

NOTICE OF MEETING
NPDES TECHNICAL ADVISORY COMMITTEE (TAC)

TUESDAY, APRIL 16, 2013 – 9:30 AM to NOON
SAN MATEO MAIN LIBRARY, OAK ROOM
55 WEST THIRD AVENUE, SAN MATEO
(See location map on back)

AGENDA

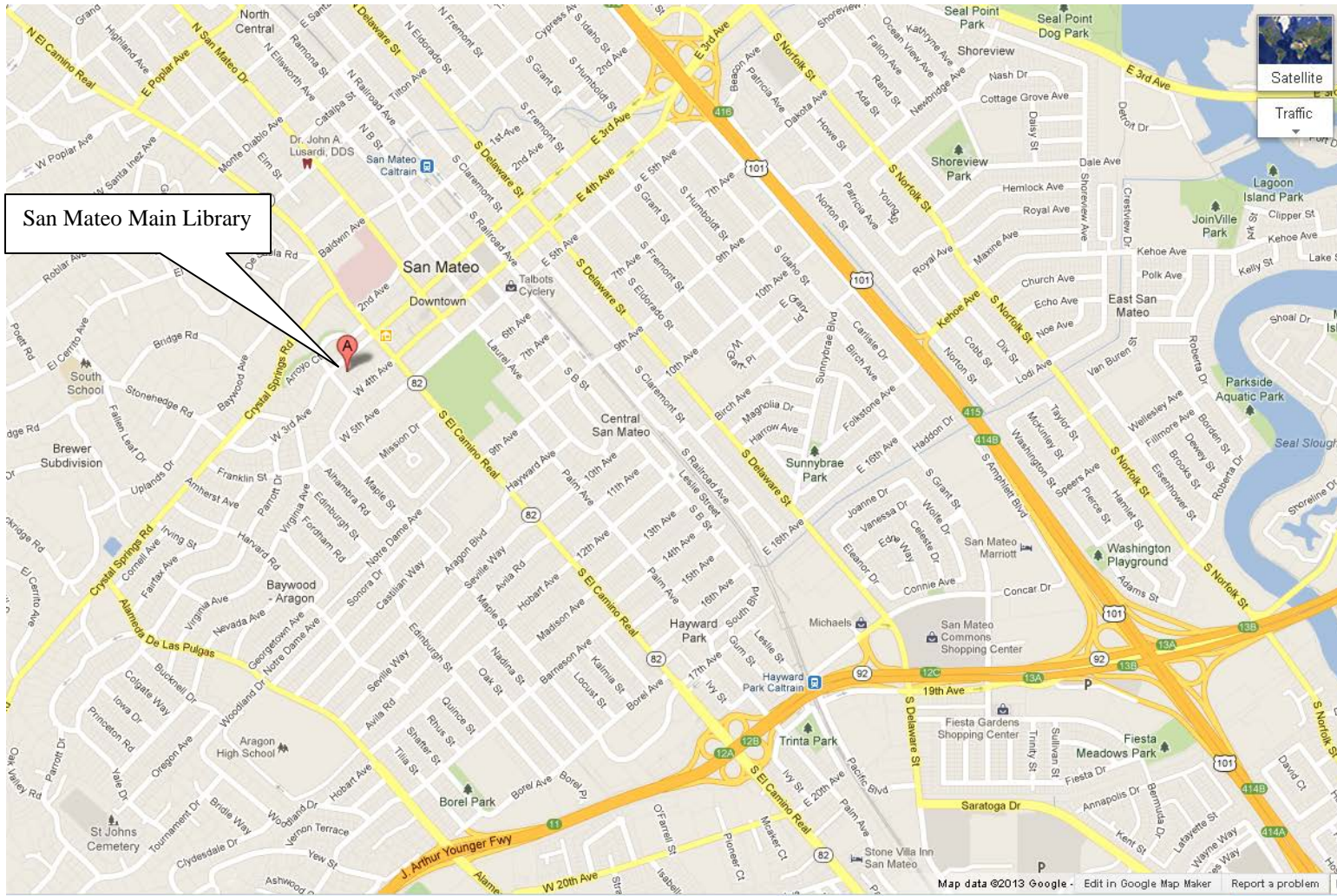
1. **INTRODUCTIONS, ANNOUNCEMENTS, AGENDA REVISIONS – MATT FABRY, Countywide Program Coordinator**
2. **PUBLIC COMMENT ON ITEMS NOT ON THE AGENDA** (limited to two minutes per speaker)
3. **APPROVAL OF MINUTES FROM PREVIOUS MEETING**
4. **REGULAR AGENDA**
 - A. **INFORMATION/DISCUSSION – REGULATORY COMPLIANCE SERVICES PORTION OF PRELIMINARY 2013-14 COUNTYWIDE PROGRAM BUDGET (MATT FABRY)**
 - B. **INFORMATION/DISCUSSION – PROVISION C.2/C.4/C.5/C.9 UPDATE (KRISTIN KERR, EOA)**
 - C. **INFORMATION/DISCUSSION – PROVISION C.10 TRASH UPDATE (CHRIS SOMMERS, EOA)**
 - D. **INFORMATION/DISCUSSION – OTHER**
5. **NEXT MEETING – JULY 16, 2013**

Post by 5:00 P.M., Friday, April 12, 2013

NOTE: Persons with disabilities who require auxiliary aids or services in attending and participating in this meeting should contact Matthew Fabry at 650-599-1419, five working days prior to the meeting date.

Public records that relate to any item on the agenda for a regular NPDES Technical Advisory Committee (TAC) meeting are available for public inspection. Those records that are distributed less than 72 hours prior to the meeting are available for public inspection at the same time they are distributed to all members, or a majority of the members of the TAC. The TAC has designated C/CAG's office at 555 County Center, 4th Floor, Redwood City, for purpose of making those public records available for inspection. The documents are also available on the Countywide Program's website at www.flowstobay.org, and C/CAG's website, at the link for agendas for upcoming meetings. The website is: <http://www.ccag.ca.gov>.

