DATE: May 2, 2017

TO: Mayor and City Council

FROM: Director of Utilities & Environmental Services

SUBJECT Adoption of Green Infrastructure Framework

RECOMMENDATION

That Council adopts the attached resolution approving the Green Infrastructure Framework, which guides the development of the City's Green Infrastructure Plan as required by the Municipal Regional Permit 2.0 for stormwater regulatory compliance.

SUMMARY

To comply with the provisions of the reissued Municipal Regional Stormwater Permit (MRP 2.0), the City is required to adopt a Green Infrastructure Plan by June 30, 2019. The first step toward adoption of this plan is to adopt the Framework for Green Infrastructure Plan Development by June 30, 2017. The Council Sustainability Committee has reviewed the Framework and recommends its adoption.

BACKGROUND

To comply with the MRP, the City is required to prepare a Green Infrastructure Plan for the inclusion of vegetated landscape into appropriate projects on public and private lands. The inclusion of green landscape is required by the MRP 2.0 to address the storm water quality impacts from paved roadways and parking lots where stormwater collects pollutants, which would otherwise flow to the San Francisco Bay.

Green Infrastructure slows runoff, filters pollutants, and allows absorption of stormwater for recharging of groundwater. The purpose of this Plan is to, over time, reduce the adverse water quality impacts of urbanization and urban runoff on receiving waters as well as reduce legacy PCBs and mercury from entering the Bay. The requirements for the Plan include a description of how the Agency will shift impervious surfaces and stormwater drain infrastructure away from "gray," or traditional storm drain infrastructure where runoff flows directly into the storm drain and then the receiving water, to a "green" and more sustainable system. An example of Green Infrastructure is shown below:

The Green Infrastructure Plan is required to meet the following milestones:

1. The City must adopt a Framework for the Green Infrastructure Plan Development by June 30, 2017.
2. The Green Infrastructure Plan must be approved by June 30, 2019.
3. The Green Infrastructure Plan must be submitted to the Regional Water Quality Control Board along with the City's Annual Stormwater Report in September 2019.

The City is a member agency of the Alameda Countywide Clean Water Program (the Program). To comply with the MRP 2.0, a Framework for Green Infrastructure Plan Development was prepared and recommended to the member agencies by the Program. City staff has used this Framework as a guide for Hayward's Framework.

To implement the new Green Infrastructure requirements, staff convened a "GI Team" including staff from Planning, Building, Streets Maintenance, Engineering and Transportation, Fire, and Economic Development. The GI Team has reviewed the Framework and will assist with the development of the Plan. Implementation of the GI requirements will also be organized and managed by the GI Team. To start, the Team is reviewing all capital improvement projects to incorporate GI features into the design as appropriate.

Council Sustainability Committee –The attached GI Framework was presented to the Council Sustainability Committee (CSC) on March 13, 2017. The CSC committee recommended the Framework for Council adoption. The Committee asked about the number of acres that must be treated with GI and the acres already treated, which are discussed below.

DISCUSSION

The attached Framework for Green Infrastructure Plan Development is organized as follows:

- Section 1: Purpose of the Plan
- Section 2: Municipal Stormwater Permit Deadlines
- Section 3: Specific Tasks for Plan Development
  - Identify Projects
  - Develop Tracking Procedures
  - Incorporate Guidelines
  - Update Planning Documents
  - Evaluate Funding Sources
  - Training and Outreach
- Section 4: Timeframe for Plan Development
- Section 5: Staffing Assignments
- Section 6: Budget

In the MRP 2.0, Green Infrastructure is also required to reduce both PCBs and mercury pollution to the Bay by treating a minimum number of acres of industrial areas known to contain legacy PCB and mercury contamination. Specifically, it is estimated that the City will be required to treat 43 acres of industrial area to reduce PCBs and mercury by 2020. It is estimated that 797 acres of industrial areas and 865 acres of urban areas in the City need to be treated by 2040. To date, green infrastructure has been installed to treat approximately 53 acres with an additional 37 acres under construction.

ECONOMIC IMPACT

The development community will share in the cost of implementing green infrastructure as new development or redevelopment is required to implement green infrastructure to treat stormwater. On the other hand, the projects with GIs will be more visually pleasing and be more appealing to the buyers, which would increase their value. Given the regional and statewide network of the GI requirement, the cost impacts will not be unique to Hayward.

FISCAL IMPACT

Implementation of MRP 2.0 will impact staff resources though the exact costs are unknown at this time. The funding for MRP-related activities is currently provided by the Stormwater Enterprise Fund. The City's Stormwater Enterprise is funded by an assessment on property tax bills; however, expenditures have been and are expected to increase every year without the likelihood of any increase in the assessment. The City is challenged with finding innovative tools and other resources to complete the above-mentioned tasks. In addition to the requirements described in this report, it will also be a challenge to fund the other provisions in the MRP 2.0, mainly the trash reduction activities required by Provision C.10 to reach 100% reduction by the year 2022. To comply with the MRP 2.0 requirements, staff has pursued grant funding opportunities both locally and regionally to offset some of these costs. Staff will continue to pursue funding opportunities to meet the MRP requirements, specifically for

Provision C.10 (trash) and C.3 (green infrastructure). Staff will also continue to work collaboratively as a member of the Alameda Countywide Clean Water Program to comply with the MRP 2.0 as regional projects can satisfy some of the MRP requirements.

SUSTAINABILITY FEATURES

Green Infrastructure aims to capture and reuse stormwater. GI also helps create more green landscape and filtration of stormwater. GI is also consistent with the City's Complete Streets Policy by creating more open space.

PUBLIC CONTACT

The MRP 2.0 requirements was presented during the March 2016 CSC meeting. The GI requirements and Framework were discussed during the September 2016 and March 2017 CSC meetings. Staff will conduct comprehensive outreach with developers during the development of the Green Infrastructure Plan.

NEXT STEPS

Staff will begin drafting the City's Green Infrastructure Plan assessing resources and assigning those resources to complete the Plan. Staff will review current and future Capital Improvement Projects and private projects for GI inclusion and report our progress. Staff will return to Council with a draft Plan in 2018 to adoption prior to the 2019 due date.

Prepared by: Elisa Wilfong, Water Pollution Control Administrator

Recommended by: Alex Ameri, Director of Utilities & Environmental Services

Approved by:

Kelly McAdoo, City Manager