration of private communication resources for governmental emergency communication systems; preservation of local government’s franchise fees; preservation of the local community benefits, including but not limited to public, education and governmental (PEG) access channels; authority for provision of municipal telecommunication services; preservation of local police powers essential for health, safety and welfare of the citizenry; preservation of local government ownership and control of the local public rights-of-way; and support for ensuring that communication policy promotes affordable services for all Americans.

The Community Broadband Act of 2007, S.1853, encourages the deployment of high speed networks by preserving the authority of local governments to offer community broadband infrastructure and services. The County will oppose all bills that do not address the County’s concerns unless appropriately amended. In addition, the Federal Communications Commission (FCC) has proposed rule-making (FCC Second Report and Order Docket 05-311 “Franchising Rules for Incumbents”) that, in the opinion of local government, goes beyond the scope of their authority in this area. The County will oppose all such rule making efforts.

Telecommunications Issues – Support the Community Access Preservation (CAP) Act introduced in 2009 by Wisconsin Congresswoman Tammy Baldwin. The CAP Act addresses the challenges faced by public, educational and government (PEG) TV channels and community access television stations. The CAP Act addresses four immediate issues facing PEG channels. The CAP Act would: Allow PEG fees to be used for any PEG-related purpose; require PEG channels to be carried in the same manner as local broadcast channels; require the FCC to study the effect state video franchise laws have had on PEG; require operators in states that adopted statewide franchising to provide support equal to the greater of the support required under the state law or the support historically provided for PEG; and make cable television-related laws and regulations applicable to all landline video providers.

In addition, the County should support the widespread deployment and adoption of broadband, especially as it serves to connect the educational community and libraries.

Temporary Assistance for Needy Families – The County will advocate for the following federal actions:

- Relieve states of work participation rate and work verification plan penalties for fiscal years 2007, 2008, 2009 and 2010 in recognition of the serious downturn in the national economy and the succession of more “process-based” regulations issued in the last few years.
- Permanently withdraw the August 8, 2008, proposal that would have repealed the regulation that enables states to claim caseload reduction credit for excess MOE expenditures.
- Rescind the May 22, 2008, HHS guidance that effectively eliminated the ability of states to offer pre-assistance programs to new TANF applicants for up to four months.
- Rescind the final Deficit Reduction Act regulation restricting allowable state maintenance-of-effort expenditures under TANF purposes 3 and 4.
- End federal efforts to impose a national TANF error rate.

Veterans Benefits – The County will support legislation to increase availability, accessibility, and utilization of Veterans Benefits.

Within Contra Costa County, Veterans’ health care is provided by the VA Martinez Clinic, a division of the VA Northern California Healthcare System. Currently, access to enrollment in the VA healthcare system is limited to Veterans with a Service Connected disability of greater than 10%, special eligibility criteria (Purple Heart, former POW, Iraq & Afghanistan Vets within 5 years of discharge, etc.), and to Veterans with an annual gross income less than a geographically based threshold. Currently, VA emergency services are not available after hours or during weekends. The nearest VA emergency room is nearly 34 miles away from the VA Martinez Clinic.

The County will support legislation that would expand enrollment eligibility (such as removing the income limit criteria) to all Veterans with an honorable discharge. Furthermore, the County will support legislation that would establish 24 hour VA emergency services at the VA Martinez clinic.

In addition, the County will support legislation that will improve the timeliness and quality of both VA benefits claim decisions and VA healthcare services. Specifically, legislation that works toward improving on the expedited processing of claims and administering of benefits to populations with unique needs, such as homeless Veterans, Women Veterans, and Veterans experiencing service related Posttraumatic Stress Disorder.

Veterans Halls – The County will support legislation to provide America’s veterans organizations with resources to make necessary repairs to or replacement of their meeting halls and facilities.

Across America, the meeting halls and posts of Veterans Service Organizations such as the American Legion and Veterans of Foreign Wars serve as unofficial community centers. Unfortunately, many of these facilities are not compliant with Americans with Disabilities Act accessibility standards, are not earthquake retrofitted, or have deteriorated in recent years due to declining membership and reduced rental revenues as a result of the economic downturn.

The County will support legislation that would create a competitive grant program for veterans’ organizations, classified by the IRS as 501c19 non-profit organizations and comprised primarily of past or present members of the United States Armed Forces and their family members, to use for repairs and improvements to their existing facilities.

Volume Pricing – The National Association of Counties supports greater access for local governments to General Services Administration (GSA) contract schedules. These schedules provide volume pricing for state and local governments and make public sector procurement more cost effective. However, current law does not provide full access to state and local governments for GSA schedules. The County will support legislation that gives local governments access to these schedules and provides the option of purchasing law enforcement, security, and other related items at favorable GSA reduced pricing.

Water Quality, Quantity and Delta Outflow – Congress may consider legislation that could adversely affect water quality, quantity and flows in the Sacramento-San Joaquin Delta to the detriment of the County residents, economy and resources. The Board of Supervisors will rely on its adopted Delta Water Platform and its adopted resolution on Water, Ecosystem Health and other Issues Related to the San Francisco Bay and the Sacramento –San Joaquin River Delta (No. 2012-46) to determine the appropriate response to federal legislative issues brought to the Board’s attention.

Workforce Development – Contra Costa County supports policies that meet the needs of serving businesses, workers, job seekers, and youth. The County further supports policies under the Workforce Innovation & Opportunity Act (WIOA) that preserve local decision-making relative to spending, direction of work, and other functions of local workforce boards. The County also

supports policies that increase employment and the creation of jobs in both the public and private sector and that enhance business' access to a qualified talent pool, and promote business growth through the development of a skilled workforce. The County also favors policies that provide increased funding to support job seeker services, as well as policies that make strategic investments to leverage existing funding in the workforce development arena.



Contra Costa County Board of Supervisors

Subcommittee Report

TRANSPORTATION, WATER & INFRASTRUCTURE COMMITTEE

9.

Meeting Date: 10/13/2016
Subject: Expand County's Adopt-A-Road Program to include additional features.
Submitted For: Julia R. Bueren, Public Works Director/Chief Engineer
Department: Public Works
Referral No.: 7
Referral Name: Monitor Creek and Watershed Issues and seek funding for improvement projects related to these issues.
Presenter: John Steere, Public Works Department **Contact:** John Steere
(925)313-2281

Referral History:

The Adopt-A-Road Program was adopted by the Board of Supervisors in 2010. It has coordinated volunteer efforts to remove trash and illegally dumped items from the road rights of way ever since. Currently 13 sponsors have adopted over 20 reaches of roadways. Sponsors include private citizens, church groups, and civic organizations.

