

C/CAG

CITY/COUNTY ASSOCIATION OF GOVERNMENTS OF SAN MATEO COUNTY

*Atherton • Belmont • Brisbane • Burlingame • Colma • Daly City • East Palo Alto • Foster City • Half Moon Bay • Hillsborough • Menlo Park
Millbrae • Pacifica • Portola Valley • Redwood City • San Bruno • San Carlos • San Mateo • San Mateo County • South San Francisco • Woodside*

1:15 p.m., Thursday, February 21, 2013

(NOTE REVISED START TIME)

**San Mateo County Transit District Office¹
1250 San Carlos Avenue, 2nd Floor Auditorium
San Carlos, California**

STORMWATER (NPDES) COMMITTEE AGENDA

- | | | | |
|-----|--|--------------|--------------|
| 1. | Issues from the last C/CAG Board meeting (Dec 2012, Feb 2013): | Fabry | No materials |
| | <ul style="list-style-type: none">• Approved – Funding Agreement with SCI Consulting Group for Support on Countywide Funding Initiative• Approved – Appointment of Stormwater Committee Representatives | | |
| 2. | ACTION – Nominate and Elect Chair and Vice-Chair | Fabry | Page 1 |
| 3. | ACTION – Review and Approve Mission Statement, Membership Criteria, Roles, & Responsibilities, Meeting Location and Frequency, and Agenda Packet Procedures | Fabry | Pages 2-3 |
| 4. | ACTION – Adopt 2013 Calendar of Meetings | Fabry | Pages 4-5 |
| 5. | ACTION – Establish Ad-Hoc Committees | Fabry | Page 6 |
| 6. | ACTION – Presentation on and Authorization to Submit Urban Creeks Monitoring Report | Fabry/Konnan | Pages 7-8 |
| 7. | INFORMATION – Trash Update | Fabry | Pages 9-10 |
| 8. | INFORMATION – Regional Board Staff Feedback on 2011-12 Annual Reports | Fabry | Page 11 |
| 9. | Executive Director’s Report | Wong | No Materials |
| 10. | Member Reports | All | No Materials |
| 11. | Public comment on items not on the Agenda (presentations are customarily limited to 3 minutes). | Chair | No Materials |

¹ For public transit access use SamTrans Bus lines 390, 391, 292, KX, PX, RX, or take CalTrain to the San Carlos Station and walk two blocks up San Carlos Avenue. Driving directions: From Route 101 take the Holly Street (west) exit. Two blocks past El Camino Real go left on Walnut. The entrance to the parking lot is at the end of the block on the left, immediately before the ramp that goes under the building. Enter the parking lot by driving between the buildings and making a left into the elevated lot. Follow the signs up to the levels for public parking.

| 2013 Stormwater Committee Roster and Attendance Record | | |
|---|-----------------------|---------------------------------------|
| Agency | Representative | Position |
| Atherton | Gordon Siebert | Consulting Engineer |
| Belmont | Afshin Oskoui | Public Works Director |
| Brisbane | Randy Breault | Public Works Director/City Engineer |
| Burlingame | Syed Murtuza | Public Works Director |
| Colma | Brad Donohue | Director of Public Works and Planning |
| Daly City | Patrick Sweetland | Director of Water & Wastewater |
| East Palo Alto | Kamal Fallaha | City Engineer |
| Foster City | Brad Underwood | Director of Public Works |
| Half Moon Bay | Mo Sharma | City Engineer |
| Hillsborough | Paul Willis | Public Works Director |
| Menlo Park | Charles Taylor | Public Works Director |
| Millbrae | Khee Lim | City Engineer |
| Pacifica | Van Ocampo | Public Works Director/City Engineer |
| Portola Valley | Howard Young | Public Works Director |
| Redwood City | Shobuz Ikbali | City Engineer/Engineering Manager |
| San Bruno | Klara A. Fabry | Public Services Director |
| San Carlos | Jay Walter | Public Works Director |
| San Mateo | Larry Patterson | Public Works Director |
| South San Francisco | Terry White | Public Works Director |
| Woodside | Paul Nagengast | Deputy Town Manager/Town Engineer |
| San Mateo County | Jim Porter | Public Works Director |
| Regional Water Board | Tom Mumley | Assistant Executive Officer |

