

**ASSOCIATION OF BAY AREA GOVERNMENTS
EXECUTIVE BOARD**

RESOLUTION NO. 17-12

**AUTHORIZING THE EXECUTIVE DIRECTOR, OR DESIGNEE, TO ENTER INTO A
COOPERATIVE AGREEMENT WITH THE CALIFORNIA DEPARTMENT OF
TRANSPORTATION TO ACCEPT FUNDING FOR A PORTION OF THE SAN PABLO
AVENUE GREEN STORMWATER SPINE PROJECT**

WHEREAS, the Association of Bay Area Governments (ABAG) is the home agency for the San Francisco Estuary Partnership (SFEP), a coalition of resource agencies, non-profits, citizens, and scientists working to protect, restore, and enhance water quality and fish and wildlife habitat in and around the San Francisco Bay Delta Estuary, and

WHEREAS, the California Department of Transportation (CALTRANS) and ABAG pursuant to Streets and Highways Code sections 114 and/or 130, are authorized to enter into a Cooperative Agreement, and

WHEREAS, pursuant to consultation in compliance with Division 7 of the California Water Code, the San Francisco Bay Regional Water Quality Control Board (RWQCB) adopted a Water Discharge Requirements for CALTRANS' construction of the San Francisco-Oakland Bay Bridge East Span Seismic Safety Project on January 30, 2002 (Order No. R2-2002- 0011) (Order), and

WHEREAS, CALTRANS was required by the Order to provide treatment of stormwater from no less than 155 acres of impervious area, of which 11.7 acres of outstanding mitigation requirements remain, and

WHEREAS, in order to satisfy the 11.7 acres of remaining mitigation requirements, CALTRANS has proposed funding in the amount of One Million Eight Hundred Thousand Dollars (\$1,800,000) for portions of SFEP's San Pablo Avenue Green Stormwater Spine Project (Project) a series of demonstration green stormwater treatment facilities, and

WHEREAS, CALTRANS has received concurrence from the RWQCB that the successful implementation of CALTRANS portion of the Project will satisfy, in full, CALTRANS' remaining stormwater treatment mitigation obligations under the Order, and

WHEREAS, ABAG/SFEP and CALTRANS staff have agreed on the terms of a Cooperative Agreement to transfer funds to ABAG for the purposes described above.

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NOW, THEREFORE, BE IT RESOLVED, the Administrative Committee of the Association of Bay Area Governments hereby authorizes the Executive Director, or his designee to enter into a Cooperative Agreement with the California Department of Transportation to accept funds to implement a portion of the San Pablo Avenue Green Stormwater Spine Project, and such other documents as may be reasonably necessary to carry out the Cooperative Agreement and the portion of the Project funded thereby.

The foregoing adopted by the Administrative Committee this 8th day of November, 2012.

Mark Luce
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 Administrative Committee of the Association at a duly called meeting held on the 8th day of November, 2012.

Ezra Rapport
Secretary-Treasurer

Approved as To Legal Form

Kenneth K. Moy
Legal Counsel