MEETING LOCATION
San Mateo Main Library, Oak Room, 55 West Third Avenue, San Mateo
(PARK IN LIBRARY'S UNDERGROUND GARAGE)



NPDES Technical Advisory Committee Agenda Report

Date: April 16, 2013
Item: 3
From: Matthew Fabry, Program Coordinator
Subject: Approval – NPDES TAC meeting minutes – January 15, 2013

Summary

The attached minutes were recorded from notes taken at the subject meeting.

Recommendation

Approve January 15, 2013 NPDES Technical Advisory Committee meeting minutes as drafted.

Attachments

Draft Minutes from January 15, 2013 NPDES Technical Advisory Committee Meeting

**NPDES Stormwater
Technical Advisory Committee (TAC)
REPORT OF MEETING**

**TUESDAY, JANUARY 15, 2013
10:00 to NOON
CITY OF SAN MATEO**

- 1. INTRODUCTIONS, ANNOUNCEMENTS, AND AGENDA REVISIONS:** Self-introductions were made. Matt Fabry, Program Coordinator, announced that Sandy Wong, former C/CAG Deputy Director, was appointed at the December C/CAG Board meeting to be the new Executive Director following Richard Napier's retirement. The C/CAG Board also approved entering into a funding agreement with SCI Consulting Group for the proposed countywide water quality funding initiative. Matt indicated EOA was submitting the Provision C.8-required Electronic Status Monitoring Data Report to the Regional Board that day and solicited approvals from duly authorized representatives that had not already provided authorization via email (Note: All 21 municipalities authorized submittal of the document via their duly authorized representatives, either verbally or by email to the Program Coordinator). Jon Konnan briefly described the results being reported with a focus on minor exceedances of indicator bacteria water quality objectives.
- 2. PUBLIC COMMENT - NONE**
- 3. ADOPTION OF MEETING MINUTES -** The November minutes were adopted as written.
- 4. REGULAR AGENDA**
 - A. INFORMATION – UPDATED SCHEDULE OF MUNICIPAL REGIONAL PERMIT SUBMITTALS:** Staff provided an update on required municipal regional permit submittals that require authorization to submit via duly authorized representatives for the remainder of the permit term.
 - B. APPROVAL – PROPOSED CALENDAR OF MEETINGS:** Staff provided a recommended meeting calendar, with meetings to continue to be on the third Tuesday but on a quarterly basis (April, July, and October for the remainder of the calendar year). Staff also recommended the meetings all be held at the San Mateo Main Library. The attendees approved the recommendation.
 - C. INFORMATION/DISCUSSION – PROVISION C.10 TRASH UPDATE:** Staff provided an update on the efforts to address Regional Board staff and Board member concerns regarding the February 2012 trash submittals, as detailed in the agenda report. Matt indicated the steering committee had generally agreed that the draft framework for long-term trash load reduction plans made sense and that the level of effort of several jurisdictions who attempted to apply the framework to test case areas within their cities seemed reasonable. Meetings are ongoing, with internal Bay Area Stormwater Management Agencies Association (BASMAA)/permittee meetings in the coming weeks to flesh out proposals on approaches to selecting “layers” of trash control measures and methods to assess effectiveness and progress toward reaching the ultimate load reduction goals. The next steering committee meeting is scheduled for January 25.
 - D. INFORMATION/DISCUSSION – PROVISION C.3/C.6/C.13 UPDATE:** Jon Konnan with EOA provided an update on ongoing and upcoming requirements related to Provisions C.3 (New and Redevelopment), C.6 (Construction Site Controls), and C.13.a (Architectural Copper). Two new C.3 checklists are available on the flowstobay website: 1) regulated projects and 2) small projects. Jon reminded everyone of the March 15 due date for all permittees to submit their Special Projects reporting form, documenting whether they have approved any Special Projects under Provision C.3, and if so, providing details. A form that can be used by Permittees can be found on the flowstobay

website. Jon reminded everyone that Provision C.7.a.ii(2) requires Permittees to ensure storm drain inlets on newly developed streets be marked with “No Dumping, Flows to Bay/Ocean/Creek” labels. Regarding Provision C.13.a, Permittees are required to include in their 2013 Annual Report an evaluation of the effectiveness of training, permitting, enforcement activities, and Best Management Practice implementation and propose any additional measures to address architectural copper installations as a source of pollutants. Laura Prickett with EOA has already sent an email to New Development Subcommittee representatives regarding this issue. Jon reminded everyone to ensure their wet season construction site inspection and tracking programs are being implemented as required under Provision C.6. The group discussed the need for an updated table of all MRP-required tasks. The group also requested a table of quarterly check-ins that TAC reps can use to help verify what activities should be occurring within their jurisdictions to ensure nothing is missed when Annual Reports are being prepared. Matt & Jon will work to provide the requested information in a table format and a group of Committee members agreed to review the draft format (Steve, Michelle, Randy and Debra).

- E. INFORMATION – UPDATE ON MUNICIPAL PROGRAM REVIEWS:** Staff continues to plan for implementing municipal program reviews, prioritized based on assessments of which jurisdictions need the most assistance with compliance issues. Staff anticipates starting reviews in February.
- F. INFORMATION/DISCUSSION – WATER BOARD FEEDBACK ON ANNUAL REPORTS:** Staff gave a verbal update on the Water Board’s joint Notice of Deficiency letter to Bay Area Permittees on Provision C.2.f, Municipal Corporation Yards, as well as subsequent Notices of Violation and Deficiency issued to individual San Mateo jurisdictions on Provisions C.2 (Pump Stations), C.3 (New and Redevelopment Inspection/Reporting), and C.9 (Integrated Pest Management Ordinance/Policy).
- G. INFORMATION – REGULATORY TRACKING TABLES:** Staff referred attendees to the updated Regulatory Tracking Tables included in the agenda packet showing issues relevant to stormwater Permittees that are either ongoing/active or that are completed/inactive, along with what actions have been taken in relation to each issue through the California Stormwater Quality Association, BASMAA, the Countywide Program, or others.

