



Contra  
Costa  
County

To: Board of Supervisors  
From: Julia R. Bueren, Public Works Director/Chief Engineer  
Date: October 25, 2016

Subject: Adopt Resolution No. 2016/579 for the Contra Costa Watersheds Storm Water Resource Plan grant project.

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### **RECOMMENDATION(S):**

ADOPT Resolution No. 2016/579, approving and authorizing the Flood Control and Water Conservation District, on behalf of the Contra Costa Clean Water Program, to negotiate and enter into a Stormwater Planning Grant Agreement with the State of California for the Contra Costa Watersheds Storm Water Resource Plan grant project, and authorize the Chief Engineer of the District to sign the agreement in substantially the form attached to the resolution, and any related documents, Countywide. Project No. 6X7619

### **FISCAL IMPACT:**

The total cost of the project is estimated to be \$999,960, with \$499,420 funded by the Proposition 1 Storm Water Grant Program, and the \$500,540 match funded by stormwater utility fee assessments collected by the Cities/Towns and County, proportional to their respective populations and through in-kind labor costs provided directly by Permittees' staffs.

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☒ APPROVE

☐ OTHER

☒ RECOMMENDATION OF CNTY ADMINISTRATOR

☐ RECOMMENDATION OF BOARD COMMITTEE

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Action of Board On: **10/25/2016** ☒ APPROVED AS RECOMMENDED ☐ OTHER

Clerks Notes:

### **VOTE OF SUPERVISORS**

AYE: John Gioia, District I Supervisor  
Candace Andersen, District II Supervisor  
Mary N. Piepho, District III Supervisor  
Karen Mitchoff, District IV Supervisor  
Federal D. Glover, District V Supervisor

I hereby certify that this is a true and correct copy of an action taken and entered on the minutes of the Board of Supervisors on the date shown.

ATTESTED: October 25, 2016

David Twa, County Administrator and Clerk of the Board of Supervisors

By: Stacey M. Boyd, Deputy

Contact: Fan Ventura, (925)  
313-2194

cc:

## BACKGROUND:

The Contra Costa Clean Water Program (the “CCCWP”) consists of Contra Costa County, its 19 incorporated cities/towns, and the Contra Costa County Flood Control and Water Conservation District (hereinafter referred to collectively as “Permittees”). The CCCWP was established in 1991 through a Program Agreement in response to the 1987 amendments to the federal Clean Water Act (the “CWA”), which established a framework for regulating municipal stormwater discharges under the National Pollutant Discharge Elimination System (“NPDES”) Permit Program. The United States Environmental Protection Agency (the “USEPA”) published final rules implementing the 1987 CWA amendments in November 1990. The rules mandate that Permittees obtain and implement stormwater permits designed to reduce and eliminate the discharge of pollutants into and from Municipal Separate Storm Sewer Systems (the “MS4s”) they own and operate. Through the CCCWP, Permittees conduct many of the mandated activities collectively (referred to as “Group Activities”), such as water quality monitoring, special studies, and public education. The roles and responsibilities of the CCCWP and Permittees are outlined in the Program Agreement, which was last updated and adopted by all Permittees in June 2010.

In September 2014, the California Legislature adopted Senate Bill (SB) 985, *Stormwater Resource Planning Act*. SB 985 amended the State’s Water Code to require that a public agency develop a Storm Water Resource Plan (Resource Plan) in order to receive grants from a bond act approved after January 1, 2014 for storm water and dry weather runoff capture projects. The SB 985 requirement to prepare a Resource Plan is: (1) directed to public agencies; (2) must include a prioritized list of projects to address storm water and dry weather runoff capture on a watershed basis, and (3) must be developed in accordance with the State Water Resources Control Board’s (State Water Board) Resource Plan Guidelines.

The Water Quality, Supply, and Infrastructure Improvement Act of 2014 (Proposition 1) was approved by California voters in November 2014. Among other funds, Prop 1 provides \$200 million for a Storm Water Grant Program (SWGP), which provides matching grants to public agencies, nonprofit organizations, public utilities, state and federally recognized Indian tribes, and mutual water companies for multi-benefit storm water management projects, such as green infrastructure, rainwater and storm water capture projects and storm water treatment facilities.

On December 15, 2015, the State Water Board adopted the final Resource Plan Guidelines, as well as the Proposition 1 SWGP Guidelines. The Proposition 1 SWGP provides funds for Planning grants and Implementation grants.

State Water Code section 79704 allows up to ten percent of the SWGP Prop 1 grant funds (up to \$20 million) for development of a Resource Plan meeting the requirements of SB 985 and the State Water Board’s SWRP Guidelines. Planning grants range from

\$50,000 to \$500,000 and require a 50% match.

In order for municipalities to compete for SWGP implementation grants, and any future bond monies for stormwater and dry weather capture projects, they must develop a Resource Plan.

After consulting with its Administrative Committee, CCCWP staff requested and received approval from its Management Committee on February 17, 2016, to develop and submit a countywide planning grant application. The application was submitted in March. CCCWP was notified in July that its project application, *Contra Costa Watersheds Storm Water Resource Plan (CCWSWRP)*, was approved for grant funding. Development of the CCWSWRP will be a regional collaboration between the Contra Costa County Flood Control and Water Conservation District on behalf of the Contra Costa Clean Water Program (representing 21 stormwater permittees), water resource agencies, watershed and creek groups, to develop a watershed-based planning approach designed to yield long-term multiple benefits in water quality, water supply, flood control, habitat restoration, social involvement, and community enhancement throughout Contra Costa County. With broad stakeholder involvement and the adaptive framework created by multi-benefit quantification modeling, GIS resource mapping, project identification and evaluation methods, the CCWSWRP will respond to regulator requirements, water quality stressors, and community and creek-specific priorities, resulting in prioritized, watershed-based implementation projects that will provide multiple resource and community benefits regionwide.

The next step in the grant process is to adopt a resolution allowing the Flood Control District, on behalf of CCCWP, to enter into a grant agreement and designate an authorized signatory for all grant project documents.

CCCWP staff, on behalf of the Permittees, respectfully requests adoption of this Resolution.

#### CONSEQUENCE OF NEGATIVE ACTION:

If Resolution No. 2016/579 is not adopted, grant funding would be forfeited. Permittees would not be able to compete for future grant funding provided for stormwater treatment, green infrastructure, and stormwater capture and use projects, which are required to comply with the NPDES permits.

#### CHILDREN'S IMPACT STATEMENT:

#### ATTACHMENTS

Resolution No. 2016/579

Prop 1 Grant Agreement template