C/CAG AGENDA REPORT

Date: February 21, 2013
To: Stormwater Committee
From: Matthew Fabry, Program Coordinator
Subject: Nominate and Elect Chair and Vice-Chair

(For further information or questions contact Matthew Fabry at 650 599-1419)

RECOMMENDATION

Solicit nominations and elect representatives to serve as Chair and Vice-Chair of the Committee

FISCAL IMPACT

None.

SOURCE OF FUNDS

Not applicable.

BACKGROUND/DISCUSSION

Consistent with C/CAG's other committees, staff recommends Committee members nominate and elect a Chair and Vice-Chair to facilitate Committee meetings and work with staff on developing agenda materials.

C/CAG AGENDA REPORT

Date: February 21, 2013
To: Stormwater Committee
From: Matthew Fabry, Program Coordinator
Subject: Mission Statement, Membership Criteria, Roles, & Responsibilities, Meeting Location and Frequency, and Agenda Packet Procedures

(For further information or questions contact Matthew Fabry at 650 599-1419)

RECOMMENDATION

Review and approve the proposed mission statement, membership criteria, roles and responsibilities, meeting location and frequency, and agenda packet procedures.

FISCAL IMPACT

None.

SOURCE OF FUNDS

Not applicable.

BACKGROUND/DISCUSSION

At its meeting on November 8, 2012, the C/CAG Board authorized reconvening its NPDES Committee (“Stormwater Committee”) to include director-level appointees with decision-making authority for implementing stormwater management programs within the member agencies in compliance with requirements in the Municipal Regional Permit. As this committee has not met in well over a decade during which time stormwater regulatory requirements have changed significantly, staff is recommending approval of the following mission statement, membership criteria, roles and responsibilities, and meeting packet/location details for the committee.

Mission Statement

The Stormwater Committee provides policy and technical advice and recommendations to the C/CAG Board of Directors and direction to technical subcommittees on all matters relating to stormwater management and compliance with associated regulatory mandates from the State Water Resources Control Board and San Francisco Bay Regional Water Quality Control Board.

Membership

The Stormwater Committee is comprised of one director-level representative from each of the 21 member agencies, recommended by City/Town/County Managers, with decision-making authority and primary responsibility for implementing stormwater management programs within their jurisdictions and one non-voting executive management representative from the Regional

Water Quality Control Board staff, all to be appointed by the C/CAG Board. There are no term limits and members may be removed and replaced as needed.

Roles & Responsibilities

The role of the Stormwater Committee is to provide policy and technical advice and recommendations to the C/CAG Board and direction to stormwater technical subcommittees on matters related to stormwater management and associated regulatory requirements. While the Committee may consider any item reasonably related to stormwater and associated regulatory requirements, the following issues are anticipated to be the primary focus of the Committee:

- Review and provide recommendations for the Countywide Water Pollution Prevention Program (Countywide Program)'s annual budget as part of the overall C/CAG budget approval process.
- Authorize submittal of countywide and regional compliance documents on behalf of their respective agencies for activities performed via C/CAG through the Countywide Program or the Bay Area Stormwater Management Agencies Association.
- Convey relevant program and compliance information and direction to appropriate staff and departments within their jurisdictions.
- Form ad-hoc work groups to address particular stormwater-related issues on an as-needed basis
- Discuss and provide policy recommendations on stormwater issues, such as:
 - funding stormwater compliance activities at the local and countywide level;
 - unfunded mandate test claims;
 - permit appeals and litigation;
 - reissuance of the Municipal Regional Permit;
 - permit requirements, especially those related to new and redevelopment, monitoring, and pollutants of concern, including trash, mercury, PCBs, and pesticides;
 - training and technical support needs for municipal staffs
 - legislation and statewide policy issues impacting member agencies

Per the C/CAG Joint Powers Agreement, regular attendance at Committee meetings is encouraged for member agencies. Committee attendance reports are provided to the C/CAG Board biannually.

