



TRANSPORTATION, WATER & INFRASTRUCTURE COMMITTEE

April 10, 2017
9:00 A.M.

651 Pine Street, Room 101, Martinez

Supervisor Diane Burgis, District III, Chair
Supervisor Karen Mitchoff, District IV, 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 February 13, 2017, 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. **RECEIVE report on the formation of a Contra Costa County Groundwater Sustainability Agency to undertake sustainable groundwater management via a Memorandum of Understanding and for the development of a Groundwater Sustainability Plan in the portion of the Tracy Subbasin within Contra Costa County.** (Ryan Hernandez, Department of Conservation and Development Water Agency)
6. **ACCEPT report from the Public Works Department on meeting Municipal Regional Permit 2.0 requirements and forward to the Board for approval.** (Mike Carlson, Department of Public Works)
7. **ACCEPT report from the Public Works Department on the submittal of a grant proposal application for the North Richmond Watershed Connections Project to the State Coastal Conservancy “Urban Greening San Francisco Bay Area” Proposition 1 Grant.** (John Steere, Department of Public Works).

8. **CONSIDER report on Local, State, and Federal Transportation Related Issues and take ACTION as appropriate.** (John Cunningham, Department of Conservation and Development)
9. **COMMUNICATION/News Clippings.** (John Cunningham, Department of Conservation and Development)
10. The next meeting is currently scheduled for Monday, May 8, 2017, 9:00 am.
11. 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:

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ABAG Association of Bay Area Governments	HOV High-Occupancy-Vehicle
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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: 04/10/2017
Subject: Administrative Items, if applicable.
Submitted For: TRANSPORTATION, WATER & INFRASTRUCTURE
COMMITTEE,
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: 04/10/2017

Subject: REVIEW record of meeting for February 13, 2017, Transportation, Water and Infrastructure Meeting.

Submitted For: TRANSPORTATION, WATER & INFRASTRUCTURE COMMITTEE,

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 February 13, 2017, Committee Meeting with any necessary corrections.

Fiscal Impact (if any):

N/A

Attachments

[02-13-17 TWIC Sign-In Sheet](#)

[02-13-17 TWIC Mtg Minutes](#)

[02-13-17 Handout - Turf Conversion](#)

[02-13-17 Handout - Advisory Council](#)

[02-13-17 TWIC Mtg Speaker Card](#)

Name	Representing	Phone #
John Cunningham Tanya Trille	TWIC/DCD IPM Program	925-334-3214
MARK WATTS	COUNTY ADVOCATE	916-476-5508
Alicia Nichols	Sup. Price Buying	925-252-4500
NANCY WEN STEPHEN KOWALEWOSKI	COPWD CCCPWD	925 313 2275 925-313-2225
TERRY FRANK Ryan Hernandez	CCCPWD CA Water Agency	925-313-2210 925-674-7824
Anne O Jonathan Bash	BOS DIV Bos D111	925-521-7100 925-252-4500
Debbie Toka Maureen TOMS	Choice in King CCC DCD	925-674-7878



TRANSPORTATION, WATER & INFRASTRUCTURE COMMITTEE

February 13, 2017

9:00 A.M.

651 Pine Street, Room 101, Martinez

Supervisor Diane Burgis, Chair
Supervisor Karen Mitchoff, Vice Chair

Agenda Items:

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

Present: Diane Burgis, Chair
Karen Mitchoff, Vice Chair

Attendees: Debbie Toth, Choice in Aging
Anne O, Office of Supervisor Karen Mitchoff
Alicia Nuchols, Office of Supervisor Diane Burgis
Jonathan Bash, Office of Supervisor Diane Burgis
Stephen Kowalewski, CCC PWD
Nancy Wein, CCC PWD
Jerry Fahy, CCC PWD
Tanya Drlik, IPM Program Mgr.
Mark Watts, County Advocate
Maureen Toms, CCC DCD
Ryan Hernandez, CCC DCD - Water Agency
John Cunningham, CCC DCD

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 December 8, 2016 Committee Meeting with any necessary corrections.

The Committee unanimously approved the meeting record.

5. DIRECT staff as appropriate.

Tanya Drlik, IPM Coordinator provided an overview of IPM activities. The Committee unanimously directed staff to: 1) continue reporting to TWIC and the full BOS annually, 2) provide information to TWIC regarding the cost of the Pittsburg Health Clinic Turf Conversion, 3) bring a report to the full BOS on the same, and 4) place signage at the Pittsburg Health Clinic explaining the water/money savings resulting from the conversion.

6. 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: 1) reach out to CCTA staff regarding potential timing, cost/funding source, of the proposed accessible transit study, 2) reach out to Senator Glazer's staff to set up a meeting regarding transportation funding, school siting, and delta issues (and provide necessary support materials to Supervisorial staff), and 3) report back on the results of the Iron Horse meeting on February 24th.

7. ACCEPT report on the impacts to County transportation projects from the declining State gas tax; DIRECT the Public Works Director to make modifications to the Capital Road Improvement and Preservation Program budget to reflect the reduced gas tax revenues; and ACKNOWLEDGE that unless the State approves a transportation funding fix, the projects currently recommended to be delayed, will be deferred indefinitely, road deferred maintenance will continue to increase and our aging transportation infrastructure will cost more to fix in the future.

The Committee unanimously accepted the report and approved staff recommendations and further directed staff to 1) bring the report to the full Board of Supervisors (and any necessary changes to the Capital Road Improvement and, Preservation Program) as a discussion item, and 2) provide report materials to District III and IV staff in preparation for the requested meeting with Senator Glazer.

8. REVIEW, REVISE as appropriate, and ADOPT the 2017 Calendar.

The Committee unanimously approved the calendar and further directed staff to populate the calendar with scheduled annual or anticipated discussion items.

9. CONSIDER recommendations on referrals to the Committee for 2017, REVISE as necessary, and take ACTION as appropriate.

The Committee unanimously approved the recommendations with the additions of: freight issues related to the Northern Waterfront (added to item #15), and the addition of navigation assistance apps (added to item #19), and further directed staff to bring the referral list to the full Board of Supervisors for approval.

10. RECEIVE communication and DIRECT staff as appropriate.

The Committee received the communication.

11. The next meeting is currently scheduled for **Monday, March 13, 2017**.

12. Adjourn

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John Cunningham, Committee Staff

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EBMUD East Bay Municipal Utility District	SWAT Southwest Area Transportation Committee
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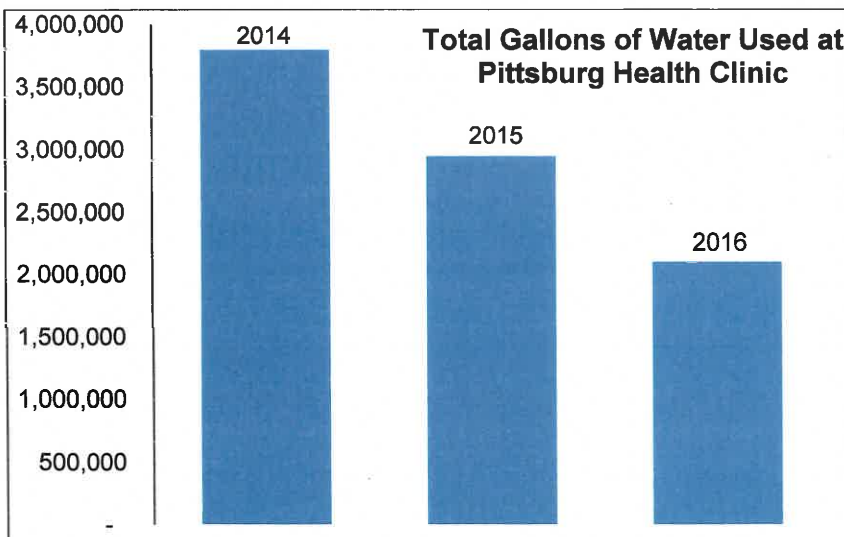
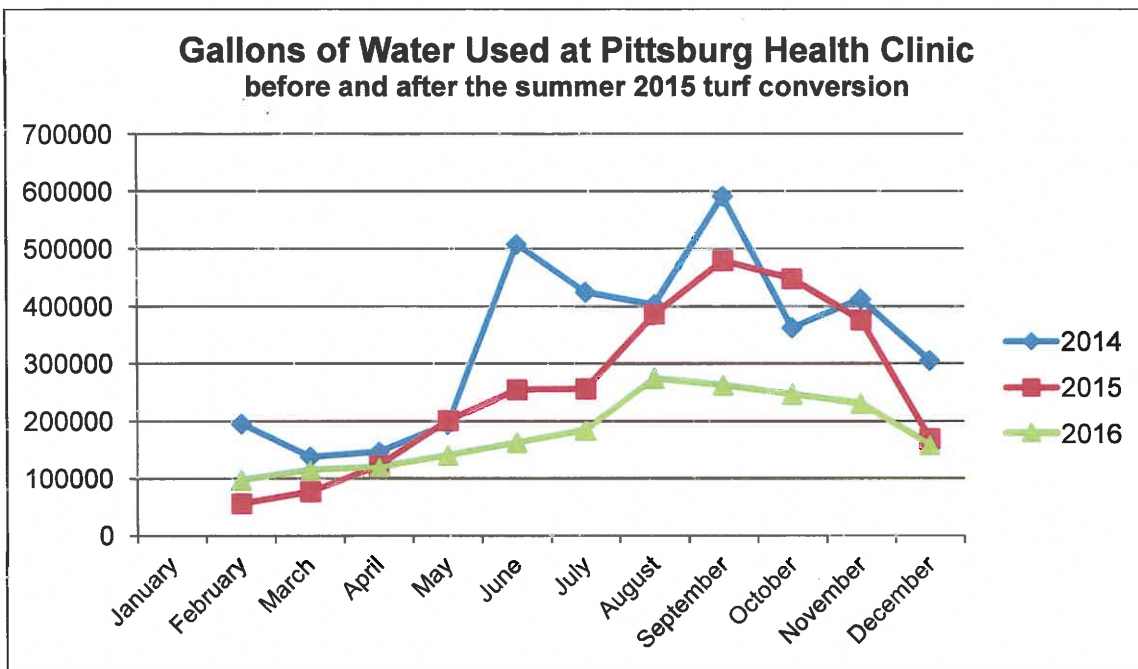
Pittsburg Health Clinic Turf Conversion Water Savings

Summer 2015: Grounds Division removed 70% of the turf at Pittsburg Health and replaced it with drought tolerant landscaping watered by drip irrigation.

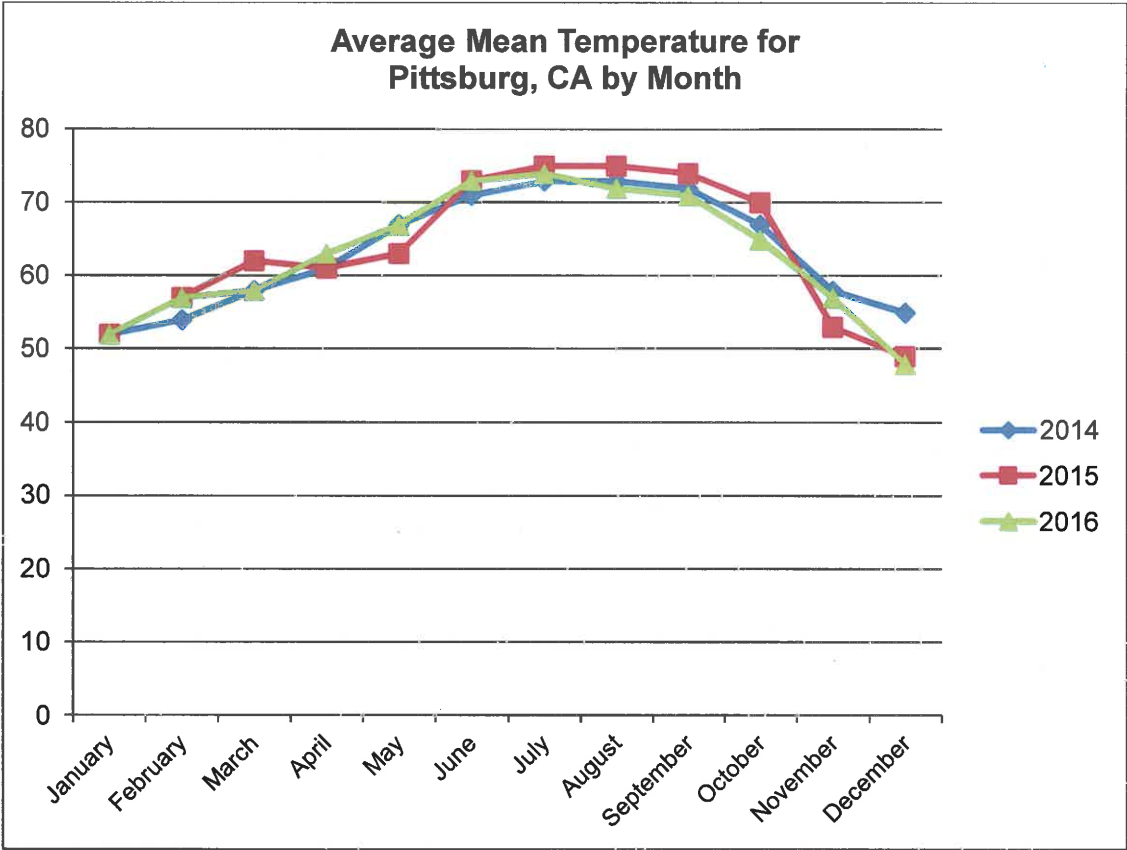
End of 2015: Pittsburg Health had saved approximately 852,000 gallons of water over that used in 2014 and \$3400 on their water bill.

End of 2016 Pittsburg Health had saved 1.7 million gallons of water and \$7700 on their water bill that year compared to 2014.

Benefits: 2.5 million gallons of water saved over 2 years
 \$11,120 saved over 2 years (enough to pay for the 2016 water bill)
 Cost savings will continue and will increase as water unit cost goes up.
 The County leads the way in conservation and serves as an example for its citizens.



The graph below charts the average mean temperature in Pittsburg over 3 years. Note that even though the summer of 2015 was hotter by 2 to 3 degrees in the months of June through October, the landscape renovation still saved water and money.





Advisory Council on Aging

400 Ellinwood Way ♦ Pleasant Hill, CA 94523 ♦ (925) 602-4172 ♦ Fax (925) 602-4178

December 21, 2016

John Cunningham
Principal Planner
Contra Costa County
Department of Conservation and Development
30 Muir Road, Martinez, CA 94553

Re: Transportation Infrastructure Funding/Measure X

Dear Committee Members:

The Contra Costa County Advisory Council on Aging finds the failure of Measure X to be of great concern to the aging community. Inattention to transportation maintenance projects and infrastructure development will demand the attention of the Board of Supervisors Transportation, Water and Infrastructure Committee in the near future due to the growth and congestion of Bay Area traffic. Seniors who rely on public transportation to avoid the costs and/or stress of driving, or who are managing medical/ambulatory issues which preclude the use of a private automobile, need access to transportation that will allow them to remain independent in their home and community. Access to safe and efficient public transportation is not only the hallmark of an age friendly community but an ecologically minded community as well. We can do better to protect the human, economic and ecological interests of our community. Addressing the dated and potentially unsafe issues now allows healthy movement for all members of the community to be productive and engaged citizens.

Roughly one in five residents in Contra Costa County is over the age of 60. By 2030 that figure will be roughly one in four residents, or 25% of the population. This emerging older adult demographic and constituency must be planned for through access to safe and reliable transportation.

We hope the Committee promotes mobility options and improvements for local seniors and adults who have a disability. The Advisory Council would like to work with you to help craft future plans and learn what we can do to support securing additional funding.

Regards,

President
Gerald Richards
President

RECEIVED
JAN 04 2016

BY:

Cc: CCTA

Contra Costa County Advisory Council on Aging is appointed by the Board of Supervisors to advise the Area Agency on Aging on all matters related to the development and administration of the annual Area Agency Plan and operations conducted thereunder, in accordance with mandates from the Older Americans Act. Any comments or recommendations made by the council or its individual members do not represent the official position of the County or any of its officers.

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: 7
Name: Deldore Toth
Address: 490 Golf Club Rd.
City: Pleasant Hill State: CA Zip Code: 94523
Telephone Number: 652-6330 (Optional)



Contra Costa County Board of Supervisors

Subcommittee Report

TRANSPORTATION, WATER & INFRASTRUCTURE COMMITTEE

5.

Meeting Date: 04/10/2017

Subject: RECEIVE Report on Establishing a Contra Costa County Groundwater Sustainability Agency

Submitted For: TRANSPORTATION, WATER & INFRASTRUCTURE COMMITTEE,

Department: Conservation & Development

Referral No.: 6

Referral Name: Sustainable Groundwater Management Act

Presenter: Ryan Hernandez, DCD Water Agency **Contact:** Ryan Hernandez
(925)674-7824

Referral History:

The Committee received a report on the County's participation in the development of a Groundwater Sustainability Agency and a Groundwater Sustainability Plan within the Tracy Subbasin to comply with the Sustainable Groundwater Management Act in March of 2016.

Referral Update:

In September 2014, the California Legislature enacted the Sustainable Groundwater Management Act of 2014 (SGMA), which established a statewide framework for the sustainable management of groundwater resources. That framework focuses on granting new authorities and responsibility to local agencies while holding those agencies accountable. The framework also provides for state intervention where a local agency fails to develop a groundwater sustainability plan in a timely manner.

SGMA requires all high-priority and medium-priority groundwater basins, as designated by the California Department of Water Resources (DWR), be managed by a Groundwater Sustainability Agency (GSA). A local public agency, or combination of local public agencies overlying a designated basin, may become a GSA if the agency(ies) has(ve) water supply, water management, or land use responsibilities within a groundwater basin. A combination of local public agencies may form a GSA by way of Joint Exercise of Powers Agreement, a Memorandum of Understanding, or other legal document. (Wat. Code, §§ 10723(a), 10723.6.) SGMA provides that if no public agency becomes the GSA for a portion of the underlying basin, the County becomes the GSA by default unless it takes action to decline the responsibility in which case the State would regulate.

The Tracy Subbasin is referred to as DWR Basin 5-22.15, San Joaquin Valley and is shown on Exhibit A of Attachment 1. The Tracy Subbasin is located in eastern Contra Costa County, as well as San Joaquin County and Alameda County, and is a medium-priority groundwater basin.

SGMA sets deadlines for the formation of GSAs and the adoption of Groundwater Sustainably Plan (GSPs) which, if not met, will allow the State to intervene. By June 30, 2017, all high-priority or medium-priority groundwater basins are required to have a single GSA or multiple GSAs that cover the entire basin. All high-priority or medium-priority groundwater basins must adopt a single GSP or a coordinated set of GSPs by January 31, 2022.

On April 12, 2016, the Board declared its intent to become a member of a Groundwater Sustainability Agency (GSA) for the portion of the Tracy Subbasin within Contra Costa County (CCC) and sustainably manage groundwater resources within the County in compliance of the SGMA.

The Board's decision in April 2016 contemplated a single GSA collectively managed by the County, Cities of Antioch and Brentwood, Byron-Bethany Irrigation District, Contra Costa Water District, Diablo Water District, East Contra Costa Irrigation District and the Discovery Bay Community Services District. However, as interagency discussions continued it was determined that the creation of individual GSAs coordinated through a memorandum of understanding was more appropriate initially in order to avoid creating a new legal entity before a GSP had even been drafted. During development of the GSP the parties will revisit the governance structure.

The East County entities have prepared a draft Memorandum of Understanding (MOU) for the development of a single Groundwater Sustainability Plan, Attachment 1, with the intent that each GSA will adopt the same GSP. The purpose of this MOU is to coordinate the above entities activities related to each party becoming a GSA, development of the GSP for the Tracy Subbasin within CCC and each entity's future consideration of whether to adopt the GSP. The MOU provides that the ultimate governance structure will be reassessed during development of the GSP. The GSAs in the portion of the Tracy Subbasin within Contra Costa County are shown on Exhibit B of Attachment 1.

From the start, the County preferred to collaborate in an effort to ensure sustainable groundwater management, manage the groundwater basin as efficiently as practicable balancing financial resources, while retaining the County's existing land use and groundwater management authority. The MOU accomplishes these goals for the period during which the GSP is prepared. The MOU states the GSP will be drafted in a manner that preserves land use authority of each city or county, or the statutory authority of each special district. It also states the GSP must include provisions for consultation between a GSA and any public agency that the GSA overlaps before the GSA takes any action that may relate to the public agency's exercise of its statutory authority.

Recommendation(s)/Next Step(s):

DISCUSS report on the formation of a Contra Costa County Groundwater Sustainability Agency to undertake sustainable groundwater management in the portion of the Tracy Subbasin within Contra Costa County and CONSIDER recommending the Board conduct a public hearing on April 25, 2017 to consider Contra Costa County's decision to become a Groundwater Sustainability Agency for a portion of the Tracy Subbasin within Contra Costa County excluding the areas of the Cities of Antioch and Brentwood, Byron Bethany Irrigation District, Diablo Water District, Discovery Bay Community Services District and East Contra Costa Irrigation District and AUTHORIZE the Conservation and Development Director, or designee, to execute the Memorandum of Understanding and enter into an agreement with East Contra Costa County member agencies that will develop a Groundwater Sustainability Plan for the portion of the Tracy Subbasin within Contra Costa County.

Fiscal Impact (if any):

To date, the Department of Conservation and Development has prepared the maps for the cooperating entities use and the Contra Costa County Water Agency has participated in the preparation of the MOU, prepared staff reports and supporting materials for the Board's consideration in this matter. The outside technical/consultant costs associated with developing the Groundwater Sustainability Plan will be shared equally among the eight parties. However, the County, at its sole discretion, may satisfy its share of GSP costs by providing in-kind services, which may include additional mapping, graphics, and database management services. Other Departments have regulatory authority and/or expertise relevant to the issue, have been involved to date, will likely be involved in the future (e.g. Environmental Health Division) and their involvement may contribute to the County's in-kind services. All in-kind services will be accomplished through existing staff resources and no augmentation to current budget levels is anticipated.

Attachments

Att 1 Draft GSA MOU

1 MEMORANDUM OF UNDERSTANDING
2

3 **Development of a Groundwater Sustainability Plan**
4 **for the East Contra Costa County Portion of the**
5 **Tracy Subbasin, (DWR Basin 5-22.15, San Joaquin Valley)**
6

7 This Memorandum of Understanding for the Development of a Groundwater
8 Sustainability Plan for the East Contra Costa County portion of the Tracy Subbasin, (DWR Basin
9 5-22.15, San Joaquin Valley) (“MOU”) is entered into and effective this ____ day of
10 _____, 2017 (“Effective Date”) by and among the City of Antioch (“Antioch”),
11 City of Brentwood (“Brentwood”), Byron-Bethany Irrigation District (“BBID”), Contra Costa
12 Water District (“CCWD”), Contra Costa County (“County”), Diablo Water District (“DWD”),
13 East Contra Costa Irrigation District (“ECCID”), and Discovery Bay Community Services
14 District (“Discovery Bay”). Each of the foregoing parties to this MOU is sometimes referred to
15 herein as a “Party” and are collectively sometimes referred to as the “Parties.”

16 Recitals

17 A. In September 2014, the California Legislature enacted the Sustainable Groundwater
18 Management Act of 2014 (“SGMA”), which established a statewide framework for the
19 sustainable management of groundwater resources. That framework focuses on granting new
20 authorities and responsibility to local agencies while holding those agencies accountable. The
21 framework also provides for state intervention where a local agency fails to develop a
22 groundwater sustainability plan in a timely manner.

23 B. The Tracy Subbasin (“**Basin**”) is referred to as DWR Basin 5-22.15, San Joaquin Valley
24 and is shown on the map attached hereto as Exhibit A and incorporated herein by reference as if
25 set forth in full. The Tracy Subbasin is located in eastern Contra Costa County and in San
26 Joaquin County, and Alameda County. The portion of the Basin within Contra Costa County is
27 referred to herein as the “**East CC Basin**,” the portion of the Basin within San Joaquin County is
28 referred to herein as the “**SJ Basin**,” and the portion of the Basin within Alameda County is
29 referred to herein as the “**Alameda Basin**.” The Parties collectively overlie all of the East CC
30 Basin.

31 C. Under SGMA, one or more local agencies may form a groundwater sustainability agency
32 (“**GSA**”), by memorandum of agreement, joint exercise of powers agreement, or other
33 agreement. (Wat. Code, §§ 10723(a), 10723.6.) The Parties desire for each Party to be the GSA
34 within all or a portion of that Party’s boundary. The Parties further desire to develop a
35 governance structure for the East CC Basin to be considered during development of the
36 groundwater sustainability plan (a “**GSP**”) for the East CC Basin (the “**East CC Basin GSP**”).
37 The Parties further desire to resolve areas of jurisdictional overlap so that no two Parties serve as
38 GSAs over the same area. The purpose of this MOU is to coordinate the Parties’ activities
39 related to each Party becoming a GSA, development of the East CC Basin GSP, and each Party’s
40 future consideration of whether to adopt a GSP for the East CC Basin.

41 D. The Parties wish to collaborate in an effort to ensure sustainable groundwater
42 management for the East CC Basin, manage the groundwater basin as efficiently as practicable
43 balancing the financial resources of the agencies with the principles of effective and safe
44 groundwater management, while retaining groundwater management authority within their
45 respective jurisdictions. The Parties desire to share responsibility for East CC Basin

46 management under SGMA. The Parties recognize that the key to success in this effort will be
47 the coordination of activities under SGMA, and the collaborative development of the East CC
48 Basin GSP, which each Party may consider adopting and implementing within its GSA
49 management area. The Parties also will need to confer with GSAs for the SJ Basin and Alameda
50 Basin regarding the terms of an agreement that coordinates the East CC Basin GSP with the
51 GSP(s) of the GSA(s) for the SJ Basin and the Alameda Basin.

52 E. The Basin has been designated by the California Department of Water Resources
53 (“DWR”) as a medium-priority groundwater basin, which, under the terms of SGMA, means that
54 the Parties must submit an East CC Basin GSP to DWR by January 31, 2022.

55 F. The Parties wish to memorialize their commitments by means of this MOU.

56 Understandings

57 1. *Term.* The term of this MOU begins on the Effective Date, which shall occur upon
58 execution of this MOU by all eight of the parties, and this MOU shall remain in full force
59 and effect until the earliest of the following events: (i) January 31, 2022, (ii) the date
60 upon which the Parties submit an East CC Basin GSP to DWR, or (iii) the date upon
61 which the Parties then party to the MOU execute a document jointly terminating the
62 provisions of this MOU. An individual Party’s obligations under this MOU terminate
63 when the Party withdraws from the MOU in accordance with Section 4.

64 2. *Development of the GSP*

65 a. *Parties to Become GSAs.* Each Party, except Contra Costa Water District, agrees
66 to take the necessary actions to become the GSA for all or a portion of that area of
67 the East CC Basin that it overlies, as shown on Exhibit B, attached hereto, no later

68 than April 1, 2017, or shortly thereafter. The Parties shall jointly submit the
69 Parties' individual elections to become GSAs and this MOU to DWR prior to
70 April 1, 2017, or shortly thereafter. The Parties further agree to develop a
71 governance structure for the East CC Basin to be considered during development
72 of the East CC Basin GSP

73 b. *Single GSP.* The Parties will collaborate to develop a single East CC Basin GSP
74 that, at a minimum, satisfies the GSP requirements in the SGMA and the
75 regulations promulgated under the SGMA. The East CC Basin GSP must include
76 an analysis of implementation costs and revenue sources, and must include an
77 analysis of governance structure options. The East CC Basin GSP shall be drafted
78 in a manner that preserves, and does not purport to supersede, the land use
79 authority of each city or county, or the statutory authority of each special district,
80 that is a party to this MOU. The East CC Basin GSP must include provisions for
81 consultation between a GSA and any public agency that the GSA overlaps before
82 the GSA takes any action that may relate to that public agency's exercise of its
83 statutory authority. Unless the Parties later agree otherwise, it is intended that the
84 East CC Basin GSP will be implemented by each Party within its respective GSA
85 management area, and that the Parties will coordinate their implementation of the
86 East CC Basin GSP. The Parties will endeavor to negotiate terms of an
87 agreement with the GSA(s) for the SJ Basin and the Alameda Basin, to ensure
88 that the East CC Basin, SJ Basin, and Alameda Basin GSAs' GSP(s) are
89 coordinated consistent with the SGMA. If the terms of that MOU are negotiated,
90 the Parties will ask their governing bodies to consider approving the MOU.

91 c. *Overlap Areas.* Solely for the purpose of complying with the SGMA requirement
92 that GSA management areas not overlap, the Parties agree that there are no
93 overlapping GSA management areas, as shown on Exhibit B. This MOU does not
94 purport to limit any Party’s legal authority to utilize and deliver groundwater or
95 surface water throughout its jurisdictional boundary (as may be amended from
96 time-to-time), which may include area outside of a Party’s management area
97 shown on Exhibit B.

98 d. *Cooperation of Efforts.* The Parties will designate staff who will endeavor to
99 meet monthly or more frequently if necessary to develop the terms of the East CC
100 Basin GSP in an expeditious manner.

101 e. *Financing .*

102 (1) The outside technical/consultant costs associated with developing the East CC
103 Basin GSP (“GSP Costs”) will be shared equally among the Parties. However,
104 the County, at its sole discretion, may satisfy its share of GSP Costs by providing
105 in-kind services, which may include mapping, graphics, and database
106 management services.

107 (2) The \$118,300 contract with Luhdorff and Scalmanini dated April 1, 2015, for
108 SGMA technical support has been paid one-fifth each by BBID, Brentwood,
109 DWD, ECCID and Discovery Bay. Antioch and CCWD agree that within 60 days
110 of the effective date of this MOU, they shall reimburse BBID, Brentwood, DWD,
111 ECCID and Discovery Bay each \$3,380 in order to reallocate the \$118,300
112 contract cost into one-seventh portions.

113 f. *Approval of the GSP.* The Parties agree that the East CC Basin GSP will become
114 effective for each Party when all of the Parties adopt the East CC Basin GSP.

115 3. *Savings Provisions.* This MOU shall not operate to validate or invalidate, modify or
116 affect any Party's water rights or any Party's obligations under any agreement, contract
117 or memorandum of understanding/agreement entered into prior to the effective date of
118 this MOU. Nothing in this MOU shall operate to convey any new right to groundwater to
119 any Party. Each Party to this MOU reserves any and all claims and causes of action
120 respecting its water rights and/or any agreement, contract or memorandum of
121 understanding/agreement; any and all defenses against any water rights claims or claims
122 under any agreement, contract or memorandum of understanding/agreement.

123 4. *Withdrawal.* Any Party shall have the ability to withdraw from this MOU by providing
124 sixty (60) days written notice of its intention to withdraw. Said notice shall be given to
125 each of the other Parties.

126 a. A Party shall not be fiscally liable for expenditures following its withdrawal from
127 this MOU, provided that the Party provides written notice at least sixty (60) days
128 prior to the effective date of the withdrawal. A withdrawal shall not terminate, or
129 relieve the withdrawing Party from, any express contractual obligation to another
130 Party to to this MOU or to any third party incurred or encumbered prior to the
131 withdrawal.

132 b. In the event of a Party's withdrawal, this MOU shall continue in full force and
133 effect among the remaining Parties. Further, a Party's withdrawal from this MOU
134 does not, without further action by that Party, have any effect on the withdrawing
135 Party's decision to be a GSA. A withdrawing Party shall coordinate the

136 development of its groundwater sustainability plan with the other Parties to this
137 MOU.

138 5. *CEQA*. Nothing in this MOU commits any Party to undertake any future discretionary
139 actions referenced in this MOU, including but not limited to electing to become a GSA
140 and adopting the East CC Basin GSP. Each Party, as a lead agency under the California
141 Environmental Quality Act (“CEQA”), shall be responsible for complying with all
142 obligations under CEQA that may apply to the Party’s future discretionary actions
143 pursuant to this MOU, including electing to become a GSA and adopting the East CC
144 Basin GSP.

145 6. *Books and Records*. Each Party shall have access to and the right to examine any of the
146 other Party’s pertinent books, documents, papers or other records (including, without
147 limitation, records contained on electronic media) relating to the performance of that
148 Party’s obligations pursuant to this Agreement, *providing that* nothing in this paragraph
149 shall be construed to operate as a waiver of any applicable privilege and *provided further*
150 that nothing in this paragraph shall be construed to give either Party rights to inspect the
151 other Party’s records in excess of the rights contained in the California Public Records
152 Act.

153 7. *General Provisions*

154 a. *Authority*. Each signatory of this MOU represents that s/he is authorized to
155 execute this MOU on behalf of the Party for which s/he signs. Each Party
156 represents that it has legal authority to enter into this MOU and to perform all
157 obligations under this MOU.

180 severable. However, in lieu thereof, there shall be added a provision as similar in
181 terms to such illegal, invalid or unenforceable provision as may be possible and
182 be legal, valid and enforceable.

183 h. *Waivers.* Waiver of any breach or default hereunder shall not constitute a
184 continuing waiver or a waiver of any subsequent breach either of the same or of
185 another provision of this MOU and forbearance to enforce one or more of the
186 remedies provided in this MOU shall not be deemed to be a waiver of that
187 remedy.

188 i. *Necessary Actions.* Each Party agrees to execute and deliver additional
189 documents and instruments and to take any additional actions as may be
190 reasonably required to carry out the purposes of this MOU.

191 j. *Compliance with Law.* In performing their respective obligations under this
192 MOU, the Parties shall comply with and conform to all applicable laws, rules,
193 regulations, and ordinances.

194 k. *Liability.* Each Party agrees to indemnify and hold every other Party to the
195 Agreement, and their officers, agents and employees, free and harmless from any
196 costs or liability imposed upon any other Party, officers, agents, or employees
197 arising out of any acts or omissions of its own officers, agents or employees.

198 l. *Third Party Beneficiaries.* This MOU shall not create any right or interest in any
199 non-Party or in any member of the public as a third party beneficiary.

200 m. *Counterparts.* This MOU may be executed in one or more counterparts, each of
201 which shall be deemed to be an original, but all of which together shall constitute
202 but one and the same instrument.

203 n. *Notices.* All notices, requests, demands or other communications required or
204 permitted under this MOU shall be in writing unless provided otherwise in this
205 MOU and shall be deemed to have been duly given and received on: (i) the date
206 of service if served personally or served by electronic mail or facsimile
207 transmission on the Party to whom notice is to be given at the address(es)
208 provided below, (ii) on the first day after mailing, if mailed by Federal Express,
209 U.S. Express Mail, or other similar overnight courier service, postage prepaid, and
210 addressed as provided below, or (iii) on the third day after mailing if mailed to the
211 Party to whom notice is to be given by first class mail, registered or certified,
212 postage prepaid, addressed as follows:

213

214 **City of Antioch**

215 City Manager

216 P.O. Box 5007

217 Antioch, CA 94531-5007

218 Telephone: (925) 779-7011

219 Facsimile: (925) 779-7003

220

221

222

223 **City Of Brentwood**
224 City Manager
225 150 City Park Way
226 Brentwood, CA 94513
227 Phone: (925) 516-5400
228 Fax: (925) 516-5441

229
230 **Byron Bethany Irrigation District**
231 General Manager
232 7995 Bruns Road
233 Byron, CA 94514-1625
234 Telephone: (209) 835-0375
235 Facsimile: (209) 835-2869

236
237
238 **Contra Costa Water District**
239 General Manager
240 Contra Costa Water District
241 P. O. Box H20
242 Concord, CA 94524
243 Phone (925) 688-8032
244 Fax (925) 688-8197

245
246

247

248

Contra Costa County

249

Director, Department of Conservation and Development

250

30 Muir Road

251

Martinez, CA 94553

252

Phone (925) 674-7866

253

254

Diablo Water District

255

Attn: General Manager

256

P.O. Box 127

257

87 Carol Lane

258

Oakley, CA 94561

259

Phone: (925) 625-3798

260

Fax: (925) 625-0814

261

262

263

East Contra Costa Irrigation District

264

General Manager

265

1711 Sellers Avenue

266

Brentwood, CA 94513

267

Phone: (925) 634-3544

268

Fax: (925) 634-0897

269

270

271 **Discovery Bay Community Services District**

272 C/O: Mike Davies, General Manager

273 1800 Willow Lake Road

274 Discovery Bay, CA 94505-9376

275 Telephone: (925) 634-1131

276 Facsimile: (925) 513-2705

277

278 8. Signatures. The Following signatures attest each Party’s agreement hereto.

279 **CITY OF ANTIOCH**

280

281 By: _____ Date: _____

282 Ron Bernal, Interim City Manager

283 APPROVED AS TO FORM:

284

285 By: _____ Date: _____

286 Michael Vigilia, City Attorney

287

288 **CITY OF BRENTWOOD**

289

290 By: _____ Date: _____

291 Gustavo “Gus” Vina, City Manager

292

293 APPROVED AS TO FORM:

294

295 By: _____ Date: _____

296 Damien Brower, City Attorney

297

298 **BYRON BETHANY IRRIGATION DISTRICT**

299

300 By: _____

Date: _____

301 Rick Gilmore, General Manager

302

303 **CONTRA COSTA WATER DISTRICT**

304

305 By: _____

Date: _____

306 Jerry Brown, General Manager

307

308 APPROVED AS TO FORM:

309

310 By: _____

Date: _____

311 District Legal Counsel

312

313 **CONTRA COSTA COUNTY**

314

315 By: _____

Date: _____

316 John Kopchik, Director of

317 Conservation and Development

318 APPROVED AS TO FORM:

319 Sharon L. Anderson, County Counsel

320

321 By: _____

Date: _____

322 Deputy County Counsel

323

324 **DIABLO WATER DISTRICT**

325

326 By: _____

Date: _____

327 Mike Yeraka, General Manager

328

329 **EAST CONTRA COSTA IRRIGATION DISTRICT**

330

331 By: _____ Date: _____

332 Patricia A. Corey, General Manager

333

334 **DISCOVERY BAY COMMUNITY SERVICES DISTRICT**

335

336 By: _____ Date: _____

337 Michael R. Davies, General Manager

Exhibit A - Contra Costa County Groundwater Sustainability Agency Formation

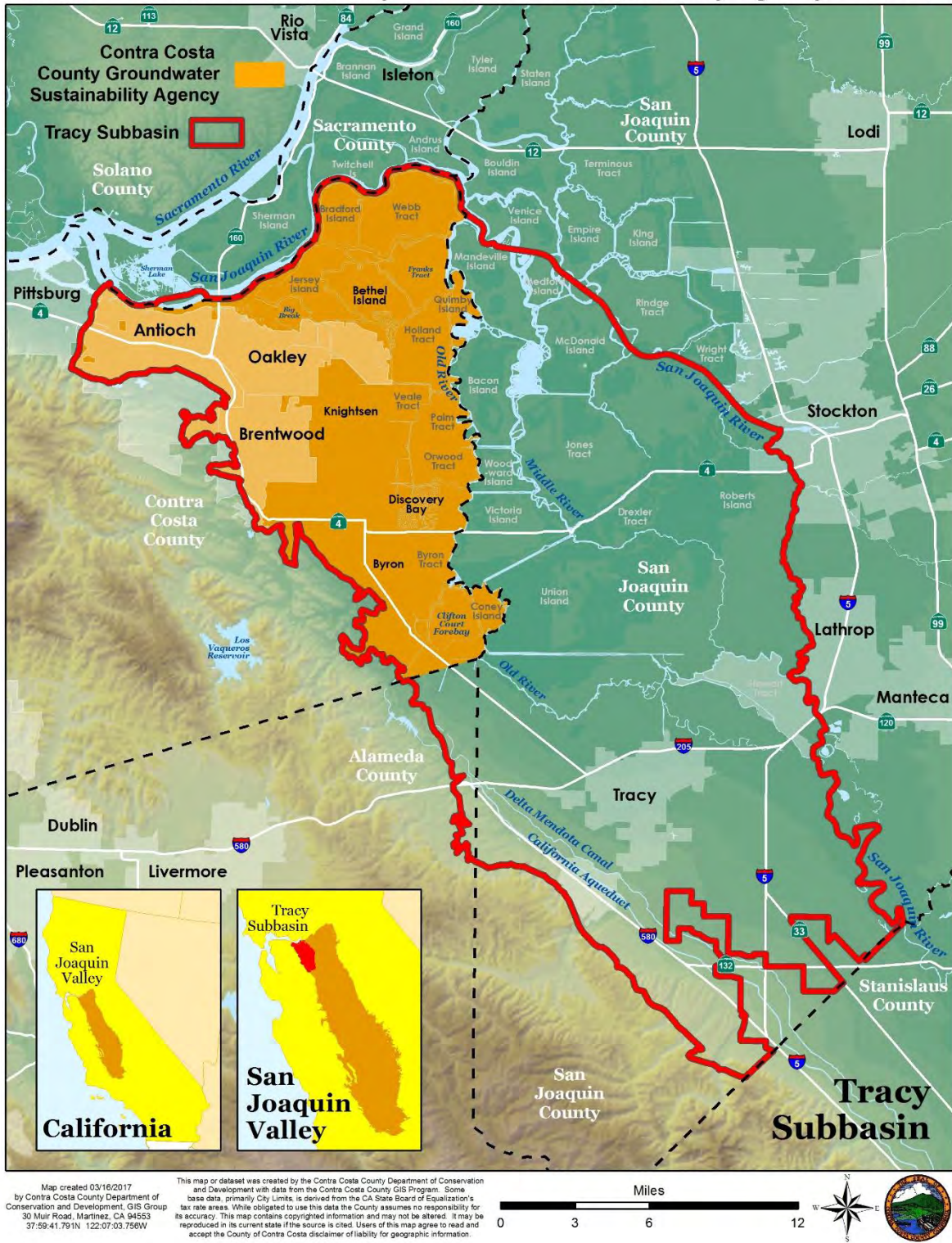
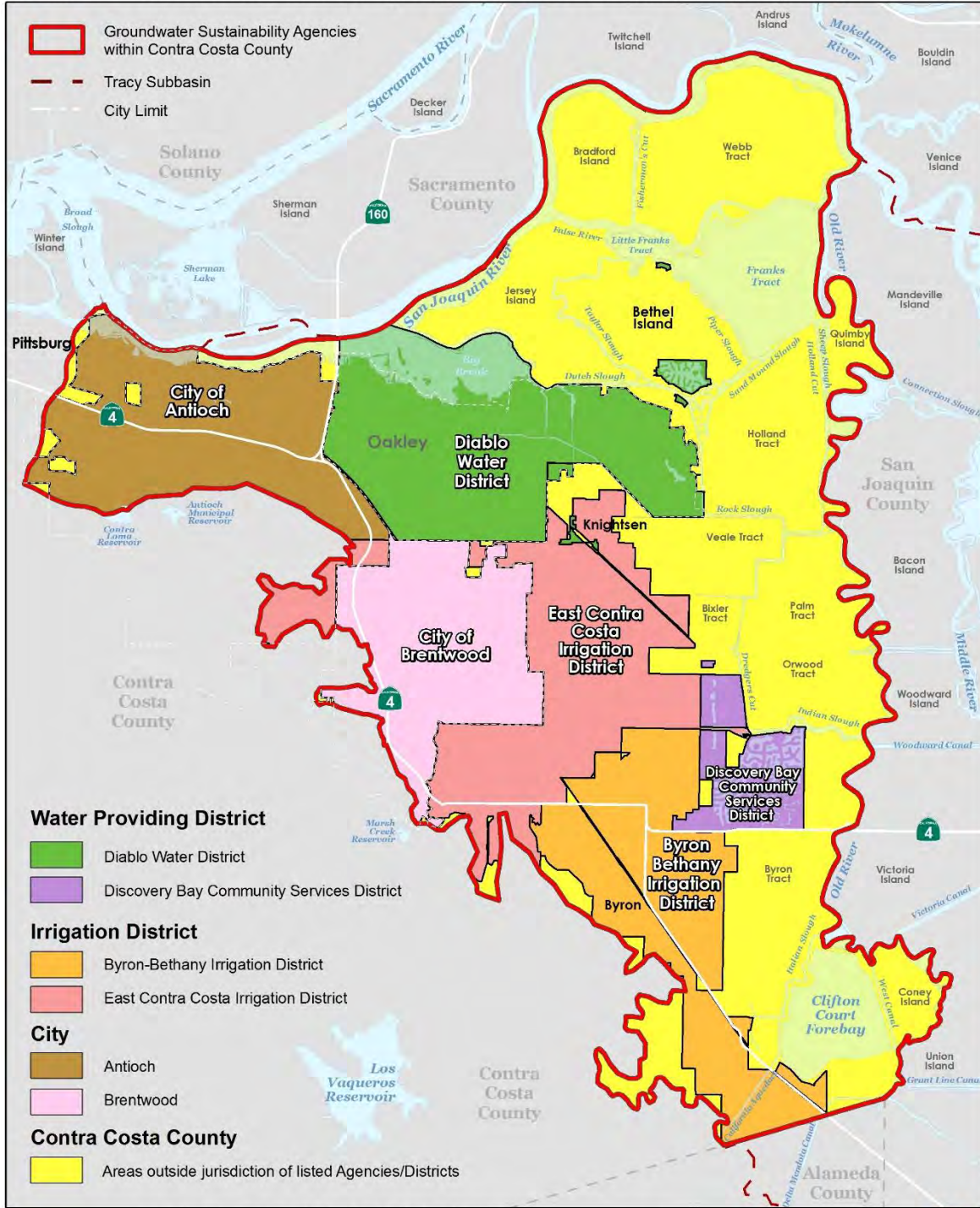


Exhibit B - Contra Costa County Groundwater Sustainability Agency Formation



Map created 03/16/2017 by Contra Costa County Department of Conservation and Development, GIS Group 30 Main Road, Martinez, CA 94553 37.5641, 78.14 122.0733, 756W

This map or dataset was created by the Contra Costa County Department of Conservation and Development with data from the Contra Costa County GIS Program. Some base data, primarily City Limits, is derived from the CA State Board of Equalization's tax rate areas. While obligated to use this data the County assumes no responsibility for its accuracy. This map contains copyrighted information and may not be altered. It may be reproduced in its current state if the source is cited. Users of this map agree to read and accept the County of Contra Costa disclaimer of liability for geographic information.





Contra Costa County Board of Supervisors

Subcommittee Report

TRANSPORTATION, WATER & INFRASTRUCTURE COMMITTEE

6.

Meeting Date: 04/10/2017

Subject: Accept report from the Public Works Department on meeting Municipal Regional Permit 2.0 requirements and forward to the Board for approval.

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: Mike Carlson, PWD (925)313-2321 **Contact:** Cece Sellgren, PWD (925)313-2296

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 in November 2015. 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 County's Stormwater Program. In 2015, the last year of the MRP 1.0 permit, compliance costs exceeded the annual revenue of assessment funds and the surplus was virtually gone.

On June 9, 2016, the Committee accepted a report on the policy implications of the MRP 2.0. That was the first of three reports to be developed on the topic. The second report, presented at the October 13, 2016 Committee meeting, outlined the financial implications of implementing the new Municipal Regional Permit 2.0.

This third report provides two budget scenarios, one compliance based in the other resource-based, and includes staff recommendations to implement MRP 2.0.

Recommendation(s)/Next Step(s):

ACCEPT report on implementing the new Municipal Regional Permit 2.0, CONSIDER staff's recommendations, PROVIDE direction on which budget to pursue, and FORWARD this report to the full Board for consideration and approval.

Attachments

Report

Appendix A

2015 Municipal Regional Permit Report to the Transportation, Water, and Infrastructure Committee

April 10, 2017

Introduction

This Options Report to the Transportation, Water, and Infrastructure Committee (Committee) explores and provides recommendations to the Committee for implementing the Municipal Regional Permit adopted by the Regional Water Quality Control Board (Regional Board) in November 2015 (MRP 2.0). This is the third and final report on this topic. The first report to the Committee on June 9, 2016, the Policy Report, provided an overall background and history of past stormwater permits that have led to the current permit, current permit requirements, and policy implications of implementing MRP 2.0. These new permit requirements also have fiscal implications, which were reviewed in detail in the second report to the Committee, the Financial Report, on October 13, 2016.

Since the last meeting before the Committee on October 13, 2016, staff has gathered more detailed information on implementing permit requirements and acquired better data on implementation costs. Staff met with Regional Board staff on December 7, 2016, and reviewed the assumptions and interpretation of permit requirements used to develop estimated implementation costs. There were several interpretations of permit requirements that were incorrect and impacted implementation costs, which are discussed below. Staff also developed a strategic plan to implement MRP 2.0 in the most economical and effective manner. The options and recommendations presented in this report reflect the results of that strategic planning effort.

Financial Report Assumptions

The Financial Report drove home the point that PCB costs were far and away the most expensive provision of MRP 2.0. The report provided a worst case cost scenario, assuming a modest amount of source properties and a small amount of private development treating PCBs, and the County implementing the bulk of the PCB load reduction measures. The worst case scenario cost for the total five-year MRP 2.0 permit is about \$200 million. This is the corrected and updated cost estimate. A complete discussion of the assumptions and corrections is included in Appendix A. To reiterate the overarching role PCBs play in this worst case cost scenario, the cost for PCBs represents 92% of the total five-year permit cost.

Best Case Scenario

Having established the high end of the potential costs with the worst case scenario, perhaps it would be instructive to develop the low end of potential costs with a best case scenario. Since PCB control measures drive the high costs, a best case scenario would involve eliminating or drastically reducing Green Infrastructure implemented by the County. The absolute best case scenario, or Optimal Best Case Scenario, would eliminate any Green Infrastructure project costs incurred by the County. Under this scenario, all PCB load reductions would be met either with source property referrals or private development. The County would still incur costs associated with the additional trash requirements and planning aspects of Green Infrastructure, and increased costs to maintain source properties. Under this Optimal Best Case Scenario, the total five-year permit cost is about \$26 million, and reflects updated cost and assumptions from those used in the Financial Report. This is shown summarized in Table 1 and in more detail in Table 1 Support and Appendix A.

It seems extremely unlikely the County will not have any Green infrastructure project costs. It makes sense, therefore, to look at a second best case scenario, the Conservative Best Case Scenario, where the County has a modest amount of Green Infrastructure retrofit project costs. This scenario assumes the County is responsible for constructing Green Infrastructure projects to meet the minimum required in the permit, which is a 3.51 gram load reduction. To meet this requirement, it is assumed the County would need to implement projects that would treat a 78 acre mix of Old Industrial and Old Urban land uses at a total scenario cost of about \$50 million. This is shown summarized in Table 2 and in more detail in Table 2 Support and Appendix A.

Most Likely Scenario

Exhibit 1 summarizes all three scenarios, showing a range of \$200 million to \$25.8 million/\$49.8 million. This range is too broad to effectively plan and budget for MRP 2.0 compliance costs. For planning purposes, a Most Likely Scenario needs to be developed. There are two critical components in developing such a scenario, the two components that impact County PCB costs the most: source properties and private development. Each of these components is discussed below.

- **Source Properties.** Last year the Contra Costa Clean Water Program (Clean Water Program) contracted with a consultant to identify source properties throughout the County. The consultant researched over 1500 properties and eventually developed a list of source properties shown on Table 3. Table 3 identifies 173.06 grams of PCBs available from source properties to date. MRP 2.0 provides a 50% credit to source properties referred to the Regional Board and 50% credit upon completion of a remediation project. Remediation of source properties often takes many years, certainly beyond the term of this permit, so only 50% credit is allowed with these source properties. This results in a load reduction of about 87 grams. There is a question whether the Regional Board will accept all of these source properties for

referral. However, if they accept all these source properties then the balance needed for meeting the 90 gram load reduction for 2018 is only 3 grams. In 2020 the load reduction need grows to about an additional 100 grams. Due to the 50% credit, this would require identifying source properties with about 200 grams of PCB loading. It makes sense to hire a consultant to scour the County again looking for source properties, but it's unlikely many will be identified, and those that are identified will tend to have smaller yields. At this juncture it seems hopeful to assume this effort could result in identifying 100 grams of PCB loading resulting in 50 grams of load reduction credit.

