

NOTICE OF MEETING NPDES TECHNICAL ADVISORY COMMITTEE (TAC)

TUESDAY, OCTOBER 21, 2014 – 10 AM to NOON
SAN MATEO MAIN LIBRARY, OAK ROOM
55 WEST THIRD AVENUE, SAN MATEO
(See location map on back)

AGENDA

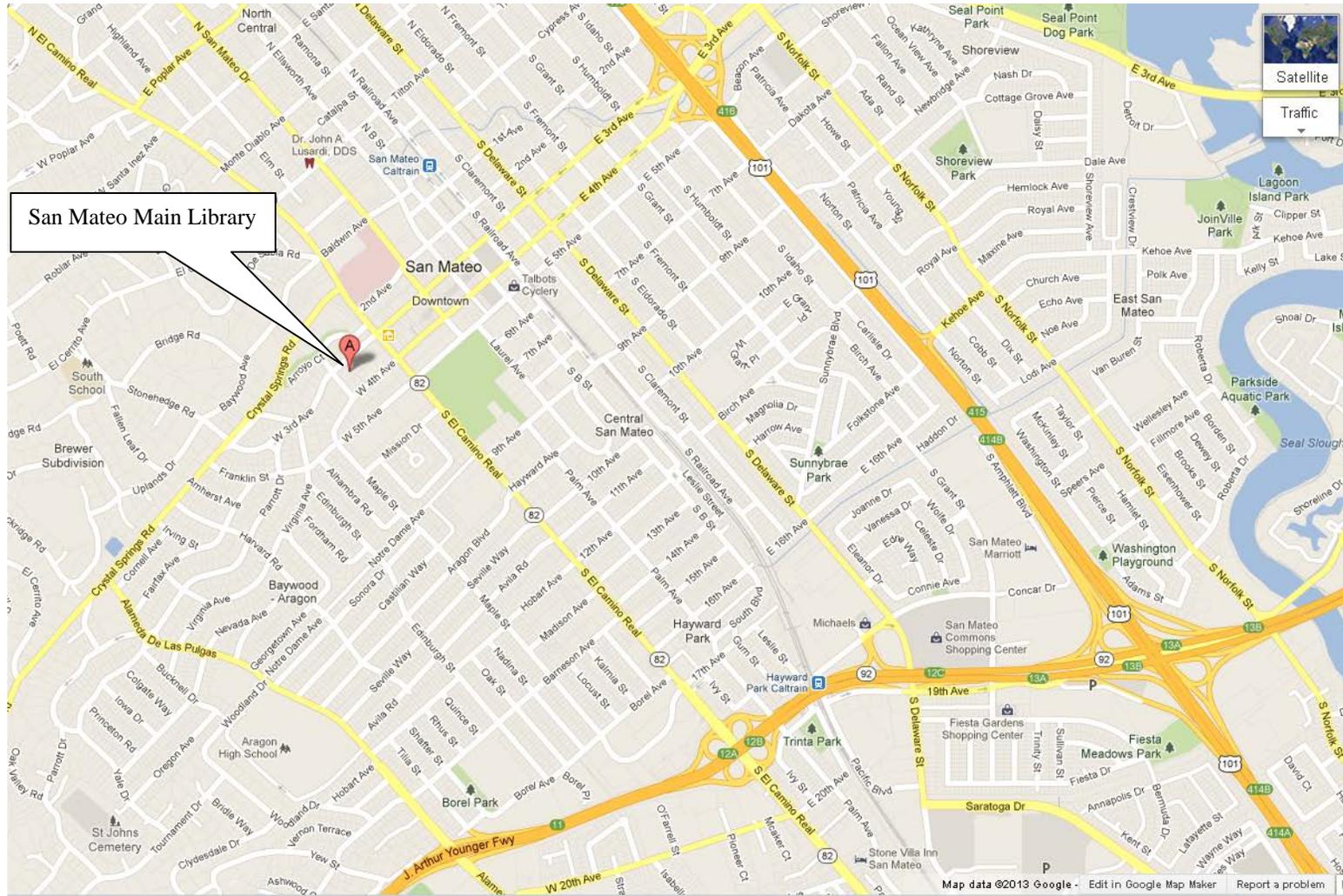
1. **INTRODUCTIONS, ANNOUNCEMENTS, AGENDA REVISIONS – MATT FABRY, Countywide Program Coordinator**
2. **PUBLIC COMMENT ON ITEMS NOT ON THE AGENDA** (limited to two minutes per speaker)
3. **APPROVAL OF MINUTES FROM PREVIOUS MEETING**
4. **REGULAR AGENDA**
 - A. **INFORMATION – UPDATE ON MUNICIPAL REGIONAL PERMIT REISSUANCE (FABRY, JON KONNAN, EOA)**
 - B. **INFORMATION – UPDATE ON POTABLE WATER DISCHARGE PERMIT (FABRY/KONNAN)**
 - C. **INFORMATION – MRP COMPLIANCE OVERVIEW/QUARTERLY CHECK-IN (KONNAN)**
 - D. **INFORMATION – STATE/REGIONAL STORMWATER ISSUES & REGULATIONS UPDATE (KONNAN)**
 - E. **INFORMATION – OTHER ISSUES, SUBCOMMITTEE UPDATES**
5. **NEXT MEETING – January 20, 2015**

Post by 5:00 P.M., Friday, October 17, 2014

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.ceag.ca.gov>.

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



C/CAG AGENDA REPORT

Date: October 21, 2014

Item: 3

From: Matthew Fabry, Program Coordinator

Subject: Approval – NPDES TAC meeting minutes – July 15, 2014

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

RECOMMENDATION

Approve July 15, 2014 NPDES Technical Advisory Committee meeting minutes as drafted.

ATTACHMENTS

1. Draft July 15, 2014 Minutes

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

**TUESDAY, JULY 15, 2014
10:00 to NOON
CITY OF SAN MATEO**

1. INTRODUCTIONS, ANNOUNCEMENTS, AGENDA REVISIONS: Self-introductions were made. Matt Fabry (Program Coordinator) reported that a 10.5% fee increase is proposed for FY 2014/15 for municipal stormwater NPDES permit holders. Each jurisdiction in San Mateo County pays the permit fee individually, not through C/CAG. The fee increase process lacks transparency in that there has been no opportunity to participate in the dialogue between the SWRCB and legislature and the use of the funds is not necessarily associated with their source. The process has also been relatively last minute (e.g., only a one day notice was given for a recent workshop and furthermore there were technical glitches with participating via the Internet) which has not provided municipalities with the opportunity to budget in advance for fee increases. Previous efforts by CASQA and BASMAA to work with State Water Board staff to address these issues have not met with success. Recognizing the need to address the issue at a higher level, Matt and others recently started a dialogue with legislator Rich Gordon. Matt will keep the TAC posted on ongoing developments. (EDITORIAL – NOTE, STATE BOARD ENDED UP ADOPTING A FEE SCHEDULE WITH A ONE-TIME 8.9% DISCOUNT FOR STORMWATER PERMITTEES)

Matt also noted that SMCWPPP and/or BASMAA will comment on the State Water Board's proposed Trash Amendment. Although the proposed amendment is generally consistent with the Bay Area approach, the comments will note a few concerns. For example, the amendment should be revised to indicate that trash generation is not just tied to land use, but other factors are important, especially income in the surrounding area and existing trash control measures. In addition, the amendment should be revised to allow for those full capture devices "approved" by the San Francisco Bay Regional Water Board staff to be considered "certified." John Fusco of EOA sent an email to SMCWPPP's Trash Committee on July 14 with more details.

Additionally, Matt briefed the group regarding the recent comment letter from Regional Water Board staff on BASMAA's report on green street pilot projects. Matt previously distributed the comment letter electronically to the TAC and Stormwater Committee. One issue was the sizing of several of the projects, including the Bransten Street project in San Carlos. In general, treating runoff from roadways is a larger policy issue that will potentially be addressed via a program of Green Infrastructure long-term master planning. Jill Bicknell with EOA and other stormwater program staff will work through BASMAA's Development Committee to develop a response to the comments.

2. PUBLIC COMMENT ON ITEMS NOT ON THE AGENDA: None.

3. APPROVAL OF MINUTES FROM PREVIOUS MEETING: The April minutes were adopted as written.

4. REGULAR AGENDA

A. INFORMATION – ANNUAL REPORTING PROCESS/SCHEDULE: Matt reviewed highlights from the schedule for the upcoming annual reporting. Further detail is provided in the agenda report. Matt noted that a training workshop was not held this year to save resources for higher priorities such as PCBs/mercury work. In addition, much of the annual reporting should be routine since we are near the end of permit term. Key dates include:

- July 16 – Annual report package emailed out to each municipality

- August 7 – Countywide Program annual report emailed for municipal review/comment
- August 20 – Permittee reports due to EOA if municipalities want review/comment
- Sept 10 – Final Permittee reports due to EOA for bundling and submittal to Water Board

Matt noted that the trash section of each municipal report will be under scrutiny by Regional Water Board staff, especially assessing progress towards meeting the requirement to reach a 40% trash reduction by July 1, 2014. Matt also noted that local agencies should be taking advantage of the opportunity via the supplemental vehicle license fee allocation to obtain some reimbursement of costs for measures taken to meet the 40% trash reduction.

B. INFORMATION – UPDATE ON POTENTIAL COUNTYWIDE FUNDING INITIATIVE: Matt provided an update on overall progress and the schedule. The initiative is currently on hold. Based on recent meetings between C/CAG and high level municipal staff, moving forward with the initiative does not appear to be a high priority for individual jurisdictions on the short-term. Another issue is the large uncertainty with the high projected costs for addressing PCBs and mercury which are the main reason for the large overall funding shortfalls currently projected. When the draft MRP 2.0 becomes available it will help clarify requirements and associated costs (especially for PCBs and mercury), and member agencies will be in a better position to evaluate their need for a funding initiative. Regional Water Board staff anticipates releasing a Tentative Order in February 2015 for public comment and that the adopted permit’s effective date will be July 1, 2015. If the initiative moves forward it would likely be placed before voters or property owners in fall 2015 or spring 2016, either of which would result in a new revenue stream starting early 2017. Public opinion research shows support in the low 60% range which is adequate for a property-related fee (50% threshold) but not high enough for a parcel tax (two-thirds threshold). Matt also noted that enabling legislation for C/CAG to propose a special tax or fee is still not signed yet. (EDITORIAL – NOTE, AB 2170 WAS SIGNED BY THE GOVERNOR, GIVING C/CAG CLEAR LEGAL AUTHORITY TO PROCEED WITH A COUNTYWIDE INITIATIVE)

Matt then noted that AB2403 was signed by the governor recently. The Howard Jarvis Taxpayers Association did not oppose this bill. It clarifies the definition of water such that infrastructure projects (e.g., Green Streets) that capture urban runoff for infiltration and groundwater recharge or other water supply purposes fit within the exemption under Proposition 218. This exemption applies to fee-based funding for drinking water, sanitary sewers, and garbage collection. This bill could potentially help with future efforts to collect fees for certain stormwater management efforts.

C. INFORMATION – UPDATE ON PCBs/MERCURY PLANNING AND DATA COLLECTION: Jon Konnan (EOA, Inc.) gave a presentation on 1) background on PCBs and mercury and findings from pilot studies and other work conducted under the current stormwater permit term, 2) findings from the Integrated Monitoring Report and funding initiative Needs Analysis, 3) current efforts to work with municipalities with substantial old industrial land uses to identify potential new pollutant source areas, and 4) the status of working with Regional Water Board staff to develop a PCBs/Mercury permit language framework for the upcoming reissuance of the stormwater permit.

Jon noted that a new vision has begun to emerge that would involve a multi-decade program to gradually incorporate Green Infrastructure (GI) across the urban landscape. GI potentially provides multiple benefits, including treating stormwater runoff to reduce discharges of PCBs and mercury. The current thinking is that while part of the PCBs and mercury load could be addressed by identifying and cleaning up sources in “high opportunity” areas that are mostly within old industrial areas, much of the load originates from old urban “moderate opportunity areas” that comprise a very large part of the urban landscape. This is because PCBs and mercury have become widely dispersed in the urban environment. Treating with GI may be the most feasible way to address these areas. GI planning and projects may provide the opportunity to integrate reducing pollutant loads with other drivers and funding sources such as transportation projects. However, there is currently large uncertainty about the effectiveness and short and long-term costs of such an approach.

Jon explained that high and moderate opportunity areas will be identified using a process with some similarities to that used recently for delineating trash generation areas: 1) preliminary source area maps will be developed using GIS data (e.g., old industrial land uses, pre-1978 facility construction, known pollutant release sites); 2) Permittees will verify maps following a guidance document (e.g., field visits, Google Street View, local knowledge); 3) urban sediments will be collected near source areas and analyzed for PCBs and mercury; and 4) opportunity area maps will be refined based on Permittee verification and sample results. The field sampling will be the most expensive part of this process and is anticipated to start later in the calendar year.

D. INFORMATION – UPDATE ON POTENTIAL CHANGES TO MRP POTABLE WATER

DISCHARGE PERMITTING: Matt Fabry gave a brief overview of developments around this topic, which is most pertinent to local agencies that are potable water purveyors (about half of the agencies in San Mateo County). Potable water discharges from these municipalities are currently regulated under Provision C.15 of the municipal stormwater permit. Matt noted that EBMUD originally wanted a new NPDES permit because it does not currently have this type of coverage. The Bay Area Regional Water Board and the State Water Resources Control Board have released regional and statewide draft general permits, but the Bay Area permit process was recently put on hold to allow the statewide process to proceed. Either of these permits could impact local agencies that are water purveyors and currently covered by the stormwater permit, though the statewide permit appears less onerous. One important issue is that both draft permits include Numeric Effluent Limit (NEL) for chlorine and turbidity which could lead to onerous Mandatory Minimum Penalties. SMCWPPP will prepare a comment letter on the draft permits that will likely include the following key points: 1) NELs should be replaced by benchmarks or targets, 2) municipal purveyors should retain coverage under a municipal stormwater permit, rather than needing to get coverage under yet another discharge permit (municipalities are already typically subject to the MRP, sanitary sewer collection system permitting, and/or wastewater treatment plant discharge permits), and 3) the current potable water discharge BMP and monitoring requirements in MRP Provision C.15 are adequate to protect water quality and do not need to be modified.

E. INFORMATION – MRP COMPLIANCE OVERVIEW/QUARTERLY CHECK-IN: Jon briefly described this 11x17 document which is included in the agenda package. It provides an update on compliance activities that should have been completed in the previous quarter and those that will need to be completed in the upcoming quarter. Jon noted the document summarizes some compliance highlights but should not be thought of as a replacement for the MRP. Compliance activities required this quarter (July – September) include collecting dissolved oxygen samples from pump stations during dry weather, conducting annual corporation yard inspections before the rainy season, and sending pre-wet season notifications to any active construction sites before September 1.

F. INFORMATION – OTHER ISSUES, SUBCOMMITTEE UPDATES: Municipal staff should refer to the agenda package for a summary of upcoming meetings and workshops and minutes from last month's subcommittee and workshop meetings.

5. NEXT MEETING: The next meeting is scheduled for October 21, 2014 at the usual location: the Oak Room in the City of San Mateo Main Library.

MEETING ADJOURNED

CCAG AGENDA REPORT

Date: July 15, 2014
Item: 4A
From: Matthew Fabry, Program Coordinator
Subject: Update on Municipal Regional Permit Reissuance

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

RECOMMENDATION

Receive an update on Municipal Regional Permit reissuance.

BACKGROUND

The Municipal Regional Permit (MRP) went into effect on December 1, 2009. As a National Pollutant Discharge Elimination System (NPDES) permit, it has a five-year term and expires on November 30, 2014. Regional Board staff intends to release a draft revised MRP (MRP 2.0) in February 2015 with the intent that it be adopted in time to go into effect by July 1, 2015. San Mateo permittees jointly submitted an application for reissuance, called a Report of Waste Discharge (ROWD), on June 2, 2014.

The BASMAA-convened Steering Committee of Regional Water Board staff, countywide program managers from the MRP area, and select Permittee representatives from each county regulated by the MRP continues to meet to discuss key issues. In addition to the Steering Committee, there have been ongoing discussions at a Green Infrastructure workgroup.

At the October 2 Steering Committee, Assistant Executive Officer Mumley presented Regional Water Board staff's proposed framework for the reissued permit, which is anticipated to be out for public comment in February and adopted by the Water Board in time to go into effect on July 1, 2015. Dr. Mumley also presented this framework to the C/CAG Stormwater Committee on October 16, 2014, the slides of which is attached.

Staff will verbally summarize Dr. Mumley's presentation.

ATTACHMENTS

1. Slides from October 16, 2014 C/CAG Stormwater Committee



Municipal Regional Permit 2.0

Overview of Key Revisions

Stormwater Committee
October 16, 2014

Thomas Mumley
Assistant Executive Officer
SF Bay Regional
Water Quality Control Board

MRP 2.0 - Goals

- Consistency, accountability, flexibility
 - Room to move for good actors
 - Enforceable (for bad actors)
- Collaboration (internal / external)
 - Focus on green infrastructure
- Elimination or revision of requirements with limited water quality benefit and without other benefits

Permit Elements

Municipal Operations	New and Re-Development	Trash / PCBs Mercury Pesticides
Illicit Discharge Elimination	Industrial/ Commercial Controls	Public Information & Participation
Allowed Nonstormwater	Construction Site Control	Monitoring

New and Redevelopment

- Lower regulated project threshold to 5000 ft²
 - Green infrastructure plan exception
- Include road reconstruction treatment requirement
 - Green (streets) infrastructure plan exception



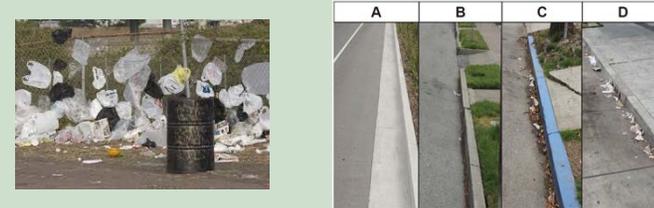
New and Redevelopment

- 🦉 (LID) system inspections at time of installation
 - Rather than within 45 days
- 🦉 O&M enforcement response plan
- 🦉 Pervious pavement/pavers design specs/O&M rqmt's
- 🦉 Require recurring inspections of pervious pavement/pavers



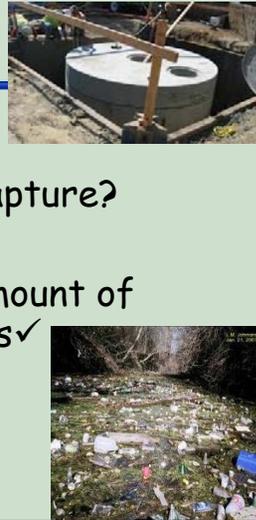
Trash Load Reduction

- 🦉 Attain 70% reduction (by July 2019?) based on areal% of trash management areas managed with full trash capture or verified equivalents
 - Equivalence based on observed trash condition



Trash Load Reduction

- 🦉 Mandatory minimum amount of full trash capture?
 - Possibly tie to bad actors
- 🦉 Mandatory minimum amount of trash hot spot cleanups ✓



PCBs TMDL Urban Runoff Requirements

- 🦉 TMDL Plan requires focused implementation
- 🦉 Urban runoff load allocation is 2 kg/y
 - Load estimate is 20 kg/y



PCBs Control

Focused implementation framework

- 👉 X% reduction in Y watersheds for cumulative benefit of Z kg/y
- 👉 X has to be measurable
- 👉 Starting level for Z is 5 kg/y
 - May be adjusted up or down based on implementation timing

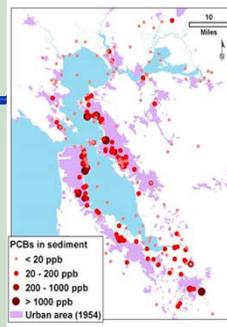
Focused Implementation in Two Types of Watersheds

- 👉 High PCBs watersheds (Y_H)
 - Bay margin areas with high PCBs
 - High PCBs reduction per unit of action
- 👉 Moderate PCBs watersheds (Y_M)
 - Drain mixed land uses
 - Lower PCBs reduction per unit of action
 - Other benefits of retrofit of LID measures (green infrastructure)

PCBs Controls

High PCBs watersheds (Y_H)

- 👉 Implementation within permit term
- 👉 ΣY_H reductions = 2 kg/y
- 👉 Possibly more time with hard implementation commitment



PCBs Controls

Moderate PCBs watersheds (Y_M)

- 👉 Robust (green infrastructure) plans within permit term
 - Reasonable assurance to attain ΣY_M reductions = 3 kg/y
- 👉 Begin implementation within permit term



PCBs Controls

🦟 Program to manage PCBs in building materials

- ~10,000 kg!
- ~ 5 kg per building



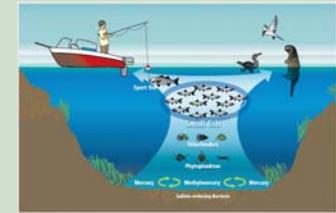
Mercury TMDL Urban Runoff Requirements

🦟 Urban runoff allocation is 80 kg/y

- Load estimate is 160 kg/y

🦟 TMDL Plan requires 50% load reduction within 20 years

- More time with demo of best effort and robust implementation plan

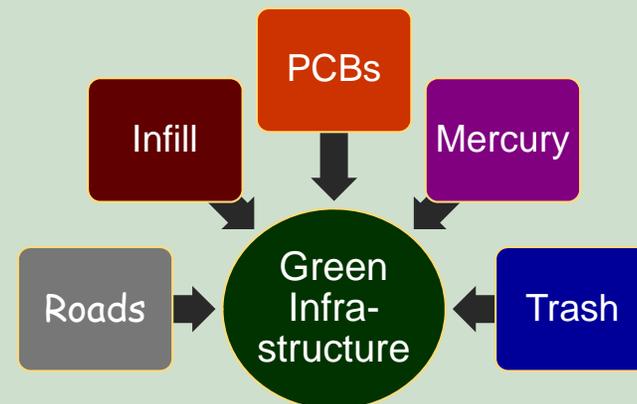


Mercury Controls

🦟 Robust (green infrastructure) plans within permit term

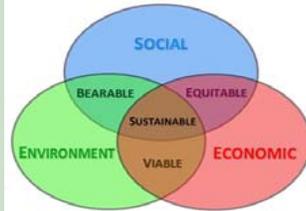
🦟 Reasonable assurance to attain reductions = 80 kg/y within realistic time

🦟 Begin implementation within permit term



Green Infrastructure

- 🦉 Political and management support
- 🦉 Integrate water quality with other plans
 - Complete streets
 - Priority development areas
 - Aging infrastructure replacement
- 🦉 Public participation
- 🦉 Triple bottom line
 - Social
 - Environmental
 - Economic



MRP 2.0 Timeline

- 🦉 Admin draft permit - Fall 2014
- 🦉 Public notice draft permit - Winter 2015
- 🦉 Water Board hearing(s) - Spring 2015
- 🦉 Effective Date - July 1, 2015

C/CAG AGENDA REPORT

Date: October 21, 2014
Item: 4B
From: Matthew Fabry, Program Coordinator
Subject: Receive update on Potable Water Discharge Permit

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

RECOMMENDATION

Receive update on Potable Water Discharge Permit.

BACKGROUND

In early July 2014, Regional Water Board staff postponed until further notice its Board's consideration of a tentative permit regulating discharges from drinking water systems under a regional National Pollutant Discharge Elimination System (NPDES) permit. The postponement occurred because the State Water Resources Control Board (State Board) formally announced in June its intent to consider a statewide NPDES permit regulating similar discharges, and distributed a draft permit. Notice of a new hearing date, if any, will be sent to interested persons and published on the Board's website at least 30 days prior to the public hearing during which the Board is to consider the tentative permit.

The State Board issued a revised draft permit on July 3, 2014. A draft comment letter template was sent to C/CAG's member agencies via a Water Utility Work Group for use in commenting on the Tentative Order. C/CAG submitted a comment letter via the Countywide Water Pollution Prevention Program (Countywide Program) by the August 19 deadline. The State Board received over 50 comment letters.

The State Board posted a second revised draft permit on October 1, 2014. There is no public comment period for this revised draft permit although oral testimony will be allowed on changes made since the previous draft. The State Board's Response to Comments on the first draft has not yet been posted. The State Board will hold a public workshop at their October 21, 2014 meeting. The permit will be considered for adoption at their November 4, 2014 meeting. The Countywide Program's consultants are in the process of reviewing the draft permit, waiting to evaluate the Response to Comments, and will work with staff to keep the Stormwater and NPDES Technical Advisory Committees and Water Utility Work Group representatives informed of any recommended action.

