



● **Board of Directors**
Communications and Legislation Committee

8/15/2017 Board Meeting

8-8

Subject

Adopt CEQA determination and adopt Legislative Policy Principles on Stormwater Capture

Executive Summary

This board letter outlines Legislative Policy Principles recommended by staff in response to recent proposed stormwater-related legislation.

Details

As described in Metropolitan's Integrated Water Resources Plan 2015 Update, stormwater is an integral component of the region's local water supply as it replenishes groundwater basins and surface water reservoirs. However, increased urbanization and drought has led to a decrease in natural percolation and poses a threat to sustainable groundwater resources. To partially offset the loss of percolation, the region has been actively capturing stormwater for groundwater recharge through the creation and operation of spreading basins and other facilities for more than 100 years.

In addition to the traditional flood control and groundwater recharge facilities, many local agencies are designing and implementing integrated watershed projects and plan to enhance stormwater and dry-weather recharge and direct use. These projects and plans generally incorporate multiple benefits, such as reduced flooding, increased water supply, enhanced recreational opportunities and wildlife habitat, and reduced stormwater pollution. Federal and state funding further encourages this approach by promoting the development and implementation of Integrated Regional Water Management Plans.

Recently, multiple pieces of legislation have been introduced that involve stormwater capture activities. Metropolitan staff recommends adopting the following Legislative Policy Principles to allow staff to take positions on current and future legislative initiatives related to stormwater capture.

Legislative Policy Principles on Stormwater Capture

Metropolitan's interest in stormwater capture largely centers on providing reliable supplies of high-quality water to the region. Effective stormwater management utilizes a partnership-based, collaborative approach to address a broad range of stakeholder needs.

Encourage the beneficial use of stormwater as a water supply resource

- Support state and federal programs and resources that facilitate stormwater capture to augment water supply.
- Support administrative or legislative action to promote stormwater as a beneficial resource without compromising the operational, financial, regulatory, and customer interests of Metropolitan and other water agencies.
- Confirm that potential adverse impacts on existing water rights and source water quality (e.g., groundwater reservoirs and instream flows) are appropriately mitigated.

- Recognize that the optimal beneficial use of stormwater and dry-weather runoff may vary per region, depending on the physical/geological/hydrological parameters specific to each local area, and legislation should allow for an adaptive approach to project planning and implementation.
- Support local and regional primacy in the management of surface and ground water resources in basin management and land-use planning, considering local conditions, needs, and objectives.

Promote the availability of state and federal financing and funding for stormwater activities that enhance water supplies

- Support state and federal financing and funding programs that facilitate local and regional stormwater planning, implementation, and operations and maintenance activities that lead to increased water supply.
- Support state and federal financing and funding programs for stormwater capture activities that also promote protection and improvement of source water quality.

Facilitate more efficient permitting mechanisms

- Support efforts to facilitate permitting of regional and onsite stormwater capture projects.

Promote integrated and collaborative planning processes

- Support Integrated Regional Water Management planning and public participation processes that include public drinking water suppliers as stakeholders and facilitate cooperative working relationships among all watershed stakeholders.

These Legislative Policy Principles on Stormwater Capture are consistent with the related Policy Principles on Watershed Management and Policy Principles guiding Metropolitan's role in regional implementation of Integrated Water Resources Plan targets for local resources and conservation.

Policy

By Minute Item 50358, dated January 12, 2016, the Board adopted the 2015 Integrated Water Resources Plan Update.

By Minute Item 50611, dated October 11, 2016, the Board adopted the Legislative Policy Principle on Watershed Management.

By Minute Item 50825 and as set forth in Board Letter 8-7, dated May 9, 2017, the Board adopted Policy Principles guiding Metropolitan's role in regional implementation of Integrated Water Resources Plan targets for local resources and conservation.

California Environmental Quality Act (CEQA)

CEQA determination for Option #1:

The proposed action is not defined as a project under CEQA because it involves continuing administrative activities, such as general policy and procedure making (Section 15378(b)(2) of the State CEQA Guidelines). In addition, where it can be seen with certainty that there is no possibility that the proposed action in question may have a significant effect on the environment, the proposed action is not subject to CEQA (Section 15061(b)(3) of the State CEQA Guidelines).

The CEQA determination is: Determine that the proposed action is not defined as a project and is not subject to CEQA pursuant to Sections 15378(b)(2) and 15061(b)(3) of the State CEQA Guidelines.

CEQA determination for Option #2:

None required.

Board Options

Option #1

Adopt the CEQA determination that the proposed action is not defined as a project and is not subject to CEQA, and

Adopt the Legislative Policy Principles on Stormwater Capture.

Fiscal Impact: None

Business Analysis: Adoption of these Legislative Policy Principles will support staff's ability to timely address concerns related to legislation associated with stormwater capture.

Option #2

Take no action.

Fiscal Impact: None

Business Analysis: Absence of these Legislative Policy Principles could hinder staff's ability to timely address concerns related to legislation associated with stormwater capture.

Staff Recommendation

Option #1

	8/2/2017
_____ Dee Zinke Assistant General Manager/Chief External Affairs Officer	Date

	8/3/2017
_____ Jeffrey Nighthinger General Manager	Date