- **Private Development.** Assuming we identify 50 grams of load reduction through source properties, that means all co-permittees must achieve an additional 50 gram load reduction. A 50 gram load reduction would require treating 578 acres of Old Industrial land or 1650 acres of Old Urban. If a private development fully remediates its project through an approved remediation plan, such as capping the property, then the control measure is allowed 100% credit. If a private development project uses green infrastructure to treat the stormwater and remove PCBs, then credit allowed for the control measure is reduced by a 70% efficiency factor. It is more likely for a project in an Old Industrial area to follow a remediation plan and it is common for a project in an Old Urban area to use green infrastructure. For planning purposes it is assumed that 75% of the Old Industrial land will be subject to remediation and 25% to green infrastructure, while 100% of the Old Urban land is assumed to use green infrastructure. With this assumption then, the total acreage needed for treatment is 640 acres in Old Industrial areas or 2360 acres in Old Urban areas. For comparison purposes, 2360 acres is about the size of El Cerrito. The County's 15.26% share of this is 98 acres in Old Industrial areas or 360 acres in Old Urban areas. To meet MRP 2.0 requirements, the green infrastructure or remediation project treating this acreage must be completed by June of 2020.

If 98 acres in Old Industrial and 360 acres in Old Urban areas are treated by private development, then County development projects will have reduced PCB loads by 8.5 to 10.9 grams. Staff reviewed the amount of PCBs private development projects have treated over the past several years. Table 4 shows the average PCBs treated over the last four years is 0.2 grams per year. Over the five-year permit term this would result in 1.0 grams, quite a bit less than the goal of about 10 grams. This would leave about 9 grams to be treated with County projects at a cost of \$43 million, assuming projects treating a mix of 200 acres in Old Industrial and Old Urban areas.

Adding to the \$43 million cost for PCBs the costs for the other additional provisions plus the MRP 1.0 costs, then the total estimated cost for the most likely scenario over the five-year MRP 2.0 is about \$69 million. This is shown summarized in Table 9 and in more detail in Table 9 Support and Appendix A.

Strategic Plan Recommendations

Staff has been working on a Strategic MRP 2.0 Implementation Plan to identify the most cost-effective control measures to meet permit compliance. In developing the Strategic Plan, staff first identified the unit cost of load reduction for each control measure. This allowed a comparison of which control measures were more cost-effective. Staff then developed a list of recommended control measures, with the estimated cost for implementing each control measure along with its "pros" and "cons". The recommended control measures are arranged by priority, with Tier 1 measures recommended for implementation in 2017 and Tier 2 measures recommended for further evaluation in 2018. Below are the strategic recommendations for the four additional requirements contained in MRP 2.0.

1. PCBs

The unit cost per gram load reduction for each PCB control measure is summarized in Table 5, and the recommended control measures for the FY 2017/18 budget to meet PCB load reduction requirements in 2018 and 2020 are summarized in Table 6. The following is a brief discussion of the top tier recommendations:

- **Green Infrastructure Project.** Even though the implementation cost per gram of this recommendation is high, staff believes it is important to gain experience with developing green infrastructure projects. In addition it shows the County is committed to meeting permit requirements. A project will be scoped out on County owned property that will, to the greatest extent practicable, be multi-objective and enhance the community.
- **Private Development.** Constructing PCB treatment facilities is very expensive and it makes sense to maximize the credit available through private development. There are two recommendations that pertain to identifying and maximizing PCB credits on private development projects.
- **Source Properties.** Identifying source properties and referring them to the Regional Board is the most cost-effective control measure to meet PCB load reduction requirements. Even though the Clean Water Program searched the County last year for source properties, there may still be some opportunities, especially around PG&E facilities and currently operating and/or abandoned railroad operations. There is also a recommendation to work with other agencies in the Bay Area on "mega" source properties that have huge amounts of PCBs, such as former manufacturing sites or closed Army/Navy bases. However, this is a second-tier recommendation as it will take some time to determine the institutional arrangements necessary to achieve it.

- **County Projects.** There are two recommendations that would incorporate green infrastructure into the County's various capital improvement programs. One centers around buildings and would include, for example, construction of building facilities, parking lots, etc. to include green infrastructure features and demolition of buildings to manage proper disposal of caulk and other PCB laden materials. The other centers around infrastructure and would include, for example, construction of roads, parks, airports, etc. Later in this report are two budget proposals, one a constrained, strategic, resource-based budget, and the other an unconstrained compliance-based budget. The approach in the unconstrained budget would be to apply green infrastructure to all projects regardless of location. The approach in the constrained budget would be to remove funding for green infrastructure components in County projects located in New Urban or Open-Space areas and reallocate the funds to a green infrastructure project in an Old Industrial area. This approach maximizes PCB load reduction return on investment.

2. Trash

The unit cost per one-percent load reduction for each trash control measure is summarized in Table 7, and the recommended control measures to meet 2017 trash load reduction requirements are summarized in Table 8. The following is a brief discussion of the top tier recommendations:

- **Full Trash Capture Devices.** This measure would appropriate a "not to exceed" budget amount to install full trash capture devices on about 160 drainage inlets. The maximum budget amount is recommended to be \$300,000. This shows a commitment to achieving our trash goals and results in a significant load reduction.
- **On Land Cleanup.** This is the most effective way of meeting the 70% load reduction requirements by June 2017. Contracts are already in place to perform trash pickup services throughout the County. It is fairly straightforward to extend the service area or increase the frequency of service within an existing service area to achieve the best results.
- **Adopt-a-Spot.** This program is patterned after the successful Adopt-a-Road program. In this case neighborhoods can adopt a drainage inlet, drainage facility, or trash area to keep it clean. This program may not be the most cost effective, however, it does add community value and pride in maintaining a clean neighborhood.
- **Plastic Bag/Polystyrene Ban.** To receive a trash load reduction credit for banning plastic bags, the County must identify what load plastic bags represent in the County's trash and how it compares to regional models. Recycle More did a study and found that the local statistics for plastic bags was a 95% match to the

regional model and was able to use the regional model numbers to determine the level of credit (8% for plastic bags and 6% for polystyrene containers). It is assumed this will be representative throughout the County. The County must also demonstrate, through monitoring, the degree to which the ban is being carried out in unincorporated communities. This is a fairly cost-effective control measure and should be pursued. The County would not be able to receive credit for a Polystyrene container ban in 2017 because of the time it would take to develop an ordinance and implementing program, so it is a Tier 2 recommendation. However, it is recommended to fund the ordinance development in FY 2017/18 so credit can be taken before the 80% trash load reduction requirement goes into effect in 2019.

- **Direct Trash Discharge Control Plan.** MRP 2.0 allows the County up to 15% load reduction for controlling problematic sources of trash in creeks, such as homeless encampments and illegal dumping. This load reduction allowance, or offset, is particularly attractive on the one hand as it is like a "tax credit" where the 15% credit is given irrespective of the underlying trash generation area or prior load reduction activities. On the other hand, beginning in 2019 three times more load must be removed to attain the same credit as in 2017. The Plan must outline a comprehensive program to remove trash from creeks and prevent future trash deposit and accumulation. The Plan was submitted on February 1, 2017, and must be approved by the Regional Board. However, it is unclear if the Regional Board will allow the Plan to be applied in the 2017 reporting period or if it will only be allowed in future reporting periods starting in 2018.
- **Creek Cleanups.** This is another 10% maximum allowance similar to the Direct Trash Discharge Control Plan. This control measure is cost-effective as it utilizes volunteer labor to do the bulk of the cleanup work. MRP 2.0 requires creeks to be cleaned out twice a year to qualify for this allowance.

3. Green Infrastructure

Construction of Green Infrastructure facilities is the predominant green infrastructure cost and is included in the PCBs section. The remaining Green Infrastructure requirement costs primarily cover administrative and planning activities. There are no unit costs or a cost comparison table for this work.

4. Mercury

All of the Mercury load reduction requirements are met by implementing PCB control measures. As a result, there are no unit costs or a cost comparison table specific to Mercury.

Budget Options for FY 2017/18

All of the Tier 1 recommendations from Table 6 and Table 8 were used to build a proposed budget for Fiscal Year 2017/18, along with a few select partially-funded Tier 2 recommendations. There were several criteria used to determine which control measures should be recommended for funding. Certainly, cost effectiveness outlined in Tables 5 and 7 was a factor, along with the ability to have a long-term impact on reaching the objective of improving water quality. Two other criteria were also used, the ability for a recommendation to influence or change behavior and the ability to improve an area by adding value to the community.

The proposed budget for Fiscal Year 2017/18 is outlined in Table 10. The budget shows the baseline costs of MRP 1.0, projected from earlier years, and the cost of the MRP 2.0 additional provisions, which added together provide the total MRP 2.0 budget. This budget is also a resource-based budget and constrained to respect the revenue sources available for funding these program activities. Although constrained, it does include some realignment of past funding which is described in more detail below.

Table 11 is a budget which is prepared based on the Most Likely Scenario outlined above and is a significantly larger budget. This budget is beyond our ability to finance with our dedicated revenue source and modest proposed realignments. The green infrastructure cost for Fiscal Year 2017/18 represents an estimated 15% for planning and project development to construct \$43 million in capital projects by 2020. Table 12 shows total costs for the resource-based scenario and the most likely scenario over the five-year permit term. The revenue-based scenario holds a constant \$700,000 cost for PCB load reduction each year.

Policy Implications of Budget Realignments

The proposed resource-based budget outlined in Table 10 includes some realignment of program responsibility and program funding. For the past 20 years there was more than adequate funding from the dedicated Stormwater Utility Assessment 17 (SUA 17) funds to comply with all stormwater permit requirements plus cover costs that were related to but not a specific requirement of the permit. Last year, compliance costs exceeded SUA 17 revenue and the program surplus was depleted. To meet this year's budget, it is necessary to look at some budget realignments which are described in more detail below.

- **Bethel Island Municipal Improvement District.** Many years ago, the Bethel Island Municipal Improvement District (BIMID) petitioned the County to receive some SUA 17 funds for drainage maintenance and water quality activities. This proposed realignment may impact the amount of SUA 17 funds distributed to BIMID depending on the amount of pollution reduction services they perform. Some drainage maintenance was funded throughout the County with SUA 17 in the past, but going forward there will be no SUA 17 funding available for this type of activity.

- **Street Sweeping.** When the Stormwater Utility Assessment was adopted in 1993 it presented a new revenue stream that could be used to fund certain County services. One of those was street sweeping. During MRP 1.0, baseline trash levels were developed and used to calculate compliance for meeting trash reduction requirements. Historic County street sweeping was counted in determining the baseline trash levels, so there is no "credit" for those expenditures in meeting trash reduction targets. A realignment of street sweeping costs could occur by allocating those costs that receive no credit (pre-baseline) to the General Fund. Those street sweeping costs that help meet trash reduction targets would still be paid with SUA 17 funds.

- **Flood Control District subsidies.** The Flood Control District provides flood protection services to many cities and communities in the County. Some 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 17 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. The proposed realignment of this funding would free up additional SUA 17 revenue for MRP permit compliance.

- **Funding Shifts to Other County Departments.** In the past, SUA 17 funded all activities associated with the stormwater permit, regardless of what department performed the activity. The proposed budget includes realignment of funding to those departments that conduct the permit required activities. For example, other departments conduct industrial and commercial site inspections, inspections for illicit discharges, and have been actively involved in the plastic bag ban program. The proposed budget reflects the reality that MRP 2.0 is a County permit not a Public Works Department permit.

- **Storm Damage.** To complicate the budget discussions this year, the Public Works Department and County must address what is currently estimated to be \$13 million in damage from winter storms.

Consequences of Non-Compliance

The Regional Board must issue the County a stormwater permit as required by and with authority from the Environmental Protection Agency and the federal Clean Water Act. The Regional Board also has authority through State statute that is, in many cases, more stringent than the Clean Water Act. When a permittee is in non-compliance, the Regional Board can issue a Notice of Violation and levy fines of \$37,500 per violation per day through federal authority, and \$10,000 per violation per day

through State authority. The largest exposure from non-compliance, however, is from third party lawsuits. If the Regional Board finds the County in non-compliance it is highly likely the County would lose any lawsuit and face a very expensive settlement agreement or court decision.

Conclusion

It is difficult to plan and budget for MRP 2.0, as the most expensive requirement, PCB load reductions, is not within our control. Satisfying the load reduction requirement starts at the Bay Area level, then is viewed at the County level, and then viewed at the municipal level. The requirement for the Bay Area is to reduce PCB loads by 3 kilograms by 2020. If one agency cleans up a "mega" property resulting in a 3 kilogram reduction, then all Bay Area permittees have met their permit requirement. If the Bay Area goal is not met, then each County must meet its own separate goal. For Contra Costa, our load reduction target is 560 grams countywide. If one of the cities in our County cleans up a highly polluted property that meets the 560 gram target, then all permittees within Contra Costa County have met their requirement. If collectively we do not meet our 560 gram target, then each municipality has a specific load reduction target that must be met, which for unincorporated Contra Costa County is 85.5 grams. So it is possible some other jurisdiction will meet our requirement for us, but if not then we will have to meet it all on our own.

However murky that seems, it is clear we cannot build ourselves out of the PCB load reduction requirement. Not when the costs range up to \$200 million. The proposed resource-based budget demonstrates a commitment to building a green infrastructure project and incorporating green infrastructure into our capital improvement programs. Beyond that, we will have to rely on private development, identifying additional source properties, and negotiating with owners of "mega" source properties to meet our load reduction requirements.

Staff requests direction from the Committee, and recommends implementing the strategies outlined in this report and funded in the resource-based budget, and providing direction on the Next Steps outlined below.

Recommended Next Steps

Board of Supervisors. Forward this report to the full Board for approval with a recommendation on an implementation budget.

Other Departments. Direct staff to work with the other departments identified in the constrained budget and assess their ability to fund various permit compliance activities as proposed.

Street Sweeping. Direct staff to determine where street sweeping can be reduced in pre-2009 areas to reduce impact on the General Fund and identify any resultant impact on community expectations of reducing municipal services.

Flood Control District Subsidies. Direct staff to come back to the Committee with a separate report on Flood Control District finances and the subsidies issue.

BIMID. Direct staff to review the agreement with BIMID to determine what activities meet pollution reduction permit requirements and can continue to be funded with SUA 17 funds.

Resource Plan. Direct staff to prepare a resource plan to provide the staffing and resources necessary to implement the activities proposed in this report.

Mid-Year Budget Review. Direct staff to return to the Committee in six months to report on the status of meeting MRP 2.0 permit targets, the cost to date to achieve the targets, the projected costs to complete the work for fiscal year 2017/18, and status of revenue sources needed for permit compliance.

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**Table 1. MRP 2.0 Cost Compliance
Optimal Best Case Scenario**

Provision No.	MRP 2.0 Additional Requirements	Estimated Expenditures					Totals
		2016	2017	2018	2019	2020	
C.3	Green Infrastructure	\$0	\$91,500	\$41,000	\$889,000	\$43,000	\$1,064,500
C.10	Trash	\$55,000	\$1,494,000	\$2,014,000	\$2,384,000	\$3,154,000	\$9,101,000
C.11 and C.12	Mercury and PCB	\$31,000	\$11,000	\$213,000	\$261,000	\$267,000	\$783,000
Additions Subtotals		\$86,000	\$1,596,500	\$2,268,000	\$3,534,000	\$3,464,000	\$10,948,500
MRP 1.0		\$2,980,000	\$2,980,000	\$2,980,000	\$2,980,000	\$2,980,000	\$14,900,000
Total MRP 2.0		\$3,066,000	\$4,576,500	\$5,248,000	\$6,514,000	\$6,444,000	\$25,848,500

Table 1 Detailed Support for Optimal Best Case Scenario: PCB Load Reduction with No County GI Retrofit Project Costs

Provision Number	Requirement	2016	2017	2018	2019	2020
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
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
Subtotal Costs		\$31,000	\$11,000	\$213,000	\$261,000	\$267,000

Note:

1. 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

Table 1 Detailed Support for Optimal Best Case Scenario: PCB Load Reduction with No County GI Retrofit Project Costs

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	\$200,000	\$200,000	\$200,000
a.ii.4.	Implement North Richmond Pump Station control measure	\$0	\$0	\$0	\$0	\$0
a.ii.4.	Implement Street Sweeping control measure	\$0	\$0	\$0	\$0	\$0
a.ii.4.	Implement Green Infrastructure control measure	\$0	\$0	\$0	\$0	\$0
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

**Table 2. MRP 2.0 Cost Compliance
Conservative Best Case Scenario**

Provision No.	MRP 2.0 Additional Requirements	Estimated Expenditures					Totals
		2016	2017	2018	2019	2020	
C.3	Green Infrastructure	\$0	\$91,500	\$41,000	\$889,000	\$43,000	\$1,064,500
C.10	Trash	\$55,000	\$1,494,000	\$2,014,000	\$2,384,000	\$3,154,000	\$9,101,000
C.11 and C.12	Mercury and PCB	\$31,000	\$11,000	\$213,000	\$261,000	\$24,224,000	\$24,740,000
Additions Subtotals		\$86,000	\$1,596,500	\$2,268,000	\$3,534,000	\$27,421,000	\$34,905,500
MRP 1.0		\$2,980,000	\$2,980,000	\$2,980,000	\$2,980,000	\$2,980,000	\$14,900,000
Total MRP 2.0		\$3,066,000	\$4,576,500	\$5,248,000	\$6,514,000	\$30,401,000	\$49,805,500

Table 2 Detailed Support for Conservative Best Case Scenario: PCB Load Reduction (3.51 grams) with County GI Retrofit Projects

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	\$200,000	\$200,000	\$200,000
a.ii.4.	Implement North Richmon Pump Station control measure	\$0	\$0	\$0	\$0	\$0
a.ii.4.	Implement Street Sweeping control measure	\$0	\$0	\$0	\$0	\$0
a.ii.4.	Implement Green Infrastructure control measure	\$0	\$0	\$0	\$0	\$23,957,000
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.ii.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

Table 2 Detailed Support for Conservative Best Case Scenario: PCB Load Reduction (3.51 grams) with County GI Retrofit Projects

Provision Number	Requirement	2016	2017	2018	2019	2020
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
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
Subtotal Costs		\$31,000	\$11,000	\$213,000	\$261,000	\$24,224,000

Note:

1. 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

Exhibit 1

MRP 2.0 Compliance Costs for Unincorporated Contra Costa County

1. MRP 2.0 requirements for unincorporated Contra Costa County

- Reduce trash 70% by 2017 and 80% by 2019.
- Achieve 28.48 grams PCB load reduction by 2020 (County's 15.26% share of 560 grams countywide, plus 67% credit for debris management program).
- Achieve at least 3.51 grams PCB load reduction through Green Infrastructure by 2020 (23 grams countywide).
- Achieve at least 1.37 grams Mercury load reduction through Green Infrastructure by 2020 (9 grams countywide).

2. Assumptions

- Mercury reduction requirements are met with PCB load reduction control measures.
- County will adopt a PCB demolition management program and receive 67% credit.
- Old Urban/Industrial land uses are pre-1980 development shown on ABAG maps.

3. MRP 2.0 compliance costs for unincorporated Contra Costa County

- **Worst Case Scenario:** Total five-year permit cost is \$200,000,000
 - o 1.5 grams PCBs from development (10 acres Old Industrial/Urban per year)
 - o 1.0 grams PCBs from source properties (net load reduction after 50% credit)
 - o 1.0 grams PCBs from street sweeping in Old Industrial areas
 - o 0.14 grams PCBs diverting stormwater at the North Richmond Pump Station
 - o 24.84 grams PCB load reduction with public retrofit GI projects:
 - Treating 615 acres Old Urban/Old Industrial land use mix
 - \$215,000 Green Infrastructure cost per treated acre
 - 70% efficiency factor for Green Infrastructure
 - o PCB control measures represent 92% of total costs
- **Optimal Best Case Scenario:** Total five-year permit cost is \$25,800,000
 - o 24.97 grams PCB load reduction met with source property referrals
 - o 3.51 grams PCB load reduction met with private development
- **Conservative Best Case Scenario:** Total five-year permit cost is \$49,800,000
 - o 24.97 grams (87.7%) PCB load met with source properties or private development
 - o 3.51 grams (12.3%) PCB load met with public GI retrofit projects (\$24,000,000)
 - Treating 78 acres Old Urban/Old Industrial land use mix
 - \$215,000 Green Infrastructure cost per treated acre with 70% efficiency

**Table 3: Countywide PCB Load Reduction Estimates
From Source Properties**

Source Property Location	Acreage	PCB Yield Factor Grams/Acre/Year	Total Grams	PCB Load Reduction by Reporting Year (grams)	
				2018	2020
Antioch	18.5	3.978	73.6	37	0
County (Fass-Gertrude)	0.5	3.978	1.99	1	0
Pittsburg (Molino)	6.0	3.978	23.87	12	0
Richmond (Simms)	14.0	3.978	55.7	28	0
Richmond (Rickert)	0.5	3.978	1.99	1	0
San Pablo (Rumrill)	4.0	3.978	15.91	8	0
Totals	43.5		173.06	87	87
Load Reduction Requirement				90	186.7
Load Reduction Needed				3	100

Notes:

1. All Source Properties are located in Old Industrial areas, so the yield factor is calculated as the Source Property yield (4.065 grams/acre/year) minus the Old Industrial land use yield (.0865 grams/acre/year).
2. Half credit given in 2018, half credit upon completion. Remediation projects are assumed to take longer than remainder of permit term, so only 50% credit shown for this permit term (all in 2018).
3. The 2020 PCB load reduction requirement is 560 grams per year, but this is reduced 67% to 186.7 grams per year if all co-permittees implement a PCB Demolition Debris Management

Table 4. Green Infrastructure Built by Development Projects

I. Summary of Total PCBs Treated by Development for Each Year

Year	2008	2009	2010	2011	2012	2013	2014	2015	2016
Total PCBs (mg)	84.2	553.7	44.8	0	133	176.9	222.9	174.9	144.2

II. PCB Treatment Calculations for Each Development Project

Development Project Name	Location	Land Use Type	Treated/ Project Acres	GI Type	Year Installed	Efficiency Factor	PCB (mg)
Byron Jet Center (CCC)	Byron				2005		
Caballo Ranchero (MS 06-026)	Diablo	Old Urban	2.10		2008		44.5
Paulson Lane (SD 8939)	Walnut Creek	Old Urban	1.76	Bio filter	2008	.7	37.3
Stone Throw Farm (ZI 11861)	San Ramon	Open Space	.55	Self Treat	2008	1.0	2.4
Station Landing (DP 07-3064)	Pleasant Hill	Old Urban	4.57		2009		96.9
Central Concrete (ZI 07-12120)	Martinez	Open Space	3.8	Bio filter	2009	.7	11.4
Vasco Road Improvements (CCC)	Byron	Open Space	21	Bio filter	2009	.7	445.4
Shakespeare Festival (LP 08-2050)	Orinda	Open Space	4.83	Bio filter	2010	.7	14.5

Table 4. Green Infrastructure Built by Development Projects

Development Project Name	Location	Land Use Type	Treated/ Project Acres	GI Type	Year Installed	Efficiency Factor	PCB (mg)
Wallgreens (LP 08-2044)	Bay Point	Old Urban	1.43	Bio filter	2010	.7	30.3
Belmont Terrace (SD 8984)	Martinez	Old Urban (3.1)/Open Space (10.4)	13.49	Bio filter	2012	.7	97.0
El Rincon (SD 07-9189)	Bay Point	Old Urban	1.53	Bio filter	2012	.7	32.4
Print Plant (LP 10-2078)	Concord	New Urban	.88		2012		2.2
Jack-n-Box (ZI 09-12638)	Bay Point	New Urban	.56	Bio filter	2012	.7	1.4
Livorna Heights (MS 07-0017)	Alamo	Old Urban	0.24	Bio filter	2013	.7	5.1
South Avenue (MS 06-0013)	Alamo	Old Urban	1.08	Bio filter	2013	.7	22.9
Los Vaqueros (LP 11-2011)	Byron	Open Space	3.27	Bio filter	2013	.7	9.8
Sikh Center (LP 03-2052)	El Sobrante	Old Urban	2.64	Bio filter	2013	.7	56.0
Martinez Wellness Center (CCC)	Martinez	Old Urban	.46	Bio filter	2013	.7	9.8
Regional Med Ctr Parking Lot E (CCC)	Martinez	Old Urban	0.7	Bio filter	2013	.7	14.8
West County Health Ctr (CCC)	San Pablo	Old Urban	2.76	Bio filter	2013	.7	58.5

Table 4. Green Infrastructure Built by Development Projects

Development Project Name	Location	Land Use Type	Treated/ Project Acres	GI Type	Year Installed	Efficiency Factor	PCB (mg)
Arbor View (SD 07-9174)	Reliez Valley	Open Space	5.95	Bio filter	2014	.7	17.9
Tower Mart 101 (CV 13-0066)	Bay Point	Old Urban	.59	Bio filter	2014	.7	12.5
1251 Laverock (MS 07-0015)	Alamo	Old Urban	.94	Bio filter	2014	.7	19.9
Sam's Club (DP 11-3018)	Concord	Old Urban	8.14		2014		172.6
Laurel Place (SD 05-8769)	Concord	Old Urban	3.8	Bio filter	2015	.7	80.6
Hemme Estates (MS 14-0004)	Alamo	Old Urban	1.33	Bio filter	2015	.7	28.2
Westborough (SD 14-9376)	Walnut Creek	Old Urban	1.20	Bio filter	2015	.7	25.5
1210 Livorna Road (MS 06-0038)	Alamo	Old Urban	.74	Bio filter	2015	.7	15.7
1202 Mtn View Blvd (MS 14-0006)	Walnut Creek	Old Urban	.84		2015		17.8
2510 D. Leshner Dr. (LP 07-2045)	Concord	New Urban	2.92	Bio filter	2015	.7	7.1
Sufi Reoriented (LP 08-2034)	Saranap	Old Urban	1.03	Bio filter	2016	.7	21.8
San Ramon Vly Church (LP 12-2110)	Alamo	Old Urban	.46	Bio filter	2016	.7	9.8

Table 4. Green Infrastructure Built by Development Projects

Development Project Name	Location	Land Use Type	Treated/Project Acres	GI Type	Year Installed	Efficiency Factor	PCB (mg)
66 Crest Avenue (MS 14-0013)	Alamo	Old Urban	1.97		2016		41.8
3600 Byers Road (MS 15-0005)	Byron	Open Space	.28	Irrigation Pond	2016	1.0	0.8
Mtn View Landing (DP 07-3029)	Vine Hill	Open Space	1.59	Bio filter	2016	.7	4.8
Queen of Heaven (LP 09-2036)	Reliez Valley	Open Space	1.98	Bio filter	2016	.7	6.0
Ashford Place (SD 05-8967)	Pacheco	Open Space	9.30	Bio filter	2016	.7	28.0
Alhambra Vly Road (SD 8634)	Alhambra Valley	Open Space	10.37	Bio filter	2016	.7	31.2

Notes:

1. The PCB load reduction is calculated by multiplying the yield factor for the appropriate land use type (86.5 mg PCB/acre/year for Old Industrial, 30.3 mg PCB/acre/year for Old Urban, 3.5 mg PCB/acre/year for New Urban, and 4.3 mg PCB/acre/year for Open Space) with the project/treated acreage.
2. All areas, either treated or self-treated, within the general project area were included in the treated acreage. Areas of the property obviously outside the project area were not considered in the treated acreage.
3. All projects are private development projects except those denoted (CCC), which are County projects.

Table 5. Unincorporated Contra Costa County PCB Control Measures Comparative Costs

Number	Control Measure	Description	Implementation Cost per gram	Annual Ongoing Cost per gram
1	North Richmond Pump Station	Connect to WCWD plant and divert stormwater for a maximum 0.14 grams/year. (Note 1)	\$840,000	\$2,200,000
2A	Green Infrastructure Old Industrial	Install Green Infrastructure on public land, with \$215,000 per treated acre and 70% efficiency. (Note 2)	\$3,500,000	\$50,000
2B	Green Infrastructure Old Urban	Install Green Infrastructure on public land, with \$215,000 per treated acre and 70% efficiency. (Note 2)	\$10,100,000	\$141,000
2C	Green Infrastructure New Urban	Install Green Infrastructure on public land, with \$215,000 per treated acre and 70% efficiency. (Note 2)	\$87,800,000	\$1,220,000
3A	Enhanced Street Sweeping Old Industrial	Assume curb and gutter installed on 200 foot long city blocks and treated area is block interior (40,000 SF). Assumes no drainage work required! (Note 3)	\$910,000	\$50,000
3B	Enhanced Street Sweeping Old Urban	Assume curb and gutter installed on 200 foot long city blocks and treated area is block interior (40,000 SF). Assumes no drainage work required! (Note 3)	\$2,600,000	\$50,000
4A	Identify Local Source Properties	Assume 1.0 grams average net load reduction with each source property identified in County. (Note 4)	\$7,000	\$25,000
4B	Identify Regional Source Properties	Work with agencies with "mega" source properties in the Bay Area to develop regional referrals. (Note 5)	Unknown	Unknown
5	Identify all Development Treatment	Identify all projects on private property that remediates or treats PCBs, through a variety of permit types, to maximize credit potential.	Low (requires administrative diligence)	Very Low (Maintenance of tracking processes)

Table 5. Unincorporated Contra Costa County PCB Control Measures Comparative Costs

6	Review Prior Development	Identify all development projects since 2009 to receive maximum credit for PCBs. Assume 1.0 grams PCBs yield.	\$10,000	None (one time administrative project)
7	County Building Projects	Include treatment of PCBs in Capital Projects. Assume investment in Old Industrial areas. (Note 2)	\$3,500,000	\$50,000
8	County Infrastructure Projects	Include treatment of PCBs in Infrastructure Projects. Assume investment in Old Industrial areas. (Note 2)	\$3,500,000	\$50,000

Notes:

1. The Annual Ongoing Cost is based on the standard rate for treating influent at the wastewater treatment plant. This ongoing cost could be substantially reduced if the diverted stormwater was considered a resource as part of a re-use project.
2. Annual maintenance costs for green infrastructure is assumed to be \$3,000 per treated acre (about \$2 per square foot - based on CCCPWD bio-retention project).
3. The estimated cost to install curb, gutter, and pavement widening is \$90 per lineal foot. The ongoing annual cost represents the additional street sweeping cost.
4. Cost estimate based on a similar project in Santa Clara County for the Leo Street neighborhood, and assume 50 grams.
5. It's unknown what the potential load reduction could be or what the costs would be to implement this control measure.

Table 6. Additional MRP 2.0 PCB Control Measures to meet 2018/2020 Load Reduction Requirements

Tier (1)	MRP 2.0 Control Measure	Recommendation	Estimated Cost FY 2017/18	Estimated PCB grams	Pros	Cons
1A	Install Green Infrastructure (Note 2)	Install a \$300,000 Green Infrastructure project on County owned parcel in Old Industrial area.	\$50,000 (Planning for \$300,000 project in 2020)	.08 grams (when project complete in 2020)	Learn process to develop a GI project and reduce unit costs	Expensive PCB per gram cost
1B	Identify all Development Treatment	Establish processes to identify and track all types of projects that treat or remediate PCBs.	\$50,000 (staff costs)	Unknown, depends on project types and timing, but perhaps 1.0 grams	Very low cost per PCB gram	Difficult to determine PCB load reduction
1C	Review Prior Development	Review all prior development approved since 2009 to receive maximum credit.	\$10,000 (staff time)	Unknown, depends on development, but likely in the range of 1.0 grams	Easy and inexpensive method for PCB credits	No guarantee any will be found
1D	Identify Local Source Properties	Work with the Clean Water Program to contract with a consultant to identify source properties within the County.	\$25,000 (County share)	Unknown, hopefully 50 grams	- Low cost per PCB gram - Most effective action to improve environment	Requires cooperation of all municipalities in County
1E	PCB Treatment on County Building Projects	Include treatment of PCBs in County capital building projects	Assume \$250,000 investment per project in Old Industrial area (Note 2)	0.07	- County controls project processes - Demonstrates commitment	Expensive PCB per gram cost
1F	PCB Treatment on Infrastructure Projects	Include treatment of PCBs in County road and other infrastructure projects	Assume \$250,000 investment per project in Old Industrial area (Note 2)	0.07	- County controls project processes - Demonstrates commitment	Expensive PCB per gram cost
2A	Identify Regional Source Properties	Work with the Clean Water Program and BASMAA to negotiate between Bay Area permittees and jurisdictions with "mega" source properties to share costs and credits.	\$5,000 (County share of \$35,000 effort, see Note 3)	25 (assumes this meets all PCB requirements except minimum required with Green Infrastructure)	- Low cost per PCB gram - Most effective action to improve environment	Requires cooperation of multiple agencies in Bay Area

Tier (1)	MRP 2.0 Control Measure	Recommendation	Estimated Cost FY 2017/18	Estimated PCB grams	Pros	Cons
2B	Enhanced Street Sweeping	Scope out a project to install curb and gutter around one block of an Old Industrial area, determine construction costs, annual ongoing costs, and benefits, and report back on a recommendation.	\$50,000 (staff costs)	Potential amount to be determined	Provides information to make informed decision on this type of control measure	No guarantee scoping cost will result in a good project
2C	North Richmond Pump Station	Work with WCWD to see if there is support for a re-use project and participate if funding is available for implementation and operations.	\$20,000 (staff time)	.14 grams	Multi-benefit project furthers re-use development	Low return on investment
2D	Research PG&E Spills	Work with the Clean Water Program to review State records to determine where PCB spills occurred in Contra Costa County.	\$5,000 (County share of consultant)	Unknown	Easy and inexpensive method for PCB credits	No guarantee any PCBs will be found
2E	Request PG&E for Spill Data	Work with the Clean Water Program to prepare and submit a public records request to PG&E to disclose all spills that have occurred in Contra Costa County.	\$5,000 (County share of consultant)	Unknown	Easy and inexpensive method for PCB credits	No guarantee any PCBs will be found

Notes:

1. Tier 1 control measures are recommended to be initiated in 2017, while Tier 2 control measures are recommended to be revisited in 2018 for further evaluation.
2. Estimated PCB grams based on \$215,000 per treated acre and 70% efficiency factor.
3. Even though this is a Tier 2 recommendation, it is recommended to budget \$5,000 for FY 2017-18 for staff time to explore and better define this control measure.

Table 7. Unincorporated Contra Costa County Trash Control Measures Comparative Costs

No.	Control Measure	Description	Implementation Cost	Percent Reduction (Note 11)	Implementation Cost per 1%	Annual Ongoing Cost
1	Full Trash Capture Devices (FTCD): Very High	Install full trash capture devices on all drainage inlets in Very High trash generation areas (62 inlets, Note 1).	\$86,000	15	\$5,400	\$112,000
2	Full Trash Capture Devices (FTCD): High	Install full trash capture devices on all drainage inlets in High trash generation areas (689 inlets, Note 1).	\$965,000	53	\$18,000	\$1,240,000
3	Full Trash Capture Devices (FTCD): Moderate	Install full trash capture devices on all drainage inlets in Moderate trash generation areas (993 inlets, see Note 1).	\$1,389,000	20	\$45,000	\$1,790,000
4	On-Land Clean Up	Increase trash pickup in current service area and expand pickup into additional areas. (Note 7)	\$500,000	37	\$13,500	\$35,000
5	Adopt-A-Spot	Implement an Adopt-a-Spot program (similar to the Adopt-a-Road program) that will enlist volunteers to improve trash reduction in target areas. (Note 12)	\$25,000	1	\$25,000	\$10,000
6	Ban Polystyrene Food Containers	Develop a ban on PolyStyrene food containers.	\$75,000	4	\$18,700	\$20,000
7	Ban on Plastic Bags	Enforce ban on plastic bags.	\$25,000	6	\$4,200	\$10,000
8	Direct Trash Discharge Control (DTDC) Plan	Cleanup homeless encampments and prevent illegal dumping in creeks. Costs for 2017 and 2018 only. (Notes 2 & 4)	\$300,000	15	\$20,000	\$260,000

Table 7. Trash Comparative Costs 4-10-17

Table 7. Unincorporated Contra Costa County Trash Control Measures Comparative Costs

No.	Control Measure	Description	Implementation Cost	Percent Reduction (Note 11)	Implementation Cost per 1%	Annual Ongoing Cost
9	Creek Cleanups	Implement a program using volunteers and County labor to remove trash twice a year from creeks. Assume 125 cubic yards removed (Notes 2 & 5)	\$150,000	10	\$15,000	\$150,000
10	Dynamic Trash Separator (FTCD): High	Install hydro-dynamic separator in the 340 acre North Richmond Pump Station Drainage system. (Note 9)	\$1,000,000	8	\$125,000	\$20,000
11	Street Sweeping	Regular sweeping of streets with curb and gutter to pick up trash. (Note 6)	\$125,000	11	\$11,000	\$125,000
12	Illegal Dumping	Pick up items illegally dumped on County property and rights of way. (Note 10)	\$650,000	0	N/A	N/A
13	100% Full Trash Capture Devices (FTCD)	Install full trash capture devices on all drainage inlets in Very High, High, and Moderate trash generation areas: 1744 - 139 installed = 1605 inlets. (Notes 1 and 8)	\$3,690,000	89	\$41,500	\$2,900,000
14	Community Based Education and Outreach Program	Develop trash reduction education and outreach programs specific to interested communities. (Note 12)	\$50,000	1	\$50,000	\$50,000
15	Commercial street sweeping	Increased frequency of street sweeping in commercial areas.	\$50,000	5	\$10,000	\$50,000
16	Patrol Trash Areas	Hire Deputy Sheriff to patrol creek channels and road areas to prevent homeless encampments and illegal dumping.	\$260,000	0 (Note 3)	(Note 3)	\$260,000

Table 7. Trash Comparative Costs 4-10-17

Table 7. Unincorporated Contra Costa County Trash Control Measures Comparative Costs

No.	Control Measure	Description	Implementation Cost	Percent Reduction (Note 11)	Implementation Cost per 1%	Annual Ongoing Cost
18	Mandatory Trash Service	Ensure every occupied residential and commercial property has trash service.	\$160,000	3 - 7	\$23,000 - \$53,000	\$25,000
19	Enforce Restaurant Buffers	Ensure restaurants maintain their 400 feet buffer areas free of trash.	\$25,000		Unknown	\$25,000
20	Effective Street Sweeping	Install No Parking signs with street sweeping schedule and enforce no parking during sweeping times.	Unknown		Unknown	

Notes:

1. Complete cost per inlet conversion is \$1,000 including planning, construction, and inspection. Assume 10% of inlets need structural modifications and cost \$5,000 per conversion. Annual maintenance costs per inlet is \$1,800 (\$600 three times per year).
2. Trash load requirements are increased by a factor of 3 after 2018 (from 12.4 cubic yards for 1% load reduction to 37.6 cubic yards) to maintain maximum credit of 10% for creek cleanups and 15% for homeless cleanups.
3. There is no direct trash load reduction with hiring a Deputy Sheriff to patrol creeks and roads, but if part of a comprehensive homeless and illegal dumping program (DTDC Plan) it could result in a reduction of trash in creeks.
4. A 1% trash load reduction (offset) is allowed with removal of 12.4 cubic yards of trash from homeless encampments and illegal dumping up to a maximum of 15%. The County must have a Direct Trash Discharge Control Plan approved by the Regional Board to be eligible for this reduction.
5. A 1% trash load reduction offset is allowed with removal of 12.4 cubic yards of trash from creeks and shorelines (outside of the DTDC Plan) up to a maximum of 10%. The County must perform the clean-ups twice a year and demonstrate a sustained environmental improvement.
6. The Regional Board considers full trash capture devices to be 100% effective and load reduction in any trash generation area goes automatically to Low, or fully compliant. However, the Regional Board does not consider other control measures that physically pick up trash to be 100% effective. For planning purposes it is assumed an investment in a control measure will result in the area dropping down to the next trash generation level so, for example, a Very High trash generation area will drop to a High trash generation area.
7. Implementation cost based on current contract, and percent reduction based on visual assessments.
8. Installing 100% FTCD does not result in 100% load reduction because not all trash generation areas drain to a drainage inlet. Percent reduction calculation assumes each inlet treats 2 acres.
9. Improvement costs in this watershed are split 61% County and 39% City of Richmond, based upon the jurisdictional tributary area to the North Richmond Pump Station. In this case, the implementation cost is for the whole project, but the estimated percent reduction and unit cost is based upon the County's portion only.

Table 7. Unincorporated Contra Costa County Trash Control Measures Comparative Costs

10. The County expends significant resources picking up illegal dumping along County roads in upland areas, however there is no credit for removing this trash from the landscape. Credit for illegal dumping is only allowed when it is removed along creeks, which is included in the Direct Trash Discharge Control Plan.
11. "Percent Reduction" represents the theoretical load reduction and does not take into account other factors that may influence the load, such as for example, other control measures in the same area (e.g. street sweeping).
12. A 1.0% load reduction is assumed by implementing this control measure.

Table 8. Additional MRP 2.0 Trash Control Measures to Meet Required 2017/2019 Load Reduction

Tier (1)	MRP 2.0 Control Measure	Recommendation	Estimated Cost (FY 2017/18)	Estimated Load Reduction (%)	Pros	Cons
1A	Install Full Trash Capture Devices	Install approximately 154 Full Trash Capture Devices in Very High and High trash generation areas.	\$300,000	7 (14) (Note 2)	Quick process to meet 2017 deadline	Less cost effective than dynamic separators
1B	On-Land Clean Up	Increase trash pickup in current service areas and expand pickup into additional areas.	\$200,000	10 (assumed to achieve to 10% above existing)	Quick process to meet 2017 deadline	Requires visual assessment monitoring
1C	Adopt-a-Spot	Implement an Adopt-a-Spot program (similar to the Adopt-a-Road program) that will enlist volunteers to improve trash reduction in target areas.	\$25,000 (staff cost)	1 (assumed to achieve to 1% above existing)	Adds value to community	More difficult to maintain program than other control measures
1D	Enforce Ban on Plastic Bags.	Enforce ban on plastic bags in unincorporated communities.	\$25,000	6	Fairly easy to implement	Requires ongoing monitoring
1E	Direct Trash Discharge Control Plan	Clean up homeless encampments and prevent illegal dumping in creeks. (costs for 2017 and 2018)	\$300,000	15	Cost effective measure with significant load reduction	Stop gap measure. Allowable credit reduced in 2019
1F	Creek Cleanups	Remove trash from creeks twice a year using volunteers and County labor. (costs for 2017 and 2018)	\$30,000	Up to 10	Cost effective measure using volunteer labor	Stop gap measure. Allowable credit reduced in 2019
2A	Ban Polystyrene Food Containers	Develop a ban on polystyrene food containers in unincorporated communities. (Note 3)	\$75,000	4	Fairly easy to implement	Difficult to implement in time for 2017 deadline
2B	Dynamic Trash Separator	Install a hydrodynamic separator in the North Richmond Pump Station drainage system. (Note 4)	\$1,000,000	8	More long term cost effective measure than FTCD	More complex project requires two years to implement
2C	Street Sweeping	Sweep additional streets with curb and gutter to pick up trash.	\$125,000	Unknown	Quick process to meet 2017 deadline	Requires visual assessment monitoring

Tier (1)	MRP 2.0 Control Measure	Recommendation	Estimated Cost (FY 2017/18)	Estimated Load Reduction (%)	Pros	Cons
2D	70% Full Trash Capture Devices	Install full trash capture devices on all drainage inlets in Very High (62 inlets), High (689), and Moderate (31) trash generation areas.	\$1,100,000	70	Meets the 2017 load reduction requirement	Not a cost effective control measure
2E	Right Size-Right Service	Ensure trash customers have the right size container for the trash they generate.	\$150,000	5 - 10	Effective measure, eliminates trash at source	Complex program with multiple service providers
2F	Mandatory Trash Service	Ensure every occupied residential and commercial property has trash service.	\$160,000	5 - 10	Effective measure, captures trash at source	Complex program with multiple service providers
2G	Enforce Restaurant Buffers	Ensure restaurants maintain their 400 buffer areas free of trash.	\$25,000	Unknown	Fairly easy to implement	Not all restaurants have buffer areas
2H	Effective Street Sweeping	Install No Parking signs with street sweeping schedule and enforce no parking during sweeping times.	Unknown	Unknown	Improves investment in street sweeping	Unpopular measure, difficult to implement

Notes:

1. Tier 1 Control Measures are recommended to be initiated in 2017, while Tier 2 control measures are recommended to be revisited in 2018 for further evaluation.
2. The theoretical load reduction is 14% based on no prior trash control measures performed within the treated area, however, some trash control measures have occurred in the treated area and partial credit taken in prior reporting years. So, the actual load reduction is estimated at 7%, less than the theoretical load reduction.
3. Although this is a Tier 2 recommendation and will not help to achieve the 70% trash reduction by June 2017, it is recommended to budget \$75,000 for FY 2017-18 to establish the program so credit can be received in the 2018 reporting period.
4. Improvement costs in this watershed are split 61% County and 39% City of Richmond, based upon the jurisdictional tributary area to the North Richmond Pump Station. The estimated load reduction is based upon the County's portion only.

**Table 9. MRP 2.0 Cost Compliance
Most Likely Scenario**

Provision No.	MRP 2.0 Additional Requirements	Estimated Expenditures					Totals
		2016	2017	2018	2019	2020	
C.3	Green Infrastructure	\$0	\$91,500	\$41,000	\$889,000	\$43,000	\$1,064,500
C.10	Trash	\$55,000	\$1,494,000	\$2,014,000	\$2,384,000	\$3,154,000	\$9,101,000
C.11 and C.12	Mercury and PCB	\$31,000	\$11,000	\$213,000	\$361,000	\$43,367,000	\$43,983,000
Additions Subtotals		\$86,000	\$1,596,500	\$2,268,000	\$3,634,000	\$46,564,000	\$54,148,500
MRP 1.0		\$2,980,000	\$2,980,000	\$2,980,000	\$2,980,000	\$2,980,000	\$14,900,000
Total MRP 2.0		\$3,066,000	\$4,576,500	\$5,248,000	\$6,614,000	\$49,544,000	\$69,048,500

Table 9. Detailed Support for Most Likely Scenario

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	\$200,000	\$300,000	\$300,000
a.ii.4.	Implement North Richmon Pump Station control measure	\$0	\$0	\$0	\$0	\$0
a.ii.4.	Implement Street Sweeping control measure	\$0	\$0	\$0	\$0	\$0
a.ii.4.	Implement Green Infrastructure control measure	\$0	\$0	\$0	\$0	\$43,000,000
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

Table 9. Detailed Support for Most Likely Scenario

Provision Number	Requirement	2016	2017	2018	2019	2020
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
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
Subtotal Costs		\$31,000	\$11,000	\$213,000	\$361,000	\$43,367,000

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 10. MRP 2.0 Implementation Budget: Resource Based (Constrained)

MRP Provision	Description	MRP 1.0 2017-2018	MRP 2.0 Additional Provisions	MRP 2.0 2017-18 Budget	Funding Source for 2017-18 Budget			
					SUA 17	Road Fund	Other Depts	General Fund
C2	Municipal Operations	\$32,000		\$32,000		\$32,000		
C2	Street Sweeping	\$200,000	\$125,000	\$325,000	\$125,000			\$200,000
C3	Development/LID	\$123,000		\$123,000	\$123,000			
C3.j	Green Infrastructure Planning		\$92,000	\$92,000	\$92,000			
C4	Industrial/ Commercial Site Controls	\$225,000		\$225,000	\$25,000			\$200,000
C5	Illicit Discharges	\$143,000		\$143,000	\$23,000			\$120,000
C6	Construction Controls	\$8,000		\$8,000	\$8,000			
C7	Public Outreach	\$210,000		\$210,000	\$210,000			
C8	Monitoring	\$30,000		\$30,000	\$30,000			
C9	Pesticide Controls	\$25,000		\$25,000	\$25,000			
C10	Trash (Note 1)	\$456,000	\$69,000	\$525,000	\$525,000			
C10	Trash capture devices (Note 2)		\$577,000	\$577,000	\$300,000	\$277,000		
C10	Trash seperator planning		\$100,000	\$100,000	\$100,000			
C10	On-land clean up	\$540,000	\$200,000	\$740,000	\$740,000			
C10	Adopt-a-Spot		\$25,000	\$25,000	\$25,000			
C10	Plastic bag ban program		\$25,000	\$25,000				\$25,000
C10	Polystyrene ban		\$75,000	\$75,000	\$75,000			
C10	Direct discharge controls (Note 6)	\$100,000	\$200,000	\$300,000	\$150,000	\$75,000	\$50,000	\$25,000

MRP Provision	Description	MRP 1.0 2017-2018	MRP 2.0 Additional Provisions	MRP 2.0 2017-18 Budget	Funding Source for 2017-18 Budget			
					SUA 17	Road Fund	Other Depts	General Fund
C10	Creek clean-ups (Note 7)	\$120,000	\$30,000	\$150,000	\$75,000		\$65,000	\$10,000
C11	Mercury Controls	\$15,000		\$15,000	\$15,000			
C12	PCB Controls (Note 3)	\$40,000	\$11,000	\$51,000	\$51,000			
C12	PCB/GI project		\$50,000	\$50,000	\$50,000			
C12	Identify development treatment		\$60,000	\$60,000	\$60,000			
C12	Local Source Properties		\$25,000	\$25,000	\$25,000			
C12	Regional Source Properties		\$5,000	\$5,000	\$5,000			
C12	County CIP Project (Note 4)		\$500,000	\$500,000		\$250,000		\$250,000
C15	Annual Report	\$70,000	\$20,000	\$90,000	\$90,000			
	RWQCB Fees	\$45,000		\$45,000	\$45,000			
	BIMID Cost Share	\$30,000		\$30,000	\$15,000	\$15,000		
	Drainage Inventory	\$50,000		\$50,000		\$50,000		
	Marina Program	\$10,000		\$10,000	\$10,000			
	Program Admin. (Note 8)	\$230,000		\$230,000	\$230,000			
	Knightsen Biofilter (Note 5)	\$10,000		\$10,000			\$10,000	
Notes		Totals	\$2,189,000	\$4,901,000	\$3,247,000	\$699,000	\$470,000	\$485,000

1. Trash budget for MRP 1.0 represents projected costs from the past two years; the budget amount for MRP 2.0 Additional Provisions represents several small-scale planning activities such as maintenance plans, reports, and certifications.
2. The budget for full trash capture devices on drainage inlets includes \$300,000 for installation and \$277,000 for the first year of maintenance.

3. The PCB budget for MRP 1.0 is projected costs from the past two years; the budget amount for MRP 2.0 Additional Provisions is several small scale planning activities such as reports, schedules, and evaluations.
4. County Capital Improvement Program (CIP) projects are divided into two types: one is infrastructure projects like roads and bridges paid for from the Road Fund, and the other is building projects usually paid from the General Fund. If Green Infrastructure has been incorporated into the project scope and project budget, then this cost is already included in the project cost and is not an "additional" cost.
5. The Knightsen Biofilter project requires Public Works Department staff support to keep it going, which could be funded by the Flood Control District in its role of providing technical guidance throughout the County on flood relief planning work. However, once the planning work identifies a preferred alternative and it goes into project design, then the work would have to be locally funded.
6. Elements of the Direct Trash Discharge Control Plan will be implemented within the road rights of way funded with Road Funds, within Flood Control District rights of way funded with Flood Control Funds, and on County owned property funded with General Funds.
7. About half of the creek cleanup work will occur in Flood Control District rights of way and funded with Flood Control Funds, and a small portion are on County creek-front property and funded with General Funds.
8. Program Administration includes such items as supervision, training, budget and contract management, grant writing, and strategic planning.