5. BASMAA/CASQA UPDATES – Matt noted that CASQA membership dues will remain at the current rate for now and recommended any future increases be tied to the level of benefits.

6. EXECUTIVE DIRECTOR’S REPORT – None

7. SUBCOMMITTEE AND WORKGROUP REPORTS

Attendees were referred to subcommittee reports in the agenda packet for updates.

- A. PUBLIC INFORMATION/PARTICIPATION**
- B. COMMERCIAL/INDUSTRIAL AND ILLICIT DISCHARGE**
- C. NEW DEVELOPMENT**
- D. MUNICIPAL MAINTENANCE ACTIVITIES**
 - 1) **MUNICIPAL MAINTENANCE SUBCOMMITTEE**
 - 2) **PARKS MAINTENANCE & IPM WORKGROUP**
 - 3) **WATER UTILITY WORK GROUP**
- E. TRASH SUBCOMMITTEE**
- F. WATERSHED ASSESSMENT AND MONITORING**

8. NEXT MEETING

The next meeting is scheduled for April 16th at the Oak Room in the San Mateo Main Library.

MEETING ADJOURNED

C/CAG AGENDA REPORT

Date: April 16, 2013
Item: 4A
From: Matthew Fabry, Program Coordinator
Subject: Review and provide feedback on regulatory compliance support components of preliminary 2013-14 Countywide Program budget

SUMMARY

The following written report is being provided to the Stormwater Committee for discussion at its April 18, 2013 meeting. Staff is requesting Technical Advisory Committee representatives review and work with their Stormwater Committee representatives to provide feedback in advance of the May 16, 2013 Stormwater Committee meeting.

RECOMMENDATION

Review and provide feedback on regulatory compliance support components of preliminary 2013-14 Countywide Program budget.

BACKGROUND/DISCUSSION

The Countywide Program's annual budget is part of the overall C/CAG budget. The primary component of the Countywide Program budget is regulatory compliance support services provided through technical consultants (County Health for public outreach and education and EOA Inc. for everything else). Staff is requesting feedback from Committee representatives regarding the proposed support services.

The Countywide Program has two primary revenue streams: a countywide property tax assessment and Measure M (\$10) vehicle registration fees. The property tax assessment generates roughly \$1.5 million annually and the Countywide Program's share of Measure M is approximately \$720,000 per year, resulting in a sustainable annual revenue stream of \$2.2 million. The Countywide Program also received 25% of the annual AB1546 (\$4) vehicle registration funds prior to expiration at the end of 2012 but these funds are much more limited than Measure M funds in their ability to be used for general permit compliance activities.

The Countywide Program's proposed preliminary 2013-14 budget is approximately \$3.69 million, with roughly \$2.55 million in regulatory support costs (including consultant costs and membership/dues in BASMAA, CASQA, and the Regional Monitoring Program), \$830K in anticipated costs for the countywide funding initiative, and about \$310K in administrative and staff costs. For 2013-14, staff is requesting Technical Advisory Committee members review and provide feedback to their Stormwater Committee representatives regarding the proposed regulatory compliance support activities. The attached document details the general categories and levels of support provided to member agencies, including planned workshops/trainings, support for subcommittees, provision-specific support such as for the trash reduction requirements, and compliance activities on behalf of member agencies, such as for the monitoring and pollutants of concern (mercury and PCBs) provisions.

As described above, the annual revenue for the Countywide Program is insufficient to cover the projected compliance costs for 2013-14. The shortfall will be bridged through a combination of Measure M and AB1546 funds and the Program's accumulated fund balance. The following table details the anticipated utilization of fund sources for the current and next fiscal years.

	FY 2012-13			FY 2013-14			FY 2014-15
	Beginning Balance	Revenue	Utilization	Beginning Balance	Revenue	Utilization	Beginning Balance
NPDES Fund (Property Tax Revenue)	\$1,161,631	\$1,445,950	\$1,473,426	\$1,134,155	\$1,468,058	\$2,307,596	\$294,616
\$4 Vehicle Registration Fund	\$1,240,689	\$355,342	\$150,000	\$1,446,031	\$0	\$150,000	\$1,296,031
\$10 Vehicle Registration Fund	\$954,866	\$732,450	\$1,076,118	\$611,198	\$742,790	\$1,235,190	\$118,798
TOTAL	\$3,357,186	\$2,533,742	\$2,699,544	\$3,191,384	\$2,210,848	\$3,692,786	\$1,709,445

Existing stormwater (NPDES) and Measure M fund balances are projected to drop from around \$1 million each to around \$300,000 and \$100,000, respectively, over the next year. The AB1546 fund will still have a balance of approximately \$1.3 million at the start of 2014-15, but as previously described, these funds have limitations on general compliance use and are currently planned for either a future green streets or trash distribution to C/CAG's member agencies. As such, the primary concern and partial driver for the proposed Countywide Funding Initiative, in addition to member agency funding needs, is securing an additional sustainable revenue stream to meet anticipated future compliance costs in excess of existing Countywide Program revenue of \$2.2 million, given the likely expectation that costs to comply with the Municipal Regional Permit will continue to escalate with each reissuance.

