

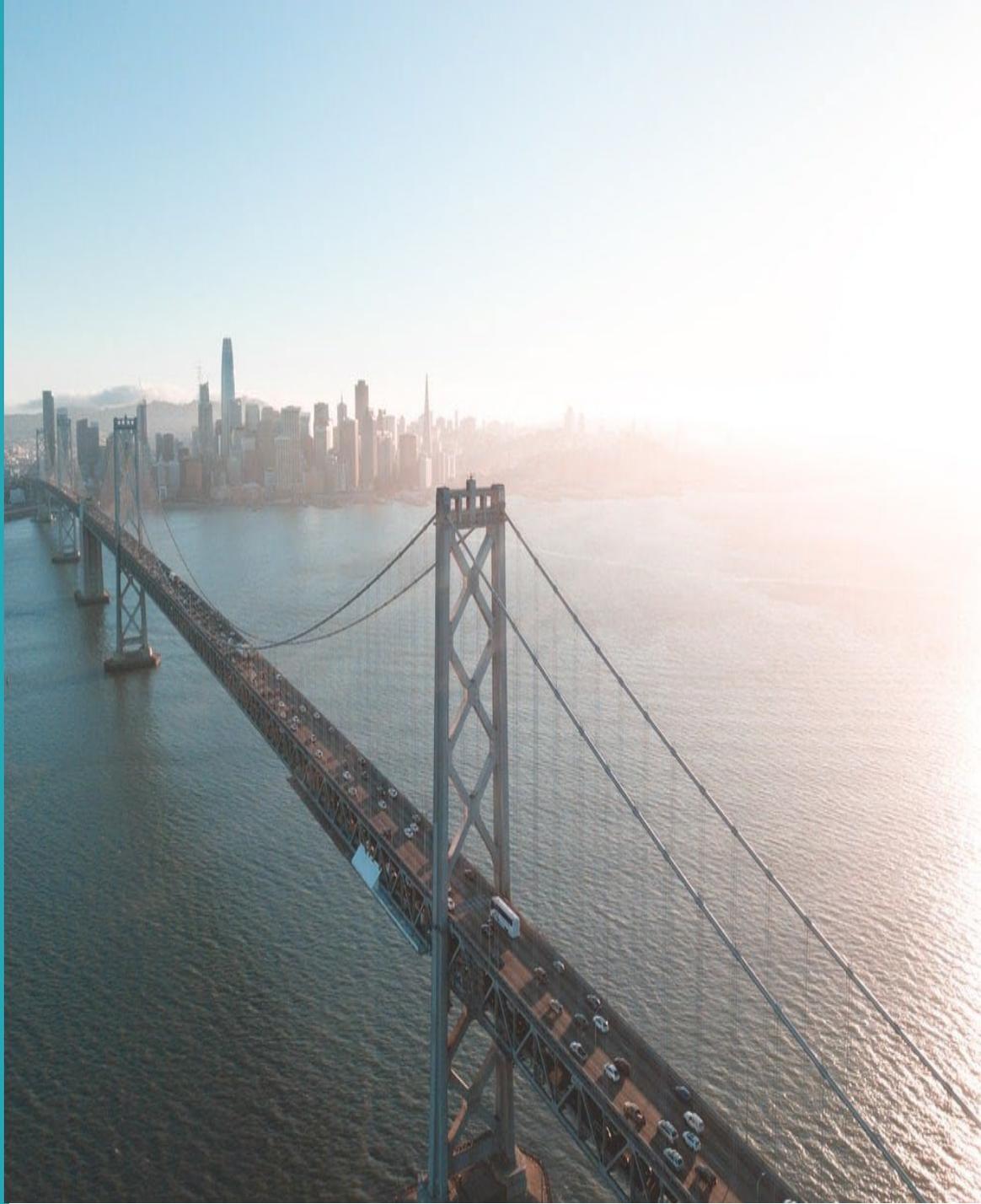
**Contra Costa Transportation, Water and Infrastructure Committee (TWIC)**  
**March 18, 2026**



