

MEMO

**Submitted by:** Judy Kelly  
Director, San Francisco Estuary Partnership

**Subject:** Authorization to Apply for and Accept a Grant from the State Water Resources Control Board Clean Water State Revolving Fund for the San Pablo Avenue Green Stormwater Spine

**Date:** April 27, 2011

**Executive Summary**

In this project, the Estuary Partnership (SFEP) will collaborate with Caltrans and seven cities in Alameda and Contra Costa Counties in a ground-breaking effort to design and build a stormwater spine on San Pablo Avenue, helping to achieve the beneficial uses outlined in the San Francisco Bay Basin Water Quality Control Plan and to meet the requirements of the San Francisco Bay Regional Municipal Regional Stormwater NPDES Permit. The seven projects will green disadvantaged communities along San Pablo, while helping create resilience to climate change, mitigate urban heat island effects, and remove heavy metals and other serious pollutants from local creeks and San Francisco Bay.

The total amount of state funding requested under this grant application is \$1,391,537. An additional \$1,800,000 in project match will be met by project partner CalTrans.

**Recommended Action**

The Board is requested to authorize the application to the State Board by approving a resolution to accompany the application. Should ABAG receive the grant, approval for the Executive Director or designee to sign the agreement is requested. The project assists with implementation of the CCMP for the San Francisco Estuary.

Item 6.F.

**ASSOCIATION OF BAY AREA GOVERNMENTS  
EXECUTIVE BOARD**

**RESOLUTION NO. 08-11**

**WHEREAS**, the United States of America, pursuant to Title VI of the federal Water Pollution Control Act (as such has been and may be amended from time to time, the "Clean Water Act") requires each State to establish a water pollution control revolving fund to be administered by an instrumentality of the State as a condition to receipt of capitalization grants under the Clean Water Act; and

**WHEREAS**, the State of California (the "State") has established a Clean Water State Revolving Fund ("CWSRF") pursuant to Chapter 6.5 of Division 7 of the California Water Code (the "State Act") to be used for purposes of the Clean Water Act; and

**WHEREAS**, the San Francisco Estuary Partnership (SFEP), a program administered by the Association of Bay Area Governments (ABAG), is eligible to funding through the CWSRF and ARRA; and

**WHEREAS**, SFEP has developed the San Pablo Avenue Green Stormwater Spine consisting of seven San Pablo Avenue stormwater retrofit facilities each of which will treat runoff from approximately one acre of impervious surface (Project) and determined that the Project will aide the region and local jurisdictions in which the retrofit facilities are located to meet the requirements of the San Francisco Bay Region Municipal Regional Stormwater NPDES Permit.

**NOW THEREFORE BE IT RESOLVED** by the Executive Board of the Association of Bay Area Governments that:

- (a) the Executive Director, or his/her designee, is hereby authorized and directed to sign and file, for and on behalf of the San Francisco Estuary Partnership, a Financial Assistance Application for a financing agreement from the State Water Resources Control Board for the planning, design, and construction of the San Pablo Avenue Green Stormwater Spine; and
- (b) the Association of Bay Area Governments hereby agrees and further does authorize the aforementioned representative or his/her designee to certify that the Agency has and will comply with all applicable state and federal statutory and regulatory requirements related to any financing or financial assistance received from the State Water Resources Control Board; and
- (c) the Executive Director of the Association of Bay Area Governments/San Francisco Estuary Partnership, or his/her designee is hereby authorized to negotiate and execute a financial assistance agreement from the State Water Resources Control Board and any amendments or change orders thereto and certify financing agreement disbursements on behalf of the Association of Bay Area Governments/San Francisco Estuary Partnership.

The foregoing was adopted by the Executive Board this 19<sup>th</sup> day of May, 2011.

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Mark Green

President

**Certification of Executive Board Approval**

I, the undersigned, the appointed and qualified Secretary-Treasurer of the Association of Bay Area Governments (Association), do hereby certify that the foregoing resolution was adopted by the Executive Board of the Association at a duly called meeting held on the 19<sup>th</sup> day of May, 2011.

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Ezra Rapport  
Secretary-Treasurer

**Approval as To Legal Form**

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Kenneth K. Moy  
Legal Counsel