Referral Update:

The Public Works Department proposes to expand the existing Adopt-A-Road Program to include cleanup and litter removal from additional infrastructure features. These may include: storm drain inlets, trash cans at bus stops or at parks, entire blocks, and flood protection facilities within the unincorporated County, among others. The activities of the volunteers will be self-reported and County staff will use existing Bay Area Stormwater Management Agency Association (BASMAA) protocols to assess the effectiveness of the volunteers' efforts.

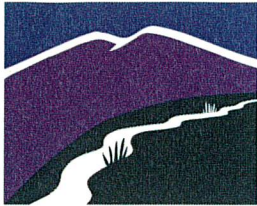
Recommendation(s)/Next Step(s):

AUTHORIZE Public Works Department staff to expand the program by initiating an outreach campaign to Municipal Advisory Councils, service organizations, church groups, chambers of commerce, sports leagues, scouts, etc. UTILIZE existing monitoring and accounting schemes to take appropriate trash reduction credit for these activities.

Fiscal Impact (if any):

Costs expected to be \$10,000 for first fiscal year to support public outreach materials and will be funded 100% by Stormwater Utility Assessment 17 funds.

Attachments



Contra Costa County Public Works Department


Julia R. Bueren, Director
Deputy Directors
Brian M. Balbas
Stephen Kowalewski
Joe Yee

Memo



DATE: October 13, 2016

TO: Transportation, Water and Infrastructure Committee

FROM: John Steere, Watershed Planner, County Watershed Program 

SUBJECT: **Proposal to Expand Adopt-A-Road to Include other County Infrastructure**

Recommendation: Expand Contra Costa County's existing Adopt-A-Road Program to include other County Infrastructure, including adoption of storm drains, flood control channels, and parks for trash cleanup. The Adopt-A-Road Program's expansion would be designed to encourage and engage residents and community groups to remove trash/litter from Storm Drain Inlets (SDI) and other infrastructure. This will help the County fulfill its trash reduction responsibilities under provision C.10 of the Municipal Regional Permit (MRP). This proposed expansion of Adopt-A-Road would simply build on its County-approved framework.

No new staffing would be required for the pilot program. Instead, we are proposing the redirecting of 10% to 15% of the workload of one of the County's watershed planners to coordinate with interested residents and groups in implementing Adopt-A-Spot. A start-up budget for the remainder of FY 2016-2017 of \$10,000 is recommended to support publication and distribution of public outreach materials (including brochures, signage, and T-shirts for neighborhoods/residents participating), fabrication of display materials, tools (including bags, gloves, and trash grabbers), and website development.

The pilot expansion program would involve several proposed steps: 1) briefing and soliciting partner groups and businesses to cosponsor through in-kind/volunteer labor or financial support (for example, underwriting of program T-shirts or other materials); 2) purchasing materials for periodic trash abatement efforts for initially targeted communities; 3) having community residents/partners sign the program agreement and liability waivers and training them regarding performance of visual assessments; and 4) encouraging business and community group partners to promote, support, and participate in Adopt-A-Road.

Background

Why Expand Adopt-A-Road? Interest in expanding the Adopt-A-Road Program has grown out of recognition that the most sustainable way to improve the cleanliness of streetscapes and to reduce their litter loads is through long-term resident-driven streetscape stewardship activities. The County's Program would look to the City of Oakland's successful 30-year Adopt a Spot program as a model for the expansion of its Adopt-A-Road Program. Oakland's program is a community-based partnership of the City of Oakland's Public Works Department with its residents. It enables the community to maintain specific public spaces by committing to regularly cleaning them for no less than once a year. For details of Oakland's program, go to www.Oaklandadoptspot.org. It is proposed that the County adapt elements of the Oakland program to: 1) provide the basis to foster regular street/neighborhood litter cleanups and 2) promote a greater sense of place and belonging to neighborhoods through constructive streetscape stewardship activities.

The County's expansion of Adopt-A-Road would also be designed to provide a community-building emphasis, since it would involve organizing neighbors to perform regular cleanups as a part of increasing their awareness of, and care for, where they live by providing incentives to encourage neighbors to participate and stay engaged. The Adopt-A-Road Program would be set up to provide interested residents sensible parameters and rewards for enhancing the quality of their neighborhoods through litter abatement and cleaning out plugged storm drain inlets.

JS:cw

G:\fldct\NPDES\C.10 Trash Reduction\Community-based Abatement\Adopt a Spot\Expanding Adopt-A-Road TWIC proposal 10-13-16.docx

- c. Mike Carlson, Flood Control
Joe Yee, Administrative Services
Cece Sellgren, County Watershed Program



Contra Costa County Board of Supervisors

Subcommittee Report

TRANSPORTATION, WATER & INFRASTRUCTURE COMMITTEE

10.

Meeting Date: 10/13/2016
Subject: COMMUNICATION/News Clippings
Department: Conservation & Development
Referral No.: N/A
Referral Name: N/A
Presenter: John Cunningham, DCD **Contact:** John Cunningham
(925)674-7833

Referral History:

Communication items are added to the TWIC agenda on an as-needed basis.

Referral Update:

Communication Received:

8/22/16 Letter from East Bay Economic Development Alliance to Supervisor Andersen Re: Support for Measure X

9/6/16 Letter from the Alamo Improvement Association to Supervisors Piepho and Andersen/TWIC Re: Work on pipeline safety

8/26/16 Letter from the California Transportation Commission to Julie Bueren Re: Iron Horse Corridor

BART Presentation Re: Measure RR

Recommendation(s)/Next Step(s):

RECEIVE communication and DIRECT staff as appropriate.

Fiscal Impact (if any):

N/A

Attachments

2016-08-24 EastBayEDA

AIA TWIC Pipeline Safety Thank You Letter signature

CTC letter



East Bay Economic Development Alliance
www.eastbayeda.org

August 22, 2016

Hon. Candace Andersen
Chair & Supervisor, District II
Contra Costa County Board of Supervisors
651 Pine Street, Room 107
Martinez, CA 94553



RE: SUPPORT FOR CONTRA COSTA COUNTY MEASURE X

Dear Chair Andersen:

As you know, businesses and communities are dependent on quality transportation infrastructure to maintain economic competitiveness on regional and global levels. Goods and people movement is the bloodline of a robust economy, and although the East Bay benefits from a comprehensive system of freeways, rail and public transit, we need to support the needs of our aging infrastructure and growing population in a long-term, sustainable manner.

The Contra Costa Transportation Authority (CCTA) has an excellent track record of developing new projects and maintaining existing transportation routes, and has successfully leveraged local sales tax dollars with state and federal funding. The organization is committed to leverage local dollars in the future to allow for maximum investment in improving transportation in Contra Costa County. Funding for transportation through the state is dwindling, and it is continually the responsibility of local government to self-fund their own projects. The proposed County sales tax measure will help ensure that regional mobility continues to move forward as improved transportation infrastructure in Contra Costa County affects the entire Bay Area.

