

C/CAG

CITY/COUNTY ASSOCIATION OF GOVERNMENTS OF SAN MATEO COUNTY

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STORMWATER (NPDES) COMMITTEE AGENDA 2:30 PM, Thursday, April 16, 2020

On March 16, 2020, Governor Newsom issued Executive Order N-29-20 suspending certain provisions of the Ralph M. Brown Act in order to allow for local legislative bodies to conduct their meetings telephonically or by other electronic means. Pursuant to the Shelter-in-Place Order issued by the San Mateo County Health Officer on March 16, 2020, the statewide Shelter-in-Place Order issued by the Governor in Executive Order N-33-20 on March 19, 2020, and the Center for Disease Control’s social distancing guidelines, which discourage large public gatherings, C/CAG meetings will be conducted via remote conferencing. Members of the public may observe or participate in the meeting remotely via one of the options below.

Join by Zoom: <https://zoom.us/j/234760485>
Meeting ID: 234-760-485

Join by Phone: (669)-900-6833
Meeting ID: 234760485

Persons who wish to address the Stormwater Committee on an item to be considered at this meeting, or on items not on this agenda, are asked to submit comments in writing to rbogert@smcgov.org by 12:00 PM on Thursday, April 16, 2020. Emailed comments should include the specific agenda item on which you are commenting or note that your comment concerns an item that is not on the agenda or is on the consent agenda. Members of the public are limited to one comment per agenda item. The length of the emailed comment should be commensurate with the three minutes customarily allowed for verbal comments, which is approximately 250-300 words. Staff will read the public comments addressing matters on this agenda received before the deadline of 12:00 PM on April 16, 2020 at the time the matter is called. Staff will read the public comments addressing items not on this agenda received before the deadline of 12:00 PM on April 16, 2020 during Agenda Item 1, “Public comment.” Comments received after the deadline but before the end of the meeting will be provided to the Stormwater Committee after the meeting.

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|---|---------|--------------|
| 1. Public comment on items not on the Agenda (presentations limited to three minutes). | Breault | No materials |
| 2. Stormwater Issues from Dec, Feb, April C/CAG Board meetings: <ul style="list-style-type: none">• Receive a presentation on the Countywide Stormwater Program.• Review and approve allocating \$2.94 million in grant funding from the California Natural Resources Agency to five projects to advance multi-benefit, regional stormwater management in San Mateo County• Review and approval of Resolution 19-57 approving the application for \$2.94 million in grant funding from the California Natural Resources Agency• Receive notice on the March 12 “Green Streets for Sustainable Communities” symposium and the March 31 “Shore to Shore: Envisioning San Mateo County’s Resilient Water Future” summit.• Approve new appointments to Stormwater Committee (Peter Brown, Public Works Director, City of Belmont, and Andrew Yang, Senior Engineer, City of Millbrae) | Fabry | No materials |
| 3. ACTION – Review and approve September 19 and November 21, 2019 Stormwater Committee minutes | Fabry | Pages 1-9 |

4.	INFORMATION – Announcements on stormwater issues <ul style="list-style-type: none"> • New Flowstobay.org website • Funding Opportunities • BASMAA Organizational Update • Report of Waste Discharge • Regional Projects Update • Other 	Fabry	Verbal, no materials
5.	INFORMATION – Receive an update on developing the PCBs and Mercury in San Mateo County Stormwater Runoff: Control Measures Plan and Reasonable Assurance Analysis.	Konnan	Pages 10-19
6.	INFORMATION – Receive update on Municipal Regional Permit reissuance process and schedule.	Fabry	Page 20
7.	ACTION – Review and approve notification letter to Regional Water Quality Control Board regarding COVID-19 implications on compliance activities.	Fabry	Pages 21-32
8.	INFORMATION – Receive update and provide feedback on development of the Fiscal Year 2020-21 Countywide Water Pollution Prevention Program budget.	Fabry	Page 33
9.	INFORMATION – Receive an update on C/CAG’s Sustainable Streets Master Plan.	Fabry	Page 34
10.	ACTION – Nominate and elect Chair and Vice-Chair	Breault	Page 35
11.	Regional Board Report	Mumley	No Materials
12.	Executive Director’s Report	Wong	No Materials
13.	Member Reports	All	No Materials
14.	Adjourn		

PUBLIC NOTICING: Due to COVID-19, all notices of C/CAG regular Board meetings, standing committee meetings, and special meetings will be posted on C/CAG’s website at: <http://www.ccag.ca.gov>.

PUBLIC RECORDS: Public records that relate to any item on the open session agenda for a regular Board meeting, standing committee meeting, or special meeting are available for public inspection. Those public records that are distributed less than 72 hours prior to a regular Board meeting are available for public inspection at the same time they are distributed to all members, or a majority of the members, of the Board or standing committee. The Board has designated the City/County Association of Governments of San Mateo County (C/CAG), located at 555 County Center, 5th Floor, Redwood City, CA 94063, for the purpose of making public records available for inspection. Please note that C/CAG’s office is temporarily closed to the public; please contact Mima Guilles at 650-599-1406 to arrange for inspection of public records. Such public records are also available on C/CAG’s website at: <http://www.ccag.ca.gov>.

PUBLIC PARTICIPATION: Please refer to the first page of this agenda for instructions on how to participate in the meeting. Persons with disabilities who require auxiliary aids or services in attending and participating in this meeting should contact Mima Guilles at (650) 599-1406, five working days prior to the meeting date.

If you have any questions about this agenda, please contact C/CAG staff:

*Program Manager: Matthew Fabry (650) 599-1419
Administrative Assistant: Mima Guilles (650) 599-1406*

C/CAG AGENDA REPORT

Date: April 16, 2020
To: Stormwater Committee
From: Matthew Fabry, Program Manager
Subject: Review and approve September 19 and November 21, 2019 Stormwater Committee meeting minutes.

(For further information or questions contact Matthew Fabry at mfabry@smcgov.org)

RECOMMENDATION

That the Committee review and approve September 19 and November 21, 2019 Stormwater Committee meeting minutes, as drafted.

DISCUSSION

Due to lack of a quorum at the November 21, 2019 Stormwater Committee meeting, the minutes from September 19 were not approved. The Committee is now asked to review and consider approval of both the September 19 and November 21, 2019 meeting minutes.

ATTACHMENTS

1. Draft September 19, 2019 Minutes
2. Draft November 21, 2019 Minutes

STORMWATER COMMITTEE
Regular Meeting
Thursday, September 19, 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), Susan Wright (County of San Mateo), Ahmad Haya (City of Redwood City), and Raymund Donguines (City of Pacifica). Chair Breault called the meeting to order at 2:31 p.m.

1. Public comment: None
2. Stormwater Issues from C/CAG Board Meetings: None. There was no C/CAG Board meeting in August and there were no stormwater related items at the September Board meeting.
3. ACTION – The draft minutes from the August 15, 2019 Stormwater Committee meeting were unanimously approved as drafted (motion: Porter, second: Chiu).
4. INFORMATION – Matt Fabry provided announcements on stormwater issues:
 - Funding Opportunities: Fabry shared current/upcoming funding opportunities focused on green infrastructure implementation, including the Recreational Trails and Greenways Grant Program under the California Natural Resources Agency (\$27.7 million), Urban Flood Protection Grant Program under also under the California Natural Resources Agency (\$92 million in Prop 68 funds for two cycles – public comment period August 27-October 14), Prop 1 Stormwater Grant funds managed by the State Water Resources Control Board (public comment open through September 20, with \$90 million available statewide and requiring a 1:1 non-state match), and the Climate Ready Grant under the California Coastal Conservancy (anticipate release of draft guidelines in October).
 - Flood and Sea Level Rise Resiliency District (FSLRRD): The enacting legislation (AB 825) to create the new District has been signed by the Governor, and the District will become established on January 1, 2020. The Board in Waiting has approved shifting to an MOU approach to the start-up phase of the District, with a focus on advancing existing and new regional projects to support the next phase and investment strategy after startup. New MOU projects could include developments on the Burlingame/Millbrae shoreline, San Mateo/Foster City Baywinds area and regional stormwater capture projects. There is interest to find a potential coastal MOU project to ensure countywide equity. The Board in Waiting is working on the recruitment process for hiring a CEO and plans to release the brochure mid-October.
 - BASMAA Organization Update: Fabry provided an update on the status of BASMAA as an organization. The BASMAA Board of Directors continue to meet and plan to move forward with dissolving as an incorporated non-profit organization.