# Contra Costa County Regional Alternative Compliance System Overview

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# Introduction



# What Are the Challenges with the Existing System?

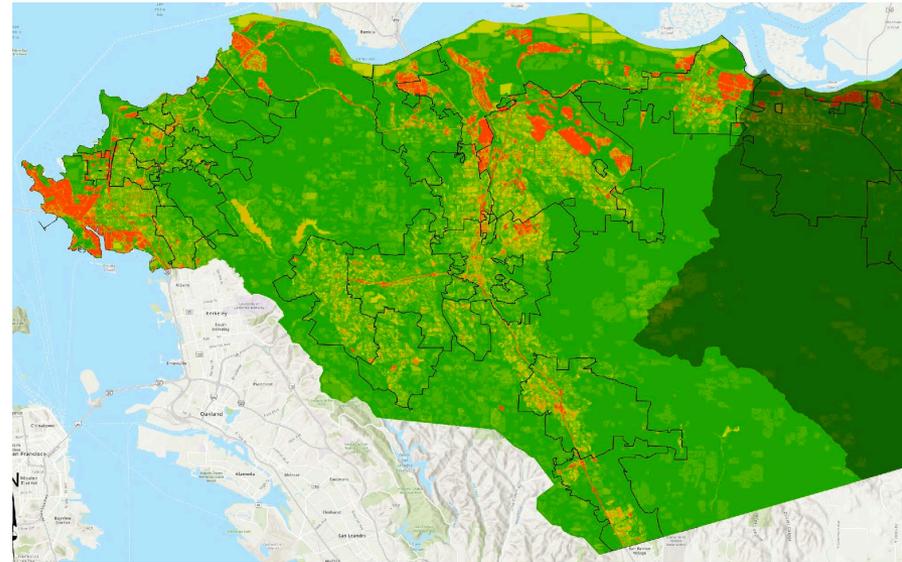
- The Municipal Regional Stormwater Permit (MRP) requires low impact development (LID)/green stormwater infrastructure (GSI) to be implemented:
  - On new development and redevelopment projects (C.3.b)
  - To retrofit a proportion of permittee impervious surfaces (C.3.j)
  - To address **PCBs/mercury** TMDLs in San Francisco Bay (C.11/C.12)



# What Are the Challenges with the Existing System?

## Challenges:

- Some development sites have physical or site use constraints to implement GSI
- Distributed GSI is costly and requires considerable effort to maintain
- PCBs/mercury pollution is concentrated in certain areas of Contra Costa County



Contra Costa County PCBs Load Distribution

# How can Regional Alternative Compliance (RAC) address these challenges?

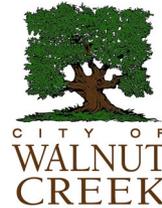
- The RAC System allows an **off-site option** for new and redevelopment projects to meet MRP C.3 requirements
  - Other regulated stormwater dischargers may also participate (e.g., Caltrans)
- The RAC System allows for investment in regional GSI projects that:
  - Are less expensive to implement and maintain per acre treated
  - Can be located to target old industrial areas
  - Could provide multiple benefits

AND

- The RAC System establishes designated O&M funding to ensure long-term performance of facilities

