



**Contra
Costa
County**

To: Board of Supervisors
From: Julia R. Bueren, Public Works Director/Chief Engineer
Date: February 7, 2017

Subject: APPROVE the Contra Costa Watershed Storm Water Resource Plan and related actions under the California Environmental Quality Act.

RECOMMENDATION(S):

APPROVE the development of the Contra Costa Watershed Storm Water Resource Plan, Countywide. [County Project No. 7505-6F8267, / DCD-CP#16-49] (Districts: I, II, III, IV, & V)

DETERMINE the Project is a California Environmental Quality Act (CEQA), Statutory Exemption, pursuant to Article 18, Section 15262 of the CEQA Guidelines, and DIRECT the Director of Conservation and Development to file a Notice of Exemption with the County Clerk, and AUTHORIZE the Public Works Director, to arrange for payment of a \$25 fee to Conservation and Development for processing, and a \$50 fee to the County Clerk for filing the Notice of Exemption.

FISCAL IMPACT:

50% Proposition 1 Grant Funding and 50% Stormwater Utility Fee Assessments.

BACKGROUND:

The Contra Costa Clean Water Program (CCCWP) consists of Contra Costa County, its 19

☒ APPROVE

☐ OTHER

☒ RECOMMENDATION OF CNTY ADMINISTRATOR

☐ RECOMMENDATION OF BOARD COMMITTEE

Action of Board On: **02/07/2017** ☒ APPROVED AS RECOMMENDED ☐ OTHER

Clerks Notes:

VOTE OF SUPERVISORS

AYE: John Gioia, District I Supervisor
Candace Andersen, District II Supervisor
Diane Burgis, 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: February 7, 2017

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

By: Stacey M. Boyd, Deputy

Contact: Trina Torres,
925-313-2176

cc:

incorporated cities/towns, and the

BACKGROUND: (CONT'D)

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 (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 (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 (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, California Senate Bill (SB) 985, Stormwater Resource Planning Act, was adopted. It requires public agencies to develop a Storm Water Resource Plan in order to receive grants from any State bond act approved after January 1, 2014 for storm water and dry weather runoff capture projects. A Storm Water Resource Plan must include a prioritized list of projects to address storm water and dry weather runoff capture on a watershed basis. The Storm Water Resource Plan must be developed in accordance with the State Water Board’s Storm Water Resource Plan Guidelines.

The Water Quality, Supply, and Infrastructure Improvement Act of 2014 (Prop 1) created the Storm Water Grant Program (SWGP), which provides matching grants to public agencies and other entities for multi-benefit storm water management projects. Multi-benefit storm water management projects include green infrastructure, rainwater and storm water capture projects and storm water treatment facilities.

The Prop 1 SWGP provides funds for Planning Grants and Implementation Grants. Planning grants help fund the development of a Storm Water Resource Plan (SWRP) that meets the requirements of SB 985 and the State Water Board’s SWRP guidelines. Implementation Grants help fund priority projects included in the SWRP.

In March 2016, the Contra Costa County Flood Control and Water Conservation District (District), on behalf of the Contra Costa Clean Water Program (CCCWP), submitted an application for Planning Grant funding for the Contra Costa Watersheds Storm Water Resource Plan (CCWSWRP) project. In July 2016, the District and CCCWP were notified that the grant application was approved for funding.

Before work can begin on the CCWSWRP, the grant funding agreement with the State must be in place. Prior to execution of the agreement, the State requires, among other

things: (1) a resolution authorizing a specific individual the ability to execute the grant agreement and related documents, and (2) an environmental review and findings on the project. The resolution was approved by the Board of Supervisors on October 25, 2016. The action being requested by this Board Order involves the environmental review.

Once the grant agreement is executed, work on the plan can be implemented.

CONSEQUENCE OF NEGATIVE ACTION:

If this item is not approved, the Permittees will not be able to apply for State grant funding for stormwater management projects. These projects will subsequently be deferred until sufficient funding is available, resulting in potential delays in permit compliance. In addition, this planning process will result in stormwater management planning tools that are required by Permittees' NPDES permits. If this item is not approved, Permittees will have to find another way to develop these tools and/or risk non-compliance with their NPDES permits. Fines could potentially be imposed.

ATTACHMENTS

CEQA document