- Duly Authorized Representative Approvals: Fabry announced upcoming Duly Authorized Representative approvals needed for submission of the Program Annual Report and BASMAA Supplemental Reports (submission to the Regional Water Board September 30, 2019), SMCWPPP Water Year 2019/20 POC Monitoring Report and Pillar Point Harbor Stressor/Source Identification Project Report (POC Monitoring Report and Pillar Point Stressor/Source Identification Project Report to be submitted October 15, 2019). Fabry informed the Committee that three municipalities did not submit draft jurisdiction annual reports for EOA's review, and also mentioned that the Water Board made a specific request for municipalities to comply with Provision C.17 of the MRP to state explicitly any areas of the MRP for which a municipality is out of compliance, and if stated to provide a timeline and plan of action for attaining compliance with the permit. In response to a question about how GI Plans should be submitted with the annual reports, Fabry stated that C/CAG staff would confirm with the Committee the Water Board's direction to link plans electronically in section C.3 of the annual reports.
- Other: None.

5. ACTION – The Committee unanimously approved recommendation of the proposed approach for utilizing \$2.94 million in State grant funds for multi-benefit regional stormwater project designs (motion: Ovadia, second: Porter).

Matt Fabry provided a brief background on the \$3 million in State grant funds (\$2.94 million after administrative fees) recently awarded to C/CAG for advancing multi-benefit regional stormwater project designs and introduced the action to approve a proposed process for utilizing the funds based on input from the Ad-hoc Workgroup and several stakeholder jurisdictions with interest in advancing identified regional project opportunities. C/CAG staff convened a meeting with representatives from these municipalities and the Ad-hoc Workgroup on September 17 to flesh out a process to determine the use of the funds and to prepare a C/CAG Board of Directors agenda item recommending approval of a resolution accepting the application of funds for specific project design work. Based on the available funds from C/CAG and the County for advancing project designs and the intended use of those funds, existing project concepts and discussion about the potential criteria for high priority projects, potential need for a competitive call, possible additional project opportunities, options for local match, and role of C/CAG, the County and participating agencies in administering the funds (as well as the future role of the FSRRLD in managing regional capture stormwater projects), staff developed the following recommendations:

- With a clear need for countywide collaboration on attaining stormwater pollutant load reduction goals, use this funding as an impetus to develop a workplan to collaborate via a countywide MOU. This will be done via coordination between C/CAG, the County and the FSLRRD staff.
- C/CAG to work with County Office of Sustainability to engage with schools and identify additional potential sites for regional projects on school property (County WQIF funds designated \$100K to identifying opportunities with schools).
- C/CAG to work with Ad-hoc on developing a call for interest outlining main criteria for project consideration – based on responses to this call for interest, consider need for a competitive call for projects.

- C/CAG and stakeholder municipalities continue to seek grant funds to supplement costs and maximize potential to advance as many projects as possible through design and environmental review.

The Committee agreed to the approach, and added several comments:

- Need to raise revenue to build projects, not just design them
- Generally, a regional approach works and makes sense, but there's still work to be done to get all the agencies onboard, including confirmation of this approach by the Water Board
- Should focus on leveraging the FSLRRD to address flooding issues and maintenance costs
- C/CAG staff will circulate the Water Board's letter of support for regional project collaboration in San Mateo County
- Recommendation for C/CAG staff to present the approach to the City Managers meeting
- Working with schools will require a lease agreement for construction and operations of the facilities
- Some analysis of the number of project designs that can be done with the available funds may be needed

6. INFORMATION – Receive update on Sustainable Streets Master Plan prioritization process and criteria.

Matt Fabry presented on the prioritization process for the San Mateo Countywide Sustainable Streets Master Plan (SSMP).

C/CAG and the project team have advanced the project opportunity identification and prioritization and plan to send a technical memo out for review in the coming weeks. The primary updates on the prioritization process are as follows:

- Prioritization follows a two-step process of mapping project opportunities (based on local planning information) onto sustainable streets typologies/drivers, followed by ranking projects according to several major categories of scoring criteria (hydrology, stormwater performance, constraints and co-benefits)
- A draft prioritization criteria table is being developed, and includes several subcategories within the larger categories referenced above – the Committee, project Stakeholder Advisory Committee and other relevant committees will have a chance to give feedback via the forthcoming technical memo
- The project team agreed to include an additional project typology that will identify additional opportunities beyond colocation with planned projects. This typology will be screened geographically by proximity to major transit hubs and schools as well as those areas overlapping with segments with a high PCI score for future pavement improvement investments
- The technical memo on the prioritization process will tentatively be circulated in mid- to late-October and finalized in December

Some Committee members suggested reconsidering the name of the project, as "SSMP" has other associations for the cities, including sewer system master plan. C/CAG will work with the project team to identify potential alternatives that better align with the climate adaptation aspect of the project.

7. ACTION – The Committee unanimously approved recommending enhancements to the Sustainable Streets Master Plan scope of work (motion: Oskoui, second: Porter).

Matt Fabry presented an action item to approve recommending a series of proposed scope enhancements for the Sustainable Streets Master Plan for FY 2019-20, based on the remaining \$189,264 available under the grant agreement with Caltrans, and with the input from Caltrans that all available funding should be spent. The Committee recommended the following in response to the staff-recommended scope enhancements:

- Rather than forming a new Technical Advisory Committee, use existing C/CAG Committees, such as the Green Infrastructure Committee and identified transportation planning staff to support major project deliverables
- In-lieu of an additional project concept, develop typical details to support the different project typologies or project concepts
- Further developing the prioritization criteria and opportunity ranking outputs, including summary data outputs and analysis by typology and prioritization criterion
- Master Plan enhancements, including InDesign formatting and additional drafts for review
- Upgrades to the Tracking and Mapping Tool, including a workshop to receive input on the preliminary software plan

8. Regional Board Report: None.

9. Executive Director's Report: None.

10. Member Reports: None.

Chair Breault adjourned the meeting at 3:47 p.m.

STORMWATER COMMITTEE
Regular Meeting
Thursday, November 21, 2019
2:30 p.m.

DRAFT 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), Susan Wright (County of San Mateo), Jennifer Lee (City of Burlingame), Sven Edlund (City of San Mateo). Chair Breault called the meeting to order at 2:36 p.m.

1. Public comment: None
2. Stormwater Issues from C/CAG Board Meetings: October – Appointment of Nikki Nagaya from the City of Menlo Park to the CMP TAC and Stormwater Committee.
3. ACTION – No action taken to approve the draft minutes from the September 19, 2019 Stormwater Committee meeting, due to no quorum of the Committee.
4. INFORMATION – None. Item was skipped due to lack of a quorum.
6. ACTION – The Committee agreed to hear Item 6 prior to Item 5 to ensure maximum input from present members. Though lacking a quorum to take formal action on this item, the Committee members present unanimously supported C/CAG staff recommending the C/CAG Board of Directors at its December 12, 2020 meeting support the proposed approach to allocating the \$2.94 million in State grant funds to advance regional multi-benefit stormwater capture project designs and recommending adoption of a resolution accepting the application of funds.

Matt Fabry provided a brief status of the progress C/CAG staff have made on developing an approach to allocate the \$3 million in State grant funds (\$2.94 million after administrative fees) recently awarded to C/CAG for advancing multi-benefit regional stormwater project designs. At its September 19 meeting, the Stormwater Committee supported staff recommendations to allocate some funding to create a “business case” and work plan for regional stormwater management under the newly established Flood and Sea Level Rise Resiliency District (FSLRRD) and a portion of funds to support additional regional project identification in coordination with the County Office of Education. C/CAG staff received further direction from the Ad-hoc Workgroup to circulate a solicitation for letters of interest in developing regional project designs. Staff released the solicitation on September 30 and received six submittals, including three letters from cities interested in sponsoring a regional project in their jurisdictions (Redwood City, San Bruno, Belmont), one letter of interest from the County Office of Sustainability (OOS) in support of the San Bruno and Redwood City projects for which the County has been awarded an EPA Water Quality Improvement Fund grant to advance designs in those locations, and two proposals for green street projects (Millbrae and Burlingame). Based on review of the letters of interest and project details therein, staff developed a recommendation for allocating the funds as outlined below:

- Remove the two green street proposals from consideration, as these projects do not align with the intent of the funding
- Fund each of the three proposed regional projects at equal amounts with the remaining funds (\$2.84 million) after allocating \$100,000 for additional regional project identification and \$100,000 for developing a workplan for regional stormwater management under the FSLRRD
 - \$913,333 for Belmont/Twin Pines Park
 - \$913,333 for San Bruno/I-280 and I-380 Interchange
 - \$913,333 for Redwood City/Red Morton Park
- Stipulate in grant agreements between C/CAG and the County and the cities to advance project designs through CEQA documentation

The Committee informally recommended staff recommend review and approval of the proposed funding allocation and adoption of a resolution accepting the funds at the next C/CAG Board meeting on December 12, 2020. Fabry outlined next steps for developing a joint RFP with OOS, which is providing \$200,000 in funds to advance designs for the San Bruno and Redwood City projects and \$100,000 to identify additional regional project locations. Fabry met with OOS and County procurement staff and will continue working with the County to develop a joint procurement process to aid the cities. The plan is to have the sponsoring cities enter into funding agreements with C/CAG and OOS to be reimbursed for design and CEQA work, and the cities will manage contracts with consultants separately to develop the project designs. Committee members requested that the RFP include strong criteria for the environmental work, which can be intensive in these kinds of projects. The Committee also requested staff to investigate potential NEPA requirements because the source of funds under the EPA Water Quality Improvement Fund.

