

STORMWATER COMMITTEE
Regular Meeting
Thursday, April 18, 2019
2:30 p.m.

Meeting Minutes

The Stormwater Committee met in the SamTrans Offices, 1250 San Carlos Avenue, San Carlos, CA, 2nd floor auditorium. Attendance at the meeting is shown on the attached roster. In addition to the Committee members, also in attendance were Matt Fabry (C/CAG Program Manager), Reid Bogert (C/CAG staff), Sandy Wong (C/CAG Executive Director), Chris Sommers (EOA), Sarah Scheidt (City of San Mateo), Jennifer Lee (City of Burlingame), Kim Springer (County of San Mateo Office of Sustainability), Raymund Donguines (City of Pacifica), Ann Stillman (County of San Mateo), and Drew (public). Chair Breault called the meeting to order at 2:33 p.m.

1. Public comment: None

2. Stormwater Issues from C/CAG Board Meetings: Matt Fabry provided an update on stormwater-related items from the C/CAG Board February, March and April, including the executed funding agreement with the San Mateo County Office of Education for \$25,000 to fund the Clean Water Pathways teacher fellowship program in June, Reso 19-15 adopting the definitions for regional representation on the proposed Flood and Sea Level Rise Resiliency District, approved support letter for AB 825 to create the new Flood and Sea Level Rise Resiliency District, updates on the Fair Oaks Community School Safe Routes to School and GI Pilot Project, support letter for regional stormwater project budget request for Assembly Member Mullin, and time extensions for EOA and LWA task orders to complete Fiscal Year 18/19 tasks.

3. ACTION – The draft minutes from the February 21, 2019 Stormwater Committee meeting were unanimously approved as drafted (motion: Oskoui, second: Tan).

4. INFORMATION – Matt Fabry provided announcements on stormwater issues:

- EPA Water Quality Improvement Funds: EPA funded the County’s proposal for additional preliminary designs for regional stormwater projects at Red Morton Park in Redwood City and at a Caltrans property in San Bruno at the interchange of I-280 and I-380. A total of \$500,000 was awarded, \$100,000 of which will be dedicated to finding additional regional stormwater capture projects.
- Flood and Sea Level Rise Resiliency District (FSLRRD): All agencies have supported the FSLRRD with the exception of Foster City and Woodside, which will consider the proposal for endorsement in May. AB 825 which is the carrying legislation for the new district is being considered by the budget and local government committees in April.
- Assembly Member Mullin Budget Request: C/CAG staff submitted a budget request to Assembly Member Mullin’s office for \$8 million to advance designs of regional stormwater capture projects in San Mateo County. C/CAG staff requests letters of support from member agencies by the end of April. If awarded, C/CAG will need to determine a process for allocating funds.

- **Funding Opportunities:** Fabry shared several current/upcoming funding opportunities focused on green infrastructure implementation, including the Coastal Conservancy's Urban Greening funds under Prop 1, the Natural Resources Agency Green Infrastructure Grant Program under Prop 68 (pre-proposals allowed) and the Trails to Greenways Grant, also administered by the Natural Resources Agency. Fabry will send an update via email with further details on these opportunities.
- **Duly Authorized Representatives Approvals:** Fabry reminded the Committee that there are upcoming submittals to the Regional Water Quality Control Board that will require Duly Authorized Representative approvals. C/CAG staff will plan to receive approvals for these submittals at the next Stormwater Committee meeting scheduled in May, or via email.
- **Other:** Fabry announced the Bay Area Council, a consortium of regional business leaders, responded to the development of programs throughout the MRP region to manage PCBs during building demolition. The Council has expressed concern that the programs may be requiring more than what state and federal policies currently mandate for hazardous waste management during demolition. The Bay Area Stormwater Management Agencies Association (BASMAA), of which C/CAG is a member, plans to respond to this letter with support from the Regional Water Quality Control Board. BASMAA will continue to work with industry and municipal reps on improving the programs as they are rolled out.

5. INFORMATION - Receive presentation on the current status of Trash Load Reductions achieved by San Mateo Permittees and challenges for the remainder of the MRP term.

Chris Sommers provided an update on the MRP trash reduction requirements, status of San Mateo County co-permittees and outlook for future load reduction requirements within context of Caltrans trash requirements, current municipal programs and controls and the reissuance of the MRP. Permittees must achieve an 80% reduction from 2009 levels by July 2019, via full trash capture devices, on-land visual assessments, source controls and offsets. Currently, 19 of the 21 co-permittees in San Mateo County have already achieved 80%. Two are planning full trash capture devices now to get to 80%. Any agencies that do not achieve the 80% compliance deadline must submit a compliance plan, schedule and funding plan to achieve 80%. The next compliance deadline is "no adverse impact" or essentially 100% trash load reductions by 2022.

Caltrans received a Cease and Desist Order from the Regional Water Board in February 2019 and must achieve full trash equivalency for 8,800 acres by 2026 (this is approximately double of what was originally proposed by the Water Board). Because of the limited area that Caltrans can treat within its right of way, Caltrans is working with Water Board staff and municipalities to identify opportunities for partnering on controls in jurisdictions that intercept priority Caltrans drainage areas. These opportunities may support permittees with achieving future load reductions, and C/CAG has supported the permittees with identifying these opportunities in a report that was submitted to the Regional Water Board. Municipalities and stormwater program staff are also advocating for Caltrans to reimburse cities for existing controls that may be treating Caltrans right of way, to support Caltrans' new load reduction requirements.

Sommers updated the committee on the Receiving Water Trash Monitoring Program and emphasized that the intent of this program is to evaluate the effectiveness of full trash capture devices and characterize trash deposition and pathways, but it is not intended to become a compliance tool for

evaluating trash load reduction requirements. Sommers also mentioned plans for the Litter Workgroup in Fiscal Year 19/20 to host a round table in June to convene transportation agencies on the topic of coordinating with municipalities.

Finally, Sommers provided an update on the MRP 3.0 reissuance priorities, highlighting that the overall framework for load reductions and accounting will continue, but that the timing and schedule for reaching reductions by 2022 and beyond will be considered. Source controls and offsets are also being reconsidered under MRP 3.0, and municipalities are attempting to maintain some level of load reduction credit for both source controls (existing or new) and offsets for additional creek and shoreline cleanups.

6. INFORMATION – Receive update and provide feedback on development of the 2019-20 Countywide Water Pollution Prevention Program budget.

Matt Fabry presented the draft FY 2019/20 annual budget for the Countywide Water Pollution Prevention Program. The program has an estimated \$1,730,000 available from the NPDES fund and portion of the \$10 vehicle registration fee, including remaining funds from FY 2018/19 and the \$500,000 reserve fund earmarked for a future stormwater funding initiative. The current estimated program expenditures for FY 2019/20 are \$2,605,000. The proposed technical support budgets total \$1,833,928 for consultant support to the program, including only tasks that are required for permittee compliance and not additional/optional tasks.

C/CAG staff has met twice with the Stormwater Ad-hoc Implementation Workgroup to develop recommendations for the FY 2019/20 budget. Ad-hoc Workgroup members recommendations have included reducing the frequency of or otherwise consolidating subcommittees, reducing stormwater/sediment sampling to the mandatory minimum annual number of samples, potentially shifting on-land visual trash assessments to the agencies, reconsidering the Litter Workgroup, cutting all optional tasks and focusing on permit compliance, maintaining the reserve fund of \$500,000 and consider charging agencies directly for trainings to reduce consultant costs. C/CAG staff will work with consultants to revise the scopes as needed and will bring the final recommendations to C/CAG Board in May as a draft budget. The C/CAG Board will consider the final program budget for approval at the June 13 meeting.

The Committee agreed that the \$500,000 reserve fund should be maintained, but it should be “unrestricted” so as not to limit the use of those funds if other program objectives arise. It was recognized that the CCEA may have supplementary funds to help with training costs. The Committee recommended reducing the amount of money reserved for the test claim petition for MRP 2.0 and unfunded mandate funds from \$90,000 to \$50,000 to provide additional funds to consultant support.

7. INFORMATION – Receive update on MRP 3.0 negotiations process.

Matt Fabry provided an update of the MRP 3.0 negotiations process and opportunities for participation in future meetings. As in past permit reissuance processes, there is a Steering Committee of Water Board staff, managerial level permittee representatives, and countywide program staff, which is meeting every few months to negotiate on significant topics that arise from the MRP 3.0 Workgroups that meet on a more regular basis to discuss reissuance topics specific to provisions of the permit. There are four MRP 3.0 Workgroups, including Trash, C.11/12/RAA, C.8 (Monitoring) and C.3/Green Infrastructure. The Steering Committee met in March to discuss significant trash related issues, and the committee will meet in June on C.11/12/RAA and C.3/GI issues, followed by a discussion about C.8

monitoring issues in September. There will be an “Other” Steering Committee convening in winter to cover annual reporting and other permit provisions that need to be addressed. Fabry referenced the meeting summaries included in the agenda packet for Committee members to review for detail on discussions in these various groups.

8. Regional Board Report: None.

9. Executive Director’s Report: Fabry reported on behalf of C/CAG Executive Director, Sandy Wong, that Lobby Day is being held on Tuesday, April 23. The District 4 Caltrans Directors meeting is also convening this month to discuss partnerships with local jurisdictions on green infrastructure and how to negotiate payment for maintenance of green infrastructure facilities, which is not typically paid for under such partnerships.

10. Member Reports: None.

Vice Chair Oskoui adjourned the meeting at 3:57 p.m.