

STATE WATER RESOURCES CONTROL BOARD
DIVISION OF FINANCIAL ASSISTANCE
PRELIMINARY FUNDING COMMITMENT (PFC)
CLEAN BEACHES INITIATIVE (CBI) GRANT PROGRAM
FAAST PIN 27834

RECIPIENT: City of Newport Beach (City)

TOTAL PROJECT COST: \$1,160,000

PROJECT TITLE: Newport Beach Arches
Drainage Bacteria Reduction Program (Project)

TOTAL CBI GRANT REQUEST: \$890,000

PROJECT MANAGER: Spencer Joplin, Water
Resource Control Engineer, 916-341-5636

AUTHORITY

The Clean Beaches Initiative (CBI) Grant Program provides funding for projects that restore and protect the water quality and the environment of coastal waters, estuaries, bays and near shore waters. The CBI Grant Program was initiated in response to the poor water quality and significant exceedances of bacterial indicators revealed by Assembly Bill (AB) 411 monitoring at California's beaches. Funding is available from the *Safe Drinking Water, Water Quality and Supply, Flood Control, River and Coastal Protection Bond Act* (Proposition 84). In addition, there are unused or re-appropriated funds remaining from the *California Clean Water, Clean Air, Safe Neighborhood Parks, and Coastal Protection Act of 2002* (Proposition 40) and the *Water Security, Clean Drinking Water, Coastal and Beach Protection Act of 2002* (Proposition 50).

The State Water Resources Control Board (State Water Board) adopted Resolution No. 2012-0020 on June 5, 2012, which revised the CBI Guidelines used to solicit applications, evaluate proposals, and award grants for Proposition 84, Chapter 7 funds, and any unused or re-appropriated Proposition 40 and 50 CBI funds. The Resolution authorized the Deputy Director of the Division of Financial Assistance (Division) to approve proposed projects, execute grant agreements and amendments to implement the proposed projects and utilize funds from projects which are withdrawn or completed under budget to fund additional projects recommended by the Clean Beaches Task Force (CBTF), or augment the scope and budget of projects previously awarded.

The Concept Proposal for this Project was submitted to the FAAST system on July 9, 2014. The CBTF met on September 24, 2014 and recommended that the City revise the concept proposal based on comments. The City submitted a revised concept proposal on December 9, 2014. The CBTF reviewed the revised concept proposal and recommended that the City submit a detailed application. The applicant submitted a Detailed Application on May 27, 2015, and it has been determined to be complete.

PROJECT OBJECTIVE

The objective of the Project is to improve water quality at the beaches near Lower Newport Bay in Orange County by diverting dry weather urban runoff from the Arches drainage area to the sanitary sewer.

The Arches drainage area consists of about 400 acres in the Cities of Newport Beach and Costa Mesa. Stormwater and urban runoff from the Arches drainage area is collected by a storm sewer system and is discharged into Lower Newport Bay. Source identification studies have found high concentrations of fecal indicator bacteria (FIB) in this dry-weather urban runoff.

The nearest AB411 monitoring location is BNB35, which is about 150 feet from the Arches drainage outfalls. The results of weekly monitoring at BNB35 show persistent concentrations of FIB. Warning messages regarding the FIB concentrations are often posted at the beaches near the Arches drainage outfalls.

Newport Bay is used as a marina and is the location of several public beaches. The enclosed configuration of the bay confines the discharge and inhibits dispersion, which increases the effect of contamination at the nearby beaches.

PROJECT DESCRIPTION

The project involves construction of two structures that would divert urban runoff and stormwater from the storm drains to nearby sanitary sewers during dry weather. The positions of the two diversion structures would enable diversion of almost all of the dry weather discharge from the Arches Drainage area and thus decrease the FIB concentrations in Lower Newport Bay.

ENVIRONMENTAL IMPACT

For this project, the Recipient has filed a Notice of Exemption (NOE) for CEQA compliance at the Orange County Clerk-Recorder Department on January 21, 2015. The project meets the following exemptions:

Existing Facilities (Cal. Code Regs., tit. 14 § 15301). Consists of the operation, repair, maintenance, permitting, leasing, licensing, or minor alteration of existing public or private structures, facilities, mechanical equipment, or topographical features, involving negligible or no expansion of use beyond that existing at the time of the lead agency's determination.

State Water Board staff has reviewed the CEQA NOE and concurs that the project is exempt from CEQA and will not result in any significant effect on the environment.

FISCAL IMPACT

As of July 1, 2014, the cumulative balance available for the CBI Grant Program, which is funded by Propositions 40, 50, and 84, is:

July 1, 2014	\$40,334,726
Fiscal Year 2014-2015 Approved PFCs	\$13,881,799
Draft PFCs (proposed commitments):	\$2,324,971
City of Newport Beach – FFAST PIN 27834	\$890,000
Funds Remaining for Future Commitments:	\$23,237,956

REGIONAL WATER BOARD IMPACT

The State Water Board's Division of Water Quality and the Santa Ana Regional Water Board support the Project.

ROUTINE, NON-CONTROVERSIAL PROJECT

The proposed Project is routine and non-controversial based on Division staff's consideration of the documents and information provided by the City, regulatory agencies, and written responses from the general public. There has been no indication of a protest or controversy regarding the proposed

Project.

PUBLIC REVIEW

This PFC has been posted on the State Water Board's internet website for public review for 10 days. This PFC has also been sent to the members of the CBTF for review and comment prior to the Deputy Director executing a grant agreement.

APPROVAL

Using the authority delegated by the State Water Resources Control Board on June 5, 2012, in Resolution No. 2012-0020, I hereby:

Approve a Clean Beaches Initiative Grant Program Preliminary Funding Commitment of \$890,000 for the Project.

Darrin Polhemus, Deputy Director
State Water Resources Control Board
Division of Financial Assistance

Date

Reviewed by:
Office of Chief Counsel
Date:

