

# C/CAG

## CITY/COUNTY ASSOCIATION OF GOVERNMENTS OF SAN MATEO COUNTY

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

**1:45 PM, Thursday, October 17, 2013**  
**San Mateo County Transit District Office<sup>1</sup>**  
**1250 San Carlos Avenue, 2<sup>nd</sup> Floor Auditorium**  
**San Carlos, California**

### **\*\*\*NOTE EARLIER START TIME\*\*\***

#### **STORMWATER (NPDES) COMMITTEE AGENDA**

- |   |                   |              |
|---|-------------------|--------------|
| 1. Public comment on items not on the Agenda (presentations are customarily limited to 3 minutes).  | Breault/Patterson | No materials |
| 2. Issues from C/CAG Board (September 2013): <ul style="list-style-type: none"><li>Received presentation on potential countywide funding initiative: preliminary results of funding needs analysis and funding options reports.</li></ul> | Fabry             | No materials |
| 3. ACTION – Approval of August 15, 2013 meeting minutes   | Fabry             | Pages 1-4    |
| 4. INFORMATION – Presentation on preliminary draft Funding Needs Analysis associated with the potential Countywide Funding Initiative   | Fabry/Konnan      | Page 5       |
| 5. INFORMATION – Presentation on draft Feasibility Status Report  | Bicknell          | Page 6       |
| 6. INFORMATION – Presentation regarding green streets requirements and integrating water quality and transportation funding programs  | Fabry             | Page 7       |
| 7. INFORMATION – Update on Municipal Regional Permit Reissuance   | Fabry             | Pages 8-24   |
| 8. Regional Board Report  | Mumley            | Pages 25-26  |
| 9. Executive Director’s Report  | Wong              | No Materials |
| 10. Member Reports  | All               | No Materials |

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

# C/CAG AGENDA REPORT

**Date:** October 17, 2013  
**To:** Stormwater Committee  
**From:** Matthew Fabry, Program Coordinator  
**Subject:** Approval of August 15, 2013 meeting minutes

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

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## Recommendation

Approve August 15, 2013 Stormwater Committee meeting minutes as drafted.

## Attachments

Draft Minutes from August 15, 2013 Stormwater Committee Meeting

**STORMWATER COMMITTEE**  
**Regular Meeting**  
**Thursday, August 15, 2013**  
**2:30 p.m.**

**DRAFT Meeting Minutes**

The Stormwater Committee met in the SamTrans Offices, 1250 San Carlos Avenue, San Carlos, 2<sup>nd</sup> Floor Auditorium. Attendance at the meeting was shown on the attached roster. In addition to the Committee members, also in attendance were Sandy Wong (C/CAG Executive Director), Matt Fabry (C/CAG Program Coordinator), Brian McMinn (South San Francisco), Karen Kristiansson (Portola Valley), Lee Taubeneck (Caltrans), Jon Konnan (EOA, Inc.), and John Bliss (SCI Consulting Group). Chair Breault called the meeting to order at 2:30 p.m.

1. **Public Comment:** None
2. **Issues from the last C/CAG Board meeting (Fabry):** As noted on the agenda.
3. **Approval of Minutes:** The Committee unanimously approved the draft minutes from the May 16, 2013 meeting. (Murtuza motion, Walter second)
4. **2013-14 Countywide Program Annual Report and BASMAA Regional Supplements:** Staff member Fabry reported that the draft 2013-14 Countywide Program Annual Report would be posted on EOA's ftp site in the next few days along with the Bay Area Stormwater Management Agencies Association (BASMAA) Regional Supplements. These documents collectively detail Municipal Regional Permit compliance activities performed on behalf of member agencies by either the Countywide Program or BASMAA. Since these are permit-required submittals, duly authorized representatives will need to authorize staff member Fabry to submit the documents on behalf of their jurisdictions prior to September 16, when the reports are due to the Regional Water Quality Control Board. Fabry requested comments on the draft documents by August 30 to ensure sufficient time to prepare final drafts for review and authorization to submit before September 16.
5. **Update on Potential Countywide Funding Initiative:** Staff member Fabry provided a verbal summary of the written agenda item highlighting the status of ongoing efforts, including discussions with C/CAG's legislative advocacy team regarding need for enabling legislation to allow C/CAG to sponsor a potential initiative, EOA's progress on finalizing the Funding Needs Analysis, SCI Consulting Group's progress on finalizing the Funding Options Report, True North's efforts regarding public opinion research, and the schedule for future briefings with various groups, including the City/County Managers Association, the C/CAG Board, the Stormwater Committee, the Congestion Management and Environmental Quality Committee, and municipal attorneys.

6. **Presentation on Potential Countywide Funding Initiative: Funding Needs Analysis and Funding Options Report:** Staff member Fabry provided a brief introduction and John Bliss of SCI Consulting Group presented the preliminary results of the Task 1 and 2 efforts of the funding initiative contract: the Funding Needs Analysis and the Funding Options Report. The drafts of these reports will be provided to Committee members in early September, with a similar presentation planned for the C/CAG Board on September 12. Committee members will be asked to provide comments on the draft reports in anticipation of providing a recommendation to approve/accept at the October 17 Committee meeting, in advance of C/CAG Board approval/acceptance at its November 14 meeting.
7. **Update on Municipal Regional Permit Reissuance:** Staff member Fabry provided a brief summary of the written agenda report and plans to continue utilizing the ad-hoc permit implementation committee members to provide San Mateo County representation in ongoing discussions with Regional Board staff on through the established Reissuance Steering Committee.
8. **Regional Board Report:** None
9. **Executive Director's Report:** None
10. **Member Reports:** None

Meeting was adjourned at 3:25 PM.