5. INFORMATION – Received presentation on countywide efforts to reduce PCB (polychlorinated biphenyls) loads San Francisco Bay.

Jon Konnan provided an update on the progress of San Mateo County permittees on achieving PCB load reductions to San Francisco Bay as mandated in the Municipal Regional Permit (MRP). Konnan reviewed the various controls available to permittees to account for load reductions, including reductions associated with recently adopted programs to manage PCBs in building demolition, green infrastructure (public and private), source property referrals and large trash capture devices. Notably, most of these controls are not driven by PCBs from a perspective of permittees' management actions. Konnan reviewed the current status of PCBs load reductions and compliance benchmarks at the regional and countywide level, noting San Mateo County permittees complied with the regional load reduction requirement of 500 grams/year by July 1, 2018, via collective load reductions among the permittees under the MRP. San Mateo County permittees did not meet the population-based countywide load reduction allocation for this compliance benchmark. Regionally, based on data from all the countywide programs under the MRP, there is an estimated gap of about 200 grams/year in the projected load reductions and the 3 kilogram reduction required in the MRP for the 2020 compliance benchmark. Konnan, presented several opportunities in San Mateo County to work towards the countywide load reduction requirement, under the uncertainty of attaining regional compliance:

- Continue sampling for source property identification, recognizing the limitations of the number and size of potential source properties in San Mateo County, and the significant level of effort already put into this work.
- Continue supporting planning and implementation of green infrastructure via local plans and C/CAG's Sustainable Streets Master Plan.

- Identify new opportunities to implement large full trash capture devices, potentially in partnership with Caltrans.
- Continue seeking opportunities for regional stormwater capture projects, starting with C/CAG's recently awarded State grant to advance regional project designs.

In the remaining months of FY 2019-20, C/CAG staff will work with EOA and Paradigm Environmental to develop a PCBs TMDL Implementation Plan as required in the MRP to be submitted with Annual Reports in September 2020. The Implementation Plan will identify all technical and economically feasible PCBs control measures with a schedule for implementation. The plan will include an evaluation of quantified load reductions via a Reasonable Assurance Analysis, a cost analysis of the proposed measures and an assessment of any environmental impacts resulting from implementation.

Committee members suggested consideration of alternative means for allocating waste load allocations for PCBs in San Mateo County, given the population-based approach in the MRP does not reflect actual PCBs loading rates within jurisdictions.

7. ACTION – The Committee received information on and a link to meeting minutes from the MRP 3.0 Steering Committee and four technical Workgroups (Trash/C.8/GI & C.3/C11 & C12).

8. Regional Board Report: None.

9. Executive Director's Report: None.

10. Member Reports: None.

Chair Breault adjourned the meeting at 3:30 p.m.

2019-20 Stormwater Committee Attendance			July	Aug	Sept	Oct	Nov	Dec	Jan	Feb	Mar	Apr	May	June
Agency	Representative	Position												
Atherton	Robert Ovadia	Public Works Director		X	X		X							
Belmont	Afshin Oskoui	Public Works Director		X	X		X							
Brisbane	Randy Breault	Public Works Director/City Engineer		X	X		X							
Burlingame	Syed Murtuza	Public Works Director		O			O							
Colma	Brad Donohue	Director of Public Works and Planning	C	X	X	C	X	C	C	C	C			
Daly City	Richard Chiu	Public Works Director	A	X	X	A	X	A	A	A	A			
East Palo Alto	Kamal Fallaha	City Engineer	N			N		N	N	N	N			
Foster City	Norm Dorais	Public Works Director	C	X	X	C		C	C	C	C			
Half Moon Bay	Maziar Bozorginia	City Engineer	E	X		E		E	E	E	E			
Hillsborough	Paul Willis	Public Works Director	L	X	X	L		L	L	L	L			
Menlo Park	Nikki Nagaya	Public Works Director	E	X	X	E	X	E	E	E	E			
Millbrae	Khee Lim	Public Works Director	D			D		D	D	D	D			
Pacifica	Sam Bautista	Public Works Director/City Engineer			O									
Portola Valley	Howard Young	Public Works Director		X										
Redwood City	Saber Sarwary	Supervising Civil Engineer			O									
San Bruno	Jimmy Tan	City Engineer		X	X									
San Carlos	Steven Machida	Public Works Director		X	X		X							
San Mateo	Brad Underwood	Public Works Director		X	X		X							
South San Francisco	Eunejune Kim	Public Works Director												
Woodside	Sean Rose	Public Works Director												
San Mateo County	Jim Porter	Public Works Director		X	X		X							
Regional Water Quality Control Board	Tom Mumley	Assistant Executive Officer												

"X" - Committee Member Attended
 "O" - Other Jurisdictional Representative Attended

C/CAG AGENDA REPORT

Date: April 16, 2020
To: Stormwater Committee
From: Matthew Fabry, Program Manager
Subject: Receive an update on developing the *PCBs and Mercury in San Mateo County Stormwater Runoff: Control Measures Plan and Reasonable Assurance Analysis*

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

RECOMMENDATION

Receive an update on the scope and schedule for the Municipal Regional Permit-required plan that permittees must submit with their September 2020 Annual Reports: *PCBs and Mercury in San Mateo County Stormwater Runoff: Control Measures Plan and Reasonable Assurance Analysis*.

BACKGROUND

The Municipal Regional Permit (MRP) requires Permittees to prepare a control measures implementation plan (Plan) for PCBs (polychlorinated biphenyls) and mercury, and a corresponding reasonable assurance analysis (RAA). The plan is required to demonstrate quantitatively that implementation of the control measures program will result in sufficient PCBs/mercury load reductions to attain the PCBs/mercury wasteload allocations by 2030/2028, as specified in the respective Total Maximum Daily Load (TMDL) requirements. The MRP specifies the Plan shall:

- Identify all technically and economically feasible PCBs/mercury control measures to be implemented (including green infrastructure projects);
- Include a schedule under which the control measures will be fully implemented; and
- Provide an evaluation and quantification of the PCBs/mercury load reduction of such measures as well as an evaluation of costs, control measure efficiencies, and any significant environmental impacts resulting from their implementation.

An initial outline for the plan is attached, and the overall approach is discussed in the following section.

APPROACH

The Plan will incorporate the results from C/CAG's Phase I and II RAA reports and the source control RAA methods report that is currently under development as a regional project through the Bay Area Stormwater Management Agencies Association (BASMAA). The generalized steps for development of the plan are:

1. Based on the new baseline pollutant loads from San Mateo County to San Francisco Bay established in the Phase I RAA report, summarize PCBs/mercury load reductions needed

to attain the PCBs/mercury TMDL wasteload allocations by 2030/2028.

2. Project estimated load reductions by 2028/2030 from various source controls (e.g., source property identification and abatement, trash controls, channel dredging, and management of PCBs in building materials during demolition), using the methods in the BASMAA source control RAA report.
3. Based upon C/CAG's Phase II RAA report, project estimated load reductions by 2028/2030 from green infrastructure:
 - a. On parcels (e.g., via implementation of MRP Provision C.3 during new and redevelopment);
 - b. On public parcels via regional stormwater capture facilities; and,
 - c. In roadways via green streets.
4. Assuming the PCBs wasteload allocation would not be met by 2030 via load reductions from the combination of above projected source controls and green infrastructure (a plausible outcome), propose closing the gap with additional control measures, such as via additional green infrastructure since other plausible additional control measures may not be available or very limited.
5. Estimate the extent and cost of any additional control measures needed to fill the projected gap. For green infrastructure costing, adapt the modeling results from C/CAG's Phase II RAA report (e.g., the existing curves may be used since they already extend beyond the 2040 MRP-required PCBs load reduction).
6. Use the results of the above analysis to develop control measures program scenarios that result in PCBs/mercury load reductions sufficient to attain the PCBs/mercury TMDL wasteload allocations by 2030/2028. An initial assumption is that scenarios that meet the PCBs allocation would also meet the mercury allocation.