Given the impact to residents and businesses in the East Bay, the East Bay Economic Development Alliance (East Bay EDA), comprised of over 115 organizations ranging from small businesses, large corporations, educational institutions, local municipalities, labor organizations and regional nonprofits, has endorsed the Contra Costa County Measure X sales tax increase as a critical element to improve transportation in the East Bay region. We thank the Contra Costa County Board of Supervisors for their foresight and leadership in addressing the region's transportation needs.

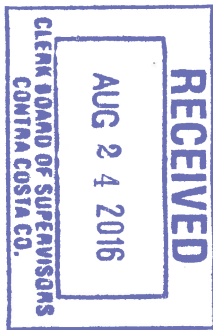
Sincerely,

Ms. Darien Louie
Executive Director
East Bay Economic Development Alliance

cc: BOS
CAO - B. Riviea, J. Enea
DCD - J. King-Reaves
BGO

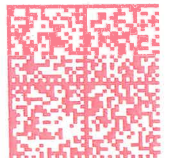


1221 Oak Street
Suite 555
Oakland CA 94612



Contra Costa Board of Supervisors
651 Pine Street, Room 107
Martinez, CA 94553

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P.O. BOX 156 . ALAMO, CALIFORNIA 94507

September 6, 2016

Supervisor Mary N. Piepho, Chair
Supervisor Candace Andersen, Vice Chair
TRANSPORTATION, WATER AND INFRASTRUCTURE COMMITTEE
651 Pine Street, Room 101
Martinez, CA.

SUBJ: PIPELINE SAFETY TRUST'S
Pipeline Safety Report

Dear Supervisor Piepho and Supervisor Andersen:

I want to "Thank You" and each of the TWIC committee members for their hard work and thorough review of this important report and its findings.

Alamo residents and residents of other County areas impacted by pipelines have to appreciate every step the County can take toward improving Pipeline Safety.

It is important for the process to continue with a Board of Supervisors approval of the TWIC report and advocacy support for Pipeline Safety in both our County and our State.

In response to the 2015 Santa Barbara Petroleum spill, the PG&E explosion and numerous other incidents, the State of California Legislature, during the last ten (10) months, has enacted four very important State Assembly and Senate Bills, which include:

Petroleum Pipelines

SB 295 – State Fire Marshal Annual Inspection of all Intrastate Petroleum Pipelines

AB 864 – State Fire Marshal Testing of all California Coastal Petroleum Pipelines, Contra Costa County is included in this for the areas close to the Bay/Straits. (October, 2015)

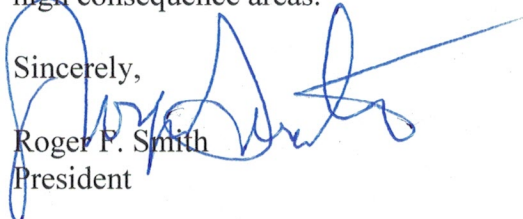
Gas Pipelines

AB 1420 – Division of Oil, Gas and Geothermal Resources – Testing every Two Years requirement for all active gas lines located in sensitive areas (October, 2015)

AB 2856 – PUC to require Automatic Shutoff Valves/Remote Controlled Sectionalized Block valves in all High Consequence Areas (HCA) and where lines traverse an active seismic earthquake fault. (February, 2016)

I am requesting that the TWIC committee and our Board of Supervisors consider uniting in support of these Pipeline Safety recommendations and legislation and to then consider contacting our State Fire Marshal's office and our Public Utilities Commission to promote discussion of both these recommendations and the recent legislation enacted by our State Legislature. The goal for which would be to develop a plan of action for implementation of the various legislation elements including automatic shut-off valves in high consequence areas.

Sincerely,


Roger P. Smith
President

BOB ALVARADO, Chair
FRAN INMAN, Vice Chair
YVONNE B. BURKE
LUCETTA DUNN
JAMES EARP
JAMES C. GHIEMMETTI
CARL GUARDINO
CHRISTINE KEHOE
JAMES MADAFFER
JOSEPH TAVAGLIONE

STATE OF CALIFORNIA

EDMUND G. BROWN Jr., Governor



SENATOR JIM BEALL, Ex Officio
ASSEMBLY MEMBER JIM FRAZIER, Ex Officio

SUSAN BRANSEN, Executive Director

CALIFORNIA TRANSPORTATION COMMISSION

1120 N STREET, MS-52
SACRAMENTO, CA 95814
P. O. BOX 942873
SACRAMENTO, CA 94273-0001
(916) 654-4245
FAX (916) 653-2134
<http://www.catc.ca.gov>

August 26, 2016

Ms. Julia R. Bueren
Public Works Director
Contra Costa County Public Works
255 Glacier Drive
Martinez, California 94553-4825

Dear Ms. Bueren,

The California Transportation Commission (Commission) is in receipt of your correspondence regarding the San Ramon Branch (Iron Horse Corridor) Project in Contra Costa County. As you know, the Commission has taken several actions related to the Iron Horse Corridor Project and has a vested interest in its successful delivery.

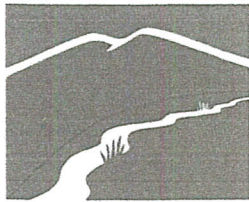
I assumed my role as the Executive Director earlier this year and have been tangentially involved with the Iron Horse Corridor Project. To better acclimate all interested parties to the current status of the Project and the next steps, I propose a meeting with key stakeholders in advance of the next Commission meeting. To that end, my staff will be reaching out to your agency to facilitate scheduling this meeting.

Please do not hesitate to contact me at (916) 654-4245 if you have any questions.

Sincerely

A handwritten signature in cursive script that reads "Susan Bransen".

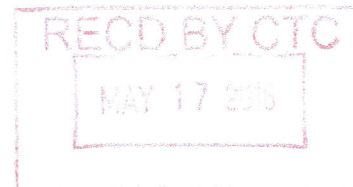
SUSAN BRANSEN
Executive Director



Contra Costa County
Public Works
Department

Julia R. Bueren, Director
Deputy Directors
Brian M. Balbas
Stephen Kowalewski
Stephen Silveira
Joe Yee

May 10, 2016



Susan Bransen
Executive Director
California Transportation Commission
1120 N Street, Sacramento, CA 95814

RE: SP San Ramon Branch
(Iron Horse Corridor),
Contra Costa County

Dear Ms. Bransen:

Contra Costa County (County) received Transportation, Planning and Development funding to purchase the Southern Pacific San Ramon Branch railroad property between Concord and San Ramon. Since acquiring the property, the County's actions in the Iron Horse Corridor, supported in part by a variety of state grants, some under the purview of the Commission, have led to an emphasis on active transportation projects. A paved pedestrian trail was constructed along the entire length in the Iron Horse Corridor, in addition to several alternate pedestrian trails and pedestrian overcrossings.