ATTACHMENTS

Summary of regulatory compliance support services in preliminary 2013-14 Countywide Program budget

FY 2013/14 TASKS AND BUDGETS FOR NPDES PERMIT COMPLIANCE CONSULTANT ASSISTANCE

This document summarizes the San Mateo Countywide Water Pollution Prevention Program's (Countywide Program's) FY 2013/14 tasks and budgets for NPDES permit compliance consultant assistance (i.e., compliance with the municipal stormwater permit commonly referred to as the Municipal Regional Permit or MRP, issued by the San Francisco Bay Area Regional Water Quality Control Board or Regional Water Board). Table 1 summarizes the primary MRP compliance components and associated budgets and also includes a contingency that is not directly earmarked for MRP compliance.

INTRODUCTION

The Countywide Program performs a wide range of tasks related to MRP compliance on behalf of the 22 Permittees in the County (20 cities/towns, the County, and the Flood Control District). In most cases the focus is on providing guidance, coordination and training to assist Permittees meet permit mandates. In other cases (e.g., water quality monitoring, pollutants of concern studies), the Countywide Program directly performs permit compliance activities on behalf of all Permittees. Key types of permit compliance tasks conducted via the consultant contracts include:

- Facilitating subcommittees and workgroups, including working with chairs to plan meeting agendas and discussion materials (e.g., handouts, presentations, and talking points), participating in meetings, preparing meeting summaries, maintaining email/attendance lists, and completing meeting follow-up actions. Table 2 summarizes FY 2013/14 meeting frequencies.
- Preparing guidance documents.
- Conducting a variety of training workshops for municipal staff.
- Conducting permit compliance reporting, including preparing Annual Reports due in September each year.
- Implementing technical studies and projects related to water quality monitoring and certain water quality "pollutants of concern" (e.g., mercury and PCBs). The results of these studies and projects will be summarized in a comprehensive "Integrated Monitoring Report" due March 2014.
- Collaborating with other Bay Area municipal stormwater programs, mainly through participation in the activities of the Bay Area Stormwater Management Agencies Association (BASMAA). This includes performing parts of certain regional projects with the expected level of effort by each countywide stormwater program being proportional to its population. Program staff attends a number of BASMAA committee and workgroup meetings (e.g., Board of Directors, development, public outreach, municipal operations, trash, monitoring) to represent the Countywide Program, coordinate with other Bay Area stormwater management programs, and oversee regional projects.

The Regional Water Board has issued a number of MRP compliance "Notices of Violation" (NOVs) to San Mateo County (and other Bay Area) Permittees during this permit term. The Countywide Program has taken a number of measures in response and NOV issuances to San Mateo County Permittees appear to be trending downwards. To help maintain this trend several additional trainings for municipal staff were included in this year's workplan/budget:

- Rural Roads BMPs training workshop.
- New Development training workshop (had one last year and usually every other year).
- Stormwater Treatment System O&M Verification training workshop.
- Structural IPM training workshop.

Table 1. Summary of FY 2013/14 MRP Compliance Components/Budgets and Contingency

Component	MRP Provision and Notes	Budget	Percent of Budget
Miscellaneous Compliance	All MRP Provisions	\$207,088	10%
Municipal Operations	C.2 and C.7.a	\$57,056	3%
New Development & Construction	C.3, C.6, C.13.a and C.7.a	\$172,783	8%
Commercial/ Industrial/Illicit Discharge Control	C.4, C.5, C.15, C.12.a and C.13.b and d	\$115,572	5%
Public Information and Outreach	C.7 and C.9.h	\$359,913	17%
Water Quality Monitoring	C.8	\$558,500	27%
Pesticides Toxicity Control	C.9 except C.9.h	\$78,560	4%
Trash Load Reduction	C.10	\$269,338	13%
Mercury, PCBs, other Pollutants of Concern	C.11, C.12 (except C.12.a), C.13.c and e and C.14	\$183,934	9%
Contingency Items	Grant applications, commenting on new regulatory items, and litigation support, or other tasks identified by C/CAG - use requires C/CAG authorization.	\$104,736	5%
Total:		\$2,107,480	100%

Notes:

- All of the above components are conducted via EOA Inc.'s contract with C/CAG except for Public Information and Outreach, which is covered by a contract between the San Mateo County Environmental Health Department and C/CAG.
- Subcontractors to EOA comprise about 10% of the overall budget and are mainly used in the Water Quality Monitoring component (e.g., field sample collection technicians, analytical laboratories).

Table 2. Summary of FY 2013/14 Countywide Program Meeting Frequencies

Committee	Meetings per Year
Stormwater Committee	8
Technical Advisory Committee	4
Municipal Maintenance Subcommittee	4
New Development Subcommittee	6
Commercial/ Industrial/Illicit Discharge Control Subcommittee	4
Public Information and Participation Subcommittee	6
Watershed Assessment and Monitoring Subcommittee	2
Parks Recreation and IPM Workgroup	4
Trash Control Subcommittee	4

The following section details the specific regulatory compliance support tasks proposed for Fiscal Year 2013-14 in the main component sections under the Municipal Regional Permit.

KEY TASKS FOR EACH OF THE TEN PRIMARY MRP COMPLIANCE COMPONENTS

The following sections provide bullet lists of key tasks for each of the ten primary MRP compliance components of the Countywide Program.

Miscellaneous Compliance (All MRP Provisions)¹

- Facilitate subcommittees and workgroups (meeting frequency provided in Table 2).
- Assist the Program Coordinator with facilitating TAC workshops and Stormwater Committee meetings and other aspects of the Countywide Program.
- Review draft municipal Annual Reports and provide comments.
- Prepare Countywide Program workplan/budget and Annual Report.
- Update guidance and conduct an annual workshop (usually in July) to help train municipal staff on filling out Annual Report forms.
- Assist with participation in the process to reissue the MRP, which expires in November 2014, including meeting with BASMAA and Regional Water Board staff and reviewing and commenting on draft versions of the reissued MRP.

