



CITY OF MILPITAS AGENDA REPORT (AR)

Item Title:	Adopt a Resolution Approving the Green Stormwater Infrastructure Plan as Required by the Municipal Regional Stormwater Permit
Category:	Consent Calendar-Community Development
Meeting Date:	9/3/2019
Staff Contact:	Steve Erickson, 408-586-3301
Recommendation:	Adopt a resolution approving the Green Stormwater Infrastructure Plan as Required by the Municipal Regional Stormwater Permit.

Background:

The City of Milpitas is subject to the requirements of the State Municipal Regional Stormwater Permit (MRP) which applies to 76 municipalities and local agencies within the San Francisco Bay area (Order R2-2015-0049), which became effective on January 1, 2016.

The MRP requires the creation and implementation of a long range Green Stormwater Infrastructure Plan (GSI Plan) for the inclusion of storm water Low Impact Development (LID) measures constructed on both private development and City capital projects. LID measures mimic nature and reduce stormwater runoff and pollution by minimizing impervious surfaces, and enhancing water infiltration, storage, and treatment. These measures reduce the volume of stormwater runoff and pollution from entering into the local water course.

Examples of GSI LID measures that have been implemented on projects:

- Landscape-based “bio-treatment” areas that use soil and plants to treat stormwater;
- Pervious paving systems (e.g. interlocking concrete pavers, porous asphalt, and pervious concrete) that allow stormwater to soak into the ground;
- Rainwater harvesting systems (e.g. cisterns and rain barrels) that capture stormwater for non-potable uses such as toilet flushing and landscape irrigation; and
- Other methods to capture, infiltrate and/or treat stormwater.

The City contracted with EOA Inc. to assist in the preparation of a GSI Plan Framework and work plan describing the goals, approach, tasks, and schedule for the completion of the final GSI Plan. The GSI Framework was approved by City Council on June 6, 2017, was submitted to the Regional Water Quality Control Board on September 30, 2017. The final GSI Plan has been completed and is now ready for Council approval. As mandated by the requirements of the MRP, the approved final GSI plan is required to be submitted to the Regional Water Quality Control Board on September 30, 2019.

Analysis:

The GSI Plan describes the City’s goals, targets, and priorities for implementing GSI projects over a 20-year time frame (2020 to 2040). The Plan will guide the identification, prioritization, design, implementation, tracking and reporting of GSI projects within the City of Milpitas. The GSI Plan will be coordinated with other City development planning documents including the General Plan to achieve multiple potential benefits to the community including improved water quality, reduced potential for local flooding, improved wildlife habitat, and a more pleasant urban environment.

To meet MRP requirements, the GSI Plan contains the following mandatory elements:

- **Project Identification and Prioritization Mechanism:** The GSI Plan describes the mechanism by which the City will identify, prioritize and map areas for potential and planned projects that incorporate green stormwater infrastructure components in different drainage areas within the City. These include public and private projects that may be implemented over the long term, with milestones for implementation by 2020, 2030 and 2040. The mechanism will include the criteria for prioritization and outputs that can be incorporated into the City's long term planning and capital improvement processes.
- **Prioritized Project Locations and Timeframes:** The GSI Plan contains outputs resulting from the identification and prioritization mechanism, and includes lists and maps of prioritized projects and timeframes for implementation.
- **Targets for Impervious Surfaces Retrofitted:** The GSI Plan estimates the amount of impervious surfaces, both public and private, that will be retrofitted with GSI by 2020, 2030 and 2040.
- **Completed Project Tracking System:** The GSI Plan describes the process for tracking and mapping completed public and private projects and making the information available to the public.
- **Guidelines and Specifications:** The GSI Plan includes general design and construction guidelines, standard specifications and details for incorporating green stormwater infrastructure components into projects within the City.
- **Integration with Other Plans:** The GSI Plan identifies existing City planning documents that would need to be updated or modified to support and incorporate green stormwater infrastructure requirements, and a schedule for completing the updates.
- **Evaluation of Funding Options:** The GSI Plan evaluates funding options for design, construction, and long term maintenance of prioritized green stormwater infrastructure projects, considering local, state and federal funding sources.

Policy Alternative:

Deny approval of the Green Stormwater Infrastructure Plan.

Pros: Not proceeding with the adoption of the GSI plan would allow City project to continue to not include LID improvements with its CIP projects, which would be a cost savings.

Cons: The creation and adoption of the GSI Plan requiring the implementation of LID improvements is mandated by the State MRP permit. The City would not be in compliance with the MRP if it does not adopt the GSI Plan.

Reason not recommended: To comply with requirements and mandates of the state MRP which is enforced by the Regional Water Quality Control Board, staff recommends approval of the Green Stormwater Infrastructure Plan.

Fiscal Impact:

The adoption of the GSI plan is mandated by the Regional Water Quality Control Board. The implementation of GSI improvements on City CIP projects will increase the design and construction cost for the project by an estimated amount of 10-15% depending on the type of LID selected.

California Environmental Quality Act:

Approving the GSI Plan is exempt from review under the California Environmental Quality Act (CEQA) pursuant to CEQA Guidelines Section 15308. Class 8 categorical exemption is provided for actions authorized by state or local law to assure the maintenance, restoration, enhancement, or protection of the environment where the regulatory process involves procedures for the protection of the environment. Projects subject to the GSI Plan will undergo appropriate CEQA review prior to approval.

Recommendation:

Adopt a resolution approving the Green Stormwater Infrastructure Plan as required by the Municipal Regional Stormwater Permit.

Attachments:

Resolution and Green Stormwater Infrastructure Plan & Appendices