



Contra Costa County Public Works Department


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Memo

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TO: Legislation Committee

FROM: Brian M. Balbas, Public Works Director 

SUBJECT: Legislative Proposal for Regional Stormwater Planning

Recommendation

CONSIDER recommending the Board of Supervisors authorize submittal of a legislative proposal to the California State Association of Counties and County Engineers Association of California that would include stormwater in the regional transportation planning process.

Background

State law (Senate Bill 375 - Sustainable Communities and Climate Protection Act of 2008) requires regional transportation, land use, and housing needs to be planned together through development of a Sustainable Communities Strategy for each region in the State. State law (Senate Bill 985 - Stormwater Resource Planning Act) also requires identifying, by watershed or region, all projects that improve stormwater quality or increase infiltration. Many of these stormwater projects are included within transportation corridors, as the objective is to treat stormwater runoff from paved surfaces. Housing projects must also address stormwater runoff from their streets and roofs. This legislative proposal would coordinate and integrate all these planning requirements; transportation, land use, housing, and stormwater needs.

Each metropolitan planning organization in the State must develop a Regional Transportation Plan, a long-range framework for improvements to the region's transportation network, and a Regional Housing Needs Allocation, a determination of housing needs for all income levels. Metropolitan planning organizations must also complete a Sustainable Communities Strategy that integrates transportation planning with housing and land-use needs. This requirement does not apply to regional transportation planning agencies that are not within the jurisdiction of a metropolitan planning organization, excluding many Northern California and Sierra Foothill counties. In the Bay Area the Metropolitan Transportation Commission and the Association of Bay Area Governments produced a Plan Bay Area in July 2013, the region's first Sustainable Communities Strategy.

One goal of Regional Transportation Plans is to help comply with federal and state laws related to the effects of transportation on public health, environmental protection, and resource management. Likewise, a goal of the Regional Housing Needs Allocation process is to protect environmental resources. Section 303d of the Clean Water Act identifies water bodies in the State that are impaired, requiring Regional Water Boards to develop attainment plans that meet water quality objectives. These attainment plans (Total Maximum Daily Loads) are written into the stormwater permits issued by Regional Water Boards to cities and counties, requiring the local government agencies to improve stormwater quality.

Transportation systems consist of paved surfaces that speed up stormwater runoff creating downstream erosion and impacts to watershed health. Cars, buses, and trucks generate pollutants such as tire particles, brake dust, and oil residue, negatively impacting water quality standards in State water bodies. Stormwater impacts are often mitigated at the project level, when a transportation system improvement is being planned and developed. The Water Board's long-range goal is when the built environment (transportation, commercial, residential, and public buildings) is rebuilt over the next 50 years that every drop of stormwater that lands on an impervious surface will be treated. This vision will be difficult to implement, especially in urbanized areas with little wiggle room for stormwater treatment. If stormwater needs are included in the Regional Transportation Plan process there will be opportunities to address impacts to stormwater on a regional basis rather than later at the project level. Areas can be set aside in each watershed to accommodate mitigation for projects that can't mitigate on-site, including transportation projects, housing projects, and other infrastructure or development projects. The Water Board allows treatment of project level impacts to stormwater to be treated at a regional level through an alternative compliance process. Regional stormwater solutions can be more cost effective for project implementation and be more beneficial to water quality. The same is true for mitigating stormwater impacts from development and housing projects.

Well-designed stormwater projects, known as green infrastructure, direct stormwater to planted areas to remove pollutants and increase infiltration. Increased infiltration raises groundwater levels and boosts summer flows, allowing riparian and other watershed vegetation to survive and thrive. Maintenance or enhancement of existing watershed vegetation or installation of new vegetation removes carbon from the atmosphere and locks it in plant material, meeting the underlying purpose of SB 375.

SB 375 was a bold step to integrate transportation planning and housing needs. This legislative proposal would include stormwater in that integrated regional planning process. All of these regional planning efforts are interrelated and there are economic, resource management, and social benefits to including stormwater in the Strategic Communities Strategy process.

Staff recommends the Committee support this legislative proposal and recommend the Board of Supervisors authorize submittal of the proposal to CSAC and CEAC.