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

"X" - Committee Member Attended

"O" - Other Jurisdictional Representative Attended

# C/CAG AGENDA REPORT

**Date:** October 17, 2013  
**To:** Stormwater Committee  
**From:** Matthew Fabry, Program Coordinator  
**Subject:** Preliminary Draft Funding Needs Analysis Associated with the Potential Countywide Funding Initiative

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

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## **RECOMMENDATION**

Receive a presentation on the preliminary draft Funding Needs Analysis report. C/CAG and EOA staff will provide a presentation summarizing the major assumptions behind the preliminary funding needs, areas of focus for municipal review and comment, and next steps for finalizing the report.

# C/CAG AGENDA REPORT

**Date:** October 17, 2013  
**To:** Stormwater Committee  
**From:** Matthew Fabry, Program Coordinator  
**Subject:** Presentation on Draft Feasibility Status Report

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

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## **RECOMMENDATION**

Receive a presentation on the draft Feasibility Status Report, due to the Regional Water Board by December 1, 2013. Jill Bicknell (EOA, Inc.) will provide an overview of the draft document, which will require authorization to submit on behalf of each Permittee by member agencies' duly authorized representatives. The draft report should be out for review by Permittees by the Stormwater Committee meeting, or shortly thereafter. Staff will be requesting authorization to submit from duly authorized representatives at the November Stormwater Committee meeting or subsequently via email.

# C/CAG AGENDA REPORT

**Date:** October 17, 2013  
**To:** Stormwater Committee  
**From:** Matthew Fabry, Program Coordinator  
**Subject:** Presentation Regarding Green Streets Requirements and Integrating Water Quality and Transportation Funding Programs

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

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## **RECOMMENDATION**

Receive a presentation by C/CAG staff regarding approaches for incorporating requirements in the next version of the MRP with respect to the existing pilot green street requirement and stormwater treatment exemption for roadway projects in the current MRP. The presentation will also present an approach for addressing long-term green street retrofits through a combination of local, regional, state, and federal efforts tied to integrating water quality and transportation funding programs.



# C/CAG AGENDA REPORT

**Date:** October 17, 2013  
**To:** Stormwater Committee  
**From:** Matthew Fabry, Program Coordinator  
**Subject:** Update on Municipal Regional Permit reissuance

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

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## **RECOMMENDATION**

Receive update on process and schedule for reissuance of the Municipal Regional Permit.

## **BACKGROUND/DISCUSSION**

As previously described to the Stormwater Committee, the Municipal Regional Permit (MRP) expires on November 30, 2014. Permittees are required to submit an application for reissuance by the beginning of June, 2014. The MRP requires a variety of technical reports that will become part of the reissuance application, the most important of which include the Integrated Monitoring Report due March 2014, the Pilot Green Streets and Feasibility Status Reports due September and December 2013, respectively, and municipal Long-Term Trash Reduction Plans due February 2014.

Regional Water Board, countywide stormwater program, technical consultant, and high-level Permittee representatives convened the second meeting of a MRP Reissuance Steering Committee on September 5. The Steering Committee discussed priority issues associated with the Provision C.3 New and Redevelopment requirements (including the project applicability threshold, pilot green street and road reconstruction requirements, and hydromodification management requirements) and initiated discussion on the Provision C.8 Monitoring and Provisions C.11/C.12 Mercury and PCBs requirements. Meeting notes and associated attachments are attached to this agenda report.

Staff continues to utilize the ad-hoc permit implementation committee (Patterson, Porter, Underwood, Walter, and Willis) to provide local representation to the Steering Committee. The next Steering Committee meetings are scheduled for the afternoons of the first Thursdays of November and January.

## **ATTACHMENTS**

MRP Reissuance Steering Committee September 5 Meeting Notes

## **MRP 2.0 Steering Committee Meeting Summary**

September 5, 2013

1:00 – 4:00 p.m.

Water Board Offices, Oakland, 2<sup>nd</sup> Floor Meeting Room

### **I. Review Agenda and Introductions**

- Introductions were made. Tom Mumley (Water Board Assistant Executive Officer) recommended that a sign-in sheet with participants' names be prepared for future meetings.

### **II. Continued Discussion of C.3 Topics**

- Jill Bicknell (SCVURPPP, BASMAA Development Committee Chair) described the method and schedule to address the key C.3 issues as well as other issues raised by Water Board staff (see attached table). There were no objections to the schedule. Water Board staff confirmed that there were no significant C.3 issues that are not on the table at this time, and were pleased that the schedule will ensure that all of the items will be on the agendas of future BASMAA Development Committee and/or Steering Committee meetings.

#### **A. Threshold for Regulated Projects (see attachment)**

- Dan Cloak (CCCWP) presented an overview of existing and proposed regulated project size thresholds, analysis of impacts/benefits of lowering the threshold, and proposed alternatives for MRP 2.0 (see attached presentation). The results of the data analysis indicated that if the threshold for regulated projects were lowered to 5,000 square feet of impervious surface, there would be an approximately 8-10% increase in the number of projects needing review by the permittees (and potentially 8-10% more treatment measures to track and inspect) and about a 0.5% increase in the amount of impervious surface subject to C.3 treatment requirements. The Phase I stormwater programs proposed alternative is to keep the existing threshold the same and clarify the requirements for site design measures and source controls on all projects.
- Kathy Cote (Fremont) and Melody Tovar (Sunnyvale) emphasized the extra staff effort needed to work with small project developers (less sophisticated) for a small benefit (“the pain and agony factor”).
- Dale Bowyer (Water Board staff) said it would be helpful to have an idea of what site design measures were being done. If the lower threshold is not included, something else will be needed in its place. Dan responded that CCCWP permittees require information on impervious surface and site plans showing landscape dispersion for small projects. Jill suggested that Water Board staff review the section of the FY 12-13 Annual Report that describes permittee implementation of Provision C.3.i (site design requirements for small projects and single family homes) and determine if existing MRP requirements are sufficient.

- Tom Mumley cited the example of San Francisco’s regulation of all projects down to 5,000 square feet of impervious surface, and wondered if small projects were really an issue to regulate. Several SC members responded that yes, this is an issue, it requires more resources without any real benefit, and that San Francisco’s combined sewer system means a dedicated funding source without many of the restrictions and challenges faced by municipalities with separate sewer systems, due to Proposition 218 limitations.
- Tom Mumley asked if permittees were required to implement LID retrofits, could we leverage the small projects (via in-lieu fees) to help fund retrofits or regional projects? Melody Tovar responded that when this was evaluated for regional hydromodification control projects, there had to be a nexus between the flow contribution to the facility and the fee, and there were other significant institutional barriers.
- Tom Mumley agreed that we need to ensure that MRP requirements provide “bang for the buck”, and liked the suggestion to make site design and source control requirements more clear for all projects.
- ✳ **Action:** Water Board staff will review the FY 12-13 Annual Reports for C3.i reporting and then discuss the above proposed alternative with the BASMAA Development Committee.

#### **B. Green Streets/Road Reconstruction Requirements (see attachment)**

- Matt Fabry (SMCWPPP Program Manager) presented considerations for future green street requirements, stressing the need for integrating water quality into transportation programs and coordinating sustainability funding with the transportation funding process (see attached presentation). He pointed out that regional and state transportation funding is being driven by accommodating future growth in priority development areas, air quality requirements, and greenhouse gas reduction, and water quality improvement is not part of the strategy. State and Regional Board staffs have not been part of transportation funding discussions, and State water quality grant funding is not aligned with transportation funding priorities or schedules.
- Matt explained that the greenhouse gas (GHG) reduction requirements in AB32 and SB375 require development of Sustainable Communities Strategies (SCS) in regions throughout the state. In the San Francisco Bay Area, four agencies – MTC, ABAG, BCDC, and BAAQMD – recently completed a long-term transportation plan known as “Plan Bay Area,” which serves as the SCS. Under the Plan, transportation funding is focused on Priority Development Areas (PDAs) designated for dense, transit oriented development. Cities have to develop “Complete Street” policies to receive the funding.
- Matt emphasized that a coordinated local, regional, state, and federal effort is absolutely needed to be successful and assuming the MRP would be the only driver will not lead to success. Matt proposed that one or more of the following approaches might make sense for the next permit term: a) retrofit planning efforts (link to Prop 84-funded “Green Plan Bay Area”); b) green street policies or

resolutions (or integration of these policies into “Complete Street” policies); c) development of local funding options; d) development of alternative compliance/banking programs; and e) improvement of the design, construction, and O&M of retrofit projects.

- Larry Patterson (City of San Mateo) commented that the pool of transportation funding is very constrained and competitive. Current funding is being driven by air quality impacts, but an integrated approach is needed. The Complete Streets Program will take decades to implement, so now is the time to integrate the water quality element.
- Larry cited an example in the City of San Mateo of a local complete/sustainable street project in which one long block underwent a “road diet,” reducing from four lanes to three, widening sidewalks, and incorporating stormwater management features. The total cost was \$1.3 million (the water quality component was \$330,000). For local funding, the City of San Mateo assesses a transportation impact fee of \$3,400 per dwelling unit or between \$2,000 and \$5,800 per 1,000 square feet of commercial and industrial space. Using local modeling data for future growth and assuming a (substantial) 10% add-on to transportation impact fees to address water quality impacts from vehicle trips generated, San Mateo would generate approximately \$3.5 million over a 20-year timeframe. He noted that with more regional funding going to PDAs, there will be less available to fund maintenance of streets outside of PDAs. Larry noted that there was very little opportunity to move transportation funds to address water quality and re-iterated Matt’s comment about taking decades of one block projects.
- Joe Calabrigo (Town of Danville) agreed that funding for existing streets is limited, and that there is a difference between creating complete streets and maintaining what they currently have. The GHG reduction requirements have a completion schedule extending to 2050. We need to take a longer-term view of the water quality requirements as well, and not limit ourselves to the five-year water quality permit cycle.
- Tom Mumley commented that we can’t count on transportation funds to meet water quality needs; we will need to use alternative revenue sources as well. He would like to see where there is buy-in to begin to make progress on a long term plan. Melody Tovar asked how Regional Water Board staff will engage in the process. Tom responded that the State Board has a staff person dedicated to addressing climate change issues.
- The group discussed other options for funding. Larry Patterson emphasized the need to get Prop 218 changed to include stormwater in the same category as water, sewer, and refuse collection. He also suggested trying to get regional transportation grant criteria to consider water quality elements. Joe Calabrigo said a bill has been introduced (SB1, Steinberg) to give redevelopment money back to the cities for sustainability projects. Matt Fabry suggested trying to include green infrastructure projects in the types of GHG/climate change

adaptation projects that are eligible for “cap and trade” auction or similar sustainability type funds.

- Next steps – Tom Mumley suggested forming a small work group to discuss options for permit requirements. He said he would consider a pass on LID requirements for road reconstruction if permittees demonstrate some commitment to a long-term water quality-based retrofit plans.
- \* **Action:** Larry Patterson (City of San Mateo) and Adam Olivieri (SCVURPPP Program Manager) will send out an email to the Steering Committee requesting volunteers for the Green Streets Work Group.

### C. Hydromodification Management Requirements

- Jill Bicknell introduced the HM issue by presenting an overview of current MRP requirements and differences among requirements for various programs. The proposed approach for MRP 2.0 is to adopt consistent requirements region wide, allow applicants throughout the Region the choice to use either sizing factors or the Bay Area Hydrology Model for sizing HM controls, and better integrate the HM requirements with the LID treatment requirement. There is general agreement around this approach; however, the one issue that needs to be resolved is the low flow criterion for the flow duration matching. She recommended that this issue be discussed at the BASMAA Development Committee.
- Dale Bowyer agreed that the major issue is the low flow criterion and where it is applied. One option is to allow a range of low flow conditions based on the receiving stream condition. Tom Mumley agreed that it was appropriate to discuss the issue at the BASMAA Development Committee.
- \* **Action:** Discuss the low flow criterion issue with Water Board staff at the January and February BASMAA Development Committee meetings (per the attached schedule).

### D. Other Issues (see attachment)

1. LID Feasibility Criteria – Per the proposed schedule, this topic will be discussed at the 3/6/14 Steering Committee meeting, after submittal of the MRP-required LID Feasibility Criteria Status Report on 12/1/13 and preliminary discussions with Water Board staff at the BASMAA Development Committee.
2. Other Potential Issues – The plan for discussing other issues including Special Projects criteria and improved implementation of existing requirements is provided on the attached schedule. Dale Bowyer mentioned that he would like the permit to require that stormwater treatment measures be inspected and accepted as part of the building acceptance process at a development site. Dan Cloak added that he thought some permittees would welcome permit language giving them that authority. Dale responded that he would be open to suggested language on this topic.

### **III. Initiate Discussion on Monitoring (C.8) and Pollutants of Concern – Mercury & PCBs (C.11 & C.12) Topics**

- Chris Sommers (SCVURPPP) presented a review of MRP Provisions C.8-C.14, proposed priorities for discussion of monitoring and POC requirements for MRP 2.0, and a proposed timeline and forums for discussion of these requirements. The highest priority is C.11/C.12, PCB and Mercury Controls, and POC loads monitoring under C.8.e. These items will be informed by the Integrated Monitoring Report due to the Water Board on March 15, 2014. The next highest priorities are C.8(a-d), Water Quality Monitoring and C.9, Pesticide Controls.
- Tom Mumley made the following comments:
  - He did not like the concept of “discussion priorities” – he believes that all of these provisions need to be considered for MRP 2.0.
  - Regarding C.14, he agreed that PBDEs, legacy pesticides, and selenium should be low priority for urban runoff. However, he suggested that other emerging POCs may need to be considered for MRP 2.0.
  - He emphasized that the next permit must have focused implementation plans for TMDL POCs, including a defined level of effort and timeframe. He recognized that capital improvement projects to implement the plans will take time. He was concerned that permittees may not be gathering enough data to inform these plans, and suggested he may use Water Board authority (i.e., 13267 letter) to require submittal of additional information.
- The next Steering Committee will focus on discussion of PCB and mercury requirements.

### **IV. Next Steps**

See Action Items under each discussion topic.

### **V. Adjourn**

Next meeting – November 7, 2013, 1:00-4:00 p.m.

### **Attachments:**

1 – Meeting Agenda

2 - Handouts

*Draft AGENDA*

**MRP 2.0 Steering Committee (SC) Meeting**

**September 5, 2013**

**1:00 to 4:00 pm**

Water Board Offices, Oakland, 2<sup>nd</sup> Floor Room 15

- 1:00 pm      **I.      Review Agenda & Introductions**  
*Outcome – identify key MRP co-permittee, WB representatives, and stormwater program representatives*
- 1:15 pm      **II.     Continued Discussion of C.3 Topics**  
*Outcome – review, discuss, and identify areas of agreement on concepts, approaches, and next steps*
- A. Threshold for Regulated Projects – *present data on impacts of threshold reduction to 5,000 square feet and proposal to address regulatory concerns*
- B. Green Streets/Road Reconstruction Requirements – *present concepts and proposal for long term planning, integration of green infrastructure and coordination with transportation/congestion management planning and funding*
- C. Hydromodification Management Requirements – *introduce topic, issues, proposed approach, and next steps*
- D. Other Issues
1. LID Feasibility Criteria – *agree on timeline for continued discussion*
2. Other Potential Issues – *agree on method to address and timeline*
- i. Improved Implementation of Existing Requirements (e.g., inspection of treatment units and enforcement response)
- ii. Special Projects – *fwp to pending WB staff comments*
- 3:15 pm      **III.    Initiate Discussion on Monitoring (C.8) and Pollutants of Concern – Mercury & PCBs (C.11 & C.12) Topics**  
*Outcome – brief review of monitoring and POC requirements, review status of discussions with WB staff, and discuss time frame for discussion.*
- 3:45 pm      **IV.    Next Steps**
- 4:00 pm      **V.     Adjourn**

### Method and Schedule to Address MRP 2.0 C.3 Issues

C.3 Issue <sup>1</sup>	Relationship to Key Issues	Forum/Schedule to Discuss with Water Board Staff	BASMAA DC Mtg Date(s)	MRP SC Mtg Date(s)
<b>Key Issues</b>				
<b>Regulated Project Threshold</b> – potential reduction to 5,000 SF of IA for all project types	Address as separate key issue (related to road reconstruction threshold and LID feasibility criteria)	Discuss at Steering Committee (SC); follow-up discussions with BASMAA Development Committee (DC) on proposed language	TBD	7/11/13; <b>9/5/13</b>
<b>Green Street/Road Reconstruction Requirements</b> – potential implementation of LID on existing roads; retrofit requirements; relationship to POC/TMDL requirements	Address as separate key issue	Discuss at SC; follow-up discussions with BASMAA DC on proposed language	TBD	7/11/13; <b>9/5/13</b>
<b>Hydromodification Management (HM) Requirements</b> – consistent requirements, performance criteria, and sizing tools across the region	Address as key issue; consider relationship to LID Feasibility Criteria	Introduce at SC; work out details at BASMAA DC; bring back to SC if needed	1/7/14; 2/6/14	<b>9/5/13</b> ; 3/6/14
LID Feasibility Criteria – allowing bioretention as “first choice” LID (BASMAA); larger surface area of treatment facilities to maximize infiltration (WB)	Address as separate key issue; consider relationship to HM Requirements	BASMAA DC and SC, following BASMAA submittal of LID Status Report on 12/1/13	1/7/14; 2/6/14	7/11/13; 3/6/14
<b>Other Issues</b>				
Special Projects Criteria – implementation to date and whether/how criteria need to be changed	Address as separate issue	Discuss at BASMAA DC following receipt of WB comments on Special Project submittals; then determine whether necessary to go to SC	10/3/13 or 11/5/13 (date TBD)	TBD
Improved Implementation of Existing Requirements:	Address as part of LID Feasibility Criteria issue	Clarify issues at BASMAA DC; discuss following submittal of LID Status Report on 12/1/13; bring to SC if needed	10/3/13; 1/7/14	TBD
<ul style="list-style-type: none"> <li>• Bioretention design and maintenance</li> <li>• Pervious paving design and maintenance</li> </ul>	Lower priority issue	Clarify issues at BASMAA DC following receipt of WB comments on C.3 Annual Reports; then determine whether necessary to go to SC	10/3/13 or 11/5/12 (date TBD)	TBD
<ul style="list-style-type: none"> <li>• Inspection of treatment facilities during construction</li> <li>• O&amp;M inspection/enforcement response</li> </ul>	Lower priority issue			

<sup>1</sup> Issues in bold to be discussed at the September 5, 2013 Steering Committee Meeting.





## Provision C.3 Thresholds

Dan Cloak, P.E.  
Dan Cloak Environmental Consulting

## Topics

- Existing and Proposed Thresholds
- Analysis of Impacts
  - How much more project review effort?
  - How much more water quality protection?
- Alternatives for MRP 2.0

## MRP Thresholds

<i>Impervious Area Created or Replaced</i>	<i>Requirement</i>
All projects	Site design measures and source controls
≥2500 SF	Include at least one of six LID measures
≥(5,000 SF) ≥10,000 SF	(For parking lots, auto service, restaurants) Treat flows to numeric standard
≥1 acre	Hydromodification Management

## Data

- Previously compiled for 2011 “Special Projects” proposal
- Projects approved during 2006-2010
- All jurisdictions in Santa Clara, San Mateo, and Alameda Counties
- 533 projects

## Analysis

Range (Square feet impervious area created or replaced)	# of Projects	Percent of Total Projects	Square feet Impervious Area Created or Replaced	% of Total Impervious Area Created or Replaced
10000-14999	39	7.3%	455670	0.5%
15000-19999	39	7.3%	680607	0.7%
20000-24999	35	6.6%	766145	0.8%
25000-29999	27	5.1%	732989	0.7%
30000-34999	24	4.5%	764744	0.8%
35000-39999	17	3.2%	648254	0.6%
40000-45000	18	3.4%	768722	0.8%
<b>Total &lt; 1 acre</b>	<b>199</b>	<b>37.3%</b>	<b>4817131</b>	<b>4.8%</b>
Total All Projects	533		100567085	

## Results

- About an 8% increase in the number of projects reviewed
- About a 0.5% increase in the amount of impervious area subject to Provision C.3 requirements

### Recent Data (2 Permittees)

FY 09-10 to FY 12-13	Fremont	San Jose
# of Projects	7	13
% of Regulated Projects	10%	8%
Impervious Area (SF)	52573	112236
% Regulated Project Impervious Area	0.3%	0.4%

### Discussion

- About 95% of new and replaced impervious area is attributable to projects with an acre or more
- Smaller projects tend to have:
  - Constrained sites
  - Small developers
  - Operation and maintenance issues

### Alternatives

Impervious Area Created or Replaced	Requirement
All projects	Site design measures and source controls
>2500 SF	Include at least <del>one of six LID measures</del>
≥(5,000 SF) ≥10,000 SF	(For parking lots, auto service, restaurants) Treat flows to numeric standard
≥1 acre	Hydromodification Management


Clarify requirements for site design measures and source controls on all projects

Keep the same

MRP 2.0 Steering Committee  
September 5, 2013


## Considerations for Future Green Streets and Road Reconstruction Requirements

Matt Fabry  
Program Manager  
San Mateo Countywide Water Pollution Prevention Program



## Current Green Streets Requirements

- Per MRP C.3.b, Permittees required to:
  - Construct 10 pilot green street/parking lot projects within SF Bay region by end of permit term
  - Conduct monitoring or modeling to show water quality benefits achieved
  - Report on any projects in their jurisdictions in annual reports
  - Collectively submit a summary of all projects completed by January 1, 2013 as part of FY 12-13 Annual Report




## Green Street Report Findings

- Ten projects will be substantially completed by 12/1/14 and ten other projects are being funded/designed
- Most projects initiated prior to MRP
- Most projects partially funded by grants
- Need following elements:
  - Favorable topography
  - Space in right of way
  - No utility conflicts
  - Close connection to storm drain system




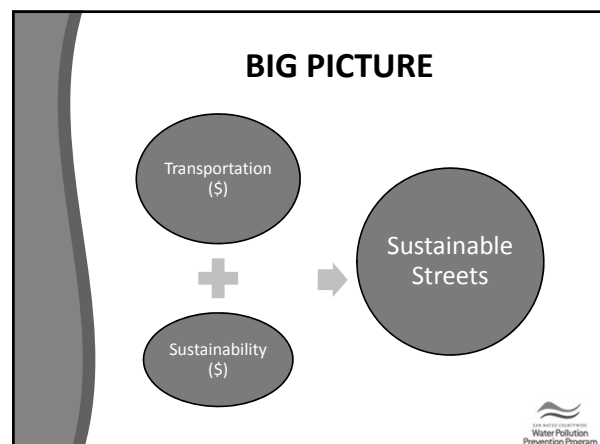

## Integrating Water Quality into Transportation Programs

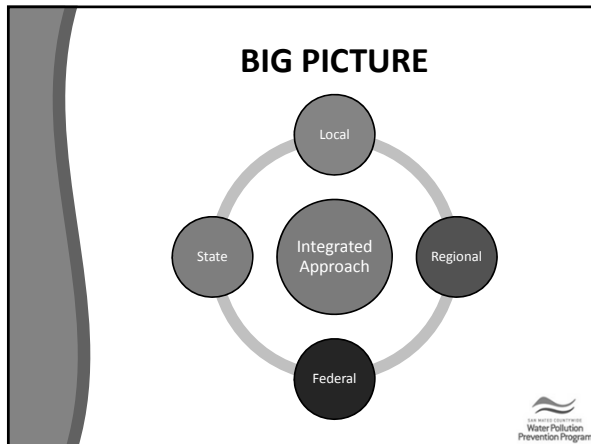
- Big Picture
- Local
- Regional
- State
- Federal
- MRP Reissuance Issues