Table 11 MRP 2.0 Implementation Budget: Most Likely Scenario (Unconstrained)

MRP Provision	Description	MRP 1.0 2017-2018	MRP 2.0 Additional Provisions	MRP 2.0 2017-18 Budget	Funding Source for 2017-18 Budget			General Fund
					SUA 17	Road Fund	Other Depts	
C2	Municipal Operations	\$32,000		\$32,000		\$32,000		
C2	Street Sweeping	\$200,000	\$125,000	\$325,000	\$125,000			\$200,000
C3	Development/LID Green	\$123,000		\$123,000	\$123,000			
C3.j	Infrastructure Planning Industrial/Commercial Site		\$92,000	\$92,000	\$92,000			
C4	Controls	\$225,000		\$225,000	\$25,000		\$200,000	
C5	Illicit Discharges	\$143,000		\$143,000	\$23,000		\$120,000	
C6	Construction Controls	\$8,000		\$8,000	\$8,000			
C7	Public Outreach	\$210,000		\$210,000	\$210,000			
C8	Monitoring	\$30,000		\$30,000	\$30,000			
C9	Pesticide Controls	\$25,000		\$25,000	\$25,000			
C10	Trash (Note 1)	\$456,000	\$69,000	\$525,000	\$525,000			
C10	Trash capture devices (Note 2)		\$577,000	\$577,000	\$300,000	\$277,000		
C10	Trash seperator planning		\$100,000	\$100,000	\$100,000			
C10	On-land clean up	\$540,000	\$200,000	\$740,000	\$740,000			
C10	Adopt-a-Spot		\$25,000	\$25,000	\$25,000			
C10	Plastic bag ban program		\$25,000	\$25,000			\$25,000	
C10	Polystyrene ban		\$75,000	\$75,000	\$75,000			
C10	Direct discharge controls (Note 6)	\$100,000	\$200,000	\$300,000	\$150,000	\$75,000	\$50,000	\$25,000

Table 11 MRP 2.0 Implementation Budget: Most Likely Scenario (Unconstrained)

MRP Provision	Description	MRP 1.0 2017-2018	MRP 2.0 Additional Provisions	MRP 2.0 2017-18 Budget	Funding Source for 2017-18 Budget			
					SUA 17	Road Fund	Other Depts	General Fund
C10	Creek clean-ups (Note 7)	\$120,000	\$30,000	\$150,000	\$135,000		\$15,000	
C11	Mercury Controls	\$15,000		\$15,000	\$15,000			
C12	PCB Controls (Note 3)	\$40,000	\$11,000	\$51,000	\$51,000			
C12	PCB/GI projects (Note 9)		\$13,050,000	\$13,050,000	\$50,000			\$13,000,000
C12	Identify development treatment							
C12	Local Source Properties		\$60,000	\$60,000	\$60,000			
C12	Regional Source Properties		\$25,000	\$25,000	\$25,000			
C12	County CIP Project (Note 4)		\$5,000	\$5,000	\$5,000			\$250,000
C15	Annual Report	\$70,000	\$20,000	\$90,000	\$90,000			
	RWQCB Fees	\$45,000		\$45,000	\$45,000			
	BIMID Cost Share	\$30,000		\$30,000	\$15,000	\$15,000		
	Drainage Inventory	\$50,000		\$50,000		\$50,000		
	Marina Program	\$10,000		\$10,000	\$10,000			
	Program Admin. (Note 8)	\$230,000		\$230,000	\$230,000			
	Knightsen Broffiter (Note 5)	\$10,000		\$10,000			\$10,000	
	Totals	\$2,712,000	\$15,189,000	\$17,901,000	\$3,307,000	\$699,000	\$420,000	\$13,475,000

Table 11 MRP 2.0 Implementation Budget: Most Likely Scenario (Unconstrained)

Notes

1. Trash budget for MRP 1.0 represents projected costs from the past two years; the budget amount for MRP 2.0 Additional Provisions represents several small-scale planning activities such as maintenance plans, reports, and certifications.
2. The budget for full trash capture devices on drainage inlets includes \$300,000 for installation and \$277,000 for the first year of maintenance.
3. The PCB budget for MRP 1.0 is projected costs from the past two years; the budget amount for MRP 2.0 Additional Provisions is several small scale planning activities such as reports, schedules, and evaluations.
4. County Capital Improvement Program (CIP) projects are divided into two types: one is infrastructure projects like roads and bridges paid for from the Road Fund, and the other is building projects usually paid from the General Fund. If Green Infrastructure has been incorporated into the project scope and project budget, then this cost is already included in the project cost and is not an "additional" cost.
5. The Knightsen Biofilter project requires Public Works Department staff support to keep it going, which could be funded by the Flood Control District in its role of providing technical guidance throughout the County on flood relief planning work. However, once the planning work identifies a preferred alternative and it goes into project design, then the work would have to be locally funded.
6. Elements of the Direct Trash Discharge Control Plan will be implemented within the road rights of way funded with Road Funds, within Flood Control District rights of way funded with Flood Control Funds, and on County owned property funded with General Funds.
7. Some of the creek cleanup work will occur in Flood Control District rights of way and funded with Flood Control Funds.
8. Program Administration includes such items as supervision, training, budget and contract management, grant writing, and strategic planning.
9. This budget item is 30% of a \$43 million capital program and will pay for project planning, CEQA, permitting, and design activities in FY 2017/18.

Table 12. Summary of MRP 2.0 Costs: Resource Based Scenario - Constrained

Additional Requirements	Expenditures					Totals
	2016	2017	2018	2019	2020	
Trash	\$55,000	\$1,494,000	\$2,014,000	\$2,384,000	\$3,154,000	\$9,101,000
Green Infrastructure	\$0	\$91,500	\$41,000	\$889,000	\$43,000	\$1,064,500
Mercury and PCB	\$31,000	\$705,000	\$700,000	\$700,000	\$700,000	\$2,836,000
Sub Totals	\$86,000	\$2,290,500	\$2,755,000	\$3,973,000	\$3,897,000	\$13,001,500
MRP 1.0 Projected Annual Cost	\$3,000,000	\$3,000,000	\$3,000,000	\$3,000,000	\$3,000,000	\$15,000,000
MRP 2.0 Total Cost	\$3,086,000	\$5,290,500	\$5,755,000	\$6,973,000	\$6,897,000	\$28,001,500

Summary of MRP 2.0 Costs: Most Likely Scenario

Additional Requirements	Expenditures					Totals
	2016	2017	2018	2019	2020	
Trash	\$55,000	\$1,494,000	\$2,014,000	\$2,384,000	\$3,154,000	\$9,101,000
Green Infrastructure	\$0	\$91,500	\$41,000	\$889,000	\$43,000	\$1,064,500
Mercury and PCB	\$31,000	\$6,511,000	\$6,713,000	\$15,361,000	\$15,367,000	\$43,983,000
Sub Totals	\$86,000	\$8,096,500	\$8,768,000	\$18,634,000	\$18,564,000	\$54,148,500
MRP 1.0 Projected Annual Cost	\$3,000,000	\$3,000,000	\$3,000,000	\$3,000,000	\$3,000,000	\$15,000,000
MRP 2.0 Total Cost	\$3,086,000	\$11,096,500	\$11,768,000	\$21,634,000	\$21,564,000	\$69,148,500



Appendix A

**Report to the Transportation, Water and
Infrastructure Committee**

April 10, 2017

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

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Overview and Corrections

Overview

The detailed cost analysis that follows for Green infrastructure, Trash, Mercury, and PCBs, use the Appendix in the October 13, 2016 Financial Report to the Committee as a base document. Each one of these four additional requirements has been updated to include any corrections noted below and any new information on costs. It should be noted that although the cost analysis in this Appendix has been updated, the assumptions are still based on the worst case scenario outlined in the October 13, 2016 Financial Report.

All of the cost data presented in this Appendix is summarized in Appendix Tables 1 through 4 at the end of this Appendix. These cost estimates are intended to provide an accuracy level commensurate with the early stages of program planning and development the County is currently exploring. All of these estimates will become more accurate as time goes on and more information is known and experience gained with implementing provisions of MRP 2.0.

Corrections

There were several interpretations of permit requirements that were incorrect and impacted him for the October 13, 2016 Committee report. This section reviews the general assumptions made in preparing the cost estimates, the incorrect interpretations, and the corrections.

The October 13, 2016 Financial Report provided a worst case cost scenario, assuming a modest amount of source properties and a small amount of private development treating PCBs, and the County implementing the bulk of the PCB load reduction measures. The worst case scenario cost for the four additional provisions (Trash, Green Infrastructure, Mercury, and PCBs) was \$202 million. The cost of the four additional provisions plus the annual compliance cost of MRP 1.0 resulted in the total estimated cost for implementing MRP 2.0. After adding the \$3 million annual cost of implementing MRP 1.0, the total five-year permit cost for MRP 2.0 was \$217 million.

There were three primary assumptions in the Financial Report that impact the worst case scenario analysis:

- **2019 Load Reduction.** It was assumed there was a PCB load reduction requirement every year from 2018 to 2020. In fact, there is only a load reduction requirement in 2018 and 2020, and not in 2019. Correcting this assumption reduced the total cost of implementing PCB control measures by about \$13 million. This is also shown in Appendix Table 5 and explained in more detail further in the Appendix.
- **Loads Aren't Additive.** It was also assumed that PCB load reductions do not carry forward from year-to-year. In fact, when a control measure results in a load

reduction that load reduction does carry forward, providing the control measure is maintained on an annual basis to ensure the load reduction is permanent. Correcting this assumption, and clarifying the assumption of 0.5 grams per year load reduction from private development in 2018, 2019, and 2020, had a net reduction in the total cost of implementing PCB control measures of about \$1 million. It turns out that clarifying and correcting these two assumptions balance each other out.

- **Unit Treatment Costs.** The financial analysis used \$215,000 per treated acre as the cost for Green Infrastructure control measures implemented by the County. When the Financial Report was prepared the cost analysis was peer-reviewed, and the peer review consultant indicated the cost range for implementing Green Infrastructure in the Bay Area was between \$200,000 and \$365,000 per treated acre. Subsequent to the Committee meeting, the peer review consultant analyzed cost data from Southern California. The cost data shows the average cost of implementing Green Infrastructure in that part of the State is about \$110,000 per treated acre. Adopting a unit cost of \$110,000 per treated acre would roughly reduce the cost estimates in the Financial Report by half. However, staff recommends continuing to use \$215,000 per treated acre at this point in the planning process. The Bay Area is in the early stages of implementing Green Infrastructure and the unit costs will undoubtedly go down with increased experience. Southern California is several years ahead of the Bay Area in stormwater permit requirements and has been implementing Green Infrastructure improvements longer. We can certainly learn from the experience in Southern California, however, there remain differences in soils, climate, and institutional/financial arrangements that indicate a prudent approach would be to use a cost at the low end of the Bay Area cost range. Using \$215,000 per treated acre is consistent with that prudent approach. The other assumption that affects Green Infrastructure costs is its efficiency in reducing PCB loads. Green Infrastructure treats runoff from land containing PCBs but is not 100% effective at doing so. The Regional Board assigns a default efficiency factor of 70% to Green Infrastructure. A remediation project, on the other hand, addresses PCBs on a specific property to prevent PCBs from running off the property. A remediation project has a 100% efficiency factor. A 70% efficiency factor is used in this report unless noted otherwise.

The corrections noted above reduce the worst case cost scenario for MRP 2.0 to about \$200 million over a five-year permit term.

GREEN INFRASTRUCTURE

Developing a Green Infrastructure Plan For Unincorporated Contra Costa County A requirement of the current Municipal Regional Permit (MRP 2.0)

Updated April 10, 2017

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 some extent to provide water chemistry and water quality parameters for pollutant loading. The Clean Water Program has developed a program to map areas for potential and public planned projects. This program 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. We will also need 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 utilize SFEI’s GreenPlanIT 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 use the Clean Water Program’s tool 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 the Clean Water Program 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 imagery 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.

- 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.

TRASH

Meeting the Trash Load Reduction Schedule for Unincorporated Contra Costa County A requirement of the current Municipal Regional Permit (MRP 2.0)

Updated April 10, 2017

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 or in drainage systems 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 to meet 70%. 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. There are two types of full trash capture: screens or similar features that capture trash at individual storm drain inlets, or hydrodynamic separators on trunk storm drain lines that capture trash coming from many individual inlets. The County is proposing to invest \$300,000 to install full trash capture devices (screens) in storm drain inlets located in high and very high trash generation areas. Based on a 2013 project to install individual full trash capture devices, the average construction cost is about \$600 per unit. 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. In early 2017 the County advertised a project to install screens and the average of the three lowest bidders was \$738, so using a total unit cost of \$1,000 is still reasonable. With this budget, the County will be able to retrofit about 300 storm drain inlets. Annual maintenance costs, utilizing a Vactor truck, driver, and assistant, are estimated at \$600 per unit three times a year for a total annual unit cost of \$1,800. As a project, individual screen inserts can be installed fairly quickly and will be utilized in the first two years. Trash separators are much larger facilities and must go through a full design process, including environmental review, and take about two years to plan and install. In the last three years of the permit three trash separators will be installed at an average cost of \$800,000 each. The cost for separators can vary widely depending on the treatment area, utilities, traffic, etc. It is also assumed that maintenance costs for trash separators, cleaned three times a year, are \$10,000 per unit. Even though separators have a high initial capital cost, the annual costs are much less providing a more cost effective lifecycle cost investment.

- Convert drainage inlets to full trash capture (2017). \$300,000
- Convert drainage inlets to full trash capture (2018). \$300,000
- Annual cost to maintain 300 full trash capture inlets. \$540,000
- Install three hydrodynamic trash separators (2019 - 2020). \$2,400,000
- Annual cost to maintain three trash separators. \$30,000

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 \$200,000.

- Additional on-land cleanup services. \$200,000

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 major roads

that connect communities. 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 \$1,800 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. The cost increase associated with MRP 2.0 is noted in provision C.10.a.i above.

- Develop maintenance plan for full trash capture devices. \$35,000
- Additional annual cost of maintenance included in C.10.a.i.

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 \$1,000 per year.

- Annual cost to provide certification. \$1,000

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 assessments 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, considering the current statewide ban on plastic bags and the value of load reduction this represents, the Committee authorized staff to explore implementing this source control measure at their October 13, 2016 meeting. 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 \$5,000. Adopting a ban on polystyrene food containers 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. Enforcing a ban on plastic bags would entail taking a quick representative sample of retail and commercial establishments to determine percentage of compliance at \$5,000, then a more systematic monitoring of all applicable establishments over a longer period of time to include outreach, awareness, and enforcement at \$10,000 per year.

- Develop a source control strategy. \$5,000
- Adopt a ban on polystyrene containers. \$75,000
- Initial assessment of plastic bag ban compliance. \$5,000
- Annual cost of monitoring plastic bag ban. \$10,000

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 receiving water monitoring program at \$5,000.

- Develop receiving water monitoring program cost share. \$10,000
- Annual cost to manage the 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 12.4 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. In 2019 the volume will be increased to 37.6 cubic yards of trash to receive a 1% offset. 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, 12 cubic yards in 2017 and 38 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 re-populated within a couple of weeks. This trash discharge control measure would have to prevent re-population 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 re-population at \$50,000. The County share to implement and enforce the plan each year at \$300,000 (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. \$200,000
- 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 1,740 are located in Moderate, High, or Very High trash generation areas. It is assumed that 10% of the 1,740 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 stormwater 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 1,566 drainage inlets at \$1,000 per inlet (\$600 installation plus \$400 in project planning, development, design, and construction management), develop a project and construct drainage inlet modifications for 174 drainage inlets at \$5,000 per inlet, and budget the cost to maintain these additional full trash capture devices at \$1,800 each per year.

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

- Drainage system assessment. \$50,000
- Develop the non-compliance report. \$25,000
- Convert drainage inlets to full trash capture. \$870,000
- Modify inlets to accommodate full trash capture. \$1,570,000
- Annual cost to maintain 1,740 full trash capture inlets. \$3,100,000

MERCURY

Meeting the Mercury Load Reduction Schedule for Unincorporated Contra Costa County A Requirement of the Current Municipal Regional Permit (MRP 2.0)

Updated April 10, 2017

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 Unincorporated Contra Costa County A Requirement of the Current Municipal Regional Permit (MRP 2.0)

Updated April 10, 2017

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. This cost analysis is based on the assumption that the County must meet its own PCB load reduction targets. This presumes that Bay Area permittees, collectively, are not able to meet the overall TMDL goal and the requirement devolves to the counties, and that Contra Costa County permittees, collectively, are also not able to meet load reduction targets.:

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 90 gram load reduction in 2018 is carried forward, so the 560 gram load reduction in 2020 includes the 2018 load reduction, leaving a balance of 470 grams.

The County's share of that load reduction, based on population as of January 2015, is 15.26%. The County must therefore implement source and treatment control measures to reduce PCBs by 13.73 grams per year by 2018 and a total of 85.45 grams per year by 2020.

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 and remediating contaminated areas, diverting stormwater 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 by 2018 and a total of 85.45 grams by 2020. It is assumed the County will avail itself of the 67% load reduction credit for implementing a demolition control program in 2019, leaving a 33% load reduction balance of 28.48 grams by 2020 (reduced from 85.45 grams). The 67% credit goes into effect in 2019, so the 2018 load reduction requirement of 13.73 grams is not reduced. In addition, provision C.12.c.ii.1 requires a minimum of 3.51 grams of the total 2020 load reduction through Green Infrastructure.

The load reduction calculation 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 total load requirement of 28.48 grams through treatment only would require treating 329 acres of Old Industrial land uses, 940 acres of Old Urban land uses, 8137 acres of New Urban land uses, or 6623 acres of Open Space land uses. Based on the load reduction yields per acre, it makes sense to focus on areas with Old Industrial 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 many 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 could result in about 2 grams 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, implement the containment project at \$25,000, and maintain the containment feature at \$10,000 per year. 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. \$80,000

Annual cost to maintain containment features. \$10,000

North Richmond Pump Station. This measure would divert dry weather flows to the West County Wastewater District to remove PCB laden sediments from stormwater runoff. In addition, first flush wet weather events would 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. This project would only be financially feasible if there were no treatment charges for the roughly 95,000,000 gallons diverted to the treatment plant each year. The project would be feasible if the diverted stormwater was viewed as a resource in conjunction with some other re-use project allowing treatment costs to be paid from other sources. To develop this type of re-use project would likely take a year or two to negotiate. 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, allowing 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 per year. The capital project to implement this control measure would take two years to plan and build. It is assumed this control measure will yield 1.0 grams of PCBs.

Develop feasibility analysis. \$25,000

Capital cost for 1.0 grams of PCBs. \$180,000

Annual cost of Street sweeping. \$50,000

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 per year in 2016, 2017, 2018, 2019, and 2020. 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 \$3,000 per treated acre. Given the assumptions with the other control measures of 1.0 grams from Source Properties, 0.14 grams from the Pump Station,

1.0 grams 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 10.09 (13.73 – 3.64) grams in 2018, and 17.39 grams in 2020. The overall 2020 load reduction (28.48) is reduced by the 2018 load reduction (10.09) to determine the balance of load reduction requirement in 2020 (17.39) including private development in 2019 (0.5) and 2020 (0.5). To meet the load reduction requirement of 10.09 grams in 2018 would require treating 116.6 acres of Old Industrial land use area or 333.0 acres of Old Urban land use area. It is assumed 225 acres of a mix of these two land uses will be treated to meet the requirement. This acreage would be multiplied by the treatment cost of \$215,000 per treated acre and reduced by the 70% efficiency factor for Green Infrastructure approved by the Regional Board. 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 per year with a load reduction of 0.5 grams per year, so the balance of 17.39 grams will have to be picked up with public Green Infrastructure retrofit projects. The cost to the County would be treating approximately 390 acres of mixed land-use at a unit treatment cost of \$215,000 per acre with a 70% efficiency factor, and an annual maintenance cost of \$3,000 per treated acre. This would represent the worst case cost scenario using the assumptions noted above.

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 in the Bay Area 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. More recent work by the same consultant indicates that average costs in Southern California are about \$110,000 per treated acre. However, since there are enough differences in soils, climate, and institutional arrangements between there and the Bay Area, this analysis continues to use \$215,000 per treated acre.

- Implement control measures (2018). \$69,100,000
- Implement control measures (2020). \$119,800,000
- Annual cost to track private Green Infrastructure projects. \$5,000
- Annual maintenance costs (2018). \$675,000
- Annual maintenance costs (2019). \$675,000
- Annual maintenance costs (2020). \$1,845,000

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 \$3,000.

- 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 or desired.

- 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 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 use Green Infrastructure to reduce PCB loads by 23 grams by June 30, 2020. The County's share of that (15.26%) is 3.51 grams. 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 40.6 acres of Old Industrial land uses or 115.8 acres of Old Urban land uses. It is assumed 78 acres of a mix of these two land uses will be treated to meet the requirement. To calculate the total cost, this acreage would be multiplied by \$215,000 per treated acre with a 70% default efficiency factor approved by the Regional Board. These acreage 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 3.0 kilograms 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 \$15,000.
- Identify control measures and perform assurance analysis. \$20,000
- 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, resulting in a proportional cost increase to the County.

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

Appendix 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

Appendix 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	\$840,000	\$1,380,000	\$1,890,000	\$2,710,000
a.i.	Meet trash reduction targets: On-land clean-up	\$0	\$200,000	\$200,000	\$200,000	\$200,000
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	\$0	\$85,000	\$10,000	\$10,000	\$10,000
b.v.	Develop receiving water monitoring program	\$0	\$0	\$10,000	\$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	\$250,000	\$205,000	\$205,000	\$205,000
f.v.b.	Prepare non-compliance report (If necessary) (see Note 1)					
	Total Costs	\$55,000	\$1,494,000	\$2,014,000	\$2,384,000	\$3,154,000

Notes:

1. 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 a planning cost of \$75,000 in 2017, an implementation cost of \$2,440,000 in 2018, and \$3,100,000 annual increase in maintenance costs.

Appendix 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	\$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	\$10,000	\$10,000
a.ii.4.	Implement North Richmon Pump Station control measure	\$0	\$0	\$0	\$0	\$115,000
a.ii.4.	Implement Street Sweeping control measure	\$0	\$0	\$25,000	\$180,000	\$50,000
a.ii.4.	Implement Green Infrastructure control measure	\$0	\$0	\$69,780,000	\$680,000	\$121,650,000
a.iii.1.	Progress report on control measures	\$5,000	\$0	\$0	\$0	\$0
a.iii.2.	Develop status for each Annual Report	\$0	\$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

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

Provision Number	Requirement	2016	2017	2018	2019	2020
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	\$20,000
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
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		\$28,000	\$11,000	\$69,898,000	\$931,000	\$121,897,000

Note:

1. 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

Appendix 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.

**Appendix Table 5. MRP 2.0 Cost Correction 1
Without 2019 PCB Load Reduction**

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	\$61,000	\$172,184,000	\$185,710,000
Totals		\$86,000	\$821,500	\$14,003,000	\$1,369,000	\$172,571,000	\$188,850,500



Contra Costa County Board of Supervisors

Subcommittee Report

TRANSPORTATION, WATER & INFRASTRUCTURE COMMITTEE

7.

Meeting Date: 04/10/2017

Subject: ACCEPT report on submittal of a grant proposal application for the North Richmond Watershed Connections Project to the State Coastal Conservancy.

Submitted For: TRANSPORTATION, WATER & INFRASTRUCTURE COMMITTEE,

Department: Conservation & Development

Referral No.: 2

Referral Name: Review applications for transportation, water and infrastructure grants to be prepared by the Public Works and Conservation and Development Departments.

Presenter: John Steere, PWD

Contact: John Steere (925)313-2281

Referral History:

This has not gone to the TWI Committee or the Board of Supervisors before.

Referral Update:

On February 17, 2017, the Public Works Department submitted an \$862,400 grant proposal for the “North Richmond Watershed Connections Project” (Watershed Connections) to the California Coastal Conservancy. It was submitted as an application to the “Urban Greening San Francisco Bay Area” Proposition 1 Grant. The Watershed Connections is comprised of three subprojects and is a collaboration of the Contra Costa County Public Works Department (Transportation Engineering and the Watershed Program), Urban Tilth, and The Watershed Project. These subprojects are:

1. North Richmond Urban Farm/Fred Jackson Way Rain Gardens (led by Urban Tilth).
2. First Mile/Last Mile on Fred Jackson Way, a Green/Complete Streets project (led by the Contra Costa County Public Works Department).
3. Watershed Connections Route, Clean and Green Streets/Adopt-a-Block Program (led by The Watershed Project).

The grant submittal packet included the application, the project graphics, and 20 letters of both support and in-kind contributions from Supervisor John Gioia, other County departments and agencies, and local and national environmental and community organizations.

Recommendation(s)/Next Step(s):

No action is necessary; submitted to the TWI Committee for its information. There was not sufficient time between the formulation of the project in early January 2017 to submit the draft proposal to the TWI Committee for its review. Please note that the Coastal Conservancy released the San Francisco Bay Urban Greening Grant Request for Proposals in late December 2016.

Fiscal Impact (if any):

No fiscal impact if awarded grant. However, Contra Costa County would receive up to \$862,400 in Proposition 1 funding if the County is awarded the full grant request.

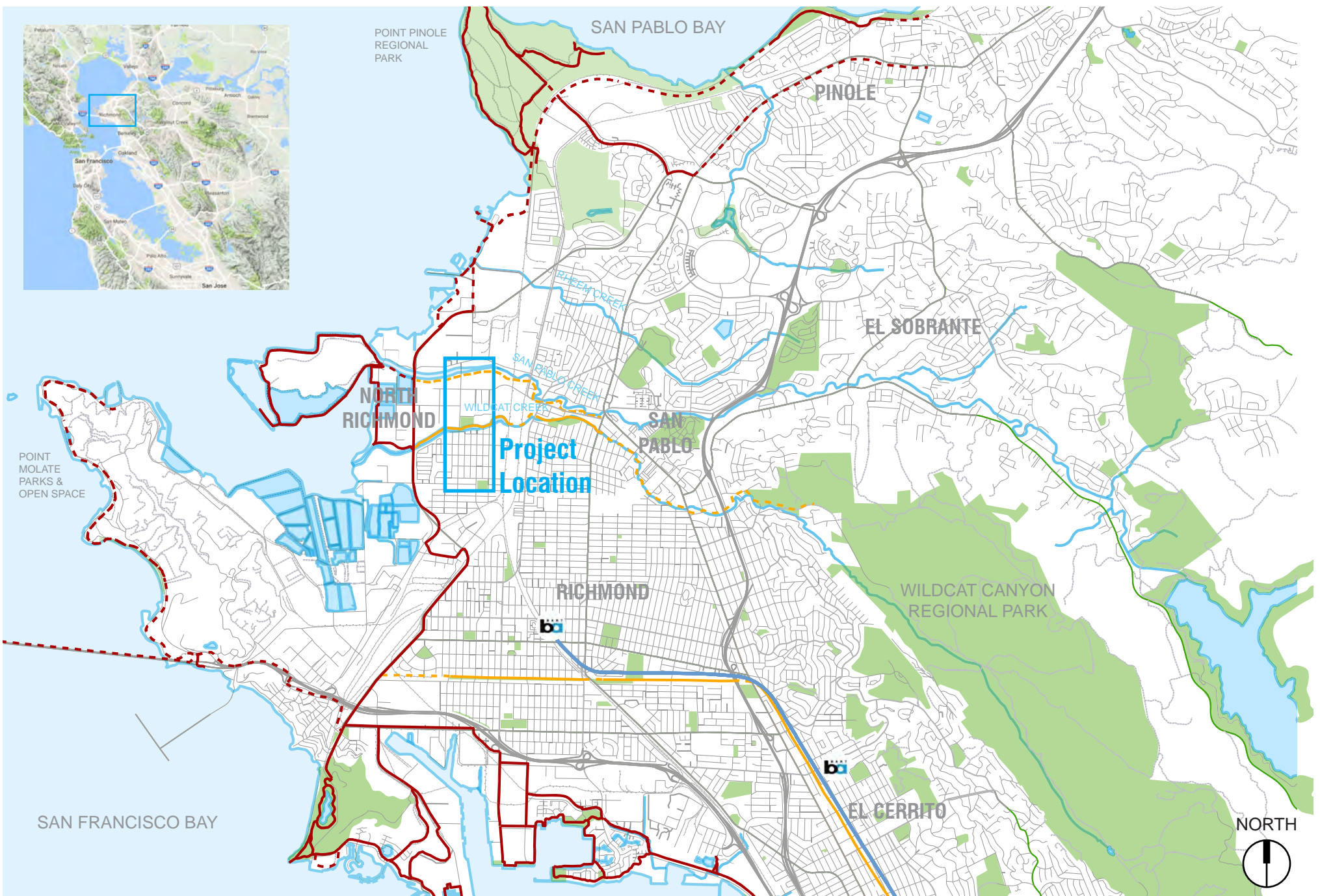
Attachments

Maps & Graphics

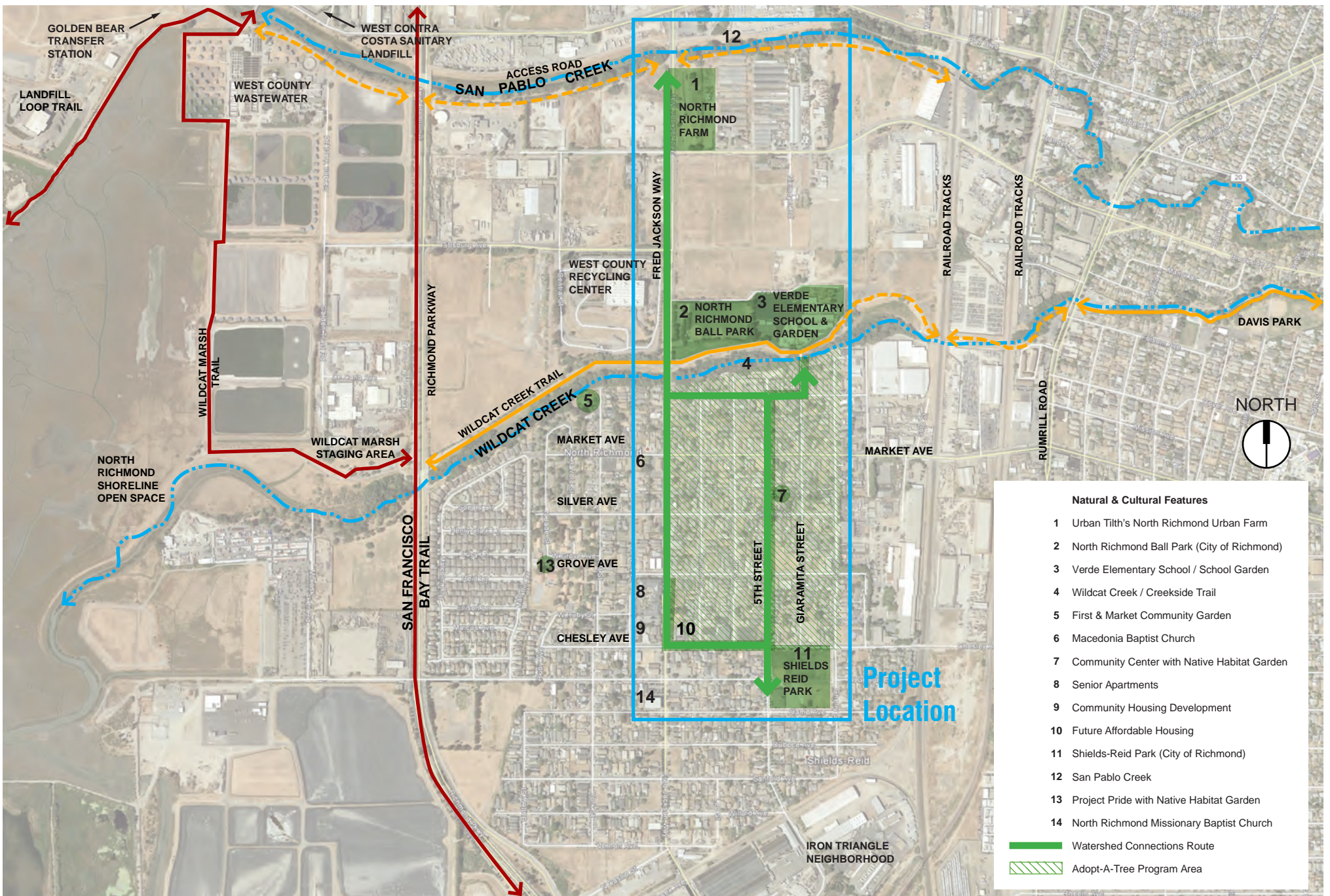
Grant Application

Submittal Letter

Exhibit C



Regional Map: North Richmond and Vicinity



Neighborhood Scale Map

**NORTH RICHMOND WATERSHED CONNECTIONS
A MULTI-BENEFIT URBAN GREENING DEMONSTRATION PROJECT**

Trail Legend	
	Bay Trail - Complete
	Bay Trail - Incomplete
	Connector Trail - Complete
	Connector Trail - Incomplete



Fred Jackson Way Rain Gardens

Project Lead: Urban Tilth

- Urban Greening: 6 Trees, 3,475 s.f. planting area with native species
- Stormwater Management: 3,475 s.f. rain garden treats 3,110,400 gallons of stormwater annually



Fred Jackson Way
Complete Streets integrate urban greening, sustainable features, stormwater management and active transportation

Rain Garden
Stormwater management becomes a neighborhood amenity, featuring native plants and pollinators as well as street trees to lower urban temperatures.

Interpretive Signage
The sign describes the bioswale design and how a healthy watershed benefits the farm.

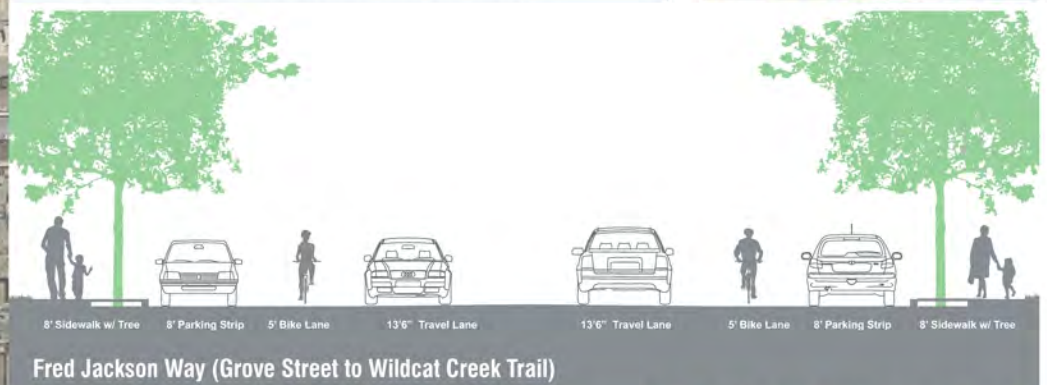
Urban Tilth's North Richmond Urban Farm
In Summer of 2012 Urban Tilth began work with County Supervisor John Gioia's office on developing the North Richmond Farm at the corner of Fred Jackson Way and Brookside Dr.



Fred Jackson Way First Mile/Last Mile Urban Greening

Project Lead: Contra Costa County Public Works Department

- Urban Greening: 37 Trees (shown conceptually, see design plan for layout)
- This is a Contra Costa County Department of Public Works Project. The ATP-funded project includes ADA accessible sidewalks with street trees along 0.3-mile roadway from Grove Avenue to Wildcat Creek Trail. It extends an additional 0.3 miles northerly to Brookside Drive to construct sidewalk and Class II bike lanes for a total of 0.6 miles of continuous pedestrian and bicycle access.



Clean & Green Adopt-a-Tree Program & Walkable Watersheds

Project Lead: The Watershed Project

- Urban Greening: Adopt-a-Tree Program / 50 Trees (refer to design plan for opportunity sites)
- Walkable Watersheds: 4 interpretive features, 15 wayfinding markers, painted pavements, art
- Water Quality / Litter Reduction: 3 "jewel boxes" (litter/recycling receptacles with mosaic art)



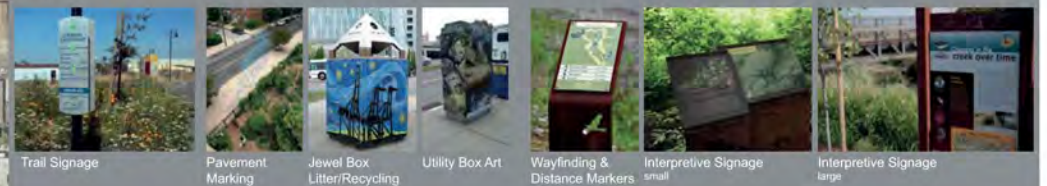
Complete Streets
Integrate urban greening, sustainable features, stormwater management and active transportation

Pavement Marking
playful stormwater art highlights the connection between clean streets and water quality

Adopt-a-Tree Program
a sustainable program to plant street trees in collaboration with home owners and maintain them

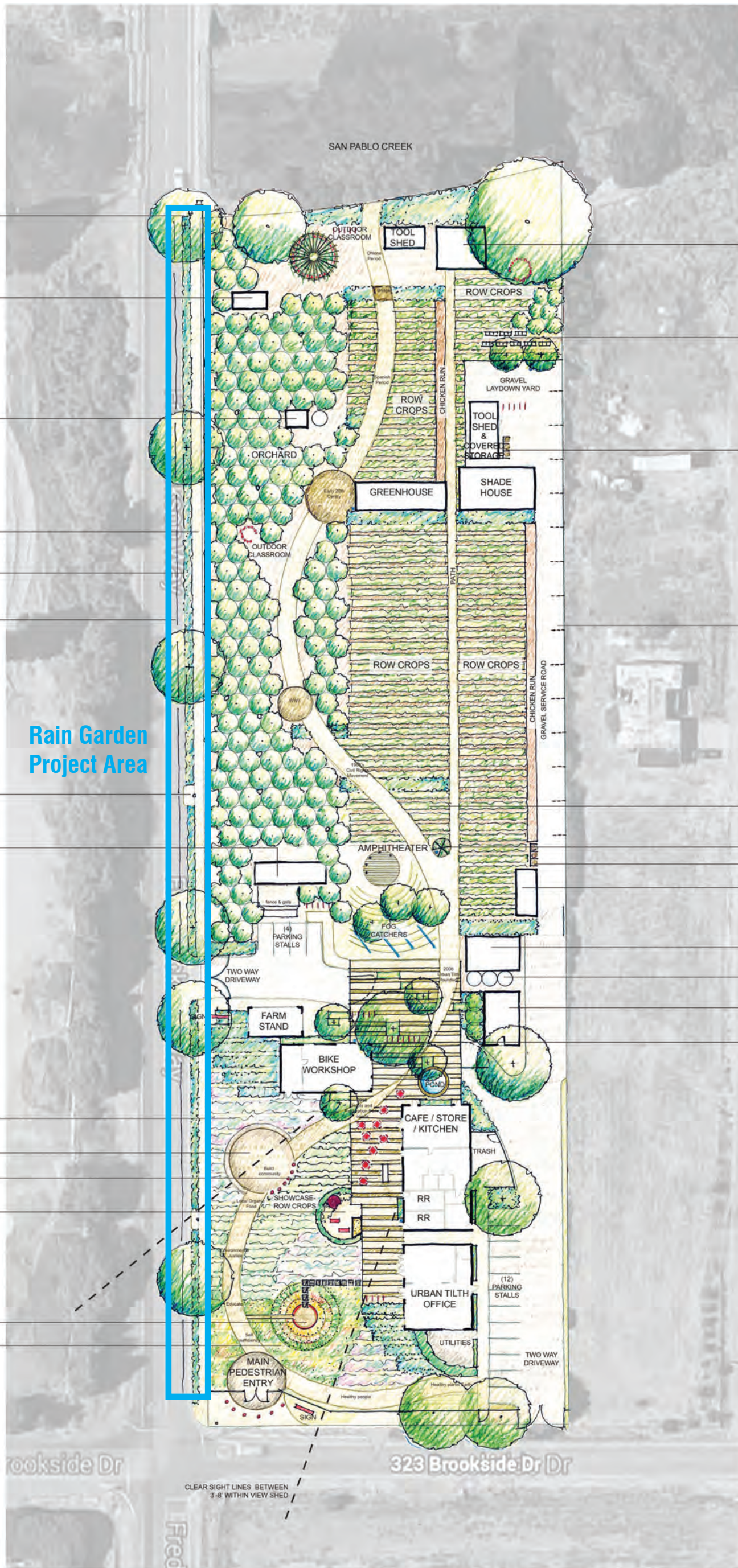
Wayfinding & Distance Markers
improves walkability; encourages exercise; identifies safe routes; calls out multi-benefit green infrastructure features

Interpretive Signage
references natural and cultural features; promotes watershed awareness



NORTH RICHMOND WATERSHED CONNECTIONS A MULTI-BENEFIT URBAN GREENING DEMONSTRATION PROJECT





Rain Garden Project Area

- LEGEND**
- STORMWATER FLOW-THROUGH PLANTER
 - RAISED PLANTER
 - STORMWATER BIOSWALE
 - BIKE RACKS
 - CAFE TABLES
 - BOULDERS
 - OUTDOOR CLASSROOM
 - STEPPING STONES
 - (E) TREES
 - NEW TREES
 - NEW SEMI-DWARF FORCHARD TREES

URBAN TILTH | NORTH RICHMOND FARM
SCHEMATIC SITE PLAN

NORTH

Design Plan:
North Richmond Urban Farm Rain Gardens
NORTH RICHMOND WATERSHED CONNECTIONS
A MULTI-BENEFIT URBAN GREENING DEMONSTRATION PROJECT





**Design Plan:
Fred Jackson Way First Mile/Last Mile Connection Project (page 1 of 3)**

**NORTH RICHMOND WATERSHED CONNECTIONS
A MULTI-BENEFIT URBAN GREENING DEMONSTRATION PROJECT**

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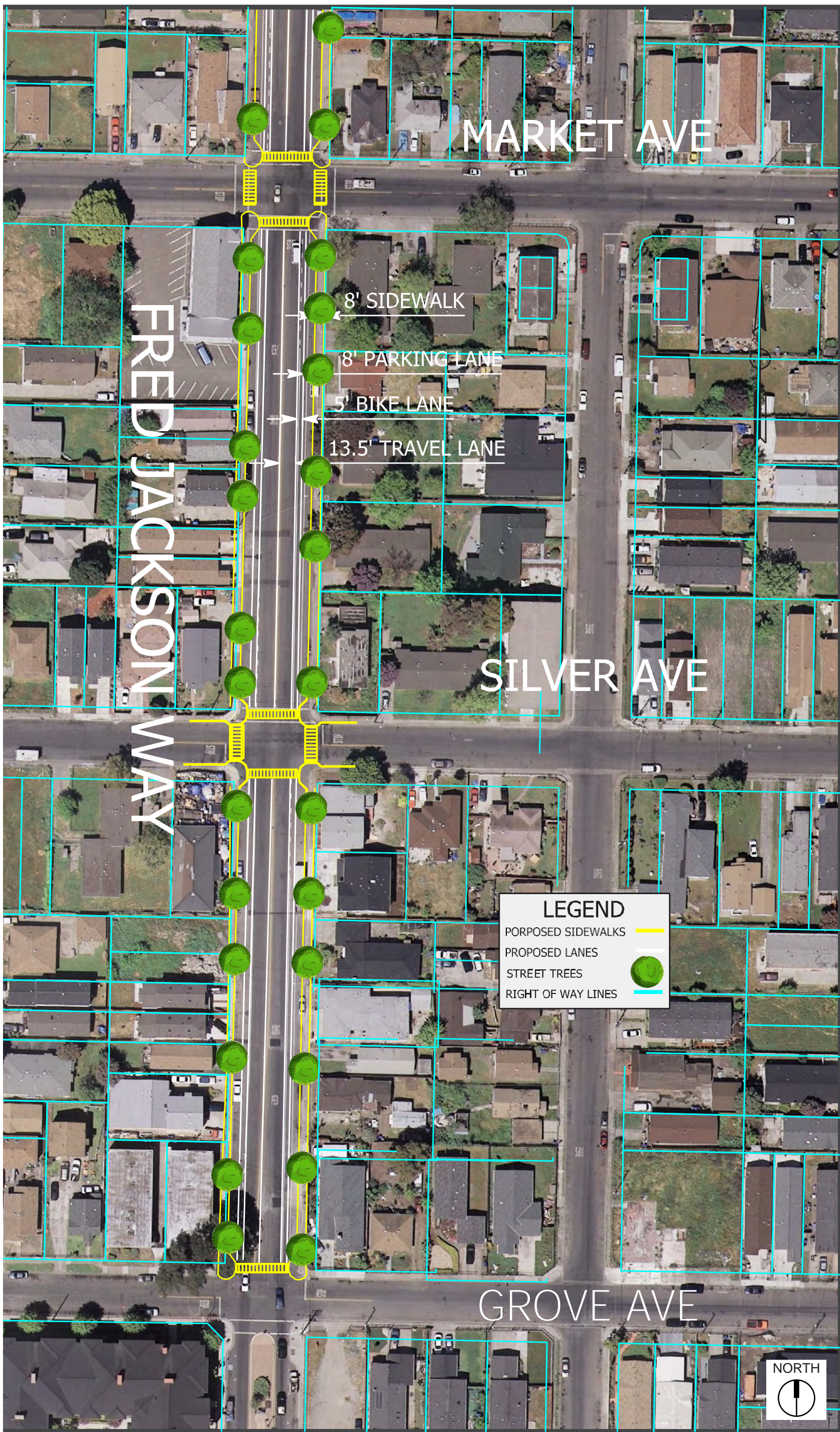


Contra Costa County
Public Works
Department



Design Plan:
Fred Jackson Way First Mile/Last Mile Connection Project (page 2 of 3)

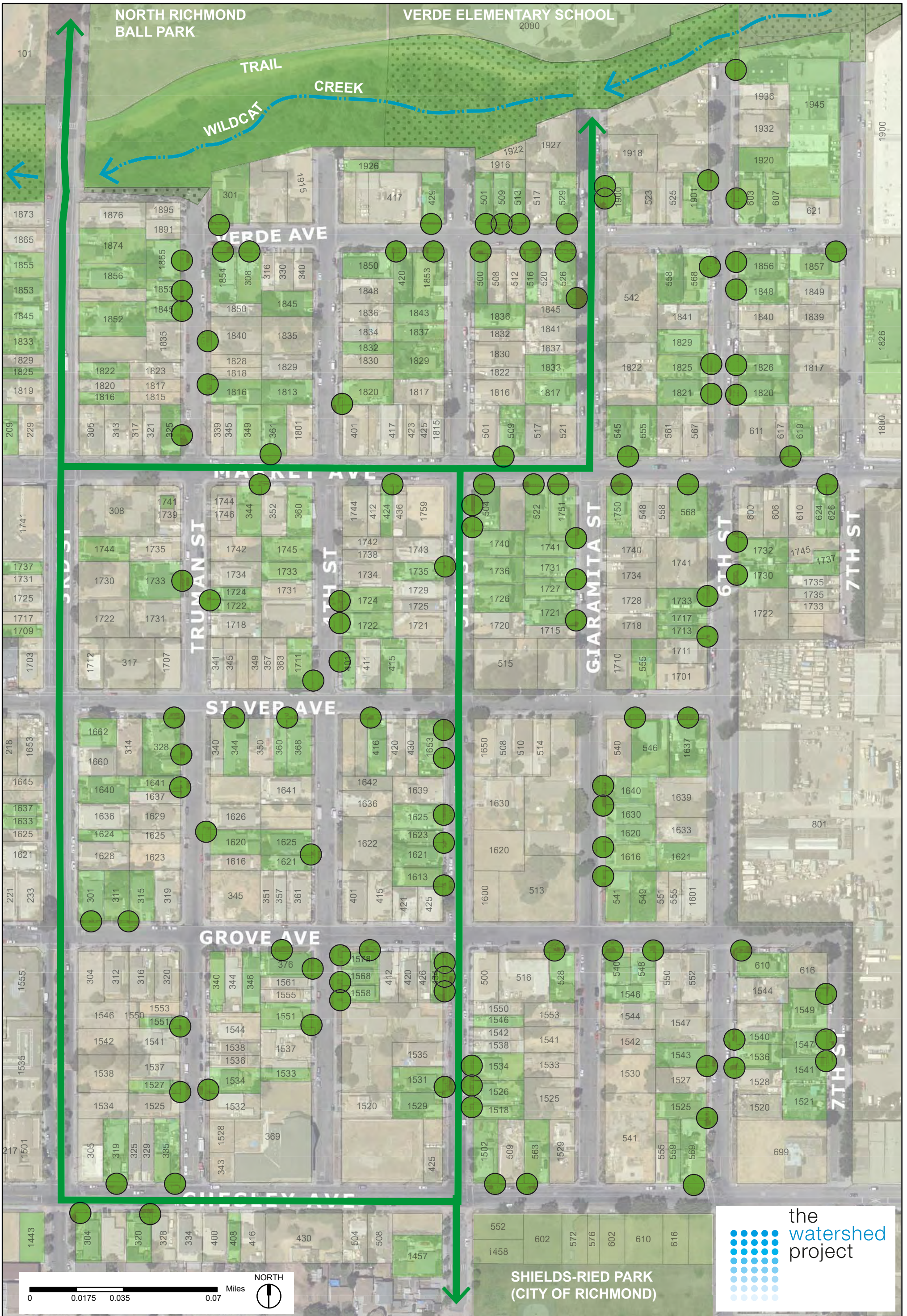
NORTH RICHMOND WATERSHED CONNECTIONS
A MULTI-BENEFIT URBAN GREENING DEMONSTRATION PROJECT



Design Plan:
Fred Jackson Way First Mile/Last Mile Connection Project (page 3 of 3)

NORTH RICHMOND WATERSHED CONNECTIONS
A MULTI-BENEFIT URBAN GREENING DEMONSTRATION PROJECT

04-10-17 TWIC Mtg Packet Pg 130 of 270



Design Plan:
Clean and Green Adopt-A-Tree Program
NORTH RICHMOND WATERSHED CONNECTIONS
A MULTI-BENEFIT URBAN GREENING DEMONSTRATION PROJECT



PROPOSITION 1 GRANT APPLICATION

Urban Greening Projects in San Francisco Bay Area

CONTACT INFO

Organization	Contra Costa County Watershed Program		
Contact Person	John Steere, Watershed Planner	Email	john.steere@pw.cccounty.us
Phone	925-313-2281	Fax	925-313-2333
Address	255 Glacier Drive		
City	Martinez	Zip	94553

PROJECT INFO

Project Name	North Richmond Watershed Connections				
Summary	North Richmond Watershed Connections Project will implement a suite of multiple-benefit urban greening projects in the unincorporated community of North Richmond; to improve water quality and enhance the health of San Pablo and Wildcat Creeks and their watersheds, while expanding the urban forest, reducing heat islands, and improving this disadvantaged community's awareness of and safe access to their local natural resources with a 1.75-mile long "Walkable Watersheds" urban trail.				
Amount Requested	\$862,400	Total Project Cost	\$1,186,400	Amount of non-state match	\$324,000
Start Date	October 1, 2017		End Date	December 1, 2021	
Project Type	<input type="checkbox"/> Planning <input type="checkbox"/> Acquisition <input checked="" type="checkbox"/> Implementation/Construction				
Primary Project Purpose	<input checked="" type="checkbox"/> Improve Watershed Health <input type="checkbox"/> Create Public Green Space <input type="checkbox"/> Increase Urban Forest <input type="checkbox"/> Create or Restore Native Habitat <input type="checkbox"/> Improve Water Quality <input type="checkbox"/> Stormwater Capture* * Stormwater Capture Projects must be consistent with a Stormwater Resource Plan Refer to the Project Eligibility section of the solicitation for more information				
Are you applying to any other agencies for Prop 1 funding for this project? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No					
If yes, which agency(ies)?					
Acres	62	APNs (Acquisition Only)			

LOCATION INFO

County	Contra Costa	Specific Location	Fred Jackson Way, North Richmond
Is the project located within a disadvantaged community as defined by the Department of Water Resources <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> Partially			
Latitude Format:	37.960306	Longitude Format:	-122.36665822
What point is represented by the lat/longs (eg., parking lot, center of site, etc):	Fred Jackson Way at Wildcat Creek – the approximate latitudinal center of project along Fred Jackson Way		

ELECTED OFFICIALS

Districts	Number(s)	Name(s)
State Senate	9	Senator Nancy Skinner
State Assembly	15	Assemblyman Tony Thurmond
Congressional	11	Congressman Mark DeSaulnier

PROJECT DESCRIPTION

Project Name	North Richmond Watershed Connections
---------------------	--------------------------------------

1. Need for the project.

North Richmond, a Community of Concern and Priority Development Area at the mouth of the San Pablo Creek and Wildcat Creek watersheds, and in unincorporated Contra Costa County, is a disadvantaged community facing a host of environmental, economic, and social challenges.

Built on an historic wetland, the community is plagued by poor infrastructure, and up until the 1980’s was frequently inundated by floods. Many major streets have no sidewalks and some are lined with drainage ditches, strewn with trash and/or illegally-dumped materials. Stormwater flows untreated into San Pablo and Wildcat creeks, degrading their water quality and the watersheds’ health, as well as the San Francisco Bay. Proximity to the West County Dump has heightened illegal dumping.