The general intent is that the Plan will inform development of PCBs and mercury requirements under MRP 3.0 and may also support revising the deadlines in the TMDLs for achieving the wasteload allocations. A plausible outcome is that the analysis will show attaining the PCBs allocation by 2030 is not economically feasible and therefore more time is needed. Thus, the plan (and similar plans from the other MRP counties) may provide Regional Water Board staff with a basis for extending the TMDL deadline, if Permittees have demonstrated that all technically and economically feasible PCBs/mercury control measures will be implemented within the original timeline.

The control measures planning should be integrated with ongoing efforts by C/CAG to assist San Mateo County municipalities obtain grant funding for planning and building green infrastructure. For example, the plan could potentially integrate with green infrastructure investment planning through the new Flood and Sea Level Rise Resiliency District in San Mateo County.

SCHEDULE

- **Mar through May** – EOA to provide updates to C/CAG staff and Stormwater Committee ad-hoc permit implementation workgroup, as needed.
- **April 16** – update Stormwater Committee on scope and schedule for developing the PCBs/mercury control measures plan, provide initial outline for Plan.

- **Jun** – submit an initial draft plan to C/CAG staff for review.
- **Jun 18** or **Jul 16** – presentation on draft plan to Stormwater Committee.
- **Jul** – Based on comments received on initial draft, distribute second draft to San Mateo County Permittees for review. Conduct a workshop for Permittees (if needed).
- **Aug 20** – follow-up presentation to Stormwater Committee (if needed).
- **Aug 31** – address San Mateo County Permittee comments and distribute third draft with draft Countywide Program Annual Report.
- **Sep 30** – address any additional comments and submit the final PCBs/mercury control measures plan with Countywide Program Annual Report.

ATTACHMENTS

1. DRAFT Annotated Outline for *PCBs and Mercury in San Mateo County Stormwater Runoff: Control Measures Plan and Reasonable Assurance Analysis*.

DRAFT Annotated Outline

PCBs AND MERCURY IN SAN MATEO COUNTY STORMWATER RUNOFF: CONTROL MEASURES PLAN & REASONABLE ASSURANCE ANALYSIS

Credits

Preface

Acknowledgements

Table of Contents (including lists of Tables, Figures and Appendices)

- Appendix A – Phase I RAA report: Baseline Loads and Load Reduction Goals (Paradigm report)
- Appendix B – Tables for each San Mateo County Permittee with WMAs, land uses, PCBs and mercury control measures, and land areas treated by GI/LID (similar tables were in previous CMPs)
- Appendix C – Maps for each San Mateo County Permittee showing WMAs and GI/LID facilities (similar maps were in previous CMPs)
- Appendix D – Descriptions of land uses referenced in this Control Measures Plan (CMP) (as requested in previous CMPs)
- Appendix E – Phase II RAA report: Existing, Planned and Projected GSI (Paradigm report)
- Appendix F – Source Control Methods RAA report (BASMAA regional report)
- Appendix G – Control measures unit costs (document prepared via a BASMAA regional collaboration)

List of Abbreviations

1.0 Introduction

This section provides basic background and describes the purpose of this plan. The Municipal Regional Permit (MRP) requires Permittees to prepare a control measures implementation plan for PCBs (polychlorinated biphenyls) and mercury, and a corresponding reasonable assurance analysis (RAA). The plan will demonstrate quantitatively that the control measures program will result in PCBs/mercury load reductions sufficient to attain the PCBs/mercury TMDL wasteload allocations by 2030/2028, the dates specified in the TMDL. The MRP requires the plan to:

- Identify all technically and economically feasible PCBs/mercury control measures to be implemented (including green infrastructure projects);
- Include a schedule according to which the control measures will be fully implemented; and
- Provide an evaluation and quantification of the PCBs/mercury load reduction of such measures as well as an evaluation of costs, control measure efficiency, and any significant environmental impacts resulting from their implementation.

1.1 Regulatory Background and Permit Requirements

This section provides the regulatory background and permit requirements:

- Background on TMDLs.
- MRP 2.0 requirements related to PCBs and mercury control measure planning and RAA.

1.2 Approach

The section will provide an overview of the report content and describe the general approach for developing a PCBs/mercury control measures plan that incorporates the results from SMCWPPP's Phase I and II RAA reports and the source control RAA methods report (the latter is currently under development via a BASMAA regional project). The generalized steps for development of the plan are:

1. Based on the new baseline pollutant loads from San Mateo County to San Francisco Bay established in the Phase I RAA report, summarize PCBs/mercury load reductions needed to attain the PCBs/mercury TMDL wasteload allocations by 2030/2028.
2. Project estimated load reductions by 2028/2030 from various source controls (e.g., source property identification and abatement, trash controls, channel dredging, and management of PCBs in building materials during demolition), using the methods in the BASMAA source control RAA report.
3. Based upon SMCWPPP's Phase II RAA report, project estimated load reductions by 2028/2030 from green infrastructure:
4. Assuming the PCBs wasteload allocation would not be met by 2030 via load reductions from the combination of above projected source controls and green infrastructure (a plausible outcome), propose closing the gap with additional control measures, probably mostly via building additional green infrastructure in the public ROW.
5. Estimate the extent and projected costs of additional control measures needed to fill the projected gap. For green infrastructure costing, adapt the modeling results from SMCWPPP's Phase II RAA report.
6. Use the results of the above analysis to develop control measures program scenarios that result in PCBs/mercury load reductions sufficient to attain the PCBs/mercury TMDL wasteload allocations by 2030/2028.

The general intent is that the plan will inform development of PCBs and mercury requirements under MRP 3.0 and may also support revising the deadlines in the TMDLs for achieving the wasteload allocations. A plausible outcome is that the analysis will show attaining the PCBs allocation by 2030 is not economically feasible and therefore more time is needed. Thus, the plan (and similar plans from the other MRP counties) may provide Regional Water Board staff with a basis for extending the TMDL deadline, if Permittees have demonstrated that all technically and economically feasible PCBs/mercury control measures will be implemented within the original timeline.

The control measures planning should be integrated with ongoing efforts by C/CAG to assist San Mateo County municipalities obtain grant funding for planning and building green infrastructure. For example, the plan could potentially integrate with green infrastructure investment planning through the proposed new Flood and Sea Level Rise Resiliency District in San Mateo County.

2.0 Refined Baseline PCB and Mercury Loads

This section will summarize the refined baseline loads of PCBs and mercury documented in the Phase I RAA Report (Appendix A):

- Discuss load reductions needed to achieve WLAs accounting for:
 - Refined baseline loads. 2/5/2020 RAA WG meeting – one option would be to proportion among counties load reductions needed to reach allocation based upon new baselines, so that a unit of control measure action provides equal load reduction credit in all counties.
 - Removing “non-jurisdictional” land areas not subject to the MRP (e.g., Caltrans ROW, IGP facilities).
 - Note that referrals generally are IGP facilities so need to work out an offset approach for these.
 - Need to work with RWB staff to agree upon eventually adjusting allocations accordingly (e.g., allocation sharing scheme or RWB Basin Plan action).
- Summarize differences compared to TMDL assumptions.

3.0 Summary of PCBs and Mercury Control Measures in San Mateo County

The below sections provide background information on and current status of the control measures that are used to reduce PCBs and mercury loads in stormwater runoff in San Mateo County. The following appendices provide additional information by Permittee:

- Appendix B – Tables for each San Mateo County Permittee with WMAs, land uses, PCBs and mercury control measures, and land areas treated by GI/LID (similar tables were in previous CMPs).
- Appendix C – Maps for each San Mateo County Permittee showing WMAs and GI/LID facilities (similar maps were in previous CMPs).
- Appendix D – Descriptions of land uses referenced in this report (as requested in previous CMPs).

3.1 Source Property Identification and Abatement

This section provides a detailed description of the source property identification and abatement control measure, including:

- Categories of Control Measure
 - Individual Property Referrals
 - Self-abatements
 - Categorical Sources
- The methodologies developed and calculation types used to-date to quantify the PCBs and mercury loads reduced by this control measures, based upon the Phase II and Source Control Methods RAA documents (Appendices E and F).

- Cost-effectiveness: define a unique unit of control measure implementation and present load reductions and costs on a unit of implementation basis, using the control measure units costs developed via a regional collaboration (Appendix G):
 - For example, for source property identification and abatement, the unit of implementation is 1 acre of source property identified and referred. All load reductions and costs will be reported for 1 acre of source property identified and referred.
 - Another example: the unit of implementation for GSI will be 1 acre of impervious surface greened or treated.
- Summarize implementation of this control measure in San Mateo County to-date:
 - Extent of implementation.
 - PCBs and mercury load reductions (on countywide basis only):
 - PCBs and mercury loads reduced over MRP 2.0 permit term.
 - PCBs and mercury loads reduced from 2002 through end of permit term.
 - Implementation costs to-date (on countywide basis only).
- For source property identification and abatement only, summarize San Mateo County challenges with smaller industrial parcels and less industrial land use overall compared to other counties, even when normalized by population (see previous CMPs).