Municipal Operations (MRP Provision C.2 and C.7.a)

- Conduct a Rural Roads BMPs training workshop.
- Assist municipal staff to understand and implement municipal operations-related BMPs related to street and road repair maintenance activities, sidewalk/plaza maintenance and pavement washing, bridge and structure maintenance and graffiti removal, corporation yard activities, and operation of storm drain pump stations.

New Development and Construction Activities (MRP Provisions C.3, C.6, C.7.a and C.13.a)

- Conduct New Development training workshop.
- Conduct Stormwater Treatment System O&M Verification training workshop.
- Conduct Construction Site Stormwater Controls training workshop.
- Update checklists, templates and flyers to assist municipal staff and others (e.g., construction site inspectors, project applicants).
- Prepare Countywide Program's sections of Regional LID Feasibility Status Report.
- Update C.3 Technical Guidance Manual.

Commercial, Industrial and Illicit (CII) Discharge Controls (MRP Provisions C.4, C.5, C.12.a, C.13.b and d, and C.15)

- Conduct Commercial, Industrial and Illicit Discharge Stormwater Inspector training workshop.
- Assist municipal staff with the implementation of commercial and industrial stormwater inspection tasks and illicit discharge detection and elimination tasks. Assist with business inspection plans and priorities, data management, enforcement response plans, complaint tracking and follow-up, collection system screening programs and mobile business outreach.
- Summarize and evaluate planned potable water discharge monitoring data available in Annual Reports to inform a possible future request to reduce monitoring and reporting requirements.
- Assist municipal staff understand and implement requirements related to conditionally exempt discharges (e.g., potable water, swimming pool maintenance).

¹The budgets for many items in this section are partly or wholly spread out among the budgets for the individual components described in the below sections. For example, budget for facilitation of each individual subcommittee is included in the budget of the corresponding program component.

Public Information and Outreach (MRP Provision C.7)

- Target a broad audience with two separate advertising campaigns, one focused on reducing trash/litter in waterways and one focused on reducing the impact of urban pesticides.
- Conduct a minimum of six pitches (e.g. press releases, public service announcements, and/or other means) per year.
- Maintain and update the Countywide Program's website.
- Participate in and/or host public outreach and citizen involvement events.
- Implement outreach activities designed to increase awareness of stormwater and/or watershed message(s) in school-age children (K through 12).

Water Quality Monitoring (MRP Provision C.8)

- Operate and monitor the pollutant loading station in the Pulgas Creek pump station watershed as an in-kind contribution to a BASMAA Regional Project.
- Participate in the San Francisco Estuary Regional Monitoring Program (RMP) including the Small Tributaries Loading Strategy workgroup.
- Participate in the BASMAA Regional Monitoring Coalition and conduct creek status water quality monitoring in San Mateo County. Field activities include biological community sampling (benthic macroinvertebrate and algae bioassessments), continuous water quality monitoring using multi-parameter probe measurements, collecting grab water and sediment samples (for toxicity testing and chemical and bacterial analysis), and stream physical condition surveys.
- Initiate two stressor/source identification projects in San Mateo County to address creek status water quality monitoring exceedances of trigger levels described in the MRP.
- Conduct a BMP effectiveness study to investigate the effectiveness of one BMP for stormwater treatment by adding analytes to the monitoring program already planned for the Bransten Road green street and PCB treatment retrofit pilot project in San Carlos.
- Continue conducting a geomorphic project to develop an inventory of locations in a portion of the San Mateo Creek watershed for potential retrofit projects in which decentralized, landscape-based stormwater retention units could be installed. As appropriate, coordinate this task with any related C/CAG work and/or SFEP's related Proposition 84 funded project.
- Encourage citizen monitoring and stakeholder observations and reporting of water body conditions.
- Prepare the annual electronic report for field monitoring results followed by the San Mateo local monitoring sections of the Integrated Monitoring Report, which incorporates the previous year of monitoring into data analysis and interpretation.

Pesticides (MRP Provision C.9)

- Conduct Landscape IPM training workshop.
- Conduct Structural IPM training workshop.
- Evaluate effectiveness of the pesticide control measures implemented, evaluate attainment of pesticide concentration and toxicity targets from water and sediment monitoring data, and identify improvements to existing control measures and/or new control measures, if needed, to attain targets.
- Assist municipal staff to understand and implement IPM programs. Work with Parks Recreation and IPM Workgroup to determine specific products (e.g., municipal outreach materials for structural IPM, Standard Operating Procedure templates).

Trash Load Reduction (MRP Provision C.10)

- Prepare a countywide trash load reduction assessment plan and implement the plan, including conducting on-land visual trash reduction assessments at sites throughout the county.
- Contribute to development of a trash full capture operation and maintenance procedures and verification program, as an in-kind contribution to a BASMAA Regional Project.
- Assist municipalities to calculate trash removals via creek and shoreline hot spot cleanups required by the MRP. Provide data collection and load removal calculation tools to municipalities and maintain data associated with creek and shoreline cleanup activities in a centralized database. Assist with annual reporting of trash reductions associated with creek and shoreline cleanups.
- Assist member agencies to develop their long-term trash load reduction plans due February 1, 2014, including meeting with municipalities in groups and individually to provide perspectives on potential control actions for trash management and assessment methods, developing maps depicting trash management areas for prioritized implementation, reviewing and commenting on individual draft long-term trash load reduction plans, and compiling all plans and submitting to the Regional Water Board.
- Develop a web-based trash management reporting tool (for the Countywide Program's website) that will provide a visual display of the location and types of trash management actions being planned or implemented by municipalities. The tool will include the locations of trash management areas and associated trash generation rates, descriptions of trash actions planned or implemented in each area, and assessment results.
- Coordinate with staff from San Mateo County and other municipalities to plan and conduct up to two workshops with municipal solid waste/recyclable haulers and a follow-up meeting. The goal of the workshops is to collectively identify opportunities to reduce the contributions of litter generated from hauler-associated sources (e.g., transporting garbage/recyclables and overflowing containers). As an outcome of the workshop(s) and meeting, develop a brief action plan that describes agreed upon implementation actions that should be pursued.

