

SECTION M

Relation to Local Planning

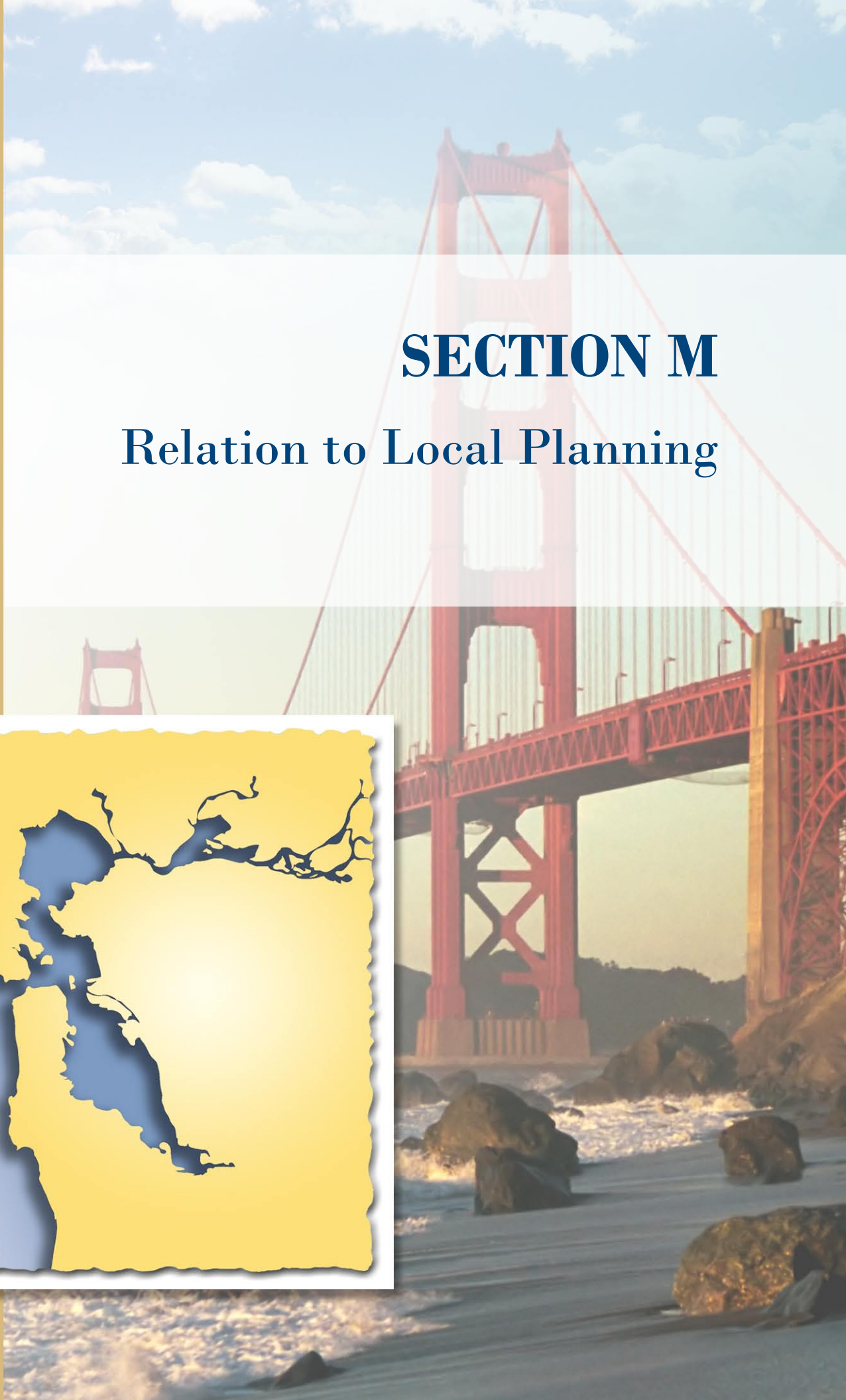




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Acronyms Appearing in this Section