Analogous subsections to the above will be used for each of the below control measure sections.

3.2 Green Stormwater Infrastructure

3.3 Other Stormwater Runoff Treatment Controls

3.4 Trash Capture Systems (Large and Small Devices)

3.5 MS4 Operation and Maintenance Practices

- Categories of Control Measure
 - Street Sweeping and Flushing
 - MS4 Line Flushing
 - Storm Drain Inlet Cleaning
 - Channel Maintenance/Dredging

3.6 Managing PCBs in Building Materials during Demolition

3.7 Managing PCBs in Storm Drain or Roadway Infrastructure

3.8 Diverting Urban Runoff to POTWs

3.9 Addressing Illegal Dumping

3.10 Mercury Reduction via Hazardous Waste Collection/Recycling Programs

4.0 Summary of PCBs and Mercury Load Reductions by All Control Measures

This section summarizes PCBs and mercury load reductions since 2002 (the baseline year for the loading estimates in the TMDLs) and over the permit term, by Permittee and by control measure category. It will include similar tables as in previous CMPs, except that they will focus on two columns (except mercury mass table) – load reductions over permit term and load reductions since 2002:

- PCBs loads reduced in San Mateo County by Permittee since 2002 and over MRP 2.0 permit term.
- PCBs loads reduced in San Mateo County by control measure category since 2002 and over MRP 2.0 permit term.
- Mercury loads reduced in San Mateo County by Permittee since 2002 and over MRP 2.0 permit term.
- Mercury loads reduced in San Mateo County by control measure category since 2002 and over MRP 2.0 permit term.
- Estimated mercury mass collected via the San Mateo County Health Department's Household Hazardous Waste (HHW) and Very Small Quantity Generator Business Collection (VSQG) programs.

5.0 Control Measures Plan: Implementation Scenarios, Estimated Load Reductions, Projected Costs, and Schedule

This section builds upon the previous sections to develop a control measures program that focuses on an optimal implementation scenario for meeting the TMDL pollutant load reduction goals, along with the projected cost and schedule:

- Based on the new baseline pollutant loads from San Mateo County to San Francisco Bay established in the Phase I RAA report, summarize PCBs/mercury load reductions needed to attain the PCBs/mercury TMDL wasteload allocations by 2030/2028.
- Project estimated load reductions by 2028/2030 from various source controls (e.g., source property identification and abatement, trash controls, channel dredging, and management of PCBs in building materials during demolition), using the methods in the BASMAA source control RAA report.
 - Scale yield-based load reduction estimates to account for the new baseline, per the RAA guidance.
- Based upon SMCWPPP's Phase II RAA report, project estimated load reductions by 2028/2030 from green infrastructure:
 - On parcels (e.g., via implementation of MRP Provision C.3 during redevelopment).
 - In the public right-of-way (ROW) (e.g., regional stormwater capture projects, green streets).
- Assuming the PCBs wasteload allocation would not be met by 2030 via load reductions from the combination of above projected source controls and green infrastructure (a plausible outcome), propose closing the gap with additional control measures, probably mostly via building additional green infrastructure in the public ROW, since other plausible additional control measures may not be available or very limited.

- Estimate the extent and projected costs of additional control measures needed to fill the projected gap. For green infrastructure costing, adapt the modeling results from SMCWPPP’s Phase II RAA report (e.g., the existing curves may be used since they already extend beyond the 3 kg/yr PCBs load reduction specified in the MRP).
- Use the results of the above analysis to develop control measures program scenarios that result in PCBs/mercury load reductions sufficient to attain the PCBs/mercury TMDL wasteload allocations by 2030/2028:
 - Identify scenarios for control measure implementation in priority WMAs in San Mateo County, including the Pulgas Creek pump station north and south drainages (WMA 31 and WMA 210), which are the two WMAs in San Mateo County with the greatest number of samples with elevated concentrations of PCBs in sediment and stormwater runoff samples to-date.
 - An initial assumption is that scenarios that meet the PCBs allocation would also meet the mercury allocation.
 - Consider multiple technically and economically feasible scenarios but ultimately focus on an optimal feasible scenario.
 - Summarize extent and costs of existing ongoing controls and planned new controls to be implemented over the planned timeframe.
 - Identify roles and responsibilities for control measure implementation.
 - Identify any environmental impacts associated with the control measures.
- Integrate with ongoing efforts by C/CAG to assist San Mateo County municipalities obtain grant funding for planning and building green infrastructure. For example, potentially integrate with green infrastructure investment planning through the proposed new Flood and Sea Level Rise Resiliency District in San Mateo County.

6.0 Tracking Control Measure Implementation (e.g., GI)

This section summarizes SMCWPPP’s approach to tracking PCBs and mercury control measure implementation:

- Continue to work with San Mateo County Permittees to update the existing San Mateo County green infrastructure and stormwater treatment tracking database and update the associated PCBs and mercury load reduction calculations.
- Coordinate with ongoing development of C/CAG’s San Mateo Countywide Sustainable Streets Master Plan (funded by a grant from Caltrans), which is developing a tool for tracking green infrastructure in San Mateo County, per the requirements in MRP Provision C.3.j.iv.

7.0 Discussion and Next Steps

8.0 References

Appendix A – Phase I RAA report: Baseline Loads and Load Reduction Goals

Appendix B – Tables for each San Mateo County Permittee with WMAs, land uses, PCBs and mercury control measures, and land areas treated by GI/LID

Appendix C – Maps for each San Mateo County Permittee showing WMAs and GI/LID facilities

Appendix D – Descriptions of land uses referenced in this report

Appendix E – Phase II RAA report: Existing, Planned and Projected GSI

Appendix F – Source Control Methods RAA report

Appendix G – Control measures unit costs developed regionally

DRAFT

C/CAG AGENDA REPORT

Date: April 16, 2020
To: Stormwater Committee
From: Matthew Fabry, Program Manager
Subject: Receive update on Municipal Regional Permit reissuance process and schedule.

(For further information or questions contact Matthew Fabry at mfabry@smcgov.org)

RECOMMENDATION

Receive an update on Municipal Regional Permit reissuance process and schedule.

BACKGROUND/DISCUSSION

The five-year term of the Municipal Regional Stormwater Permit Order No. R2-2015-0049 (MRP 2.0) issued by the the San Francisco Bay Regional Water Quality Control Board ends on December 31, 2020. Like the previous negotiation process for MRP 2.0, countywide stormwater program representatives, Regional Water Board staff, permittee representatives, and technical consultants to the programs have convened an MRP 3.0 Steering Committee and various workgroups to facilitate the negotiation process on key provisions of the MRP.

Workgroups are focused on the following permit provisions/topics: Trash, Provision C.3/Green Infrastructure (GI), Provision C.8 Water Quality Monitoring, Provisions C.11/12 mercury/PCBs/Reasonable Assurance Analyses, Provisions C.4/C.5 Commercial/Industrial Source Control, homelessness and urban firefighting flows, and tracking and reporting.

The following is the anticipated reissuance schedule, as indicated by Water Board staff:

- MRP 3.0 Workgroups continue meeting to discuss issues through mid- to late-summer 2020.
- Initial discussions with permittees on draft language in July/August 2020
- Administrative Draft issued in September 2020
- Formal Tentative Order released in December 2020 with 45 day comment period
- Regional Water Board Workshop on Tentative Order February 2021
- Regional Water Board considers adopting the Tentative Order at April 2021 meeting
- Effective date for MPR 3.0 planned for July 1, 2021

The Steering Committee has met six times since October 2018 to discussed priorities for the various permit provisions and topic areas being discussed by the workgroups. The next Steering Committee meeting is scheduled for June 2, 2020. C/CAG staff continues to work with the ad-hoc MRP implementation workgroup (Breault, Underwood, Willis, Porter) of this Committee to participate in Steering Committee meetings. At the most recent Steering Committee meeting on April 7, 2020, workgroup leads presented on areas of substantial agreement and remaining disagreements between Water Board staff and permittees. Staff will summarize for the Committee key proposed changes in MRP 3.0 and important areas still lacking agreement between permittees and Water Board staff.

C/CAG AGENDA REPORT

Date: April 16, 2020
To: Stormwater Committee
From: Matthew Fabry, Program Manager
Subject: Review and approve notification letter to Regional Water Quality Control Board regarding COVID-19 implications on compliance activities.

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

RECOMMENDATION

That the Committee review and approve a notification letter to Regional Water Quality Control Board regarding COVID-19 implications on compliance activities.