Mercury, PCBs, and Lower Priority Pollutants of Concern (MRP Provisions C.11, C.12, C.13.c, C.13.e, and C.14)

- Assist the Countywide Program oversee and/or participate in several BASMAA regional projects that address mercury, PCBs and other pollutants of concern.
- Assist the Countywide Program to collaborate with other BASMAA agencies to develop the comprehensive Integrated Monitoring Report due in March 2014 per several water quality monitoring and pollutants of concern MRP provisions.
- Estimate the mass of mercury collected annually by via municipal mercury recycling and collection efforts.
- Assist the Countywide Program to participate in and meet its match commitment for Clean Watersheds for a Clean Bay (CW4CB), a four-year EPA grant-funded regional project that is pilot testing methods to reduce loading of sediment-bound pollutants to the Bay and, therefore, help implement the PCBs and mercury TMDL water quality restoration programs. CW4CB includes several projects in the Pulgas Creek pump station watershed in San Carlos.
- Assist the Countywide Program to implement a pilot project in the Pulgas Creek pump station watershed to assess the feasibility of diverting runoff to sanitary sewers for treatment at local Publicly Owned Treatment Works (POTW).

Contingency Items (implementation requires authorization by C/CAG)

- Assist the Countywide Program and/or BASMAA apply for grant funds.
- Assist the Countywide Program to comment on and/or respond to selected regulatory actions (e.g., Basin Plan amendments such as TMDLs, ASBS compliance).
- Provide support to the Countywide Program in relation to litigation activities (e.g., permit appeals, unfunded mandate test claim).

NPDES Technical Advisory Committee Agenda Report

Date: April 16, 2013
Item: 4B
From: Matthew Fabry, Program Coordinator
Subject: Information/Discussion – Provision C.2/C.4/C.5/C.9 Update

Summary

Kristin Kerr (EOA Inc.) will provide a presentation and update on compliance activities/concerns related to Municipal Regional Permit provisions C.2 (Municipal Operations), C.4 (Industrial and Commercial Site Controls), C.5 (Illicit Discharge Detection and Elimination), and C.9 (Pesticides Toxicity Control).

NPDES Technical Advisory Committee Agenda Report

Date: April 16, 2013
Item: 4C
From: Matthew Fabry, Program Coordinator
Subject: Information/Discussion – Provision C.10 Trash Update

Summary

As reported in January, discussions between Permittee, BASMAA, and Water Board staff representatives have been ongoing since October 2012 regarding the MRP's trash requirements. These meetings have come to a conclusion, after reaching general consensus on a framework for developing Long-Term Trash Reduction Plans and a plan for developing assessment approaches and reporting effectiveness of implemented trash reduction actions.

Most recently, Board staff issued a March 25, 2013 letter (attached) providing feedback on the trash section of select Permittees' 2011-12 Annual Reports. While the letter highlights issues identified in these reports, it focuses on looking forward, identifying a number of working principles that have come out of the joint trash discussions and four expectations for the 2012-13 reports.

Chris Sommers (EOA, Inc.) will provide a brief presentation on the outcomes of the trash discussions, what C/CAG's member agencies will need to do over the next year to develop Long-Term Trash Reduction Plans, and what areas of support C/CAG and EOA will provide to member agencies in that regard.

ATTACHMENTS

Regional Water Board's March 25, 2013 letter

San Francisco Bay Regional Water Quality Control Board

March 25, 2013

To: Municipal Regional Stormwater NPDES Permit (Order No. R2-2009-0074) Permittees

Sent via email to:

Jim Scanlin, Alameda Countywide Clean Water Program: jims@acpwa.mail.co.alameda.ca.us

Geoff Brosseau, Bay Area Stormwater Management Agencies Association:
geoff@brosseau.us

Tom Dalziel, Contra Costa Clean Water Program: tdalz@pw.cccounty.us

George Hicks, City of Fairfield: ghicks@ci.fairfield.ca.us

Kevin Cullen, Fairfield-Suisun Sewer District: kcullen@fssd.com

Matt Fabry, San Mateo Countywide Pollution Prevention Program: mfabry@ci.brisbane.ca.us

Adam Olivieri, Santa Clara Valley Urban Runoff Pollution Prevention Program:
awo@eoainc.com

Daniel Kasperson, City of Suisun: dkasperson@suisun.com

Sam Kumar, City of Vallejo: skumar@ci.vallejo.ca.us

Lance Barnett, Vallejo Sanitation & Flood Control District: lbarnett@vsfcd.com

From: Thomas Mumley
Assistant Executive Officer

**Subject: Review of Municipal Regional Stormwater NPDES Permit (MRP) Provision C.10
Trash Load Reduction Sections of FY 2011-12 Annual Reports**

This letter presents the results of our review of the Provision C.10 Trash Reduction sections of 2011-12 MRP Annual Reports submitted by a subset of sixteen Permittees¹. Our review compared submitted information to the permit reporting requirements, and the reporting directed by our attached July 13, 2012 letter (July 13 Letter), which conditioned acceptance of the C.10 Annual Report Format proposed by the Permittees. We also present directions for the C.10 Trash Reduction element of the 2012-13 Annual Report.

