



Mendocino County

Legislation Text

File #: 21-0908, **Version:** 1

To: Board of Supervisors

From: Transportation

Meeting Date: August 17, 2021

Department Contact: Howard N. Dashiell

Phone: 463-4363

Item Type: Regular Agenda

Time Allocated for Item: 15 Minutes

Agenda Title:

Approval of Funding Storm Water Infrastructure Improvements Required by the Statewide Trash Provisions, in the Amount of \$1,300,000, from American Rescue Plan Act Funds (Ukiah and Fort Bragg Areas)

Recommended Action/Motion:

Approve funding storm water infrastructure improvements required by the Statewide Trash Provisions, in the amount of \$1,300,000, from American Rescue Plan Act funds (Ukiah and Fort Bragg Areas)

Previous Board/Board Committee Actions:

By Resolution Number (No.) 20-018 (February 25, 2020), the Board of Supervisors (BOS) approved Department of Transportation (DOT) Agreement No. 190088/BOS Agreement No. 20-016 with Schaaf & Wheeler Consulting Civil Engineers to conduct a storm water trash capture feasibility study. By Resolution No. 20-103 (August 18, 2020), the Board ratified the grant application for State Water Resources Control Board Storm Water Grant Program funds to design and construct the unincorporated Fort Bragg area improvements required by the Trash Capture Amendment to the Phase II Small Municipal Separate Storm Sewer System Permit.

Summary of Request:

On June 1, 2017, the State Water Resources Control Board issued Water Code Section 13383 Order letters (Order) requiring Phase II Small Municipal Separate Storm Sewer System (MS4) permittees to submit a method to comply with new statewide Trash Provisions. On August 21, 2017, the County notified the State Water Board that the County will comply with the Order by implementing Track 1. By selecting Track 1, the County must install, operate, and maintain Full Capture Systems for the storm drain network that capture runoff from the Priority Land Uses in the MS4 jurisdictional area. Mendocino County has MS4 jurisdictional areas in the unincorporated areas surrounding Fort Bragg and Ukiah, including Redwood Valley. In February 2020, the Mendocino County Department of Transportation (MCDOT) contracted with Schaaf & Wheeler Consulting Civil Engineers to conduct a storm water trash capture feasibility study, which evaluated priority land use areas, identified trash capture device locations, and produced construction cost estimates. The total estimate, including design, and environmental considerations, is approximately \$1,300,000.

The American Rescue Plan Act (ARPA) was signed into law on March 11, 2021, and established the Coronavirus State Fiscal Recovery Fund and Coronavirus Local Fiscal Recovery Funds, which together make up the Coronavirus State and Local Fiscal Recovery Funds (SLFRF) program. The program is intended to

provide support to State, territorial, local, and Tribal governments in responding to the economic and public health impacts of Covid-19 and in their efforts to contain impacts on their communities, residents, and businesses. The expenditure guidance is set forth by the Department of Treasury. The Funds can be used to cover costs to make necessary investments in water and sewer, including storm water infrastructure. Eligible expenses must be incurred during the period of March 3, 2021, to December 31, 2024, as long as the obligations are expended by and the projects are completed by December 31, 2026.

To date, the County has dedicated \$225,000 of General Fund for the storm water trash capture initial planning and feasibility study. MCDOT submitted a grant application to the State Water Resources Control Board for Storm Water Grant Program funds to design and construct the required storm drain infrastructure in the unincorporated Fort Bragg area, however was not successful with that application. There are no other identified funding sources to implement this state requirement. If not funded using ARPA funds, General Fund will need to be allocated in the coming years in order to complete the storm water infrastructure improvements required by the statewide trash provisions, which require at least ten percent of the project be completed each year with a final deadline of December 2030. MCDOT respectfully requests and recommends the Board approve funding the estimated remaining costs of \$1,300,000 using ARPA funds.

Alternative Action/Motion:

Do not approve use of ARPA funds and instead allocate General Fund to meet the requirements.

How Does This Item Support the General Plan? Invests in infrastructure and supports improved water quality.

Supervisory District: 1, 2, 4 & 5

vote requirement: Majority

Supplemental Information Available Online At: N/A

Fiscal Details:

source of funding: ARPA

current f/y cost: \$1,300,000

annual recurring cost: N/A

budget clarification: One time cost of \$1,300,000. If not funded through ARPA will need to allocate General Fund, in the amount of \$1,300,000 over the next eight years.

budgeted in current f/y: No

if no, please describe:

revenue agreement: No

Agreement/Resolution/Ordinance Approved by County Counsel: N/A

CEO Liaison: Steve Dunncliff, Deputy CEO

CEO Review: Yes

CEO Comments:

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Executed By: Atlas Pearson, Deputy Clerk I

Date: August 17, 2021

Final Status: Approved