## BIG PICTURE

- Integrating water quality with transportation programs is goal
- Can't expect transportation funding to pay for water quality solutions
- Need to bring sustainability funding sources into transportation process
- Need local, regional, state, and federal efforts to make it work
- Can't all be driven by MRP

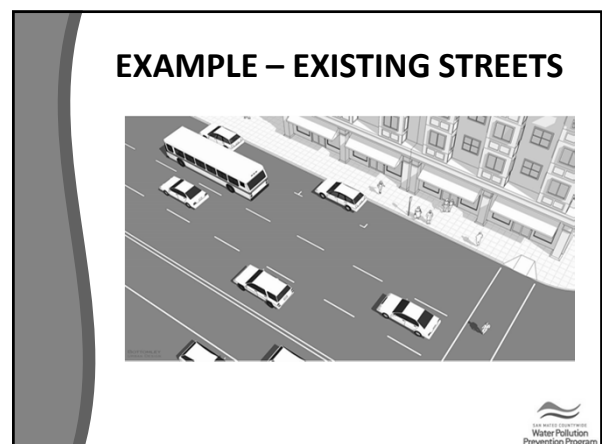


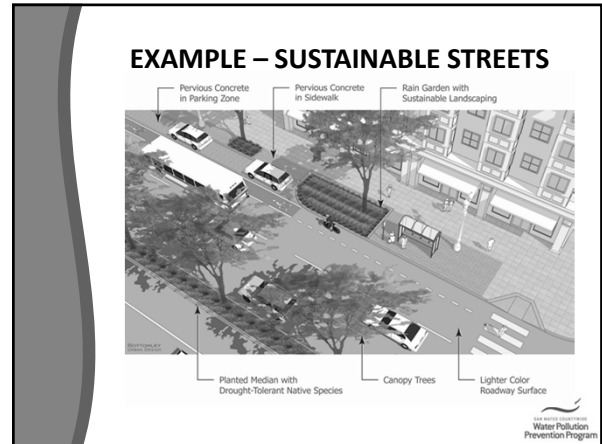
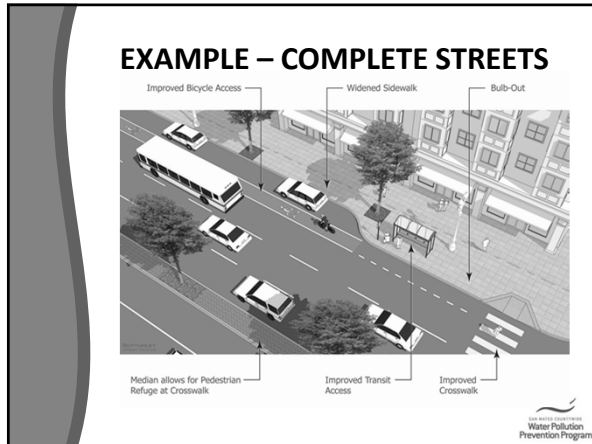
- ### LOCAL ISSUES
- Sustainable Street Policies/Resos
  - Local Funding Options
  - Planning
  - Design/Construction/O&M Practices
  - Banking/Alternative Compliance Programs
  - Integration with Other Municipal Efforts

- ### REGIONAL ISSUES
- WQ isn't Integrated with Regional Efforts
    - Regional Board not part of PlanBayArea
    - Water Quality not in Sustainable Community Strategy
  - Need to Bring WQ \$ into Regional Funding Process
  - PDA/SCS vs Water Quality Priorities
  - Support Meaningful Banking/Alternative Compliance Approaches

- ### STATE ISSUES
- State Transportation \$ Driven by Air Quality & Greenhouse Gas Reductions
    - AB 32 and SB375
    - Need AB33 and SB376?
  - No Dedicated WQ Funding Stream
  - WQ Grant funds not integrated with transportation, but all seem to want LID solutions (e.g., Prop 84 SW and Urban Greening)
  - Standardize Retrofit Approach via Funding Streams/Programs, then Link through MS4 Requirements

- ### FEDERAL ISSUES
- No Sustainability Funding Umbrella Similar to Transportation with Formula Distribution
  - Need to Establish Sustainable Streets as Standard Practice for Multi-Benefit Solutions
  - Standardize Retrofit Approach through Funding Streams





### MRP REISSUANCE ISSUES

- What makes sense for next five years?
  - Retrofit Planning Efforts – link to Prop 84 “GreenPlan Bay Area”
  - Green Street Policies or Resolutions
  - Local Funding Options
  - Alternative Compliance/Banking Programs
  - Improve Design/Construction/O&M of Retrofit Projects

San Antonio Metropolitan Water Pollution Prevention Program

### NEXT STEPS



- Engage MTC/ABAG?
- Engage SWRCB/RWQCB?
- Engage EPA?
- Engage Legislature?
- All of the Above?