The MRP Provision C.10 reporting language states in part that each Permittee must provide a summary of its trash load reduction actions including the types of actions and levels of implementation. In the July 13 Letter, we specified that descriptions of actions implemented should distinguish between actions that are continued from pre-Permit adoption and actions that are new or enhanced since Permit adoption. We also specified the type and level of detail expected for the reported descriptions for each categorical action (e.g., On-land Trash Cleanups). Our review of the sixteen Annual Reports found that, with some positive exceptions, many Permittees did not report information at the level called for in our July 13 Letter. We assume

¹ Concord, Daly City, Dublin, Fremont, Milpitas, Oakland, Pacifica, Richmond, San Jose, San Leandro, San Mateo (city), San Pablo, Saratoga, South San Francisco, and Sunnyvale, and Walnut Creek.

some of the report shortcomings were due to the timing of our July 13 Letter relative to the preparation of Annual Reports by some Permittees, and consequently, some of the information was not readily available. However, it appears many of the report shortcomings were due to overreliance on the proposed Short Term Trash Reduction Tracking Method (Tracking Method), dated February 1, 2011, submitted by Permittees.

In our letter to Permittees on June 7, 2011, we identified significant inadequacies in the Tracking Method. In particular, the proposed Tracking Method assigned significant trash reduction value or credit to actions that were already in place before MRP adoption. It also assigned trash reduction values or credits for new actions without any verification or adequate accountability. We remind Permittees that the Water Board and its staff have not approved any of the proposed trash reduction credits. Permittees may use them for planning purposes if they so choose, but they cannot use them for compliance purposes. A key purpose of our July 13 Letter was to provide directions for better Annual Reports in light of the shortcomings in the Tracking Method. However, there was little or no accounting and assessment verification of new trash reduction actions in the Annual Reports.

In the following section of this letter, we provide a summary of our review findings within each categorical action area. However, rather than belabor the adequacy of the past reports, we prefer to focus attention on improved and adequate reporting in the 2012-13 Annual Report and do not ask for revisions of past reports. Accordingly, in the last section of this letter, we present directions for this year's Annual Report based in part on our review of the past reports.

Review of Annual Report Action Category Components

Single-use Carryout Plastic Bag Ordinances ***Polystyrene Foam Food Service Ware Ordinances*** ***Single-use Food and Beverage Ware Ordinances***

Our July 13 Letter called for description of implementation actions, including outreach, inspection or other compliance determination, and informal and formal enforcement.

Our review findings include the following:

- The two Permittees reviewed (San Jose and Sunnyvale) that had single use bag restrictions in place reported detailed information on outreach and enforcement of their ordinances. The data presented describe robust programs with inspection and enforcement.
- All other reviewed Permittees reported progress towards development of single use bag restrictions.
- Some Permittees reviewed had restrictions on use of foam foodware, either for many classes of retail establishments, on city property or just for city sponsored functions. However, little or no outreach or enforcement information was reported. Oakland maintains a hotline for reports of foam foodware use violations, and included a standard enforcement letter example.

Public Education and Outreach Programs

Our July 13 Letter called for description of education and public outreach actions specific to trash reduction, including numbers and dates of events, frequencies, or other implementation metrics. It also called for description of any effectiveness measurements, including surveys or other means to demonstrate the benefit of the education or outreach effort.

Our review findings include the following:

- All Permittees reviewed included reference to one or more outreach events or public information campaigns, and reported numbers and dates of events and other implementation metrics.

Activities to Reduce Trash from Uncovered Loads Anti-Littering and Illegal Dumping Enforcement Activities Improved Trash Bin/Container Management

Our July 13 Letter called for description of enforcement efforts, including the numbers of instances of informal and formal enforcement. It also stated redirection of existing resources from low trash generation areas to higher trash generation areas, or the reworking of existing efforts to increase focus or efficiency can be considered new actions with adequate description.

Our review findings include the following:

- All reviewed Permittees referred to some existing controls on uncovered trash loads. However, little or no specifics on increased enforcement were reported. Sunnyvale worked with the local solid waste transfer station to require covers and provide them to haulers. San Leandro also has a transfer station, and worked with the California Highway Patrol on enforcement, but no details were described.
- Richmond reported cameras were rotated into hot spot dumping areas but provided no summary details on level of implementation. Saratoga mentions working with PG&E to fence off a problem dumping area.
- Milpitas stated new trash bin and illegal dumping actions include site checks based on nuisance complaints but provided no summary details on level of implementation and enforcement actions.
- No Permittees mentioned using their existing Industrial/ Commercial inspection activities to check trash bin and dumpster areas. Although, San Jose described the development of a downtown business improvement district which develops funding for public trash bin maintenance and on land cleanup on a frequent schedule.

On-land Trash Cleanups (Volunteer and/or Municipal)

Our July 13 Letter called for description of the type(s) of enhanced versus baseline actions implemented, distinguishing Permittee-staff from volunteer actions.

Our review findings include the following:

- Most Permittees reviewed reported some new volunteer cleanup events, including gallons of trash removed. However, it is unclear if these events will be ongoing, in all cases.
- Walnut Creek reported new homeless encampments and dumping site cleanups by staff.

Enhanced Street Sweeping

Our July 13 Letter called for a summary of increased street sweeping frequency by land use or area of a Permittee's jurisdiction and a summary description of areas or streets subject to enhanced parking enforcement. It also stated redirection of sweeping resources from low trash generation areas to higher trash generation areas, or the implementation of actions to increase the effectiveness of existing sweeping, such as measures to get to the curb or slow down the sweeper speed, can all be considered new actions.

Our review findings include the following:

- All Permittees reviewed, except for Concord and Fremont, claimed new or enhanced street sweeping. However, most did not describe the new or enhanced sweeping. Based on our further review of Short-Term Trash Load Reduction Plans, most claims of new and enhanced sweeping are for sweeping that was occurring before MRP adoption.
- Oakland reported that it is conducting a street sweeping efficiency study to examine re-deploying sweeping effort.
- Walnut Creek reports specific sweeping events without stating whether these are new actions.

Partial-Capture Treatment Devices

Full Capture Treatment Devices

Our July 13 Letter called for a summary description of each device and description of the level of maintenance per device or groups of devices.