# What is the Legal Basis for Alternative Compliance?

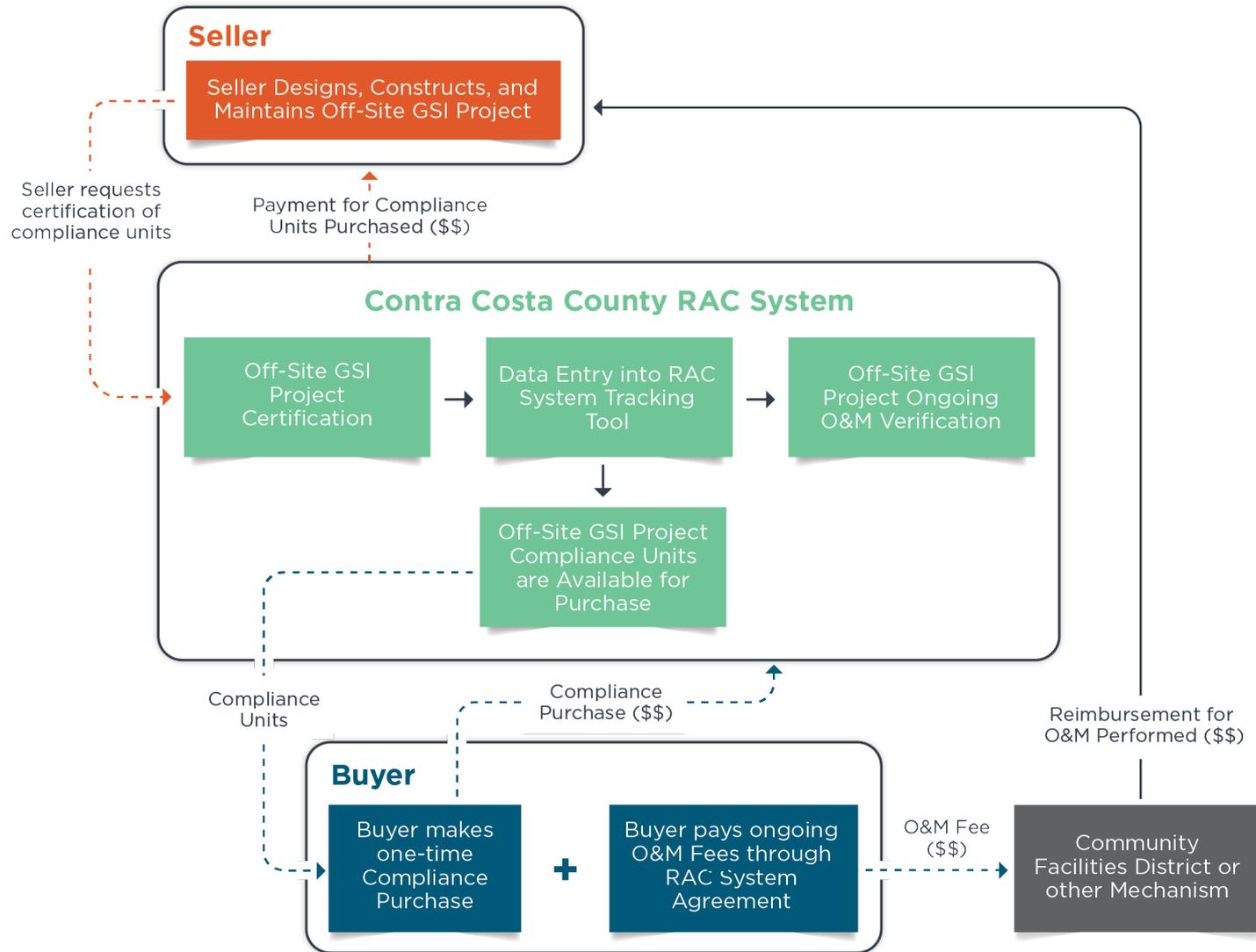
- Alternative compliance systems are legally enabled through existing rules, guidance, and plans
- Contra Costa County (CCC) RAC System was developed in input from:
  - CCC Permittees
  - Advisory Committee made from nine SF Bay Area Counties + Caltrans + Port of Oakland
  - Water Quality Control Board and EPA
  - Internal and external Legal Reviewers