San Antonio Metropolitan Water Pollution Prevention Program

**MRP 2.0 Steering Committee**  
September 5, 2012/3



## Hydromodification Management Requirements and Issues

Jill Bicknell, P.E., EOA, Inc.  
Santa Clara Valley Urban Runoff Pollution Prevention Program



## Common Requirements

- Applies to projects that create/replace  $\geq 1$  acre of impervious surface.
- Project cannot cause an increase in the erosion potential of receiving stream over pre-project (existing) conditions
- HM controls must be designed to manage runoff such that post-project flow rates and durations do not exceed pre-project conditions, for a defined range of flows
- Can meet requirements with on-site, regional and/or in-stream HM controls

## Individual Requirements



Region	Date HMP Adopted	MRP Requirements
Santa Clara Valley	2005	Attachment F
Alameda County	2007	Attachment B
San Mateo County	2007	Attachment E
Contra Costa County	2006	Attachment C
Fairfield Suisun	2007	Attachment D
Vallejo	Submitted 2013	Recently developed

## Performance Criteria/Tools



Region	Map?	Range of Flows	Sizing Tools
Santa Clara Valley	Yes	0.1Q2 to Q10	BAHM
Alameda County	Yes	0.1Q2 to Q10	BAHM
San Mateo County	Yes	0.1Q2 to Q10	BAHM
Contra Costa County	No	0.2Q2 to Q10	Sizing Factors
Fairfield-Suisun	Yes	0.2Q2 to Q10	Sizing Curves
Vallejo	Yes	0.1Q2 to Q10	Sizing Factors

BAHM = Bay Area Hydrology Model  
 0.1Q2 = 10% of the 2-year storm peak flow  
 0.2Q2 = 20% of the 2-year storm peak flow  
 Q10 = 10-year storm peak flow

## Proposed Approach

- Adopt consistent requirements regionwide
  - Common performance criteria
  - Common applicability criteria
- Allow use of either of two approaches to HM control sizing (BAHM or sizing factors)
- Better integrate with LID treatment requirement
- Discuss at BASMAA Development Committee; bring back to Steering Committee if needed

## MRP Water Quality Monitoring & Pollutants of Concern (POC) Requirements

MRP Reissuance Steering Committee  
September 5, 2013

## Presentation Objectives

1. Briefly review Permit provisions C.8 – C.14
2. Identify proposed priorities for discussion of monitoring and POC requirements in reissued Permit (MRP 2.0)
3. Review proposed timeline and forums for discussion of monitoring and POC requirements

## MRP Monitoring & Pollutant of Concern Provisions

- ▶ C.8 Water Quality Monitoring
- ▶ C.9 Pesticide Toxicity Control
- ▶ C.10 Trash Reduction
- ▶ C.11 Mercury Load Reduction
- ▶ C.12 PCB Controls
- ▶ C.13 Copper Controls
- ▶ C.14 PBDE and Legacy Pesticide Controls

## Monitoring vs. POC Control Programs

- ▶ **Water Quality Monitoring (C.8)**
  - Focused on developing a better understanding of water quality concerns and improvements
  - Informs control measures/programs
- ▶ **POC Control Programs (C.9–C.14)**
  - Implementation of actions to control pollutants that have recently or are currently impairing water bodies
  - Mechanisms to implement State's water quality restoration programs (e.g., TMDLs)

## C.8 – Water Quality Monitoring

- A. Collaborative Monitoring (All C.8 Monitoring)**
  - Regional Monitoring Coalition (RMC) – Created in 2010
  - Standardized field methods and quality assurance protocols
  - Data management consistency
- B. SF Bay Monitoring**
  - SF Bay Estuary Regional Monitoring Program (RMP)
  - Contribute fair-share financially or equivalent
- C. Creek Status Monitoring**
  - Annual biological, chemical, physical and ecotoxicology monitoring
  - Includes triggers for stressor identification studies

## C.8 – Water Quality Monitoring

- D. Monitoring Projects**
  - Stressor/Source Identification Studies
    - Triggered from creek status monitoring
    - Maximum of 10 region-wide
  - Effectiveness Studies – overlap with PCB/Mercury Studies
  - Geomorphic Projects
- E. Pollutants of Concern (Loads) Monitoring**
  - Tied to POC Control Programs
  - Annual storm–event monitoring
    - TMDL Pollutants +++
    - Alternative Program – Small Tributaries Loading Strategy (STLS)
  - Other related sub–provisions
- Long-Term Trends Monitoring**
  - Biennial monitoring
  - Statewide SWAMP currently conducting on behalf of Permittees

## C.8 – Water Quality Monitoring

### F. Citizen Monitoring

- Demonstrate encouragement and incorporation of monitoring data from citizens into annual reports

### G. Reporting/Data Management

- Data comparable to SWRCB/RWQCB
- Annual electronic reporting of data
- Annual interpretative monitoring reports
- Integrated Monitoring Report (March 15, 2014)

## C.9 – Pesticide Toxicity Control

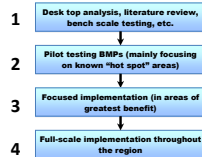
- ▶ Controls needed as a results of toxicity in Urban Creeks
- ▶ Controls consistent with Urban Creeks TMDL/WQAS
- ▶ **Control Measures**
  - Integrated Pest Management (IPM) for municipal employees and contractors
  - Track and participate in regulatory processes
  - Outreach and education
  - Source control effectiveness evaluation – due with FY 12-13 Annual Report

## C.11 & C.12 – Mercury and PCB Controls

- ▶ Controls needed as a result of Fish Consumption Advisory in Bay
- ▶ Higher priority provision (PCBs = focus of C.11/12 requirements)
- ▶ Permit requirements consistent with Mercury & PCB TMDLs
- ▶ Implementation via an iterative, permit term-based approach
- ▶ Knowledge and experience gained used to determine the scope of implementation in subsequent permit terms



### Phased Approach



## C.11 & C.12 – Mercury and PCB Controls

- ▶ MRP requires pilot projects to evaluate:
  - Cleanup and abatement of POC sources (5 projects)
  - Enhanced storm drain system operation and maintenance (5 projects)
  - Stormwater treatment retrofits (10 projects)
  - Pilot diversion of urban runoff to POTWs (5 projects)
  - Grant funding assisted cities/counties in implementing pilot projects
- ▶ **Additional Control Measures**
  - Mercury device recycling
  - PCBs in building demolition materials