DISCUSSION

On March 20, 2020, the State Water Resources Control Board issued a statement indicating

“...timely compliance by the regulated community with all Water Board orders and other requirements (including regulations, permits, contractual obligations, primacy delegations, and funding conditions) is generally considered to be an essential function during the COVID-19 response. As a result, the Water Boards consider compliance with board-established orders and other requirements to be within the essential activities, essential governmental functions, or comparable exceptions to shelter-in-place directives provided by local public health officials.”

The notice goes on to state:

“If there is a specific Water Board order or requirement that cannot be timely met because it would be inconsistent with current governmental directives or guidelines related to COVID-19, the entity responsible for compliance with the Water Board order or requirement must notify the applicable Water Board immediately. The notification shall be via electronic mail to the applicable Water Board using the appropriate email address identified below, and shall include:

- the specific Water Board order, regulation, permit, or other requirement that cannot be timely met,*
- the inconsistent COVID-19 directive or guideline,*
- an explanation of why the responsible entity cannot timely meet the Water Board order or requirement, and*
- any action that the entity will take in lieu of complying with the specific Water Board order or requirement.”*

The San Mateo County Health Officer issued an initial Shelter-in-Place Order on March 16, 2020, which was superseded by a March 31, 2020 Order that increased restrictions and extended the timeframe through May 3, 2020. These Orders are available on the County Health Department website at <https://www.smchealth.org/post/health-officer-statements-and-orders>.

To help stormwater permittees navigate this situation of potentially conflicting orders from the regulatory agencies and the health departments, the California Stormwater Quality Association prepared guidance for identifying any potential compliance concerns and communicating with relevant regulatory agency staff. This guidance is included as Attachment 1.

C/CAG staff has been coordinating with other countywide stormwater programs on their notifications to the San Francisco Bay Regional Water Quality Control Board and recommends submitting a similar notification to what has been done by Contra Costa, Alameda, and Santa Clara countywide programs. Attached is an initial recommended notification letter and example tables/lists detailing potential compliance concerns from the Alameda and Santa Clara countywide programs for discussion purposes.

Staff recommends the Committee approve submittal by C/CAG of the initial notification letter and provide direction to staff on a process for developing a more detailed notification list of potential compliance concerns.

ATTACHMENTS

1. CASQA COVID-19 Guidance
2. Draft C/CAG Notification Letter to Regional Water Quality Control Board
3. Alameda Countywide Clean Water Program Notification Table
4. Santa Clara Valley Urban Runoff Pollution Prevention Program Notification List



California Stormwater Quality Association®

CASQAlert!

Stormwater Permit Implementation During COVID-19 Pandemic

On March 23, 2020, CASQA executive management discussed permit implementation expectations during the COVID-19 pandemic with executive management of the State Water Resources Control Board (State Water Board). The State Water Board and nine Regional Water Quality Control Boards (Regional Water Board), individually or collectively the “Water Board”, have issued guidance, which you may have received via email directly or through Lyris announcements (the same information is also [posted here](#)). The purpose of our conversation was to provide clarity on that guidance as it pertains to stormwater since the guidance was general and not specific to any permit or order. Due to the uniqueness of each permit and order, a blanket approach to implementing the guidance is not feasible or possible, nor is it possible to foresee all potential scenarios as the response to COVID-19 continues to evolve. However, there are some general principles that should be followed.

Based upon the discussion with executive management of the State Water Board, CASQA is recommending the following:

- **EVALUATE:** Evaluate permit requirements and identify those requirements that may not be met due to the various state and local public health orders that are applicable to your jurisdiction (e.g., shelter-in-place, stay-at-home). There is an understanding that the various public health orders have created some confusion, and, may continue to change over time. The expectation is to follow your local jurisdiction's requirements about what services are being deemed essential or critical and how the public health orders are being implemented. For example, the expectation is that it would not be possible to hold public education events (e.g., Earth Day event) in jurisdictions heeding the shelter-in-place orders. On the other hand, if programs or projects are still active (e.g., a construction site), the expectation is that the applicable program requirements will still be implemented (e.g., good housekeeping). Use discretion and be as specific as necessary to distinguish requirements that may not be met from those that should be met.
- **EXPLAIN:** Provide the justification for why the permit requirements may not be met. Local determinations pertaining to how the various public health orders are being implemented by your jurisdiction should be included as part of any explanation for activities / requirements that may not be implemented. There is also an understanding that local municipalities may be reassigning staff on a temporary basis to address pressing public health issues. There may also be instances where business as usual is not feasible (e.g., laboratories that process water quality samples are closed and / or not accepting environmental water quality samples at this time). If there are reports that are due imminently, and staff are reassigned, propose a new report deadline and include the justification as to why a new date is needed. There are endless possibilities, each unique to a local jurisdiction and the applicable permit or order. The point is to continue to implement your program as much as possible; but where there are challenges or activities are infeasible, explain why.
- **INFORM:** Provide the above analysis and explanations in writing to your applicable Water Board. Note if the requirement needs to be delayed, modified on a temporary basis, or suspended in response to the public health orders. There is an understanding that as the situation with COVID-19 evolves, there may be additional issues that are identified. That is expected and acceptable. As any new information becomes



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relevant, continue to keep the Water Board informed. DO NOT simply cease program implementation.

- **DOCUMENT:** Ensure that you document your efforts to implement permit requirements, any challenges you experience due to COVID-19, and correspondence with the Water Board.
- **REPORT:** In your next annual report, include all documentation and report on what you implemented and / or planned to implement, and any modifications to implementation due to the various public health orders issued in response to COVID-19.
- **A NOTE ON WATER BOARD STAFF AVAILABILITY:** Just as all permittees are modifying staffing needs due to the COVID-19 response, so are Water Board staff. Staffing assignments are being modified and therefore staff are available to respond in 24-48 hours. Contacts for each Water Board can be found [here](#).
- **BOTTOM LINE:**
 - Permits or Orders issued by the Water Boards will not be modified, but the Water Boards can and will use their enforcement discretion.
 - Implement your program in good-faith, while following local jurisdiction requirements and decisions to protect public health.
 - We are in a fluid situation. Keep informing the applicable Water Board when new information surfaces and / or the public health response to COVID-19 results in changes in your jurisdiction.
 - **DO NOT** cease program activities without providing written explanations to the appropriate Water Board contact.
 - **DO evaluate** your permit or order; **explain** and provide justification of delay, modification, or suspension of activities; **inform** your local Water Board contact, **document** your efforts during this time; and **report** on the above in your annual report.

ADDITIONAL RESOURCES

- CASQA is here to help our members in these challenging times. Both Executive Director Brosseau and Assistant Executive Director Cowan are available to provide additional clarity and support.
 - geoff.brosseau@casqa.org
 - karen.cowan@casqa.org
- California COVID-19 Response Web Page: [Here](#)
- Water Boards COVID-19 Updates: [Here](#)

C/CAG

CITY/COUNTY ASSOCIATION OF GOVERNMENTS OF SAN MATEO COUNTY

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

April 17, 2020

Submitted via EMAIL to: r2stormwater@waterboards.com;
RB2-SFBayExecSupport@waterboards.ca.gov

Michael Montgomery, Executive Officer
Attn: r2stormwater@waterboards.com
RB2-SFBayExecSupport@waterboards.ca.gov
1515 Clay St., Suite 1400
Oakland, CA 94612

Mr. Montgomery:

This letter is in response to the State Water Board directive of March 20, 2020 regarding Compliance with Water Board Requirements during the Coronavirus (COVID -19) Emergency.

The City/County Association of Governments of San Mateo County, via its Countywide Water Pollution Prevention Program (Countywide Program), is submitting this letter on behalf of the 21 member agency Permittees that are part of the Countywide Program - the Cities and Towns of Atherton, Belmont, Brisbane, Burlingame, Colma, Daly City, East Palo Alto, Foster City, Half Moon Bay, Hillsborough, Menlo Park, Millbrae, Pacifica, Portola Valley, Redwood City, San Bruno, San Carlos, San Mateo, South San Francisco, Woodside, and the County of San Mateo.

The Countywide Program is working with C/CAG member agencies to identify specific its It is the intention of this notification to provide the Water Board with the specifics of requirements and provisions of the Municipal Regional Stormwater Permit (MRP), Order No. R2-2015-0049, for which compliance may be impacted as a result of the COVID-19 emergency. A detailed list and schedule of these specific MRP requirements and the reasons relating to potential delays as required and specified in the State Board March 20 Compliance message will be submitted in the near future after C/CAG and its member agencies have had time to fully evaluate all potential compliance concerns.

