

# Regional Alternative Compliance Project Overview

## **Background and Objective:**

The Cities of San Pablo, Walnut Creek and Richmond in addition to Contra Costa County have partnered for an EPA San Francisco Bay Water Quality Improvement Fund grant to develop and pilot a Regional Alternative Compliance System in Contra Costa County (Project).

The objective of the Project is to develop an Alternative Compliance System (System) with the ability to efficiently and cost-effectively improve water quality, achieve multiple water quality benefits and reduce compliance pressures on permittees. It is intended that the System developed will help facilitate green stormwater infrastructure/low impact development (GSI/LID) across the San Francisco Bay Area with the potential for substantial cost savings, all while meeting Municipal Regional Permit and TMDL water quality goals. **This Project will develop a Regional Alternative Compliance System for Contra Costa County, with the intent that the Project deliverables be easily implementable for other regions and entities** subject to the same water quality compliance requirements.

## **General Project Information:**

The Project will bring together experts from across the Bay Area and the nation to develop an Alternative Compliance System that is tailored to the unique context of the SF Bay Area. In order to achieve this goal, local permittee knowledge will be requested from volunteer representatives and other stakeholders during System development. This feedback will be compiled and considered in an effort to create a System that works for all entities that could ultimately participate regionally. There will be 3 committees developed to facilitate permittee engagement:

*Steering Committee (SC)*- This Committee will be comprised of representatives from the Cities of San Pablo, Walnut Creek and Richmond, as well as Contra Costa County. This group will ultimately guide the development of the Alternative Compliance System. The SC and the Consultant Team together are the Project Team.

*Advisory Committee (AC)*- This Committee will be open to stakeholders that have an interest in being involved in future alternative compliance projects and would therefore like to provide input. Representatives will be invited from the following entities:

- Alameda County, San Mateo County and Santa Clara County Programs: 2 representatives each
- Solano/Fairfield-Suisun, Marin County, Sonoma County and Napa County Programs: 1 representative each
- Caltrans, Port of Oakland and SFPUC stormwater staff: 1 representative each, as interested

There is the potential for additional members to join the AC; however, this Committee will be limited to ~12-15 participants outside of the Project Team to allow for focused input. The Project Team will reach out to each of the above entities to request representatives for this Committee.

*Technical Advisory Committees (TACs)*- These ad hoc Committees will consist of technical, regulatory and/or legal experts to advise on specific issues or questions that arise as part of the Project. Regulatory agencies will be invited to provide guidance and input, in addition to a small subset of permittees.



## Tentative Project Outline and Timeline:

- **May 2020: 1 Workshop**
  - One (1) Workshop open to interested stakeholders. Meeting topic: *Introduction to the Project and the basics of market-based/alternative compliance systems.*
- **May – September 2020:** Various meetings will be held to define the foundations of an Alternative Compliance System.
  - **May 2020: 1 TAC meeting and 1 AC meeting**
    - Meeting topic: *What is/are the guiding metric(s) for the Alternative Compliance System? (Some may refer to this as determining the appropriate “credit(s).”)*
  - **June 2020: 1 TAC meeting and 1 AC meeting**
    - Meeting topic: *What type of Alternative Compliance System is preferred/best for the Bay Area? What are the legal and fiscal implications of different types of systems?*
      - The Project will explore different types of systems including: centralized systems (central banking entity to sell and buy credits, also known as an Open Market system), decentralized systems (individual agreements, also known as a Case-by-Case system) and other hybrid options.
  - **September 2020: 1 - 2 TAC meetings and 1 AC meeting**
    - Meeting topic: *How is/are guiding metric(s) tracked and certified for ongoing compliance?*
      - This will include discussions about ongoing funding of operations and maintenance, and GIS-based reporting and tracking.
- **September 2020 – December 2020:** After direction on each of the key questions above, the Project Team will develop a draft Alternative Compliance System.
- **January 2021: 1 Workshop, 1 AC meeting**
  - One (1) workshop and one (1) AC meeting will be held to provide an overview of the proposed system and receive comments.
- **June 2021: 1 TAC meeting and 1 AC meeting**
  - Meeting topic: *Legal review of the Alternative Compliance System.*
    - City and/or County attorneys, along with an attorney specialized in the Federal Clean Water Act, will provide feedback from their legal review of the System.
- **January 2022: 1 AC meeting**
  - Meeting topic: *Lessons learned from pilot testing of the Alternative Compliance System.*
    - Lessons learned from Alternative Compliance System pilot projects and resulting changes to the Alternative Compliance System.
- **June 2022:** Project completion, final documents to be released.

**Please note that, with the recent Shelter-In-Place Order, this timeline may be delayed and/or some meetings may be held online. The Project Team is working to adapt to the ongoing changes.**

## Project Deliverables:

Deliverables for the Project may include **template documents** (e.g. MOUs, contract documents, staff reports, invoice documents, operations and maintenance inspection certification, etc.), **guidance documents** (e.g. a summary report, instructions/procedures for implementation, etc.) and an **online tracking tool** and/or tool development support (e.g. online tracking system through SFEI’s GreenPlan-IT Tracker, functional requirements, process documentation, online training webinars, etc.).

For questions please contact the Project Managers: Amanda Booth ([amandab@sanpabloca.gov](mailto:amandab@sanpabloca.gov)) and Kelly Havens ([khavens@Geosyntec.com](mailto:khavens@Geosyntec.com)).