Per our discussions with your office we are in agreement that the future of the Iron Horse Corridor will continue to be dedicated for active transportation purposes consistent with Commission resolutions through 2008 in lieu of constructing a busway or mass transit guideway.

Should you have any questions, please contact me at (925) 313-2201.

Sincerely,



Julia R. Bueren
Public Works Director

JRB:mw

G:\Admin\Julie\CORRESP\2016\SP San Ramon Branch IHC - S Bransen ltr.docx

c: Members, Board of Supervisors
David Twa, County Administrator
John Kopchik, Department of Conservation & Development
John Cunningham, Department of Conservation & Development
Laurel Janssen, Deputy Director
California Transportation Commission
1120 N. Street, Sacramento, CA 95814



IT'S TIME TO REBUILD.

Video Here (too large to email)

BART SYSTEM

50 YEARS OF HISTORY

44 YEARS OF SERVICE TO THE BAY AREA

1946

Bay Area Council
leads BART
discussion

1964

BART breaks
ground, lays first
test track

1989

BART provides
critical service after
Loma Prieta

2014

BART to OAK
opens

1957

CA Legislature
creates
BART District

1972

September 11 First
day of passenger
service

2003

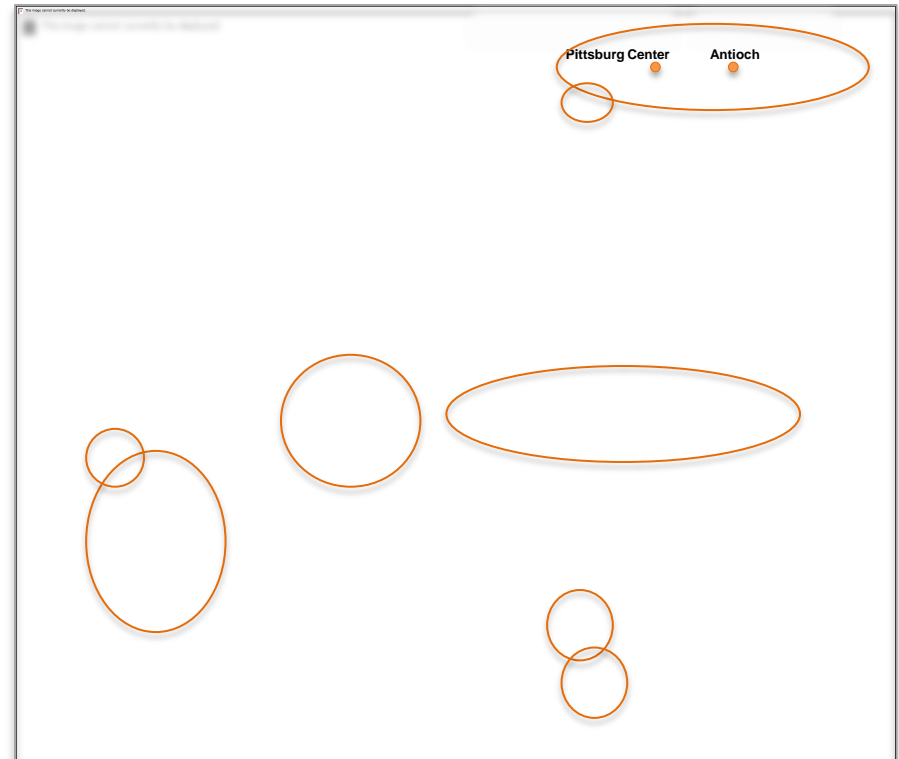
BART opens
SFO Extension

BART SYSTEM—THEN AND NOW

“The decision of the people to build a 3-county Bay Area rapid transit system is one of the most courageous and promising acts in modern American municipal history...” —San Francisco Examiner, November 9, 1962



Voter Approved Original System 1974



Today



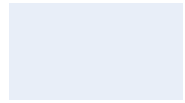
ESCALATING RIDERSHIP

- From approx. 170,000 per week to 435,000 per day
- Oldest Fleet of Train Cars in the Country

BART IN CONTRA COSTA COUNTY

- **26%** of BART Trips Begin or End In Contra Costa County
 - **110,000 trips on typical weekday**
 - **Riders travel over 1/2 billion miles per year**
- **32%** of Total BART Trip Miles are Taken by Contra Costa Riders
- **PITTSBURG/BAY POINT to SF** – Busiest Commute PRoute in BART System

BAY BRIDGE RUSH HOUR TRAFFIC



22,000

CALDECOTT TUNNEL AT A.M. PEAK HOUR

In the west bound direction*

BART riders = 8,200

People in cars = 9,670

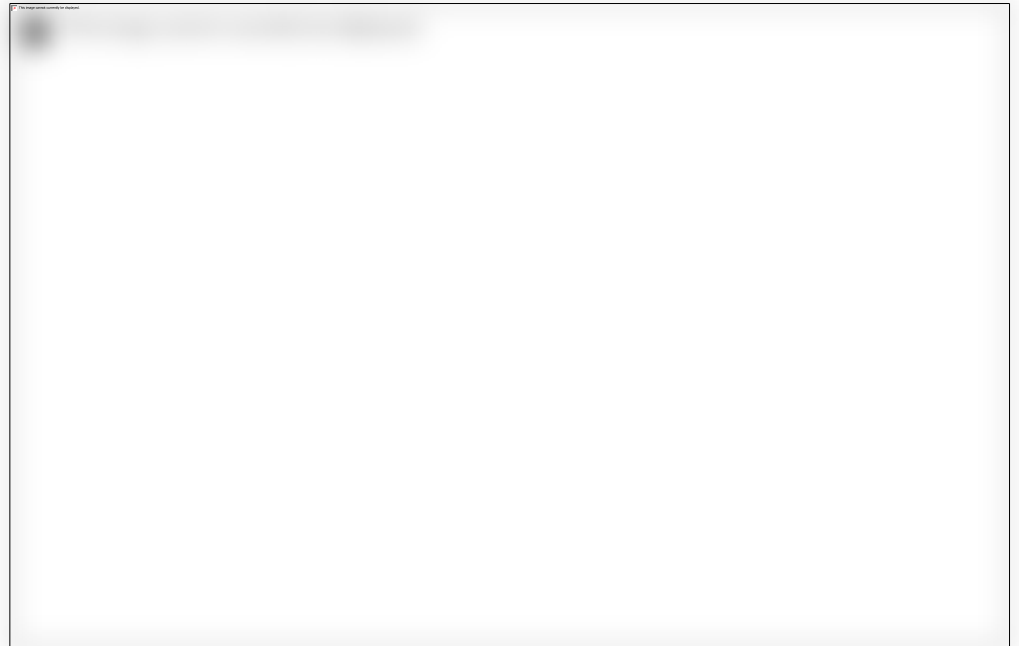
* One "person" = 500 people. Uses average of 1.1 people per car

