EPA Stormwater Funding Forum

April 5, 2017

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Stormwater is……

Groundwater Supply

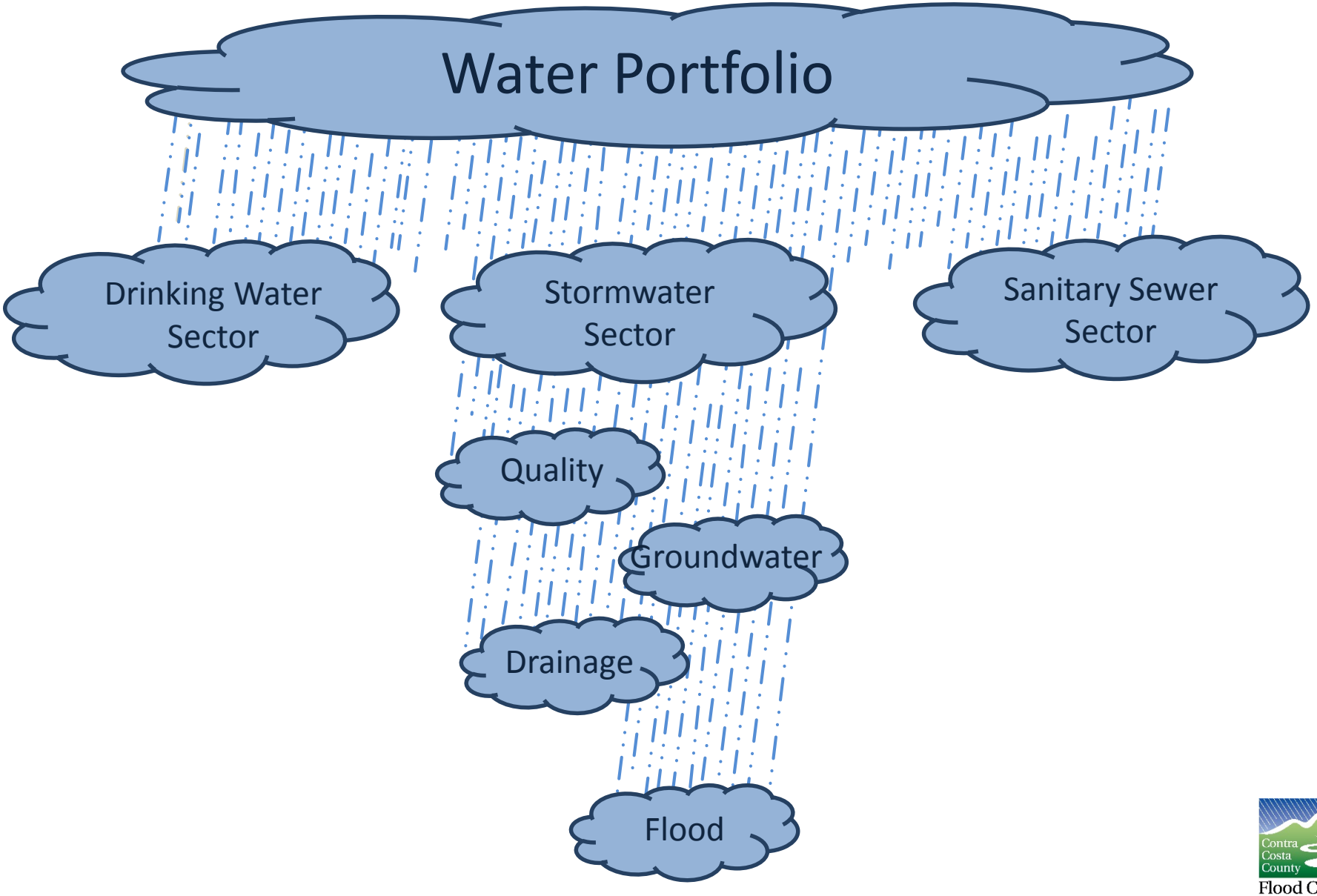
Regional Flood Protection

Community Drainage

Stormwater Quality

Contra Costa County
Flood Control
& Water Conservation District

Anatomy of California Water Portfolio



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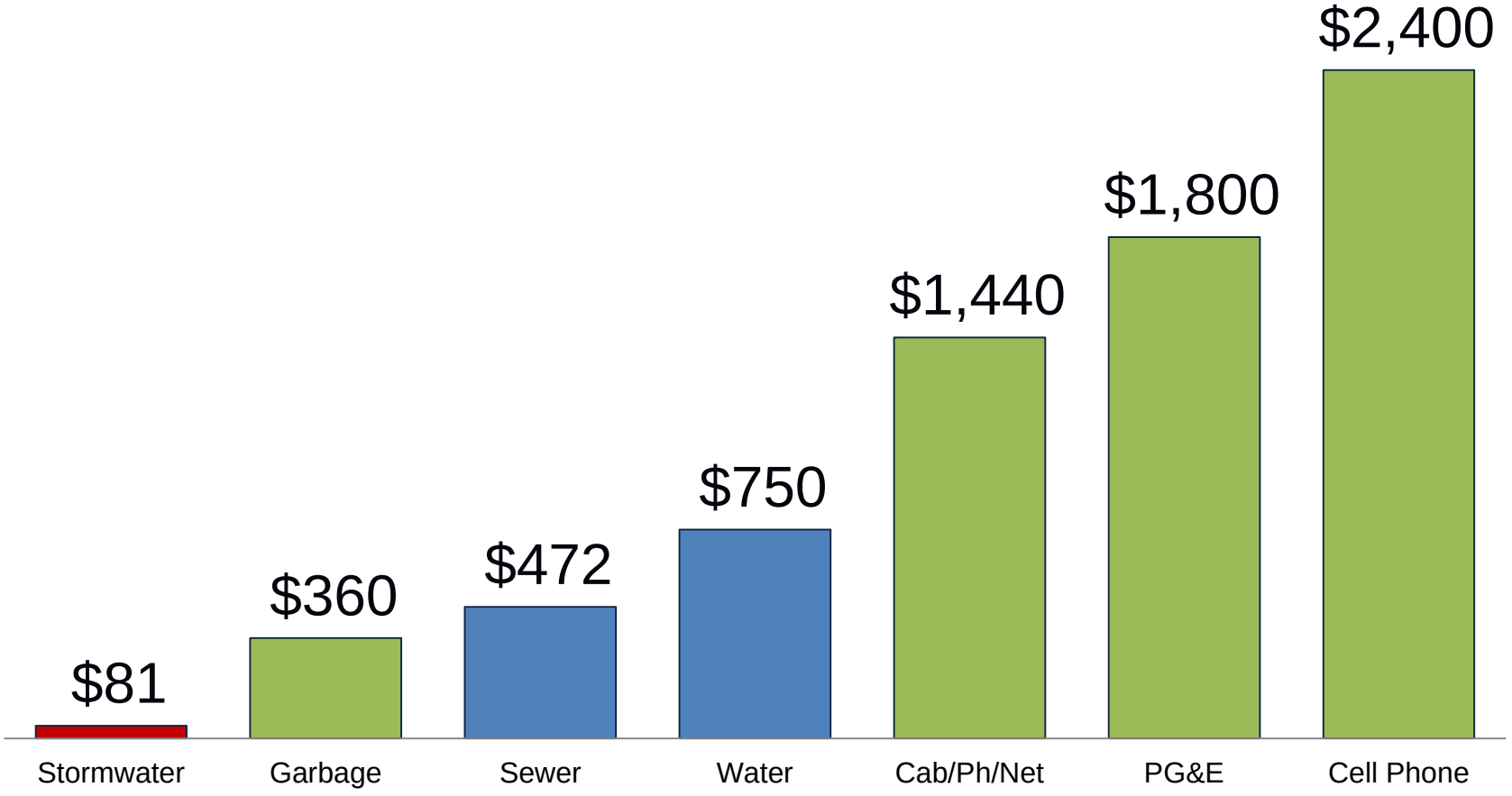
Society's Investment in Stormwater



Annual Costs Based on $500,000 home/family in Walnut Creek

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MRP 2.0 Costs (Contra Costa)

- Worse case scenario: $200 million total costs
- Most likely scenario: $65 million total costs
- Annual revenue is $3 million
- Program cost increases
- Infrastructure construction cost increases
- Infrastructure maintenance cost increases
  - $1,800 per FTCD annual cost
  - $3,000 per treated acre ($2 per SF) annual cost

Stormwater Funding Options

- Bonds/grants (not a long-term solution)
- Statewide ballot measure
  - Stormwater is a “utility”
  - Raise revenue similar to water and wastewater districts
  - Local control
- Expand/clarify legislative intent

Statewide Ballot Measure

- Modify Article 10 of the Constitution
- No modification to Article 13
- Direct changes to Proposition 13 will not be successful
- Several statewide associations still interested in this option
- Success requires political and popular support

Expand Legislative Intent

- Funding must comply with 218 exemption for water or sewer
- Stormwater is not water or sewer per the courts
- Expanding/clarifying legislative intent will help future court decisions
- 1997 Omnibus Act includes guidelines for implementing Proposition 218

Current Legislative Efforts

- Senate Bill 231 (Herzberg)
  - Modifies the Omnibus Act
  - Includes “stormwater” in the definition of “sewer”
  - If enacted, requires a court decision to “consummate” the change in legal precedence