As you are aware, Bay Area public health officers have issued restrictive shelter-in-place Orders require all individuals to stay home except for in the case of essential business and that allow governmental entities to self-determine what are considered “Essential Government Functions,” further stating that:

“Each governmental entity shall identify and designate appropriate employees, volunteers, or contractors to continue providing and carrying out any Essential Governmental Functions, including the hiring or retention of new employees or contractors to perform such functions. Each governmental entity and its contractors must employ all necessary emergency protective measures to prevent, mitigate, respond to and

recover from the COVID-19 pandemic, and all Essential Governmental Functions shall be performed in compliance with Social Distancing Requirements to the greatest extent feasible.”

Each agency is affected by the current emergency differently and there will likely not be a one-size-fits-all compliance capability and response in regard to the MRP. However, C/CAG and its member agencies are committed to compliance with the requirements of the MRP to the extent reasonably possible while at the same time making all necessary efforts to protect the public health and safety and comply with the shelter in place orders. We will soon provide a detailed list of potential compliance concerns and look forward to working with you and your staff on these issues in the coming weeks and months.

Sincerely,

Matthew Fabry, Program Manager

Cc: C/CAG Stormwater Committee

ATTACHMENT 3 - ALAMEDA COUNTY NOTIFICATION TABLE

Notification List of MRP Activities Impacted by COVID-19 Shelter in Place directives

MRP 2 Provision	Impacted Requirement	Specific Effects/Restraints of Shelter-in-Place Order	Mitigation Measure(s), or in lieu Actions
<p>C.3.h. Operation and Maintenance of Stormwater Treatment Systems</p>	<p>C.3.h.ii.6.(b). Inspection by the Permittee of an average of 20 percent, but no less than 15 percent, of the total number (at the end of the preceding fiscal year) of Regulated Projects, offsite projects, or Regional Projects.</p>	<p>These inspections are usually done in conjunction with the facility operator. The Order states, “All businesses with a facility in the County, except Essential Businesses... are required to cease all activities at facilities located within the County...,” as such, facility managers will generally not be available to participate in the inspections. This is in addition to the other constraints imposed by the order.</p>	<p>The facilities scheduled for inspection this fiscal year (i.e., July 1, 2019 through June 30, 2020) that cannot be inspected due to impacts of Covid-19, will be added to the list of facilities to be inspected next fiscal year so that by the end of next fiscal year (i.e., June 30, 2021), no less than 30% of the subject Projects will have been inspected within the last two fiscal years, and all of the subject Projects will have been inspected within the required five years.</p>
<p>C.4. Industrial and Commercial Site Controls</p>	<p>C.4.b.ii.2.(e). List of facilities scheduled for inspection each fiscal year of the MRP permit term. Each fiscal year’s inspection list shall be added to the Inspection Plan at the beginning of the fiscal year as part of the annual update.</p>	<p>These inspections have always been done in conjunction with the facility operator. The Order states, “All businesses with a facility in the County, except Essential Businesses... are required to cease all activities at facilities located within the County...,” as such, facility managers will generally not be available to participate in the inspections. This is in addition to the other constraints imposed by the Order.</p>	<p>The facilities scheduled for inspection this fiscal year (i.e., July 1, 2019 through June 30, 2020) that cannot be inspected due to impacts of Covid-19, will be included in the list of facilities to be inspected next fiscal year so that by the end of next fiscal year (i.e., June 30, 2021), those facilities (assuming they are still in operation) will have been inspected.</p> <p>Another option some Permittees may pursue is to conduct inspections independently of the facility operator being present (for those sites</p>

ATTACHMENT 3 - ALAMEDA COUNTY NOTIFICATION TABLE

			where the exterior is assessable). This would be followed by remotely reviewing the inspection with the facility operator and an email/signed acknowledgment from the facility operator of the inspection results/necessary corrective actions (if there are any).
C.7.d. Public Outreach and Citizen Involvement Events	C.7.d.ii. Implementation Level – Each Permittee shall annually participate and/or host a mix of public outreach and citizen involvement events. (The number of events for each Permittee ranges from 2 to 10 depending on population.)	<p>Participation in Earth Day events is a primary component of Permittees’ plans to meet this outreach requirement. As all municipally sponsored Earth Day events have been cancelled, this will not be possible this year, and there will not be comparable events held prior to the end of the fiscal year.</p> <p>Permittees also conduct creek and shoreline cleanup events with volunteers in fulfillment of this requirement. These events have been put on hold and may be cancelled. These events also assist meeting Provision C.10.c.i. Hot Spot Cleanups (described below).</p>	The Program and the Permittees are examining options for increasing the online presence of stormwater related messages.
C.7.f. School-age Children Outreach	C.7.f.i. Permittees shall individually or collectively implement outreach activities designed to increase awareness of stormwater and/or watershed message(s) in school-age	The Permittees meet this requirement through their participation in the Countywide Program. The Program contracts with environmental education organizations to conduct stormwater related outreach and education in schools throughout the County.	To the extent feasible, the Program will used unspent funds from this fiscal year to increase the outreach efforts next year.

ATTACHMENT 3 - ALAMEDA COUNTY NOTIFICATION TABLE

	<p>children (K through 12).</p>	<p>Permittees also conduct outreach to school-age children activities independently through contracting with environmental outreach organizations or having agency staff conduct these activities.</p> <p>Due to the school closures, not all of the activities planned for this year have been completed, and with schools closed for the rest of the school year, these activities may not be completed this year</p>	
<p>C.8. Water Quality Monitoring</p>	<p>C.8.d.i. Biological Assessment including Nutrients and General Water Quality Parameters. Sampling shall occur once per year during the appropriate index period (April 15-June 30) with consideration of antecedent rainfall.</p>	<p>The Permittees meet their C.8 monitoring requirements through their participation in the Countywide Program. Most monitoring requirements should be able to be completed and may not be affected by the Order. However, this monitoring – which cannot begin until April 15 with additional constraints of not sampling within one to two weeks of a ½ inch or greater rain event, and the possibility of creeks drying out towards the end of June, may be affected by the delay associated with the Order. The social-distancing requirement of the Order precludes the sampling teams from conducting this monitoring during the term of the Order. Depending on how long the shelter-in-place lasts, this may impact</p>	<p>It may be possible to conduct bioassessment monitoring this year, but potentially not complete all 20 target sites. If the shelter-in-place requirements are extended, and completion becomes infeasible, we will notify the Water Board immediately.</p>

ATTACHMENT 3 - ALAMEDA COUNTY NOTIFICATION TABLE

		the ability to conduct this monitoring.	
C.8.d. Water Quality Monitoring	<p>C.8.d.iii. Continuous Temperature Monitoring. Loggers shall be installed so that water temperatures are recorded at 60-minute intervals from April through September at eight locations;</p> <p>C.8.d.iiii. Continuous Monitoring of Dissolved Oxygen, Temperature, and pH. The Permittees shall install sondes so that parameters are recorded at 15-minute intervals over 1-2 weeks in the spring concurrent with bioassessment sampling and 1-2 weeks in summer at the same sites.</p>	<p>Continuous monitoring components may be delayed, or may not be able to be initiated at some or all target locations while the Order is in place. Identification and placement of monitoring equipment requires permission / permitting assistance of property owners at target locations, and it is unknown how the review and approval process might be affected at this time.</p>	<p>It should be possible to conduct both continuous monitoring components from a practical perspective (incorporating social distancing), but permitting process may be problematic. If the shelter-in-place requirements are extended, and completion becomes infeasible, we will notify the Water Board immediately.</p>
C.10. Trash Controls	<p>C.10.a. Trash Reduction Requirements: The Permittees shall demonstrate compliance with Discharge Prohibition A.1, for trash discharges,.. through the timely implementation of control measures and other actions to reduce trash</p>	<p>Street sweeping is a trash reduction measure Permittees use meet this requirement. Many Permittees have reduced or suspended their routine street sweeping programs and have reduced or suspended their no-parking requirements. This will impact the level of trash along public rights-of-way, and temporarily may reduce</p>	<p>Routine street sweeping and parking restrictions will resume once the Shelter in Place Order has been lifted.</p>

ATTACHMENT 3 - ALAMEDA COUNTY NOTIFICATION TABLE

	loads from municipal separate storm sewer systems in accordance with the requirements of this provision.	the amount of trash reduction that is achieved.	
C.10.Trash Controls	C.10.b.i. Full Trash Capture Systems.	Many Permittees have reduced or suspended their routine maintenance activities, including storm drain inlet/full trash (FTC) capture device maintenance, to comply with the shelter in place and social distancing requirements. This may temporarily impact meeting their FTC maintenance requirements.	Maintenance activities will resume once the Shelter in Place Order has been lifted. All of the devices should be maintained prior to the next rainy season, but all planned maintenance may not occur prior to the end of the fiscal year.
C.10. Trash Controls	C.10.b.ii.b. Visual Assessments of Outcomes.	Permittees may need to suspend scheduled on land visual assessments (OVTAs). This may impact their ability to meet the required number of OVTAs. Also, OVTAs are scheduled in relation to street sweeping schedules. If street sweeping has been suspended, OVTAs that might be conducted may not be valid.	Street sweeping and OVTAs will resume once the Shelter in Place Order has been lifted. However, it may not be possible to conduct all planned OVTAs prior to the end of the fiscal year.
C.10. Trash Controls	C,10.c.i. Trash Hot Spot Cleanup– The Permittees shall clean selected Trash Hot Spots to a level of “no visual impact” at least one time per year	Annual cleanups of trash hot spots are conducted using some combination of municipal staff, contractors, and/or volunteers. Events scheduled for the next two to three months have been cancelled or postponed. It may not be possible to reschedule these events for this year due to municipal and contractor staffing/resource constraints. In addition, due to the Shelter in Place order	It may be possible to reschedule these events once the Shelter in Place Order has been lifted, but these events may not occur this fiscal year.