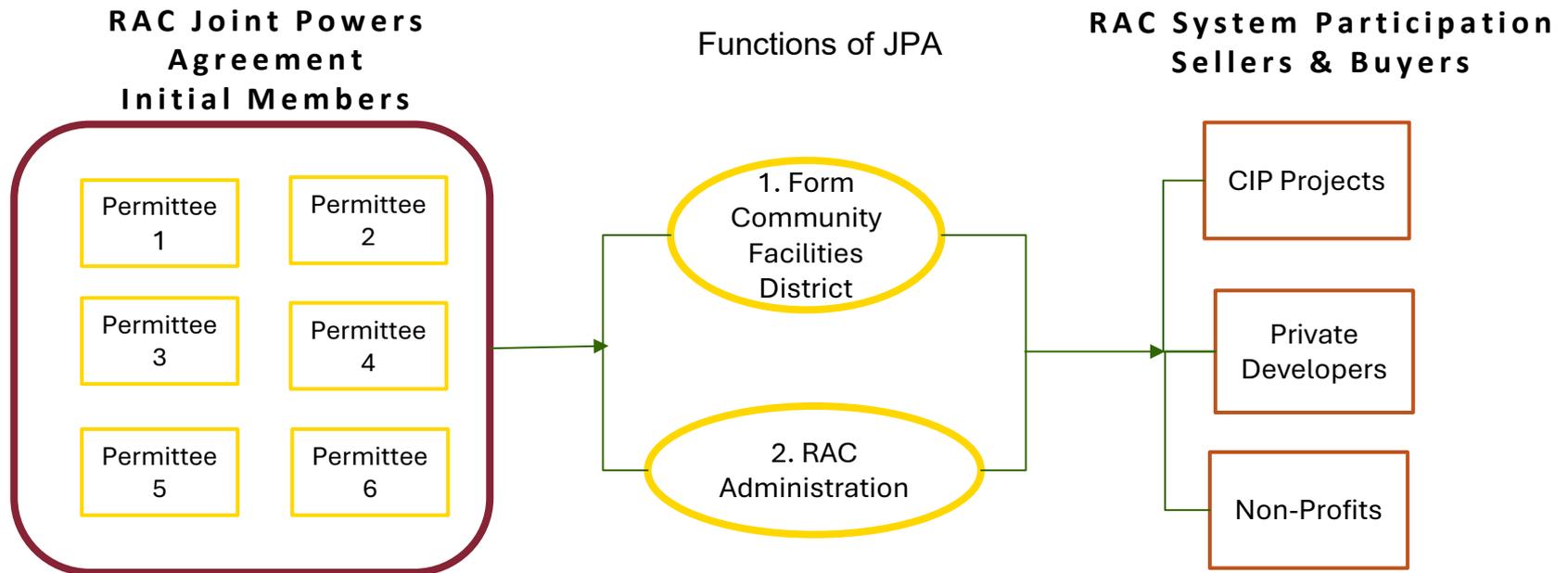
# RAC System Overview



# Contra Costa County RAC System



# RAC Joint Powers Authority (JPA) and Community Facilities District (CFD)



# RAC System Implementation Process



# RAC Joint Power Authority (JPA)

- **JPA Formation and Independence**
  - A legally separate entity formed with its own liabilities, independent from agency members.
- **Term Sheet and Membership**
  - Outlines JPA powers; how new members are admitted, and legislative body approval.
- **Operational Structure and Staffing**
  - Contract manager instead of hiring employees (avoid pension liabilities and increase flexibility).
- **Financial Responsibilities**
  - Limited to the JPA and shared administrative expenses among members.

# RAC Community Facilities District

JPA authorizes the CFD to levy special taxes to finance the acquisition, improvement, rehabilitation, and maintenance of stormwater infrastructure

CFD formed with initial taxable property only and multi-jurisdiction “future annexation area”

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graph TD; A[CFD formed with initial taxable property only and multi-jurisdiction “future annexation area”] --> B[CFD formation requires three meetings of JPA governing board]; B --> C[Properties annex into the CFD as they to opt to participate in RAC System];
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CFD formation requires three meetings of JPA governing board

Properties annex into the CFD as they to opt to participate in RAC System

# RAC Community Facilities District (Continued)

Annexation of Parcels into the CFD from Future Annexation Area

- Annexing property owner executes “unanimous approval” (voting in favor of special taxes etc.)
- JPA legislative body may confirm annexations by resolution

When new public agencies join the JPA, the JPA legislative body may add new members’ territory to the “future annexation area”

- Resolution of intention to add territory
- Public hearing and resolution determining addition of territory to future annexation area

# Next Steps for Implementation



# Implementation Steps and Timeline

	2025					2026											
	Aug	Sept	Oct	Nov	Dec	Jan	Feb	Mar	April	May	June	July	Aug	Sept	Oct	Nov	Dec
Info Workshop #1 and 2	█	█															
Permittee to decide on JPA			█	█													
Kick-off JPA Formation					█												
Internal outreach by Permittees					█	█	█										
JPA Agreement Review (1-2 months)						█	█	█									
Adoption & Approval of JPA								█	█								
JPA Formation										█							
JPA Administration											█	█	█	█	█	█	█
Identify (initial) Projects to Exchange						█	█	█	█	█	█	█	█	█	█	█	█
CFD Terms Review (*)											█	█					
CFD Boundaries and Tax Formula Prepared													█	█			
CFD Resolution of Intention to JPA Board														█			
CFD Resolution of Formation to JPA Board															█		
Begin RAC Exchanges															█	█	█

(\*) Important conditions to occur: 1) JPA must be formed to draw the map boundaries and 2) Having initial properties to be annexed into the CFD

# Next Steps

- Sixteen agencies are interested in joining RAC JPA
- City/Town/County attorney to review and comment on JPA term sheet
- Attend RAC JPA meetings
- Participate in RAC System technical and operational discussion
- Receive follow-up materials and templates (incl. resolution)
- Adoption of resolution and approval of JPA agreement by agency's governing body

# Contact

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**Thank You!**