WALNUT CREEK—IN PLANNING

Transit Oriented Development

City Design Review Complete—Developer Seeking Financing

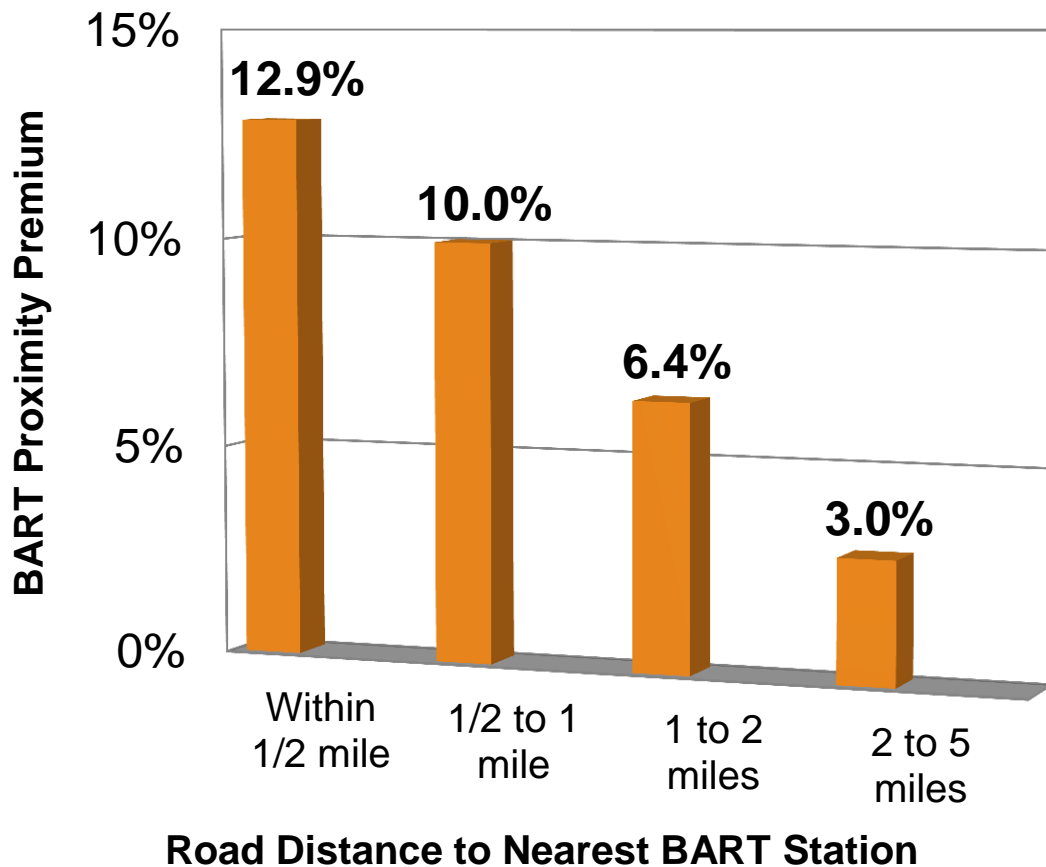
- 596 Residential Units
- +/- 20,000 Square Feet of Commercial Space
- 851 Parking Spaces
- New BART Zone Command Police Facility
- Enlarged Bus Intermodal Facility