Wildcat Creek historically supported a steelhead run. The upper Wildcat Creek watershed is protected by the East Bay Regional Park District, and the lower reaches have largely remained open and unculverted, making it a strong candidate for restoration and habitat improvement. *Rainbow* trout have been successfully reproducing in upper Wildcat Creek since their reintroduction in 1983. Additionally, San Pablo Creek has been identified as a promising location for steelhead restoration. Water quality improvements in these creeks are needed to protect and enhance fish habitat.

Fred Jackson Way is the primary travel corridor through North Richmond and intersects San Pablo and Wildcat Creeks, offering opportunities for community access to these natural areas. Contra Costa County has been awarded a \$3.3 million federal grant to help enhance biking and walking access to regional trails, parks and open spaces, transit, schools and jobs. The Project offers a significant and time-sensitive opportunity to leverage these federal funds to close the community’s connectivity gap and utilize urban greening elements, such as street trees, rain gardens, and educational signage to improve water quality, watershed health, neighborhood walkability and increase the community’s connection to its natural spaces. The Project will also create a much-needed visual amenity to help reduce illegal dumping outside of the nearby dump.

A dearth of street trees is the result of haphazard 1940s era residential development patterns, red-lining, and a history of farming, horticultural and industrial uses. Rising temperatures due to climate change, increased hardscape, and a lack of urban canopy, have contributed to urban temperatures that can exceed 115 degrees in the summer. Recognized as a community with high vulnerability to heat impacts by the Contra Costa Health Services Department and the County’s Climate Action Plan (CAP), North Richmond’s need for increased urban forest is identified in the CAP for reducing urban heat islands to improve community health and to help mitigate climate change. This project’s street tree planting will help address this need. In addition, lack of public tree opportunity sites and narrow sidewalks requires an urban greening project with broad community support, to set a precedent for combining private property and public right-of-way to benefit the whole community.

The community faces an urgent need to improve poor air quality. Nearly twenty percent of residents in this area live in close proximity to railways and freight transportation infrastructure, a significant source of unhealthy levels of particulate matter air pollution. Urban greening, as part of this project, can help capture some of the particulate matter, including dust and coal dust blown from open railway cars.

2. Goals and objectives.

The North Richmond Watershed Connections Project knits together multiple-benefit urban greening projects and key watershed features in the heart of the disadvantaged North Richmond community to:

- Improve water quality in both San Pablo and Wildcat Creeks by constructing rain gardens (design funded by previous SCC grant) to treat urban runoff, as well as by reducing and removing trash and debris from the creeks and watersheds through Adopt-a-Block cleanups, increased trash and recycling receptacles, and community engagement and education.
- Enhance the health of the San Pablo and Wildcat Creek watersheds, through rain gardens installation, trash reduction and removal, and community engagement and education.
- Leverage concurrent County-led “complete street” pedestrian and bicycle transit improvements to benefit the watershed and enhance the community
- Expand the urban forest and reduce heat islands by planting street trees
- Connect residents with their natural landscape, improve public health, and inspire watershed stewardship through improved pedestrian and bicycle access to natural and public space by visually linking these elements via a walkable 1.75-mile “Watershed Connections” route.
- Protect and Enhance Anadromous Fish Habitat by improving water quality in Wildcat and San Pablo Creeks.

3. Project Description.

The North Richmond Watershed Connections Project (Project) knits together a suite of multi-benefit green infrastructure projects and key watershed features into a 1.75 mile-long urban trail. This walkable and bike-friendly route showcases creative responses to the North Richmond community’s need for cleaner, greener, safer, and more walkable neighborhoods. A collaboration between Contra Costa County and the local nonprofit organizations Urban Tilth and the Watershed Project, the Project will leverage concurrent County-led pedestrian and bicycle access street improvements on Fred Jackson Way to construct linear rain gardens, plant trees along streets, trails, and in parks, and promote the community’s improved access to natural and public space by visually linking these elements via “Watershed Connections” route.

First, the Urban Tilth North Richmond Farm **Fred Jackson Way Rain Gardens** will replace existing roadside drainage ditches along approximately 700 feet of Fred Jackson Way with bioretention facilities and road frontage improvements. The proposed rain garden and native vegetation will capture and treat 3,110,400 gallons of urban runoff annually, removing trash and pollutants before it is discharged to San Pablo Creek. This project and educational signage will help improve water quality of San Pablo and Wildcat creeks and enhance the health of both watersheds. The project’s associated sidewalk and bike lane will tie in to Contra Costa County’s First Mile/Last Mile project on Fred Jackson Way, closing the gap to complete the Watershed Connections route to San Pablo Creek on the north end.

Second, Contra Costa County will install approximately 37 street trees along Fred Jackson Way between Grove Avenue and the Wildcat Creek Trail. The **First Mile/Last Mile Tree Installations** project will leverage federal Active Transportation Project grant funding for the Fred Jackson Way First Mile/Last Mile project, which increases pedestrian and bicycling infrastructure to improve community access along a primary travel corridor. The North Richmond Watershed Connections Project will provide the street trees, community outreach and engagement to select the street tree species consistent with the desired community identity, as well as installation of an automated irrigation system to establish the trees, tree stakes, and tree grates. The tree grates will be ADA accessible to promote walking and access for all users. The federal transportation grant will fund a portion of the tree installation costs, thus providing matching funds for this project.

Third, The Watershed Project (TWP) will lead the **Clean and Green Adopt-a-Tree, Adopt-a-Block Cleanups and Watershed Connections Route** elements. The projects aim to: 1) increase the urban canopy by planting 50 street trees in collaboration with homeowners; 2) lead County-funded Adopt-a-block cleanups, anticipated to remove 4,500 pounds of trash from the creeks and watersheds annually, as well as leverage ongoing trash reduction efforts by providing “jewel boxes” (artful trash and recycling

receptacles) at litter hot spots and 3) improve watershed awareness, access and walkability with wayfinding, artwork and interpretive elements along the Watershed Connections route.

While the Project was developed to achieve the greatest benefits to water quality, watershed health, urban forest, community health, as well as resource awareness and stewardship, some elements of the project could be scaled based on available budget while still achieving significant benefits.

4. Future Phases.

The North Richmond Watershed Connections Project is part of a long-term North Richmond Urban Greening and Resiliency Plan and leverages existing community programs to broaden the project's reach. The successful implementation of these highly visible pilot urban greening projects will deepen public awareness and support of future multiple-benefit projects in the neighborhood. Importantly it will set a precedence for a sustainable partnership model for project design and implementation and community-based stewardship.

5. Site Description.

The Project is in the heart of the unincorporated and disadvantaged community of North Richmond, a historic wetland near the mouth of Wildcat and San Pablo Creeks. These highly urbanized watersheds are historically quick to flood and slow to drain, and soil compaction, paving and development from farmland to residential, commercial and industrial uses has worsened the situation. There is little or no existing storm drain infrastructure in this zone.

The lower reaches of both creeks cross Fred Jackson Way, which like many major streets in this area, has no sidewalks and is lined with earthen drainage ditches strewn with litter, trash and illegally dumped materials. Stormwater collected in these ditches flows untreated into the two creeks. The Wildcat Creek Trail is a partially completed Connector Trail between the San Francisco Bay and Ridge Trails.

The site of the Urban Tilth Farm **Fred Jackson Way Rain Gardens** is currently unpaved and includes an earthen roadside ditch to convey stormwater. Sparse vegetation consists of weeds and fennel. Runoff from Fred Jackson Way adjacent to Urban Tilth's farm site currently drains primarily south to Wildcat Creek, with the northernmost portion draining to San Pablo Creek, via a trash-strewn roadside ditch. A portion of the ditch may lie within an archaeological site; an archaeologist will be consulted during the current project design. The site is owned and maintained by Contra Costa County. The farm, to open in 2018, will be a community resource, a gathering place providing fresh, healthy food, and local job opportunities. The farm will also be the permanent home of Urban Tilth's Basins of Relations program, which trains local young people with basic job skills in watershed restoration and stewardship.

First Mile/Last Mile Tree Installations will be located along Fred Jackson Way between Grove Avenue and the Wildcat Creek Trail. The federally funded First Mile/Last Mile Project will improve the pedestrian and bicycle infrastructure along this primary travel corridor by reducing the vehicle travel lanes and converting that space to bicycle or pedestrian improvements. The street improvements are within the currently paved area, therefore, are exempt from C.3 requirements. The proposed greening efforts and street trees goes beyond regulatory requirements.

The **Watershed Connections Route** threads 1.75 miles through the community and connects San Pablo Creek, North Richmond Urban Farm, ballpark, transit stops, First Mile/Last Mile improvements, Wildcat Creek and Trail, and Verde Elementary School. The **Adopt-a-Tree** and **Adopt-a-Block** projects will be located in this area.

The Regional Map, Site Scale Map and Design Plans are included in a single pdf file as Exhibit A. Site photos are included separately as jpeg files as Exhibit B.

6. Specific Tasks.

#	Task Name	Description
1	Fred Jackson Way Rain Gardens	Complete design and permitting for rain gardens and associated frontage improvements. Construction to include: clearing & grubbing, grading; sidewalk construction; curb & gutter; subdrain pipe installation and storm drain tie-in; rain garden construction: grading, soils; planting; interpretive signage installation. Trash and plant surveys performed pre and post construction of rain garden.
2	First Mile/Last Mile Tree Installations	Planning, Permitting and Design, Community outreach for tree species selection, etc.; tree installation; assessment and reporting
3	Neighborhood Adopt-a-Tree Program	Outreach: Recruit homeowners and community members for tree adoption and continued tree care resources and support; tree planting; assessment and reporting
4	Clean and Green Adopt-a-Block Cleanups	Community outreach and education; monthly cleanup events, trash removal assessment and reporting
5	Watersheds Connections Route	Community outreach and education; develop signage and interpretive elements; installation; assessment and reporting
6	Project Administration, Evaluation and Reporting	Project administration, evaluation and reporting of project tasks

7. Work Products.

- Final Plans Specifications and Estimates for the rain gardens and all site improvements
- Regular grant reporting and photo documentation of all project elements and post-project data collected during implementation of the grant project.
- Construct a 3,475 s.f. rain garden to treat 3,110,400 gallons of stormwater annually
- Establish 3,475 s.f. of native planting, including trees
- Plant 87 street trees to increase tree canopy cover from 10% to 30%.
- Obtain permits and approvals. Collect homeowner adopt-a-tree agreements and provide a template for the county. Conduct tree planting events. Document locations and species in a street tree database.
- Establish a sustainable approach to urban greening and tree maintenance in partnership with the county, NGO’s, community partners and residents. Develop BMP’s, standard construction details, approved street tree lists based on the Richmond Urban Forestry Master Plan.
- Prevent stormwater pollution by instigating behavioral change by constructing 19 environmental education features that improve watershed awareness and installing 3 litter receptacles at key locations to prevent littering.
- Coordinate and report results of regular cleanups and trash collection as part of the Clean and Green Adopt a Block program, funded by the County as matching costs.

8. Measuring Success.

Effectiveness of the suite of projects will be evaluated using varying methods. The effectiveness of the rain garden will be assessed in two ways by Urban Tilth’s Watershed Technicians: 1) photo-documentation of litter (trash surveys) in the drainages pre and post construction, allowing for simple quantification of trash prevented from being entrained in stormwater runoff and discharged into San Pablo Creek. 2) pre and post-construction plant surveys to evaluate successful establishment of the rain garden plantings. Ongoing management and maintenance will be conducted by Contra Costa County Public Works, or Urban Tilth’s Watershed Technicians under contract with the County.

All of the street tree locations and species will be entered into a collective street tree database. Ongoing

management and maintenance will be conducted by County Public Works on County property or by TWP and trained homeowner and community members using Adopt-a-Tree resources on private property. TWP staff and green collar corps interns will conduct annual monitoring and manage the County's street tree database. Adaptive management will include a post-pilot project program evaluation and recommendations for improving effectiveness.

TWP's cleanup activities and school-based programs will be collecting data and photos and comparing it to current program records. TWP tracks the number of residents engaged through outreach and volunteer activities, volume of trash removed through cleanups. Interpretive elements, educational signage and artwork are intended to instigate behavioral change. Effectiveness will be measured in reduction of trash collected during cleanup activities by TWP and community partners, city and county-maintained receptacles, and dumping hot spots.

9. Project Maps and Graphics.

The Regional Map, the Site Scale Map and Design Plans are included in a single pdf file as Exhibit A. Site photos are included separately as jpeg files as Exhibit B.

Storm water Resource Plan (if applicable).

Not applicable. The project's primary purpose is to enhance the health of the San Pablo and Wildcat Creek watersheds through a suite of multiple-benefit urban greening projects across a disadvantaged neighborhood, which includes tree planting to increase the urban forest, community engagement and education, increased trash receptacles for litter reduction, improved access to natural resources, as well as a stormwater capture project. The stormwater capture element is an important piece but not the primary purpose and does not represent the multi-faceted nature of the project, therefore a Storm Water Resource Plan is not required for this project.

GRANT APPLICATION – PRELIMINARY BUDGET AND SCHEDULE

In the budget matrix below, relist the tasks identified in #4 above and for each provide: 1) the estimated completion date for the task, 2) the estimated cost of the task, and 3) the funding sources (applicant, Conservancy, and other) for the task. The table will automatically sum the totals for each row and column. To do this, highlight the whole table and hit F9.

Task #	Task	Completion Date	REQUEST	MATCHING FUNDS		Total Cost
			Coastal Conservancy	Applicant's Funding (includes in-kind)	Other Funds	
1	Fred Jackson Way Rain Gardens	12/01/2020	\$400,000	\$0	\$0	\$400,000
2	First Mile/Last Mile Tree Installations	10/1/2021	\$234,000	\$0	\$224,000	\$458,000
3	Adopt-a-Tree Program	12/01/2020	\$70,000	\$0	\$0	\$70,000
4	TWP Clean and Green Adopt-a-Block Cleanups	12/01/2020	\$0	\$100,000	\$0	\$100,000
5	Wayfinding, interpretive elements, and mosaic trash cans	12/01/2020	\$80,000	\$0	\$0	\$80,000
6	Project Administration, Evaluation and Reporting	12/01/2021	\$78,400	\$0	\$0	\$78,400
TOTAL			\$862,400	\$100,000	\$224,000	\$1,186,400

Categories of Matching Funds

Please divide total Applicant Funding and Other Funding into the following categories:

Applicant Funds		Other Funds	
Cash	\$95,000	State	\$0
In kind	\$0	Non State	\$224,000
Total (should equal total above)	\$95,000	Total (should equal total above)	\$224,000

In kind match could include donated: staff time, volunteer time, donated materials, bargain sales, etc.

PROPOSITION 1 GRANT APPLICATION – ADDITIONAL INFORMATION

For each question unless otherwise specified, please limit your answer to one concise paragraph. See grant application instructions for more information. Questions should be answered by all applicants, enter “not applicable” if a specific question does not pertain to your project.

1. **Proposition 1 Goals.** Which of the following purposes of Chapter 6 of Proposition 1 are achieved by the project (check all that apply):

- Protect and increase the economic benefits arising from healthy watersheds, fishery resources and in-stream flow.
- Implement watershed adaptation projects for which Grantee has consulted with the state and local conservation corps and included their services if feasible (for restoration and ecosystem protection projects only). Grantees must submit a completed Corps Consultation Review Document. The process for obtaining this required consultation is described in Appendix D.
- Restore river parkways throughout the state, including but not limited to projects pursuant to the California River Parkways Act of 2004 and urban river greenways.
- Protect and restore aquatic, wetland and migratory bird ecosystems including fish and wildlife corridors and the acquisition of water rights for in-stream flow.
- Fulfill the obligations of the state of California in complying with the terms of multiparty settlement agreements related to water resources.
- Remove barriers to fish passage.
- Collaborate with federal agencies in the protection of fish native to California and wetlands in the central valley of California.
- Implement fuel treatment projects to reduce wildfire risks, protect watersheds tributary to water storage facilities and promote watershed health.
- √ **Protect and restore rural and urban watershed health to improve watershed storage capacity, forest health, protection of life and property, storm water resource management, and greenhouse gas reduction.**
- √ **Protect and restore coastal watersheds including but not limited to, bays, marine estuaries, and near shore ecosystems.**
- √ **Reduce pollution or contamination of rivers, lakes, streams, or coastal waters, prevent and remediate mercury contamination from legacy mines, and protect or restore natural system functions that contribute to water supply, water quality, or flood management.**
- √ **Assist in the recovery of endangered, threatened, or migratory species by improving watershed health, instream flows, fish passage, coastal or inland wetland restoration, or other means, such as natural community conservation plan and habitat conservation plan implementation.**
- Assist in water-related agricultural sustainability projects.

1. **Regional Significance:** Describe the regional significance of the project. Through this round the Conservancy seeks to support qualifying urban greening projects, such as water retention and storage, and shade trees for heat relief, which are layered with other community public benefits consistent with the Conservancy’s mandate and authorities.

Implementation of the North Richmond Watershed Connections Project will have regional significance. This suite of projects was chosen for their combined benefits: water quality improvements, watershed health, public access to natural resources, and public health benefits to the North Richmond community. Second, as these highly visible and community-supported projects were chosen to be the first implemented from the North Richmond Urban Greening and Resiliency Plan, their successful completion will help catalyze further engagement and implementation of urban greening in the community. Third, these project help develop the Bay Trail linkages via creating connections between the City of Richmond’s Yellow Brick Road Project, the Wildcat Creek Trail, and the planned San Pablo Creek Trail.

2. **Sustainability.** Described how the project will deliver sustainable outcomes in the long-term. Who will operate and maintain the project?

The Project’s various components will be operated and maintained by different entities. The Fred Jackson Way Rain Gardens will be maintained by Contra Costa County Public Works or Urban Tilth’s Watershed Technicians under contract with the County. The First Mile/Last Mile Tree Installations will be maintained by the County’s Transportation Engineering Department. In the Adopt-a-Tree program, TWP will have homeowner agreements as to the long-term maintenance of the trees. TWP will utilize best management practices, construction details and specifications from the City of Richmond Urban Forestry plan, and will provide supplies and oversee planting activities, document the trees in the online inventory database and monitor the trees during the plant establishment period including watering them for the first two years, while recruiting and educating green collar kids, neighbors and homeowners for continued tree care and providing resources and support to ensure that the urban canopy will thrive and provide multiple benefits to the community. The Watershed Connections route will be operated and maintained by the County and its partners. The additional trash and recycling containers will be serviced and maintained by Richmond Sanitary Services.

3. **Disadvantaged Communities.** Does the project benefit a disadvantaged community? Proposition 1 defines a disadvantaged community as “a community with an annual median household income that is less than 80 percent of the statewide annual median household income.” (CA Water Code Section 79505.5.) The Department of Water Resources has developed an online [map viewer](#) which shows the maps of California’s disadvantaged communities, based on census data including the American Community Survey. Communities are defined at different geographic scales, including county, census tract and census place. Please indicate if the project is located in a disadvantaged community. Whether or not the project is in a disadvantaged community, it may provide benefits to one. If the project benefits a disadvantaged community, please explain (job training, clean water, etc.)

The project is located in the disadvantaged community of North Richmond, with the project site split between disadvantaged and severely disadvantaged community block groups. The project will benefit the residents in multiple ways: through cleaner water in the San Pablo and Wildcat Creeks, healthier and greener watersheds, increased access to green and public spaces to support increased recreational opportunities and a healthier population, job training opportunities, reduced litter and illegal dumping, increased tree canopy to reduce urban temperatures, a greater awareness of and connection to local natural assets, and improved pride of place.

4. **Consistency with State Coastal Conservancy Strategic Plan (as revised June 2015):** Identify which goals and objectives of the California State Coastal Conservancy the project will promote or implement and quantify how much progress the project will make towards the Conservancy's numeric goals for each cited objective.

The project will support the following State Coastal Conservancy Strategic Plan goals and objectives:

- The project will promote Goal 2: Expand the system of coastal public access ways, open-space areas, parks and inland trails that connect to the coast by implementing OBJECTIVE 2A: Develop projects that expand opportunities for barrier-free access to and along the coast and coastal trails. The project will link the North Richmond community with Wildcat Creek Trail and extend community access toward the future San Pablo Bay Trail. The project will progress the Conservancy one project toward their goal.
- The project will promote Goal 5: Enhance biological diversity, improve water quality, habitat, and other natural resources within coastal watersheds by implementing OBJECTIVE 5G: Implement projects to improve water quality to benefit coastal and ocean resources. The project will improve water quality in the San Pablo and Wildcat Creeks and enhance the health of these two watersheds through rain gardens, native vegetation and tree planting, litter reduction and removal, and community outreach and education. The project will progress the Conservancy one project toward their goal.
- The project will promote Goal 7: Enhance the resiliency of coastal communities and ecosystems to the impacts of climate change by implementing OBJECTIVE 7F: Implement projects that reduce greenhouse gases by increasing carbon sequestration, or by supporting land uses that reduce energy consumption including vehicle miles traveled, as well as and OBJECTIVE 7G: Implement tree and vegetation planting projects that reduce urban heat islands and provide other benefits such as reduced energy use, improved air quality, enhanced stormwater management, and improved quality of life. The projects installation of trees and native vegetation, as well as the improved pedestrian and bicycling transit opportunities will increase carbon sequestration, reduce energy consumption, reduce urban heat islands, improve air quality, enhance stormwater management and improve quality of life. The project will progress the Conservancy one project toward their goal.
- The project will promote Goal 9: Expand environmental education efforts to improve public understanding, use and stewardship of coastal resources by implementing OBJECTIVE 9A: Support programs and events that improve public understanding of coastal resources; OBJECTIVE 9B: Support the design and installation of interpretive or educational displays and exhibits related to coastal, watershed, and ocean-resource education, maritime history, and climate-change; OBJECTIVE 9C: Construct or improve regional environmental education centers that educate the public about environmental issues affecting the coast and inland watersheds; through the project's community education and outreach by Urban Tilth's activities, classes and signage at the North Richmond Farm, by Contra Costa County's community outreach program, and TWP's outreach and engagement in tree adoptions and care, Walkable Watersheds, and watershed cleanups. The project will progress the Conservancy one program, one exhibit and one center toward their goal.
- The project will promote Goal 12: Improve public access, recreation, and educational facilities and programs in and around San Francisco Bay, along the coast, the ridgelines, in urban open spaces, and natural areas by implementing OBJECTIVE 12B: Implement projects that provide recreational facilities such as picnic and staging areas, docks and piers, campgrounds, parking lots, interpretive signs, interpretive or educational centers, and natural play spaces; OBJECTIVE 12H: Develop plans for regionally significant public access trails and community connectors, including links between the Bay Trail, Ridge Trail, Water Trail, and Coastal Trail, and links between regional trails and urban

communities; OBJECTIVE 12I: Construct regionally significant public trails and community connectors, including links between the Bay Trail, Ridge Trail, Water Trail, and Coastal Trail, and links between regional trails and urban communities. Through the project's rain garden, signage and educational activities at Urban Tilth's North Richmond Farm, improved safe public access to the creeks, farm, trails, and park, and the Walkable Watersheds route will progress the Conservancy one project, one plan and one connector toward their goals.

5. Consistency with California Water Action Plan.

- a. Identify which goals of the California Water Action plan the project will promote or implement.

The project promotes two objectives of the California Water Action Plan. The project supports the restoration of important species and habitat by protecting Wildcat Creek, one of the last few creeks in the East Bay with protected fish species habitat, and serving as an important wildlife corridor that needs enhancement for improved water quality and cooler stream temperatures. Second, the project supports a more resilient, sustainably managed water resources system (water supply, water quality, flood protection, and environment) that can better withstand inevitable and unforeseen pressures in the coming decades through improving the health of San Pablo and Wildcat Creek watersheds with rain gardens and native vegetation and tree planning.

- b. Identify the Integrated Watershed Management Plan(s) and/or any other regional or watershed plans that apply to the specific project area. For each, list those goals, objectives, priority actions, etc. that the project will promote or implement.

The project will support four of the SF Bay Area IRWM overarching goals: First, the project will provide environmental sustainability through improving water quality and watershed health, as well as increased urban forest, economic and social sustainability in a disadvantaged community through improved safe access to community and green spaces, job training opportunities, and increased community engagement and environmental stewardship. Second, the project will help protect and improve Bay water quality through improving water quality of San Pablo and Wildcat Creeks which flow into the Bay, and improving watershed health and function through reduction of litter and increase of urban forest and native vegetation in the Wildcat and San Pablo watersheds, and through community involvement and water resource education via Watershed Connections route. Third, the project will improve regional flood management by constructing rain gardens and planting native vegetation to reduce stormwater runoff volumes in flood prone areas. Fourth, through the construction of rain gardens and planting native vegetation, community education, as well as litter reduction and removal, in the watersheds that drain to creeks, wetlands, and the Bay, the project will protect, enhance, and maintain environmental resources and habitats.

6. **Consistency with Other State Plans.** If the proposed project will help to implement or promote the goals of any of the other State Plans listed below, check that plan and specify which goals, objectives, priority actions, etc. will be furthered by the project in 1-3 sentences.

✓ **California @ 50 Million: The Environmental Goals and Policy Report**

The project will reduce petroleum use and steward natural resources to ensure that they store carbon, are resilient, and enhance other environmental benefits through improved pedestrian and bicycling access to public and green spaces, increased community awareness to natural resources, and increased tree and native vegetation planting.

✓ **A Climate Adaptation Strategy/Safeguarding California: Reducing Climate Risk Plan**

The project will reduce climate risks through improved pedestrian and bicycling access to public and green spaces, increased community awareness to natural resources, and increased tree and native vegetation planting.

✓ **CA Wildlife Action Plan**

The project will support *Goal 2.3 (Water Quality, Quantity, and Availability)*: Maintain and improve water quality and water quantity and availability vital for sustaining ecosystems.

- California Aquatic Invasive Species Management Plan
- California Essential Habitat Connectivity Strategy for Conserving a Connected California
- State and Federal Species Recovery Plans (specify the plan)
- Habitat Conservation Plans/Natural Community Conservation Plans (specify the plan)
- California Coastal Sediment Management Master Plan
- Completing the California Coastal Trail

✓ **Other relevant state or regional plan(s) (specify the plan)**

The North Richmond Watershed Connections Project includes sub-projects identified through development of the North Richmond Urban Greening and Resiliency Plan. Additionally, the project will support:

- The City of Richmond Urban Greening Master Plan through the proposed urban greening projects.
- The County’s Climate Action Plan through improving pedestrian and bicycling transit opportunities to reduce carbon emissions, increased urban forest to reduce heat islands (of which North Richmond is a priority) and increase carbon sequestration.
- The North Richmond Community Vision Plan for Shoreline by San Francisco Estuary Partnership by enhancing public access to Wildcat Creek Trail.
- The Bay Trail Plan by expanding access toward the Bay Trail.

7. **Best Available Science.** Describe how the project is consistent with best available science.

The project incorporates a rain garden, a proven and effective best available science practice for urban stormwater management. Soil structure and vegetation associated with rain garden and bioretention facilities promote infiltration, storage, slow release, and treatment of stormwater runoff to more closely mimic natural conditions. Bioretention has been proven to provide runoff flow control via detention, attenuation, and losses due to infiltration, interception, and evapotranspiration. In addition, increasing the urban forest has been shown to be an important measure to control urban temperatures, increase carbon dioxide absorption and help mitigate climate change.

8. **Sea Level Rise Vulnerability:** If the project involves a site that is close to a shoreline (i.e. potentially flooded or eroded due to climate change), please identify vulnerabilities of the site in relation to flooding, erosion, and sea level rise/storm surges for the years 2050 and 2100 (assume 16 inches and 55 inches of sea level rise respectively). Describe any strategies you have considered for addressing Sea Level Rise. Specify the expected lifespan or duration of the project.

This project is planned concurrently to the Adapting to Rising Tides Program, led by San Francisco Bay SCC Prop 1 Application

Conservation and Development Commission to increase the resilience of Bay Area communities to sea level rise and storm events. The Project addresses sea level rise vulnerability by incorporating urban greening improvements that will help alleviate localized flooding associated with lack of stormwater infrastructure.

9. **Vulnerability from Climate Change Impacts Other than Sea Level Rise:** Using appropriate models, predictions or trends, describe how the project objectives or project may be vulnerable to impacts (fire, drought, species and habitat loss, etc.) from climate change, other than sea level rise, coastal erosion or flooding. Identify design, siting, or other measures incorporated into the project to reduce these vulnerabilities.

The project site is in a historic floodplain that experiences high groundwater levels and flooding conditions. In addition, the community has been identified as high vulnerability to heat resulting from climate change. This project seeks to mitigate these issues by installing rain gardens and planting native species, thereby increasing infiltration and reducing volumes of stormwater runoff to reduce flooding, as well as by increasing the urban forest to reduce urban heat islands.

10. **Environmental Review:** Projects funded by the Coastal Conservancy must be reviewed in accordance with the California Environmental Quality Act (“CEQA”). CEQA does not apply to projects that will not have either a direct or indirect effect on the environment. For all other projects, if the project is statutorily or categorically exempt under CEQA, no further review is necessary. If the proposed project is not exempt, it must be evaluated by a public agency that is issuing a permit, providing funding, or approving the project, to determine whether the activities may have a significant effect on the environment. The evaluation results in a “Negative Declaration (Neg Dec),” “Mitigated Negative Declaration (MND),” or “Environmental Impact Report.”

The proposed project.... (select the appropriate answer):

- Is not a project under CEQA. Briefly specify why.
- Is exempt under CEQA. Provide the CEQA exemption number and specify how the project meets the terms of the exemption.
- Requires Neg Dec, MND, or EIR.** Specify the lead CEQA agency (the agency preparing the document) and the (expected) completion date. Please note that the Conservancy will need to review and approve any CEQA document. For more information on CEQA, visit: http://ceres.ca.gov/topic/env_law/ceqa/flowchart/index.html .

The Urban Tilth’s Fred Jackson Way Rain Gardens will required MND due to archeological concerns. Contra Costa County Public Works Department will be the lead agency, with CEQA documentation expected to be completed Spring 2018.

The tree planning component of the project is not a project under CEQA due to Class 4 exemption: minor alteration to land.

11. **Willing Seller:** Projects that involve acquisition of property must involve a willing seller. If your project includes property acquisition, please describe the status and expected conclusion of landowner negotiations.

Not applicable. The project does not involve acquisition of property.

12. **Project and Applicant History:** Provide a history of the project, and any background information not provided in the project description. Is the project related to any previous or proposed Coastal

Conservancy projects? If so, which ones and how are they related?

Urban Tilth has been awarded a planning grant from the State Coastal Conservancy for the design of the project plus two creek restoration demonstration sites, and for submitting applications for necessary regulatory permits; the planned completion date for this work is at the end of 2017. The current grant application would provide funding for completing permit negotiations and any minor changes to the design required by the permitting agencies, and for construction of the rain garden Project on Fred Jackson Way. (Creek restoration demonstration sites are anticipated to be funded under a separate source.)

13. **Support:** List the public agencies, non-profit organizations, elected officials, and other entities and individuals that support the project.

The following public agencies, non-profit organization, and elected officials have submitted Letters of Support to communicate their support and participation in the proposed project. The letters are included in Exhibit C.

Project Partners (2):

- a. Urban Tilth
- b. The Watershed Project

Agency and Non-Profit Collaborators (providing in-kind support) (9)

- c. Contra Costa County Supervisor John Gioia
- d. Contra Costa County Dept. of Conservation and Development, John Kopchik
- e. Contra Costa Health Services Dept., Safe Routes to School Program
- f. City of Richmond, City Manager's Office
- g. American Rivers
- h. Natural Resources Defense Council (NRDC)
- i. Neighborhood House of North Richmond
- j. Reach Fellowship
- k. West County Waste Water District

Community/Non Profit Group Support (8)

- l. North Richmond Municipal Advisory Council (Don Gilmore, Chair)
- m. North Richmond Missionary Baptist Church
- n. YES Families (Richmond based non-profit)
- o. Citizens for East Shore Parks (CESP)
- p. Verde Elementary School (Principal)
- q. Contra Costa County Resource Conservation District
- r. Earth Team
- s. N Richmond Community Housing and Development Corporation
- t. California Urban Streams Partnership

14. **New Technology.** Does the project employ new or innovative technology or practices? If yes, describe those technologies and/or practices.

The incorporation of rain gardens, particularly constructed in the right of way, are relatively new to this area. As the rain gardens will be a demonstration project, the effectiveness and sustainability of this type of urban greening project under these specific conditions will likely have a significant impact on its usage in the larger area moving forward.

15. **Need for Conservancy Funds:** What would happen to the project if no funds were available from the Conservancy? What project opportunities or benefits could be lost and why if the project is not implemented in the near future?

The project takes advantage of current momentum and community support for urban greening and the environment. The also project leverages and builds upon \$3.8 million in federal grant monies awarded for the First Mile/Last Mile street improvements under the Active Transportation Program. And, it sees the Fred Jackson Way Raingardens, whose design is currently grant-funded, to construction. If the projects proposed in this application are not funded and are not then able to be implemented concurrently with the street improvements, the difficulty and cost of the projects will be significantly increased. Retrofitting new street improvements at a later date to include the proposed urban greening elements would not only mean higher costs, but also fail to take advantage of newly increased access and potentially enhanced awareness of and stewardship for the community's natural resources.

16. **Greenhouse Gas Emissions/Climate Change:** If the proposed project will result in production of greenhouse gas emissions (including construction impacts and vehicle miles travelled as part of a public access component), describe the measures your project includes to reduce, minimize or avoid greenhouse gas emissions through project design, implementation construction, or maintenance. What, if any, are the possible sources or sinks of greenhouse gases for your project, such as carbon sequestration from habitats at the site? If one of the project goals is to sequester carbon (reduce greenhouse gas concentrations), how do you intend to ensure continued long term sequestration while achieving project objectives? Do you have any plans to seek carbon credits for the carbon sequestration activities on the project site?

As the project leverages the First Mile/Last Mile street improvements to increase safe pedestrian and bicycling transit to community centers, green spaces, transit and job opportunities, the project will result in less use of vehicles and the reduction of greenhouse gas emissions. The urban greening approach was chosen as it offers greater climate change mitigation opportunities, is more sustainable in a summer-dry climate, and as installation and maintenance is less expensive, it can be more frequently implemented in the community. In addition, the use of local materials for construction and planting lowers the project' carbon footprint. As the street improvements will permanently reduce vehicle travel in this neighborhood and the trees and native vegetation planted in this project will be maintained, the long term reduction of greenhouse gas emissions and increased carbon sequestration will be sustained. The County is not seeking carbon credits for this project.



Contra Costa County
**Public Works
Department**

Julia R. Bueren, Director

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

February 16, 2017

Mr. Matthew Gerhart
San Francisco Bay Area Conservancy Program Manager
1515 Clay St., Suite 100
Oakland, CA 94612

RE: North Richmond Watershed Connections Application to the State Coastal Conservancy "Urban Greening San Francisco Bay Area" Proposition 1 Grant

Dear Mr. Gerhart:

We appreciate the opportunity to submit the enclosed "North Richmond Watershed Connections Project" (Watershed Connections) application for the Coastal Conservancy's consideration for its "Urban Greening San Francisco Bay Area" Proposition 1 Grant.

The Watershed Connections is comprised of three subprojects, and is a collaboration of the Contra Costa County Public Works Department (Transportation Engineering and the Watershed Program) with Urban Tilth and The Watershed Project. These subprojects are:

1. North Richmond Urban Farm/Fred Jackson Way Rain Gardens (led by Urban Tilth).
2. First Mile/Last Mile on Fred Jackson Way, a Green/Complete Streets project (led by Contra Costa County Public Works Department).
3. Watershed Connections Route, Clean and Green Streets/Adopt-a-Block Program (led by The Watershed Project).

If you need additional information, or have any questions regarding the project, please contact John Steere, Watershed Planner in the County's Watershed Program at (925) 313-2281.

Sincerely,



Mike Carlson
Deputy Public Works Director

MC:JS:cw
G:\fdct\NPDES\C.10 Trash Reduction\Community-based Abatement\N Richmond Urban Greening and Resiliency\SCC Urban Greening Grant\Submittal Letter SCC-Gerhart 2-16-17.docx
Enclosures

c: Julia R. Bueren, Public Works Director
Cece Sellgren, Stormwater Manager, Watershed Program
John Steere, Watershed Program

"Accredited by the American Public Works Association"
255 Glacier Drive Martinez, CA 94553-4825
TEL: (925) 313-2000 • FAX: (925) 313-2333
www.cccpublicworks.org

EXHIBIT C

North Richmond Watershed Connections Project: Agency, Non-Profit Organization and Community – Letters of Support Received

Letters attached are ordered and numbered as shown:

Project Partners (2):

- 1) Urban Tilth
- 2) The Watershed Project

Agency and Non-Profit Collaborators (providing in-kind support) (9)

- 3) Contra Costa County Supervisor John Gioia
- 4) Contra Costa County Dept. of Conservation and Development, John Kopchik
- 5) Contra Costa Health Services Dept., Safe Routes to School Program
- 6) City of Richmond, City Manager's Office
- 7) American Rivers
- 8) Natural Resources Defense Council (NRDC)
- 9) Neighborhood House of North Richmond
- 10) Reach Fellowship
- 11) West County Waste Water District

Community/Non Profit Group Support (8)

- 12) North Richmond Municipal Advisory Council (Don Gilmore, Chair)
- 13) Community Housing and Development Corporation
- 14) Verde Elementary School (Principal)
- 15) Contra Costa Resource Conservation District
- 16) Citizens for East Shore Parks
- 17) YES Families (Richmond-based nonprofit organization)
- 18) Earth Team
- 19) North Richmond Missionary Baptist Church
- 20) California Urban Streams Partnership

1



February 9, 2017

Matthew Gerhart
San Francisco Bay Area Conservancy Program Manager
1515 Clay St., Suite 100
Oakland, CA 94612

Subject: North Richmond Watershed Connection Project Grant Proposal

Urban Tilth was founded in 2005 to build a more sustainable, healthy, and just local food system. Since then, Urban Tilth has emerged as a local environmental education and food justice leader. Urban Tilth teaches local residents about the relationships between natural ecosystems, food, health, poverty, and justice and directly engages community members in activities that improve our urban environment.

Based in Richmond California, Urban Tilth is a strong diverse, local rooted organization led and operated by local residents. Our staff, including our Executive Director, are primarily of people of color who come from and currently live in the communities our programs serve.

Currently, Urban Tilth is working in collaboration with Contra Costa County and Supervisor John Gioia's office to build a comprehensive Agricultural and Watershed Learning Center and functioning Urban Farm in North Richmond. This 3-acre project is situated in the historical floodplain between Wildcat and San Pablo Creeks and will be a focal point of our work for the next decade and beyond.

For us safe access to the creeks, the regional trails, regional parks and the Learning Center for local disadvantaged community members is a key environmental justice issue. Urban Tilth supports the proposed **North Richmond Watershed Connection Project**, which will implement a suite of urban greening projects on streets, parks, creek trails, and an urban farm to enhance the health of the San Pablo and Wildcat Creeks and respective watersheds while improving the North Richmond community's much needed access to local natural resources. The project, a collaboration between Contra Costa County, and the local nonprofit organizations, the Watershed Project, Urban Tilth, and the Neighborhood House of North Richmond, will serve to create a healthy, walkable, green connection between the San Pablo and Wildcat Creeks and benefit the health and water quality of the urban watersheds and creeks, enhance public green space, and increase walkability and neighborhood safety in a severely disadvantaged

community. The project, with strong community support, will also create a linear commons that will showcase urban greening practices, help increase residents' appreciation of their community's environmental assets, and be a source of pride for the community.

The Project will support the Urban Tilth's objectives by creating healthy, safe, access to our creeks and natural spaces, while replacing outdated, undersized stormwater infrastructure with green infrastructure that will help reduce contaminants in our local creeks and help facilitate the inclusion of low income communities of color in the restoration, stewardship and preservation of natural spaces in our community, especially our waterways.

We encourage the Coastal Conservancy grant selection committee to give strong consideration to this multi-beneficial and highly collaborative project when making funding decisions. If you have any questions, please contact Doria Robinson, Executive Director at 510-778-5886. Thank you very much for your consideration.

Sincerely,

A handwritten signature in black ink, appearing to read "Doria Robinson". The signature is fluid and cursive, with the first name "Doria" and last name "Robinson" clearly distinguishable.

Doria Robinson

Executive Director

Urban Tilth

31 Maine Ave

Richmond, CA 94804

2



February 3, 2017

Matthew Gerhart
San Francisco Bay Area Conservancy Program Manager
1515 Clay St., Suite 100
Oakland, CA 94612

Subject: North Richmond Watershed Connections Project Grant Proposal

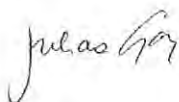
The Watershed Project's mission is to empower communities to protect their local watersheds. For the last 10 years, The Watershed Project has been working in the community of North Richmond to help protect the riparian corridor, reduce trash load to the waterways and empower neighbors to help care for their local watersheds.

The Watershed Project supports the proposed **North Richmond Watershed Connections Project**, which will implement a suite of urban greening projects on streets, parks, creek trails, and an urban farm to enhance the health of the San Pablo and Wildcat Creeks and respective watersheds while improving the North Richmond community's much needed access to local natural resources. The project, with strong community support, will also create a linear commons that will showcase urban greening practices, help increase residents' appreciation of their community's environmental assets, and be a source of pride for the community.

The Project will support the Watershed Project's objectives by improving the health of the San Pablo and Wildcat Watersheds, increasing green infrastructure in the community and improving the urban canopy.

We encourage the Coastal Conservancy grant selection committee to give strong consideration to this multi-beneficial and highly collaborative project when making funding decisions. If you have any questions, please contact Juliana Gonzalez, Executive Director at 510-7591203. Thank you very much for your consideration.

Sincerely,



Juliana Gonzalez, Executive Director

3

John Gioia (say "Joy-a")
District One
Board of Supervisors

Contra
Costa
County

11780 San Pablo Avenue, Suite D
El Cerrito, CA 94530
Phone: (510) 231-8686
Fax: (510) 374-3429

January 18, 2017



Matthew Gerhart
San Francisco Bay Area Conservancy Program Manager
1515 Clay St., Suite 100
Oakland, CA 94612

Subject: North Richmond Watershed Connection Project Grant Proposal

I am writing in support of the proposed **North Richmond Watershed Connection**, which would create a healthy, walkable, and green connection between San Pablo and Wildcat Creeks in North Richmond. The project, a collaboration between Contra Costa County, The Watershed Project, Urban Tilth, and Neighborhood House of North Richmond, will improve urban watershed health and the water quality of Wildcat and San Pablo Creeks, enhance public green space, and increase walkability and neighborhood safety in a severely disadvantaged community.

The project will also showcase urban greening practices, help increase residents' appreciation of their community's environmental assets, and be a catalyst for improving North Richmond's identity and pride of place.

I encourage the Coastal Conservancy grant selection committee to give strong consideration to this multi-beneficial and highly collaborative project when making funding decisions. If you have any questions, please contact my office. Thank you very much for your consideration.

Sincerely,

A handwritten signature in blue ink that reads "John Gioia".

John Gioia
Supervisor, District One

4

**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

February 14, 2017

Matthew Gerhart
San Francisco Bay Area Conservancy Program Manager
1515 Clay St., Suite 100
Oakland, CA 94612

Subject: North Richmond Watershed Connection Project Grant Proposal

Dear Mr. Gerhart:

The Contra Costa County Department of Conservation and Development (DCD) is the planning, zoning, and building permitting organization for Contra Costa County. DCD is pleased to support the proposed **North Richmond Watershed Connection Project**, which will implement a suite of urban greening projects on streets, parks, creek trails, and an urban farm to enhance the health of the San Pablo and Wildcat Creeks and respective watersheds while improving the North Richmond community's much-needed access to local natural resources. The project will create a healthy, walkable, green connection between the San Pablo and Wildcat Creeks, benefit the health and water quality of the urban watersheds and creeks, enhance public green space, and increase walkability and neighborhood safety in a severely disadvantaged community.

The Department of Conservation and Development oversees implementation of the County's *Climate Action Plan*. The North Richmond Watershed Connection Project supports the goals of the *Climate Action Plan*, which ties measures for reducing greenhouse gas emissions with public health co-benefits. The *Climate Action Plan* calls for developing more urban agriculture spaces, promoting active forms of transportation such as walking and biking, and increasing the urban tree canopy, all of which will occur with this project. DCD is hopeful that this project will provide a template that can be used in other communities in our County, and across the State.

We encourage the Coastal Conservancy grant selection committee to give strong consideration to this multi-beneficial and highly collaborative project when making funding decisions. Thank you for your consideration.

Sincerely,



John Kopchik, Director

5

WILLIAM B. WALKER, MD
HEALTH SERVICES DIRECTOR

DAN PEDDYCORD, RN, MPA/HA
DIRECTOR OF PUBLIC HEALTH



Contra Costa
Public Health

597 Center Avenue, Suite 200
Martinez, California 94553
Ph 925-313-6712
Fax 925-313-6721

DANIEL.PEDDYCORD@HSD.CCCOUNTY.US

February 10, 2017

Matthew Gerhart
San Francisco Bay Area Conservancy Program Manager
1515 Clay St., Suite 100
Oakland, CA 94612


Subject: North Richmond Watershed Connections Project Grant Proposal

I am writing on behalf of Contra Costa Health Services (CCHS) Safe Routes to School Program to express our agency's support for the proposed **North Richmond Watershed Connections Project**. The project will restore "green and clean" vitality to the neighborhood, streets, parks, and trails in an underserved area of our County in great need of aesthetic and built environment improvements to enhance safety and walkability. This effort between Contra Costa County, local nonprofit organizations, the Watershed Project, Urban Tilth, and the Neighborhood House of North Richmond, will serve to create a healthy, green connection between the San Pablo and Wildcat Creeks and improve the community's accessibility to and the quality of urban watersheds and creeks. North Richmond and San Pablo residents bear a disproportionate burden of poor health outcomes compared to neighboring cities, therefore this collaborative undertaking is strategically aligned with CCHS' mission to care for and improve the health of all people in Contra Costa County with special attention to those who are most vulnerable to health problems.

CCHS' West Contra Costa Safe Routes to School (SRTS) Program was established in 2008 and is based on a national best practice model. It aims to encourage walking and biking to west Contra Costa elementary schools to get daily exercise. Additional co-benefits of SRTS include reducing air pollution and traffic congestion, and improving overall safety and environmental quality in school zones to make them the "hubs" of healthy communities. Central to implementing SRTS in lower-income communities like unincorporated North Richmond is the goal of community-building. Funding the **North Richmond Watershed Connections Project** will complement CCHS' ongoing efforts to promote health equity by enhancing families' access to opportunities for safe, outdoor exercise as it's their right, not a privilege.

As a partner, CCHS will conduct outreach efforts with Verde Elementary School to implement both the "Adopt-a-Block" and Wildcat Creek Trail greening project components to ensure student and parent participation in greening and cleaning efforts. This integration of families will increase their buy-in and ultimately, their pride in joining up with community partners to improve their recommended safe routes to school for the long-term.

I strongly urge the Coastal Conservancy grant review committee to fund this multi-sector and community-inspired project. If you have any questions, please contact me at (925) 313.6813. Thank you very much for your consideration.

Sincerely,

Shannon Ladner-Beasley, MPH, Manager
Safe Routes to School Program



6



February 3, 2017

Matthew Gerhart
San Francisco Bay Area Conservancy Program Manager
1515 Clay St., Suite 100
Oakland, CA 94612

Subject: North Richmond Watershed Connection Project Grant Proposal

The City of Richmond is committed to addressing urban growth issues impacting energy, waste reduction, urban design, urban nature, transportation, environmental health, and water. For these reasons we are pleased to submit this letter of support for the proposed North Richmond Watershed Connection project that aligns with the City's goals of protecting the urban and natural environments and the fundamental obligation to adopt policies that adversely impact human health.

The City of Richmond supports the proposed **North Richmond Watershed Connection Project**, which will implement a suite of urban greening projects on streets, parks, creek trails, and an urban farm to enhance the health of the San Pablo and Wildcat Creeks and respective watersheds while improving the North Richmond community's much needed access to local natural resources. The project, a collaboration between Contra Costa County, and the local nonprofit organizations, the Watershed Project, Urban Tilth, and the Neighborhood House of North Richmond, will serve to create a healthy, walkable, green connection between the San Pablo and Wildcat Creeks and benefit the health and water quality of the urban watersheds and creeks, enhance public green space, and increase walkability and neighborhood safety in a severely disadvantaged community. The project, with strong community support, will also create a linear commons that will showcase urban greening practices, help increase residents' appreciation of their community's environmental assets, and be a source of pride for the community.

The Project will support the City of Richmond's objectives and work towards building a green and sustainable city in which community residents, neighbors, workers, and visitors work together to balance ecological, economic, and social needs to ensure a clean, healthy and safe environment for all community members for generations to come.

We encourage the Coastal Conservancy grant selection committee to give strong consideration to this multi-beneficial and highly collaborative project when making funding decisions. If you have any questions, please contact Lori Reese-Brown, Project Manager at (510) 620-6869.

Thank you very much for your consideration.

Sincerely,

Lori Reese-Brown

Project Manager

7



American Rivers
Rivers Connect Us

February 1, 2017

Matthew Gerhart
San Francisco Bay Area Conservancy Program Manager
California State Coastal Conservancy
1515 Clay St., Suite 100
Oakland, CA 94612

Subject: North Richmond Watershed Connection Project Grant Proposal

Dear Mr. Gerhart:

American Rivers supports the proposed **North Richmond Watershed Connection Project**, which will implement a suite of urban greening projects on streets, parks, creek trails, and an urban farm to enhance the health of the San Pablo and Wildcat Creeks and respective watersheds while improving the North Richmond community's much needed access to local natural resources.

American Rivers protects wild rivers, restores damaged rivers, and conserves clean water for people and nature. Headquartered in Washington, DC, American Rivers has offices across the country, including California, and more than 200,000 members, supporters, and volunteers. The Project will support American Rivers' mission by improving habitat, water quality, and recreational opportunities in Contra Costa County watersheds.

We encourage the State Coastal Conservancy to give strong consideration to this multi-beneficial and highly collaborative project when making funding decisions.

If you have any questions, please contact Jeffrey Odefey, Director, Clean Water Supply Programs at the number below. Thank you very much for your consideration.

Sincerely,

Steve Rothert
California Director

8



February 8, 2017

Matthew Gerhart
San Francisco Bay Area Conservancy Program Manager
1515 Clay St., Suite 100
Oakland, CA 94612

Subject: North Richmond Watershed Connection Project Grant Proposal
The Natural Resources Defense Council (NRDC) combines the power of more than two million members and online activists with the expertise of some 500 scientists, lawyers, and policy advocates across the globe to ensure the rights of all people to the air, the water, and the wild. NRDC works to safeguard the earth—its people, its plants and animals, and the natural systems on which all life depends.

The NRDC supports the proposed North Richmond Watershed Connection Project, which will implement a much-needed suite of urban greening projects on streets, parks, creek trails, and an urban farm to enhance the health of the San Pablo and Wildcat Creeks and respective watersheds while improving the North Richmond community's much needed access to local natural resources. The project, a collaboration between Contra Costa County, and the local nonprofit organizations, the Watershed Project, Urban Tilth, and the Neighborhood House of North Richmond, will serve to create a healthy, walkable, green connection between the San Pablo and Wildcat Creeks and benefit the health and water quality of the urban watersheds and creeks, enhance public green space, and increase walkability and neighborhood safety in a severely disadvantaged community. The project, with strong community support, will also create a linear commons that will showcase urban greening practices, help increase residents' appreciation of their community's environmental assets, and be a source of pride for the community.

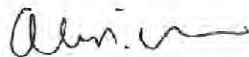
NATURAL RESOURCES DEFENSE COUNCIL

111 SUTTER STREET | SAN FRANCISCO, CA | 94104 | T 415.875.6100 | F 415.875.6161 | NRDC.ORG

The Project exemplifies several NRDC's objectives, in particular those of NRDC Water Program, by creating stakeholder-led and place-based examples that can demonstrate how green infrastructure creates multi-benefit solutions that help achieve water quality goals while also serving important roles in cleaning air, reducing urban heat, and improving equitable outcomes. NRDC's Water program is particularly interested in how the Project can create opportunities for private property owners to become stakeholders in the effort to reduce litter and improve stormwater management, by creating avenues to subsidize green infrastructure projects on private land. We look forward to keeping in touch with the team as the Project moves forward.