ABAG	Association of Bay Area Governments
ACWD	Alameda County Water District
BCDC	San Francisco Bay Conservation and Development Commission
BMP	best management practice
CCWD	Contra Costa Water District
CEQA	California Environmental Quality Act
CUP	Conditional Use Permits
EBMUD	East Bay Municipal Utility District
FAD	functional area document
IRWMP	Integrated Regional Water Management Plan
LAFCos	Local Agency Formation Commissions
LOMU	Letter of Mutual Understandings
MMWD	Marin Municipal Water District
MS4	municipal separate storm sewer systems
MSR	municipal service review
MTC	Metropolitan Transportation Commission
Napa RCD	Napa Resource Conservation District
NBWA	North Bay Watershed Association
NBWRP	North Bay Water Reuse Program
NGO	non-governmental agency
NMWD	North Marin Water District
NPDES	National Pollutant Discharge Elimination System
OPR	Office of Planning and Research
RWQCB	Regional Water Quality Control Board
SCVWD	Santa Clara Valley Water District
SFEP	San Francisco Estuary Project
Sonoma CWA	Sonoma County Water Agency
SWMP	Storm Water Management Program
SWPPP	Storm Water Pollution Prevention Program
TCC	Technical Coordinating Committee
UWMP	Urban Water Management Plan



WM-HP&R
WW-RW
Zone 7

Watershed Management, Habitat Protection and Restoration
Wastewater and Recycled Water
Zone 7 Water Agency



Section M Relation to Local Planning

IRWMP Appendix A Guidelines

Section M: Relation to Local Planning

- *Discuss how the IRWMP Plan relates to planning documents and programs established by local agencies.*
- *Demonstrate coordination with local land-use planning decision-makers.*
- *Discuss how local agency planning documents relate to the IRWMP strategies and the dynamics between the two planning documents.*
- *Discuss the linkages between the Plan and local planning documents.*

M.1 Relationship to Local Water Management Planning

As described in *Section I: Technical Analysis and Plan Performance*, the Bay Area IRWMP builds upon a wide variety of plans and studies that have already been completed, as well as on-going studies being developed in parallel with Plan development. The IRWMP uses these existing documents, plans and programs to establish a planning baseline for water resources management throughout the region.

The projects and programs identified in this IRWMP as priorities for regional implementation represent a subset of the projects and programs conceptualized and developed at the local level. Through technical studies, management plans, the FADs, and IRWMP development, water resources management entities throughout the region have compiled local planning efforts and viewed them through a regional lens. This has allowed the entities participating in development of this Plan to identify the subset of local projects and programs best address the overarching challenges facing the region as a whole.

This approach allows the IRWMP to effectively leverage existing work being conducted at the local level to best address the region's goals and objectives. The following sections describe the relationship and linkages between local planning and IRWMP development. In addition, coordination between the IRWMP regional group and local land-use planning decision-makers is discussed.

M.1.1 Local Planning Processes

Multiple planning processes being conducted at the local level can directly influence water resources management throughout the region. Among these planning processes are General Plans, Specific Area Plans, Water Supply Assessments, Conditional Use Permits, Stormwater Management Plans, and Municipal Service Reviews. These planning processes are described below.

General Plans

Both cities and counties in the Bay Area, pursuant to State law, undertake local planning and zoning. Guidelines are issued by the State of California to assist communities in meeting the special requirements and spirit of the law. Each incorporated city and county is required to adopt "a comprehensive, long-term general plan for the physical development of the county or city, and any land outside its boundaries which bears relation to its planning"¹ and the plan is to contain seven required plan elements, along with any optional plan elements. Zoning, or the designation and specific mapping of land uses within a community,

¹ California Government Code §65300 et al.



should be consistent with general plan policies.² According to the Governor's Office of Planning and Research (OPR):

The general plan is the foundation for community decisions that will affect the future location of housing, business, industry, roads, parks, and other land uses, protect the public from noise and other environmental hazards, and conserve natural resources. Each body's legislative body, upon recommendation of their planning commission, implements its general plan through its zoning, subdivision, and other ordinances.³

