

CITY OF SANTA ROSA
CITY COUNCIL

TO: MAYOR AND CITY COUNCIL
FROM: STEVE BRADY, SENIOR ENVIRONMENTAL SPECIALIST
WATER DEPARTMENT
SUBJECT: DELEGATION OF SIGNATURE AUTHORITY FOR
ENVIRONMENTAL PERMITS

AGENDA ACTION: RESOLUTION

RECOMMENDATION

It is recommended by the Transportation & Public Works and Water Departments that the Council, by resolution, delegate authority to the Assistant City Manager over Transportation & Public Works the and Director of the Water Department, or their designees, to submit applications, approve and execute environmental permits with California Department of Fish & Wildlife, County of Sonoma, Regional Water Quality Control Board, State Water Resources Control Board, U.S. Army Corps of Engineers, and U.S. Environmental Protection Agency for routine operations and maintenance and for Capital Improvement Program projects.

EXECUTIVE SUMMARY

Implementation of maintenance and capital improvement projects often require one or more environmental permits from local, state, and federal agencies. Environmental permits can delay project implementation due to long lead times and signatory authority requirements within the City of Santa Rosa. Delegation of authority to secure required permits is essential to provide timely routine maintenance and delivery of capital improvement projects. This action will support the Council's goals for investing in infrastructure and providing valued services to the community.

BACKGROUND

Delivery of capital improvement projects and operations and maintenance projects often require one or more environmental permits from local, state, and federal agencies. Many of these environmental permits can take months to secure and can significantly extend project schedules if applications are delayed or if permit conditions require changes to the design of the project.

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In 2014, staff brought an item to the Board of Public Utilities to delegate authority to the Water Department Director for certain environmental permits. Upon further review of the Board of Public Utilities Resolution 1075, it was determined that this resolution was too narrowly focused and did not cover all of the required permits a project may need to complete the project design. This item will clearly identify all the environmental permits needed for city-wide Capital Improvement Project design and maintenance activities.

Authorizing staff to apply for and execute these permits could reduce project design timelines as they would not need to come before the City Council for authorization. Environmental permits are often required during the design phase to maintain compliance with applicable regulations and ensure timely delivery of capital projects. Routine maintenance of creeks, culverts, and bridges is performed regularly by City maintenance staff. Required environmental permits and issuing agencies include the following:

- California Department of Fish & Wildlife
 - Lake or Streambed Alteration Agreements specified in California Fish & Game Code.
 - California Endangered Species Act permits specified in California Fish & Game Code.
- County of Sonoma
 - Roiling Permit – Sonoma County Code Chapter 23.
- State Water Resources Control Board/Regional Water Quality Control Board
 - U.S. Clean Water Act and Porter-Cologne Water Quality Control Act/California Water Code permits.
- U.S. Army Corps of Engineers/U.S. Environmental Protection Agency
 - U.S. Clean Water Act and Rivers & Harbors Act of 1899 permits.

PRIOR CITY COUNCIL REVIEW

On January 7, 2014, the City Council, by Resolution No. 28398, similarly delegated signature authority to multiple Department Directors to submit, approve, and execute encroachment permits with local and state agencies.

ANALYSIS

The City constructs, operates and maintains vital community infrastructure that often requires environmental permits from other government entities. Delegating authority to the Assistant City Manager over Transportation & Public Works and the Director of Water, or their designees, to submit applications and execute environmental permits with California Department of Fish & Wildlife, County of Sonoma, State Water Resources Control Board/Regional Water Quality Control Board, U.S. Army Corps of Engineers, and U.S. Environmental Protection Agency would allow City staff to implement necessary projects and provide service to the community in an efficient manner. Delegation of signature authority will eliminate the need to bring permit

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authority items before the City Council for each project and shorten project delivery timelines. Prior to execution, permits will be reviewed by the City Attorney's Office. City Council or Board of Public Utilities would still have an opportunity to approve or deny any major capital projects at the bid award.

FISCAL IMPACT

Delegation of environmental permit authority would reduce staff time to draft City Council items for authorization to secure required permits for each forthcoming capital project or maintenance activity.

ENVIRONMENTAL IMPACT

This action is exempt from the California Environmental Quality Act (CEQA) because it is not a project which has a potential for resulting in either a direct physical change in the environment, or a reasonably foreseeable indirect physical change in the environment, pursuant to CEQA Guideline section 15378.

BOARD/COMMISSION/COMMITTEE REVIEW AND RECOMMENDATIONS

Not applicable.

NOTIFICATION

Not applicable.

ATTACHMENTS

- Resolution

CONTACT

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