Overall, the second draft permit (10/1/14) is an improvement over the previous draft. However, not all of the Countywide Program's comments were addressed in this draft. Specifically:

- 1) The draft permit continues to have an exemption for water purveyors that are covered under an MS4 permit. The State Board did not add any language clarifying the MS4 permits should provide an equivalent level of protection and do not need to parallel the General Permit requirements, as requested by the Countywide Program.
- 2) The numeric effluent limit for turbidity was removed but the draft permit still contains a numeric effluent limit for chlorine residual.

C/CAG AGENDA REPORT

Date: October 21, 2014
Item: 4C
From: Matthew Fabry, Program Coordinator
Subject: MRP Compliance Overview/Quarterly Check-In

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

RECOMMENDATION

Staff will provide an update on compliance activities that should have been completed in the previous quarter and those that will need to be completed in the upcoming quarter.

ATTACHMENTS

1. Quarterly Compliance Check-In Tracking Spreadsheet

Note: this document should not be substituted for MRP

MRP Compliance Quarterly Check-in for SMCWPPP Municipalities

MRP Provision	MRP Requirement	Countywide Program	Member Agencies	Lead Subcommittee	Quarterly Check-ins for Permit Compliance and Related Items			
					2014			
					Jan - Mar	Apr - Jun	Jul - Sep	Oct - Dec
C.2.a. Road Repair	Permittees shall develop and implement appropriate BMPs at street and road repair and/or maintenance sites to control debris and waste materials during road and parking lot installation, and repaving or repair maintenance activities such as those describe in the CASQA Handbook for Municipal Operations.	Provide training.	Continue to implement appropriate BMPs developed for street and road maintenance.	Muni. Maint.	Ongoing	Ongoing	Ongoing	Ongoing
C.2.b. Pavement Washing	Permittees shall coordinate with sanitary sewer agencies to determine if disposal to the sanitary sewer is available for wastewater generated from these activities provided that appropriate approvals and pretreatment standards are met.	N/A	Coordinate with sanitary sewer agency located where surface cleaning will occur to determine if disposal to the samitary sewer is available provided pretreatment requirements are met.	Muni. Maint.	Ongoing	Ongoing	Ongoing	Ongoing
C.2.b. Pavement Washing	Permittees shall implement, and required to be implemented, BMPs for pavement washing, mobile cleaning, pressure wash operations in such locations as parking lots and garages, trash areas, gas station fueling areas, and sidewalks and plaza cleaning, which prohibit the discharge of polluted wash water and non-stormwater to the storm drain.	N/A	Following your review of BASMAA's "Pollution from Surface Cleaning" BMPs http://www.basmaa.org/Portals/0/documents/pdf/Pollution%20Surface%20Cleaning.pdf implement these BMPs or more stringent BMPs for agency surface cleaning and require others to implement for their surface cleaning.	Muni. Maint.	Ongoing	Ongoing	Ongoing	Ongoing
C.2.c.i (2) Bridge & Structural Maintenance & Graffiti Removal	Permittees shall implement BMPs for graffiti removal that prevent non-stormwater and wash water discharges into storm drains.	N/A	Continue to protect nearby storm drain inlets before removing graffiti from walls, signs, sidewalks and prevent any discharge of debris, cleaning compound waste, paint waste, or washwater to storm drains or watercourses.	Muni. Maint.	Ongoing	Ongoing	Ongoing	Ongoing
C.2.c.i(1) Bridge & Structural Maintenance & Graffiti Removal	Permittees shall implement appropriate BMPs to prevent polluted stormwater and non-stormwater discharges from bridges and structural maintenance activities directly over water or into storm drains.	N/A	Determine the proper disposal method for particular wastes generated from these activities. Continue to train agency employees and/or specify in contracts the proper capture and disposal methods for waste captures. Consider using appropriate BMPs from "Caltrans Storm Water Quality Handbook Maintenance Staff Guide:" http://www.dot.ca.gov/hq/env/stormwater/special/newsetup/pdfs/management_ar_rwp/CTSW-RT-02-057.pdf	Muni. Maint.	Ongoing	Ongoing	Ongoing	Ongoing
C.2.d.i Pump Stations	Permittees shall develop and implement measures to operate, inspect and maintain stormwater pumps stations to eliminate non-stormwater discharges containing pollutants, and to reduce pollutant loads in the stormwater discharges to comply with WQS.	N/A	Continue to implement Inspection and Sampling Plan	Muni. Maint.	--	--	--	--
C.2.d.ii.(1) Pump Stations	Complete an inventory of pump stations within each Permittees' jurisdiction, including locations and key characteristics.	N/A	Update, if needed, pump station inventory	Muni. Maint.	--	--	--	--
C.2.d.ii.(2) Pump Stations	Inspect and collect DO data from all pump stations twice a year during the dry season.	N/A	Continue to mplement Inspection and Sampling Plan	Muni. Maint.	--	--	Program: Send reminder email by August 15th to agencies of requirement for 2 samples during dry season. Agencies: collect two DO samples from pump stations during dry weather for FY 14-15 (during July - September).	--
C.2.d.ii.(3) Pump Stations	If DO levels are at or below 3 mg/L, apply corrective actions to maintain DO concentrations of the discharge above 3 mg/L. Verify corrective actions are effective by increasing DO monitoring interval to weekly until two weekly samples are above 3 mg/L.	N/A	Continue to mplement Inspection and Sampling Plan	Muni. Maint.	--	--	Follow up corrective actions and sampling as needed.	Follow up corrective actions and samples as needed.
C.2.d.ii.(4) Pump Stations	Inspect pump stations twice a year during the wet season in the first business day after one-quarter inch and larger storm events after a minimum of two week antecedent period. Post storm inspections shall include collecting and reporting presence and quantity estimate of trash, including the presence of odor, color, turbidity and floating hydrocarbons.	N/A	Continue to mplement Inspection and Sampling Plan	Muni. Maint.	Program: Send reminder email by January 15th to agencies of requirement for 2 inspections during wet season. Agencies: conduct 2 inspections after appropriate rain events.	--	--	Program: Send reminder email to inspect 2x after appropriate rain events. Agency: conduct 2 inspections after appropriate rain events.
C.2.d.iii. Pump Stations	Annually report monitoring data, inspection and maintenance records, volume or mass of waste materials removed from pump stations, and any corrective actions.	N/A	Continue to complete reporting form	Muni. Maint.	Ongoing	Ongoing	Ongoing	Ongoing

Note: this document should not be substituted for MRP

MRP Compliance Quarterly Check-in for SMCWPPP Municipalities

MRP Provision	MRP Requirement	Countywide Program	Member Agencies	Lead Subcommittee	Quarterly Check-ins for Permit Compliance and Related Items			
					2014			
					Jan - Mar	Apr - Jun	Jul - Sep	Oct - Dec
C.2.e. Rural Public Works Construction and Maintenance	Permittees shall implement and require contractors to implement BMPs for erosion and sediment control during and after construction for maintenance activities on rural roads. Develop and implement appropriate training and technical assistance resources for rural public works activities.	N/A	If your agency has determined that it is subject to these requirements, continue to implement appropriate BMPs, such as those contained in the FishNet 4C Roads Manual: http://www.fishnet4c.org/projects_roads_manual.html	Muni. Maint.	Ongoing	Ongoing	Ongoing	Ongoing
C.2.e. Rural Public Works Construction and Maintenance	Permittees shall notify the Water Board, Fish and Game, and U.S. Army Corps of Engineers, where applicable, and obtain appropriate permits for rural public works activities before work in or near creeks and wetlands.	N/A	This requirement exists regardless of whether it was included in the MRP. Continue to implement the required notification and permit acquisition processes for rural public works activities.	Muni. Maint.	Ongoing	Ongoing	Ongoing	Ongoing
C.2.e. Rural Public Works Construction and Maintenance	Permittee shall identify and prioritize rural road maintenance on the basis of soil erosion potential, slope steepness, and stream habitat resources.		If your agency has determined that it is subject to these requirements, identify and prioritize rural road maintenance.	Muni. Maint.	Ongoing	Ongoing	Ongoing	Ongoing
C.2.e. Rural Public Works Construction and Maintenance	Permittee shall develop and implement an inspection program to maintain rural roads' structural integrity and prevent impacts on water quality.		If your agency has determined that it is subject to these requirements, develop and implement an inspection program.	Muni. Maint.	Ongoing	Ongoing	Ongoing	Ongoing
C.2.e. Rural Public Works Construction and Maintenance	Permittees shall provide training on BMPs to rural public works maintenance staff at least twice during permit term.		If your agency has determined that it is subject to these requirements, provide 2 trainings.	Muni. Maint.	Ongoing. Note: SMCWPPP provided training in November 2013. Applicable agencies should have provided at least one other training by end of permit term.	Ongoing. Note: SMCWPPP provided training in November 2013. Applicable agencies should have provided at least one other training by end of permit term.	Ongoing. Note: SMCWPPP provided training in November 2013. Applicable agencies should have provided at least one other training by end of permit term.	Ongoing. Note: SMCWPPP provided training in November 2013. Applicable agencies should have provided at least one other training by end of permit term.
C.2.f. Corp Yards	Permittees shall prepare, implement, and maintain a site specific SWPPP for corporation yards, including municipal vehicle maintenance, heavy equipment and maintenance vehicle parking areas, and material storage facilities.	N/A	Implement SWPPP and update as needed	Muni. Maint.	Ongoing	Ongoing	Ongoing	Ongoing
C.2.f. Corp Yards	Permittees shall inspect corporation yards at least annually before the start of the rainy season.		Conduct inspections	Muni. Maint.	--	--	Program: In August send reminder email to conduct corp yard inspections. Agencies: conduct annual corporation yard inspection for FY 14-15 reporting period before rainy season, i.e., before the end of Sept.	--
C.3.a Performance Standards	(2) Have adequate development review and permitting procedures to impose conditions of approval or other enforceable mechanisms to implement the requirements of Provision C.3.	Update C.3 Checklist	Use the Countywide Program's updated C.3 checklist to apply the C.3 requirements to development projects.	New Dev	Ongoing	Updated draft checklist prepared and distributed to the NDS for review.	Checklist presented to NDS at August 12th meeting. Comments taken.	Final version of checklist being produced for approval at the October 28th NDS meeting.
C.3.a Performance Standards	(3) Evaluate potential water quality effects and identify appropriate mitigation measures when conducting environmental reviews, such as CEQA.	Not Applicable	Evaluate/mitigate water quality impacts in CEQA documents.	New Dev	Ongoing	Ongoing	Ongoing	Ongoing
C.3.a Performance Standards	(4) Provide training adequate to implement the requirements of Provision C.3 for staff including interdepartmental training.	Hold countywide training workshop on requirements of Provision C.3	Provide training adequate to implement Provision C.3 requirements	New Dev	Ongoing	Annual C3 Training held on June 11th.	Ongoing	Ongoing
C.3.a Performance Standards	(5) Provide outreach adequate to implement the requirements of Provision C.3., including providing education materials to municipal staff, developers, contractors, construction site operators, and owner/builders, early in the planning process and as appropriate.	Keep flyers current, as needed	Provide C.3 flyer and (as appropriate) the hydromodification management flyer to applicants.	New Dev	Ongoing	Ongoing	Ongoing	Ongoing

