

STAFF REPORT

To: Coastside County Water District Board of Directors

From: Mary Rogren, General Manager

Agenda: June 9, 2020

Report

Date: June 5, 2020

Subject: Approval of a Letter to be Sent to State and Federal Legislators to Consider Streamlining the Approval Process When Multiple Governmental Agencies are Required to Approve a Project

Recommendation: Approve sending the attached letter (Exhibit A) to State and Federal Legislators to consider streamlining approval processes when multiple governmental agencies with overlapping concerns are required to approve a project.

Background:

At the May 2020 Board of Directors meeting, Director Larimar commented about the inefficiencies in both State and Federal governmental procedures requiring the District to independently seek approvals from six different governmental agencies to move a water supply project forward.

Director Larimar suggested that a letter be written to the District's State and Federal Legislators requesting that changes be made to approval procedures when approvals are required from multiple governmental agencies with overlapping concerns. Director Larimar recommends that approvals be coordinated through a lead agency both at the State level and the Federal level in order to streamline the approval process, minimize project delays, and reduce non-productive expenditures of public funds.

At the Board's direction, Director Larimar prepared the attached letter for the Board of Directors' review and approval.

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Dear (appropriate representative: Dianne Feinstein, Kamala Harris, Jackie Speier, Kevin Mullin, Marc Berman, Jerry Hill.)

We are contacting you to bring to your attention an issue that might be amenable to a legislative solution, the redundancy and complexity to obtain project permits.

We are a small public water utility, Coastside County Water District, in San Mateo County, CA. We have a customer base of 7,500 connections and supply both residential and commercial customers including restaurants, hotels, and local agricultural enterprises. We are in the process of developing plans to improve our water supply by drawing water from a local creek. Developing a local source for water will lessen our need to draw water from the Hetch Hetchy water system that supplies much of the Northern California Bay area.

We are in the process of designing the physical plant required for this purpose and gathering empirical evidence of sustainability of this water source and our projects impact on the environment. The design and data will be submitted to regulatory agencies whose responsibilities include verification that this project complies with all existing Federal, State, and local requirements.

There are six regulatory agencies, three Federal and three State or local. Each must approve the project design before it can go forward. These are:

1. U.S. Army Corps of Engineers (Federal)
2. Regional Water Quality Control Board (State)
3. California Fish and Wildlife (State)
4. US Fish and Wildlife Service (Federal)
5. National Marine Fisheries Service (Federal)
6. San Mateo County (Local)

Seeking permission from six different agencies with overlapping concerns, creates a procedural complexity that encourages inefficiency, delay, and non-productive expenditures of public funds. The approval process lacks coordination. The potential for several iterations of the process with each regulatory agency requiring project changes or requiring different data, adds a daunting layer of complexity and cost that could be avoided by coordination among the regulatory agencies.

An expedient solution would be for one agency representing Federal interests and a second representing State interests could be selected and designated the lead agency. The approval of the lead agency would approve the project for the other regulatory agencies. Which agency takes the lead could be determined by the

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nature of the project and determined by the regulatory agencies through a consultation of these agencies at an initial review stage of the project.

Creating a lead agency may require legislative action, we hope you will consider this issue.

Sincerely,

CCWD GM