Coordination of water supply and demand information with land use planning is now required by State law. Prior to action by a legislative body to adopt or substantially amend a general plan, the planning agency must coordinate with any public water system, as defined in Health and Safety Code §4010.1. Communities that have elected to include an optional Water Element generally attempt to combine many aspects of water and land use planning into one section of the General Plan.⁴ Eight jurisdictions in the greater Bay Area have included a Water Resources Element in their general plans:

- City of Fremont
- City of Sunnyvale
- City of St. Helena
- City of Mountain View
- City of Portola
- City of San José⁵
- City of Petaluma⁶
- Sonoma County⁷

Bay Area cities and counties are also incorporating the Local Government Commission's Ahwahnee Water Principles for Resource Efficient Land Use⁸ into local General Plans. The Ahwahnee Water Principles emphasize compact, mixed use, and transit-oriented development to minimize automobile-generated urban runoff pollutants. The principles also endorse protection of wetlands, flood plains, recharge zones, riparian areas, open space, and native habitats; maximization of permeable surfaces; dual plumbing to allow recycling of greywater for landscape irrigation; and installation of urban water conservation technologies.

Specific Plans

Specific Plans are not technically part of local general plans, but they are important to water resources planning because they describe allowable land uses, and detail infrastructure availability and financing for a specific portion of the community. According to OPR:

² With the exception that charter cities are not subject to consistency requirements.

³ Governor's Office of Planning and Research (OPR). 2005.

⁴ Governor's Office of Planning and Research (OPR). 2003. State of California General Plan Guidelines, Chapter 6.

⁵ Senate Agriculture and Water Resources Committee. 2003. Water and Land Use Planning: Assessing the Effects of SB 221 & SB 610. Background Policy Paper for the Joint Hearing of the Senate Agriculture and Water Resources Committee, Senate Local Government Committee. Available: <<http://www.sen.ca.gov/locgov/POLICYPAPER/OCT15.DOC>>. Accessed: July 28, 2006.

⁶ City of Petaluma. 2005. City of Petaluma General Plan Administration. Available: <<http://www.cityofpetaluma.net/genplan/ststps.html>>. Last Updated: September 28, 2005. Accessed: July 28, 2006.

⁷ Sonoma County. 2006. Sonoma County General Plan 2020, Public Hearing Draft. Available: <<http://www.sonoma-county.org/prmd/gp2020/phdraft/wre.pdf>>. Accessed: July 28, 2006. Sonoma County Permit and Resource Management Dept., Santa Rosa, CA.

⁸ Local Government Commission. 2005. Ahwahnee Water Principles for Resource Efficient Land Use. Available: http://www.lgc.org/ahwahnee/h2o_principles.html.



A specific plan may be used to implement the policies of an optional economic development element of a general plan... Policies of the general plan which are specific to financing infrastructure improvements and extensions, or cost recovery programs may be implemented by matching land uses with supporting public facilities. This is done to assist development engineering departments and developers avoid ineffective or undersized streets, sewers, water lines, and other necessary improvements. In addition, it may directly impose exactions in association with the general plan's capital improvement policies.⁹

Specific Plans can affect a very small area, but may also affect a significant land mass and a large projected population; for example, this is the case with the Coyote Valley in Santa Clara Valley.

Water Supply Assessments

When new project development approvals are considered by localities, the land subdivision approvals process, governed by the Subdivision Map Act, can invoke the provisions of Senate Bills 610 and 221.¹⁰ Known as "show me the water" legislation, this process requires water supplies to be confirmed during the land use planning process before certain types of developments are permitted. These evaluations can occur in CEQA documentation for a Specific Plan, for example, or for long range planning purposes like a city-wide Water Supply Assessment.

Conditional Use Permits

Most project approvals contain provisions for special site considerations. Conditional Use Permits (CUPs) are specific planning tools that apply to some land uses that would, without conditions, pose problems for the community. CUPs do not rezone the land in question. In the case of large institutional uses, for example, there may be a host of special requirements to cope with new parking demands and pedestrian access.