We encourage the Coastal Conservancy grant selection committee to give strong consideration to this multi-beneficial and highly collaborative project when making funding decisions. If you have any questions, please feel free to contact Alisa Valderrama, at avalderrama@nrdc.org. Thank you very much for your consideration.

Sincerely,



Alisa R. Valderrama
Senior Project Finance Analyst

9



Neighborhood House of North Richmond
3065 Richmond Parkway Suite 113
Richmond CA 94806

Phone: 510-229-5000
Fax: 510-235-3112
Website: www.nhnr.org

February 9, 2017

Matthew Gerhart
San Francisco Bay Area Conservancy Program Manager
1515 Clay St., Suite 100
Oakland, CA 94612

Subject: North Richmond Watershed Connection Project Grant Proposal

World War II brought the Kaiser Shipyards to Richmond and the population skyrocketed. Recruited throughout the United States, workers came in great numbers from the South; a large population was African American seeking a brighter future. Following the war, at the time the economy was increasing, the post-war shipyard jobs were decreasing. During this era, black workers were relegated to live in government housing projects segregated in the north end of Richmond and those who owned homes resided in the adjacent unincorporated area. This area became known as North Richmond and is still divided, one-half is the City of Richmond and the other half is unincorporated and governed by Contra Costa County.

Neighborhood House of North Richmond (NHNR) Inc. was created as a result of the early community work by a Quaker group called the American Friends Service Committee. By the end of 1955, the group drafted a constitution and by-laws for a non-profit organization and filed the documents with the California Secretary of State. Neighborhood House current mission is to help individuals and families overcome significant economic, social, educational, and environmental barriers and to become self-sufficient and productive.

Neighborhood House of North Richmond supports the proposed North Richmond Watershed Connection Project, which will implement a suite of urban greening projects on streets, parks, creek trails, and an urban farm to enhance the health of the San Pablo and Wildcat Creeks and respective watersheds while improving the North Richmond community's much needed access to local natural resources. The project, a collaboration between Contra Costa County, and the local nonprofit organizations, the Watershed Project, Urban Tilth, and the Neighborhood House of North Richmond, will serve to create a healthy, walkable, green connection between the San Pablo and Wildcat Creeks and benefit the health and water quality of the urban watersheds and creeks, enhance public green space, and increase walk ability and neighborhood safety in a severely disadvantaged community.

The project, with strong community support, will also create a linear commons that will showcase urban greening practices, help increase residents' appreciation of their community's environmental assets, and be a source of pride for the community.

We encourage the Coastal Conservancy grant selection committee to give strong consideration to this multi-beneficial and highly collaborative project when making funding decisions. If you have any questions, please contact Lloyd Madden, at (510) 229-5000). Thank you very much for your consideration.

Sincerely,

A handwritten signature in blue ink that reads "Lloyd G. Madden". The signature is written in a cursive style with a large initial 'L'.

Lloyd G. Madden, President/CEO

February 3, 2017

Matthew Gerhart
San Francisco Bay Area Conservancy Program Manager
1515 Clay St., Suite 100
Oakland, CA 94612



Subject: North Richmond Watershed Connection Project Grant Proposal

Reach Fellowship International (REACH) is the only gender-responsive program that caters exclusively to women coming home from incarceration within the Contra Costa County region. REACH also has a special home for reentry women, as well, which is located, in the heart of North Richmond, that we call the Naomi house. And, it is from this home that we provide staffing for the cleanup project that we are currently doing under the Contra Costa Watershed "Cleaning and Greening" service plan.

REACH is in support of the proposed **North Richmond Watershed Connection Project**, which will implement a suite of urban greening projects on streets, parks, creek trails, and an urban farm to enhance the health of the San Pablo and Wildcat Creeks and respective watersheds while improving the North Richmond community's much needed access to local natural resources. The project, a collaboration between Contra Costa County, and the local nonprofit organizations, the Watershed Project, Urban Tilth, and the Neighborhood House of North Richmond, will serve to create a healthy, walkable, green connection between the San Pablo and Wildcat Creeks and benefit the health and water quality of the urban watersheds and creeks, enhance public green space, and increase walkability and neighborhood safety in a severely disadvantaged community. The project, with strong community support, will also create a linear commons that will showcase urban greening practices, help increase residents' appreciation of their community's environmental assets, and be a source of pride for the community.

The Project is important and its objectives are in line with REACH's plan to keep North Richmond cleaner and safer for the women that we serve there.

We encourage the Coastal Conservancy grant selection committee to give a strong consideration to this multi-beneficial and highly collaborative project when making funding decisions. If you have any questions, please contact Belinda D. Thomas, Project Manager at 510-593-6380 if you have any further questions. Thank you very much for your consideration.

Sincerely,

A handwritten signature in black ink that reads "Belinda Thomas". The signature is written in a cursive style with a large, prominent "B" and "T".

Belinda D. Thomas
Project Manager
Reach Fellowship International
Direct-line 510-593-6380
Thomas.b@reachfi.org
www.reachfi.org



Community Partner for Our Bay, Our Environment

February 14, 2017

Matthew Gerhart, Program Manager
San Francisco Bay Area Conservancy
1515 Clay Street, Suite 100
Oakland, CA 94612

Subject: North Richmond Watershed Connections Project Grant Proposal

On behalf of West County Wastewater District (District), we are writing to express our support for the North Richmond Watershed Connections Project grant application for the North Richmond Watershed Connection to create a walkable and green connection between San Pablo and Wildcat Creeks in North Richmond. The project is a collaboration between Contra Costa County, the Watershed Project, Urban Tilth and Neighborhood House of North Richmond in their pursuit to improve watershed health and the water quality of Wildcat and San Pablo Creeks.

The District would like to add its support to the Coastal Conservancy to approve funding of the North Richmond Watershed Connection grant. The project will add another neighborhood connection to the Bay Trail by way of the Wildcat Marsh trail. The Wildcat Marsh Trail portion of the Bay Trail is partially on land donated by the West County Wastewater District and offers a wonderful opportunity to discover the marsh environment protected by the District's treatment facility.

The West County Wastewater District is located in Richmond, California and has existed since 1921 for the purpose of protecting and serving the public health of the community through the construction and maintenance of a sewer system. The District's operation includes wastewater collection, treatment and disposal, serving approximately 100,000 people.

BOARD MEMBERS

- David Alvarado
- Audrey L. Comeaux
- Leonard R. McNeil
- Sherry A. Stanley
- Harry Wiener

BOARD ATTORNEY

Alfred A. Cabral

INTERIM GENERAL MANAGER

Brian E. Hill

North Richmond Watershed Connections Projects Grant
February 14, 2017
Page 2

The Project aligns with the District's Environmental Justice Policy which includes *preserving and protecting natural resources while identifying and partnering with organizations in order to prioritize, establish and fund appropriate activities to improve environmental justice performance in communities already affected.*

We trust you recognize the merits of this grant request and its importance in promoting environmental stewardship supported by local government and non-profit organizations.

If you have any questions, please contact Brian E. Hill, West County Wastewater District Interim General Manager at (510) 222-6700 or at email: bhill@wcwd.org.

Thank you very much for your consideration.

Sincerely,



Leonard R. McNeil
President



Brian E. Hill
Interim General Manager

cc: WCWD Board of Directors

North Richmond
Municipal Advisory
Council (NRMAC) to
John Gioma (say "Joy-a")
District One
Board of Supervisors

Contra
Costa
County

1135 Silver Avenue
Marshall Hall, CA 94501
Phone: (925) 211-8686



February 3, 2017

Matthew Gerhart
San Francisco Bay Area Conservancy Program Manager
1515 Clay St., Suite 100
Oakland, CA 94612

Subject: North Richmond Watershed Connection Project Grant Proposal

The North Richmond Municipal Advisory Council (NRMAC) is composed of community residents in this unincorporated community of Contra Costa County and acts as an advisory body to the Contra Costa County Board of Supervisors.

The NRMAC supports the proposed **North Richmond Watershed Connection Project**, which will implement a suite of urban greening projects on streets, parks, creek trails, and an urban farm to enhance the health of the San Pablo and Wildcat Creeks and respective watersheds while improving the North Richmond community's much needed access to local natural resources. The project, a collaboration between Contra Costa County, and the local nonprofit organizations, the Watershed Project, Urban Tilth, and the Neighborhood House of North Richmond, will serve to create a healthy, walkable, green connection between the San Pablo and Wildcat Creeks and benefit the health and water quality of the urban watersheds and creeks, enhance public green space, and increase walkability and neighborhood safety in a severely disadvantaged community.

The project, with strong community support, will also create a linear commons that will showcase urban greening practices, help increase residents' appreciation of their community's environmental assets, and be a source of pride for the community. We encourage the Coastal Conservancy grant selection committee to give strong consideration to this multi-beneficial and highly collaborative project when making funding decisions.

Thank you for your consideration.

Sincerely,

A handwritten signature in black ink, appearing to read "Don Gilmore".

Don Gilmore, NRMAC Chair

13



1535-A Fred Jackson Way
 Richmond, CA 94801
 Tel: (510) 412-9290
 Tel: (707) 652-7861
 Fax: (510) 215-9276
 www.chdcnr.org



February 14, 2017

Matthew Gerhart
 San Francisco Bay Area Conservancy Program Manager
 1515 Clay St., Suite 100
 Oakland, CA 94612

Subject: North Richmond Watershed Connections Project Grant Proposal

Community Housing Development Corporation's (CHDC), mission is to provide high-quality affordable housing, economic development and supportive services that create and sustains vibrant communities for low to moderate income individuals and families.

Community Housing Development Corporation supports the proposed North Richmond Watershed Connections Project, which will implement a suite of urban greening projects on streets, parks, creek trails, and an urban farm to enhance the health of the San Pablo and Wildcat Creeks and respective watersheds while improving the North Richmond community's much needed access to local natural resources. The project, a collaboration between Contra Costa County, and the local nonprofit organizations, the Watershed Project, Urban Tilth, and the Neighborhood House of North Richmond, will serve to create a healthy, walkable, green connection between the San Pablo and Wildcat Creeks and benefit the health and water quality of the urban watersheds and creeks, enhance public green space, and increase walkability and neighborhood safety in a severely disadvantaged community. The project, with strong community support, will also create a linear commons that will showcase urban greening practices, help increase residents' appreciation of their community's environmental assets, and be a source of pride for the community.

At CHDC we recognize that managing the environmental footprint of our properties is a critical piece of our preservation mission. Our green initiatives weave throughout CHDC's activities and impact development, operations, and property management practices. CHDC's Green Initiatives improve the quality of life and well-being for residents. It improves the health and safety of work environment, the homes of our residents and our neighborhoods-creating a healthier place for all. Our goals are the preservation of affordable and sustainable housing, sustained resident engagement to achieve positive community impact, and the promotion of green and sustainable practices for the long-term benefit of residents and communities. We strive to be resourceful, responsible stewards to improve lives and strengthen communities.

We encourage the Coastal Conservancy grant selection committee to give strong consideration to this multi-beneficial and highly collaborative project when making funding decisions. If you have any questions, please contact Donald Gilmore, Executive Director at (510) 412-9290, extension 215. Thank you very much for your consideration.

Sincerely,

Donald Gilmore
 Executive Director



Verde Elementary School

**2000 Giaramita Street
Richmond, CA 94801
(510) 231 - 1408**

February 9, 2017

Matthew Gerhart
San Francisco Bay Area Conservancy Program Manager
1515 Clay St., Suite 100
Oakland, CA 94612

Subject: North Richmond Watershed Connection Project Grant Proposal

Verde Elementary School supports the proposed **North Richmond Watershed Connection Project**, which will implement a suite of urban greening projects on streets, parks, creek trails, and an urban farm to enhance the health of the San Pablo and Wildcat Creeks and respective watersheds while improving the North Richmond community's much needed access to local natural resources. The project, a collaboration between Contra Costa County, and the local nonprofit organizations, the Watershed Project, Urban Tilth, and the Neighborhood House of North Richmond, will serve to create a healthy, walkable, green connection between the San Pablo and Wildcat Creeks and benefit the health and water quality of the urban watersheds and creeks, enhance public green space, and increase walkability and neighborhood safety in a severely disadvantaged community. The project, with strong community support, will also create a linear commons that will showcase urban greening practices, help increase residents' appreciation of their community's environmental assets, and be a source of pride for the community.

The Project will support Verde Elementary's objectives by enhancing community safety and beauty. Further, we will be able to implement STEAM efforts incorporating this suite of greening projects.

We encourage the Coastal Conservancy grant selection committee to give strong consideration to this multi-beneficial and highly collaborative project when making funding decisions. If you have any questions, please contact Eric Acosta-Verprauskus, Principal at 510-231-1408. Thank you very much for your consideration.

Sincerely,

Eric Acosta-Verprauskus

15

CONTRA COSTA



RESOURCE
CONSERVATION DISTRICT

(925) 672-6522 | PHONE
(925) 672-8064 | FAX

5552 Clayton Road, Concord, CA 94521

February 3, 2017

Matthew Gerhart
San Francisco Bay Area Conservancy Program Manager
1515 Clay St., Suite 100
Oakland, CA 94612

Subject: North Richmond Watershed Connection Project Grant Proposal

Contra Costa Resource Conservation District is an independent special district whose mission is to conserve soil, water, and natural resources in Contra Costa County. We strongly support the proposed **North Richmond Watershed Connection Project**, which will implement a suite of urban greening projects on streets, parks, creek trails, and an urban farm to enhance the health of the San Pablo and Wildcat Creeks and respective watersheds while improving the North Richmond community's much needed access to local natural resources. The project, a collaboration between Contra Costa County, and the local nonprofit organizations, the Watershed Project, Urban Tilth, and the Neighborhood House of North Richmond, will serve to create a healthy, walkable, green connection between the San Pablo and Wildcat Creeks and benefit the health and water quality of the urban watersheds and creeks, enhance public green space, and increase walkability and neighborhood safety in a severely disadvantaged community.

The project, with strong community support, will also create linear commons that will showcase urban greening practices, help increase residents' appreciation of their community's environmental assets, and be a source of pride for the community. CCRCD applauds this effort to engage the North Richmond community in vital watershed conservation efforts.

We encourage the Coastal Conservancy grant selection committee to give strong consideration to this multi-beneficial and highly collaborative project when making funding decisions. Thank you very much for your consideration.

Respectfully,

Ben Wallace
Executive Director

www.ccrd.org



Citizens for East Shore Parks

PO Box 6087, Albany, CA 94706 Office: 1604 Solano Avenue, Albany, CA 94707
Office: 510.524.5000 | Fax: 510.526.3672 www.eastshorepark.org eastshorepark@hotmail.com

January 31, 2017

Matthew Gerhart
San Francisco Bay Area Conservancy Program Manager
1515 Clay St., Suite 100
Oakland, CA 94612

Subject: North Richmond Watershed Connection Project Grant Proposal

Dear Mr. Gerhart:

Citizens for East Shore Parks is the nonprofit instrumental in establishing McLaughlin Eastshore State Park which runs 8.5 miles along the East Bay shoreline from Oakland to Richmond. CESP advocates for expanded shoreline parks and open space in our dense urban area.

CESP supports the proposed North Richmond Watershed Connection, which creates a healthy, walkable connection between San Pablo and Wildcat Creeks in North Richmond. The project is a wonderful example of diverse organizations coming together for a common goal. This suite of projects will improve urban watershed health and water quality of Wildcat and San Pablo Creeks and showcase urban greening practices.

CESP is especially eager to see this project completed as it will eventually connect more residential areas in North Richmond to the shoreline. The project vision also includes a future Bay Trail connection and a complete loop to the Dotson Family Marsh. We see this project as a wonderful opportunity to increase access to the shoreline, effectively increasing residents' appreciation of their community's environmental assets, and improving North Richmond's identity and pride of place.

We encourage the Coastal Conservancy grant selection committee to give strong consideration to this multi-beneficial and highly collaborative project when making funding decisions. Thank you very much for your consideration.

Sincerely,

Robert Cheasty
Executive Director

Dwight Steele
Emeritus Co-Chair
(1914 - 2002)

Sylvia McLaughlin
Emeritus Co-Chair
Secretary
(1916-2016)

Shirley Dean
President

Norman La Force
Vice President

Marge Atkinson
Recording Secretary

Alan Carlton
Treasurer
Ed Bennett
Assistant Treasurer

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Mark Liolios
Betty Olds
Rich Walkling

Elected Officials:
Hon. Whitney Dotson
Hon. Rochelle Nason

Executive Director:
Robert Cheasty
Program Manager
Cameron Wilson

The mission of Citizens for East Shore Parks is to create a necklace of shoreline parks from the Oakland Estuary to the Carquinez Strait



February 3, 2017

Matthew Gerhart
San Francisco Bay Area Conservancy Program Manager
1515 Clay St., Suite 100
Oakland, CA 94612

Subject: North Richmond Watershed Connection Project Grant Proposal

On behalf of YES Nature to Neighborhoods (YES), I am proud to support the proposed **North Richmond Watershed Connection Project**, which will implement a suite of urban greening projects on streets, parks, creek trails, and an urban farm to enhance the health of the San Pablo and Wildcat Creeks and respective watersheds while improving the North Richmond community’s much needed access to local natural resources.

The project, a collaboration between Contra Costa County, and the local nonprofit organizations, the Watershed Project, Urban Tilth, and the Neighborhood House of North Richmond, will serve to create a healthy, walkable, green connection between the San Pablo and Wildcat Creeks and benefit the health and water quality of the urban watersheds and creeks, enhance public green space, and increase walkability and neighborhood safety in a severely disadvantaged community. The project, with strong community support, will also create a linear commons that will showcase urban greening practices, help increase residents’ appreciation of their community’s environmental assets, and be a source of pride for the community.

As a community partner, YES has served the North Richmond community, and neighboring Verde Elementary School, for the past 15 years with outdoor leadership programming for youth and adults alike. This project will greatly enhance the quality of life and safety for the families we serve. We cherish our partnerships with the organizations involved in this project and, most importantly, they are trusted and respected among residents in the community.

We encourage the Coastal Conservancy grant selection committee to give strong consideration to this multi-beneficial and highly collaborative project when making funding decisions. If you have any questions, please contact me by email at eric@yesfamilies.org or by calling 510-232-3032. Thank you very much for your consideration.

Sincerely,

Eric Aaholm
Executive Director



Board of Directors

Mark Westwind
President
Westwind Associates

Vladimir Foronda
UC Berkeley

Tracy Ostrom
UC Berkeley - CCASN

Paul Wicks

John Sleere
Contra Costa County

Manuel Alonso-Martinez
Executive Director

Advisory Board

Joe McBride
UC Berkeley

Doug Karpa
Turtle Island Restoration Project

Whitney Dotson
East Bay Regional Park District

Katharine Barrett, Emeritus
UC Botanical Gardens

Michele Perrault, Emeritus
Sierra Club

Main Office
1301 South 46th St. B155
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Tel. 844-704-4030
info@earthteam.net

www.earthteam.net

February 1, 2017

Matthew Gerhart
San Francisco Bay Area Conservancy Program Manager
1515 Clay St., Suite 100
Oakland, CA 94612

Subject: North Richmond Watershed Connection Project Grant Proposal

For the past 16 years Earth Team, a leading environmental education organization located in Richmond, CA, has been offering high quality project-based learning opportunities to students from East Bay public high schools each year. Our Sustainable Youth internship program targets Title I schools with underserved, minority enrollment student populations and focuses on watershed education and restoration, reduction of waste and litter and alternative transportation.

Earth Team supports the proposed **North Richmond Watershed Connection Project**, which will implement a suite of urban greening projects on streets, parks, creek trails, and an urban farm to enhance the health of the San Pablo and Wildcat Creeks and respective watersheds while improving the North Richmond community's much needed access to local natural resources. The project, a collaboration between Contra Costa County, and the local nonprofit organizations, the Watershed Project, Urban Tilth, and the Neighborhood House of North Richmond, will serve to create a healthy, walkable, green connection between the San Pablo and Wildcat Creeks and benefit the health and water quality of the urban watersheds and creeks, enhance public green space, and increase walkability and neighborhood safety in a severely disadvantaged community.

The project, with strong community support, will also create a linear commons that will showcase urban greening practices, help increase residents' appreciation of their community's environmental assets, and be a source of pride for the community. The Project will support Earth Team's objectives by engaging up to 150 high school interns each year to participate in valuable, environmentally oriented work-based learning opportunities.

We encourage the Coastal Conservancy grant selection committee to give strong consideration to this multi-beneficial and highly collaborative project when making funding decisions. If you have any questions, please contact Manuel Alonso, Executive Director at 844-704-4030 xt.1 Thank you for your consideration.

Sincerely,

Manuel Alonso

Manuel Alonso, Earth Team
Executive Director

North Richmond Missionary Baptist Church, Inc.

1427 Fred Jackson Way Richmond, CA 94801

Office: 510-232-7751

Fax: 510-232-7759

nrmchurch2014@gmail.com

Rev. Dana Keith Mitchell, Sr., Pastor

Phone: 510-232-7751

Sis. Charlotte M. Jones, Church Clerk

Phone: 510-232-7751

February 3, 2017

Matthew Gerhart
San Francisco Bay Area Conservancy Program Manager
1515 Clay St., Suite 100
Oakland, CA 94612

Subject: North Richmond Watershed Connection Project Grant Proposal

Dear Mr. Grant,

North Richmond Missionary Baptist Church supports the proposed **North Richmond Watershed Connection Project**, which will implement a suite of urban greening projects on streets, parks, creek trails, and an urban farm to enhance the health of the San Pablo and Wildcat Creeks and respective watersheds while improving the North Richmond community's much needed access to local natural resources. The project, a collaboration between Contra Costa County, and the local nonprofit organizations, the Watershed Project, Urban Tilth, and the Neighborhood House of North Richmond, will serve to create a healthy, walkable, green connection between the San Pablo and Wildcat Creeks and benefit the health and water quality of the urban watersheds and creeks, enhance public green space, and increase walkability and neighborhood safety in a severely disadvantaged community. The project, with strong community support, will also create a linear commons that will showcase urban greening practices, help increase residents' appreciation of their community's environmental assets, and be a source of pride for the community.

We encourage the Coastal Conservancy grant selection committee to give strong consideration to this multi-beneficial and highly collaborative project when making funding decisions. If you have any questions, please contact our office at 510-232-7751. Thank you very much for your consideration.

Sincerely,



Rev. Dana K. Mitchell, Sr.
Pastor

CHURCH THEME: "A FAMILY SHOWING LOVE TOWARDS EACH OTHER"

St. John 13:34-35, I John 4:11-12 and 20-21



February 8, 2017

Matthew Gerhart
San Francisco Bay Area Conservancy Program Manager
1515 Clay St., Suite 100
Oakland, CA 94612

Letter of Support for the North Richmond Watershed Connection Project Grant Proposal

The California Urban Streams Partnership (CUSP) is an organization of local, regional, and statewide groups working to protect, restore, and steward urban streams and watersheds. We represent local governments, watershed councils, stream protection organizations, neighborhood associations and community groups engaged in improving water quality, reducing flood risks, managing stormwater, and restoring open/green spaces.

CUSP enthusiastically supports the **North Richmond Watershed Connection Project** proposal, which includes implementing a host of urban greening projects on streets, parks, creek trails, and along a newly operational urban farm to enhance the health of the San Pablo and Wildcat Creeks. This highly collaborative project, between Contra Costa County and various local non-profit agencies, will promote a healthy, walkable, green connection between the two creeks, including connecting the disadvantaged North Richmond community to the new farm run by Urban Tilth, a food security non-profit currently growing over 80 lbs of fresh produce a month! Further, if awarded, this project will provide the County (and the region) an example of integrating green infrastructure grant funds with "Complete Street" transportation investments to create Sustainable Streets. This may well be the paradigm of the future.

We strongly encourage the Coastal Conservancy to fund this collaborative, multi-beneficial project proposal.

Thank you very much for your consideration.

Sincerely,

Joshua Bradt
Chair of the San Francisco Bay Area CUSP

California Urban Streams Partnership • 2150 Allston Way, Suite 460 • Berkeley, CA 94704
A project of Earth Island Institute • 510-859-9197 • CUStreams@gmail.com



Contra Costa County Board of Supervisors

Subcommittee Report

TRANSPORTATION, WATER & INFRASTRUCTURE COMMITTEE

8.

Meeting Date: 04/10/2017
Subject: CONSIDER report on Local, State, and Federal Transportation Related Issues and take ACTION as appropriate.
Submitted For: TRANSPORTATION, WATER & INFRASTRUCTURE COMMITTEE,
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 related proposals to bring forward for consideration by the Transportation, Water, and Infrastructure Committee (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.

This report includes three sections, 1) **LOCAL**, 2) **STATE**, and 3) **FEDERAL**.

1) LOCAL

Accessible Transit: The issue of accessible transit is of ongoing interest to the County. During the development of Measure X and continuing into 2017, County staff has been advocating for a review and improvements to the accessible system consistent with the position of the Board of Supervisors. One obstacle in making progress on this topic was highlighted in a sales tax transportation expenditure plan report to the BOS in 2015, "...accessible transit responsibilities are diffused (geographically and organizationally) throughout the county resulting in no single agency or organization falling naturally into a leadership role...". The accessible transit portion of that report starts at the bottom of the page here:

http://64.166.146.245/public/print/ag_memo_pdf_popup.cfm?seq=22697&rev_num=0&mode=CUSTOM#page=17

In March, the Committee directed staff to reach out to CCTA on the status of the planned accessible transit study. Staff will bring an verbal update to April Committee meeting and is requesting guidance.

Status of Transportation Funding and County Road Projects: In February, the Committee received a report regarding the status of County road project and maintenance activities entitled "*Reduction in State Gas Tax and the Impact to County of Contra Costa Streets and Roads*" In summary, due to declining revenues, substantial cuts are necessary. That report is available here:

http://64.166.146.245/docs/2017/TWIC/20170202_865/875_02-13-17TWICAGNDApkt.pdf#page=65

Due to rapid movement at the State on Senate Bill 1 (discussed below) staff will bring a verbal update to the Committee on this issue.

RECOMMENDATION: DISCUSS local legislation and 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 (April TWIC State Leg Report.pdf). Mr. Watts is unable to be present at the April meeting, County staff will coordinate with him to bring updates to the Committee.

School Siting Update: The California Department of Education (CDE) initiated an effort to revise Title 5 which contains the language that addresses school site selection and design. The County has been engaged on this issue for a number of years due to our experience with school sites in East Contra Costa County.

March 28, 2017

- The BOS approved a letter (03-28-17 SIGNED - PITCH to CDE-TomTorlaksonReSchools-Title5.pdf) signed by the Planning Integration Team For Community Health (PITCH) member Departments, Public Works, Health Services, Conservation and Development.
- The California Department of Education (CDE) gave a presentation in Sacramento regarding the Title 5 update. CDE staff took questions and comments. County staff provided testimony as follows: **1)** summarized the letter from PITCH that was approved that morning, **2)** indicated that the guidance in Title 5 is ignored by some districts, and **3)** that without reform of school siting practices the State may face a situation that played out in Manitoba, Canada. A new school opened without adequate pedestrian infrastructure, a student (Carina Denisenko) was killed by a car when attempting to cross a street. In response, the provincial legislature passed a new law, "*The Public Schools Amendment Act (Pedestrian Safety at New Schools)*" aka "*Carina's Law*".

April 3, 2017

- County staff met with Oakley Union Elementary School District staff regarding their school population projections and plans for new school sites. The meeting was positive, the District has two idle sites which are both within the Urban Limit Line and the city limits of Oakley.

State Legislation

Please see the attached document, *Positions on Legislation of Interest – 2017* for a summary of bills being tracked by staff and our legislative advocate. Bills of particular interest to the County are highlighted in the table and summarized below:

Senate Constitutional Amendment 2 (SCA-2) Motor vehicle fees and taxes: restriction on expenditures:

appropriations limit: This legislation was originally packaged with the Assembly and Senate Transportation Funding bills (AB1/SB1) and discussed at the BOS. This Constitutional Amendment will protect transportation revenues from being "raided" for purposes other than transportation.

Senate Constitutional Amendment 6 (SCA-6) Local transportation measures: special taxes: voter approval:

Similar to SCA-2, this legislation was originally packaged with AB1/SB1 and discussed at the BOS. This Constitutional Amendment will lower the threshold to 55% for transportation related taxes.

AB-342 Vehicles: automated speed enforcement: five-year pilot program: TWIC previously supported investigating the proposal which has been in development for a number of years until the printing of this years formal bill. Further, related direction was provided by TWIC to staff in conjunction with our Complete Streets/Vision Zero implementation effort, "*Directed staff to proceed with implementation of complete streets processes per Board Resolution 2016/374 and include vision zero and automated speed enforcement concepts in the implementation.*"

RECOMMENDATION: DISCUSS state legislation and issues of note and take ACTION as appropriate.

3) FEDERAL

No written staff report in April.

Attached is a report (Federal Budget Update.pdf) from the California State Association of Counties describing the proposed elimination and cuts in the Trump administration's budget proposal. Transportation, water, infrastructure related excerpts are included below:

Among other things, the administration's proposal would eliminate FY 17 funding for:

TIGER Grants (\$499 million);

Western Drought Relief Efforts (\$100 million).

Programs that are targeted for FY 17 cuts include:

*Community Development Block Grants (\$1.5 billion cut);
Capital Investment Program/Transit (\$447 million cut);*

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 Issues and take ACTION as appropriate.

Fiscal Impact (if any):

There is no fiscal impact.

Attachments

April TWIC State Leg Report

03-28-17 SIGNED - PITCH to CDE-TomTorlaksonReSchools-Title5

Positions on Legislation of Interest - 2017

Bill Text - SCA-2 Motor vehicle fees and taxes_ restriction on expenditures_ appropriations limit_

Bill Text - SCA-6 Local transportation measures_ special taxes_ voter approval_

Bill Text - AB-342 Vehicles_ automated speed enforcement_ five-year pilot program_

AB342-Safe Streets Act 2017

Federal Budget Update

Smith, Watts & Hartmann, LLC.

Consulting and Governmental Relations

MEMORANDUM

TO: Transportation, Water, and Infrastructure Committee

FROM: Mark Watts

DATE: March 31, 2016

SUBJECT: April Report

Legislature

Transportation funding

During this past month significant discussions were conducted by the Governor, the Speaker and the Pro Tem, as well as the two Transportation Committee Chairs concerning the goal of passing a transportation-funding package before the upcoming Legislative Spring break. Publicly, however, most of the month was generally quiet with SB 1 by Senator Beall passing several key committees, and is now pending hearing in the Senate Appropriations Committee.

Representatives of the Administration met with advocates and stakeholders related to the legislative effort on March 16th to update the status of discussions and urge even greater efforts to persuade members of the Legislature of the urgency to act to address the growing transportation problems of maintenance, repair, and capacity improvements.

Finally, on Wednesday, March 29, the Governor, the Senate President Pro Tem, the Speaker of the Assembly, and other legislative leaders & administration officials announced a deal to fund our state's transportation system. For the last several weeks, leadership in both houses, as well as staff from the Governor's Office and the California State Transportation Agency, have been negotiating the final details of the comprehensive transportation funding package, based largely on the great work done by Senator Jim Beall and Assembly Member Jim Frazier over the last two years. The funding package is a \$5.2 billion plan, with new revenues coming from increasing gasoline and diesel excise taxes, an increase in diesel sales tax, a new transportation fee based on the value of vehicles, and a fee on zero emission

vehicles. The proposal would fund local streets & roads, state highways, public transit, and active transportation.

On March 30, SB 1 was amended to incorporate the new “deal points”, as was the companion measure, SCA 2 (and an identical measure, ACA 12), which provides “lock-box” protections to the new revenues package, as well as an exemption for the new revenues from the state and local calculations of the State Appropriations Limit.

The two Senate bills are scheduled for hearing on April 3 in the Senate Appropriations committee, and are anticipated for Senate Floor Action on April 4th. To ensure complete airing of the bills contents, the Assembly will consider SB 1 (informational overview only), so that when SB 1 is in the Assembly, they can expedite the process on the package, likely a Floor vote by April 5th. Material provided by the administration follows, at the end, that depicts program funding within and near Contra Costa County

Summary of SB 1 Key Elements

STATEWIDE INVESTMENT PROGRAMS (50%)

Fix-it-First Highways	\$15 billion
Bridge and Culvert Repair	\$4 billion
Trade Corridor Investments	\$3 billion
Solutions for Congested Commute Corridors	\$2.5 billion
Parks Funding for Ag, Off-Highway Vehicle & Boating	\$800 million
STIP (State Share)	\$275 million
Freeway Service Patrol	\$250 million
California Public Universities	\$70 million
Transportation Research	

Local or Regional Investment Programs (50%)

Fix-it-First Local Roads	\$15 billion
Transit Capital and Operations	\$7.5 billion
Local Partnership Funds	\$2 billion
Active Transportation Program	\$1 billion
Bicycle and Pedestrian	

Investments

STIP (Local Share)	\$825 million
Local Planning Grants	\$250 million

TOTAL **\$52.4 billion**

Other Key Transportation Legislation

AB 28 (Frazier)

This bill re-enacts the California Department of Transportation's (Caltrans') authority that expired on January 1, 2017, to indefinitely assume the role of the United States Department of Transportation (U.S. DOT) for National Environmental Policy Act (NEPA) decision-making.

The authority has supported this important measure, which was approved at each committee stop in the Senate and by the full Senate on March 16th with a unanimous vote, 39-0. The bill received final concurrence approval in the Assembly and was approved by the Governor and Chaptered on MRCH 29.

Autonomous Vehicles

At least 11 bills have been introduced pertaining to Autonomous Vehicles (AV) in the legislature. Most have been “spot” bills, while a couple of the bills seek to provide legislative guidance on the statutory framework for deployment of AVs. Earlier in the month, the DMV filed proposed regulations related to AVs. The Administration is firm in its resolve to complete the regulatory process with final regulations in place by November or December 2017. The AV bills will bear close monitoring to ensure the provisions of AB 1592 remain unaffected.

New Bills of Interest

SB 423 (Cannella)

This bill, relating to design professionals, is a re-introduction of legislation of interest to the authority that failed passage in 2016, SB 885. In essence, SB 423 prohibits contracts that require state licensed design professionals, including engineers, land surveyors,

architects, and landscape architects, to defend claims made against other persons or entities involved in construction projects. A design professional's Errors & Omissions professional liability insurance does not provide coverage for the defense of claims against other persons and entities involved in construction projects. It only covers claims related to the negligent acts of the design professional.

Regional Measure 3

Legislation to establish Regional Measure 3 (RM 3) is still under development in Sacramento and plans remain for introduction and enactment in 2017. Out of recognition that discussions in the Capitol are focused on completing a statewide transportation-funding package by the Legislative Spring Break RM 3 legislation will be deferred for the time being distraction while these efforts continue.

Meanwhile, several local agencies having already adopted RM 3 priority project lists including BART, Alameda County Transportation Commission and the Contra Costa Transportation Authority.

Administration Fact Sheet Information

(Selected information)

SB 1 Funding Package Estimates - 10 years

Regional

SHOPP:	\$2.515 billion
State Maintenance:	\$200 million
Local Partnership:	\$590 million

Contra Costa County

STIP Share:	\$29 million
County Roads:	\$232 million

New City Streets and Roads Funds

City of ANTIOCH	\$25.85
City of BRENTWOOD	\$13.45
City of OAKLEY	\$ 9.19
City of PITTSBURG	\$15.52
City of CLAYTON	\$ 2.57
City of CONCORD	\$29.68
City of MARTINEZ	\$ 8.48
City of PITTSBURG	\$15.52

City of PLEASANT HILL	\$ 7.80
City of WALNUT CREEK	\$16.0
City of EL CERRITO	\$ 5.58
City of HERCULES	\$ 5.67
City of PINOLE	\$ 4.29
City of SAN PABLO	\$ 7.05
City of DANVILLE	\$ 9.81
City of DUBLIN	\$13.12
City of LAFAYETTE	\$ 5.70
City of LIVERMORE	\$20.17
City of MORAGA	\$ 3.78
City of ORINDA	\$ 4.29
City of PLEASANTON	\$17.16
City of SAN RAMON	\$17.93
City of WALNUT CREEK	\$16.02

STATE TRANSIT ASSISTANCE - New Funding

Central Contra Costa Transit Authority	\$6,816,934
Eastern Contra Costa Transit Authority	\$3,129,116
Western Contra Costa Transit Authority	\$3,496,221
Livermore-Amador Valley Transit Authority	\$2,896,046



Contra Costa County

Department of Conservation &
Development
30 Muir Road
Martinez, CA 94553
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John Kopchik, Director

Health Services Department
50 Douglas Drive
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Dr. William Walker, Director

Department of Public
Works
255 Glacier Drive
Martinez, CA 94553
Phone: (925) 313-2000

Julia R. Bueren, Director

March 28, 2017

Tom Torlakson, Superintendent of Public Instruction
California Department of Education
1430 N St, Sacramento, CA 95814

Subject: Title 5 School Siting and Design Standards Review

Dear Superintendent Torlakson:

This letter responds to the California Department of Education's (Department) School Facilities & Transportation Services Division request for input on its review of Title 5 which was initiated in late 2016. Contra Costa County (County) welcomes this review as we have witnessed gaps in state school siting practices relative to contemporary land use and transportation planning statutes and principles. Specifically, the County urges the Department to conform school siting practices with State and local policies to ensure that the siting of new schools does not violate goals related to student safety, growth management, greenhouse gas reduction, health in all policies, agricultural preservation, complete streets, and general public health.

The County recognizes the significant link between the built environment and public health. This recognition led the Board of Supervisors to create a staff level committee in 2007, the Planning Integration Team for Community Health (PITCH). PITCH is comprised of staff from three Departments, Conservation and Development, Health Services, and Public Works. Respectively, these Departments are responsible for land use/transportation planning, public health, and engineering. PITCH advises the Board of Supervisors on policies and strategy related to land development, grant applications, policy changes, infrastructure investment, etc.

Given the significant and enduring effect that schools have on the character and safety of the community surrounding school sites, the Board of Supervisors directed PITCH to develop this response to the Title 5 revision effort. We have organized this response as follows:

- I. Immediately below is the policy context in which the PITCH Departments developed comments.
- II. Below the policy context we provide broader recommendations that don't lend themselves to direct insertion in to the existing Title 5 text.
- III. Attached are specific, recommended revisions entered directly in the body of the Title 5 text.

I. Policy Context

Numerous policies guide land development and transportation infrastructure investment at both the local and state levels. School sites, which are defining institutions in our communities, have a substantial impact on the safety and character of the surrounding community, and serve a vulnerable population, are often not developed to be consistent with the adopted policies listed below.

Because schools are exempt from complying with local ordinances they are frequently inconsistent with many local and state policies that are enacted to combat sprawl, achieve greenhouse emission goals, ensure safe and efficient transportation, and protect public health. The policies include:

Local Policies

Urban Limit Line: Contra Costa County voters approved an Urban Limit Line (ULL) in 1990. In 2006 voters passed a new Measure which affirmed and extended the ULL protection to 2026. The ULL limits urban development to certain areas of the County and helps to preserve farmland, open space, and combat sprawl.

Currently, schools are being planned and built outside the ULL undermining growth restrictions approved by the voters.

Complete Streets: Contra Costa County's Complete Streets policy was adopted by General Plan revision in 2008 and pre-dates the State Complete Streets Act. The policy was reaffirmed and expanded in 2016 with the Board of Supervisors Adoption of an updated Complete Streets Policy. Complete Streets recognizes that streets serve many users and should accommodate users of all ages, abilities, and modes including cyclists, pedestrians, transit users and the mobility impaired.

When schools are located as infrastructure islands in rural or agricultural areas it is not financially possible to provide adequate transportation infrastructure throughout the school attendance boundaries to accommodate student cyclists and pedestrians. These sites are often well outside of established transit routes, promote increased vehicular travel, and make it unsafe and impractical to get to school by using active transportation such as walking and bicycling because there are no sidewalks or adequate facilities for student cyclists.

Climate Action Plan: In December 2015, Contra Costa County adopted a Climate Action Plan that outlines how we will reduce greenhouse gas emissions in our County. The Climate Action Plan has goals and requirements regarding green buildings; the State should ensure that the Title 5 update recognizes local sustainability and green building policies, as well as comply with State policies. The Climate Action Plan sets goals for increasing active transportation in our County with specific targets around number of weekday bike trips, implementing the Safe Routes to School program, and reducing the number of vehicle miles traveled.

State Policies

Complete Streets Act of 2008: Similar to Contra Costa County's local policy, the state Complete Streets Act (AB 1358/2008) directs that transportation facilities be planned, designed, operated, and maintained to provide safe mobility for all users, including bicyclists, pedestrians, transit vehicles, etc. appropriate to the function and context of the facility.

When the State facilitates the development of schools in disconnected areas, it compromises the ability for local jurisdictions to adhere to complete streets policies.

Greenhouse Gas (GHG) Reduction Legislation (AB32 – 2006, SB375 – 2008, SB743 – 2013):

Through various mechanisms, this State legislation dictates how GHG's are to be reduced. Given that land development is most often a local activity, the successful implementation of these mandates often fall to local agencies to implement through changes to land development and infrastructure investment practices.

Though local jurisdictions are implementing these policies at the city/county level, the State school siting program impedes implementation of this legislation by facilitating the development of school sites in remote areas, thereby driving up vehicle miles traveled.

Recognizing this issue, in the California Air Resources Board's (CARB) original draft implementation guidance for AB 32, the reform of school siting practices was included. In the final version, the guidance was removed without explanation.

Health in all policies: The State adopted a Health in All Policies (HIAP) approach to improve the health of all people by incorporating health considerations into collaborative decision-making across sectors and policy areas. The HIAP effort includes 22 State agencies and departments that fall under the Health In All Policies Task Force which is in turn overseen by the Strategic Growth Council.

While efforts are made through the HIAP program to improve health through policy changes, the State school siting program conflicts with this effort by facilitating the development of school sites in remote areas. This practice limits the ability for students to use active transportation to make the home/school/home trip. Concurrently, the State practices compromise safety for those that do walk/bike to school because it is not financially possible to construct adequate non-motorized transportation infrastructure connecting remote schools to the communities they serve.

Similar to CARB's GHG reduction effort, this issue was acknowledged by the State early during HIAP implementation. The original draft strategies for implementing HIAP included addressing school siting practices. Subsequent revisions to the HIAP removed school siting reform activities.

II. Broad Policy Recommendations

Establish Clear Authority/Responsibility: The County has had numerous conversations with local school districts and state officials on school siting practices over the years that reveal a lack of clarity regarding authority on school siting practices. It would appear that a vacuum of responsibility exists that does not foster comprehensive planning or accountability:

- In discussing and advocating for school siting policy changes with State staff a common response is, "local school districts are responsible, we merely provide guidance".
- In discussing and advocating for a change in school siting practices with local school districts a common response is, "we are just following state policies".
- When the County advocates for better decision making a common response is, "school districts are exempt from local ordinances".

Administering a massive public investment program such as school construction requires a process with clear lines of authority and responsibility. Ultimately, the lack of clear responsibilities and effective policies has led to adversarial situations. Please see the attached letters for examples.

Develop Financial Incentives and Disincentives: In Contra Costa, and we assume in other Counties with rural areas, one significant reason schools are developed on remote or agricultural land is the lower cost. Addressing this fundamental issue will be necessary to make policy changes effective. The State should consider implementing financial incentives and disincentives.

Develop Compulsory Requirements: There are substantial *existing* statutes and guidance related to school siting. Site selection, safety considerations, access, consultation with local land use agencies are all in this guidance. A compulsory component should be included with any policy changes to ensure effective implementation.

Encourage/Incentivize Cooperation between Developers and School Districts: There are existing policies that facilitate consultation between school districts and the local land use agencies. In practice, some of the more successful school sites are a product of coordination between developers and school districts. The State should investigate methods to encourage, incentivize or require coordination between developers and school districts.

Enforce Urban Limit Line (ULL)/Urban Growth Boundary (UGB): At a minimum, the state should respect locally approved growth control measures and institute some minimal subsidiarity by prohibiting school districts from acquiring and developing school sites outside of adopted ULLs/UGBs. This would help establish consistency with local priorities and direct growth to where it can best be served. Absent an outright prohibition, the state could adopt incentives and/or disincentives that would help protect the ULL/UGB.

Expand Authority of Local Agency Formation Commissions (LAFCO): The two main purposes of LAFCOs per the Cortese-Knox-Hertzberg Act are **1)** discourage sprawl, and **2)** encourage planned, orderly, coordinated, logical development. This authority directly addresses the problems experienced statewide with school siting practices.

Ensure Complete Streets Consistency: The following approach would help to bring school siting practices into consistency with State and local policies relative to complete streets, active transportation, safe routes to school, greenhouse gas reduction, and health in all policies.

1) The school board may only approve the purchase of a school site if the board also:

- *Makes findings with substantial evidence in the record that the proposed site complies with, or will ultimately comply with, all applicable guidance in Title 5, Guide to School Site Analysis and Development, and School Site Selection and Approval Guide. These findings should provide enough relevant information or data and reasonable inferences to support the conclusion that the proposed site complies with the aforementioned policy documents, (as they may be amended or superseded from time to time), and*
- *Approves a preliminary multimodal (bus, automobile, pedestrian, bicycle, active) circulation and safety plan (spanning both immediate site access and attendance boundaries) approved by a licensed traffic engineer representing the Department of Transportation.*
- *Must establish that it is reasonable to project that all necessary, multi-modal transportation infrastructure will be in place concurrent with the opening of the school (secured bond, projects on local capital improvement plan for instance)*

2) The school board may only approve a final school design if the board also:

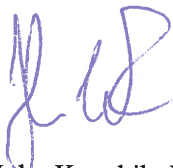
- *Makes findings with substantial evidence in the record that the proposed site will comply with all applicable guidance in Title 5, Guide to School Site Analysis and Development, and School Site Selection and Approval Guide upon opening of the school. These findings should provide enough relevant information or data and reasonable inferences to support the conclusion that the proposed site complies with the aforementioned policy documents, as they may be amended or superseded from time to time,*
- *Approves a final multimodal (bus, automobile, pedestrian, bicycle, active) circulation and safety plan (spanning both immediate site access and attendance boundaries) approved by a licensed traffic engineer representing the Department of Transportation.*
- *Establish that all necessary, multi-modal transportation infrastructure will be in place concurrent with the opening of the school.*

III. Title 5 Revisions

Please find our detailed, redline/strikeout comments on the Title 5 code attached to this letter.

We appreciate the Department of Education conducting the Title 5 review and the opportunity to provide input. We look forward to your response and working with the State in addressing this serious issue.

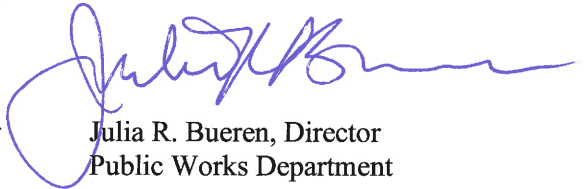
Sincerely,



John Kopchik, Director
Department of Conservation and
Development



Dr. William Walker, Director
Health Services Department



Julia R. Bueren, Director
Public Works Department

Attachments:

Comments on Title 5 - School Facilities Construction Policies

August 25, 2010 Letter: Contra Costa County to Liberty Union High School District: Re: Postponement FEIR Certification

August 24, 2016 Letter: Contra Costa County to Liberty Union High School District: Re: Parcel Purchase with no notice.

Copy

Members, Board of Supervisors
Contra Costa County Legislative Delegation
Karen Sakata, Contra Costa Office of Education
Kathryn Lyddan, CA Department of Conservation
Siddharth Nag, CA Gov Office of Planning and Research
Kiana Buss, California State Association of Counties

Nick Schweizer, CA Department of Education
Juan Mireles, CA Department of Education
Jahmal Miller, CA Department of Public Health
Ken Alex, CA Strategic Growth Council
Bob Glover, Building Industry Association of the Bay Area
Members, California County Planning Directors Association

**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

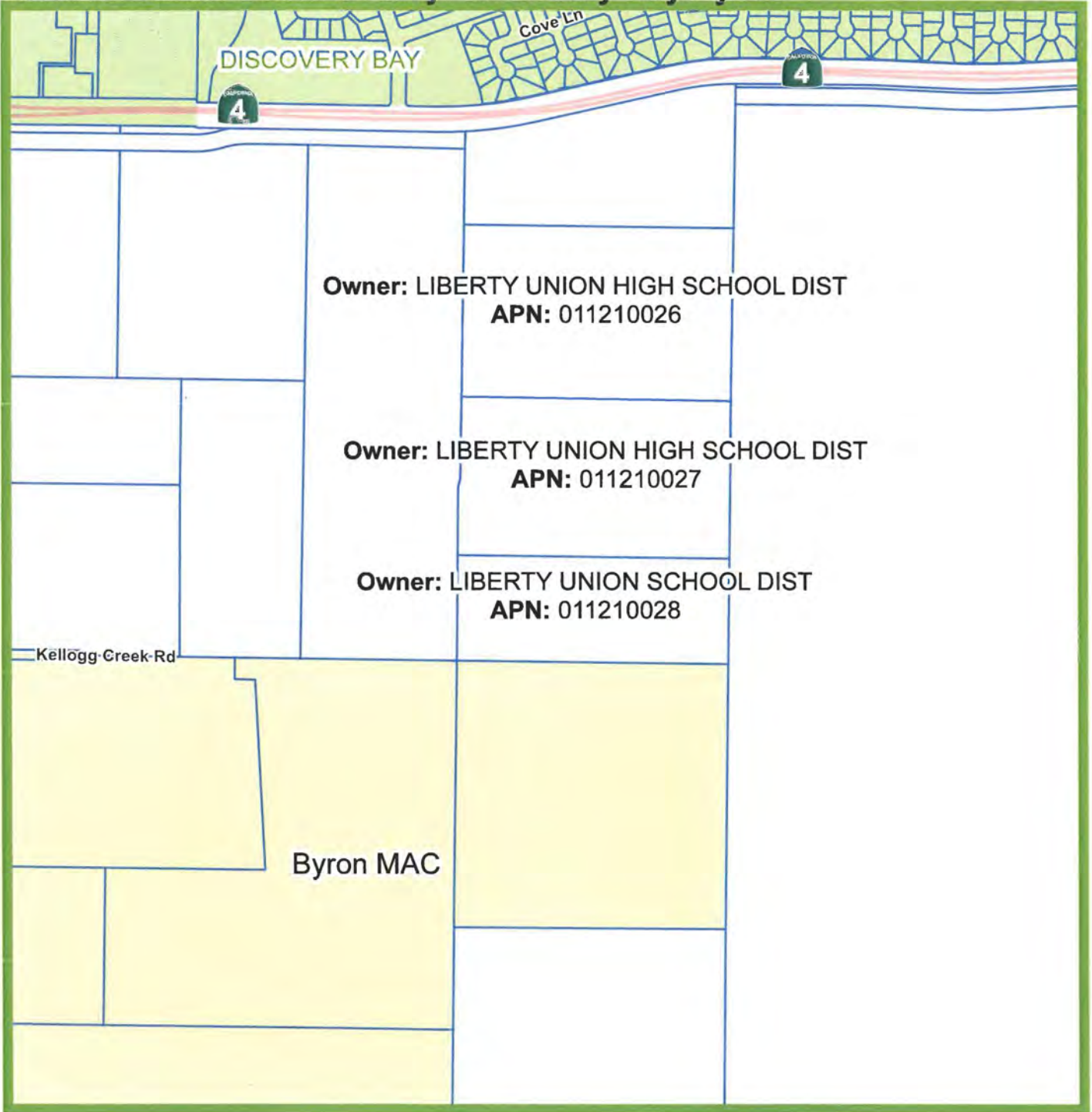
cc:

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

g:\transportation\cunningham\memo-letter\letter\2016\signed\08-24-16 - DCDto Eric Volta reLHUS Purchase of APN's

Central Contra Costa County: Discovery Bay/Byron



- DISCOVERY BAY CSD
- Byron MAC
- Parcel Lines



Department of
Conservation &
Development

Contra
Costa
County

Catherine O. Kutsuris
Director

Aruna Bhat
Deputy Director
Community Development Division

Community Development Division

County Administration Building
651 Pine Street
North Wing, Fourth Floor
Martinez, CA 94553-1229



Phone:

August 25, 2010

Jerry Glenn, Superintendent
Liberty Union High School District
1050 Neroly Road
Oakley CA 94561-3843

RE: *Proposed Fourth High School Final Environmental Impact Report*

Dear Superintendent Glenn:

It has just come to the County's attention that certification of the subject Final Environmental Impact Report (EIR) has been scheduled for the Liberty Union High School District ("District") Board of Trustees meeting today, Wednesday, August 25, 2010. We were only made aware of this pending school board action on Monday by City of Oakley staff, and we then subsequently discovered that the District has now posted to its website the Final EIR.

