

September 5, 2019

Richard S. Nakano, Foreperson  
2018-2019 Contra Costa County Grand Jury  
725 Court Street  
P.O. Box 431  
Martinez, CA 94553-0091

**RE: City of Richmond's Response to Grand Jury Report No. 1907: "Stormwater Trash Reduction" Approved by Richmond City Council on July 16, 2019.**

Dear Foreperson Nakano:

In accordance with California Penal Code Sections 933.05(a) and 933.05(b), please find below the response of the City of Richmond to the findings and recommendations of the Grand Jury. The City's response is in italics directly below each finding or recommendation.

**FINDINGS**

1. The 2015 Municipal Regional Stormwater Permit requires most of the cities, towns, and the County to take action to reduce trash discharges by 80%, from 2009 baseline levels, by July 1, 2019.

*Response: The respondent agrees with the finding.*

3. Using the formula prescribed in the Permit, Brentwood, Clayton, Concord, Danville, El Cerrito, Lafayette, Martinez, Moraga, Orinda, Pittsburg, Richmond, San Pablo, San Ramon, and Walnut Creek report that they have already reached their July 1, 2019 trash reduction goals.

*Response: The respondent agrees with the finding as it pertains to Richmond.*

6. Both CCCWP and LAFCO report that unfunded federal and state mandated stormwater permit compliance programs are a challenge for cities, towns, and the County.

*Response: The respondent agrees with the finding.*

7. Concord, El Cerrito, Hercules, Lafayette, Martinez, Pinole, Pittsburg, Richmond, San Pablo, and Walnut Creek have established ordinances banning Styrofoam food packaging in their communities.

*Response: The respondent agrees with the finding as it pertains to Richmond. The City of Richmond has established ordinances banning Styrofoam food packaging, single-use plastic bags, and a comprehensive food ware ordinance banning plastic straws. The ordinances have been implemented by engaging applicable businesses, generating and mailing postcards to all businesses, organizing community meetings, providing additional informational materials, and conducting inspections and follow up actions of businesses deemed non-compliant.*

8. Caltrans reports that highways and ramps along portions of Highways 4 and 24, Interstates 80, 580, and 680 in Antioch, El Cerrito, Richmond, and in the unincorporated areas of the County are high trash generation areas.

*Response: The respondent agrees with the finding as it pertains to Richmond.*

9. No narrative summary of the accomplishments, challenges, costs, and funds needed to fully comply with the Permit is provided in the required annual reports prepared by CCCWP, the County, and each city and town.

*Response: The respondent disagrees with the finding. Accomplishments on trash load reduction are reported under Section C.10 of the annual report. However, the Permit does not require the City to report challenges, costs and funds, thus it is not necessary to include them in the annual report.*

## **RECOMMENDATIONS**

3. The Board of Supervisors and all City/Town Councils should consider directing staff to provide a concise summary of their Annual Reports, citing their accomplishments, challenges, costs, and funds needed to fully comply with the Permit, by December 31, 2019.

*Response: The respondent disagrees with the recommendation as the City of Richmond has already implemented this process during its annual budget presentation to City Council.*

4. The Board of Supervisors and all City/Town Councils should consider identifying additional revenue sources to fully fund Permit requirements in order to comply with the Permit and avoid potential liability, by June 30, 2020.

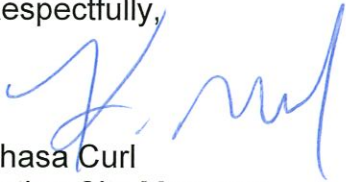
*Response: The City is currently in compliance with the Permit. However, the City of Richmond will consider identifying additional revenue sources to fund the Stormwater Program as Permit requirements include unfunded mandates.*

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The Richmond City Council reviewed and approved this response at their meeting on July 16, 2019.

Thank you for the opportunity to respond on this very important issue. Please contact me at (510) 620-6512 or at [shasa\\_curl@ci.richmond.ca.us](mailto:shasa_curl@ci.richmond.ca.us) if you have any additional questions.

Respectfully,



Shasa Curl  
Acting City Manager

cc: Mayor Tom Butt, City of Richmond  
Carlos Privat, Acting City Attorney, City of Richmond  
Yader Bermudez, Acting Director of Water Resource Recovery, City of Richmond