CUPs can be viewed in the water and land use planning context as presenting opportunities, rather than impositions. If a project has requirements for landscaping or new roadway configurations, there may be an opportunity to employ water retention basins to attenuate storm flows and vegetated swales near pedestrian pathways to filter storm water, while minimizing infrastructure installation and maintenance costs over time. In the case of new roadway patterns, there may be potential to reduce or eliminate impervious pavement to reduce stormwater runoff volumes and minimize flooding potential. In an urban in-fill environment, this type of optimization can help projects to gain community acceptance.

Stormwater Management Plans

In addition to their continued role in designating water utility corridors, water storage areas, and watershed programs that protect the water utility areas, public works departments have taken on a new role in state water quality program implementation. Public works capital improvement programs and maintenance functions in the Bay Area are now challenged with specific stormwater management guidelines in place to promote compliance with state NPS pollution control programs.¹¹

The General Permit for Storm Water Discharges Associated with Construction Activity WQO No. 99-08-DWQ (General Construction Permit) requires all dischargers where construction activity disturbs one acre or more to meet several requirements designed to manage site runoff. Among these requirements is the

⁹ Governor's Office of Planning and Research (OPR). 2001. The Planner's Guide to Specific Plans.

¹⁰ Calif. Water Code Sec. 10910, et al. and California Government Code Section 65867.5, et al.

¹¹ San Francisco Bay RWQCB. "C.3 Provisions" Requirements for Planning and Designing New Development and Redevelopment, Phase 1 Stormwater Permits.



development and implementation of a SWPPP, which specifies BMPs that will prevent all construction pollutants from contacting storm water and with the intent of keeping all products of erosion from moving off site into receiving waters. Similarly, municipalities are required to obtain permits for the discharge of municipal stormwater from municipal separate storm sewer systems (MS4s). These MS4 permits require municipalities to develop and implement SWMPs designed to reduce discharge of pollutants to the “maximum extent practicable”.

In practice, SWPPPs and SWMPs challenge local public works and planning professionals to develop and implement BMPs that offer a menu of technical and policy choices for local governments to employ to reduce non-point sources of pollution to waterways. The guidelines and BMPs relate to regional water planning in their relationship to regional water quality control programs. However, their nexus with water supplies is less obvious. For example, communities that rely on groundwater and native surface waters can protect their drinking water supplies prior to water treatment, if point and nonpoint sources of pollution are controlled and adequate BMPs are put into place while freeing up water treatment resources for other challenged water supplies.

Stormwater management requirements are likely to become increasingly strict in future years. The San Francisco Bay RWQCB has amended their Phase I NPDES permitting for large dischargers to include increased regulation of discharges to the San Francisco Bay region. Specifically, “C.3 Provisions” were added to the Phase 1 Stormwater Permits issued to the municipalities in its jurisdiction in February of 2003. “C.3 Provisions” affect the requirements for new developments and significant redevelopment by reducing the threshold for applicability while increasing onsite treatment requirements. Previously, the requirements for new and significant redevelopment applied only to development projects that would create or modify one acre or more of impervious surfaces. Effective February 15, 2005, the threshold for area created or modified was reduced from one acre to 10,000 square feet. The revised provision requires affected dischargers to capture and treat all storm water onsite prior to discharge.

Municipal Service Reviews

The Bay Area has nine Local Agency Formation Commissions (LAFCo), one for each county in the Bay region. Each LAFCo works independently on the preparation of Municipal Service Reviews (MSRs). On September 26, 2000, the Cortese-Knox-Hertzberg Local Government Reorganization Act of 2000 marked the most significant reform to local government reorganization law since the 1963 statute, which created LAFCos in each county. The Act required OPR to convene a task force composed of representatives of cities, counties, special districts, and LAFCos for the purpose of creating statewide guidelines for the incorporation process. OPR was also required to prepare guidelines for the MSRs, to be conducted by LAFCos pursuant to the statute. The Act reads:

The service reviews shall cover the municipal services provided in the county or other appropriate area designated by the LAFCo. The review shall include a written statement of the LAFCos determinations with respect to each of the following:

- Infrastructure needs or deficiencies;
- Growth and population projections for the affected area;
- Financing constraints and opportunities;
- Cost avoidance opportunities;
- Opportunities for rate restructuring;
- Opportunities for shared facilities;
- Government structure options, including advantages and disadvantages of consolidation or reorganization of service providers;
- Evaluation of management efficiencies; and



- Local accountability and governance.¹²

MSRs shall be conducted before, or in conjunction with, but no later than the time the LAFCo considers an action to establish or to update a sphere of influence.