Note: this document should not be substituted for MRP

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C.3.a Performance Standards	(6) For all new development and redevelopment projects not regulated by Provision C.3., encourage the inclusion of adequate site design measures that include minimizing land disturbance and impervious surfaces (especially parking lots); clustering of structures and pavement; disconnecting roof downspouts; use of micro-detention, including distributed landscape detention; preservation of open space; protection and/or restoration of riparian areas and wetlands as project amenities.	Continue to provide guidance on site design measures.	Encourage the use of site design measures in projects that are not C.3 Regulated Projects.	New Dev	Ongoing	Ongoing	Ongoing	Ongoing
C.3.a Performance Standards	7) For all new development and redevelopment projects not regulated by Provision C.3., encourage the inclusion of adequate source control measures to limit pollutant generation, discharge, and runoff, to the maximum extent practicable.	Update source control model list as needed.	Encourage the use of source control measures in projects that are not C.3 Regulated Projects.	New Dev	Ongoing	Ongoing	Ongoing	Ongoing
C.3.a Performance Standards	(8) Revise, as necessary, General Plans to integrate water quality and watershed protection with water supply, flood control, habitat protection, groundwater recharge, and other sustainable development principles and policies and to require implementation of the measures required by Provision C.3 for all Regulated Projects defined in Provision C.3.b.	Not Applicable	Review General Plans to identify any need for updates based on new requirements included in Provision C.3.	New Dev	Ongoing	Ongoing	Ongoing	Ongoing
C.3.b Regulated Projects	ii. (1) Special Land Use Categories: Beginning December 1, 2011, all references to 10,000 square feet for (a) New Development or redevelopment projects changes to 5,000 square feet.	Update C.3 Checklist	Use updated C.3 checklist to apply C.3 requirements to projects that meet Special Land Use Category criteria.	New Dev	Ongoing	Ongoing	Ongoing	Ongoing
C.3.b Regulated Projects	(4)(a) Road Projects: Construction of new streets or roads, including sidewalks and bicycle lanes built as part of the new streets or roads. (4)(d) Exclusions to road project requirements. (4)(e) If application is deemed complete on/before 12/1/09, new road/trail requirements do not apply so long as project applicant is diligently pursuing the project. If, from 12/1/09 to 12/1/11, project applicant has not acted to obtain approvals, requirements apply. (4)(f) If application is deemed complete after 12/1/09, new road/trail requirements do not apply if the project receives final discretionary approval by 12/1/11.(4)(g) If funding has been committed and public road/trail construction is scheduled to begin by 12/1/12, the new requirements shall not apply.	Hold discussions of road project requirements in Subcommittee meetings as needed.	Apply C.3 requirements to road projects.	New Dev	Ongoing	Ongoing	Ongoing	Ongoing
C.3.b Regulated Projects	(4)(b) Widening of existing streets or roads with additional lanes of traffic. (4)(c) Construction of impervious trails greater than 10 ft wide or creekside (within 50 ft of top of bank). (Effective 12/1/11)	Hold discussions of road widening project requirements in Subcommittee meetings as needed.	Apply C.3 requirements to road widening projects.	New Dev	Ongoing	Ongoing	Ongoing	Ongoing
C.3.b Regulated Projects	iii. Green Streets Pilot Projects: The Permittees shall cumulatively complete ten pilot green street projects that incorporate LID techniques for site design and treatment in accordance with Provision C.3.c and that provide stormwater treatment sized in accordance with Provision C.3.d. (A Regulated Project may not be counted as one of the 10 pilot green street projects. (Complete construction by 12/1/14)	Coordinate with BASMAA and applicable cities as needed.	Cities with pilot green street projects (or potential pilot green street projects) will need to complete a reporting form for the project.	New Dev	--	--	Complete relevant portion of Annual Report Form (if applicable)	--
C.3.b Regulated Projects	iii. (5) Green Streets Pilot Projects: The Permittees shall conduct appropriate monitoring of these projects to document the water quality benefits achieved.	Coordinate with BASMAA and applicable cities as needed.	Municipalities with green street projects will need to coordinate with BASMAA, as BASMAA prepares report to meet this requirement. (Final report submitted Sept. 15, 2013.)	New Dev	--	--	--	--
C.3.c Low Impact Development (LID)	i.(1) Source Control Requirements [minor differences between requirements in this provision and Countywide Program's Model Source Control List]. (Implementation Date: December 1, 2011)	Update source control model list as needed	Continue implementing source control measures on the Source Control Model List.	New Dev	Ongoing	Ongoing	Ongoing	Ongoing
C.3.c Low Impact Development (LID)	i.(2) Site Design and Stormwater Treatment Requirements (a) Require each Regulated Project to implement at least one of the following [site design] strategies onsite... i.(2) Site Design and Stormwater Treatment Requirements (b) Require each Regulated Project to treat 100% of the amount of runoff identified in Provision C.3.d for the Regulated Project's drainage area with LID treatment measures onsite or with LID treatment measures at a joint stormwater treatment facility.	Hold discussion of worksheets at subcommittee meetings or training sessions as needed.	Use feasibility worksheets to require applicants to evaluate feasibility of infiltration and rainwater harvesting/use before allowing the use of biotreatment.	New Dev	Ongoing	Ongoing	Ongoing	Ongoing

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C.3.c Low Impact Development (LID)	i.(2) (b)(v) Permittees, collaboratively or individually, shall submit a report on their experience with determining infeasibility of harvesting and reuse, infiltration, or evapotranspiration at Regulated Project sites.	Coordinate with BASMAA and member agencies as needed.	Collect and track information on the results of feasibility analyses, which will be the basis of the regional report.	New Dev	Final report submitted December 1, 2013.	--	--	--
C.3.c Low Impact Development (LID)	i.(2) (b)(vi) Permittees, working collaboratively or individually, shall submit for Water Board approval, a proposed set of model biotreatment soil media specifications and soil infiltration testing methods to verify a long-term infiltration rate of 5 to 10 inches/hour.	Provide information on soil specifications to soil providers.	Require projects with biotreatment measures to use the biotreatment soil specifications included in the November 28 amendment of the MRP.	New Dev	Ongoing	Permittees provided with tools to implement the requirement. The program produced a soil vendor list, checklist and guidance.	Ongoing	Ongoing
C.3.c Low Impact Development (LID)	i.(2) (b)(vii) Permittees shall submit for Water Board approval, proposed minimum specifications for green roofs.	Not applicable	Require projects with green roofs to use the green roof specifications included in the November 28 amendment of the MRP (included in Section 6.9 of the C.3 Technical Guidance).	New Dev	Ongoing	Ongoing	Ongoing	Ongoing
C.3.d Numeric Sizing Criteria for Storm-water Treatment Systems	i. Require that stormwater treatment systems constructed for Regulated Projects meet at least one of the following hydraulic sizing design criteria: (1) Volume Hydraulic Design Basis; (2) Flow Hydraulic Design Basis; and (3) Combination Flow and Volume Design Basis. iv. Limitations on Use of Infiltration Devices in Stormwater Treatment Systems [minor changes since previous permit]. Implement 12/1/09.	Update hydraulic sizing criteria section in C.3 Technical Guidance	Confirm that the design of treatment measures in project submittals meet the C.3.d criteria.	New Dev	Ongoing	Ongoing	Ongoing	Ongoing
C.3.e Alternative Compliance with Provisions C.3.c	i.The Permittees may allow a Regulated Project to provide alternative compliance with Provision C.3.c in accordance with one of the two options listed below: Option 1: LID Treatment at an Offsite Location; and 2: Payment In-Lieu Fees	Seek grant funding to develop green street plan and GIS planning tool	Support the Countywide Program in its efforts to develop a green street plan for retrofit projects that can be used for alternative compliance.	New Dev	Ongoing	Ongoing	Ongoing	Ongoing
C.3.e Alternative Compliance with Provisions C.3.c	iv. (1) Beginning December 1, 2011, Permittees shall track any identified potential Special Projects that have submitted planning applications but that have not received final discretionary approval. (2) By March 15 and September 15 of each year, Permittees shall report to the Water Board on these tracked potential Special Projects ... Any Permittee with no potential Special Projects shall so state.	Remind Subcommittee of required March report on Special Projects.	Submit required information on Special Projects every March and September. If your agency has no Special Projects, you must inform the Water Board that you have no applicable projects.	New Dev	Special Projects Reports Submitted on behalf of permittees on March 17, 2014.	--	Submit required information on Special Projects by September 15, 2014 (with the Annual Report). If your agency has no Special Projects, you must inform the Water Board that you have no applicable projects.	--
C.3.e Alternative Compliance with Provisions C.3.c	iv.(2) For each Special Project [reported], Permittees shall include a narrative discussion of the feasibility or infeasibility of 100% LID treatment, onsite and offsite.	Coordinate with BASMAA and Subcommittee to provide guidance on infeasibility reporting	Require applicants with Special Projects that will use LID treatment reduction credits to report a narrative discussion on why 100% LID treatment was infeasible for the project.	New Dev	Ongoing	Ongoing	Ongoing	Ongoing
C.3.f Alternative Certification of Stormwater Treatment Systems	In lieu of reviewing a Regulated Project's adherence to Provision C.3.d., a Permittee may elect to have a third party conduct detailed review and certify the Regulated Project's adherence to Provision C.3.d. [Minor change to requirements in previous permit.] No implementation date in permit. Assume 12/1/09 effective date.	Not applicable	Agencies that use Alternative Certification (3rd party review of stormwater treatment measure design) may continue to use these programs.	New Dev	Ongoing	Ongoing	Ongoing	Ongoing
C.3.g Hydromodification Management	All HM Projects shall meet the Hydromodification Management Standard of Provision C.3.g.ii. [HM exemptions from previous permit have been eliminated.]	Coordinate with Alameda and Santa Clara programs regarding training for municipal staff on how to review Bay Area Hydrology Model submittals.	Continue applying the HM requirements to project that meet the criteria for HM projects.	New Dev	Ongoing. Bay Area Hydrology Model (BAHM) training workshops set for April 8, 9 and 10.	Bay Area Hydrology Model (BAHM) training workshops completed on April 8, 9 and 10.	Ongoing	Ongoing
C.3.h Operation and Maintenance of Storm-water Treatment Systems	ii. (4) O&M Program shall include a written plan and implementation of the plan that describes O&M (including inspection) of all Regional Projects and regional HM controls that are Permittee owned and/or operated.	Not applicable	Currently there are no regional projects to which this would apply.	New Dev	--	--	--	--

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C.3.h Operation and Maintenance of Storm-water Treatment Systems	ii. (5) O&M Program shall include database or equivalent tabular format of all regulated projects (public and private) that have installed ... stormwater treatment and HM controls.	Not applicable	Track O&M inspection data as required, either in an Excel spreadsheet or relational database.	New Dev	Ongoing	Ongoing	Ongoing	Ongoing
C.3.h Operation and Maintenance of Storm-water Treatment Systems	ii.(6) O&M Program shall include a prioritized plan for inspecting all installed stormwater treatment systems and HM controls. [New requirements added since pervious permit.]	Not applicable	Keep your agency's O&M verification inspection plan up to date, as needed, and continue implementing the plan.	New Dev	Ongoing	Ongoing	Ongoing	Ongoing
C.3.i Detached Single-Family Home Projects	i. Require all detached single-family home projects that create and/or replace 2,500 square feet or more of impervious surface to implement one or more stormwater lot-scale BMPs. (Implement 12/1/12)	Coordinate with BASMAA to develop standard specifications. Provide training on C.3.i requirements	Implement the new requirements on December 1, 2012, using standard specifications that BASMAA is scheduled to complete in September 2012.	New Dev	Ongoing	Ongoing	Ongoing	Ongoing
C.4.a. Legal Authority	Permittees shall have sufficient legal enforcement authority to inspect, require effective stormwater pollutant control, and escalate enforcement to achieve expedient compliance at commercial and industrial sites within their jurisdiction.	NA	Update legal authority, as needed.	CII	--	--	--	--
C.4.b. Inspection Plan	Permittees shall develop and implement an inspection plan that will serve as a prioritized inspection work plan.	N/A	Each year submit required Business Inspection Plan (BIP) information with annual report.	CII	Recommend reviewing your agency's Business Inspection Plan (BIP) and Enforcement Response Plan (ERP) if you have not done this recently.	Ongoing	Ongoing	Ongoing
C.4.c. Enforcement Response Plan (ERP)	Permittees shall develop and implement an ERP that will serve as a reference document for inspection staff to take consistent actions to achieve timely and effective compliance from all commercial and industrial site operators.	N/A	Continue to implement the ERP.	CII	Recommend reviewing your agency's Business Inspection Plan (BIP) and Enforcement Response Plan (ERP) if you have not done this recently.	Ongoing	Ongoing	Ongoing
C.4.c.ii(4) Record-keeping and C.4.c.iii Reporting	Permittees shall maintain adequate records to demonstrate compliance including maintenance of an electronic database or equivalent tabular system that contains information listed in MRP. In addition, MRP lists specific inspection information for inclusion in the Annual Report.	N/A	Continue to implement the MRP-required recordkeeping.	CII	Applicable agencies should review CEH quarterly inspection report on flowstobay.org.	Applicable agencies should review CEH quarterly inspection report on flowstobay.org.	Applicable agencies should review CEH quarterly inspection report on flowstobay.org.	Applicable agencies should review CEH quarterly inspection report on flowstobay.org.
C.4.d Staff Training	Permittees shall provide annually inspectors with focused training. Training may be Program-wide, Region-wide, or Permittee-specific.	Implement agreed upon training using one of the options allowed by the MRP.	Continue to conduct annual inspector training.	CII	Train staff using Program materials.	Program: Provided training on April 17. Agency: Have staff attend training.	Train staff using Program materials.	Train staff using Program materials.
C.5.a. Legal Authority	Permittees shall have the legal authority to prohibit and control illicit discharges and escalate stricter enforcement to achieve expedient compliance.	N/A	Update legal authority, as needed	CII	--	--	--	--
C.5.b. Enforcement Response Plan (ERP)	Permittees shall develop and implement an ERP that will serve as guidance for inspection staff to take consistent actions to achieve timely and effective abatement of illicit discharges.	N/A	Continue to implement the ERP.	CII	Recommend reviewing your agency's Enforcement Response Plan (ERP) if you have not done this recently.	Ongoing	Ongoing	Ongoing
C.5.c. Spill & Dumping Response, Complaint Response, & Inspection Frequency	Permittees shall have a central contact point including a phone number for complaints and spill reporting, and publicize this number to both internal Permittee staff and the public.	N/A	Continue to maintain a central contact point including phone number for complaints and spill reporting. Continue to publicize this number to Permittee staff and the public.	CII	Ongoing	Ongoing	Ongoing	Ongoing

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C.5.c. Spill & Dumping Response, Complaint Response, & Inspection Frequency	Develop a spill/dumping response flow chart and phone tree or contact list for internal use that shows the various responsible agencies and their contacts, including who would be involved in illicit discharge incident response that goes beyond the Permittees immediate capabilities.	N/A	Municipalities that have not already done so, will adapt the template or example for their use.	CII	--	--	--	--
C.5.d.ii(1)(a) Control of Mobile Sources	Develop and implement minimum standards and BMPs to be required for each of the various types of mobile businesses.	N/A	Continue to implement the minimum agreed to standards and BMPs.	CII	Ongoing	Ongoing	Ongoing	Ongoing
C.5.d.ii(1)(b) Control of Mobile Sources	Develop and implement an enforcement strategy that specifically addresses the unique characteristics of mobile businesses.	N/A	Continue to implement enforcement strategy.	CII	Ongoing	Ongoing	Ongoing	Ongoing
C.5.e. Collection System Screening - MS4 Map Availability	Permittees shall develop and implement a screening program using guidance referenced in the MRP. Permittees shall implement screening program by conducting a survey of strategic collection system check points.	N/A	Continue to implement a screening program by surveying strategic collection system check points.	CII	Ongoing	Ongoing	Ongoing	Ongoing
C.5.f. Tracking and Case Follow-up	Create and maintain a water quality spill and discharge complaint tracking and follow-up in an electronic database or equivalent tabular system.	N/A	Continue to implement the agreed upon tracking spreadsheet.	CII	Ongoing	Ongoing	Ongoing	Ongoing
C.6.b. Enforcement Response Plan (ERP)	Develop and implement an Enforcement Response Plan (ERP) that ensures effective site management by operators.	N/A	Continue to use your agency's ERP.	New Dev	Ongoing	Ongoing	Ongoing	Ongoing
C.6.c. Best Management Practice Categories	Require all construction sites to have seasonally appropriate effective BMPs in 6 categories: erosion control, run-on and runoff control, sediment control, active treatment systems (as necessary), good site management, and non-stormwater management.	Update the checklist as needed.	Continue to use the construction site inspection checklist to conduct the required inspections.	New Dev	Ongoing	Ongoing	Ongoing	Ongoing
C.6.c. Best Management Practice Categories	Require all construction sites to have seasonally appropriate effective BMPs in 6 categories: erosion control, run-on and runoff control, sediment control, active treatment systems (as necessary), good site management, and non-stormwater management.	N/A	Distribute the BMP plan sheet to project applicants.	New Dev	Ongoing	Ongoing	Ongoing	Ongoing
C.6.d. Plan Approval Process	Review erosion control plans for consistency with local minimum required management practices. [No implementation date in permit. Assume 12/1/09 effective date.]	N/A	Continue to review erosion control plans for consistency with local requirements.	New Dev	Ongoing	Ongoing	Ongoing	Ongoing
C.6.e. Inspections	ii. (1) By September 1 of each year, each permittee shall remind all sites disturbing 1 acre or more of soil to prepare for wet season.	Provide model letter/email to agencies.	Adapt model letter for local use and send to developers/owners of sites disturbing 1 acre or more of land.	New Dev	--	--	Municipalities should send pre-wet season notifications to any active construction sites before September 1.	--
C.6.e. Inspections	(2) Inspect all sites disturbing 1 acre or more of land and high priority sites monthly during wet season. (3) Inspections shall focus on adequacy and effectiveness of BMPs and shall include assessment of compliance with Permittee's ordinances and permit, assessment of adequacy of BMPs (six categories), visual observation, and education on stormwater pollution prevention as needed. (4) Tracking. Develop construction site inspection database or equivalent tabular format.	N/A	Continue to use tracking spreadsheet.	New Dev	Ongoing	Ongoing	--	Ongoing
C.6.f. Staff Training	Provide training or access to training for staff conducting construction stormwater inspections.	Provide training workshop for construction site inspectors on new MRP requirements.	Send staff to training.	New Dev	Construction Site Inspection Workshop set for April 23rd.	Construction Site Inspection Workshop on April 23rd.	--	--

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C.7.a. Storm Drain Inlet Marking	Permittees shall mark and maintain at least 80% of municipally-maintained storm drain inlets with an appropriate stormwater pollution prevention message. At least 80% of municipally-maintained storm drain inlets must be inspected and maintained at least once per five-year permit term.	N/A	Continue to make sure that at least 80% of municipally-maintained inlets with a no dumping message or equivalent. Inspect and maintain at least 80% of municipally-maintained inlets to ensure that they are legibly labeled once per permit term. Keep track of annual percentages of municipally-maintained inlet markings inspected and maintained as legible, and report prior years' annual percentages in the 2013 Annual Report.	MM	Ongoing	Ongoing	Ongoing	Ongoing
C.7.a.i Storm Drain Inlet Marking	For newly approved, privately-maintained streets, permittees must require inlet marking and maintenance, and verify marking prior to accepting the project.	NA	Continue to require builders to mark inlets on newly approved, privately-maintained streets. Require maintenance of markings by entity responsible for maintaining streets. Verify that newly developed streets are marked prior to acceptance of the project. Keep track of annual number of projects accepted after inlet markings were verified, and report prior years' annual number of projects in the 2013 Annual Report.	New Dev	Ongoing	Ongoing	Ongoing	Ongoing
C.7.d. Stormwater Point of Contact	Permittees shall individually or collectively create and maintain a point of contact to provide the public with information on watershed characteristics and stormwater pollution prevention alternatives.	N/A	Continue to identify a central contact point including phone number for information on stormwater issues. Continue to publicize this number to Permittee staff and the public.	PIP & CII	Ongoing	Ongoing	Ongoing	Ongoing
C.7.e.i, ii Public Outreach Events	Participate in and/or host events such as fairs, shows, workshops, to reach a broad spectrum of the community with stormwater runoff pollution prevention messages, including messages that encourage residents to (1) wash cars at commercial car washing facilities (2) use minimal detergent when washing cars, and (3) divert car washing runoff to landscaped area.	Continue implementation of the OWOW Campaign, which includes tabling events. Continue Program involvement in Home and Garden Shows. Develop and distribute car wash information to agencies.	Continue to provide stormwater runoff pollution prevention messages annually at local events according to population: <10K = 2 events 10,001 - 40K = 3 events 40,001 - 100K = 4 events 100,001 - 175K = 5 events 175,001 - 250K = 6 events >250K = 8 events ACFCWCD and Zone 7 = 6 events. Help develop and distribute car wash information.	PIP	Ongoing	Ongoing	Ongoing	Ongoing
C.7.e.iii. Public Outreach Events	In each Annual Report, each Permittee shall list the events (name, location and date) participated in and assess the effectiveness of efforts with appropriate measures (e.g., success at reaching a broad spectrum of the community, number of participants compared to previous years, post-event survey results, quantity/volume of materials cleaned up and comparisons to previous efforts).	Report on and provide effectiveness assessments of OWOW tabling events, event partnerships, Alameda County Fair and other countywide events.	Report on and assess the effectiveness of local events.	PIP	Ongoing	Ongoing	Ongoing	Ongoing
C.7.f. Watershed Stewardship Collaborative Efforts	Permittees shall individually or collectively encourage and support watershed stewardship collaborative efforts or community groups and other organizations that benefit the health of the watershed. Report on level of involvement and provide an assessment of effectiveness in each Annual Report.	Report on level of involvement and provide effectiveness assessments.	Continue to fund local "friends of creek" groups if possible. Describe involvement and effectiveness in Annual Reports.	PIP, WAM	Ongoing	Ongoing	Ongoing	Ongoing
C.7.g. Citizen Involvement Events	Permittees shall individually or collectively support citizen involvement events which provide the opportunity for citizens to directly participate in water quality and aquatic habitat improvement, such as creek/bay cleanups, volunteer monitoring, storm drain inlet marking, community grants, etc.	Report on citizen involvement events funded & assess effectiveness.	Continue to sponsor and/or host citizen involvement events annually according to population: <10K = 1 event 10,001 - 40K = 1 event 40,001 - 100K = 2 events 100,001 - 175K = 3 events 175,001 - 250K = 4 events >250K = 5 events ACFCWCD and Zone 7 = 2 events. Report on citizen involvement events and provide effectiveness assessments of those events.	PIP	Ongoing	Ongoing	Ongoing	Ongoing
C.7.h. School-Age Children Outreach	Permittees shall individually or collectively implement outreach activities designed to increase awareness or stormwater and/or watershed message(s) in school-age children (K through 12).	Report on and provide effectiveness assessments of the educational services programs funded.	Continue conducting school outreach activities. Report on and provide effectiveness assessments of those outreach activities.	PIP	Ongoing	Ongoing	Ongoing	Ongoing

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C.7.i. Outreach to Municipal Officials	Permittees shall conduct outreach to municipal officials such as through the use of the Nonpoint Education for Municipal Officials program (NEMO) to significantly increase overall awareness of stormwater and/or watershed message(s) among regional municipal officials at least once per permit cycle.	N/A	Continue to provide stormwater and/or watershed educational information to municipal officials at least once per permit cycle. Report outreach conducted in 2013 Annual Report.	PIP	Ongoing	Ongoing	Ongoing	Ongoing
C.9.a IPM Policy	Adopt and IPM policy or ordinance. Include in Annual Report	NA	Be able to confirm policy/ordinance is in place or adopt. Submit in annual report	Parks Maint. & IPM	--	--	--	--
C.9.b.i IPM Policy	Implement IPM policy or ordinance: The Permittees shall establish written procedures.	NA	Continue to implement establish written standard operating procedures (SOPs).	Parks Maint. & IPM	Ongoing	Ongoing	Ongoing	Ongoing
C.9.b.ii Pesticides	Permittees shall retain records of IPM SOPs.	NA	Continue to maintain records	Parks Maint. & IPM	Ongoing	Ongoing	Ongoing	Ongoing
C.9.b.ii Pesticides	Report on implementation of IPM policy.	NA	Report in each Annual Report	Parks Maint. & IPM	--	--	Report in Annual Reports due September 15.	--
C.9.c.i Pesticides	Permittees shall ensure municipal employees are trained in IPM.	NA	Continue to encourage employees to attend IPM training	Parks Maint. & IPM	Program: Provide landscape IPM training on March 12. Agencies: Have staff attend.	Ongoing	Ongoing	Ongoing
C.9.c.ii Pesticides	Report on IPM training	NA	Continue to report on percentage of employees trained and training materials.	Parks Maint. & IPM	--	--	Report in Annual Reports due September 15.	--
C.9.d.i Contractor IPM	Require contractors to implement IPM	NA	Continue to hire certified contractors	Parks Maint. & IPM	Ongoing	Ongoing	Ongoing	Ongoing
C.9.d.ii Pesticides	Document contractor compliance	NA	Continue to document in AR	Parks Maint. & IPM	--	--	Report in Annual Reports due September 15.	--
C.9.f.i Pesticides	Interface with Co. Ag. Commissioners	Maintain regular contact	Continue to inform Co. Ag. of any pesticide violations	Parks Maint. & IPM	Ongoing	Ongoing	Ongoing	Ongoing
C.9.f.ii Pesticides	Interface with Co. Ag. Commissioners	Include question in reporting template	Continue to submit summary of any improper pesticide usage reported to Co. Ag.	Parks Maint. & IPM	Ongoing	Ongoing	Ongoing	Ongoing
C.10.a.ii. Trash: Short term reductions	Submit baseline estimate of trash loading rate from each population based permittee.	N/A	Complete and submit Plan using template	Trash	--	--	--	--
C.10.a.ii. Trash: Short term reductions	Propose exclusion areas	N/A	Optional: Propose areas for exclusion	Trash	--	--	--	--
C.10.a.ii. Trash: Short term reductions	Propose exclusion areas	N/A	Permittee shall collect and submit an additional year of documentation to support exclusion. Required only if Permittee proposed exclusion areas that are commercial, industrial, or high-density residential.	Trash	--	--	--	--
C.10.a.ii. Trash: Short term reductions	Progress Report	N/A	Each Permittee shall submit a progress report indicating individual or collective determination of baseline trash.	Trash	--	--	--	--
C.10.a.iii.	Full Capture Installation	N/A	Install all required full capture devices.	Trash	Ongoing	Installations by July 1, 2014 required to achieve acreage treated requirement.	--	--
C.10.b.i. Trash Hot Spots	Hot Spot Cleanup and Assessment: This task included both cleanup (C.10.b.i) and Assessment (C.10.b.iii).	N/A	Complete annual cleanup and assessment of hotspots	Trash	Ongoing	Ongoing	Submit draft results to EOA. Submit final results in Annual Report.	Ongoing
C.10.c. Trash: Long Term Load Reduction	Long Term Trash Load Reduction	N/A	Developn and submit Long Term Trash Load Reduction Plan	Trash	Long-term trash control plans were submitted on behalf of the permittees on Feb 1st.	--	--	--
C.10.d. Trash Reporting	Reporting on Trash Load Reduction	N/A	Provide summary of trash load reduction actions in each AR	Trash	--	--	Report on progress towards 40% reduction goal in Annual Report.	--

MRP Provision	MRP Requirement	Countywide Program	Member Agencies	Lead Subcommittee	Quarterly Check-ins for Permit Compliance and Related Items			
					2014			
					Jan - Mar	Apr - Jun	Jul - Sep	Oct - Dec
C.11.a Mercury	Mercury Collection and Recycling	Provide guidance on estimating mass of mercury collected	Report on efforts to promote, facilitate and/or participate in collection and recycling and provide annual estimate of mass of mercury collected	WAM	Addressed by SMCWPPP in Annual Report.	Addressed by SMCWPPP in Annual Report.	Addressed by SMCWPPP in Annual Report.	Addressed by SMCWPPP in Annual Report.
C.12.a.ii PCBs	Incorporate PCBs and PCB-containing equipment in industrial inspections	Provide reminders/guidance at subcommittee meetings	Document incidents where PCBs or PCB-containing equipment is identified and refer to appropriate agencies	CII	Ongoing	Ongoing	Ongoing	Ongoing
C.13.a Manage waste generated from cleaning and treating of copper architectural features	ii. (1) The Permittees shall develop BMPs on how to manage the waste during and post-construction. (2) The Permittees shall require use of appropriate BMPs when issuing building permits. (3) The Permittees shall educate installers and operators on appropriate BMPs. (4) The Permittees shall enforce against noncompliance. Report on implementation in 2012 Annual Report.	Prepare flyer on BMPs for installation and maintenance of architectural copper	Require the use of appropriate BMPs when issuing building permits, provide information on the BMPs to installers and operators, and enforce against noncompliance.	New Dev	Ongoing	Ongoing	Ongoing	Ongoing
C.13.a.i Copper	Architectural Copper - legal authority to prohibit discharge of wastewater to storm drains from related activities	N/A	If your agency did not certify legal adequacy in September 2011, address this in 2012 Annual Report	New Dev	--	--	--	--
C.13.a.ii(2) Copper	Architectural Copper - require use of appropriate BMPs	Coordinate with BASMAA to include question in 2012 Annual Report form	Report on incorporation in building permit process	New Dev	Ongoing	Ongoing	Ongoing	Ongoing
C.13.a Manage waste generated from cleaning and treating of copper architectural features	iii. In their 2013 Annual Report, the Permittees shall evaluate the effectiveness of these measures, including BMP implementation and propose any additional measures to address this source.	Update deliverable forms for 2012/13 to assist with new reporting requirement.	Report on BMP effectiveness (annual reports submitted September 15, 2013.)	New Dev	--	--	--	--
C.13.a.ii(3) Copper	Architectural Copper - educate installers and operators	Present the new BMPs in construction workshop	Report on education, municipal staff participation in trainings	New Dev	Include in Construction Site Inspection Workshop on April 23rd.	--	--	Program: compile a list of Architectural Copper Vendors in the county for outreach efforts.
C.13.a.ii(3) Copper	Architectural Copper - enforcement	N/A	Implement enforcement procedures against noncompliance, report on efforts	New Dev	Ongoing	Ongoing	Ongoing	Ongoing
C.13.a.iii(3) Copper	Architectural Copper - evaluate effectiveness	Evaluate implementation and propose any additional measures	Provide input/feedback	New Dev	--	--	--	--
C.13.b.ii Copper	Pools, Spas, Fountains - require sanitary sewer connection or diversion to landscape	N/A	Incorporate in building permit process as appropriate	New Dev	--	--	--	--
C.13.b.iii Copper	Pools, Spas, Fountains - legal authority to prohibit discharge of copper-containing chemicals	N/A	Certify adequate legal authority, or provide justification & schedule for up to 1 additional year to comply	New Dev	--	--	--	--
C.13.d.ii(1) Copper	Industrial Sources - inspection program plan	Provide guidance on facility types	Include facilities likely to use copper or have copper sources	CII	Ongoing	Ongoing	Ongoing	Ongoing
C.13.d.ii(2,3) Copper	Industrial Sources - inspectors	Provide training and/or materials	Continue to educate inspectors, ensure appropriate BMPs	CII	Train staff using Program materials.	Program: Provide training. Agency: Have staff attend training.	Train staff using Program materials.	Train staff using Program materials.
C.13.d.iii Copper	Industrial Sources - Reporting	N/A	Highlight copper reduction results from C.4 section of Annual Report in C.13 section	CII	--	--	Submit results in Annual Report	--
C.15.a. Exempted Non-Stormwater Discharges	In carrying out Discharge Prohibition A.1, certain unpolluted discharges listed in the permit are exempted from the prohibition against non-stormwater discharges.	N/A	Permittees need to determine whether listed discharges should be handled as exempted or conditionally exempted with approval of Water Board.	CII	--	--	--	--

MRP Provision	MRP Requirement	Countywide Program	Member Agencies	Lead Subcommittee	Quarterly Check-ins for Permit Compliance and Related Items			
					2014			
					Jan - Mar	Apr - Jun	Jul - Sep	Oct - Dec
C.15.b Conditionally Exempted Non-Stormwater Discharges	v.(1) The Permittees shall require that new or rebuilt swimming pools, hot tubs, spas and fountains within their jurisdictions have a connection to the sanitary sewer to facilitate draining events. The Permittees shall coordinate with local sanitary sewer agencies to determine the standards and requirements necessary for the installation of a sanitary sewer discharge location to allow draining events to occur with the proper permits from the local sanitary sewer agency. [No implementation date in permit. Assume this is timed to coincide with new 5/1/2010 Source Control Requirements in Task.C.3-12]	Through the New Development Subcommittee, advise agencies of the need to coordinate with local sanitary sewer authority.	Coordinate with local sanitary sewer agencies to determine standards and requirement that may need to be included in the agency's Source Control Measures List.	New Dev	--	--	--	--
C.15.b.i(1) Conditionally Exempted Non-Stormwater Discharges	<u>Pumped Groundwater from Non Drinking Water Aquifers</u> - Groundwater pumped from monitoring wells, used for groundwater basin management, which are owned and/or operated by the Permittees who pump groundwater as drinking water.	N/A	Permittees who have these types of discharges need to continue complying with the monitoring, BMPs, and reporting requirements listed in this section of the MRP.	CII	Ongoing	Ongoing	Ongoing	Ongoing
C.15.b.i(2) Conditionally Exempted Non-Stormwater Discharges	<u>Pumped Groundwater, Foundation Drains, and Water from Crawl Space Pumps and Footing Drains</u> that are new discharges need to meet requirements listed in this portion of the MRP. This includes reporting to Water Board new, potentially contaminated groundwater with flows of 10,000 gpd or more. The MRP specifies certain monitoring requirements and use of specified BMPs.	N/A	Permittees who have these types of discharges need to continue complying with the monitoring, BMPs, and reporting requirements listed in this section of the MRP.	CII	Ongoing	Ongoing	Ongoing	Ongoing
C.15.b.iii Conditionally Exempted Non-Stormwater Discharges	<u>Planned, Unplanned, and Emergency Discharges of the Potable Water System</u> - The MRP lists prescriptive requirements for use of BMPs, notifications, monitoring, and reporting	N/A	Permittees who have these types of discharges need to continue complying with the monitoring, BMPs, and reporting requirements listed in this section of the MRP.	CII	Collect required discharge monitoring data for each planned potable water discharge. Review the collected data. If benchmark values are exceeded determine if the values are valid and/or if further staff training is required.	Collect required discharge monitoring data for each planned potable water discharge. Review the collected data. If benchmark values are exceeded determine if the values are valid and/or if further staff training is required.	Collect required discharge monitoring data for each planned potable water discharge. Review the collected data. If benchmark values are exceeded determine if the values are valid and/or if further staff training is required.	Collect required discharge monitoring data for each planned potable water discharge. Review the collected data. If benchmark values are exceeded determine if the values are valid and/or if further staff training is required.
C.15.b.v Conditionally Exempted Non-Stormwater Discharges	<u>Swimming Pool, Hot Tub, Spa, and Fountain Water Discharges</u> - Prohibit the discharge of water that contains chlorine residual, copper algaecide, filter backwash or other pollutants. Direct water to sanitary sewer or landscaped areas that can accommodate the volume. Discharges to storm drains only if discharge is properly dechlorinated and there are not other feasible disposal alternatives.	N/A	Permittees who have these types of discharges need to continue requiring that new or rebuilt pools, etc. connect to the sanitary sewer. Continue to improve public outreach and educational efforts regarding the required BMPs, and implement ERPs for polluted discharges.	CII	Ongoing	Ongoing	Ongoing	Ongoing
C.15.b.vi Conditionally Exempted Non-Stormwater Discharges	<u>Irrigation Water, Landscape Irrigation, and Lawn or Garden Watering</u> - promote measures that minimize runoff and pollutant loading from excess irrigation including working with potable water purveyors.	N/A	Permittees will need to continue promoting water conservation, less toxic methods of pest controls, use of drought tolerant vegetation, and appropriate application of water for irrigation as specified in the MRP.	CII, Parks Maint. & IPM	Ongoing	Ongoing	Ongoing	Ongoing
C.15.b.vii Conditionally Exempted Non-Stormwater Discharges	<u>Additional Discharge Types</u> - Permittees shall identify and describe additional types and categories of discharges not yet listed in Provision C.15.b that they propose to conditionally exempt from Prohibition A.1 in periodic submissions to the Executive Officer.	Identify priority types of additional discharges to request	Assist with identifying and reviewing list of additional priority discharge types.	CII	Ongoing	Ongoing	Ongoing	Ongoing
C.16.a Annual Reports	Submit Annual Reports	Submit Annual Report on General Program Activities	Submit Annual Report on previous fiscal year activities	TAC	--	--	Submit draft agency Annual Reports to EOA for review. Agency and SMCWPPP Annual Reports to be submitted to Regional Water Board by September 15.	--

C/CAG AGENDA REPORT

Date: October 21, 2014
Item: 4D
From: Matthew Fabry, Program Coordinator
Subject: State/Regional Stormwater Issues & Regulations Update

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

RECOMMENDATION

Staff will provide an update on state and regional stormwater-related issues and regulations.

