CONTRA COSTA COUNTY

REGIONAL ALTERNATIVE COMPLIANCE SYSTEM

PUBLIC FACT SHEET

PROJECT BACKGROUND

The Cities of San Pablo, and Walnut Creek, and unincorporated Contra Costa County have partnered with USEPA through a San Francisco Bay Water Quality Improvement Fund grant to develop and pilot a Regional Alternative Compliance (RAC) System within Contra Costa County (the "Contra Costa County RAC System"). Entities in Contra Costa County must comply with the substantial post-construction stormwater treatment (i.e., Provision C.3) requirements of the San Francisco Bay Region Municipal Regional Stormwater Permit (MRP). Alternative Compliance Systems have been used in other areas of the United States to help municipalities, developers, and industry meet rigorous stormwater compliance requirements. The Water Board and legal reviewers were involved in developing the Contra Costa County RAC System.

WHAT IS THE CONTRA COSTA COUNTY REGIONAL ALTERNATIVE COMPLIANCE (RAC) SYSTEM?

The Contra Costa County RAC System is a program designed to provide a flexible, cost-effective, and scientifically defensible MRP C.3 compliance option to implement required post-construction stormwater treatment off-site.

HOW DOES THE CONTRA COSTA COUNTY RAC SYSTEM WORK?

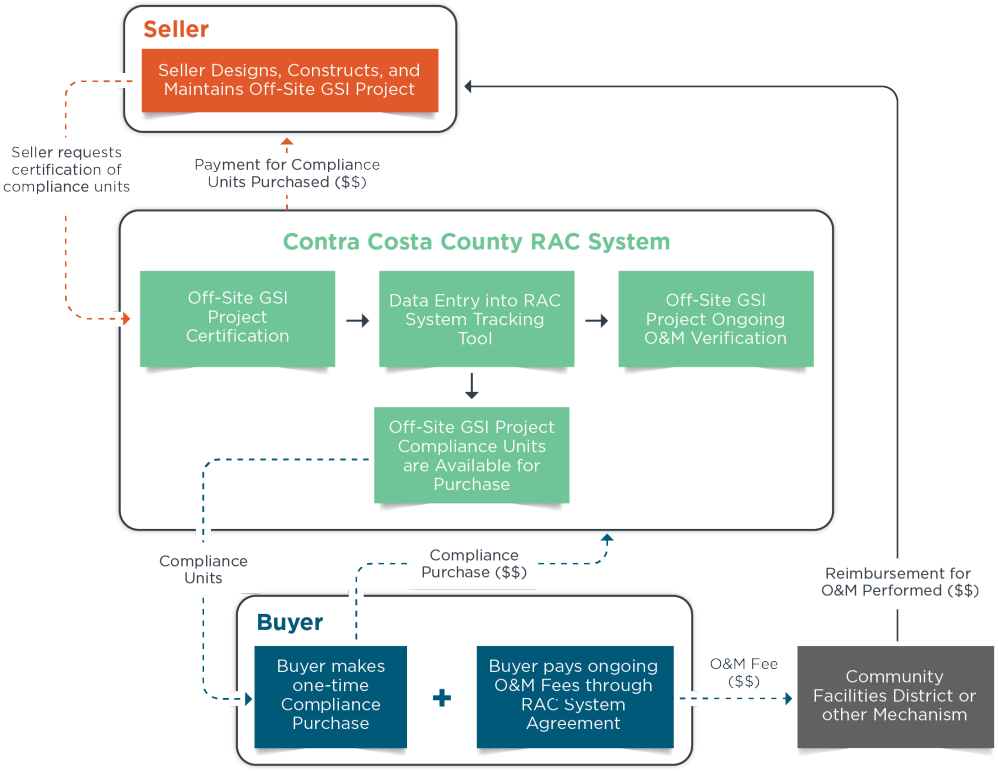
The Contra Costa County RAC System allows green stormwater infrastructure (GSI) treatment facilities or "Off-Site GSI Projects" to be constructed within the County to generate "compliance units" that can be exchanged through the System. Compliance units can be sold to an interested party (i.e., a developer or municipality) in need of off-site stormwater treatment for MRP compliance.

WHAT DOES IT MEAN TO BE A "SELLER"?

A seller would design and construct the Off-Site GSI Projects that generate Contra Costa County RAC System compliance units. Off-Site GSI Projects require certification through the Contra Costa County RAC System before compliance units can be sold.

WHAT DOES IT MEAN TO BE A "BUYER"?

A buyer would pay for Contra Costa County RAC System compliance units to satisify their project's stormwater compliance needs by completing a "compliance purchase". Buyers would pay an additional annual fee to cover the ongoing operations and maintenance (O&M) of the Off-Site GSI Projects that generate compliance units.



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More Details on Off-Site GSI Projects:

Off-Site GSI Projects must be non-regulated, that is, not required as part of any development project or "Regulated Project" as defined by the MRP.

The compliance units generated by an Off-Site GSI Project are calculated based on the acres and land use that it treats.

Off-Site GSI Projects require ongoing verification, consistent with processes used for existing GSI facilities, and are eligible to receive annual operation and maintenance payments so they are properly maintained.

The Contra Costa County RAC System provides equivalency calculations, template agreements, and an online RAC System Tracking Tool to help interested parties determine their treatment requirements and complete transactions through the buying and selling of compliance units.

WHY IS THIS IMPORTANT? WHAT IS THE BENEFIT OF A RAC SYSTEM?

The Contra Costa County RAC System provides an opportunity for the strategic development, siting, and funding of larger regional stormwater treatment facilities (regional Off-Site GSI Projects) in areas with greater legacy pollutant concerns. Regional stormwater treatment facilities are sited and designed to treat large drainage areas ranging from tens to hundreds of acres. The Contra Costa County RAC System is also expected to achieve cost savings for participants as larger stormwater treatment facilities typically have reduced capital and O&M costs per treated acre.

WHO MIGHT BE INTERESTED IN PARTICIPATING?

Developers - Some development and redevelopment sites may have constraints (size, steep grades, etc.) that make it difficult to build on-site stormwater treatment. When a project has difficulty building MRP-required stormwater treatment on-site, it can use the Contra Costa County RAC System to comply with the MRP.

Municipalities - Municipalities may purchase compliance units to comply with MRP Provision C.3.j impervious surface retrofit requirements. Additionally, municipalities with Regulated Projects such as large road reconstruction projects could use the Contra Costa County RAC System to comply with the MRP. Municipalities may also act as "sellers" through the Contra Costa County RAC System.

Non-profits - Non-profits or other environmental organizations may be interested in building GSI facilities that can be partially funded by selling compliance units through the Contra Costa County RAC System.

Contractors - Developers or contractors may be interested in building Off-Site GSI Projects to generate compliance units that can be sold through the Contra Costa County RAC System.

NEXT STEPS

In 2023 and 2024, the first Contra Costa County RAC System exchange will be conducted as a pilot, and System administration processes will be further developed. The Contra Costa County RAC System is anticipated to be operational for additional exchanges by the end of 2024.

For more information, please visit the Contra Costa County RAC System Project Website:
www.sanpabloca.gov/2685/Regional-Alternative-Compliance

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