Meeting Location and Frequency

The Committee is anticipated to meet on a bimonthly basis depending on need on the third Thursday of the month at 2:30 PM at the San Mateo County Transit District Office in the 2nd Floor auditorium, 1250 San Carlos Avenue, San Carlos. Public notices for Committee meetings will be posted in accordance with Brown Act requirements on the ground floor of the same location.

Agenda Packet Procedures

Committee agenda packets will be distributed electronically via email and posted on C/CAG's website.

C/CAG AGENDA REPORT

Date: February 21, 2013
To: Stormwater Committee
From: Matthew Fabry, Program Coordinator
Subject: 2013 Calendar of Meetings

(For further information or questions contact Matthew Fabry at 650 599-1419)

RECOMMENDATION

Establish the 2013 calendar of Committee meetings.

BACKGROUND/DISCUSSION

As established by the C/CAG Board, this Committee will meet regularly as designated by the Executive Director. In order to minimize impacts on likely Committee representatives, Committee meetings are proposed for 2:30 PM on the third Thursday of the month, immediately following and at the same location as C/CAG's Congestion Management Technical Advisory Committee (CMP TAC). Although staff anticipates bimonthly meetings will likely be sufficient to address anticipated action items, staff proposes adopting a monthly calendar to provide flexibility to address issues with specific deadlines or otherwise timely nature and for coordination with other meeting schedules such as the City/County Engineers Association and C/CAG's Congestion Management Technical Advisory Committee (CMP TAC). A calendar of permit-mandated submittals that will require authorization by the Committee is attached. The following is the recommended calendar of meetings for 2013, along with anticipated agenda items:

| Date | Anticipated Agenda Items |
|---------------------------|--|
| January 17, 2013 | |
| February 21, 2013 | Approval of Mission Statement, Membership, Roles & Responsibilities, Ad-Hoc Committees, Chair/Vice Chair, Approval of Calendar of Meetings, Receive Feedback regarding Regional Board staff review of 2011-12 Annual Reports, Presentation on and Authorization to Submit Urban Creeks Monitoring Report |
| March 21, 2013 | TENTATIVE - CANCEL |
| April 18, 2013 | Preliminary 2013-14 Countywide Program Budget, Presentation on Trash Issues |
| May 16, 2013 | Final 2013-14 Countywide Program Budget, Presentation on New/Redevelopment Issues |
| June 20, 2013 | TENTATIVE - CANCEL |
| July 18, 2013 | TENTATIVE - CANCEL |
| August 15, 2013 | Approval of Countywide Program and BASMAA Annual Reports, Presentation by SCI Consulting Group on Countywide Funding Initiative – Results of Phase I Efforts |
| September 19, 2013 | TENTATIVE - CANCEL |
| October 17, 2013 | TBD |
| November 21, 2013 | Presentation on Draft Integrated Monitoring Report, Authorization to Submit C.3.c Infeasibility Status Report |
| December 19, 2013 | TENTATIVE - CANCEL |

List of MRP-required Submittals for NPDES Stormwater Committee Approval (Jan 2013 – Dec 2014)

| MRP Provision | MRP-Required Submittal | Due Date | Approvals/Submitter |
|---------------------|--|--------------------|--|
| C.8.g.ii | Creek Status Monitoring Electronic Report | January 15, 2013 | <ul style="list-style-type: none"> Duly authorized reps approve SMCWPPP submitting report. SMCWPPP PM signs transmittal. |
| C.8.g.iii | Urban Creeks Monitoring Report | March 15, 2013 | <ul style="list-style-type: none"> Duly authorized reps approve BASMAA submitting report. BASMAA PMs (including SMCWPPP PM) sign transmittal. |
| C.16.a | Annual reporting including local agency reports, SMCWPPP report, and BASMAA submittals. | September 15, 2013 | <ul style="list-style-type: none"> Duly authorized reps sign local agency reports transmittals. Duly authorized reps approve SMCWPPP and BASMAA submittals. SMCWPPP PM signs transmittal for SMCWPPP submittal. BASMAA PMs (including SMCWPPP PM) sign transmittals for BASMAA submittals. |
| C.3.c | Infeasibility Status Report | December 1, 2013 | <ul style="list-style-type: none"> Duly authorized reps approve BASMAA submitting report. BASMAA PMs (including SMCWPPP PM) sign transmittal. |
| C.8.g.ii | Creek Status Monitoring Electronic Report | January 15, 2014 | <ul style="list-style-type: none"> Duly authorized reps approve SMCWPPP submitting report. SMCWPPP PM signs transmittal. |
| C.10.c | Long-Term Trash Load Reduction Plans (SMCWPPP submits a compilation of local agency plans) | February 1, 2014 | <ul style="list-style-type: none"> Duly authorized reps sign local agency plans. Duly authorized reps authorize SMCWPPP to submit compilation of plans. SMCWPPP PM signs transmittal. |
| C.8.g.v, C.11, C.12 | Phase I Integrated Monitoring Report | March 15, 2014 | <ul style="list-style-type: none"> Duly authorized reps approve BASMAA submitting report. BASMAA PMs (including SMCWPPP PM) sign transmittal. |
| New Permit | Report of Waste Discharge (ROWD) | May/June 2014 | <ul style="list-style-type: none"> Duly authorized reps approve BASMAA submitting ROWD. BASMAA PMs (including SMCWPPP PM) sign transmittal. |
| C.16.a | Annual reporting including local agency reports, SMCWPPP report, and BASMAA submittals. | September 15, 2014 | <ul style="list-style-type: none"> Duly authorized reps sign local agency reports transmittals. Duly authorized reps approve SMCWPPP and BASMAA submittals. SMCWPPP PM signs transmittal for SMCWPPP submittal. BASMAA PMs (including SMCWPPP PM) sign transmittals for BASMAA submittals. |
| C.8.g.v, C.11, C.12 | Phase II Integrated Monitoring Report | December 2014? | <ul style="list-style-type: none"> Duly authorized reps approve BASMAA submitting report. BASMAA PMs (including SMCWPPP PM) sign transmittal. |

Note: PM - Program Manager

C/CAG AGENDA REPORT

Date: February 21, 2013
To: Stormwater Committee
From: Matthew Fabry, Program Coordinator
Subject: Establish Ad-hoc Committees

(For further information or questions contact Matthew Fabry at 650 599-1419)

RECOMMENDATION

Establish ad-hoc committees to address particular issues on an as-needed and temporary basis.

FISCAL IMPACT

None.

SOURCE OF FUNDS

Not applicable.

BACKGROUND/DISCUSSION

In order to effectively address various issues that are relevant to the Committee, staff recommends establishing ad-hoc committees that will evaluate particular stormwater program concerns and provide recommendations to the full Committee. These committees will function on an as-needed and temporary basis and be disbanded upon completion of the particular task assigned to the committee. Staff recommends establishing and designating three to five representatives each to serve on the following ad-hoc committees:

- **Countywide Funding Initiative:** this committee will serve as a steering/advisory committee for C/CAG's Countywide Funding Initiative.
- **Budget/Policy:** this committee will assist staff with review and preparation of annual Countywide Program budget materials and general policy issues facing C/CAG or its member agencies, review draft correspondence from the Countywide Program in situations where there is insufficient time for the full Committee to provide feedback, and screen selected materials before being brought to the full committee for consideration.
- **Permit Implementation:** this committee will serve as an advisory committee on significant Municipal Regional Permit implementation issues, including new and redevelopment, trash, monitoring, and pollutants of concern (e.g, mercury & PCBs).

C/CAG AGENDA REPORT

Date: February 21, 2013
To: Stormwater Committee
From: Matthew Fabry, Program Coordinator
Subject: Authorization to Submit Urban Creeks Monitoring Report

(For further information or questions contact Matthew Fabry at 650 599-1419)

RECOMMENDATION

Receive staff presentation on Urban Creeks Monitoring Report and authorize submittal to the Regional Water Quality Control Board on behalf of C/CAG's member agencies.

FISCAL IMPACT

None.

SOURCE OF FUNDS

Not applicable.

BACKGROUND/DISCUSSION

Provision C.8 of the Municipal Regional Permit (MRP) requires Permittees to perform a variety of water quality monitoring activities during the term of the permit. C/CAG's member agencies agreed to perform these activities through a Regional Monitoring Collaborative (RMC) managed through the Bay Area Stormwater Management Agencies Association (BASMAA). These activities include:

- **San Francisco Estuary Monitoring** – intended to evaluate water quality status & trends in the San Francisco Estuary. This is achieved through participation in the San Francisco Estuary Regional Monitoring Program for Trace Substances. C/CAG contributes approximately \$85,000 annually to this program on behalf of its member agencies.
- **Status Monitoring** – intended to evaluate water quality status and trends and overall health of local creeks. These activities are performed locally by C/CAG's technical consultants on behalf of its member agencies and in coordination with the RMC.
- **Monitoring Projects** – a variety of special monitoring projects are required, including Stressor/Source Identification projects that are required when Status Monitoring results exceed pre-defined triggers, a Best Management Practice (BMP) Effectiveness Investigation, which evaluates the effectiveness of one BMP for stormwater treatment or hydrograph modification control, and a Geomorphic Project that is intended to evaluate how and where creeks can be restored or protected to

cost-effectively reduce the impacts of pollutants, and increased flow rates and durations or urban runoff. These activities are being performed through C/CAG's technical consultants on behalf of its member agencies and in coordination with the RMC.

- **Pollutants of Concern (POCs) and Long-Term Trends Monitoring** – intended to assess inputs of POCs to the Bay from local tributaries and urban runoff, assess progress toward achieving wasteload allocations for Total Maximum Daily Load (TMDL) water quality restoration programs. These activities are performed by C/CAG's technical consultants on behalf of its member agencies and in coordination with the RMC.

A comprehensive Urban Creeks Monitoring Report (UCMR) is required annually under the MRP to document all of the above monitoring activities that are performed during the previous year. However, since all Permittees elected to perform these monitoring activities through the RMC, the MRP allowed an additional year of planning, with the first UCMR due by March 15, 2013.

The UCMR is required to include summaries of the above-listed monitoring activities, with data and discussions of the results, including comparison to water quality standards, hypotheses regarding pollutant sources, trends, and effectiveness of control measures, and identification and prioritization of follow-up actions including management actions needed to address water quality problems. The UCMR includes sections that address both local and regional data and evaluations.

The draft UCMR was provided for Permittee review in late January (locally, links to the document were provided to representatives on the NPDES Technical Advisory Committee, the Watershed Assessment and Monitoring subcommittee, and the Stormwater Committee). C/CAG's lead technical consultant, EOA Inc., coordinated review and comment by C/CAG member agencies and a final draft was provided through the RMC for approval by all Permittees in mid-February.

Staff from EOA will provide a presentation to the Stormwater Committee on the UCMR and C/CAG staff will then request authorization from Committee members to submit the report on behalf of their member agencies by March 15, 2013.

C/CAG AGENDA REPORT

Date: February 21, 2013
To: Stormwater Committee
From: Matthew Fabry, Program Coordinator
Subject: Trash Update

(For further information or questions contact Matthew Fabry at 650 599-1419)

RECOMMENDATION

Receive update on discussions among Permittees, Bay Area Stormwater Management Agencies Association (BASMAA) representatives, and Water Board staff on the trash requirements in the Municipal Regional Permit.

FISCAL IMPACT

None.

SOURCE OF FUNDS

Not applicable.

BACKGROUND/DISCUSSION

Permittees and BASMAA representatives have been meeting regularly with Water Board staff since October 2012 to discuss the Municipal Regional Permit (MRP) trash requirements and how to move forward in response to Water Board staff's June 2012 comment letter on the February 1, 2012 local and regional submittals as well as Board member comments at the September 2012 Water Board meeting. The discussions have generally included workgroup meetings focusing on particular trash-related issues, such as fleshing out control measure performance standards and associated documentation/reporting metrics, and steering committee meetings to review the workgroup materials and attempt to address the bigger picture issues of how to proceed in developing long-term trash load reduction plans and meeting the trash reduction requirements in the MRP.

Most recently, the steering committee members generally agreed upon an eight-step framework for creating long-term trash load reduction plans after several jurisdictions (including the City of San Mateo) applied the proposed framework to local conditions in an attempt to demonstrate its viability. The eight steps are as follows:

1. Identification of high, moderate, and low trash generating areas based on land use and other factors, local knowledge, and field verification.

2. Attempt to identify trash sources in high and moderate generation areas to assist in focused control measure implementation
3. Prioritize trash generating areas and the types of trash problems that need to be addressed within those areas
4. Identify control measures for reducing trash in prioritized areas and minimizing problems
5. Define success/goal and identify measurement types for control measures and/or determining success.
6. Select and implement trash control measures
7. Evaluate and document progress towards goal
8. Modify area designations and reprioritize areas and control measures as needed.

There are still many remaining issues, the most important of which is how to adequately assess progress and effectiveness of control measures. BASMAA is currently working to develop a proposal on various assessment methodologies that could be utilized under differing scenarios of control measure implementation, which is scheduled for presentation to the steering committee in early March. Further complicating issues, Water Board staff has indicated the State Water Board continues to develop a Trash Policy that will likely apply statewide, including in the Bay Area and Los Angeles, so it remains to be seen if and how the efforts here in the Bay Area can or will influence that process.

Stormwater Committee members Breault, Patterson, and Porter and their staffs have been participating in both the steering committee and workgroup meetings. Staff anticipates having some finality on the trash issues by the end of March and is tentatively planning for a more detailed presentation at the April Stormwater Committee meeting.

ATTACHMENTS

None

C/CAG AGENDA REPORT

Date: February 21, 2013
To: Stormwater Committee
From: Matthew Fabry, Program Coordinator
Subject: Regional Board Staff Feedback on 2011-12 Annual Reports

(For further information or questions contact Matthew Fabry at 650 599-1419)

RECOMMENDATION

Receive update on Regional Water Board staff feedback regarding member agencies' 2011-12 Annual Reports.

BACKGROUND/DISCUSSION

Permittees under the Municipal Regional Permit are required to submit annual reports by September 15 of each year documenting compliance activities during the prior fiscal year. Regional Board staff has issued feedback on these reports after reviewing certain specific permit provision sections, including Provision C.2 (stormwater pump station monitoring and corporation yard inspections), Provision C.3 (New and Redevelopment requirements), and C.9 (Integrated Pest Management policies). Staff has also been told that Regional Board staff will be providing additional feedback regarding review of the Provision C.10 (Trash) section. Feedback has generally come in three forms: Notices of Compliance (no problems noted), Notices of Deficiency (minor issues noted), and Notices of Violation (compliance issues noted), and was issued in either individual or group letters.

Overall, San Mateo municipalities exhibited improvement in overall compliance with their 2011-12 annual reports. In San Mateo County, there were three Notices of Compliance, 14 Notices of Deficiency, and three Notices of Violation. While it is difficult to compare feedback on annual reports from year to year given that Regional Board staff reviews different permit provision sections annually, there was a significant reduction in Notices of Violation (22 down to three) and an increase in Notices of Deficiency (five up to 14) between 2010-11 and 2011-12, respectively, indicating a strong shift from agencies being in non-compliance to having minor compliance issues.

Last year was the first time C/CAG directed resources to its technical consultant (EOA Inc.) for review and comment on member agency annual reports in advance of the submittal deadline. Given the positive feedback agencies provided and the improving compliance trend, staff intends to allocate similar resources for EOA to provide the same services for the 2012-13 period.