ATTACHMENTS

1. State & Regional Stormwater Issues and Regulatory Tracking Table

Status of California Stormwater Quality Related Policies and Permits (Active)

October 2014

Policy/Permit/Objective	Lead Regulatory Agency	Status of Regulatory Action	Comments Due	Status of Comments
NPDES Permits				
NPDES Fees	SWRCB	On 9/23/14 the SWRCB approved a 1-time 8.9% discount for stormwater permittees for FY 14-15. (Fees appear to increase because the SWAMP surcharge is now included in the program fee.)	NA	Staff will continue to track any movement on this issue into the future.
Construction General Permit Reissuance	SWRCB	Target effective date is July 1, 2015. SWRCB staff anticipate this will be a "tune up" effort to fix significant problems or issues.	NA	CASQA Construction Subcommittee is tracking and providing input. Program staff will track via Subcommittee participation.
Statewide Policies/Objectives				
Statewide REC-1 Bacteria Objectives	SWRCB	The SWRCB is proposing amendments to the Water Quality Control Plans for Inland Surface Waters, Enclosed Bays and Estuaries and the Ocean Waters of CA to include updated water quality objectives for bacteria to protect REC-1 beneficial uses. The proposed amendments may include a revised indicator organism (E. coli or enterococci) based on 2012 EPA ambient recreational criteria and designation of a new limited water contact recreation (LREC-1) use. An issue paper was released describing the process and results of spring 2014 focus group meetings. A scoping document is anticipated early 2014 with a draft staff report and public comment in summer 2015.	NA	CASQA and Program staff will track development of the new bacteria objectives and amendments.
Declaration of Drought Emergency	SWRCB	On 1/17/14, the Governor declared a drought emergency and on 4/25/14 redoubled state actions. Urban water suppliers shall reduce wasteful water practices and limit outdoor irrigation. Fish habitat releases from reservoirs to some streams have been temporarily stopped.	NA	The implications of the declaration for MS4s will be tracked by CASQA.
Stormwater Strategic Work Plan	SWRCB	The State Water Board initiated a storm water strategic planning effort in Spring 2014. This collaborative effort will produce a strategic workplan characterizing the breadth of the stormwater program to better integrate watershed management, multiple-benefit, and source-control interests into the core regulatory program while improving program efficiency and effectiveness. A kickoff with stakeholders was held 7/1/14 and informal workshops were held in July-August 2014. The draft release and public workshop will be in fall 2014 and a final product is anticipated by winter 2014/2015.	NA	Program staff attended the MS4 stakeholder meeting held in the Bay Area (Oakland) on 7/31/14. CASQA and Program staff will track progress and try to participate in the development of the Stormwater Strategic Work Plan by engaging with Water Board staff when appropriate.

Status of California Stormwater Quality Related Policies and Permits (Active)

October 2014

Policy/Permit/Objective	Lead Regulatory Agency	Status of Regulatory Action	Comments Due	Status of Comments
Statewide Mercury Policy and Statewide Program for Controlling Mercury in Reservoirs	SWRCB	Following CEQA Scoping in 2012, SWRCB staff are working on the technical analysis for the mercury policy (conceptual model, source analysis, linkage between sources and fish tissue concentrations, and implementation ideas) and drafting a regulatory program. On 4/23/13, RWQCB and SWRCB staff updated SWRCB members on several mercury programs, including the development of a Statewide Mercury Control Program for Reservoirs and the Mercury Objectives Project. The update served as an information item and no action was taken by the SWRCB at the meeting. Subsequent presentations were made to EPA 9/26/13 and NALMS 11/1/13 and a Fact Sheet describing the conceptual model was posted in September 2013. Peer review of the Statewide Mercury Program is underway via a series of stakeholder meetings Feb 2014 - Oct 2014. The public comment period will be spring/summer 2015 with adoption in fall 2015.	NA	Based on review of CEQA scoping issues, Program staff decided comments were not needed at this point in the process. Staff will continue to track the development of the Policy.
Receiving Water Limitation (RWL) Provision for Stormwater NPDES Permits	SWRCB & RWQCB	CASQA is working with the SWRCB staff to address the uncertainties created by a July 2011 Ninth Circuit Court of Appeals decision regarding the iterative process municipal stormwater NPDES permittees are required to follow for exceedances of water quality standards caused or contributed by MS4 discharges, by amending the receiving water limitations(RWL) provisions in future permits. CASQA provided ideas for how to improve the iterative process so that it is more formal, specific and ensures more accountability. SWRCB indicated that RWL revisions will be completed through the appeals process of the LA MS4 permit. On 8/15/13, CASQA submitted comments recommending model language for the RWL provision. The SWRCB is now planning to address the RWL provision as part of its response to petitions filed on the recently adopted Los Angeles stormwater permit; however, it has extended the due date for its response. State Board staff has indicated they may issue an order addressing the petitions by the end of this year. Meanwhile, the Ninth Circuit case has been sent back to District Court with a tentative trial date of 7/21/15.	NA	The CASQA Policy and Permitting Subcommittee is continuing to track the progress of the SWRCB and the LA MS4 permit petition process and plans to meet with SWRCB staff to discuss its participation in the process. Program staff participates in the Subcommittee.

Status of California Stormwater Quality Related Policies and Permits (Active)

October 2014

Policy/Permit/Objective	Lead Regulatory Agency	Status of Regulatory Action	Comments Due	Status of Comments
Policy for Toxicity Assessment and Control	SWRCB	The Public Review Draft Policy for Whole Effluent Toxicity Assessment and Control and Staff Report was released by the SWRCB on 6/27/12 with public comments due by 8/21/12. A public hearing was held on 8/21/12. SWRCB legal staff is requiring the Policy to be repackaged as amendments to the Inland Surface Waters, Enclosed Bays, and Estuaries Plan. Revised documents are scheduled for release in Fall 2014, with adoption in early 2015. As currently written, the amendments pertain mostly to POTW discharges. The main requirement for stormwater dischargers is to use a specific statistical analysis approach when their permits require toxicity testing.	NA	CASQA submitted comments on the Public Review Draft Policy on 8/21/12. The CASQA Science and Monitoring Subcommittee has been closely following the process for developing the Toxicity Amendments.
Wetland and Riparian Area Protection Policy	SWRCB	On 1/28/13, SWRCB released a Revised Preliminary Draft Wetland Area Protection Policy for informational purposes. The goal of the policy is to protect all waters of the State from dredge and fill. The Draft Policy with an environmental review document (EIR) is scheduled to be released late in 2014 for public comment followed by an SWRCB adoption hearing.	NA	Program staff reviewed NOP and determined that a comment letter was not needed yet. BASMAA came to the same conclusion based on an analysis developed by Gary Grimm (ACCWP Attorney). Program staff will continue to track the development of this Policy.
Trash Policy (now called Amendments to the State Water Quality Control Plans)	SWRCB	Goal of policy is to regulate trash using a statewide policy rather than through individual TMDLs. New water quality objectives will be incorporated into the California Ocean Plan, Inland Surface Waters Plan, and the Estuary and Enclosed Bays Plan. One Substitute Environmental Document (SED) will be developed and all Amendments will come from the SED. SWRCB staff conducted five informal "stakeholder" meetings with NGOs, Phase I and II MS4s, Industry and Water Board Staff in April 2013. A draft Amendment package (including the Amendment language, SED, staff report and environmental check list) was released for public review on 6/10/14. CASQA and BASMAA provided comments. A public hearing was held on 8/5/14 where two "tracks" were discussed. Adoption is anticipated late in 2014.	NA	CASQA/BASMAA Executive Director is participating on the Public Advisory Group. Program staff will continue to track the draft Amendments and discuss the need for additional comments via BASMAA. Regional Water Board staff have said they are working with State Board staff to ensure that the Amendments do not conflict with the current Bay Area approach.

Status of California Stormwater Quality Related Policies and Permits (Active)

October 2014

Policy/Permit/Objective	Lead Regulatory Agency	Status of Regulatory Action	Comments Due	Status of Comments
Biological Objectives for Wadable Perennial Streams (now called Biological Integrity Assessment Implementation Plan)	SWRCB	In September 2012, SRCWB staff held four informal staff workshops to discuss and solicit public comments on a proposed Statewide Biological Objectives Policy and Program of Implementation for Perennial, Wadeable Streams. The Science Team released draft manuscripts documenting the technical work to support development of policy for review and comment on 5/2/13. Joint Stakeholder/Regulatory Advisory Group meetings were held in 2013 to discuss the three technical documents, major implementation issues raised by the regulated community, and regulatory options. Stakeholder meetings have continued in 2014 with participation from Program staff. In July 2014, the SWRCB presented an outline for the Draft Biological Integrity Assessment Implementation Plan which will not include "objectives" but will include benchmarks that describe conditions necessary to protect aquatic life beneficial uses and methods to measure biological condition. The SWRCB is targeting the release of a draft policy/amendment in 2014, with adoption in 2015.	NA	CASQA submitted comments on the policy alternatives and suggested an implementation framework on 10/19/12. CASQA representatives (including Program staff) met with the SWRCB staff on 2/12/14. In preparation for the meeting, a preliminary draft flowchart was developed showing how bio-objectives could be implemented on a statewide basis. Program staff will continue to participate in discussions with SWRCB staff (through CASQA) and work with other stormwater Permittees on responses to the proposed amendments/policy.
SF Bay Policies/Objectives				
Nutrient Numeric Endpoints (NNEs) for SF Bay	SWRCB & RWQCB	The SWRCB and RWQCB are in the process of developing NNEs specific to SF Bay. A stakeholder advisory group (SAG) and nutrient technical workgroup (NTW) meet frequently to guide development and provide technical support. SAG meetings held in 2012 prioritized the work effort over the next 1-5 years. A Nutrient Management Strategy presenting a draft strategy for developing the necessary science to inform decisions was released in Nov 2012. A Nutrient Loading Report prepared by SFEI was released on 1/23/14 and a Nutrient Assessment Framework is anticipated in Fall 2014.	NA	Based on review of documents, Program comments not needed at this stage of development of the Draft Nutrient Management Strategy. SFEI's Nutrient Loading Report was funded by the RMP. Program staff plan to continue tracking the development of the NNEs for SF Bay.

Status of California Stormwater Quality Related Policies and Permits (Active)

October 2014

Policy/Permit/Objective	Lead Regulatory Agency	Status of Regulatory Action	Comments Due	Status of Comments
Federal Policies/Guidance				
Waters of the US (WOTUS) Proposed Rule	USACE & USEPA	This proposed rule, published in the Federal Register 4/21/14, would impact how the USACE and USEPA will take jurisdiction for WOTUS. The goal is to enhance protection of jurisdictional waters and predictability of the program by providing more definition for tributaries and neighboring wetlands. It could affect MS4s by potentially expanding the waters defined as receiving waters from the MS4 system. Comments on the rule are due to EPA 11/14/14 with promulgation expected winter 2014/15.	NA	CASQA Policy and Permitting Subcommittee is tracking this issue. CASQA prepared a comment letter for 10/20/14 submittal explaining how the new definition could be interpreted to include structures part of an MS4 and suggesting revised language.

NA = Not Applicable

Status of California Stormwater Quality Related Policies and Permits (Completed)

October 2014

Policy/Permit/Objective	Lead Regulatory Agency	Status of Regulatory Action	Status of Comments/Next Steps
NPDES Permits			
Assessing Costs of Compliance Stakeholder Group	SWRCB, RWQCBs and CASQA	The SWRCB has convened a statewide stakeholder group made up of SWRCB and RWQCB staff and regulated dischargers to initiate an assessment of the costs of compliance with waste discharge requirements, including NPDES stormwater and wastewater permits, irrigated lands, and waste discharge to land. The goal of the assessment will be to identify potential opportunities to reduce compliance costs without hindering the Water Boards' ability to protect water quality. The kick-off meeting was held on 10/24/12. Permittees have been asked to form stakeholder groups, and the CASQA Executive Director Geoff Brosseau is leading the stormwater group. The stormwater group prepared a matrix of key cost drivers and ways to reduce the cost of permit compliance, and presented information to the State Board on 1/22/13, with progress updates on 4/9/13 and 6/18/13. Cost information will be examined during development of the Stormwater Strategic Initiative.	Program staff participated in the stormwater stakeholder group.
CalTrans NPDES Stormwater Permit (Order No. 2012-0011-DWQ)	SWRCB	The final CalTrans NPDES Stormwater Permit was adopted at a public hearing on 9/19/12 and became effective on 7/1/13. The permit was reopened in Feb 2014 to add TMDL implementation language and the changes were adopted on 5/20/14. CalTrans has several options for TMDL compliance including coordination with local MS4s.	Program staff will continue to track permit activity and BASMAA and CASQA efforts, particularly as they relate to CalTrans TMDL compliance actions.