M.1.2 Relationship of IRWMP to Local Planning

As described above, various planning documents set forth land use and development characteristics and water resources management policies at the local level. Through their role in determining land use and development types, patterns, and densities, these local plans dictate the location and extent of impervious surfaces, quantity and density of population, areas of open space, and other characteristics fundamental to water resources planning. As such, local plans ultimately serve as the basis for water resources management planning in all four functional areas, and consequently for IRWMP development as well. Specific local planning documents that build upon these plans in each functional area, and the relationship and linkages between these local planning documents and the IRWMP, are described below.

Water Supply & Water Quality Planning

Planning departments throughout the region are continually developing documents that establish population projections and water use projections at the local level. These local planning efforts serve as the basis for development of UWMPs. These documents are developed and adopted by local water agencies and municipalities, and are submitted to the state for acceptance. The information in these UWMPs is local to the preparing water agency or municipality, and builds upon the local planning information presented in local plans such as general plans and MSRs. This IRWMP has combined the information contained in these UWMPs into a single document which presents the water supply, demand, and quality information for the Bay Area as a region. Rather than superseding the local planning documents, the IRWMP uses these documents as a basis for developing a wider, regional view of water supply, demand, and quality throughout the region.

In addition to building on local general plans, MSRs and UWMPs, the WS-WQ FAD has compiled information from water resources management plans developed by local agencies, where local planning entities have identified preferred projects for implementation at the local level. Through development of the FAD, these local plans and programs have been reviewed to determine which projects best address WS-WQ goals and objectives at the regional level for integration into the IRWMP. The projects identified in this IRWMP as priority projects represent a subset of the projects identified by local agency planning documents as priorities for implementation. The projects developed through local planning efforts were also reviewed to identify opportunities to bundle and/or combine projects to achieve greater synergy. In this way, all of the projects presented in this IRWMP were developed through local planning efforts, and were subsequently either brought forward into the IRWMP without modification, or were brought forward with slight modifications to achieve greater benefits through project implementation.

Wastewater & Recycled Water Planning

Local wastewater and recycled water agencies and municipalities develop various plans and documents which are used to develop projects for future implementation. These plans and documents include wastewater and recycled water master plans, facilities plans, and feasibility studies. These master plans, facilities plans and feasibility studies build upon the water supply and demand information developed in UWMPs and based on local planning documents such as General Plans and MSRs to project future wastewater flow quantity and quality. Based on these projections, local wastewater and recycled water

12. Governor's Office of Planning and Research (OPR), LAFCo legislative overview. California Government Code §56430.



agencies and municipalities develop plans to treat this supply. Further, based on the land use types outlined through the general planning process, these agencies are able to evaluate potential markets for recycled water use at the local level.

The 1999 BARWRP Master Plan was the first large-scale regional effort that served to coalesce these local planning documents into a regional water recycling plan for much of the Bay Area. The focus of the Master Plan was to build upon the local planning efforts to determine if the use of high quality recycled water could augment the water supplies, support the restoration of the Bay/Delta system and reduce the mass loading of harmful pollutants to the San Francisco Bay. The NBWRP, similarly, built upon local planning efforts in the North San Francisco Bay to identify a regional recycled water program to increase water supply, reduce discharges to the North Bay and provide ecosystem enhancements.

The WW-RW FAD builds upon these two regional studies to identify a suite of regional, multi-benefit projects for implementation that will best address WW-RW goals and objectives. These projects and programs were all first conceptualized and developed at the local level. The IRWMP has explored the local planning efforts to identify a subset of local projects for regional implementation.