BART ADDS VALUE

Property Value Premiums Near BART Stations

Average Contra Costa Value Increase



Single Family = **+\$51,452**

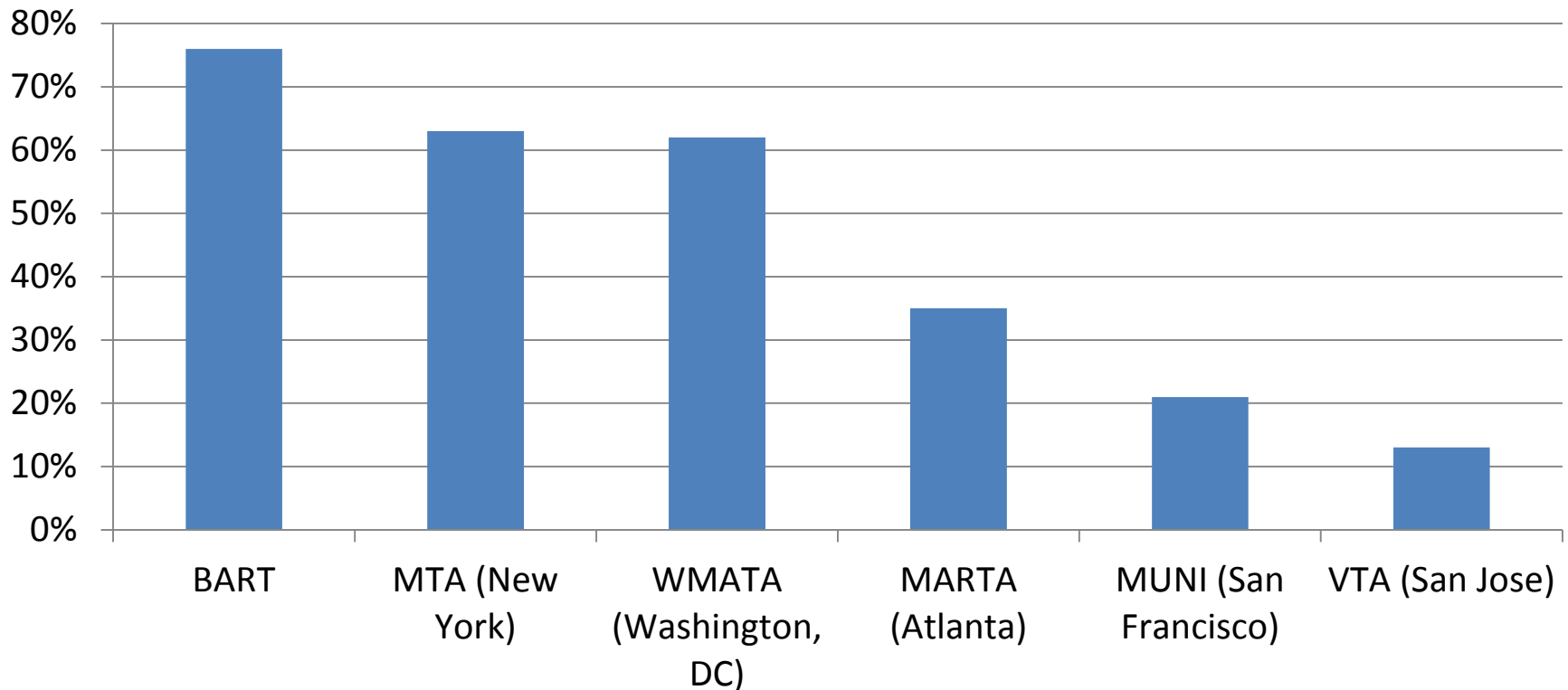


Condominium = **+\$61,091**

BART'S CONTINUOUS SYSTEM REINVESTMENT

75.67% of BART Operating Costs Are Paid For By Customers

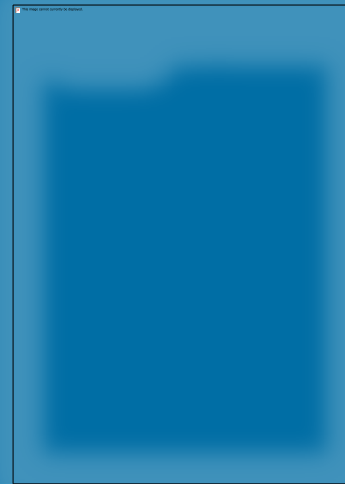
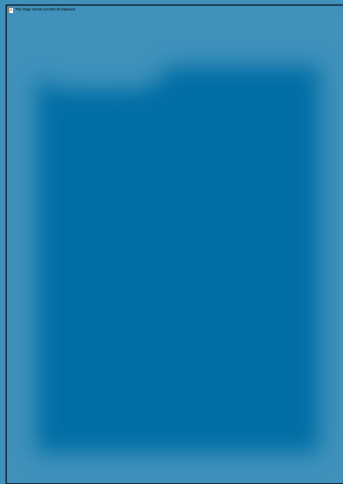
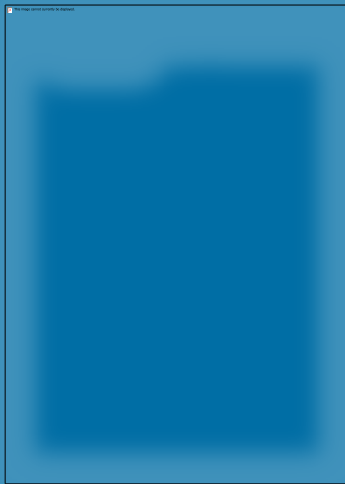
Comparative Rail Service Farebox Recovery Ratios



BETTER BART. BETTER BAY AREA.

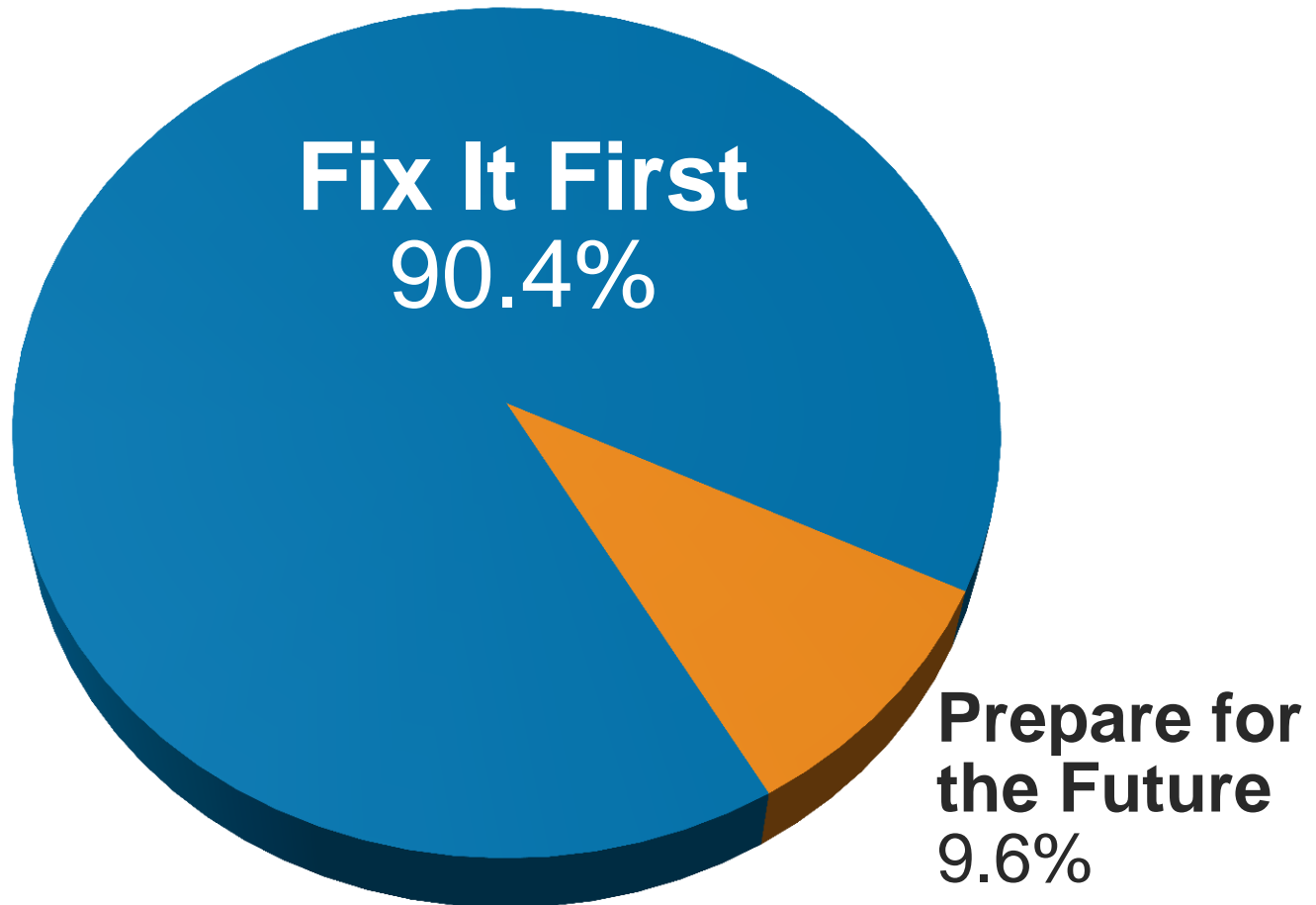


The \$3.5 Billion Draft Plan Improves:





CAPITAL FUNDING SHORTFALL

OVERVIEW OF THE \$3.5B DRAFT PLAN



“FIX IT FIRST” BOND

Two Major Plan Categories

Repair and replace critical safety infrastructure	\$3.165 B 90.4%	
Relieve crowding, reduce traffic congestion, & expand opportunities to safely access stations	\$335 M 9.6%	
Total	\$3.5 B	



SAFETY & RELIABILITY EXAMPLES

- Underground tunnel walls damaged by water intrusion
- San Francisco stations are below sea level
- Draft Plan fixes water issues & realignment of Berkeley Hills Tunnel

REPAIR & REPLACE CRITICAL SAFETY INFRASTRUCTURE (\$3.165 B)

	EXAMPLE PROJECTS	BOND FUNDS	REMAINING NEED
Renew track	<ul style="list-style-type: none"> • Replace 90 miles of rail • Rebuild interlockings 	\$625 M 18%	Fully funded
Renew power infrastructure	<ul style="list-style-type: none"> • Refurbish/replace substations • Replace backup power 	\$1.225 M 35%	50% unfunded
Repair tunnels and structures	<ul style="list-style-type: none"> • Repair water damage intrusion in Market Street tunnels • Repair Berkeley Hills Tunnel fault creep 	\$570 M 16%	66% unfunded
Renew mechanical infrastructure	<ul style="list-style-type: none"> • Refurbish/replace fire safety • Refurbish/replace repair shop 	\$135 M 3.8%	63% unfunded
Renew stations	<ul style="list-style-type: none"> • Invest in safety, security & reduce fare evasion • Repair/replace escalators 	\$210 M 6%	81% unfunded
Replace train control	<ul style="list-style-type: none"> • Modernize train control • Expand rail car storage and maintenance capacity 	\$400 M 11.4%	Fully funded



STATION ACCESS EXAMPLES

- Plan could create more parking options
- Plan could add more bike lockers/stations
- Plan could add wider gates for disabled
- Plan will mean more escalators/elevators for seniors, disabled & general public

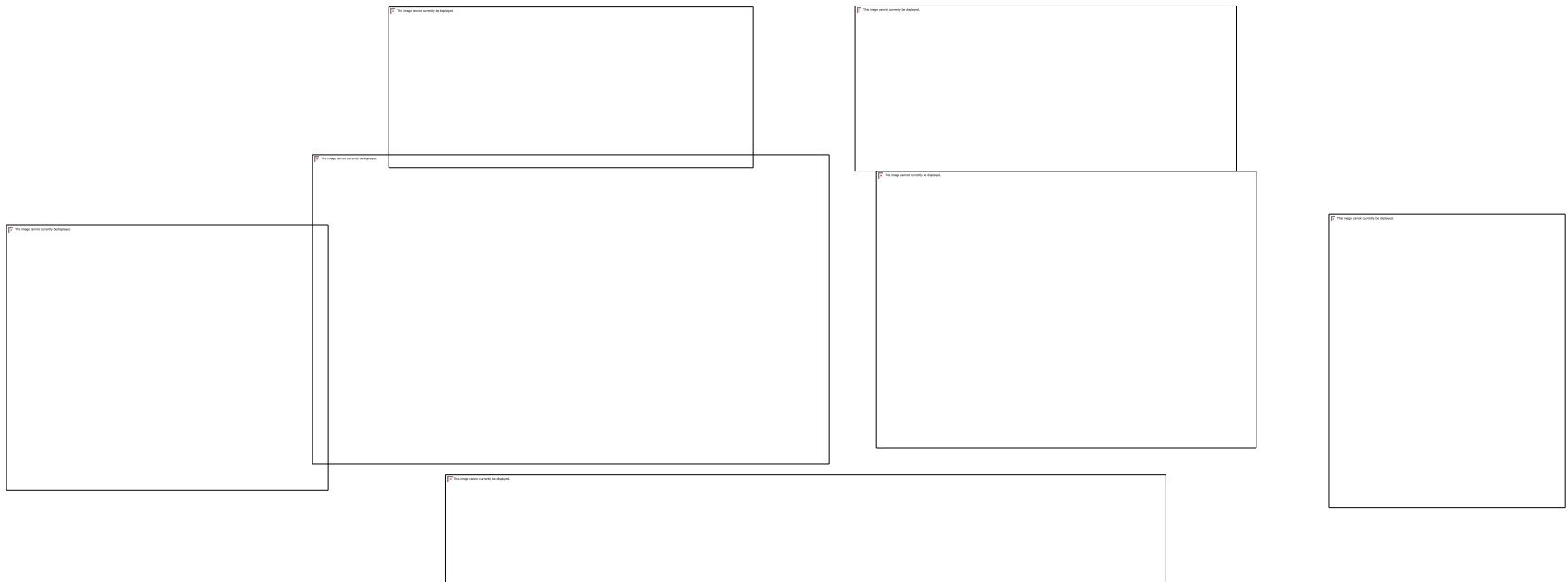
RELIEVE CROWDING, REDUCE TRAFFIC, & EXPAND OPPORTUNITIES TO SAFELY ACCESS STATIONS (\$335 M)

	EXAMPLE PROJECTS	BOND FUNDS	REMAINING NEED
Expand opportunities to safely access stations	<ul style="list-style-type: none"> • Enhance access for seniors/disabled • Improve parking availability/bike access 	<p>\$135 M 3.9%</p>	<p>57% unfunded</p>
Future crowding relief	<ul style="list-style-type: none"> • Add more crossovers • 2nd Transbay crossing 	<p>\$200 M 5.7%</p>	<p>N/A</p>