The County calls to the District's attention the requirements for a lead agency in the certification of an EIR under the California Public Resources Code (PRC) and the California Environmental Quality Act (CEQA) Guidelines. Both state law and CEQA Guidelines clearly prescribe that before a lead agency certifies an Environmental Impact Report (EIR) it *shall* provide proposed written responses to a public agency on comments made by that public agency ten days prior the EIR's certification.¹ For the record, the County has not received written responses to our comments on the Draft EIR ten day prior to the scheduled hearing on EIR certification, as prescribed under the law, and furthermore, the County has not received a notice of the hearing at which the school board will consider EIR certification, or a notice of availability of the Final EIR.

Therefore, I am writing to respectfully request that the certification of the EIR by the school board scheduled for tonight's meeting be postponed until the County, other public agencies, and the public have sufficient time to review the Final EIR as required under the law. We are specifically concerned with the adequacy of the District's responses to the County's extensive comments on the Draft EIR. Unfortunately, it is simply not possible to determine the adequacy of the responses when we do not have a copy of the Final EIR document which would contain the written responses to our comments.

¹ Public Resources Code section 21092.5: "At least 10 days prior to certifying an environmental impact report, the lead agency shall provide a written proposed response..."
CEQA Guidelines section 15088 (b): "The lead agency shall provide a written proposed response to a public agency on comments made by that public agency at least 10 days prior to certifying an environmental impact report."

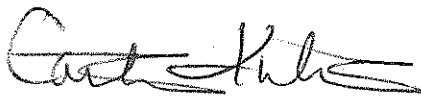
It must be noted that it is the common practice and procedure for cities and counties acting in their capacity as the lead agency under CEQA to provide a public agency that has commented on a Draft EIR with hard copy or CD-ROM of the Final EIR, which contains responses to written comments on the Draft EIR, along with a notice of a public hearing at which certification of the EIR will be considered. The Final EIR and accompanying hearing notice are always provided to a commenting public agency ten days prior to the hearing, as prescribed under the law. The County is disappointed that District has apparently not followed commonly accepted CEQA procedures for a lead agency in notifying a commenting public agency about the certification of an EIR and providing them with a copy of the Final EIR.

This is especially troubling given that the County, as well as the cities of Brentwood and Oakley, expended significant efforts in reviewing and commenting on the Draft EIR and devoted significant staff time and resources to advise and assist the District in identifying measures and actions to mitigate impacts from the high school. We are disappointed that after such collaborative efforts the District would proceed with certification of the EIR without giving a commenting public agency timely notice of this pending action or adequate time to review the document to be certified. It is for these reasons that we urge the District to postpone the EIR's certification until commenting public agencies are provided the Final EIR document and all interested parties are afforded adequate time to review and assess the responses to written comments on the Draft EIR.

Thank you in advance for your consideration of this request. Please update John Cunningham of my staff (925-335-1243) with the status of this certification process as soon as possible.

We look forward to continuing in a productive working relationship with the District on this important project.

Sincerely,



Catherine O. Kutsuris
Director

cc: D. III Office
D. V Office
S. Goetz, DCD
M. Avalon, Flood Control
S. Kowalewski, PWD
J. Vogan, City of Oakley
P. Eldredge, City of Brentwood
President R. Valverde, LUHSD
W. Reeves, LUHSD

Title 5. Education
Division 1. California Department of Education
Chapter 13. School Facilities and Equipment
Subchapter 1. School Housing
Article 1. General Standards
§ 14001. Minimum Standards.

Educational facilities planned by school districts shall be:

- (a) Evolved from a statement of educational program requirements which reflects the school district's educational goals and objectives.
- (b) Master-planned to provide for maximum site enrollment..
- (c) Located on a site which meets California Department of Education standards as specified in Section 14010.
- (d) Designed for the environmental comfort and work efficiency of the occupants.
- (e) Designed to require a practical minimum of maintenance.
- (f) Designed to meet federal, state, and local statutory requirements for structure, fire, and public safety.
- (g) Designed and engineered with flexibility to accommodate future needs.
- (h) Located and designed to support reductions of greenhouse gasses and vehicle miles traveled consistent with state goals.
- (i) Include access infrastructure, at the time of school opening, consistent with the 2008- Complete Streets Act. [Reflects authority established with the "safety" references in EDC § 17251 (c) and (f)].

Note: Authority cited: Sections 17251(b) and 33031, Education Code. Reference: Sections 17017.5 and 17251(b), Education Code.

HISTORY

1. Amendment filed 9-23-77; effective thirtieth day thereafter (Register 77, No. 39).
2. Amendment of text and adoption of Note filed 11-12-93; operative 12-13-93 (Register 93, No. 46).
3. Amendment of Note filed 10-30-2000; operative 10-30-2000 pursuant to Government Code section 11343.4(d) (Register 2000, No. 44).

5 CCR § 14001, 5 CA ADC § 14001

Title 5. Education
Division 1. California Department of Education
Chapter 13. School Facilities and Equipment
Subchapter 1. School Housing
Article 2. School Sites
§ 14010. Standards for School Site Selection.

All districts shall select a school site that provides safety and that supports learning. The following standards shall apply to site selection and be addressed in a written report provided to the governing board, the district advisory committee, and the local land use agency [requirements are consistent with EDC § PART 10.5. SCHOOL FACILITIES: Schoolsites: 17211]:

(a) The net usable acreage and enrollment for a new school site shall be consistent with the numbers of acres and enrollment established in the 2000 Edition, "School Site Analysis and Development" published by the California Department of Education and incorporated into this section by reference, in toto, unless sufficient land is not available or circumstances exist due to any of the following:

(1) Urban or suburban development results in insufficient available land even after considering the option of eminent domain.

(2) Sufficient acreage is available but it would not be economically feasible to mitigate geological or environmental hazards or other site complications which pose a threat to the health and/or safety of students and staff.

(3) Sufficient acreage is available but not within the attendance area of the unhouseed students or there is an extreme density of population within a given attendance area requiring a school to serve more students on a single site. Choosing an alternate site would result in extensive long-term bussing of students that would cause extreme financial hardship to the district to transport students to the proposed school site.

(4) Geographic barriers, traffic congestion, inadequate transportation infrastructure for student cyclists, pedestrians, and/or other wheeled/active transportation, high vehicle speeds, or other constraints throughout the attendance boundary would cause extreme school access issues for the school district and the community at large. financial hardship for the district to transport students to the proposed school site. [Regarding the struck out text, excepting special needs students, school districts are not obligated to provide transportation. Regardless, the listed issues DO create a hardship for parents, students, and local jurisdictions who, when school districts site schools in remote areas, are left to somehow get students safety to/from school sites which are often infrastructure islands surrounded by rural landscape.]

(b) If a school site is less than the recommended acreage required in subsection (a) of this section, the district shall demonstrate how the students will be provided an adequate educational program including physical education as described in the district's adopted course of study.

(c) The property line of the site even if it is a joint use agreement as described in subsection (o) of this section shall be at least the following distance from the edge of respective power line easements:

(1) 100 feet for 50-133 kV line.

(2) 150 feet for 220-230 kV line.

(3) 350 feet for 500-550 kV line.

(d) If the proposed site is within 1,500 feet of a railroad track easement, a safety study shall be done by a competent professional trained in assessing cargo manifests, frequency, speed, and schedule of railroad traffic, grade, curves, type and condition of track need for sound or safety barriers, need for pedestrian and vehicle safeguards at railroad crossings, presence of high pressure gas lines near the tracks that could rupture in the event of a derailment,

preparation of an evacuation plan. In addition to the analysis, possible and reasonable mitigation measures must be identified. [Roadways and automobiles are a more substantial threat to student safety than railroads. Implementation of the County's "Ensure Complete Streets Consistency" proposal will help to ensure an appropriate review of roadway safety, on par with the railroad language]

(e) The site shall not be adjacent to a road or freeway that any site-related traffic and sound level studies have determined will have safety problems or sound levels which adversely affect the educational program.

(f) Pursuant to Education Code sections 17212 and 17212.5, the site shall not contain an active earthquake fault or fault trace.

(g) Pursuant to Education Code sections 17212 and 17212.5, the site is not within an area of flood or dam flood inundation unless the cost of mitigating the flood or inundation impact is reasonable.

(h) The site shall not be located near an above-ground water or fuel storage tank or within 1500 feet of the easement of an above ground or underground pipeline that can pose a safety hazard as determined by a risk analysis study, conducted by a competent professional, which may include certification from a local public utility commission.

(i) The site is not subject to moderate to high liquefaction or landslides.

(j) The shape of the site shall have a proportionate length to width ratio to accommodate the building layout, parking and playfields that can be safely supervised and does not exceed the allowed passing time to classes for the district.

(k) The site shall be easily accessible from arterial roads and shall allow minimum peripheral visibility from the planned driveways in accordance with the Sight Distance Standards established in the "Highway Design Manual," Table 201.1, published by the Department of Transportation, July 1, 1990 edition, and incorporated into this section by reference, in toto.

(l) The site shall not be on major arterial streets with a heavy traffic pattern as determined by site-related traffic studies including those that require student crossings unless mitigation of traffic hazards and a plan for the safe arrival and departure of students appropriate to the grade level has been provided by city, county or other public agency in accordance with the "School Area Pedestrian Safety" manual published by the California Department of Transportation, 1987 edition, incorporated into this section by reference, in toto. [Considering the wealth of new, relevant statutes and policies that the state has developed over the past 10 years this language should be rewritten. Contemporary references (as opposed to the 1987 School Area Pedestrian Safety document) should be referenced including, the 2008 Complete Streets Act, Health In All Policies, AB32/SB375 concepts, Caltrans Smart Mobility Framework, and the numerous revisions to the Highway Design Manual.]

(m) Existing or proposed zoning of the surrounding properties shall be compatible with schools in that it would not pose a potential health or safety risk to students or staff in accordance with Education Code Section 17213 and Government Code Section 65402, the multimodal circulation and safety plan, and other available studies of traffic surrounding the site.

(n) The site shall be located within the proposed attendance area to accommodate and encourage student ~~walking and active transportation~~ avoid extensive bussing unless bussing is used to promote ethnic diversity. Accommodation shall be documented in the multimodal circulation and safety plan. [The comment is reflective of the County's comment, "Ensure Complete Streets Consistency"]

(o) The site shall be selected to promote joint use of parks, libraries, museums and other public services, the acreage of which may be included as part of the recommended acreage as stated in subsection (a) of this section.

(p) The site shall be conveniently located for public services including but not limited to fire protection, police protection, public transit and trash disposal whenever feasible.

(q) The district shall consider environmental factors of light, wind, noise, aesthetics, and air pollution in its site selection process.

(r) Easements on or adjacent to the site shall not restrict access or building placement.

(s) The cost and complications of the following shall be considered in the site selection process and should not result in undue delays or unreasonable costs consistent with State Allocation Board standards:

(1) Distance of utilities to the site, availability and affordability of bringing utilities to the site.

(2) Site preparation including grading, drainage, demolition, hazardous cleanup, including cleanup of indigenous material such as serpentine rock, and off-site development of streets, curbs, gutters and lights.

(3) Eminent domain, relocation costs, severance damage, title clearance and legal fees.

(4) Long-term high landscaping or maintenance costs.

(5) Existence of any wildlife habitat that is on a protected or endangered species list maintained by any state or federal agency, existence of any wetlands, natural waterways, or areas that may support migratory species, or evidence of any environmentally sensitive vegetation.

(t) If the proposed site is on or within 2,000 feet of a significant disposal of hazardous waste, the school district shall contact the Department of Toxic Substances Control for a determination of whether the property should be considered a Hazardous Waste Property or Border Zone Property.

(u) At the request of the governing board of a school district, the State Superintendent of Public Instruction may grant exemptions to any of the standards in this section if the district can demonstrate that mitigation of specific circumstances overrides a standard without compromising a safe and supportive school environment.

Note: Authority cited: Sections 17251(b) and 33031, Education Code. Reference: Sections 17212, 17212.5, 17213, 17251(b) and 17251(f), Education Code.

HISTORY

1. Renumbering of former section 14010 to section 14011 and new section filed 11-12-93; operative 12-13-93 (Register 93, No. 46). For prior history, see Register 77, No. 39.

2. Amendment of section and Note filed 10-30-2000; operative 10-30-2000 pursuant to Government Code section 11343.4(d) (Register 2000, No. 44).

5 CCR § 14010, 5 CA ADC § 14010

➔ § 14011. Procedures for Site Acquisition - State-Funded School Districts.

A state-funded school district is defined as a school district having a project funded under Chapter 12.5 (commencing with Section 17070.10) of the Education Code. A state-funded school district, before acquiring title to real property for school use, shall obtain written approval from the California Department of Education using the following procedures:

(a) Request a preliminary conference with a consultant from the School Facilities Planning Division and in consultation review and evaluate sites under final consideration.

(b) Contact the School Facilities Planning Division of the California Department of Education to obtain a "School Facilities Planning Division Field Site Review," form SFPD 4.0, published by the California Department of Education, as last amended in December 1999 and incorporated into this section by reference, in toto, which lists the site options in order of merit according to the site selection standards delineated in Section 14010.

(c) Prepare a statement of policies as delineated on the "School Facilities Planning Division School Site Report," form SFPD 4.02, as last amended in December 1999 and incorporated into this section by reference, in toto, covering the range and organization of grades to be served, the transportation of pupils, and the ultimate maximum pupil enrollment to be housed on the site. Prepare a statement showing how the site is appropriate in size as justified by the school district's Facilities Master Plan, including acreage increases above the California Department of Education recommendation made to compensate for off-site mitigation. A school district may choose, in place of a master plan, a developer fee justification document or a five-year plan if it addresses enrollment projections, needed schools, and site sizes.

(d) Prepare maps showing present and proposed school sites, significant roads or highways, unsanitary or hazardous installations, such as airports or industries and the indicated boundary of the pupil attendance area to be served as delineated on form SFPD 4.02.

(e) Meet with appropriate local government, recreation, and park authorities to consider possible joint use of the grounds and buildings and to coordinate the design to benefit the intended users as required by Education Code Section 35275.

(f) Give written notice to the local planning agency having jurisdiction to review the proposed school site or addition to an existing school site and request a written report from the local planning agency of the investigations and recommendations for each proposed site with respect to conformity with the adopted general plan as required by Public Resources Code Section 21151.2 and Government Code Section 65402 and provide documentation to the California Department of Education (CDE) demonstrating the notice and report request to the local planning agency. CDE shall not provide any administrative, procedural, or financial support to the school district without fulfillment of this requirement. [This requirement is in response to our experience with school districts not being aware of or disregarding the referenced sections of the code. Please see the County's 8-24-16 letter to the Liberty Union High School District (LUHSD) attached to our Title 5 Comment letter. The letter to LUHSD is also available here: www.cccounty.us/no-notice]

(g) Comply with Education Code Sections 17212 and 17212.5, with particular emphasis upon an engineering investigation made of the site to preclude locating the school on terrain that may be potentially hazardous:

(1) The geological and soils engineering study shall address all of the following:

(A) Nature of the site including a discussion of liquefaction, subsidence or expansive soils, slope, stability, dam or flood inundation and street flooding.

(B) Whether the site is located within a special study zone as defined in Education Code Section 17212.

(C) Potential for earthquake or other geological hazard damage.

(D) Whether the site is situated on or near a pressure ridge, geological fault or fault trace that may rupture during the life of the school building and the student risk factor.

(E) Economic feasibility of the construction effort to make the school building safe for occupancy.

(2) Other studies shall include the following:

(A) Population trends

(B) Transportation

(C) Water supply

(D) Waste disposal facilities

(E) Utilities

(F) Traffic hazards

(G) Surface drainage conditions

(H) Other factors affecting initial and operating costs.

(h) Prepare an environmental impact report, or negative declaration in compliance with the Environmental Quality Act, Public Resources Code, Division 13, (commencing with Section 21000 with particular attention to Section 21151.8). As required by Education Code Section 17213, the written findings of the environmental impact report or negative declaration must include a statement verifying that the site to be acquired for school purposes is not currently or formerly a hazardous, acutely hazardous substance release, or solid waste disposal site or, if so, that the wastes have been removed. Also, the written findings must state that the site does not contain pipelines which carry hazardous wastes or substances other than a natural gas supply line to that school or neighborhood. If hazardous air emissions are identified, the written findings must state that the health risks do not and will not constitute an actual or potential danger of public health of students or staff. If corrective measures of chronic or accidental hazardous air emissions are required under an existing order by another jurisdiction, the governing board shall make a finding that the emissions have been mitigated prior to occupancy of the school.

(i) Consult with, or demonstrate that the lead agency, if other than the district preparing the environmental impact report or negative declaration, has consulted with the appropriate city/county agency and with any air pollution control district or air quality management district having jurisdiction, concerning any facilities having hazardous or acutely hazardous air emissions within one-fourth of a mile of the proposed school site as required by Education Code Section 17213.

(j) For purposes of Environmental Site Assessment, school districts shall comply with Education Code sections 17210.1, 17213.1, and 17213.2.

(k) Follow the recommendations of the State Superintendent of Public Instruction report based upon the Department of Transportation, Division of Aeronautics, findings, if the proposed site is within two miles of the center line of an airport runway or proposed runway as required by Education Code Section 17215.

(l) Follow the standards for school site selection in Section 14010 of this article.

(m) Conduct a public hearing by the governing board of the school district as required in Education Code Section 17211 to evaluate the property using the standards described in Section 14010 of this article. The school district's facility advisory committee may provide an evaluation of the proposed site to the governing board.

(n) Submit the request for exemption from a standard in Section 14010 of this article, with a description of the mitigation that overrides the standard, to the California Department of Education.

(o) Certify there are no available alternative school district-owned sites for the project deemed usable for school purposes by the California Department of Education or certify that the school district intends to sell an available alternative school district-owned site and use the proceeds from the sale for the purchase of the new school site.

Note: Authority cited: Sections 17251(b) and 33031, Education Code. Reference: Sections 17070.50, 17072.12, 17210.1, 17211, 17212, 17213 and 17251(b), Education Code.

HISTORY

1. Renumbering and amendment of section 14010 to section 14011 and adoption of Note filed 11-12-93; operative 12-13-93 (Register 93, No. 46).

2. Amendment of section heading, section and Note filed 10-30-2000; operative 10-30-2000 pursuant to Government Code section 11343.4(d) (Register 2000, No. 44).

5 CCR § 14011, 5 CA ADC § 14011

➔ **§ 14012. Procedures for Site Acquisition - Locally-Funded School Districts.**

A locally-funded school district is defined as a school district with a project not applying for funding from any state program administered by the State Allocation Board as defined in Chapter 12.0 (commencing with Section 17000) or Chapter 12.5 (commencing with Section 17070.10) of the Education Code. A locally-funded school district, before acquiring title to real property for school use, shall:

- (a) Evaluate the property using the standards established in Section 14010 and items (e) through (l) in Section 14011;
- (b) Comply with terms of the complaint investigation described in Section 14012(d); and
- (c) May request advice from the California Department of Education as described in Education Code Section 17211(a).
- (d) Prepare documentation of and retain for purposes of a complaint investigation the exemption from the standard in Section 14010 of this article with a description of the mitigation that overrides the standard. Locally-funded school districts may request from the California Department of Education a review of the adequacy of the mitigation measure.
- (e) Comply with Education Code section 17268 regarding potential safety or health risks to students and staff.

Note: Authority cited: Sections 17251(b) and 33031, Education Code. Reference: Sections 17251(a) and (b) and 17268, Education Code.

HISTORY

1. New section filed 11-12-93; operative 12-13-93 (Register 93, No. 46).
 2. Repealer of former section 14012 and renumbering of former section 14013 to new section 14012, including amendment of section heading, section and Note, filed 10-30-2000; operative 10-30-2000 pursuant to Government Code section 11343.4(d) (Register 2000, No. 44).
- 5 CCR § 14012, 5 CA ADC § 14012

➔ **§ 14013. Procedures for Site Acquisition - Locally-Funded Districts. [Renumbered]**

Note: Authority cited: Section 39001(b), Education Code. Reference: Sections 17700 et. seq., 39101(a), and 39101(b), Education Code.

HISTORY

1. New section filed 11-12-93; operative 12-13-93 (Register 93, No. 46).
 2. Renumbering of former section 14013 to section 14012 filed 10-30-2000; operative 10-30-2000 pursuant to Government Code section 11343.4(d) (Register 2000, No. 44).
- 5 CCR § 14013, 5 CA ADC § 14013

§ 14030. Standards for Development of Plans for the Design and Construction of School Facilities.

The following standards for new schools are for the use of all school districts for the purposes of educational appropriateness and promotion of school safety:

(a) Educational Specifications.

Prior to submitting preliminary plans for the design and construction of school facilities, and as a condition of final plan approval by CDE, school board-approved educational specifications for school design shall be prepared and submitted to the California Department of Education based on the school district's goals, objectives, policies and community input that determine the educational program and define the following:

(1) Enrollment of the school and the grade level configuration.

(2) Emphasis in curriculum content or teaching methodology that influences school design.

(3) Type, number, size, function, special characteristics of each space, and spatial relationships of the instructional area that are consistent with the educational program.

(4) Community functions that may affect the school design. [Substantial detail and examples should be added to remove ambiguity]

(b) Site Layout.

Parent drop off, bus loading areas, ~~and~~ parking, and non-motorized access shall be separated or otherwise designed to allow students to enter and exit the school grounds safely unless these features are unavailable due to limited acreage in urban areas or restrictive locations, specifically [Comments are consistent with authority established in the "safety" references in EDC § 17251 (c) and (f)].

(1) Buses do not pass through parking areas to enter or exit school site unless a barrier is provided that prevents vehicles from backing directly into the bus loading area.

(2) Parent drop off area is adjacent to school entrance and separate from bus area and staff parking.

(3) Vehicle traffic pattern does not interfere with foot traffic patterns. Foot traffic does not have to pass through entrance driveways to enter school. Crosswalks are clearly marked to define desired foot path to school entrance.

(4) Parking stalls are not located so vehicles must back into bus or loading areas used by parents. Island fencing or curbs are used to separate parking areas from loading/unloading areas.

(5) To provide equal access to insure the purposes of the least restrictive environment, bus drop off for handicapped students is in the same location as for regular education students.

(6) To ensure safe, efficient access an active transportation plan for the school's entire attendance boundary shall be developed. [consistent with authority established in the "safety" references in EDC § 17251 (c) and (f)]

(7) Bicyclist and pedestrian access to school sites shall be encouraged through prioritized access and bicycle parking.

(c) Playground and Field Areas.

Adequate physical education teaching stations shall be available to accommodate course requirements for the planned enrollment, specifically:

(1) A variety of physical education teaching stations are available to provide a comprehensive physical education program in accordance with the district's adopted course of study (including hardcourt, field area and indoor spaces).

(2) The physical education teaching stations are adequate for the planned student enrollment to complete the minimum instruction and course work defined in Education Code Sections 51210(g), 51220(d) and 51225.3(a)(1)(F).

(3) Supervision of playfields is not obstructed by buildings or objects that impair observation.

(4) Joint use for educational purposes with other public agencies is explored. Joint use layout with parks is not duplicative and fulfills both agencies' needs.

(d) Delivery and Utility Areas.

Delivery and service areas shall be located to provide vehicular access that does not jeopardize the safety of students and staff:

(1) Delivery/utility vehicles have direct access from the street to the delivery area without crossing over playground or field areas or interfering with bus or parent loading unless a fence or other barrier protects students from large vehicle traffic on playgrounds.

(2) Trash pickup is fenced or otherwise isolated and away from foot traffic areas.

(e) Future Expansion.

Site layouts shall have capability for expansion without substantial alterations to existing structures or playgrounds:

(1) Site layout designates area(s) for future permanent or temporary additions that are compatible with the existing site plans for playground layout and supervision.

(2) Utilities to the expansion area are included in the plans and have the capacity to accommodate anticipated growth.

(3) Exits, corridors, stairs, and elevators are located to accommodate capacity of additions, particularly in such buildings added as the multi-purpose/cafeteria, administration, gymnasium/or auditorium.

(f) Placement of Buildings.

Building placement shall consider compatibility of the various functions on campus and provide optimum patterns of foot traffic flow around and within buildings. Site layout of buildings, parking, driveways, and physical education areas shall be adequate to meet the instructional, security and service needs of the educational program:

(1) Building placement is compatible with other functions on campus; e.g., band room is not next to library.

(2) Physical relationship of classrooms, auxiliary, and support areas allows unobstructed movement of staff and students around the campus.

(3) Building placement has favorable orientation to wind, sun, rain, and natural light.

(4) Restrooms are conveniently located, require minimum supervision, and, to the extent possible, are easily accessible from playground and classrooms.

(5) Parking spaces are sufficient for staff, visitors, and students (where applicable).

(6) The campus is secured by fencing and electronic devices such as code entries, electronic monitoring or motion sensors when needed.

(g) Classrooms.

Classrooms at new school sites shall have adequate space to perform the curriculum functions for the planned enrollment as described in the school district's facility master plan, specifically:

(1) Classroom size standards:

(A) General classrooms, grades one through twelve are not less than 960 square feet. Classrooms proposed of less than 960 square feet require written justification to be submitted to and approved by the State Superintendent of Public Instruction. Adjacent instructional space shall be included in the calculation of square feet for purposes of approving classroom design.

(B) Proposed classrooms of less than 960 square feet have written justification consistent with the educational program and curriculum indicating that the district's education program can be delivered in the proposed size classrooms.

(2) Total classroom space meets or exceeds the capacity planned for the school using the district's classroom loading standards in accordance with State Allocation Board policy.

(3) Consideration is given to some classrooms which are easily alterable in size and shape at a reasonable cost.

(4) Conduit/cabling and outlets are available for technology in each classroom to provide network and stand alone equipment related to the planned and future potential educational functions.

(h) Specialized Classrooms and Areas.

Specialized classrooms shall be designed to reflect the function planned for that portion of the educational program. If any of the following classrooms are needed, these standards apply:

(1) Small-Group Areas.

(A) Small-group instruction areas are not included in the computation of classroom size unless the area is an integral part of the classroom and can be visibly supervised by a teacher from the classroom.

(B) Small-group instruction areas are designed to allow for collaborative learning opportunities where appropriate to support the regular education program and are located in the vicinity of classrooms.

(2) Kindergarten Classrooms.

(A) Kindergarten classroom size for permanent structures is not less than 1350 square feet, including restrooms, storage, teacher preparation, wet and dry areas.

(B) Kindergarten classrooms are designed to allow supervision of play yards (unless prevented by site shape or size) and all areas of the classroom.

(C) Play yard design provides a variety of activities for development of large motor skills.

(D) Classrooms are located close to parent drop-off and bus loading areas.

(E) Storage, casework, and learning stations are functionally designed for use in free play and structured activities; e.g., shelves are deep and open for frequent use of manipulative materials.

(F) Windows, marking boards, sinks, drinking fountains, and furniture are appropriate heights for kindergarten-age students.

(G) Restrooms are self-contained within the classroom or within the kindergarten complex.

(3) Special Education Classrooms and Areas.

(A) A new school designates at least 240 square feet for the resource specialist program and provides additional space in accordance with the allocations in Education Code Section 17747(a) as larger enrollments are being planned.

(B) A new school designates at least 200 square feet for the speech and language program which is close to classrooms when an individualized instruction program is necessary.

(C) A new school designates office area for the psychologist/counseling program which provides for confidentiality and may be shared with other support service programs.

(D) Special day classrooms are at least the same size as regular education classrooms at that site and are properly equipped for the students who will occupy the space, for their age and type of disabling condition.

(E) The square footage allowance in Education Code Section 17747(a) for special day class programs is used for the design of classroom space and other space on the campus to support the special education program. The support space includes but is not limited to speech specialist area, psychologist, counseling offices and conference area.

(F) Special day classrooms are distributed throughout the campus with age appropriate regular education classrooms.

(G) A cluster of two special day classrooms may be considered if support or auxiliary services (e.g., bathrooming, feeding, physical or occupational therapy) are needed to serve the students throughout the school day.

(H) A conference area is available to conduct annual individualized education program meetings for each special education student.

(I) Medical therapy units, if planned for the site, are close to visitor parking areas and accessible after school hours.

(i) Laboratories shall be designed in accordance with the planned curriculum.

(1) Science laboratory:

(A) Size is at least 1300 square feet including storage and teacher preparation area.

(B) Science laboratory design is consistent with the requirements for proper hazardous materials management specified in both the "Science Facilities Design for California Public Schools" published by the California Department of Education,

1993, and the "Science Safety Handbook for California Public Schools," published by the California State Department of Education, 1999.

(C) Accommodations are made for necessary safety equipment and storage of supplies; e.g., fire extinguisher, first aid kit, master disconnect valve for gas.

(D) Secured storage areas are provided for volatile, flammable, and corrosive chemicals and cleaning agents.

(E) Properly designated areas are provided with appropriate ventilation for hazardous materials that emit noxious fumes, including a high volume purge system in the event of accidental release of toxic substances which may become airborne.

(F) Exhaust fume hoods, eye washes, deluge showers are provided.

(G) Floor and ceiling ventilation is provided in areas where chemicals are stored.

(H) Room is provided for movement of students around fixed-learning stations.

(I) There is the capability for technology which complements the curriculum.

(J) Classrooms are flexibly designed to insure full student access to laboratory stations and lecture areas.

(2) Consumer Home Economics laboratory:

(A) There is room for movement of students around fixed learning stations.

(B) Cooking equipment reflects current home food preparation practices and/or commercial food preparation simulation.

(C) There is the capability for technology which complements portions of the curriculum, such as fashion design, consumer economics, and nutritional analysis of foods.

(D) There is space for industrial or home sewing equipment consistent with the planned curriculum.

(E) There is storage for student projects and supplies.

(F) Space for work tables is provided for such activities as cutting fabric or completing interior design projects.

(G) Lecture area is provided.

(H) At least 1300 square feet is allocated for each laboratory.

(I) If part of the planned program, space for a child care area or for a laboratory to teach child growth and development is provided.

(3) Industrial and Technology/Education Laboratory WIC Mtg Packet Pg 207 of 270

- (A) Room is provided for movement of students around fixed learning stations.
- (B) Flexible stations with sufficient outlets and power source for industrial type equipment is provided.
- (C) Space is provided for various simulations of job-related experiences and laboratory work stations.
- (D) There is capability to utilize technology which complements the curriculum, such as computer-aided graphics, electronics and specialized tools.
- (E) There is lecture area within each laboratory or near the laboratory area where appropriate.
- (F) There are accommodations for necessary health and safety equipment, such as fire extinguisher and first aid kit.
- (G) Secured storage areas for volatile, flammable and corrosive chemicals and cleaning agents are provided where appropriate.
- (H) There are properly designated areas with appropriate ventilation for the use of hazardous material that emit noxious fumes or excessive dust particles.
- (I) Proper storage and removal access for hazardous waste materials is provided in each laboratory using such materials.

(4) Computer Instructional Support Area:

- (A) If a standard classroom is being designated as a computer laboratory, size is at least 960 square feet.
- (B) Room is provided for movement of students around learning stations.
- (C) Sufficient outlets, power sources, and network links for the amount of equipment are provided.
- (D) Proper ventilation is provided.
- (E) Room provides for security of equipment.
- (F) Lighting minimizes screen glare and eye strain.

(j) Gymnasium, Shower/Locker shall be designed to accommodate multiple use activities in accordance with the planned enrollment:

- (1) The gymnasium is secured from other parts of the campus for evening and weekend events or for public use purposes.
- (2) The shower/locker area is of sufficient size to allow students enrolled in the physical education program to shower and dress each period.

(3) Toilets are available for the public in facilities intended for shared community use other than in shower/locker areas.

(4) Office space is provided for physical education teachers.

(5) Space is available for specialized age-appropriate physical education activities such as weight lifting, exercise equipment usage, aerobics.

(k) Auxiliary Areas.

(1) Multipurpose/cafeteria area (indoor or outdoor) shall be adequately sized and flexibly designed to protect students from the elements and to allow all students adequate eating time during each lunch period and to accommodate such uses as physical education activities, assemblies, and extracurricular activities:

(A) Tables and benches or seats are designed to maximize space and allow flexibility in the use of the space.

(B) The location is easily accessible for student and community use, but is close to street for delivery truck access.

(C) Stage/platform may have a dividing wall to be used for instructional purposes but is not intended as a classroom.

(D) Area for the cafeteria line is designed for the flow of traffic for each lunch period.

(E) Design of kitchen reflects its planned function; e.g., whether for food preparation or warming only.

(F) Space is available for refrigeration and preparation of foods to accommodate maximum number of students planned for the school.

(G) Office, changing, and restroom area for food preparation staff is available and shall comply with local department of health requirements.

(H) Ceiling height allows for clearance of light fixtures for physical education activities.

(2) Administrative Office.

The administrative office shall have sufficient square footage to accommodate the number of staff for the maximum enrollment planned for the school consistent with the master plan for the school district and shall be designed to efficiently conduct the administrative functions, specifically:

(A) Students have direct confidential access to pupil personnel area.

(B) Counter tops are accessible for an age-appropriate population both at a standing and wheelchair level.

(C) Clerical staff have a clear view of nurse's office.

(D) The nurse's office has a bathroom separate from staff bathroom(s) in administration area.

(E) Space for private conference and waiting area is available.

(F) Capability for such computer networking functions as attendance accounting and communicating to each classroom is considered.

(G) A faculty workroom is available for a staff size proportionate to the student population.

(3) Library/Media Center and Technology.

Library space shall be proportional to the maximum planned school enrollment. The size shall be no less than 960 square feet. However, to allow adaptation for changing technology and communication systems, the following is recommended:

-two square feet per unit of a.d.a. (average daily attendance) for elementary;

-three square feet per unit of a.d.a. for middle or junior high (grades 6-8);

-four square feet per unit of a.d.a. for high school. In addition:

(A) Provide security for technology and media equipment.

(B) Space and capability for computer terminals is considered for student use, research and report writing.

(C) Visual supervision from circulation desk is available to study areas, stack space, and student work centers.

(D) Design for open and closed-circuit television, dedicated phone line, electrical outlets for stand-alone computers, and conduit connecting all instructional areas is considered.

(l) Lighting.

Light design shall generate an illumination level that provides comfortable and adequate visual conditions in each educational space, specifically:

(1) Ceilings and walls are white or light colored for high reflectance unless function of space dictates otherwise.

(2) Lights do not produce glare or block the line of sight.

(3) Window treatment allows entrance of daylight but does not cause excessive glare or heat gain.

(4) Fixtures provide an even light distribution throughout the learning area.

(5) Light design follows the California Electrical Code found in Part 3 of Title 24 of the California Code of Regulations.

(m) Acoustical.

Hearing conditions shall complement the educational function by good sound control in school buildings, specifically:

(1) The sound-conditioning in a given space is acoustically comfortable to permit instructional activities to take place in this classroom.

(2) Sound is transmitted without interfering with adjoining instructional spaces; e.g., room partitions are acoustically designed to minimize noise.

(3) The ventilation system does not transmit an inordinate sound level to the instructional program.

(n) Plumbing.

Restroom stalls shall be sufficient to accommodate the maximum planned enrollment and shall be located on campus to allow for supervision.

(1) Refer to Part 5, Title 24, of the California Code of Regulations.

(2) Outdoor restrooms having direct outside access are located in areas that are visible from playground and are easily supervised.

(o) Year-Round Education.

If a school is being planned for multitrack year-round operation, additional space shall be provided for associated needs:

(1) Additional space is available for storage of records for staff for all tracks. Additional storage space for the supplies and projects of off-track students is considered.

(2) Storage and planning space is available for off-track teachers or teachers not assigned to a classroom.

(p) American Disabilities Act.

Schools shall comply with standards established by the American Disabilities Act (Public Law 101-336, Title II).

(q) Child Care Programs.

Schools shall comply with the requirements set forth in Education Code Section 39113.5 regarding plans and specifications for new schools being designed to provide appropriate space to accommodate before-school and after-school child care programs.

(r) Exemptions.

At the request of the governing board of a school district, the State Superintendent of Public Instruction may grant exemptions to any of the standards in this section if the district can demonstrate that the educational appropriateness and safety of a school design would not be compromised by an alternative to that standard.

Note: Authority cited: Sections 17251(c) and 33031, Education Code. Reference: Sections 17047(a), 17251(c), 17310, 51210(g), 51220(d) and 51225.3, Education Code.

HISTORY

1. Amendment of section and NOTE filed 9-23-77; effective thirtieth day thereafter (Register 77, No. 39).

2. Amendment of article heading, repealer and adoption of section heading and text, and amendment of Note filed 11-12-93; operative 12-13-93 (Register 93, No. 46).

3. Amendment of subsections (a), (b)-(b)(1), (g)(1)(A), (i)(1)(B), (n)-(n)(1) and (p)-(r), new subsection (i)(4)-(i)(4)(F), and amendment of Note filed 10-30-2000; operative 10-30-2000 pursuant to Government Code section 11343.4(d) (Register 2000, No. 44).

(a) Each state-funded school district shall submit preliminary plans following the standards in Section 14030 including site utilization, elevations and floor plan drawings that describe the spaces and give the square footage and educational specifications to the California Department of Education for approval. Prior to preparation of final plans, the school district shall obtain approval of the preliminary plans from the California Department of Education.

(b) Each state-funded school district shall submit final plans including grading, site utilization, elevation, floor, lighting, and mechanical working drawings and any alterations to the educational specifications to the California Department of Education for approval.

(c) Each state-funded school district shall submit the request for exemption from a standard in Section 14030 of this article, with a description of how the educational appropriateness and safety of a school design would not be compromised by deviation from the standard, to the California Department of Education.

(e) Each state-funded school district shall submit a multi-modal circulation and safety plan spanning the entire attendance boundary approved by a traffic engineer representing the Department of Transportation. [comment references the "Ensure Complete Streets Consistency" comments in the County's 3-28-17 letter. Letter is also available here:]

Note: Authority cited: Sections 17251(c) and 33031, Education Code. Reference: Sections 17017.5(c) and 17251(c), Education Code.

HISTORY

1. Amendment filed 9-23-77; effective thirtieth day thereafter (Register 77, No. 39).
2. Repealer and adoption of section heading and text, and adoption of Note filed 11-2-93; operative 12-13-93 (Register 93, No. 46).
3. Amendment of section heading, section and Note filed 10-30-2000; operative 10-30-2000 pursuant to Government Code section 11343.4(d) (Register 2000, No. 44).

5 CCR § 14031, 5 CA ADC § 14031

The California Department of Education shall notify the district, the district's architect and the Department of General Services that the preliminary and final plans comply with the standards set forth in Section 14030. Approvals for either preliminary or final plans are in effect for a maximum of two years from the date of signed approval. School districts may request an extension of preliminary or final plan approvals if the time line exceeds one year.

Note: Authority cited: Sections 17251(c) and 33031, Education Code. Reference: Sections 17024, 17070.50 and 17251(c), Education Code.

HISTORY

1. Amendment filed 9-23-77; effective thirtieth day thereafter (Register 77, No. 39).
 2. Amendment of section heading and text, and adoption of Note filed 11-12-93; operative 12-13-93 (Register 93, No. 46).
 3. Amendment of section heading, section and Note filed 10-30-2000; operative 10-30-2000 pursuant to Government Code section 11343.4(d) (Register 2000, No. 44).
- 5 CCR § 14032, 5 CA ADC § 14032

(a) Locally-funded districts shall use the plan standards set forth in Section 14030.

(b) Locally-funded districts may request assistance from the California Department of Education to review plans and specifications for any new school construction or rehabilitation project.

(c) Locally-funded districts need not submit preliminary and final plans to the California Department of Education.

(d) Locally-funded districts shall prepare documentation of and retain for purposes of a complaint investigation the exemption from the standard in Section 14030 of this article, with a description of how the educational appropriateness and safety of a school design would not be compromised by deviation from the standard. Locally-funded districts may request from the California Department of Education a review of the adequacy of the mitigation measure.

(e) Locally-funded districts shall continue to comply fully with the requirements of Article 3 (commencing with Section 17280) and Article 6 (commencing with Section 17365) of Chapter 2, Part 23 of the Education Code (The Field Act) and submit all plans and specifications to the Department of General Services, Office of the State Architect for review and approval prior to executing a contract for the construction or alteration of a public school building or expending any public funds for such a project.

Note: Authority cited: Sections 17251(c) and (d) and 33031, Education Code. Reference: Sections 17251(d), 17280 and 17365, Education Code.

HISTORY

1. Renumbering of former section 10433 to section 14035 and new section filed 11-12-93; operative 12-13-93 (Register 93, No. 46).

2. Repealer of former section 14033 and renumbering of former section 14034 to new section 14033, including amendment of section heading, section and Note, filed 10-30-2000; operative 10-30-2000 pursuant to Government Code section 11343.4(d) (Register 2000, No. 44).

5 CCR § 14033, 5 CA ADC § 14033

When a school district is planning to acquire a site for a school, it must take various factors into consideration. The School Facilities Planning Division has developed three work sheets to assist the district in assessing potential sites and making preliminary selections. The work sheets, which are included in this appendix, outline a set of 12 primary criteria governing school site selection and consists of three components: Site Selection Criteria, Site Selection Evaluation, and a Comparative Evaluation of Candidate Sites. These components allow for a comprehensive examination of sites to determine strengths and weaknesses (Site Selection Criteria); a ranking of each site (Site Selection Evaluation); and finally, a comparison of sites by the rating factors and total scoring (Comparative Evaluation of Candidate Sites). The criteria are consistent with the California *Education Code*, *California Code of Regulations, Title 5*, *California Public Resources Code*, and the California Department of Education policies and guidelines.

Although these standards are not the sole criteria to be considered by a school district's site selection committee, the committee may find them useful in evaluating various sites, identifying at least three acceptable sites from which a final choice can be made, and, eventually, explaining the site selection process to interested entities.

Each primary element listed on the Site Selection Criteria work sheet contains secondary measures that provide the committee the opportunity to apply a specific set of guidelines to each potential site and aid in the analysis of a site. The secondary criteria may also be used by the committee to understand better the types of data needed in identifications, selection, and final acquisition of a school site. After considering both primary and secondary standards on the work sheet, the committee should rank the sites in order of acceptability by completing the second and third work sheets.

June 1998

California Department of Education Site Selection Criteria

Part 1

Site Identification		Grade Level
Location	Gross Acres	Estimated Value

Safety <i>(These factors must be avoided.)</i>	OK	Potential Problem
Adjacent to or near roadways with a high <u>speed or volume</u> [<u>Speed is a greater threat to student safety than volume. School sites are inherently subject to substantial volumes of traffic. It is the speed of that traffic that must be addressed. (as reflected in the establishment of school zones in the statutes) of traffic with no separated, non-motorized facilities.</u>		
Within 1,500 feet of railroad tracks		
Within two miles of an airport runway		
Close to high-voltage power lines		
Close to high-pressure lines, for example natural gas, gasoline sewer or water lines		
Contaminants/toxics in the soil or groundwater, such as from landfills, dumps, chemical plants, refineries, fuel tanks, nuclear plants, or agricultural use of pesticides or fertilizer, etc.*		
Close to high decibel noise sources		
Close to open-pit mining		
On or near a fault zone or active fault		

<p>Location</p> <p><u>Safe walking areas Adequate infrastructure, consistent with state and local complete streets policies, ensuring non-motorized access throughout the school attendance boundary.</u> Centrally located to avoid extensive transporting and<u>Closely integrated with the transportation network of the attendance boundary of the school</u> to minimize <u>and increase the safety of</u> student travel distanee</p> <p>Compatible with current and probable future zoning regulations <u>including Urban Limit Lines/Urban Growth Boundaries.</u></p> <p>Close to, <u>and integrated with</u> libraries, parks, museums, and other community services</p> <p>-Favorable orientation to wind and natural light</p>		
<p>Environment</p> <p><u>Located so as to make active transportation/school access attractive and possible.</u></p> <p>Free from sources of noise that may impede the instructional process</p> <p>Free from air, water and soil pollution</p> <p>Free from smoke, dust, odors, and pesticide spray</p> <p>Provides aesthetic view from and of the site</p> <p>Compatible with the educational program</p>		
<p>Soils</p> <p>Proximity to faults or fault traces Stable subsurface and bearing capacity Danger of slides or liquefaction Percolation for septic system and drainage Adequate water table level</p> <p>Existing land fill is reasonably well compacted</p> <p><i>Note: A geological hazard report must be conducted to determine soil and seismic conditions.</i></p>		

Topography	OK	Potential Problem
Feasibility of mitigating steep grades Rock ledges or outcroppings Surface and subsurface drainage Level area for playfields		
Size and Shape Net acreage consistent with standards of California Department of Education as noted in "School Site Analysis and Development" Length-to-width ratio does not exceed 2:1 Sufficient open play area and open space Potential for expansion for future needs Area for adequate and separate bus loading and parking <u>Safe, adequate, bicycle parking proximate/convenient to classrooms.</u>		
Accessibility Obstacles such as crossings on major streets and intersections, narrow or winding streets, heavy traffic patterns Access and dispersal roads Natural obstacles such as grades or gullies Freeway access for bus transportation Routing patterns for foot <u>non-motorized</u> traffic Remote areas (with no sidewalks) where students walk to and from school Easily reachable by emergency response vehicles <u>Non-motorized infrastructure throughout the attendance boundary consistent with state and local Complete Streets policies.</u>		
Public Services Fire and police protection, including firelines Available public transportation Trash and garbage disposal		
Utilities Availability of water, electricity, gas, sewer Feasibility of bringing utilities to site at reasonable cost Restrictions on right of way		
Cost <u>Full-cost accounting identifies capital, operating/maintenance costs for outside agencies.</u> Reasonable costs for purchase of property, severance damages, relocation of residents and businesses, and legal fees Reasonable costs for site preparation including, but not limited to, drainage, parking, driveways, removal of existing buildings, and grading		

Availability	OK	Potential
On the market for sale		
Title clearance		
Condemnation of buildings and relocation of residents		
Public Acceptance		
Public acceptance of the proposed site		
Receptivity of city or county planning		
commission Zoned for prime		
agriculture or industrial use Negative		
environmental impact report		
Coordination <u>and consistency</u> of proposed school with future community plans		
Comments:		

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Positions on Legislation of Interest – 2017

(Information Updated from Last Month is in *bold/italics*)

State Legislation

Bill	Status	CC County	ABAG	BAAQMD	CCTA	CSAC	LofC	MTC	Summary	Notes
AB 1 (Frazier) <i>Transportation Funding</i>	As of 01/19/17 Referred to Coms. on TRANS. and NAT. RES.	Support				Support (Porsia Dates); Support (Kiana Valentine)	Support	Support	Would create the Road Maintenance and Rehabilitation Program to address deferred maintenance on the state highway system and the local street and road system. The bill would require the California Transportation Commission to adopt performance criteria, consistent with a specified asset management plan, to ensure efficient use of certain funds available for the program. The bill would provide for the deposit of various funds for the program in the Road Maintenance and Rehabilitation Account, which the bill would create in the State Transportation Fund.	
AB 28 (Frazier): DOT: environmental review process: federal pilot program	Approved by Gov				<i>Support</i>	Support	Support	Support	Current federal law requires the United States Secretary of Transportation to carry out a surface transportation project delivery pilot program, under which the participating states assume certain responsibilities for environmental review and clearance of transportation projects that would otherwise be the responsibility of the federal government. Current law, until January 1, 2017, provided that the State of California consents to the jurisdiction of the federal courts with regard to the compliance, discharge, or enforcement of the responsibilities it assumed as a participant in the pilot program. This bill would reinstate the operation of the latter provision.	NEPA Delegation, standalone bill
AB 342 (Chiu) Vehicles: Automated Speed Enforcement: Five-Year Pilot	In Transportation Committee and Committee on Privacy and Consumer Protection					<i>Watch</i>	<i>Watch</i>	<i>Staff Support</i>	AB 342 gives local transportation authorities in the City of San Jose and the City and County of San Francisco the authority to install automated speed enforcement (ASE) systems over a five-year pilot period, in order to protect the safety of vulnerable travelers, such as children, the elderly, and bicyclists, in the two municipalities.	

Bill	Status	CC County	ABAG	BAAQMD	CCTA	CSAC	LofC	MTC	Summary	Notes
SB 1 (Beall) Transportation Funding	As of 12/06/16 From printer. May be acted upon on or after January 5.	Support	Support			Support (Porsia Dates); Support (Kiana Valentine)	Support	Support	Would create the Road Maintenance and Rehabilitation Program to address deferred maintenance on the state highway system and the local street and road system. The bill would require the California Transportation Commission to adopt performance criteria, consistent with a specified asset management plan, to ensure efficient use of certain funds available for the program. This bill contains other related provisions and other existing laws.	
SB 80 (Wieckowski) California Environmental Quality Act: Notices	As of 01/09/17 Referred to Com. on EQ.					<i>Concerns</i>	WATCH		Regarding CEQA, this is an act to amend Sections 21092.2, 21092.3, 21108, 21152, and 21167 of the Public Resources Code, relating to environmental quality.	
SCA-2 (Newman) Motor Vehicle Fees and Taxes: Restriction on Expenditures.	As of 01/19/17 From printer. May be acted upon on or after February 18. Referred to Coms. on T. & H. and E. & C.A.					Watch (Dorothy Johnson); Pending (Kiana Valentine)	Watch		This is a resolution to propose to the people of the State of California an amendment to the Constitution of the State, by amending Sections 1, 5, and 6 of Article XIX thereof, and by amending Section 1 of Article XIX A thereof, relating to transportation.	
SCA-6 Local transportation measures: special taxes: voter approval. (2017-2018)	3/29/17 Committee on Gov't and Finance.									
AB 179 (Cervantes)	01/19/17 From printer. May be heard in committee February 18.					Pending (Dorothy Johnson); Watch (Kiana Valentine)	WATCH	N/A	An act to amend Section 14502 of, and to add Sections 14506.7 and 14516 to, the Government Code, relating to transportation. This bill would require the commission to create an Environmental Justice Advisory Committee, comprised of at least 5 members, to advise the commission in its allocation and programming of transportation moneys and any other pertinent transportation policy matters. The bill would require that the members of the committee represent communities disproportionately burdened by, and vulnerable to, high levels of pollution and other environmental justice issues, and would require that the commission appoint only individuals nominated by environmental justice organizations and community groups to that committee.	An act to amend Section 14502 of, and to add Sections 14506.7 and 14516 to, the Government Code, relating to transportation.

Bill	Status	CC County	ABAG	BAAQMD	CCTA	CSAC	LofC	MTC	Summary	Notes
AB 174 (Bigelow)	01/19/17 From printer. May be heard in committee February 18.					<i>Pending (Dorothy Johnson); Watch (Kiana Valentine)</i>	WATCH	N/A	Existing law creates the California Transportation Commission, with various powers and duties relative to the programming of transportation capital projects and allocation of funds to those projects pursuant to the state transportation improvement program and various other transportation funding programs. Existing law provides that the commission consists of 13 members, 11 voting members, of which 9 are appointed by the Governor subject to Senate confirmation, 1 is appointed by the Senate Committee on Rules, and 1 is appointed by the Speaker of the Assembly, and 2 Members of the Legislature who are appointed as nonvoting ex officio members. This bill would require that at least one voting member reside in a rural county with a population of less than 100,000 individuals.	An act to amend Section 14502 of the Government Code, relating to transportation.
AB 13 – 580 Marine Highway (Eggman)	01/19/17 Referred to Com. On Trans.					WATCH	NO POSITION	N/A	Existing law provides that the Department of Transportation has full possession and control of all state highways and associated property, and sets forth the powers and duties of the department with respect to the operation, maintenance, and improvement of state highways. This bill would require the department to implement and oversee the — 580 Marine Highway corridor project to reduce traffic by facilitating a permanent shift in container traffic away from truck transport to marine transport between the Port of Oakland and the Port of Stockton. The bill would require that the project be funded by an appropriation in the Budget Act of 2017 of \$85,000,000.	
AB 65 Transportation Bond Debt Service (Patterson)	01/19/17 Referred to Com. On Trans.					WATCH	WATCH	N/A	Existing law provides for transfer of certain vehicle weight fee revenues to the Transportation Debt Service Fund to reimburse the General Fund for payment of current year debt service on general obligation bonds issued for transportation purposes, including bonds issued for high-speed rail and associated purposes pursuant to the Safe, Reliable High-Speed Passenger Train Bond Act for the 21st Century (Proposition 1A of 2008). This bill would specifically exclude from payment under these provisions the debt service for Proposition 1A bonds.	An act to amend Section 16965 of the Government Code, relating to transportation.

