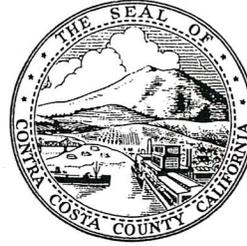


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Contra Costa County

TO: BOARD OF SUPERVISORS, AS GOVERNING BOARD OF THE FLOOD CONTROL & WATER CONSERVATION DISTRICT

FROM: TRANSPORTATION, WATER AND INFRASTRUCTURE COMMITTEE

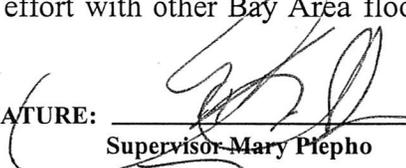
DATE: NOVEMBER 13, 2006

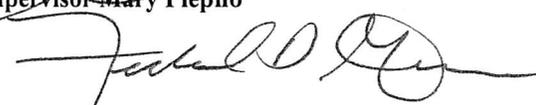
SUBJECT: ADOPT THE BAY AREA INTEGRATED REGIONAL WATER MANAGEMENT PLAN

SPECIFIC REQUEST(S) OR RECOMMENDATION(S) & BACKGROUND AND JUSTIFICATION

RECOMMENDED ACTION:

ADOPT the San Francisco Bay Area Integrated Regional Water Management Plan (IRWMP) dated November 6, 2006; AUTHORIZE the Chief Engineer, Contra Costa County Flood Control and Water Conservation District (District), or designee, to continue participating in the process of updating, modifying, and revising the IRWMP; DIRECT the Chief Engineer to participate in an effort with other Bay Area flood control agencies to form an association for coordinating input to the IRWMP.

SIGNATURE: 
Supervisor Mary Piepho

SIGNATURE: 
Supervisor Federal Glover

CONTINUED ON ATTACHMENT:

RECOMMENDATION OF COUNTY ADMINISTRATOR RECOMMENDATION OF BOARD COMMITTEE
 APPROVE OTHER

SIGNATURE(S): 

ACTION OF BOARD ON December 05, 2006 APPROVED AS RECOMMENDED OTHER

VOTE OF SUPERVISORS:
 UNANIMOUS Vacant - District IV
AYES: _____ NOES: _____
ABSENT: _____ ABSTAIN: _____

I HEREBY CERTIFY THAT THIS IS A TRUE AND CORRECT COPY OF AN ACTION TAKEN AND ENTERED ON MINUTES OF THE BOARD OF SUPERVISORS ON THE DATE SHOWN.

Contact: Greg Connaughton (925-313-2271)
GC:cw
G:\FldCtl\Board Orders 2005 Onward\2006 BO\IRWMP TWIC BO--12-05-06 BOS.doc

ATTESTED December 05, 2006
JOHN CULLEN, CLERK OF THE BOARD OF SUPERVISORS

cc: County Administrator
Gloria Slusher, Community Development
Public Works:
Maurice Shiu, Chief Engineer
R. Mitch Avalon, Deputy Chief Engineer
Flood Control

BY:  , DEPUTY

PH

SUBJECT: APPROVE THE BAY AREA INTEGRATED REGIONAL WATER MANAGEMENT PLAN
DATE: NOVEMBER 13, 2006
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FISCAL IMPACT:

No impact to the General Fund. Some District staff time will be required on an ongoing basis. The District will benefit from coordination of its projects with those of other water, waste water, flood management, stormwater quality and environmental organizations in the Bay Area.

REASONS FOR RECOMMENDATIONS AND BACKGROUND:

The State of California established a new grant awarding process in the Guidelines for Disbursement of Chapter 8 funds from Proposition 50, approved by voters on November 5, 2002 (Water Code Sections 79560-79565). The Guidelines require that projects eligible for financing be consistent with an adopted integrated regional water management plan. In response to this requirement, the Association of Bay Area Governments (ABAG) utilized its existing ABAG-CALFED Water Management Subcommittee (subcommittee to the ABAG-CALFED Task Force) to engage Bay Area water agencies, local government representatives, environmental groups, and the general public in developing the IRWMP that identifies, coordinates, and prioritizes projects within the Bay Area.

On March 23, 2004, the Board approved and authorized the Chief Engineer to sign a Letter of Mutual Understanding (LOMU) that memorialized the intent of the District to participate in the development of the IRWMP. The LOMU is non-binding and nonexclusive. The primary goals of the LOMU were to (1) facilitate regional cooperation in the areas of water supply reliability, water recycling, desalination, water conservation, water quality improvements, stormwater capture and management, flood management, recreation and access, wetlands enhancement and creation, and environmental habitat protection and improvement; and (2) foster coordination, collaboration and communication amongst participating agencies to achieve greater efficiencies, enhance public services, and build public support for vital plans and projects; and (3) position the Bay Area to receive CALFED and other state and federal grant funding with requirements for regional planning.