ATTACHMENT 3 - ALAMEDA COUNTY NOTIFICATION TABLE

		<p>as a result of COVID-19 pandemic, they may not be possible due to the social distancing requirements. Also, if a municipality was planning to use volunteers, this may impact the number of community outreach events conducted this year (C.7.d).</p>	
<p>C.10. Trash Controls</p>	<p>C,10.e.i. Additional Creek and Shoreline Cleanup: A Permittee may offset part of its provision C.10.a trash load percent reduction requirement by conducting additional cleanup of creek and shoreline areas beyond trash hot spot cleanups required by C.10.c if the additional cleanup efforts are conducted at a frequency of at least twice per year and sufficient to demonstrate sustained improvement of the creek or shoreline area.</p>	<p>These cleanups are conducted using some combination of municipal staff, contractors, and/or volunteers. Events scheduled for the next two to three months have been cancelled or postponed. It may not be possible to reschedule these events for this year due to municipal and contractor staffing/resource constraints. In addition, due to the Shelter in Place order as a result of COVID-19 pandemic, they may not be possible due to the social distancing requirements. Also, if a municipality was planning to use volunteers, this may impact the number of community outreach events conducted this year (C.7.d).</p>	<p>It may be possible to reschedule these events once the Shelter in Place Order has been lifted, but these events may not occur this fiscal year.</p>

**TYPES OF SCVURPPP MRP PROVISIONS THAT MAY BE IMPACTED BY COVID-19
RESPONSE
(Analysis as of March 31, 2020)**

C.2

- Potential impacts to staff training.

C.3

- Routine O&M inspections and enforcement – not currently being conducted and may therefore not be able to complete the annual target this year. For facilities already inspected and that are not in compliance, enforcement may be delayed due to reduced staffing.
- Installation inspections – may not be able to complete in timely manner.
- GSI Implementation – tasks such as CIP assessments may be impacted.

C.4

- Routine business inspections - may not be completed in accordance with previously submitted work plans and the Business Inspection Plan. (When inspections resume, facilities will be prioritized using permittee’s prioritization criteria including past facility compliance.)
- Delayed enforcement for facilities not in compliance.

C.5

- Illicit discharge response – may have more limited ability to respond to spills and complaints due to reduced numbers of essential staff. Incidents may have to be prioritized to disburse limited essential personnel.

C.6

- Construction inspections – may not be able to complete monthly wet season inspections of active construction sites.

C.7

- Outreach events – will not be able to hold Spring events and may not be able to meet the targets for public outreach, school outreach and citizen involvement events due to school closures and event cancellations.

C.8

- Monitoring activities may be impacted due to inability of contractor staff to complete monitoring and studies that depend upon availability of field personnel and their ability to conduct field activities safely.

C.9

- Staff training may be impacted.

C.10

- Permittees are progressing with trash control measures but may need to modify approaches depending on changing conditions resulting from the public health crisis and response. Areas of implementation that may be impacted include:
 - Delayed installation of new full trash capture devices.
 - Completion of inspection and maintenance of trash capture systems, due to staff availability or access issues such as increased on-street parking.

- Deployment and maintenance of alternative trash capture devices including trash booms.
- Level of implementation of actions that reduce trash on streets and sidewalks (e.g., street sweeping and business inspections).
- Completion of trash hot spots cleanups, due to staff availability or cancellation of regional and local volunteer creek clean up events.
- Completion of direct discharge program activities due to shelter-in-place requirements that limit staff and volunteer access to creeks and encampments.
- Completion of OVTAs needed to demonstrate reductions due to staff availability or ability to conduct work safely.
- Maintaining the 80% trash load reduction target due to the above and similar situational impacts.

C.11/C.12

- Ability to complete Control Measure Plan with appropriate coordination within Permittee organizations; this may impact the specificity of what can be submitted within the permit timeline.
- Ability to implement enhanced maintenance activities, including within timelines as previously agreed upon in the context of referrals of PCBs source properties to Water Board.

C/CAG AGENDA REPORT

Date: April 16, 2020
To: Stormwater Committee
From: Matthew Fabry, Program Manager
Subject: Receive update and provide feedback on development of the Fiscal Year 2020-21 Countywide Water Pollution Prevention Program budget..

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

RECOMMENDATION

That the Committee receive an update and provide feedback on development of the Fiscal Year 2020-21 Countywide Water Pollution Prevention Program (Countywide Program) budget.

DISCUSSION

Staff is developing the Fiscal Year 2020-21 preliminary Countywide Program budget and will provide a summary presentation of the key considerations for Committee input.

ATTACHMENTS

None

C/CAG AGENDA REPORT

Date: April 16, 2020
To: Stormwater Committee
From: Matthew Fabry, Program Manager
Subject: Receive an update on C/CAG's Sustainable Streets Master Plan.

(For further information or questions contact Matthew Fabry at mfabry@smcgov.org)

RECOMMENDATION

Receive an update on C/CAG's Sustainable Streets Master Plan.

BACKGROUND/DISCUSSION

C/CAG was awarded a \$986,300 Adaptation Planning Grant by Caltrans to develop a Countywide Sustainable Streets Master Plan (SSMP) that prioritizes street segments throughout the county for integrating green stormwater infrastructure with other planned investments and community priorities. The grant program requires a local match of at least 11.47%. The project includes the following key tasks:

- Community Engagement
- Climate Adaptation Risk Analysis on Local Transportation Network
- High-Resolution Data Analysis and Fine-Scale Drainage Delineation
- Prioritization of Sustainable Streets Opportunities and Development of Master Plan
- Project Concepts
- Web-based Sustainable Streets Project Implementation Mapping and Tracking Tool

The project is intended to evaluate precipitation-based climate change impacts for managing runoff from the roadway network and prioritize opportunities for integrating green stormwater infrastructure to help adapt the roadway network and downstream infrastructure. The Master Plan will prioritize specific roadway segments for integration of green infrastructure in five-, 10-, and 20-year time horizons and will include up to 10 project concepts. The project uses LiDAR data to develop high-resolution drainage mapping throughout the county and will create a web-based mapping and tracking tool to document progress over time in managing stormwater volumes. The work products will directly support C/CAG member agencies' Green Infrastructure Planning efforts required under the Municipal Regional Permit.

Staff will provide an update on the project, focusing on prioritizing project opportunities and create the proposed Sustainable Street network and modeling precipitation-based climate change impacts on runoff throughout the county.

ATTACHMENTS

None.

C/CAG AGENDA REPORT

Date: April 16, 2020
To: Stormwater Committee
From: Matthew Fabry, Program Manager
Subject: Nominate and elect Chair and Vice-Chair.

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

RECOMMENDATION

The Committee nominate and elect Chair and Vice-Chair.

BACKGROUND

The Committee is served by a Chair and Vice Chair for facilitating meetings and working with C/CAG staff on agenda materials and meeting planning. The current Chair, Randy Breault from the City of Brisbane, has been serving in that position since the Committee's inception in February 2013, having been re-elected to the position on multiple occasions. The current Vice Chair is Afshin Oskoui from the City of Belmont, who has recently taken the City Manager position at Belmont and therefore been replaced on the Stormwater Committee by Peter Brown, Belmont Public Works Director. Therefore, a new Vice Chair is needed.

At the Chair's recommendation, staff recommends the Committee nominate and elect representatives to fill both the Chair and Vice Chair positions. In accordance with typical C/CAG Committee procedures, nominations can be solicited from Committee members, including self-nominations, and then a vote held on nominated candidates, with the Chairperson election occurring first. There are no term limits and the current Chair is eligible to be re-elected.

ATTACHMENTS

None.