BART BOND OVERSIGHT COMMITTEE

COMPRISED OF SUBJECT MATTER EXPERTS

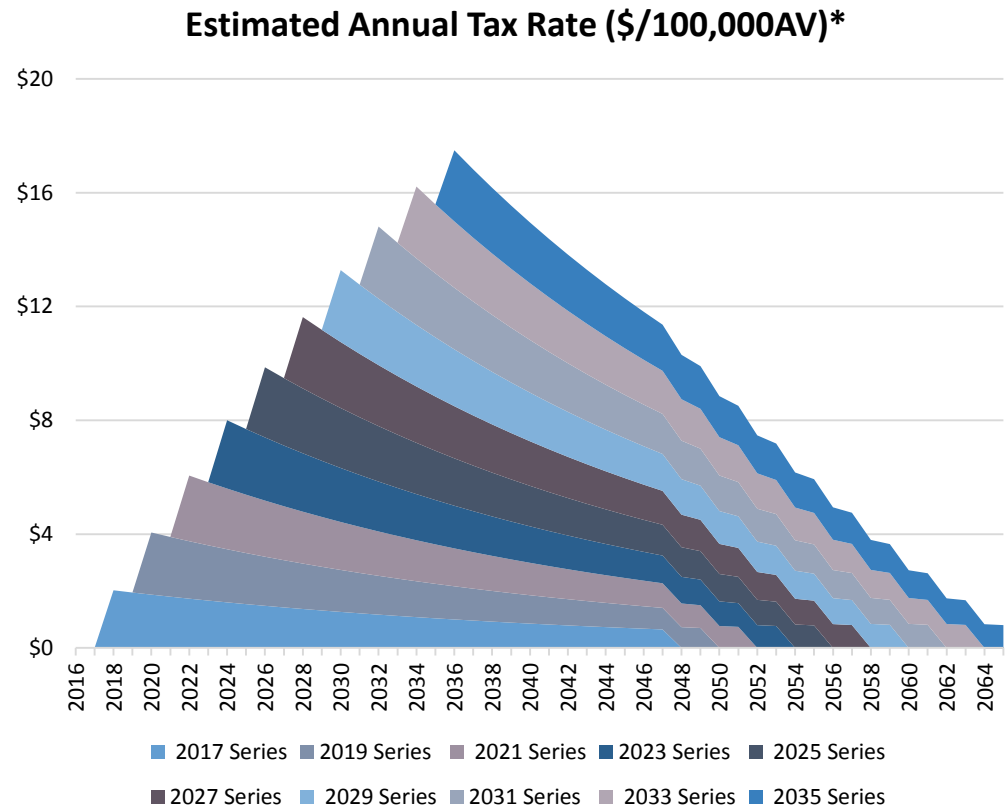
- Audit bond expenditures
- Ensure work is completed in accordance with the bond
- Publish an annual, public, independent report



BOND FINANCING & SCHEDULE

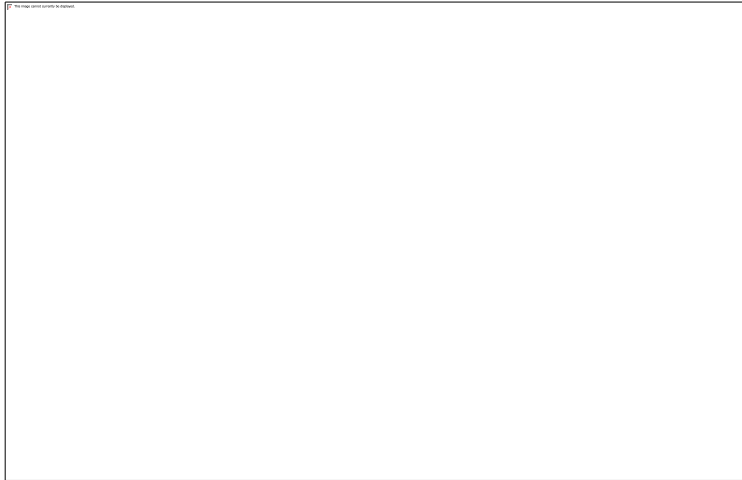
The bond measure is projected to cost between \$0.80 and \$17.49 per \$100,000 of a property's assessed value, for an average of \$8.98 per \$100,000 over the life of the bond.

	\$3.5 Billion
Total Par Amount	\$3,500,000,000
All-In True Interest Cost*	5.00%
Maximum Annual Debt Service*	\$227,689,000
Average Annual Debt Service*	\$142,299,625
Assumed AV Growth Rate*	4.00%
Maximum Tax Rate (\$/\$100,000 AV)*	\$17.49 (FY 2036)
Minimum Tax Rate (\$/\$100,000 AV)*	\$0.80 (FY 2065)
Average Tax Rate (\$/\$100,000 AV)*	\$8.98



THE PROBLEM

BART TRAIN CARS



**Current BART
Train Cars**



Fleet of the Future



RAIL CARS: REGIONAL APPROACH

Rail capital needs are a regional issue, requires a regional solution

- 306 additional rail cars for added capacity from new train control – \$1.6B
- BART, CCTA, ACTC, SFCTA and MTC are working together on an “Equal Share” contribution funding solution contingent on all parties providing funding shares
- BART’s bond legally **cannot** pay for rail cars

CONTRA COSTA COUNTY IMPROVEMENTS

1 ADDED TRAIN CAN REMOVE 2/3 LANE OF PEAK HOUR FREEWAY TRAFFIC

BART Line	Potential Capacity Increase	Peak Headway	
Pittsburg/Bay Point	15%-20%	4-5 minutes	
Richmond-SF	50%-80%	5 minutes	
Dublin/Pleasanton	50%-80%	4-5 minutes	

BENEFITS TO THE REGION

**30% more
trains**

Through the transbay tube
in the peak hour

**40% less
delays**

Projected reduction of
infrastructure-related delays

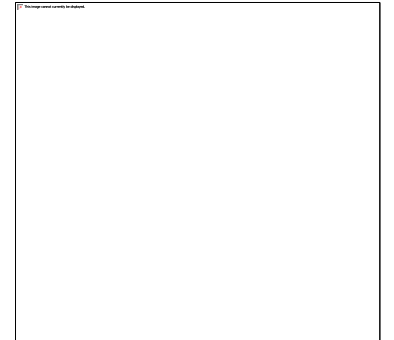
**8,500
fewer cars**

Crossing the Bay Bridge in
the peak hour

CONSEQUENCES OF INACTION

QUESTIONS?

**THANK
YOU!**



BART'S CONTINUOUS SYSTEM REINVESTMENT

Current Top Rates

	Train Operator	Station Agent	Maintenance	Track Worker
BART	34.14	34.14	40.21	34.14
WMATA	31.69	31.69	36.12	32.95
NY	34.51			
MUNI	31.46	40.70	41.83	
VTA	32.33		40.99	35.26

BART'S CONTINUOUS SYSTEM REINVESTMENT

- **75.67%** of BART Operating Costs Are Paid For By Customers
- **13 % VTA**
- **21 % MUNI**
- **35% MARTA**
- **62 % WMATA**
- **63% MTA NYC Transit**
(rail portion of service only)

OPERATIONS FUNDING TO BIG 3 CAPITAL

- **775 Rail Cars - \$2.6B**
- **Communications Based Train Control - \$915M**
- **Hayward Maintenance Complex Expansion - \$409M**
- **By completion date, BART will have allocated approx. \$865 million from operating budget to fund these critical projects.**

OPERATIONS FUNDING TO BIG 3 CAPITAL

\$186M allocated to date

\$865M anticipated future allocations

- 775 Rail Cars
- Communications Based Train Control
- Hayward Maintenance Complex Expansion

If BART Bond is unsuccessful, \$1.3 B will be needed from op budget for these critical projects

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