The IRWMP was developed over the last eighteen months through consensus of a large group of diverse organizations. A copy of the IRWMP Executive Summary is attached. In order to make the process more manageable and orderly, the discussions were separated into four natural functional areas of mutual interest: 1) Water Supply and Water Quality; 2) Waste Water and Recycled Water; 3) Flood Protection and Stormwater Management; and 4) Watershed Management, Habitat Protection, and Restoration. Several agencies and organizations in each of these functional areas provided the leadership necessary to secure participation of peer organizations in discussion of a regional plan for the functional area, gathering project information, and developing consensus on the goals, strategies, and criteria used to prioritize projects. Four functional area documents (FAD) were produced that include the goals, strategies and a prioritized list of projects pertaining to the functional area.

Representatives, from the agencies leading the functional area groups, met as the Technical Coordinating Committee (TCC) to integrate the FADs and to define the overall regional implementation strategy and set the overarching vision of the IRWMP. The TCC process involved the following steps:

- Compiling the issues, conflicts, and challenges from each of the FADs and defining the common water resource management interests.
- Compiling the various goals and objectives identified in each of the FADs to address water management challenges and identifying overarching goals that transcend all functional areas of water resource management.
- Revising overarching goals and objectives based on stakeholder input and feedback and developing a vision to guide implementation of the IRWMP.

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In order to ensure the transparency of the process, the TCC held four stakeholder workshops that were open to the public. With consideration of all the various input, the TCC crafted the following Vision Statement for the Bay Area IRWMP:

Working together to enhance sustainable water resources management to support a high quality life in the Bay Area.

Subsequently, the Vision, common interests, and FADs were consolidated to become the essence of the IRWMP.

The IRWMP presents 126 projects for potential grant funding. Many of these projects will provide indirect benefits to Contra Costa County. However, ten projects are located in Contra Costa County, including projects on Pinole and Wildcat Creeks that were submitted by the District. The Guidelines and the procedures developed by the State Department of Water Resources and the State Water Resources Control Board mandate that the IRWMP be formally adopted, as evidenced by a resolution or other written documentation, by the governing bodies of the agencies and organizations that participated in the development of the IRWMP and have responsibility for its implementation. Therefore, the Board of Supervisors, as the Governing Board of the Flood Control and Water Conservation District, must approve the IRWMP in order for the projects on Pinole and Wildcat Creeks to be eligible for grant funding.

The IRWMP, like the LOMU, is a non-binding document. Adoption of the IRWMP does not entail a direct commitment of resources. Implementation of each project identified in the IRWMP will be the responsibility of the project proponent and any applicable project partners. There is no joint commitment or responsibility by the IRWMP participants or LOMU signatories to implement any or all of the projects. Furthermore, the project proponents and applicable project partners have discretionary authority over project design and implementation and may elect not to implement a project based on changing regional conditions or needs. Upon implementing a project, project proponents will be responsible for ensuring that all regulatory requirements for the project are met.

The IRWMP consists of a planning study and basic data collection that will not result in the disturbance of any environmental resource. Therefore, the IRWMP is exempt from the California Environmental Quality Act (CEQA) pursuant to CEQA Guidelines §15262 and §15306. As such, programmatic environmental analysis under CEQA is not required.

There are four functional Service Areas in the IRWMP, one of which is flood control and stormwater. Proposed projects for the IRWMP must be coordinated with all flood control agencies within the Bay Area. There currently is an association for water agencies for their functional service area and waste water agencies for their functional service area. In addition, the Coastal Conservancy has acted as the coordinating agency for the Watershed and Habitat Protection Service Area. All of the agencies associated with the functional service areas have a coordinating association except the Flood Control Districts. A recent meeting was held amongst interested Bay Area flood control agencies, and there was a strong interest in forming a coordinating association.

Staff recommends that the Board of Supervisors adopt the Bay Area IRWMP and direct the Chief Engineer to continue participation in discussions to refine and update the IRWMP. Further, staff recommends the Board authorize the Chief Engineer to participate with other Bay Area flood control agencies to form a coordinating association to provide input into the Integrated Regional Water Management Planning process and realize other benefits of sharing information with other agencies.

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CONSEQUENCES OF NEGATIVE ACTION:

The District will not qualify for grant funding under State programs that require conformance to the Bay Area IRWMP.