Flood Protection & Stormwater Management Planning

Flood protection and stormwater management intrinsically build upon local planning efforts, such as general and specific plans. Dependent on the location and extent of impervious surfaces dictated through the local planning process, flooding issues can be either managed or exacerbated. In addition, urban stormwater runoff quality and quantity are directly influenced by the type, location, and density of adjacent development. As described above, municipalities are increasingly being tasked with development and implementation of stormwater management BMPs at the local level.

Through development of the FP-SM FAD, participating flood protection and stormwater management agencies and municipalities have assembled local information to establish a baseline understanding of flood and stormwater conditions across the region. Further, they have built upon work being conducted at the local level to enhance flood protection and stormwater management by considering the proposed local projects in the context of the greater regional challenges, goals and objectives. By taking this regional view, the participating agencies have effectively identified projects for integration into the IRWMP which will provide maximum regional benefit. In addition, the participating agencies and municipalities have built upon existing projects and programs to develop new projects tailored to most effectively address FP-SM goals and objectives.

Watershed Management & Habitat Protection & Restoration Planning

Ecosystem protection and restoration projects are often closely tied to local land use planning efforts. Many city and county municipalities serve as responsible or participating agencies in developing and implementing WM-HP&R projects. Restoration of riparian and wetland habitats frequently occurs within urbanized areas, or areas experiencing development pressure. As a result, local municipal approvals are required for implementation and maintenance to be effective. Local planning documents used in preparation of project design, construction, and environmental documents include general plans, specific plans, watershed management plans, habitat conservation plans, and stewardship plans. In addition to local municipalities, water and flood control districts, resource and regulatory agencies, and NGOs all play a key role in development of local planning documents. These agencies and organizations establish watershed and habitat management policies, programs, and projects which clearly dictate ecosystem restoration activities throughout the Bay Area.

Development of the WM-HP&R FAD included compilation of goals and objectives from a sampling of approximately 40 local planning documents, including watershed management and planning studies



conducted throughout the region. This review provided an understanding of regional issues, challenges, goals and objectives, as well as the context for a vast inventory of watershed and habitat management projects and programs compiled for the WM- HP&R FAD. Over 650 projects were identified through an open call for projects and regional project databases. In development of the FAD, local plans and programs were reviewed to determine which projects best address WM- HP&R goals and objectives.

M.2 Coordination with Local Land-Use Planners

As described above, water resources management in the Bay Area is heavily influenced by local planning activities. In recognition of the important relationship between local and regional planning, ABAG has played an integral role in IRWMP development as a member of the Regional Water Management Group. Serving as the council of governments and comprehensive planning agency for the San Francisco Bay Area region, ABAG's members include all nine Bay Area counties and 99 of the 101 Bay Area cities, representing nearly all of the region's population. In addition, ABAG committees also contain representatives from BCDC, MTC, Bay Area Economic Forum, SFEP, and others. ABAG has played a critical role in IRWMP development, guiding IRWMP direction through TCC membership and reviewing IRWMP chapters for consistency with local plans and programs.

The San Francisco Estuary Project was contracted to conduct a series of targeted outreach meetings to local governments as part of Plan development. These meetings were aimed at engaging local land-use decision makers in the regional planning process. The outreach series consisted of seven local government briefings, which were specifically geared toward municipal planning and public works departments. At each meeting, a presentation was delivered which detailed the IRWMP development process, provided background on Proposition 50, and described the planning grant and implementation grant funding mechanisms. Meeting attendees received "fact sheets" summarizing completed draft IRWMP sections, and encouraging them to get involved. The presentations were followed by question and answer sessions during which attendees were encouraged to ask questions pertaining to IRWMP development, project development and submission, and ways to become more engaged and involved in the process. Meeting sign-in sheets, handouts, and presentation materials from each of the seven local government outreach meetings are provided in Appendix D.