Bill	Status	CC County	ABAG	BAAQMD	CCTA	CSAC	LofC	MTC	Summary	Notes
AB 17 Transit Pass Program: free or reduced-fare transit passes (Holden)						WATCH	WATCH	N/A	<p>This bill would create the Transit Pass Program to be administered by the department. The bill would require the Controller of the State of California to allocate moneys made available for the program, upon appropriation by the Legislature, to support transit pass programs that provide free or reduced-fare transit passes to specified pupils and students. The bill would require the department to develop guidelines that describe the criteria that eligible transit providers, as defined, are required to use to make available free or reduced-fare transit passes to eligible participants, as defined, and to ensure that moneys from the program are used to expand eligibility or further reduce the cost of a transit pass under existing programs. The bill would exempt the development of those guidelines from the Administrative Procedure Act. The bill would require eligible transit providers and eligible participants to enter into agreements for the distribution of free or reduced-fare transit passes to students. This bill would require the department to develop performance measures and reporting requirements to evaluate the effectiveness of the program, including an annual update of the number of free or reduced-fare transit passes distributed to pupils and students and whether the program is increasing transit ridership among pupils and students. The bill would set a minimum allocation of \$20,000 for each eligible transit provider and would provide for the distribution and allocation of remaining moneys by formula to eligible transit providers.</p>	
AB 467 Modernizing Voter Access to Transportation Tax Expenditure Plan (Mullin)	02/13/17 Introduced, Assembly Local Government Committee – hearing date to be set.					<i>SUPPORT</i>			<p>This bill increases electronic access to transportation tax expenditure plans and preserves local resources by allowing transportation authorities to post these plans online in lieu of printing them in a county voter information handbook. This bill requires that information regarding online access to these plans and details on how to obtain free printed copies be included in the voter information guide and sample ballot.</p>	

**Adopted Positions on Legislation of Interest – 2017
(Federal Legislation)**

(Information Updated from Last Month is in *bold/italics*)

Bill	Status	CC County	ABAG	BAAQMD	CCTA	CSAC	LofC	MTC	Summary	Notes

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SCA-2 Motor vehicle fees and taxes: restriction on expenditures: appropriations limit. (2017-2018)

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AMENDED IN SENATE MARCH 30, 2017

AMENDED IN SENATE MARCH 29, 2017

CALIFORNIA LEGISLATURE— 2017–2018 REGULAR SESSION

SENATE CONSTITUTIONAL AMENDMENT

No. 2

Introduced by Senator Newman
(Coauthors: [Senators Atkins, Beall, Dodd, Hertzberg, Hill, McGuire, and Mendoza](#))
(Coauthor: [Assembly Member Frazier](#))

January 18, 2017

A resolution to propose to the people of the State of California an amendment to the Constitution of the State, by amending Section 1 of Article XIX A thereof, by adding Section 15 to Article XIII B thereof, and by adding Article XIX D thereto, relating to transportation.

LEGISLATIVE COUNSEL'S DIGEST

SCA 2, as amended, Newman. Motor vehicle fees and taxes: restriction on expenditures: appropriations limit.

(1) Article XIX of the California Constitution restricts the expenditure of revenues from taxes imposed by the state on fuels used in motor vehicles upon public streets and highways to street and highway and certain mass transit purposes, and restricts the expenditure of revenues from fees and taxes imposed by the state upon vehicles or their use or operation to state administration and enforcement of laws regulating the use, operation, or registration of vehicles used upon the public streets and highways, as well as to street and highway and certain mass transit purposes. These restrictions do not apply to revenues from taxes or fees imposed under the Sales and Use Tax Law or the Vehicle License Fee Law.

This measure would add Article XIX D to the California Constitution to require revenues derived from vehicle fees imposed under a specified chapter of the Vehicle License Fee Law to be used solely for transportation purposes. The measure would prohibit these revenues from being used for the payment of principal and interest on state transportation general obligation bonds that were authorized by the voters on or before November 8, 2016. The measure would prohibit the revenues from being used for the payment of principal and interest on state transportation general obligation bonds issued after that date unless the bond act submitted to the voters expressly authorizes that use. The measure would also prohibit the Legislature from borrowing these revenues, except as specified, or using them for purposes other than transportation purposes, as defined.

(2) Article XIII B of the California Constitution prohibits the total annual appropriations subject to limitation of the state and each local government from exceeding the appropriations limit of the entity of the government for the prior year, as adjusted.

This measure would exclude appropriations of certain revenues associated with the Road Repair and Accountability Act of 2017 from the appropriations subject to constitutional limitation.

(3) Article XIX A of the California Constitution requires the deposit of a specified portion of the sales and use tax on diesel fuel in the Public Transportation Account in the State Transportation Fund, and restricts the expenditure of those revenues to certain transportation and mass transportation purposes. Article XIX A prohibits the Legislature from borrowing these revenues and from using these revenues other than as specifically permitted by Article XIX A.

This measure would restrict additional portions of the sales and use tax on diesel fuel to expenditure on certain transportation planning or mass transportation purposes and require those revenues to be deposited in the Public Transportation Account. The measure would prohibit the Legislature from temporarily or permanently diverting or appropriating these additional revenues for other than certain transportation planning or mass transportation purposes, or from borrowing, except as specified, these additional revenues.

Vote: 2/3 Appropriation: no Fiscal Committee: yes Local Program: no

WHEREAS, Transportation revenues raised by the Road Repair and Accountability Act of 2017 should be constitutionally protected for transportation ~~purpose;~~ purposes; and

WHEREAS, By so doing, Californians are assured revenues raised by that act are spent to repair streets and bridges, address years of deferred maintenance on highways and local roads, improve mobility and public transit, and invest in needed transportation infrastructure to benefit all Californians; now, therefore, be it

Resolved by the Senate, the Assembly concurring, That the Legislature of the State of California at its 2017–18 Regular Session commencing on the fifth day of December 2016, two-thirds of the membership of each house concurring, hereby proposes to the people of the State of California that the Constitution of the State be amended as follows:

First— That Section 15 is added to Article XIII B thereof, to read:

SEC. 15. "Appropriations subject to limitation" of each entity of government shall not include appropriations of revenues from the Road Maintenance and Rehabilitation Account created by the Road Repair and Accountability Act of 2017, or any other revenues deposited into any other funds pursuant to the act. No adjustment in the appropriations limit of any entity of government shall be required pursuant to Section 3 as a result of revenues being deposited in or appropriated from the Road Maintenance and Rehabilitation Account created by the Road Repair and Accountability Act of 2017 or any other account pursuant to the act.

Second— That Section 1 of Article XIX A thereof is amended to read:

SECTION 1. (a) The Legislature shall not borrow revenues from the Public Transportation Account, or any successor account, and shall not use these revenues for purposes, or in ways, other than those specifically permitted by this article.

(b) The Public Transportation Account in the State Transportation Fund, or any successor account, is a trust fund. The Legislature may not change the status of the Public Transportation Account as a trust fund. Funds in the Public Transportation Account may not be loaned or otherwise transferred to the General Fund or any other fund or account in the State Treasury.

(c) All revenues specified in paragraphs (1) through (3), inclusive, of subdivision (a) of Section 7102 of the Revenue and Taxation Code, as that section read on June 1, 2001, shall be deposited no less than quarterly into the Public Transportation Account (Section 99310 of the Public Utilities Code), or its successor. The Legislature may not take any action which temporarily or permanently diverts or appropriates these revenues for purposes other than those described in subdivision (d), or delays, defers, suspends, or otherwise interrupts the quarterly deposit of these funds into the Public Transportation Account.

(d) Funds in the Public Transportation Account may only be used for transportation planning and mass transportation purposes. The revenues described in subdivision (c) are hereby continuously appropriated to the Controller without regard to fiscal years for allocation as follows:

(1) Fifty percent pursuant to subdivisions (a) through (f), inclusive, of Section 99315 of the Public Utilities Code, as that section read on July 30, 2009.

(2) Twenty-five percent pursuant to subdivision (b) of Section 99312 of the Public Utilities Code, as that section read on July 30, 2009.

(3) Twenty-five percent pursuant to subdivision (c) of Section 99312 of the Public Utilities Code, as that section read on July 30, 2009.

(e) For purposes of paragraph (1) of subdivision (d), "transportation planning" means only the purposes described in subdivisions (c) through (f), inclusive, of Section 99315 of the Public Utilities Code, as that section read on July 30, 2009.

(f) For purposes of this article, "mass transportation," "public transit," and "mass transit" have the same meaning as "public transportation." "Public transportation" means:

(1) (A) Surface transportation service provided to the general public, complementary paratransit service provided to persons with disabilities as required by 42 U.S.C. 12143, or similar transportation provided to people with disabilities or the elderly; (B) operated by bus, rail, ferry, or other conveyance on a fixed route, demand response, or otherwise regularly available basis; (C) generally for which a fare is charged; and (D) provided by any transit district, included transit district, municipal operator, included municipal operator, eligible municipal operator, or transit development board, as those terms were defined in Article 1 of Chapter 4 of Part 11 of Division 10 of the Public Utilities Code on January 1, 2009, a joint powers authority formed to provide mass transportation services, an agency described in subdivision (f) of Section 15975 of the Government Code, as that section read on January 1, 2009, any recipient of funds under Sections 99260, 99260.7, 99275, or subdivision (c) of Section 99400 of the Public Utilities Code, as those sections read on January 1, 2009, or a consolidated agency as defined in Section 132353.1 of the Public Utilities Code, as that section read on January 1, 2009.

(2) Surface transportation service provided by the Department of Transportation pursuant to subdivision (a) of Section 99315 of the Public Utilities Code, as that section read on July 30, 2009.

(3) Public transit capital improvement projects, including those identified in subdivision (b) of Section 99315 of the Public Utilities Code, as that section read on July 30, 2009.

(g) All revenues specified in Sections 6051.8 and 6201.8 of the Revenue and Taxation Code, as those sections read on January 1, 2018, shall be deposited no less than quarterly into the Public Transportation Account, or its successor. Except as provided in Sections 16310 and 16381 of the Government Code, as those sections read on January 1, 2018, the Legislature may not take any action that temporarily or permanently diverts or appropriates these revenues for purposes other than those described in subdivision (d), or delays, defers, suspends, or otherwise interrupts the quarterly deposit of these revenues into the Public Transportation Account.

Third— That Article XIX D is added thereto, to read:

Article XIX D VEHICLE LICENSE FEE REVENUES FOR TRANSPORTATION PURPOSES

SECTION 1. (a) Notwithstanding Section 8 of Article XIX, revenues derived from vehicle fees imposed under the Vehicle License Fee Law pursuant to Chapter 6 (commencing with Section 11050) of Part 5 of Division 2 of the Revenue and Taxation Code, or its successor, over and above the costs of collection and any refunds authorized by law, shall be used solely for transportation purposes, as defined by Section 11050 of the Revenue and Taxation Code, as that section read upon enactment of the Road Repair and Accountability Act of 2017.

(b) The revenues described in subdivision (a) shall not be used for the payment of principal and interest on state transportation general obligation bonds that were authorized by the voters on or before November 8, 2016, nor shall those revenues be used for payment of principal and interest on state transportation general obligation bond acts approved by the voters after that date, unless the bond act expressly authorizes that use.

(c) Except as provided in Sections 16310 and 16381 of the Government Code, as those sections read on January 1, 2018, the Legislature shall not borrow the revenues described in subdivision (a), and shall not use these revenues for purposes, or in ways, other than as authorized in subdivisions (a) or (b).



SCA-6 Local transportation measures: special taxes: voter approval. (2017-2018)

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AMENDED IN SENATE MARCH 29, 2017

CALIFORNIA LEGISLATURE— 2017–2018 REGULAR SESSION

SENATE CONSTITUTIONAL AMENDMENT

No. 6

Introduced by Senator Wiener

February 13, 2017

A resolution to propose to the people of the State of California an amendment to the Constitution of the State, by amending Section 4 of Article XIII A thereof, and by amending Section 2 of Article XIII C thereof, relating to transportation.

LEGISLATIVE COUNSEL'S DIGEST

SCA 6, as amended, Wiener. Local transportation measures: special taxes: voter approval.

The California Constitution conditions the imposition of a special tax by a city, county, or special district upon the approval of 2/3 of the voters of the city, county, or special district voting on that tax, except that certain school entities may levy an ad valorem property tax for specified purposes with the approval of 55% of the voters within the jurisdiction of these entities.

This measure would require that the imposition, extension, or increase of a special tax by a local government for the purpose of providing funding for transportation purposes, as specified, be submitted to the electorate and approved by 55% of the voters voting on the proposition. The measure would also make conforming and technical, nonsubstantive changes.

[The California Constitution provides that a proposed amendment of the constitution, upon submission to, and approval by, the voters takes effect the day after the election unless the measure provides otherwise.](#)

[This measure would provide that the amendments of the constitution in this measure shall take effect on the date of the election.](#)

Vote: 2/3 Appropriation: no Fiscal Committee: no Local Program: no

Resolved by the Senate, the Assembly concurring, That the Legislature of the State of California at its ~~2016-17~~ 2017-18 Regular Session commencing on the fifth day of December 2016, two-thirds of the membership of 04-10-17 TWIC Mtg Packet Pg 227 of 270

each house concurring, hereby proposes to the people of the State of California that the Constitution of the State be amended as follows:

First— That Section 4 of Article XIII A thereof is amended to read:

SEC. 4. Except as otherwise provided by Section 2 of Article XIII C, a city, county, or special district, by a two-thirds vote of its voters voting on the proposition, may impose a special tax within that city, county, or special district, except an ad valorem tax on real property or a transactions tax or sales tax on the sale of real property within that city, county, or special district.

Second— That Section 2 of Article XIII C thereof is amended to read:

SEC. 2. Notwithstanding any other provision of this Constitution:

(a) A tax imposed by any local government is either a general tax or a special tax. A special district or agency, including a school district, has no authority to levy a general tax.

(b) A local government shall not impose, extend, or increase any general tax unless and until that tax is submitted to the electorate and approved by a majority vote. A general tax is not deemed to have been increased if it is imposed at a rate not higher than the maximum rate so approved. The election required by this subdivision shall be consolidated with a regularly scheduled general election for members of the governing body of the local government, except in cases of emergency declared by a unanimous vote of the governing body.

(c) Any general tax imposed, extended, or increased, without voter approval, by any local government on or after January 1, 1995, and prior to November 6, 1996, may continue to be imposed only if that general tax is approved by a majority vote of the voters voting in an election on the issue of the imposition, which election is held no later than November 6, 1998, and in compliance with subdivision (b).

(d) (1) Except as otherwise provided in paragraph (2), a local government shall not impose, extend, or increase any special tax unless and until that tax is submitted to the electorate and approved by two-thirds of the voters voting on the proposition. A special tax is not deemed to have been increased if it is imposed at a rate not higher than the maximum rate so approved.

(2) The imposition, extension, or increase of a special tax, as may otherwise be authorized by law, by a local government for the purpose of providing funding for transportation purposes requires the submittal of the tax to the electorate and approval of 55 percent of the voters voting on the proposition. A tax provides funding for transportation purposes if 100 percent of the net revenues from the tax, after collection and administrative expenses, is dedicated to transportation programs and projects.

Third— That the amendments to Section 4 of Article XIII A and Section 2 of Article XIII C of the California Constitution made by this measure shall take effect on the date of the election at which they are approved by the voters.



AB-342 Vehicles: automated speed enforcement: five-year pilot program. (2017-2018)

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Date Published: 03/22/2017 04:00 AM

AMENDED IN ASSEMBLY MARCH 21, 2017

CALIFORNIA LEGISLATURE— 2017–2018 REGULAR SESSION

ASSEMBLY BILL

No. 342

Introduced by Assembly Member Chiu
(Principal coauthor: Senator Wiener)
(Coauthor: Assembly Member Chu)
(Coauthor: Senator Beall)

February 07, 2017

An act to amend, repeal, and add Section 70615 of the Government Code, to amend, repeal, and add Section 10878 of the Revenue and Taxation Code, and to amend, repeal, and add Section 9800 of, and to add and repeal Article 3 (commencing with Section 22425) of Chapter 7 of Division 11 of, the Vehicle Code, relating to vehicles.

LEGISLATIVE COUNSEL'S DIGEST

AB 342, as amended, Chiu. Vehicles: automated speed enforcement: five-year pilot program.

Existing law establishes a basic speed law that prohibits a person from driving a vehicle upon a highway at a speed greater than is reasonable or prudent given the weather, visibility, traffic, highway conditions, and in no event at a speed that endangers the safety of persons or property. Existing law does not expressly authorize the use of automated speed enforcement in this state.

This bill would authorize, no later than January 1, 2019, the City of San Jose (San Jose) and the City and County of San Francisco (San Francisco) to implement a 5-year pilot program utilizing an automated speed enforcement system (ASE system) for speed limit enforcement on certain streets, if the system meets specified requirements, including that the presence of a fixed or mobile ASE system is clearly identified by signs, as specified, and trained peace officers or other trained designated municipal employees are utilized to oversee the operation of the fixed and mobile ASE systems. The bill would require San Jose and San Francisco to adopt an ASE System Use Policy, as specified, and develop uniform guidelines for, among other things, the processing and storage of confidential information. The bill would provide that a speed violation that is recorded by an ASE system is subject to a civil penalty in an amount not to exceed \$100.

The bill would, among other things, provide for the issuance of a notice of violation, an initial review, an administrative hearing, and an appeals process, as specified, for a violation enforced by an ASE system. The bill would also authorize the processing agency to assess delinquent fees, as specified, if payment of the civil penalty is not received within a specified time. The bill would require the Department of Motor Vehicles to refuse to renew the registration of a vehicle if, among other things, the owner has not paid the civil penalty and delinquent fees, except as specified. The bill would require the department to remit all penalties and delinquent fees collected, after deducting its own administrative fees, to the processing agency.

Existing law provides that payments for specified penalties, including penalties for offenses relating to the parking of a vehicle, required to register or transfer the registration of a vehicle, constitute a lien on the vehicle on which the payments are due or that was involved in the offenses, and on any other vehicle owned by the owner of that vehicle.

This bill would, until January 1, 2024, also include payments for penalties for offenses related to the ASE system operated by San Jose or San Francisco for which a notice of violation has been served on the owner or recipient of a reissued citation and any delinquent fees added to the penalty as constituting a lien on the specified vehicles.

Existing law transfers the responsibility and authority for the collection of specified delinquent amounts, including penalties for offenses relating to the standing or parking of a vehicle, from the department to the Franchise Tax Board.

This bill would, until January 1, 2024, also transfer to the board the responsibility and authority to collect penalties for offenses related to the ASE system operated by San Jose or San Francisco for which a notice of violation has been served on the owner or recipient of a reissued notice of violation and any delinquent fees added to the penalty.

This bill would make legislative findings and declarations as to the necessity of a special statute for the City of San Jose and the City and County of San Francisco.

Existing constitutional provisions require that a statute that limits the right of access to the meetings of public bodies or the writings of public officials and agencies be adopted with findings demonstrating the interest protected by the limitation and the need for protecting that interest.

This bill would make legislative findings to that effect.

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

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

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

- (a) Speed is a major factor in traffic collisions that result in fatalities or injuries.
- (b) Law enforcement and other local agencies employ a variety of methods to reduce speeding, including traffic engineering, education, and enforcement.
- (c) Traffic speed enforcement is critical to the efforts of municipalities in California to reduce factors that contribute to traffic collisions that result in fatalities or injuries.
- (d) Additional tools, including automated speed enforcement, are available to assist cities in addressing excessive speeding and speed-related crashes.
- (e) Automated speed enforcement (ASE) offers a high rate of detection, and in conjunction with education, traffic engineering, and law enforcement measures, it can significantly improve traffic safety and prevent traffic related fatalities and injuries.
- (f) Multiple ASE programs implemented in other states and cities outside of California have proven successful in reducing speeding and addressing traffic safety concerns.
- (g) In the City of San Jose and the City and County of San Francisco, fatal and injury collisions are often concentrated on specific corridors of the street network where drivers travel at excessive speeds. ASE can be deployed to detect and deter excessive speeding on streets that have a documented speeding problem as demonstrated by an aggregation of traffic collisions caused by excessive speed.

(h) Enforcing speed limits using ASE systems on streets where speeding drivers negatively impact traffic safety is a reliable and cost-effective means to prevent further fatalities and injuries and would be in the public interest. On a pilot basis, this act authorizes the City of San Jose and the City and County of San Francisco to implement ASE programs for a five-year period, which will commence the day that the ASE system has been activated but not later than January 1, 2019. The City of San Jose and the City and County of San Francisco would have the authority to use ASE on a street or portions of a street that have a documented speeding problem as demonstrated through a high incidence of speed-related traffic collisions pursuant to the methodology described in this act.

(i) The City of San Jose and the City and County of San Francisco would be required to submit to the transportation committees of the Legislature an evaluation on the effectiveness of the ASE pilot program implemented in their respective jurisdictions on traffic safety pursuant to requirements described in this act. The City of San Jose and the City and County of San Francisco would also be required to submit an ASE System Report to their respective governing body pursuant to the requirements described in this act.

(j) To protect the privacy interests of persons who are issued notices of violation under an ASE program, the Legislature finds and declares that the photographic, video, or other visual or administrative records generated by the program shall be confidential, and shall be made available only to alleged violators and to governmental and law enforcement agencies solely for the purpose of enforcing these violations and assessing the impacts of the ASE system as required by this act.

(k) Prior to implementing ASE enforcement, the governing body of the City of San Jose and the City and County of San Francisco that oversees the ASE program in their respective jurisdictions shall adopt an ASE System Use Policy and approve an ASE System Impact Report pursuant to the requirements described in this act.

SEC. 2. Section 70615 of the Government Code is amended to read:

70615. (a) The fee for filing any of the following appeals to the superior court is twenty-five dollars (\$25):

(1) An appeal of a local agency's decision regarding an administrative fine or penalty under Section 53069.4.

(2) An appeal under Section 40230 of the Vehicle Code of an administrative agency's decision regarding a parking violation.

(3) An appeal under Section 99582 of the Public Utilities Code of a hearing officer's determination regarding an administrative penalty for fare evasion or a passenger conduct violation.

(4) An appeal under Section 186.35 of the Penal Code of a law enforcement agency's determination regarding the placement of an individual's information in a shared gang database.

(5) An appeal under Section 22428 of the Vehicle Code of a hearing officer's determination regarding a civil penalty for an automated speed violation, as defined in Section 22425 of the Vehicle Code.

(b) This section shall remain in effect only until January 1, 2024, and as of that date is repealed, unless a later enacted statute that is enacted before January 1, 2024, deletes or extends that date.

SEC. 3. Section 70615 is added to the Government Code, to read:

70615. (a) The fee for filing any of the following appeals to the superior court is twenty-five dollars (\$25):

(1) An appeal of a local agency's decision regarding an administrative fine or penalty under Section 53069.4.

(2) An appeal under Section 40230 of the Vehicle Code of an administrative agency's decision regarding a parking violation.

(3) An appeal under Section 99582 of the Public Utilities Code of a hearing officer's determination regarding an administrative penalty for fare evasion or a passenger conduct violation.

(4) An appeal under Section 186.35 of the Penal Code of a law enforcement agency's determination regarding the placement of an individual's information in a shared gang database.

(b) This section shall become operative on January 1, 2024.

SEC. 4. Section 10878 of the Revenue and Taxation Code is amended to read:

10878. (a) Notwithstanding Sections 10877 and 10951, the responsibility and authority for the collection of the following delinquent amounts, and any interest, penalties, or service fees added thereto, shall be transferred from the department to the Franchise Tax Board:

(1) Registration fees.

(2) Transfer fees.

(3) License fees.

(4) Use taxes.

(5) Penalties for offenses relating to the standing or parking of a vehicle for which a notice of parking violation has been served on the owner, and any administrative service fee added to the penalty.

(6) Unpaid tolls, toll evasion penalties as described in Section 40252 of the Vehicle Code, and any related administrative or service fees.

(7) Any court-imposed fine or penalty assessment, and any administrative service fee added thereto, that is subject to collection by the department.

(8) Penalties for offenses detected by an automated speed enforcement system operated by the City of San Jose or the City and County of San Francisco for which a notice of violation has been served on the registered owner or recipient of a reissued notice of violation and any delinquent fees added to the penalty.

(b) Any reference in this part to the department in connection with the duty to collect these amounts shall be deemed a reference to the Franchise Tax Board.

(c) The amounts collected under subdivision (a) may be collected in any manner authorized under the law as though they were a tax imposed under Part 10 (commencing with Section 17001) that is final, including, but not limited to, issuance of an order and levy under Article 4 (commencing with Section 706.070) of Chapter 5 of Division 2 of Title 9 of Part 2 of the Code of Civil Procedure in the manner provided for earnings withholding order for taxes. Part 10 (commencing with Section 17001), 10.2 (commencing with Section 18401), or 10.7 (commencing with Section 21001), or any other applicable law shall apply for this purpose in the same manner and with the same force and effect as if the language of Part 10, 10.2, or 10.7, or the other applicable law is incorporated in full into this authority to collect these amounts, except to the extent that the provision is either inconsistent with the collection of these amounts or is not relevant to the collection of these amounts.

(d) Even though the amounts authorized by this section are collected as though they are taxes, amounts so received by the Franchise Tax Board shall be deposited into an appropriate fund or account upon agreement between the Franchise Tax Board and the department. The amounts shall be distributed by the department from the appropriate fund or account in accordance with the laws providing for the deposits and distributions as though the moneys were received by the department.

(e) For any collection action under this section, the Franchise Tax Board may utilize the contract authorization, procedures, and mechanisms available either with respect to the collection of taxes, interest, additions to tax, and penalties pursuant to Section 19376, or with respect to the collection of the delinquencies by the department immediately prior to the time this section takes effect.

(f) The Legislature finds that it is essential for fiscal purposes that the program authorized by this section be expeditiously implemented. Accordingly, Chapter 3.5 (commencing with Section 11340) of Part 1 of Division 3 of Title 2 of the Government Code shall not apply to any standard, criteria, procedure, determination, rule, notice, or guideline established or issued by the Franchise Tax Board in implementing and administering the program required by this section.

(g) Any standard, criteria, procedure, determination, rule, notice, or guideline, that is not subject to the provisions of Chapter 3.5 (commencing with Section 11340) of Part 1 of Division 3 of Title 2 of the Government Code pursuant to subdivision (f), shall be approved by the Franchise Tax Board, itself.

(h) The Franchise Tax Board may enter into any agreements or contracts necessary to implement and administer the provisions of this section. The Franchise Tax Board in administering this section may delegate collection activities to the department. Any contracts may provide for payment of the contract on the basis of a percentage of the amount of revenue realized as a result of the contractor's services under that contract.

However, the Franchise Tax Board, in administering this part, may not enter into contracts with private collection agencies as authorized under Section 19377.

(i) The amendments made to this section by the act adding this subdivision shall apply commencing with the effective date of the act adding this subdivision.

(j) This section shall remain in effect only until January 1, 2024, and as of that date is repealed, unless a later enacted statute that is enacted before January 1, 2024, deletes or extends that date.

SEC. 5. Section 10878 is added to the Revenue and Taxation Code, to read:

10878. (a) Notwithstanding Sections 10877 and 10951, the responsibility and authority for the collection of the following delinquent amounts, and any interest, penalties, or service fees added thereto, shall be transferred from the department to the Franchise Tax Board:

(1) Registration fees.

(2) Transfer fees.

(3) License fees.

(4) Use taxes.

(5) Penalties for offenses relating to the standing or parking of a vehicle for which a notice of parking violation has been served on the owner, and any administrative service fee added to the penalty.

(6) Unpaid tolls, toll evasion penalties as described in Section 40252 of the Vehicle Code, and any related administrative or service fees.

(7) Any court-imposed fine or penalty assessment, and any administrative service fee added thereto, that is subject to collection by the department.

(b) Any reference in this part to the department in connection with the duty to collect these amounts shall be deemed a reference to the Franchise Tax Board.

(c) The amounts collected under subdivision (a) may be collected in any manner authorized under the law as though they were a tax imposed under Part 10 (commencing with Section 17001) that is final, including, but not limited to, issuance of an order and levy under Article 4 (commencing with Section 706.070) of Chapter 5 of Division 2 of Title 9 of Part 2 of the Code of Civil Procedure in the manner provided for earnings withholding order for taxes. Part 10 (commencing with Section 17001), 10.2 (commencing with Section 18401), or 10.7 (commencing with Section 21001), or any other applicable law shall apply for this purpose in the same manner and with the same force and effect as if the language of Part 10, 10.2, or 10.7, or the other applicable law is incorporated in full into this authority to collect these amounts, except to the extent that the provision is either inconsistent with the collection of these amounts or is not relevant to the collection of these amounts.

(d) Even though the amounts authorized by this section are collected as though they are taxes, amounts so received by the Franchise Tax Board shall be deposited into an appropriate fund or account upon agreement between the Franchise Tax Board and the department. The amounts shall be distributed by the department from the appropriate fund or account in accordance with the laws providing for the deposits and distributions as though the moneys were received by the department.

(e) For any collection action under this section, the Franchise Tax Board may utilize the contract authorization, procedures, and mechanisms available either with respect to the collection of taxes, interest, additions to tax, and penalties pursuant to Section 19376, or with respect to the collection of the delinquencies by the department immediately prior to the time this section takes effect.

(f) The Legislature finds that it is essential for fiscal purposes that the program authorized by this section be expeditiously implemented. Accordingly, Chapter 3.5 (commencing with Section 11340) of Part 1 of Division 3 of Title 2 of the Government Code shall not apply to any standard, criteria, procedure, determination, rule, notice, or guideline established or issued by the Franchise Tax Board in implementing and administering the program required by this section.

(g) Any standard, criteria, procedure, determination, rule, notice, or guideline, that is not subject to the provisions of Chapter 3.5 (commencing with Section 11340) of Part 1 of Division 3 of Title 2 of the Government

Code pursuant to subdivision (f), shall be approved by the Franchise Tax Board, itself.

(h) The Franchise Tax Board may enter into any agreements or contracts necessary to implement and administer the provisions of this section. The Franchise Tax Board in administering this section may delegate collection activities to the department. Any contracts may provide for payment of the contract on the basis of a percentage of the amount of revenue realized as a result of the contractor's services under that contract. However, the Franchise Tax Board, in administering this part, may not enter into contracts with private collection agencies as authorized under Section 19377.

(i) This section shall become operative on January 1, 2024.

SEC. 6. Section 9800 of the Vehicle Code is amended to read:

9800. (a) Payments for any of the following, and any interest, penalties, or service fees added thereto, required to register or transfer the registration of a vehicle, constitute a lien on the vehicle on which they are due or that was involved in the offense, and on any other vehicle owned by the owner of that vehicle:

(1) Registration fees.

(2) Transfer fees.

(3) License fees.

(4) Use taxes.

(5) Penalties for offenses relating to the standing or parking of a vehicle for which a notice of parking violation has been served on the owner, and any administrative service fee added to the penalty.

(6) Any court-imposed fine or penalty assessment, and any administrative service fee added thereto, which is subject to collection by the department.

(7) Penalties for offenses detected by an automated speed enforcement system operated by the City of San Jose or the City and County of San Francisco for which a notice of violation has been served on the owner or recipient of a reissued citation and any delinquent fees added to the penalty.

(b) Notwithstanding subdivision (a), if a person is cited for a foreign registered auxiliary dolly, semitrailer, or trailer having been operated without current year registration or valid California permits or registration, an amount equal to the minimum registration fees or transfer fees, and any penalty added thereto, from the date they became due, shall, by election of the power unit operator, constitute a lien upon the California registered power unit that was pulling the dolly, semitrailer, or trailer. However, this subdivision is not applicable if the citation is issued at a scale operated by the Department of the California Highway Patrol and registration for the vehicle can be issued there immediately upon payment of the fees due.

(c) Every lien arising under this section expires three years from the date the fee, tax, or penalty first became due unless the lien is perfected pursuant to subdivision (d).

(d) A lien is perfected when a notice is mailed to the registered and legal owners at the addresses shown in the department's records and the lien is recorded on the electronic vehicle registration records of the department. A perfected lien shall expire five years from the date of perfection.

(e) Employees and members of the Department of the California Highway Patrol assigned to commercial vehicle scale facilities may possess and sell trip permits approved by the Department of Motor Vehicles.

(f) This section shall remain in effect only until January 1, 2024, and as of that date is repealed, unless a later enacted statute that is enacted before January 1, 2024, deletes or extends that date.

SEC. 7. Section 9800 is added to the Vehicle Code, to read:

9800. (a) Payments for any of the following, and any interest, penalties, or service fees added thereto, required to register or transfer the registration of a vehicle, constitute a lien on the vehicle on which they are due or that was involved in the offense, and on any other vehicle owned by the owner of that vehicle:

(1) Registration fees.

(2) Transfer fees.

(3) License fees.

(4) Use taxes.

(5) Penalties for offenses relating to the standing or parking of a vehicle for which a notice of parking violation has been served on the owner, and any administrative service fee added to the penalty.

(6) Any court-imposed fine or penalty assessment, and any administrative service fee added thereto, which is subject to collection by the department.

(b) Notwithstanding subdivision (a), if a person is cited for a foreign registered auxiliary dolly, semitrailer, or trailer having been operated without current year registration or valid California permits or registration, an amount equal to the minimum registration fees or transfer fees, and any penalty added thereto, from the date they became due, shall, by election of the power unit operator, constitute a lien upon the California registered power unit that was pulling the dolly, semitrailer, or trailer. However, this subdivision is not applicable if the citation is issued at a scale operated by the Department of the California Highway Patrol and registration for the vehicle can be issued there immediately upon payment of the fees due.

(c) Every lien arising under this section expires three years from the date the fee, tax, or penalty first became due unless the lien is perfected pursuant to subdivision (d).

(d) A lien is perfected when a notice is mailed to the registered and legal owners at the addresses shown in the department's records and the lien is recorded on the electronic vehicle registration records of the department. A perfected lien shall expire five years from the date of perfection.

(e) Employees and members of the Department of the California Highway Patrol assigned to commercial vehicle scale facilities may possess and sell trip permits approved by the Department of Motor Vehicles.

(f) This section shall become operative on January 1, 2024.

SEC. 8. Article 3 (commencing with Section 22425) is added to Chapter 7 of Division 11 of the Vehicle Code, to read:

Article 3. Automated Speed Enforcement System

22425. (a) As used in this article, the following definitions shall apply:

(1) "Automated speed enforcement system" or "ASE system" means a fixed or mobile radar or laser system or any other electronic device that utilizes automated equipment to detect a violation of speeding laws and is designed to obtain a clear photograph, video recording, or other visual image of a vehicle license plate.

(2) "Automated speed violation" means a violation of a speed law detected by an ASE system operated pursuant to this article.

(3) "City of San Jose," "City and County of San Francisco," or "municipality" means any department, bureau, division, or unit of the City of San Jose or the City and County of San Francisco, respectively.

(b) The City of San Jose and the City and County of San Francisco may establish a program utilizing an ASE system for speed limit enforcement on streets or portions of streets with speed limits that are 50 miles per hour or less and that have ~~had three or more speed-related fatal, severe, or other visible injury collisions occur within a one-half mile distance of each other, over a five-year period~~ a documented incidence of collisions resulting in fatalities or injuries as evidenced by either a three-year fatality and injury collision rate, or a three-year fatality rate, that is higher than the three-year collision and fatality rates published by the Department of Transportation for comparable roadways, based on the most recent available local or state collision ~~data, and the primary or secondary collision factor identified on the California Highway Patrol form 555 is an unsafe speed violation, and fatality data.~~

(c) ASE is not authorized on freeways.

(d) If a school zone is located on a street or portion of a street that is eligible for an ASE system pursuant to subdivision (b), and the posted speed limit is 30 miles per hour or higher when children are not present, the City of San Jose and the City and County of San Francisco may use automated speed enforcement two hours before the regular school session begins and two hours after regular school session concludes.

(e) An ASE system for speed limit enforcement may be utilized pursuant to subdivision (b) if the program meets all of the following requirements:

(1) Is operated in cooperation with a law enforcement agency.

(2) Clearly identifies the presence of the fixed or mobile ASE system by signs stating "Photo Enforced," along with the posted speed limit. The signs shall be visible to traffic traveling on the street from the direction of travel for which the ASE system is utilized, and shall be posted at all locations ~~in the corridors or zones enforced by an ASE system where there is a posted speed limit sign. Signs shall also be placed at additional locations~~ as may be determined necessary by the Department of Transportation through discussions with the California Traffic Control Devices Committee.

(3) Identifies vehicles containing a mobile ASE system with distinctive markings, including information that the system is being operated for "Photo Enforcement" purposes.

(4) Identifies the streets or portions of streets that have been approved for enforcement using an ASE system and the hours of enforcement on the municipality's Internet Web site, which shall be updated whenever the municipality changes locations that are enforced with the mobile ASE system or hours of enforcement.

(5) (A) Utilizes trained peace officers or other trained designated municipal employees who oversee the operation of mobile and fixed ASE systems and maintain control over all enforcement activities, including the determination of when a notice of violation should be issued.

(B) Peace officers or other designated municipal employees shall be properly trained in both of the following:

(i) The use of an ASE system, including, but not limited to, the operation, set-up, and testing of the system deployed by the municipality.

(ii) The enforcement of traffic and speeding laws in a course approved and certified by the Commission on Peace Officer Standards and Training or an operator course meeting equivalent standards.

(C) The municipality shall retain documentation of the successful completion of any required training by any peace officer or designated municipal employee that oversees the operation of an ASE system and the enforcement activities.

(6) Ensures that the ASE system is regularly inspected and certifies that the system is installed and operating properly. Each camera unit shall be calibrated in accordance with the manufacturer's instructions, and at least once a year by an independent calibration laboratory. Documentation of the regular inspection, operation, and calibration of the ASE system shall be retained until the date on which the ASE system has been permanently removed from use.

(7) Conducts an engineering and traffic survey as set forth in Section 40802.

(8) Utilizes fixed and mobile ASE systems that provide real-time notification when violations are detected.

(f) Prior to enforcing speed laws utilizing ASE systems, the municipality shall do both of the following:

(1) Administer a public information campaign for at least 30 calendar days prior to the initial commencement of the program, which shall include public announcements in major media outlets and press releases. **The public information campaign shall include information on when ASE systems will begin detecting violations, the streets, or portions of streets, where fixed or mobile ASE systems will be utilized, and the city's Internet Web site, where additional information about the program can be obtained.** Notwithstanding that additional fixed or mobile ASE systems may be added to the program, no further public announcement by the municipality shall be required.

(2) Issue warning notices rather than notices of violation for violations detected by the ASE systems during the first 90 calendar days of enforcement under the program. ~~Notwithstanding that~~ **If additional fixed or mobile ASE systems may be added to the program, are utilized on additional streets after the initial program implementation, the municipality shall not be required to issue further warning notices.** **notices rather than notices of violation for violations detected by the new ASE systems during the first 30 calendar days of enforcement for the additional streets added to the program.**

(g) The local governing body shall adopt an ASE System Use Policy prior to implementing an ASE program. The ASE System Use Policy shall include the specific purpose for the ASE system, the uses that are authorized, the rules and processes required prior to that use, and the uses that are prohibited. The policy shall include the data

or information that can be collected by the ASE system and the individuals who can access or use the collected information, and the rules and processes related to the access or use of the information. The policy shall also include provisions for protecting data from unauthorized access, data retention, public access, third-party data sharing, training, auditing, and oversight to ensure compliance with the ASE System Use Policy. [The ASE System Use Policy shall be made available for public review at least 30 calendar days prior to adoption by the local governing body.](#)

(h) The local governing body also shall approve an ASE System Impact Report prior to implementing an ASE program. The ASE System Impact Report shall include all of the following information:

(1) Description of the ASE system and how it works.

(2) Proposed purpose of the ASE system.

(3) Locations that the ASE system may be deployed and traffic data for these locations.

(4) Assessment of potential impact of the ASE system on civil liberties and civil rights and any plans to safeguard those public rights.

(5) Fiscal costs for the ASE system, including program establishment costs, ongoing costs, and program funding.

[\(6\) The ASE System Impact Report shall be made available for public review at least 30 calendar days prior to adoption by the governing body.](#)

(i) The municipality shall develop uniform guidelines that shall be approved by the local law enforcement agency for both of the following:

(1) The screening and issuing of notices of violation.

(2) The processing and storage of confidential information and procedures to ensure compliance with confidentiality requirements.

(j) Notices of violation issued pursuant to this section shall include a clear photograph, video recording, or other visual image of the license plate [and rear](#) of the vehicle only, the Vehicle Code violation, the camera location, and the date and time when the violation occurred. [Notices of violation shall exclude images of the rear window area of the vehicle.](#)

(k) The photographic, video, or other visual evidence stored by an ASE system does not constitute an out-of-court hearsay statement by a declarant under Division 10 (commencing with Section 1200) of the Evidence Code.

(l) (1) Notwithstanding Sections 6253 and 6262 of the Government Code, or any other law, photographic, video, or other visual or administrative records made by an ASE system shall be confidential. Public agencies shall use and allow access to these records only for the purposes authorized by this article or to assess the impacts of the ASE system.

(2) Confidential information obtained from the Department of Motor Vehicles for the administration of ASE systems and enforcement of this article shall be held confidential, and shall not be used for any other purpose.

(3) Except for court records described in Section 68152 of the Government Code, or as provided in paragraph (4), the confidential records and evidence described in paragraphs (1) and (2) may be retained for up to 60 days after final disposition of the notice of violation. [The municipality may adopt a retention period of less than 60 days in the ASE System Use Policy.](#) Administrative records described in paragraph (1) may be retained for up to 120 days after final disposition of the notice of violation. Notwithstanding any other law, the confidential records and evidence shall be destroyed in a manner that maintains the confidentiality of any person included in the record or evidence.

(4) Notwithstanding Section 26202.6 of the Government Code, photographic, video, or other visual evidence that is obtained from an ASE system that does not contain evidence of a speeding violation shall be destroyed within five business days after the evidence was first obtained.

(m) Notwithstanding subdivision (l), the registered owner or an individual identified by the registered owner as the driver of the vehicle at the time of the alleged violation shall be permitted to review the photographic, video, or visual evidence of the alleged violation.

(n) A contract between the municipality and a manufacturer or supplier of ASE systems shall allow the local authority to purchase materials, lease equipment, and contract for processing services from the manufacturer or supplier based on the services rendered on a monthly schedule or another schedule agreed upon by the municipality and contractor. The contract shall not include provisions for payment or compensation based on the number of notices of violation issued by a trained peace officer or other designated municipal employee, or as a percentage of revenue generated, from the use of the ASE system. **The contract shall include a provision that all data collected from the ASE systems is confidential, and shall prohibit the manufacturer or supplier of ASE systems from sharing, repurposing, or monetizing collected data for purposes other than those authorized in this article.** The municipality shall oversee and maintain control over all enforcement activities, including the determination of when a notice of violation should be issued.

(o) Notwithstanding subdivision (n), a municipality may contract with a vendor for the processing of notices of violation after a trained peace officer or other designated municipal employee has issued a notice of violation. The vendor shall be a separate legal and corporate entity from, and unrelated or affiliated in any manner with, the manufacturer or supplier of ASE systems used by the municipality. Any contract between the municipality and a vendor to provide processing services may include a provision for the payment of compensation based on the number of notices of violation processed by the vendor.

(p) An ASE system adopted pursuant to this article shall be activated no later than January 1, 2019, and may operate for no longer than five years.

22426. (a) Notwithstanding any other law, a violation of Section 22350, or any other speed law, that is recorded by an ASE system authorized pursuant to Section 22425 shall be subject only to a civil penalty, as provided in subdivision (d), and shall not result in the department suspending or revoking the privilege of a violator to drive a motor vehicle or in a violation point being assessed against the violator.

(b) The ASE system shall capture images of the **rear** license plate of vehicles that are traveling 10 miles per hour or more over the posted speed limit and notices of violation shall only be issued to vehicles based on that evidence.

(c) No more than one notice of violation shall be issued for a violation recorded from a specific license plate within a 24-hour period.

(d) The total amount of the civil penalty, including any additional local fees by the municipality, for a speed violation that is recorded and cited under this section shall not exceed one hundred dollars (\$100).

(e) The written notice of violation shall be issued to the registered owner of the vehicle within 15 calendar days of the date of the violation. The notice of violation shall include all of the following information:

(1) The violation, including reference to the local ordinance, state law, or federal statute or regulation that was violated.

(2) The date, approximate time, and location where the violation occurred.

(3) The vehicle license number and the name and address of the registered owner of the vehicle.

(4) A statement that payment is required to be made no later than 30 calendar days from the date of mailing of the notice of violation, or that the violation may be contested pursuant to Section 22427.

(5) The amount of the civil penalty due for that violation and the procedures for the registered owner, lessee, or rentee to pay the civil penalty or to contest the notice of violation.

(6) An affidavit of nonliability, and information of what constitutes nonliability, information as to the effect of executing the affidavit, and instructions for returning the affidavit to the processing agency. If the affidavit of nonliability is returned to the processing agency within 30 calendar days of the mailing of the notice of violation, together with proof of a written lease or rental agreement between a bona fide rental or leasing company and its customer, which identifies the rentee or lessee, the processing agency shall serve or mail a notice of violation to the rentee or lessee identified in the affidavit of nonliability.

(7) A notice to the registered owner that unless the registered owner pays the civil penalty or contests the notice within 30 calendar days after the mailing of the notice of violation, or completes and files an affidavit of nonliability, the renewal of the vehicle registration shall be contingent upon compliance with the notice of violation. If the registered owner, by appearance or by mail, makes payment to the processing agency within 30

calendar days after the mailing of the notice of violation, the civil penalty shall consist solely of the amount of the original civil penalty.

(f) Revenues derived from any program utilizing an ASE system for speed limit enforcement shall be used to recover program costs. Any remaining revenue shall be used only for ~~pedestrian safety or other roadway traffic safety improvements~~: improving roadway traffic safety.

22427. (a) For a period of 30 calendar days from the mailing of a notice of violation, a person may request an initial review of the notice by the issuing agency. The request may be made by telephone, in writing, or in person. There shall be no charge for this review. If, following the initial review, the issuing agency is satisfied that the violation did not occur, or that extenuating circumstances make dismissal of the notice of violation appropriate in the interest of justice, the issuing agency shall cancel the notice of violation. The issuing agency shall advise the processing agency, if any, of the cancellation. The issuing agency or the processing agency shall mail the results of the initial review to the person contesting the notice, and, if cancellation of the notice does not occur following that review, include a reason for that denial, notification of the ability to request an administrative hearing, and notice of the procedure adopted pursuant to subdivision (b) for waiving prepayment of the civil penalty based upon an inability to pay.

(b) (1) If the person contesting the notice of violation is dissatisfied with the results of the initial review, the person may, no later than 21 calendar days following the mailing of the results of the issuing agency's initial review, request an administrative hearing of the violation. The request may be made by telephone, in writing, or in person.

(2) The person requesting an administrative hearing shall pay the amount of the civil penalty to the processing agency. The issuing agency shall adopt a written procedure to allow a person to request an administrative hearing without payment of the civil penalty upon satisfactory proof of an inability to pay the amount due. The administrative hearing shall be held within 90 calendar days following the receipt of a request for an administrative hearing. The person requesting the hearing may request one continuance, not to exceed 21 calendar days.

(c) The administrative hearing process shall include all of the following:

(1) The person requesting a hearing shall have the choice of a hearing by mail or in person. An in-person hearing shall be conducted within the jurisdiction of the issuing agency.

(2) If the person requesting a hearing is a minor, that person shall be permitted to appear at a hearing or admit responsibility for the automated speed violation without the necessity of the appointment of a guardian. The processing agency may proceed against the minor in the same manner as against an adult.

(3) The administrative hearing shall be conducted in accordance with written procedures established by the issuing agency and approved by the governing body or chief executive officer of the issuing agency. The hearing shall provide an independent, objective, fair, and impartial review of contested automated speed violations.

(4) (A) The issuing agency's governing body or chief executive officer shall appoint or contract with qualified independent examiners or administrative hearing providers that employ qualified independent examiners to conduct the administrative hearings. Examiners shall demonstrate the qualifications, training, and objectivity necessary to conduct a fair and impartial review. The examiner shall be separate and independent from the notice of violation collection or processing function. An examiner's continued employment, performance evaluation, compensation, and benefits shall not, directly or indirectly, be linked to the amount of civil penalties collected by the examiner or the number or percentage of violations upheld by the examiner.

(B) (i) Examiners shall have a minimum of 20 hours of training. The examiner is responsible for the costs of the training. The issuing agency may reimburse the examiner for those costs. Training may be provided through any of the following:

(I) An accredited college or university.

(II) A program conducted by the Commission on Peace Officer Standards and Training.

(III) A program conducted by the American Arbitration Association or a similar organization.

(IV) Any program approved by the governing body or chief executive officer of the issuing agency, including a program developed and provided by, or for, the agency.

(ii) Training programs may include topics relevant to the administrative hearing, including, but not limited to, applicable laws and regulations, enforcement procedures, due process, evaluation of evidence, hearing procedures, and effective oral and written communication. Upon the approval of the governing body or chief executive officer of the issuing agency, up to 12 hours of relevant experience may be substituted for up to 12 hours of training. Up to eight hours of the training requirements described in this subparagraph may be credited to an individual, at the discretion of the governing body or chief executive officer of the issuing agency, based upon training programs or courses described in this subparagraph that the individual attended within the last five years.

(5) The peace officer or designated municipal employee who issues a notice of violation shall not be required to participate in an administrative hearing. The issuing agency shall not be required to produce any evidence other than, in proper form, the notice of violation or copy thereof, including the photograph, video, or other visual image of the vehicle's license plate, and information received from the Department of Motor Vehicles identifying the registered owner of the vehicle. The documentation in proper form shall be prima facie evidence of the violation.

(6) The examiner's final decision following the administrative hearing may be personally delivered to the person by the examiner or sent by first-class mail.

(7) Following a determination by the examiner that a person has committed the violation, the examiner may, consistent with the written guidelines established by the issuing agency, allow payment of the civil penalty in installments, or an issuing agency may allow for deferred payment or payments in installments, if the person provides evidence satisfactory to the examiner or the issuing agency, as the case may be, of an inability to pay the civil penalty in full. If authorized by the governing body of the issuing agency, the examiner may permit the performance of community service in lieu of payment of the civil penalty.

(8) If a notice of violation is dismissed following an administrative hearing, any civil penalty, if paid, shall be refunded by the issuing agency within 30 days.

22428. (a) Within 30 days after personal delivery or mailing of the final decision described in subdivision (c) of Section 22427, the contestant may seek review by filing an appeal to the superior court, where the case shall be heard de novo, except that the contents of the processing agency's file in the case on appeal shall be received in evidence. A copy of the notice of violation shall be admitted into evidence as prima facie evidence of the facts stated in the notice. A copy of the notice of appeal shall be served in person or by first-class mail upon the processing agency by the contestant. For purposes of computing the 30-day period, Section 1013 of the Code of Civil Procedure shall be applicable. A proceeding under this subdivision is a limited civil case.

(b) The fee for filing the notice of appeal shall be as provided in Section 70615 of the Government Code. The court shall request that the issuing agency's file on the case be forwarded to the court, to be received within 15 calendar days of the request. The court shall notify the contestant of the appearance date by mail or personal delivery. The court shall retain the fee under Section 70615 of the Government Code regardless of the outcome of the appeal. If the appellant prevails, this fee and any payment of the civil penalty shall be promptly refunded by the issuing agency in accordance with the judgment of the court.

(c) The conduct of the hearing on appeal under this section is a subordinate judicial duty that may be performed by a commissioner or other subordinate judicial officer at the direction of the presiding judge of the court.

(d) If a notice of appeal of the examiner's decision is not filed within the period set forth in subdivision (a), the decision shall be deemed final.