Our review findings include the following:

- All Permittees reviewed reported types of devices installed or plans for such installations in the near future but provided very few details associated with these installations, such as mapped location or land use associated with the installed devices.
- Only some Permittees reviewed provided the acreage of capture area of devices.
- No Permittees reviewed reported maintenance information.

Enhanced Storm Drain Inlet Maintenance

Our July 13 Letter called for a description of the applicable targeted drainage area(s), including the number of inlets, and the increased frequency of maintenance in the area(s).

Our review findings include the following:

- Only one Permittee reviewed, Oakland, reported enhanced inlet maintenance. The City reported approximately 50 percent of its inlets were cleaned twice rather than the baseline of once per year.

Creek/Channel/Shoreline Cleanups (Volunteer and/or Municipal)

Our July 13 Letter called for a description of the type(s) of cleanup actions implemented, including location.

Our review findings include the following:

- All of the Permittees reviewed reported creek hot spot cleanups at least once per year for the required number of hot spots and the amount of trash collected, at least in total.
- Some of the Permittees reported details of location and type of trash removed, and amount of trash per cleanup.

Directions for 2012-13 Annual Report

We are providing these directions as a means of resolving shortcomings in the 2011-12 Annual Report and to ensure improved and adequate reporting in the 2012-13 Annual Report. These are in addition to the directions contained in our July 13 Letter, and we continue to emphasize that the Annual Reports must adequately describe actions that are new or enhanced since Permit adoption. In addition to reporting progress towards meeting the 40 percent trash load reduction requirement in the 2012-13 Annual Report, Permittees should also report progress on development of the Long Term Trash Reduction Plans that must be submitted by February 1, 2014. The directions herein provide a means of addressing both.

We expect Permittees to collaboratively develop and submit a revised annual report format for reporting trash load reduction information that is consistent with these directions. However, we recognize development of a revised format will require additional work and cannot be completed in time to be part of the revised overall Annual Report Form that Permittees will be submitting by April 1. Therefore, submittal of the trash load reduction element of the Annual Report Form by May 1 is acceptable.

In ongoing discussions with a work group of Permittees, we have emphasized focusing trash reduction actions and reporting on solving trash problems. To that end, we have further emphasized focusing actions on high trash generation areas. Also, until we resolve current technical challenges and constraints to quantifying trash loads directly, Permittees must demonstrate load reduction progress by adequately documenting implementation of new or enhanced actions along with some assessment measure. Implementation documentation includes types of actions, how they were conducted adequately, and where they were implemented. Assessments can be conducted in receiving waters, next to receiving waters, or at strategic on-land locations.

Our discussions with the work group of Permittees have been productive and have identified working principles that will provide the basis of Long Term Trash Reduction Plans. They should also result in improvements in short-term trash load reduction actions. These principles are described in the following:

- Permittees will develop a map of prioritized trash management areas in their jurisdictions, divided into high, medium and low trash generation areas, by using local knowledge and field observations to validate or revise the land use based trash generation maps created to develop the Baseline Trash Loads;
- Permittees will define the set of trash reduction tools (actions), including implementation performance measures, and determine combinations of the tools that may be equivalent in effectiveness to full trash capture devices;

- Permittees will focus implementation on their high and medium trash generation areas first, and will assess tool-combinations in representative areas to verify the “full capture equivalence”; and
- Permittees will conduct assessment or accountability measurements to demonstrate and verify progress towards and attainment of required trash load reduction levels. Assessment tools include visual and trash counting assessments on land in each or representative trash management areas at locations that represent trash generation and reduction, measurement of trends at creek and Bay shoreline trash hot spots downstream of trash management areas, and direct measurement of trash flux to or in receiving waters using full trash capture devices or temporary devices, such as nets or strainers.

Following these principles, our directions for the 2012-13 Annual Report for C.10 Trash Load Reduction include the following:

1. *Map and Verify High, Medium and Low Trash Generation Areas* - Provide a map of high, medium and low trash generation areas, including non-jurisdictional areas such as Caltrans, schools and State University land. Also include verified non-storm drain system trash sources, such as areas of homeless encampments, creek-side dumping, and wind-blown trash sources. Indicate which of these areas have been verified and divide the high and medium trash generation areas into functional blocks that will be managed as a unit. This map may be provided in GIS format, readable with standard GIS software.

Most Permittees should be able to verify their high trash generation areas. If verification is not complete, particularly by Permittees that have a large jurisdictional area or large number or proportion of high trash generation areas, provide a schedule for verification of these areas. Also, Permittees whose jurisdictions contain a large number of high and medium trash generation areas may propose a preliminary prioritization plan for their delineated management areas.

2. *New and Enhanced Actions Implemented Since MRP Adoption to Reduce Trash in High Trash Generation Areas* - Describe, with specific reference to delineated high and medium trash generation management areas, new and enhanced trash reduction actions that are being or are planned to be implemented. For planned actions, specify the date of implementation.
3. *Full Trash Capture Devices* - Describe type of devices and catchment area of each device and map the devices and catchment areas overlaid on delineated trash generation management areas. This map may be provided in GIS format, readable with standard GIS software. Provide a summary of maintenance actions for each device or groups of devices. The Trash Tracker developed by the San Francisco Estuary Partnership Bay Area-wide Trash Capture Demonstration Project may be used.
4. *Assessment and Verification Methods* - Describe method(s) being or planned to be implemented to determine the effectiveness of trash reduction actions in delineated management areas. Include information to reference which method will be used and the location of the assessment. If planning is not complete, particularly by Permittees that have a large jurisdictional area or large number or proportion of high trash generation areas, provide a schedule for reporting proposed methods.

NPDES Technical Advisory Committee Agenda Report

Date: April 16, 2013
Item: 4D
From: Matthew Fabry, Program Coordinator
Subject: Information/Discussion – Other

Summary

Staff will provide updates on other relevant Municipal Regional Permit issues, including a quarterly check-in on what member agencies should be focusing on for the upcoming compliance quarter.