M.2.1 Coordination with San Francisco and San Mateo Counties

The local government briefing for San Francisco and San Mateo counties was held on May 31, 2006 in Belmont. Fifteen participants attended the meeting including representatives from the cities of Atherton, Belmont, Brisbane, Burlingame, Daly City, Foster City, Half Moon Bay, Menlo Park, Millbrae, San Mateo, and South San Francisco, as well as representatives of the Bay Area Water Supply and Conservation Agency, Cal Water Service Company, SFPUC, and Stanford University. Questions and comments received at the San Francisco/San Mateo briefing focused on the IRWMP development, project prioritization, approval, and Proposition 50 funding process; how to develop and/or nominate projects to be considered for inclusion in the IRWMP; and requests to assist local government in the development of projects with multiple benefits.

M.2.2 Coordination with Santa Clara County

The local government briefing for Santa Clara County was held on June 8, 2006 in San José. Sixteen participants attended the meeting including representatives from the cities of Mountain View, San José, and Santa Clara, as well as representatives of the SCVWD, San Francisquito Creek Joint Powers Authority, and the Home Builders Association of Northern California. Questions and comments received at the Santa Clara briefing centered on how to develop multi-benefit, multi-jurisdictional projects, and updating the IRWMP (specifically the frequency of and funding for completion of future work). The briefing also included discussions about a lack of proposals that study or address the challenge of climate



change, the complexity of water management planning in the San Francisco Bay Area, and how to help city planners consider water resources in the review of development permits.

M.2.3 Coordination with Alameda County

The local government briefing for Alameda County was held on June 9, 2006 in Oakland. Nine participants attended the meeting including representatives from the cities of Hayward and Union City, Alameda County, as well as representatives of the EBMUD, ACWD, and Zone 7. Questions and comments received at the Alameda County briefing included criteria for project selection; recreational/public access projects; stormwater BMPs for Smart Growth projects; and an effort in unincorporated Alameda County to protect creeks throughout development and property improvement projects.

M.2.4 Coordination with Contra Costa County

The local government briefing for Contra Costa County was held on June 13, 2006 in Concord. Eight participants attended the meeting including representatives from the cities of Pinole and Walnut Creek, Contra Costa County, as well as representatives of the EBMUD and CCWD. Also in attendance was the editor of the *Bay Area Monitor*, a regional newsletter published by the League of Women Voters. Questions and comments received at the Contra Costa briefing included a discussion of the relationship between the IRWMP list of priority projects and the Bay Area Watershed Plan, as well as comments related to concerns about increasing levee instability as a result of global warming, groundwater overdraft as a result of continuous development, and the impact of exports to southern California on water quality and supply.

M.2.5 Coordination with Marin and Southern Sonoma Counties

The local government briefing for Marin County and Southern Sonoma County was held on June 21, 2006 in San Rafael. Twelve participants attended the meeting including representatives from the cities of Larkspur, Novato, Petaluma, San Rafael, Sausalito, and Sonoma, and Marin counties, as well as representatives of the NMWD, NBWA, MMWD, Sonoma CWA, and Sonoma Ecology Center. Questions and comments received at the Marin briefing included deadlines for submitting projects for Cycle 1 and Cycle 2 funding; environmental justice hotspots in Marin County; the possibility of drafting a resolution that local governments can use to endorse the IRWMP; and the competitiveness of North Bay projects to receive Proposition 50 funding.

M.2.6 Coordination with Napa County

The local government briefing for Napa County was held on June 22, 2006 in Napa. Seven participants attended the meeting including representatives from the cities of American Canyon, Calistoga, Napa, and Saint Helena, the County of Napa, and the Napa RCD. Questions and comments received at the Napa briefing included the process for establishing IRWMP goals; whether projects should apply for funding via the Bay Area IRWMP or Napa functional equivalent document; and listing the same projects in two IRWMPs versus putting forth the same project for competing implementation grants.

M.2.7 Coordination with Solano County

The local government briefing for Solano County was held on August 2, 2006 in Vacaville. Five participants attended the meeting including representatives from City of Benicia, City of Fairfield, Solano County Water Agency, and Reclamation District 2068. Questions and comments received at the Solano briefing included the process for adopting the IRWMP; whether additional information was necessary for projects already included in the IRWMP project list; and whether Napa County would be signing the LOMU and joining the Bay Area IRWMP.