(e) If the civil penalty has not been paid and the decision is adverse to the contestant, the processing agency may, promptly after the decision becomes final, proceed to collect the civil penalty under Section 22426.

22429. If the payment of the civil penalty is not received by the person authorized to receive payment of the civil penalty by the time and date fixed for appearance on the notice of violation under Section 22426, the processing agency may assess delinquent fees, as determined by the issuing agency, and may proceed to collect the civil penalty under Section 22426.

22429.5. (a) The City of San Jose and the City and County of San Francisco shall offer a diversion program for certain low-income ASE system violation recipients to perform community service in lieu of paying the penalty for an ASE system violation.

(b) The City of San Jose and the City and County of San Francisco shall offer the ability for certain low-income ASE system violation recipients to pay applicable fines and penalties over a period of time under a payment plan.

(c) Notwithstanding subdivisions (a) and (b), the City of San Jose and the City and County of San Francisco shall reduce the applicable fines and penalties for individuals with household incomes less than 125 percent of the Federal Poverty Level by 80 percent.

(d) The processing agency for the City of San Jose and the City and County of San Francisco shall not file or electronically transmit to the department an itemization of unpaid civil penalties, including administrative fees, for citations issued pursuant to this article when the owner is participating in a diversion program, payment plan, or both, as outlined in subdivisions (a) and (b).

22430. (a) Except as provided in subdivision (c), the department shall refuse to renew the registration of a vehicle if the registered owner has been mailed a notice of violation under this article, the processing agency has filed or electronically transmitted to the department an itemization of unpaid civil penalties, including administrative fees pursuant to Section 22431, and the owner has not paid the civil penalty and administrative fees, unless he or she pays to the department, at the time of application for renewal, the full amount of all outstanding civil penalties and administrative fees, as shown by records of the department.

(b) When the department receives the full amount of all outstanding civil penalties and administrative fees pursuant to subdivision (a), it shall issue a receipt showing each civil penalty and the administrative fees that have been paid, the processing agency for that penalty and fee, and a description of the vehicle involved in the automated speed violations.

(c) The department shall not refuse to renew the registration of a vehicle under either of the following circumstances:

(1) If the applicant provides the department with the abstract or notice of disposition of the violation for clearing all outstanding civil penalties and administrative fees as shown by the records of the department.

(2) If the notice of violation was issued prior to the registered owner taking possession of the vehicle or if the notice of violation was reissued to a third party.

22431. (a) The department shall remit all civil penalties and administrative fees collected, after deducting the administrative fees authorized in subdivision (b), for each notice of violation for which penalties and administrative fees have been collected, to the processing agency in the amount due. Within 45 days from the time penalties are recorded by the department, the department shall inform the municipality which of its notices of violation have been discharged.

(b) The department shall assess a fee for the recording of the notice of violation in an amount, as determined by the department, that is no more than the amount sufficient to provide a total amount equal to its actual administrative costs.

22431.5. The City of San Jose and the City and County of San Francisco shall each develop and submit to their respective governing body an ASE System Report, two years after initial implementation of the ASE program and at the end of the ASE pilot program, that includes all of the following information:

(a) A description of how the ASE system was used.

(b) Whether and how often any ASE system data was shared with outside entities, the name of any recipient entity, the type or types of data disclosed, and the legal reason for the disclosure.

(c) A summary of any community complaints or concerns about the ASE system.

(d) Results of any internal audits, information about any violations of the ASE System Use Policy, and any actions taken in response.

(e) Information regarding the impact the ASE system has had on the streets where the ASE system was deployed.

(f) A summary of any public record act requests.

22432. The City of San Jose and the City and County of San Francisco shall each, on or before March first of the fifth year in which the ASE system has been implemented, submit to the transportation committees of the

Legislature an evaluation of the ASE system in their respective jurisdictions to determine the system's impact on highway safety and the system's economic impact on the communities where the system is utilized. The report shall be made available on the Internet Web sites of the two jurisdictions and shall include all of the following information:

(a) Before and after data on the number and proportion of vehicles speeding between 10 to 19, inclusive, miles per hour over the legal speed limit, 20 to 29, inclusive, miles per hour over the legal speed limit, 30 to 39, inclusive, miles per hour over the legal speed limit, and every additional 10 miles per hour increment thereafter on a street or portion of a street in which an ASE system is used to enforce speed limits. To the extent feasible, the data should be collected at the same time of day, day of week, and location.

(b) The number of notices of violation issued under the program by month and year and the corridors or locations where violations occurred and, to the extent feasible, the day of the week and time the violation occurred.

(c) Before and after data on the number of traffic collisions, categorized by injury severity (such as property damage only, complaint of pain, other visible injury, or severe or fatal injury) that occurred where ASE systems are used relative to citywide data and the transportation mode of the parties involved.

(d) The number of violations paid, the number of delinquent violations, and the number of violations for which an initial review is requested. For the violations in which an initial review was requested, the report shall indicate the number of violations that went to initial review, administrative hearing, and de novo hearing, the number of notices that were dismissed at each level of review, and the number of notices that were not dismissed after each level of review.

[\(e\) The costs associated with implementation and operation of the ASE systems, and revenues collected by each jurisdiction.](#)

22433. This article shall remain in effect only until January 1, 2024, and as of that date is repealed, unless a later enacted statute that is enacted before January 1, 2024, deletes or extends that date.

SEC. 9. The Legislature finds and declares that a special statute is necessary and that a general statute cannot be made applicable within the meaning of Section 16 of Article IV of the California Constitution because of the unique circumstances with traffic speed enforcement in the City of San Jose and the City and County of San Francisco.

SEC. 10. The Legislature finds and declares that Section 8 of this act, which adds Article 3 (commencing with Section 22425) to Chapter 7 of Division 11 of the Vehicle Code, imposes a limitation on the public's right of access to the meetings of public bodies or the writings of public officials and agencies within the meaning of Section 3 of Article I of the California Constitution. Pursuant to that constitutional provision, the Legislature makes the following findings to demonstrate the interest protected by this limitation and the need for protecting that interest:

In order to protect the personally identifiable information of California drivers, it is necessary that this act limit the public's right of access to that information.

SAFE STREETS ACT OF 2017

ASSEMBLY BILL 342 (CHIU)

SUMMARY

AB 342 gives local transportation authorities in the City of San Jose and the City and County of San Francisco the authority to install automated speed enforcement (ASE) systems over a five-year pilot period, in order to protect the safety of vulnerable travelers, such as children, the elderly, and bicyclists, in the two municipalities.

BACKGROUND

In response to hundreds of traffic collisions in the region, both San Jose and San Francisco adopted Vision Zero traffic safety initiatives, with the goal to eliminate traffic fatalities and reduce severe injury crashes. Annually in San Francisco, traffic collisions have caused about 30 fatalities and more than 200 severe injuries; and in San Jose, about 50 people have lost their lives and more than 130 have been severely injured due to traffic collisions.

70 percent of these fatal and severe collisions occur on just a handful of streets and roads in San Francisco and 50 percent of fatal collisions occur on just 3 percent of San Jose streets. Many of the streets with the highest incidence of fatal and severe injury crashes are in Communities of Concern, disproportionately impacting these disadvantaged communities.

Unsafe speed is the single highest fault factor in fatal and severe injury collisions in San Jose and San Francisco. As a result, children going to school, pedestrians heading to work, and elderly citizens traveling home are put at risk every day.

In San Francisco, law enforcement issued more than 10,000 citations for speeding, a 44 percent increase compared to the year before. As a result, the total number of fatal and severe injury collisions caused by speed dropped by more than 20 percent in 2014.

While these enforcement efforts help, local transportation planners require additional enforcement tools to combat this public health hazard.

THE PROBLEM

Across the United States, studies have shown that ASE systems reduce the number of severe and fatal collisions by as much as 58 percent. Despite an established history, California law currently prohibits

the use of automated speed enforcement systems. Studies have shown that speed is the *leading* factor when determining fault in fatal and severe collisions, yet existing enforcement efforts are not enough. California must provide communities with the worst traffic conditions the option to increase the *expectation* of enforcement.

THE SOLUTION

AB 342 would authorize the use of automated enforcement through a five-year pilot program in the City of San Jose and the City and County of San Francisco.

Specifically, AB 342 creates a very specific list of prerequisites that must be met in order to implement ASE systems in the two localities, including:

1. **Location:** Streets with a documented and demonstrated speeding problem resulting in fatalities and injuries, not freeways.
2. **Public Notice:** Signs displaying "Radar Enforced" along ASE enforced corridors and visiting drivers will be notified at major jurisdictional boundaries. Public hearings and information campaign.
3. **Citation type:** Similar to a parking citation, no points added to record, and flat max \$100 citation including fees.
4. **Speed:** ASE triggered only at 10 mph over posted speed limit, with a maximum of 1 per day, per vehicle.
5. **Warning phase:** Warnings will be issued for 90 days at the start of the program, before any fines begin.
6. **Privacy:** Images of license plate, citations sent to vehicle owners like a parking ticket, images and records are kept confidential.
7. **Adjudication:** Owners may contest citation similar to a parking ticket.
8. **Equity:** Accommodations for low-income drivers.
9. **Revenue:** program cost recovery and then re-invested into building safe streets.
10. **Camera Calibration:** Regularly inspected and in accordance with manufacturer's instructions or at minimum, once a year by a 3rd party lab.
11. **Operation:** Overseen by trained peace officers or other trained city employees.
12. **Oversight:** An evaluation submitted after 5 years assessing safety impacts.

Support

San Francisco Mayor Edwin M. Lee (Sponsor)
San Jose Mayor Sam Liccardo (Co-Sponsor)
Association of California Insurance Companies
UCSF Department of Surgery at Zuckerberg San
Francisco General Hospital
Walk San Francisco
San Francisco County Transportation Authority
Tenants and Owners Development Corporation
Alliance for Retired Americans
CalWalks
CC Puede
FDR Dems
Greater Rincon Hill Community Benefit District
Independent Living Resource Center San Francisco
Livable City
Lower Polk Community Benefit District
Portola Neighborhood Association
South Beach / Rincon / Mission Bay Neighborhood
Association
Senior & Disability Action
sf.citi
San Francisco Bay Area Families for Safe Streets
SPUR
Safe Routes to School National Partnership
Silicon Valley Bicycle Coalition
Silicon Valley Independent Living Center
Duboce Triangle Neighborhood Association
The Friends of Monterey Boulevard
Stop4Aiden
San Francisco Municipal Transportation Agency
Los Angeles Walks
Shape Up San Francisco Coalition
San Francisco Health Improvement Partnership

Opposition

Peace Officers Research Association of California
California Association of Highway Patrolmen

FOR MORE INFORMATION

Kevin Hefner
Office of Assemblymember David Chiu
Kevin.Hefner@asm.ca.gov

Subject: FW: CSAC Federal Budget Update

To: CSAC Board of Directors
County Legislative Coordinators

From: Cara Martinson, CSAC Legislative Representative & Federal Affairs Manager
Joe Krahn, Waterman & Associates, CSAC Federal Lobbyist

RE: Federal Budget Update

The following is an update from our federal lobbyists on the status of the federal budget and proposed spending cuts put forth by the Trump Administration. It should be noted at the outset that while the list is daunting, there is significant Democratic and Republican concern and opposition to this proposal.

Last week, the Trump administration sent to Capitol Hill a detailed list of suggested cuts that could be used to partially offset its recent fiscal year 2017 supplemental spending request. All told, the president is asking Congress to approve \$18 billion in current-year spending reductions to help pay for \$30 billion in new defense and border security funding. The administration's proposal would substantially reduce, or in some cases eliminate, fiscal year 2017 funding for a number of programs that are of importance to California's counties.

Among other things, the administration's proposal would eliminate FY 17 funding for:

- State Criminal Alien Assistance Program (\$210 million);
- Community Services Block Grants (\$306 million);
- Low-Income Home Energy Assistance Program (\$372 million);
- Choice Neighborhoods Initiative (\$125 million);
- TIGER Grants (\$499 million);
- Senior Community Service Employment Program (\$434 million); and,
- Western Drought Relief Efforts (\$100 million).

Programs that are targeted for FY 17 cuts include:

- Payments-in-Lieu-of-Taxes (\$51 million cut);
- Community Development Block Grants (\$1.5 billion cut);
- Capital Investment Program/Transit (\$447 million cut);
- Economic Development Assistance grants (\$97 million cut);
- Pre-Disaster Mitigation Grants (\$20 million cut);
- Mental Health Block Grants (\$100 million cut);
- Women Infants and Children Feeding Program (\$200 million cut)

The suggested list of budget reductions has been met with a strong dose of skepticism by Republican appropriators, particularly since some of the targeted programs are popular among GOP members. For their part, Democrats have indicated that they are not open to any further reductions in nondefense discretionary spending for fiscal year 2017. At this point, it is not clear whether the president would be willing to veto any funding measure that does not endorse these – or other – cuts. However, with only four weeks left before the current Continuing Resolution expires, the White House proposal adds a new level of uncertainty to budget negotiations.

CSAC will keep the Board updated on federal budget issues as more information becomes available. In addition, the National Association of Counties (NACo) is hosting a national conference call tomorrow, **Tuesday, April 4 at 12 p.m. Pacific Standard Time** to discuss the most pressing federal policy issues facing county governments. **Conference call instructions: Call number: 1-719-955-1371, Passcode: 605299.**

Please feel free to contact me if you have any questions.

Thank you,

CARA B. MARTINSON

Legislative Representative & Federal Affairs Manager

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Contra Costa County Board of Supervisors

Subcommittee Report

TRANSPORTATION, WATER & INFRASTRUCTURE COMMITTEE

9.

Meeting Date: 04/10/2017
Subject: COMMUNICATION/News Clippings
Submitted For: TRANSPORTATION, WATER & INFRASTRUCTURE
COMMITTEE,
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: News, etc:

- 2/14/2017: Contra Costa Transportation Authority (CCTA): Notice of Preparation of an Environmental Impact Report for the Countywide Transportation Plan
- 2/27/2017: CCTA: February 2017: Items of Interest to the Regional Transportation Planning Committees
- 3/17/2017: CCTA: March 2017: Items of Interest to the Regional Transportation Planning Committees

Recommendation(s)/Next Step(s):

RECEIVE communication and DIRECT staff as appropriate.

Fiscal Impact (if any):

N/A

Attachments

02-13-17, 2017 NOP CTP Transmittal Signed

February 15 2017 RTPC Memo

March 15 2017 RTPC Memorandum with Ord. 17-01



CONTRA COSTA
**transportation
authority**


Notice of Preparation of a Program Environmental Impact Report and Notice of a Public Scoping Meeting

Date: February 14, 2017

To: Responsible Agencies, Interested Organizations and Individuals

Subject: **Preparation of Program Environmental Impact Report (EIR) for the 2017 Update to the Contra Costa Countywide Comprehensive Transportation Plan**

Lead Agency: Contra Costa Transportation Authority
2999 Oak Road, Ste. 100
Walnut Creek, CA 94597

Contact: Bradley D. Beck, AICP 
Email: ctp@ccta.net
Telephone: (925) 256-4720

The Contra Costa Transportation Authority will prepare a Program EIR that considers the environmental impacts of the adoption of the 2017 Update to the Contra Costa Countywide Comprehensive Transportation Plan (2017 CTP). The results of this California Environmental Quality Act (CEQA) analysis will be provided to public agencies, the general public and other stakeholders, as well as to the Regional Transportation Planning Committees (RTPCs). This Program EIR for the CTP will provide comparative environmental information regarding the performance of alternative investment strategies against the Authority's CTP vision, goals and strategies, and will assist the Authority in making future transportation investment decisions.

The Authority is the Lead Agency for the proposed Project and is the public agency with the greatest responsibility for approving the Project and carrying it out. Under Measure C and subsequent Measure J provisions, the Authority is responsible for preparing and adopting a Countywide Comprehensive Transportation Plan. Individual projects pursuant to the CTP are generally established through the Authority's Strategic Plan, then implemented by project sponsors (i.e., local jurisdictions, transit agencies, the State

Route 4 Bypass Authority, and Caltrans). Accordingly, this notice is being sent to individual project sponsor agencies, other Responsible Agencies and interested parties.

The Project description, location, and list of potential environmental issues to be addressed in the Program EIR are provided below.

Comments

This Notice of Preparation (NOP) requests comments on the scope and content of the Program EIR. The Program EIR will address potential physical environmental effects related to each of the environmental topics outlined in the California Environmental Quality Act ("CEQA"). Comments should focus on possible impacts of the proposed Project on the physical environment, ways in which potential adverse effects might be minimized, and alternatives to the Project.

Consistent with the CEQA Guidelines, this NOP will be circulated for a 30-day review period. Comments must be returned to the Authority no later than 30 days after receipt of this notice, and must be received by the Authority by 3:00 p.m. on Friday, March 17, 2017. Written comments and questions should be directed in writing to the contact person listed above.

Public Scoping Meeting

A public scoping meeting will be held to receive oral comments concerning the scope of the Program EIR. The meeting will be held at 2:30 p.m. on Tuesday, February 28, 2017 at the Authority's offices at 2999 Oak Road, Suite 100 in Walnut Creek, California, 94597.

Project Description

Project Location

The 2017 CTP includes transportation projects and programs considered for implementation throughout the entirety of Contra Costa County as well as the Tri-Valley sub-region of Alameda County. A map of the Project Area is included as **Attachment A**.

Background

The Authority was established in 1989 to implement the Measure C *Transportation Improvement and Growth Management Program*, which was passed by the voters in November 1988, establishing a 20-year one-half percent sales tax that began on April 1, 1989, and expired on March 31, 2009. Measure C included an Expenditure Plan for allocating revenues from sales tax revenues to a variety of projects and programs including the construction and widening of freeways and arterials, the extension of

BART into East County, construction of bicycle and pedestrian facilities, and support for transit and paratransit service and carpooling.

Measure J, which was passed by the voters in November of 2004, extended the one-half percent sales tax for twenty-five years, from April 1, 2009 through March 31, 2034. Both the Measure C and the Measure J expenditure plans included a Growth Management Program (GMP), “to be met by local jurisdictions for receipt of local street maintenance and improvements [LSM] funding.” The GMP established a requirement that local jurisdictions must participate in cooperative, multi-jurisdictional planning,, establish a Capital Improvement Program (CIP), and address the availability of housing. Measure J added the requirement that all jurisdictions must adhere to a voter-approved Urban Limit Line (ULL) to receive LSM and Transportation for Livable Communities (TLC) funding. Implementation of the GMP takes place at the local, sub-regional, and countywide level, while maintaining local authority over land use decisions. This planning process relies on the Regional Transportation Planning Committees (RTPCs), whose member jurisdictions work together to prepare and implement Action Plans for Routes of Regional Significance. The Action Plans establish quantifiable objectives – called Multi-modal Transportation Service Objectives (MTSOs) – and the RTPCs then agree on the actions, programs, and measures required for achieving the MTSOs.

The Authority prepared its first CTP in 1995. This first CTP established a vision, goals, and objectives that provided an overall direction and coordinated approach for achieving and maintaining a balanced and functional transportation system, while strengthening links between land use decisions and transportation. The 1995 CTP knitted together the Action Plans prepared by the RTPCs. Since 1995, the Authority has updated the CTP three separate times. The 2000 CTP update refined the Authority's vision and goals, and introduced a set of strategies for achieving them. The 2000 CTP also introduced the Comprehensive Transportation Project List (CTPL), which established a financially-unconstrained list of transportation project and programs reflecting Contra Costa's future needs. The 2004 CTP kept the goals and strategies of the previous CTP and focused primarily on development of an Expenditure Plan for a sales tax extension, which was passed by the voters in November of 2004 as Measure J. The 2009 CTP focused on updating the vision, goals, trends, and strategies in light of updates to the Action Plans, and addressed the beginning of Measure J. This last update also began to examine the implications of new statewide legislation (SB 375) that required MTC to develop a Sustainable Communities Strategy (SCS) component to its Regional Transportation Plan (RTP).

2017 CTP Update

The 2017 CTP will be the fourth major CTP update. Similar to the 2009 CTP, the 2017 CTP will update the demographic, economic, and transportation trends in the Project Area, and refine the vision, goals and strategies of the Authority regarding transportation and growth management (the draft Vision, Goals and Strategies of the

2017 CTP are included as **Attachment B**). The 2017 CTP will also include recommended updates to the five sub-regional Action Plans, including changes to designated Routes of Regional Significance, and new or revised MTSOs.

The 2017 CTP will incorporate an updated CTPL, as well as a financially-constrained list of projects.

Alternatives

The Draft EIR will include a comparative assessment of various alternatives. These alternatives are anticipated to include the following:

- A No Project Alternative, which in this case includes a set of highway, transit, local roadway, bicycle, and pedestrian projects that are in advanced planning stages and slated to go forward independent of the CTP, since they already have full funding commitments;
- The RTP Alternative, which is a list of transportation improvements and investments that could be funded within the financial constraints identified in Metropolitan Transportation Commission's (MTC) most recently adopted RTP as of the date of this NOP;
- Three different Transportation Investment Options, each representing a different set of financially-constrained transportation projects and/or programs intended to emphasize or prioritize different investment strategies. Each option will be financially constrained, based upon the Authority's estimate of funding that may become available through future funding initiatives.

Approach and Scope of the Program EIR

The projects, programs, measures and other actions called for in the 2017 CTP and its alternatives may directly or indirectly affect the physical environment, and consequently require analysis pursuant to the California Environmental Quality Act (CEQA).

Program EIR

CEQA Guidelines, section 15168 enable a "program EIR" to be prepared for projects that contain a series of actions that can be characterized as one large project and are related either; 1) geographically; 2) as logical parts in a chain of contemplated actions; 3) in connection with issuance of rules, regulations, plans, or other general criteria to govern the conduct of a continuing program; or 4) as individual activities carried out under the same authorizing statutory or regulatory authority and having generally similar environmental effects which can be mitigated in similar ways. As with past CTP EIRs, the analysis contained within this EIR will be programmatic, evaluating impacts at a regional and cumulative level, and considering the 2017 CTP (together with various

investment options and subsequent individual projects) as a single project. The advantages of a program EIR include: 1) providing occasion for a more exhaustive consideration of effects and alternatives than would be practical in an EIR on an individual action; 2) ensuring consideration of cumulative impacts that might be slighted in a case-by-case analysis; 3) avoiding duplicative reconsideration of basic policy considerations; and 4) allowing the Authority to consider broad policy alternatives and program-wide mitigation measures at an early time, when the Authority has greater flexibility to deal with basic problems or cumulative impacts.

Subsequent projects, programs and activities pursuant to the 2017 CTP will be examined in light of the Program EIR to determine whether additional environmental review must be prepared. As stated in CEQA Guidelines section 15186(c)(5), "a program EIR will be most helpful in dealing with subsequent activities if it deals with the effects of the program as specifically and comprehensively as possible. With a good and detailed analysis of the program, many subsequent activities could be found to be within the scope of the project described in the program EIR, and no further environmental documents would be required." In this case, the details of many of the transportation projects, programs and actions contained in the 2017 CTP remain at a general level until such time as they may be fully funded, and consequently lack concrete details. Thus, most of the larger individual transportation projects included in the 2017 CTP are anticipated to undergo subsequent project-level environmental review at the local level, once those projects are more clearly defined and more detailed studies are prepared.

Environmental Topics to be Addressed

The environmental issues pertinent to the Project and identified for analysis in the Program EIR will include transportation, air quality, greenhouse gas emissions, energy, geology and seismicity, biological resources, hydrology and water resources, visual resources, noise, cultural resources, hazards and hazardous materials, population growth and land use (inclusive of housing and agriculture). It is not anticipated that the 2017 CTP would have any impacts on mineral resources, public services or utilities/service systems, but these issues will also be addressed in the Program EIR. An Initial Study is not required, and has not been prepared.

It is anticipated that the Project may result in the following significant impacts, which will be specifically addressed in the Program EIR:

- Temporary air quality, soil erosion, visual, and noise impacts from construction
- Damage to transportation facilities from seismic events or expansive soils
- Adverse effects on rare, threatened or endangered, candidate, sensitive, or other special-status species plants and animals, their habitats, and their movement, and on wetland and riparian habitats
- Removal of protected trees

- Increases in stormwater runoff and non-point pollution from an increase in impervious surfaces
- Alteration of views from public vantage points
- Increased noise from new or enhanced transportation facilities
- Potential damage to archaeological, paleontological, or architectural resources
- Exposure to hazardous materials during construction and operations
- Conversion of agricultural land
- Disruption, division, or displacement of existing land uses

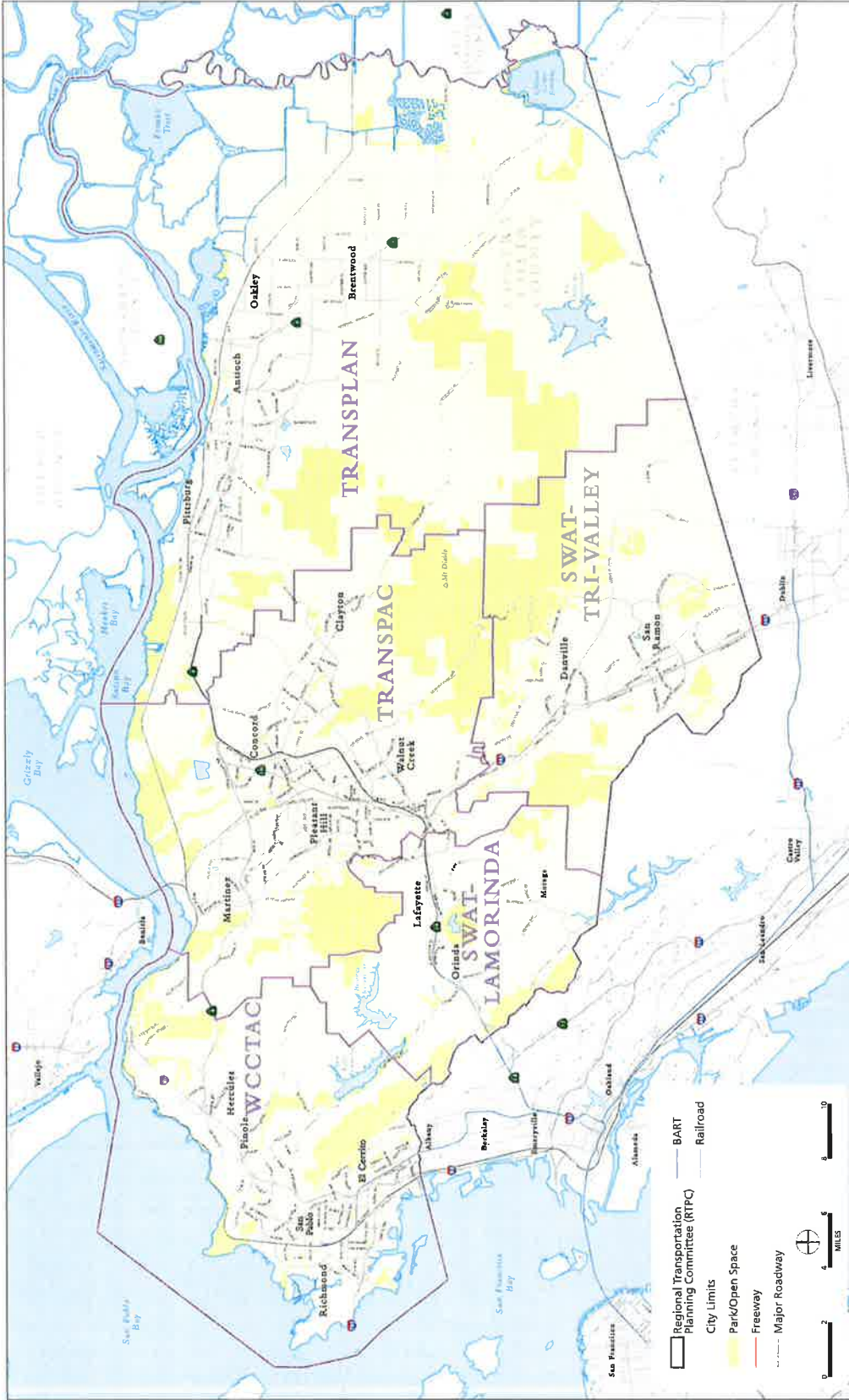
Provisional EIR Schedule

The Authority, as Lead Agency under CEQA, will review and consider responses to this NOP and may adjust the scope of environmental issues to be evaluated in the Program EIR. Depending upon such adjustments, the Authority is anticipating release the Draft Program EIR in May 2017. When the Draft Program EIR is published, notification will be sent to all responsible agencies and to others who respond to this NOP or who otherwise request notification. There will be a 45-day public review period for the Draft Program EIR.

Following the public review period, the Authority will review and consider the comments received on the Draft Program EIR and may make adjustments to the Draft Program EIR and the 2017 CTP. The Authority will respond in writing to any comments timely submitted on the Draft Program EIR. Changes and responses, along with the comment letters, will be published as the Final Program EIR, incorporating the Draft Program EIR by reference.

The Final Program EIR will then be considered along with the Project at a public hearing of the Authority's Board.

Attachments: A: Project Area Map
B: Draft Vision, Goals and Strategies, 2017 CTP



Attachment A: Project Area and Regional Transportation Planning Committee Boundaries

ATTACHMENT B: Draft Vision, Goals and Strategies, 2014 CTP

Reflects revisions made by the Authority at its 18 February 2015 meeting

VISION

Strive to preserve and enhance the quality of life of local communities by promoting a healthy environment and strong economy to benefit all people and areas of Contra Costa, through (1) a balanced, safe, and efficient transportation network, (2) cooperative planning, and (3) growth management. The transportation network should integrate all modes of transportation to meet the diverse needs of Contra Costa.

GOALS

- Support the efficient, safe, and reliable movement of people and goods using all available travel modes;
- Manage growth to sustain Contra Costa's economy, preserve its environment and support its communities;
- Expand safe, convenient and affordable alternatives to the single-occupant vehicle;
- Maintain the transportation system; and
- Continue to invest wisely to maximize the benefits of available funding.

STRATEGIES

1. Support the efficient, safe and reliable movement of people and goods using all available travel modes

- Increase the efficiency of the transportation system through capital investments, operational enhancements, and use of technology.
- Work with jurisdictions and other agencies to identify and implement strategies for managing congestion and increasing multimodal mobility.

- Define and close gaps in the existing highway and arterial system, including gaps in the regional high-occupancy vehicle (HOV) lane and express lane network.¹
- Define and close gaps in the Countywide and Regional Bikeway Network, including gaps in Class I and major off-street paths.
- Improve the transportation system to influence the location and nature of anticipated growth in accordance with the General Plans of local jurisdictions and consistent with the Authority's adopted Countywide Transportation Plan.
- Identify new strategies to improve the efficiency and safety of goods movement on freeways, waterways, rail lines, and arterial roads, including local truck routes, while supporting economic development, improving air quality, and mitigating impacts on local communities and neighborhoods.

2. Manage growth to sustain Contra Costa's economy, preserve its environment and support its communities

- Continue to require cooperative transportation and land use planning among Contra Costa County, cities, towns, and transportation agencies.
- Work to maintain and expand partnerships to achieve the Authority's goals.
- Participate in a cooperative land use and transportation planning process with agencies both within and outside of Contra Costa to help achieve regional, State, and federal objectives.
- Support land use patterns within Contra Costa that make more efficient use of the transportation system, consistent with the General Plans of local jurisdictions.
- Require local jurisdictions to (i) evaluate and report on new development and the impacts of local land use decisions on the transportation system using methodologies consistent with the Action Plans and the Authority's technical procedures, (ii) identify necessary capital improvements and/or supportive operational improvements, transit options, and multimodal improvements, and (iv) have new growth pay its fair share of the cost of such improvements.
- Link transportation investments to support (i) a voter-approved urban limit line endorsed by the County and each city and town, (ii) new developments that support transportation efficiency, economic vitality, or reductions in greenhouse gas emissions, and (iii) infill and redevelopment in existing urban and brownfield areas.

¹ Express Lanes (formerly known as High-occupancy Toll (HOT) lanes) are HOV lanes that have been modified to allow single occupant vehicles to travel in the HOV lane, provided they pay a toll.

- Work to ensure that new transportation projects are environmentally sustainable and fiscally viable, respect community character, support economic development, and maintain or enhance the quality of life of our communities.
- Work with State, regional, and local agencies to develop cost-effective programs and approaches to mitigate the impacts of growth and conserve resources.
- Incorporate measures into the Authority's policies and procedures to help minimize or eliminate the impacts of GHG emissions.
- Work with local jurisdictions and other agencies to develop a connected and coordinated network for electric vehicles.

3. Expand safe, convenient and affordable alternatives to the single-occupant vehicle

- Help fund the expansion of existing transit services and regional express lanes, BART station access programs, and maintenance of existing operations, including BART, bus transit, school buses, paratransit, and ridesharing services, where appropriate.
- Support transit investments that lead to increased capacity, coordination and integration of public transit services, and improved connections between travel modes, where appropriate.
- Require local jurisdictions to incorporate policies and standards for "complete streets" that support transit, bicycle and pedestrian access in new developments and in infill development areas ("Priority Development Areas") and transit priority areas.
- Support transit-oriented and pedestrian-friendly developments.
- Invest in trails, walkways, and pedestrian-oriented improvements.
- Promote the formation of more carpools and vanpools, and greater use of transit, bicycling, and walking.
- Support the expansion of a coordinated system of affordable transit and paratransit service to address the mobility needs of low-income, elderly, young and disabled travelers, households without cars, single-parent households, and people paying more than 50 percent of their income for rent.
- Encourage local jurisdictions and other agencies to develop a connected and coordinated system of bicycle facilities through financial assistance, technical support and other aid and encouragement.

- Support congestion and parking pricing programs, transportation demand management programs, and technological innovations such as universal transit payment systems, ridesharing apps, and real-time transit routing and arrival information.
- Support Safe Routes to Schools projects and programs.

4. Maintain the transportation system

- Promote stable funding and preventive maintenance programs that will (i) address the backlog of rehabilitation needs and (ii) maintain the long-term health of all components of the transportation system.
- Advocate for stable sources of funds for transit operations and maintenance programs.
- Support programs for effective preventive maintenance and rehabilitation of the transportation system.
- Provide funding to reduce the backlog of transportation rehabilitation and maintenance needs and other projects and programs that will sustain the transportation system. Facilitate meeting new requirements, such as Complete Streets and stormwater quality management, which may affect maintenance and rehabilitation projects.

5. Continue to invest wisely to maximize the benefits of available funding.

- Use performance measures to evaluate and compare potential transportation investments.
- Seek matching funds, whenever possible, and offer incentives and priority funding to projects that provide greater return on investment.
- Develop public-private partnerships and pursue innovative financing mechanisms to accelerate project delivery.
- Use Measure J funds to leverage State, federal and other funding whenever possible.
- Consider the needs of all areas and communities in Contra Costa in funding decisions to ensure fairness in the Authority's transportation investments.



COMMISSIONERS

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Chair
- Federal Glover
Vice Chair
- Janet Abelson
- Newell Americh
- Loella Haskew
- David Hudson
- Karen Mitchoff
- Julie Pierce
- Kevin Romick
- Robert Taylor
- Dave Trotter

MEMORANDUM

To: Matt Todd, TRANSPAC
 Lisa Bobadilla, SWAT
 Jamar Stamps, TRANSPLAN, TVTC
 John Nemeth, WCCTAC
 Ellen Clark, LPMC

From: *MB for:*
 Randell H. Iwasaki, Executive Director

Date: February 27, 2017

Re: Item of interest for circulation to the Regional Transportation Planning Committees (RTPCs)

At its February 15, 2017 meeting, the Authority discussed the following item, which may be of interest to the Regional Transportation Planning Committees:

1. **Regional Measure 3 (RM3) – Candidate Projects for Submittal to the Metropolitan Transportation Commission (MTC).** MTC is considering a regional bridge toll increase on the seven state-owned bridges in the Bay Area. RM3 is expected to raise tolls by \$1 to \$3. It is anticipated that MTC will seek legislative approval in the next few months to place RM3 on the ballot in 2018. In preparation, Authority staff has prepared a list of projects in Contra Costa for potential funding by RM3. Staff seeks approval of Contra Costa’s proposed RM3 project list for submittal to MTC. *The Authority Board approved Contra Costa’s proposed RM3 project list for submittal to MTC. The list of projects is attached to this memorandum.*

Randell H. Iwasaki,
Executive Director

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CA 94597
PHONE: 925.256.4700
FAX: 925.256.4701
www.ccta.net

Proposed RM3 Project List for Submittal to MTC

No	Project Name	Description	Cost (millions)	Funding Available (millions)	Funding Needed [RM3 Request] (millions)	MTC Draft Principles						Sources of Available Funds (millions)	
						Bridge Nexus	Regional Prosperity	Sustain-ability	State of Good Repair	Demand Management	Freight		Resiliency
1	I-680/State Route 4 Interchange Improvements – Phases 1, 2, and 3	Project will improve interchange in phases as follows: Phase 1: Freeway to Freeway connectors for NB I-680 to WB SR-4 Phase 2: EB SR-4 to SB I-680 connector and improvements to the SR-4 interchange at Pacheco Boulevard. Phase 3: Widen SR-4 between Morello Avenue in Martinez and SR-242 in Concord, and replace Grayson Creek Bridge	\$292	\$57	\$235	x	x		x		x		STIP: 5.1 Measure C: 17.3, Measure J: 35.0
2	I-80/San Pablo Dam Road (SPDR) Interchange Improvements – Phase 2	Replace SPDR Interchange at I-80 and modify McBryde Avenue and SPDR ramps. Includes provisions for bicyclists and pedestrians on San Pablo Dam Road.	\$80	\$16	\$64	x	x		x		x		STMP: 6.4, STIP: 9.2
3	SR-4 Integrated Corridor Management (ICM)	SR-4 from I-80 to SR-160: project includes adaptive ramp metering, advanced traveler information, arterial management system, freeway management system, and connected vehicle applications	\$15	\$0	\$15	x	x				x		
4	SR-4 Operational Improvements - Initial Phase	Various operational improvements along SR-4 between I-680 and Bailey Road, including additions of mixed flow lanes, High Occupancy Vehicles (HOV) lanes and auxiliary lanes.	\$144	\$5	\$139	x	x						Measure J
5	I-680 Forward*	Implementation of seven strategies for I-680 including improving efficiency of bus service (e.g. increased service, bus on shoulders, expanded park and ride lots), providing first/last mile connections, innovative operational strategies (e.g. ramp metering, decision support system, integrated corridor management), cooling hot spots (e.g. addition of auxiliary lanes), completing carpool/express lanes, and preparing corridor for Connected Vehicles/Automated Vehicles.	\$233	\$23	\$210	x	x	x			x	x	Measure J I-680 Reserve
6	Vasco-Byron Highway Connector	Replace/upgrade existing Armstrong Road. Add new road segments west of Armstrong Road to Vasco Road and east of Armstrong Road to Byron Highway.	\$87	\$0	\$87	x	x					x	
7	West Contra Costa High Capacity Transit	Study is underway to evaluate options for major transit investments along I-80 corridor in Contra Costa. Conceptual alternatives currently being evaluated include express bus on I-80, arterial-based bus rapid transit (BRT) on San Pablo Avenue and 23rd Street, short- and mid-term improvements on UPRR commuter rail, and a BART extension from Richmond. Funding request is for project development. Cost estimates being developed but initial review shows a range from \$179 million to \$4.1 billion. Cost reflects the implementation of BRT and Express Bus on I-80 alternatives.	\$424	\$0	\$424	x	x	x				x	

No	Project Name	Description	Cost (millions)	Funding Available (millions)	Funding Needed [RM3 Request] (millions)	MTC Draft Principles						Sources of Available Funds (millions)	
						Bridge Nexus	Regional Prosperity	Sustain-ability	State of Good Repair	Demand Management	Freight		Resiliency
8	Hercules Intermodal Transit Center	Remaining phases includes track and signal work, fuel and optic lines relocations, transit loop, promenade and civil plaza, landside improvements, bay trail segments.	\$97	\$21	\$76	x	x	x			x		Measure J (various): 8.8, Local: 5.1, STIP: 3.9, OBAG: 2.6, Earmark: 0.7
9	Brentwood Transit Center	Develop a transit center in the City of Brentwood.	\$52	\$0	\$52	x	x	x					
10	Ferry Operations and Landside Improvements	Provide funding for ferry operations and landside improvements in Contra Costa.	\$123	\$53	\$70	x	x	x				x	Measure J
11	Pedestrian and Bicycle Projects	Various pedestrian and bicycle improvements aimed to provide access to transit and improve regional trails along bridge corridors as well as improvements to facilitate transit oriented developments	\$162	\$0	\$162	x	x	x					
12	Innovative Transportation Technologies	Deploy new technologies to improve traffic conditions along bridge corridors and prepare for Autonomous Vehicle/Connected Vehicles	\$53	\$0	\$53	x	x			x	x		
13	BART Fleet Expansion	Contra Costa contribution to BART's proposed fleet expansion	\$300	\$0	\$300	x	x	x				x	
14	Richmond San Rafael Bridge Congestion Relief in the WB direction	Project aims to reduce congestion in the AM peak in the westbound direction at the toll plaza.	\$50	\$0	\$50	x	x						
Subtotal			\$2,112	\$175	\$1,937								

*Combines following projects in PBA: I-680 Northbound Managed Lane Completion through 680/24 and Operational Improvements between N. Main and Treat Blvd, I-680 Transit Improvements including Express Bus Service, ITS components, and Park & Ride Lots, and I-680 Northbound HOV lane extension between N. Main and SR-242.

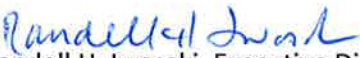


COMMISSIONERS

- Tom Butt,
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- Federal Glover
Vice Chair
- Janet Abelson
- Newell Americh
- Loella Haskew
- David Hudson
- Karen Mitchoff
- Julie Pierce
- Kevin Romick
- Robert Taylor
- Dave Trotter

MEMORANDUM

To: Matt Todd, TRANSPAC
 Lisa Bobadilla, SWAT
 Jamar Stamps, TRANSPLAN, TVTC
 John Nemeth, WCCTAC
 Ellen Clark, LPMC

From: 
 Randell H. Iwasaki, Executive Director

Date: March 17, 2017

Re: Items of interest for circulation to the Regional Transportation Planning Committees (RTPCs)

At its March 15, 2017 meeting, the Authority discussed the following items, which may be of interest to the Regional Transportation Planning Committees:

1. Status of the Growth Management Program (GMP) Checklist

Approvals. The Measure J GMP requires that every two years local jurisdictions report GMP compliance activities to the Authority by submittal of a Compliance Checklist. The deadline for submittal of the Calendar Years (CY) 2014 & 2015 GMP Checklist is June 30, 2017. At present, 9 of the 20 local jurisdictions have submitted a Checklist. The remaining 11 jurisdictions must either submit a completed Checklist by July 1, 2017, or submit a "Statement of Progress" indicating the schedule for submittal. Failure to submit a Checklist or "Statement of Progress" constitutes non-compliance with the GMP and potential withholding of Measure J Local Street Maintenance and Improvement funds (18 percent). *The Authority Board received a status update on the GMP Checklist Approvals and accepted the report. Staff was directed by the Planning Committee to include a monthly status GMP Compliance checklist submittal report in future meeting agendas.*

Randell H. Iwasaki,
Executive Director

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Walnut Creek
CA 94597
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2. **Adoption of Ordinance 17-01 to Amend the Contra Costa Transportation Authority's (Authority) Administrative Code, Chapter 1, Article IV, Section 104.6 (c).** Staff seeks adoption of Ordinance 17-01 to approve the proposed revisions to amend the Authority's Administrative Code, Chapter 1, Article IV, Section 104.6 (c). *The Authority Board adopted Ordinance 17-01 to amend the Authority's Administrative Code, Chapter 1, Article IV, Section 104.6 (c) to allow Ex-Officio Representatives to also serve as Authority Board Member alternates if appointed by their RTPCs providing that the representative cannot simultaneously at any given meeting serve as both the representative and alternate.*

**ORDINANCE 17-01****AN ORDINANCE OF THE CONTRA COSTA TRANSPORTATION AUTHORITY AMENDING
CHAPTER 1, ARTICLE IV, OF THE AUTHORITY'S ADMINISTRATIVE CODE TO REVISE
SECTION 104.6 (C)**

WHEREAS, the Contra Costa Transportation Authority (the "Authority") adopted the Administrative Code (the "Code") as Ordinance No. 90-01 on February 21, 1990 as amended through March 15, 2017; and

WHEREAS, the purpose of the Code is to assist the Authority in establishing and maintaining the public trust, specifying the powers and duties of Authority officials, and promulgating policies and procedures aimed at the efficient and effective operation of the Authority; and

WHEREAS, Chapter 1 of the Code establishes the powers and duties of the Authority officers, the method of appointing Authority employees, and methods, procedures and systems of operation and management of the Authority; and

WHEREAS, Chapter 1, Article IV of the Authority's Administrative Code shall be amended to revise Section 104.6 (c) to allow a Board Ex-Officio Representative to also serve as an alternate to a Board Commissioner; and

WHEREAS, the Representative will not be able to simultaneously serve at any given meeting as both the representative and alternate; and

WHEREAS, the Board Ex-Officio Representative must be an Elected Official; and

WHEREAS, by allowing a Board Ex-Officio Representative to also serve as an alternate to a Board Commissioner the Authority will have the opportunity to appoint the individual to serve on other related transportation boards as a representative to the Authority.

NOW, THEREFORE, BE IT ORDAINED AS FOLLOWS that the Contra Costa Transportation Authority hereby:

- 1) Amends Chapter 1, Article IV of the Authority's Administrative Code to revise Section 104.6 (c) as provided for in Exhibit A, attached hereto and incorporated herein by reference, to allow a Board Ex-Officio Representative to also serve as an alternate to a Board Commissioner providing that the Representative does not serve simultaneously at any given meeting as both the representative and the alternate.

SEVERABILITY: If any provision or clause of this Ordinance or the application thereof is held unconstitutional or otherwise invalid by a court of competent jurisdiction, such invalidity shall not affect other provisions, clauses, or applications of this Ordinance which can be implemented without the invalid provision, clause, or application, it being hereby expressly declared that this Ordinance, and each section, subsection, sentence, clause, and phrase hereof would have been prepared, proposed, approved, adopted and/ or ratified irrespective of the fact that any one or more sections, subsections, sentences, clauses, and/or phrases may be declared invalid or unconstitutional.

EFFECTIVE DATE: This ordinance shall be effective immediately upon adoption.

PASSED AND ADOPTED by the Contra Costa Transportation Authority Board of Directors in Walnut Creek, State of California, on March 15, 2017, by the following vote:

AYES: Chair Butt, Vice Chair Glover, and Commissioners Abelson, Arnerich, Haskew, Hudson, Mitchoff, Pierce, Romick, Taylor and Trotter
NOES: None
ABSENT: None
ABSTAIN: None



Tom Butt, Chair

This Ordinance 17-01 was entered into at a meeting of the Contra Costa Transportation Authority held on March 15, 2017, in Walnut Creek, California, and shall become effective as provided above.

Attest:



Tarianne Grover, Clerk of the Board

EXHIBIT A

CHAPTER 1

ADMINISTRATIVE CODE

OF THE

CONTRA COSTA TRANSPORTATION AUTHORITY

ARTICLE IV

OFFICERS AND DUTIES

ARTICLE IV
OFFICERS AND DUTIES

104.6 Representatives.

(a) The Board shall have the authority to establish by resolution, representatives to the Authority, representing transportation and transit agencies and other governmental entities interested or involved in transportation issues in Contra Costa. Each such person shall be referred to as a "Representative". Representatives shall have the following powers:

(1) the right to attend regular sessions of the Board and to participate in the discussion of matters brought before the Board for consideration;

(2) the right to attend regular committee meetings of the Planning and Administrative and Projects Committees of the Board and to participate in the discussion of matters brought before such Committees;

(3) the right to attend regular meetings of such other Board Committees and of such Standing and Advisory Committees as the Board may determine, and to participate in the discussion of matters brought before such committees.

(b) Each Representative shall be designated by the entity represented from among eligible candidates. Each such Representative shall be an Elected Official (i) elected to the Board of Supervisors of, or to the council of a town or city located within, the County, and appointed to the entity represented to the Authority, or (ii) elected to the legislative body of the entity represented to the Authority, and elected at large or to represent a district or ward of such entity which is located wholly or partially within the County. The Board may consider permitting an appointed official as the Representative, if requested by the entity and evidence is provided why an appointed official rather than an Elected Official is more beneficial in that particular circumstance. Each Representative shall have an alternate designated by the entity represented from among eligible candidates for Representative. Representatives shall hold office for one or more terms of one year, subject to replacement by such Representative's alternate at the discretion of the Board if such Representative has been absent from four consecutive meetings of the Board.

(c) Representatives shall not be Commissioners, but may serve as an alternate, provided that such Representative does not serve simultaneously at a meeting as both a Representative and an alternate and is an Elected Official. ~~Representatives and~~ shall have none of the rights or powers of such Commissioners, unless serving as an alternate, except as expressly provided herein. Without limiting the generality of the foregoing, such Representatives shall not:

- (1) have the right to vote with respect to any matter brought before the Board or any Board Committee or Standing or Advisory Committee;
- (2) be counted for purposes of determining the number of persons attending any meeting for quorum or voting purposes;
- (3) be eligible for election or appointment as an officer of the Authority;
- (4) be entitled to attendance fees or other compensation for attendance at meetings of the Authority or any committee thereof;
- (5) be entitled to attend or to otherwise participate in closed sessions of the Board or any Standing or Advisory Committee thereof, unless expressly authorized to attend and participate by the Board or Committee.

1.0 (d) The Board shall have the authority to establish such other conditions and limitations with respect to Representatives as it deems necessary or advisable.

[Amended on April 21, 1993; December 21, 2011, March 15, 2017]

Administration and Projects Committee **STAFF REPORT**

Meeting Date: March 2, 2017

Subject	<u>Adoption of Ordinance 17-01 to Amend the Approval of Proposed Revisions to Contra Costa Transportation Authority's (Authority) Administrative Code, Chapter 1, Article IV, Section 104.6 (c)</u>
Summary of Issues	The proposed revisions would clarify and make consistent various sections of the Authority's Administrative Code, Chapter 1, Article IV, Section 104.6 (c).
Recommendations	Staff seeks <u>adoption of Ordinance 17-01 to approve</u> approval of the proposed revisions to <u>amend</u> the Authority's Administrative Code, Chapter 1, Article IV, Section 104.6 (c).
Financial Implications	None
Options	<ol style="list-style-type: none"> 1. Do not approve the recommendation to revise the Administrative Code. 2. Suggest alternative language for the revision.
Attachments (<i>Revised Attachment A</i>)	A. <u>Ordinance 17-01 to Amend the Authority's Administrative Code, Chapter 1, Article IV, Section 104.6 (c), <u>with</u> proposed revisions, redline/strikeout - Revised</u>
Changes from Committee	<i>None. The Committee was advised that an Ordinance was being drafted for adoption at the Authority Board.</i>

Background

Article IV, Section 104.6 (c)

This revision would provide language to allow for a Board Ex-officio Representative to also serve as an alternate to a Board Commissioner providing that the Representative cannot simultaneously at any given meeting serve as the representative and alternate. Currently the administrative code language does not allow a Representative to also be an alternate.

In some instances, the Authority has an opportunity to appoint Commissioners to represent the Authority on other related transportation boards. The Administrative Code, as written, is clear that Representatives (ex-officio representatives) are not Commissioners, and Commissioner Alternates are considered Commissioners. The Administrative Code clarifies the determination that Representatives shall not be Commissioners for the following reasons:

1. Representatives do not have the right to vote;
2. Representatives cannot be counted for purposes of a meeting quorum;
3. Representatives are not eligible for election or appointment as an officer;
4. Representatives are not entitled to receive attendance fees or other compensation for attendance at meetings; and
5. Representatives are not entitled to attend or participate in closed sessions of meetings.

The revision, as proposed, would not be in any conflict of these stated reasons because at any particular meeting the Representative would either be the ex-officio representative or the alternate, but not both. If the representative was needed to sit as the alternate for a given meeting the representative's alternate would take the representative's seat. Staff seeks approval of adoption of Ordinance 17-01 to approve the proposed revisions to the Authority's Administrative Code, Chapter 1, Article IV, Section 104.6 (c).