Status of California Stormwater Quality Related Policies and Permits (Completed)

October 2014

Policy/Permit/Objective	Lead Regulatory Agency	Status of Regulatory Action	Status of Comments/Next Steps
Statewide Phase I MS4 Stormwater Permit Work Group	SWRCB, RWQCBs and CASQA	The CASQA Executive Director, Chair, and several Board members participated in 14 meetings with a Statewide Work Group made up of SWRCB and RWQCB staff, to discuss improvements to the MS4 permit process and create consistency across the state. Products included a series of guiding principles and an annotated template for a municipal stormwater permit. SWRCB staff is vetting products with RWQCB staffs and getting some resistance in Regions 4 and 9, which have adopted or are in the process of adopting MS4 permits. CASQA has provided updates to Phase I MS4 program managers in several conference calls. SWRCB staff have stated that completion of this effort is not a high priority at this time and the timeframe for distribution of products to MS4s is unknown.	Program staff has been tracking but has had limited opportunity to participate. Staff pushed for release of draft documents for MS4 stakeholder review but this effort seems to have stalled. Program staff will continue to track if this becomes active again.
Industrial Stormwater NPDES Permit (Order No. 2014-0057-DWQ)	SWRCB	The new Industrial General Permit was adopted by the SWRCB on 4/1/14 and will become effective on 7/1/15. The new permit has several significant changes including: new types of Permittees, SMARTS enrollment & reporting, increased monitoring, NALs, and elimination of group monitoring.	Task to track reissuance of the State Industrial General Permit is complete. No further tracking is necessary.
NPDES Permit for Phase II MS4s (Order No. 2013-0001-DWQ)	SWRCB	The Phase II Small MS4 General Permit was adopted on 2/5/13 and became effective on 7/1/13. The final permit includes a reopener clause to accommodate possible policy changes. The new permit is more prescriptive and includes Permittee-specific TMDL requirements, SMARTS enrollment & reporting, and increased monitoring.	Task to track reissuance of the Phase II Small MS4 General Permit is complete. No further tracking is necessary.

Status of California Stormwater Quality Related Policies and Permits (Completed)

October 2014

Policy/Permit/Objective	Lead Regulatory Agency	Status of Regulatory Action	Status of Comments/Next Steps
Statewide Policies/Objectives			
SF Bay Policies/Objectives			
Federal Policies/Guidance			
EPA Residual Designation Petitions	US EPA	Petitions were filed in July 2013 in EPA Regions 1, 3 and 9 by NRDC, California Coastkeeper and others requesting that EPA use its residual designation authority to require NPDES permits for all non-de minimis stormwater discharges from commercial, industrial and institutional (CII) facilities discharging into impaired waters. In March 2014 Region 9 responded that it will continue to evaluate currently unregulated stormwater runoff sources for potential designation. However, there is currently insufficient information to support a region-wide designation to the sites specified in the petition.	CASQA Policy and Permitting Subcommittee is no longer tracking this issue. However, CASQA representatives plan to meet with the new Region 9 Director of Water Jane Diamond in the near future.
EPA Construction Effluent Limitations Guidelines (ELGs)	US EPA	Released in December 2009 and item of most concern was numeric effluent limitation for turbidity. Limits were eventually stayed. On 4/1/13, EPA published proposed changes to the ELGs and standards for the Construction and Development point source category pursuant to a settlement agreement. The proposed rule withdrew the numeric discharge standards and changed several of the non-numeric provisions of the existing rule.	CASQA Construction Subcommittee will continue to track policy as needed.
EPA Stormwater Rulemaking Process	US EPA	Proposed rule will include performance standards for new and redevelopment; retrofit requirements; extended MS4 coverage. Rule currently in OMB review. EPA originally intended to publish a proposed rule by 6/10/13 and complete a final action by 12/10/14. In March 2014, EPA announced that it was “deferring” on the national stormwater rule and shifting resources to strengthen its existing program.	No further tracking is necessary.

C/CAG AGENDA REPORT

Date: October 21, 2014
Item: 4E
From: Matthew Fabry, Program Coordinator
Subject: Other Issues/Subcommittee Updates

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

RECOMMENDATION

Staff will provide verbal updates on any other relevant issues, along with the attached written materials.

ATTACHMENTS

1. Upcoming Meetings Summary
2. Recent Subcommittee Meeting Minutes

Upcoming Meetings, Work Shops, Trainings, etc. for Each Countywide Program Component

MEETINGS

- Stormwater Committee – meets at 2:30 pm, third Thursday of the month, as needed. Next meeting is TBD, San Mateo County Transit District Office, City of San Carlos.
- Technical Advisory Committee –meets 10 am to noon, third Tuesday of the month, quarterly. Next meeting is January 20, City of San Mateo Main Library.
- New Development – subcommittee meets 1:30 to 3:30 pm, second Tuesday of the month, quarterly. Next meeting is October 28 (two weeks early because of Veteran’s Day), at the Redwood Shores Library in Redwood City.
- Public Information/Participation – subcommittee meets 10:00 am to noon, second Tuesday of the month, quarterly. Next meeting is November 4 at Belmont City Hall, 2nd floor EOC (one week early because of Veteran’s Day).
- Municipal Maintenance – subcommittee meets noon to 1:00 pm (\$10.00 lunch), fourth Wednesday of the month, quarterly. The next meeting is October 22.
- Parks Maintenance and Integrated Pest Management – work group meets 1:30 to 3:00 pm, fourth Tuesday of the month, three times per year. Next meeting is January 27, 2015 at the City of Redwood City’s Community Activities Building.
- Trash Control – subcommittee meets as needed. Next meeting is TBD.
- Litter Work Group – usually meets monthly, but date and time varies. Next meeting is on Wednesday, October 29th.
- Commercial/Industrial/Illicit Discharge Control – subcommittee meets 1:00 to 2:30 pm, third Wednesday of the month, quarterly. Next meeting is December 17 at San Mateo County Environmental Health, City of San Mateo.
- Watershed Assessment and Monitoring – subcommittee meets 10:00 am to noon, second Thursday of the month, approximately two times per year. Next meeting date tentatively set for February 12, 2015 at San Mateo County Environmental Health, City of San Mateo.

WORKSHOPS

- Annual New Development Workshop – May/June 2015 (TBD)
- Annual Construction Inspection Workshop – March/April 2015 (TBD)
- Litter Roundtable No. 2 – February/March 2015 (TBD)

DRAFT CII Subcommittee Report

Meeting Date: September 17, 2014

Subcommittee Actions:

- Agreed that the June 2014 subcommittee meeting summary was acceptable.

Requested Action or Feedback/Guidance (if any): None.

Other Information/Announcements:

- **Update on County Environmental Health (CEH) Inspections.** Joanne Janin, CEH, spoke to the group about the County's Mobile Food Facility (MFF) permitting program. MFFs must obtain a permit every year. The MFFs come to CEH on designated days to be inspected. The permit is a sticker that is placed on the back of the vehicle on the driver's side. At this time field inspections of MFFs are complaint based. The CEH permit does collect information on the route schedule. There may be a pilot project soon that uses GPS units to track MFFs. There are approximately 183 permitted food trucks in San Mateo County. Less than fifty percent are based in San Mateo County.

The Certified Food Handler training program is implemented by the County. The County identifies on its website approved training programs for food service establishment workers that are provided by other companies. There are too many approved training programs to use this required training as an avenue to disseminate our stormwater message.

Kristin is working with CEH to develop a new CEH inspection data tracking table that is updated quarterly or more frequently for each city. Kristin will be sending cities a working draft of the table with FY 13/14 data and requesting feedback for the FY 14/15 tables.

- **Update on BASMAA's Municipal Operations Committee.** BASMAA has an approved regional project to expand the current surface cleaner training and recognition program to include automotive washing and carpet cleaning businesses and create a web-based application to share information about mobile businesses. The Subcommittee provided comments in December 2013 on the first draft of BMPs for carpet cleaners and transportation related cleaning activities. In September 2014 the Subcommittee provided comments on the second draft BMPs. BASMAA will mail these BMPs to carpet cleaners and transportation related cleaning businesses in the Bay Area. BASMAA is requesting any mobile business lists from individual cities or agencies. Kristin will email the Subcommittee for a list of mobile businesses they have knowledge of from business license data or inspector referrals.
- **Countywide Repository of Mobile Contractors in Violation.** The Subcommittee, to meet requirements in the MRP Provision C.5.d Control of Mobile Sources, compiled enforcement action information on mobile businesses in an Excel table and posted on the members only

web page of the CII Subcommittee. Kristin received several updates to the table. She will email the Subcommittee for any other updates before re-posting the table to the website.

- **BMP Brochures Updates.** A priority list for revising the BMP brochure pieces on the SMCWPPP website was developed based on Subcommittee survey results, the age of the document, ease of revisions or updates, and accessibility of editable documents. The next few pieces on the priority list are all pieces that were done by graphic design contractors. If any revisions are needed the original graphic design company would need to be hired to make the revisions or the piece would need to be redone. The pieces would require a larger level of effort to revise. There were no requests to update the posters for restaurants or vehicle service facilities. Kristin will send out an email survey to determine whether the group would like to update the last outreach piece on restaurant BMPs.
- **Paperless Inspections.** The Subcommittee discussed the possibility of conducting paperless inspections with hand held devices, tablet or tough book laptops in the field. The County is developing a remote Envision database that will allow them to perform paperless inspections. Kristin will look into this topic further.

The Subcommittee also discussed simplifying the current SMCWPPP inspection form template. The Subcommittee would like to see the rating system for “potential” and “BMP effectiveness” discontinued. The “NSW” (non-stormwater discharge) column could be relabeled actual or illicit discharge. Kristin will send a Draft revised inspection form to the Subcommittee for comment.

- **CII Training Workgroup.** This FY’s budget does not currently include a training Workshop. The Subcommittee discussed other training materials that may be useful. Patrick asked for pictures of specific BMP issues. He is compiling pictures for a CEH Inspector’s Resource webpage to assist with training. There was a 1998 Handbook for Facility and Illicit Discharge Inspectors that may have useful materials. Kristin will bring examples to the next meeting for review and discussion. Virginia Parks requested the 2006 Inspector Training Workshop Video but updated with a recording of a future workshop.
- **Other Information:** Randy Breault, Brisbane, was not available to provide an update on discussions with police and fire department representatives regarding tow truck operators cleaning up fluid leaks for car wrecks. The Subcommittee members were still interested in this topic so it will remain on the agenda for the next meeting.

Daly City received a letter from Regional Board regarding their Provision C.5 stormwater program audit. The Regional Board staff requested the city revise their Enforcement Response Plan (ERP) regarding percent compliance of C.6 construction inspections and more prominently display a link for the storm drain system maps and reporting illicit discharges on the web page.

Daly City staff met with Fire Department representatives to review the BMPs used during training exercises that discharge potable water. The Fire Department representatives were responsive to the city staff’s suggestions of BMPs. The Fire Department will be using

dechlor mats and removing trash/debris from the flow path during training exercises. The regional Fire Department serves Daly City, Pacifica and Brisbane.

Kristin will send the group weblinks for the new State Board Small Vessel Dismantling Best Management Practices (http://www.waterboards.ca.gov/sanfranciscobay/water_issues/programs/stormwater/Industrial/docs/Vessel_Dismantling_BMP.pdf) and the State Board stormwater films (<http://www.waterboards.ca.gov/stormfilm/>).

Kristin shared with the group ideas for reorganizing the CII Members Only webpage to make it easier to find materials. Feedback on the suggested organization is welcome.

Subcommittee Work That Affects Other Subcommittees: None.

Next Steps:

- Kristin will be sending cities a working draft data tracking table with FY 13/14 data and requesting feedback.
- Kristin will email the Subcommittee for a list of mobile businesses they have knowledge of from business license data or inspector referrals.
- Kristin will email the Subcommittee for any updates of enforcement actions on mobile businesses.
- Kristin will survey the Subcommittee by email to determine if the Restaurant BMPs outreach piece should be updated.
- Kristin will email the Subcommittee a revised draft facility inspection form.
- Kristin will send the group weblinks for the new State Board Small Vessel Dismantling Best Management Practices and the State Board stormwater films.

Next Meeting Date: The Subcommittee is scheduled to meet next on Wednesday December 17, 2014 at 1:00 pm.