## C.13 – Copper Controls

- ▶ No copper impairment of the Bay
- ▶ MRP consistent with Copper Action Plan
- ▶ **Control Measures:**
  - BMPs for cleaning/treating copper architectural features (roofs)
  - Manage discharges from pools, spas and fountains that contain copper-based chemicals
  - Vehicle brake pads – participate and track legislation
  - Industrial Sources
    - Training & incorporating into inspection program
  - Additional Study
    - Technical study to investigate effects on salmon

## C.14 – PBDEs, Legacy Pesticides & Selenium

- ▶ Impairment not likely or MS4 contribution to impairment is limited
- ▶ **Control Measures**
  - Characterization study & control measures plan (Due with FY 12-13 Annual Report)



### Discussion Priorities

Provision	Priority	Notes
C.8 - Water Quality Monitoring (a-d)	Moderate	Includes Creek Status Monitoring and S/S ID projects
C.9 - Pesticide Toxicity Controls	Low/Moderate	Urban Creek Toxicity Issues Remain - State/Nationwide Issue
C.11/12 - PCBs and Mercury Controls + POC (loads) Monitoring (C.8.e)	High	Informed by <b>Integrated Monitoring Report (IMR)</b> - due to Water Board on March 15, 2014
C.13 - Copper	Low	No WQ impacts evident
C.14 - Selenium, Legacy Pesticides, PBDEs	Low	Limited/No WQ impacts evident

### Proposed Monitoring & POCs Timeline

Date	Group	Topic
Aug 29, 2013	Monitoring & POCs Workgroup	<ul style="list-style-type: none"> <li>Introduce topics</li> <li>Set discussion priorities</li> </ul>
Sept 5, 2013	Steering Committee Meeting	<ul style="list-style-type: none"> <li>Review background information</li> <li>Confirm discussion priorities</li> </ul>
Sept 24, 2013	Monitoring & POCs Workgroup	<ul style="list-style-type: none"> <li>PCB/Mercury Focus</li> <li>Review IMR outlines</li> <li>Preview preliminary IMR analyses</li> </ul>
Oct 2013	Monitoring & POCs Workgroup	<ul style="list-style-type: none"> <li>PCB/Mercury Focus</li> <li>Continued discussion of IMR &amp; WB staff concepts for C.11/12</li> </ul>
Nov 7, 2013	Steering Committee Meeting	<ul style="list-style-type: none"> <li>Receive update from Workgroup</li> <li>Continued discussion of WB staff concepts (C.11/12)</li> <li>Resolve Workgroup Issues (if needed)</li> </ul>
Nov 2013	Monitoring & POCs Workgroup	<ul style="list-style-type: none"> <li>C.9, C.13, C.14 Focus</li> <li>Review status of control measure implementation</li> <li>Discuss WB staff &amp; Permittee Concepts</li> </ul>

### Proposed Monitoring & POCs Timeline (cont.)

Date	Group	Topic
Dec 2013	<ul style="list-style-type: none"> <li>Monitoring &amp; POCs Workgroup Mtg</li> <li>BASMAA BOD Mtg</li> </ul>	<ul style="list-style-type: none"> <li>Continue Discussion of C.9, C.13, C.14</li> <li>Begin C.8 a-d (Creek Monitoring) discussion &amp; set priorities</li> </ul>
Jan 2, 2014	Steering Committee Meeting	<ul style="list-style-type: none"> <li>Receive Workgroup presentation on C.9, 13, 14</li> <li>Discuss draft concepts</li> </ul>
Jan 2014	<ul style="list-style-type: none"> <li>Monitoring &amp; POCs Workgroup Mtg</li> <li>BASMAA BOD Mtg</li> </ul>	<ul style="list-style-type: none"> <li>C.8 a-d (Creek Monitoring) focus</li> <li>Continued discussion of concepts</li> </ul>
Feb 2014	<ul style="list-style-type: none"> <li>Monitoring &amp; POCs Workgroup</li> <li>BASMAA BOD Mtg</li> </ul>	<ul style="list-style-type: none"> <li>C.11/12 Focus</li> <li>Review preliminary findings of IMR</li> </ul>
March 2014	Steering Committee Meeting	<ul style="list-style-type: none"> <li>Receive Workgroup presentation on C.8 a-d</li> <li>Receive presentation on IMR Part C</li> <li>Discuss Part C findings &amp; recommendations</li> </ul>

# C/CAG AGENDA REPORT

**Date:** October 17, 2013  
**To:** Stormwater Committee  
**From:** Matthew Fabry, Program Coordinator  
**Subject:** Regional Board Report – November 13 Trash Workshop

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

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## **RECOMMENDATION**

Receive email from Committee Member Mumley regarding an upcoming Regional Water Board Trash Workshop on November 13.

## **SUMMARY**

The Regional Water Quality Control Board is holding a Trash Workshop in the afternoon of its regularly scheduled Board meeting. Details about the workshop and specific questions that the Regional Board is hoping to address through the workshop is provided in the attached October 11 email from Assistant Executive Officer and Committee member Mumley.

## **ATTACHMENTS**

October 11, 2013 Email from Thomas Mumley regarding November 13, 2013 Trash Workshop

**From:** "Mumley, Thomas@Waterboards" <Thomas.Mumley@waterboards.ca.gov>  
**To:** "David Lewis (dlewis@savesfbay.org)" <dlewis@savesfbay.org>, "AllisonChan (allison@savesfbay.org)" <allison@savesfbay.org>, Ian Wren <ian@baykeeper.org>, Jason Flanders <jason@baykeeper.org>, Craig Johns <cjohns@calrestrats.com>, "Kenny, Ryan" <Ryan\_Kenny@americanchemistry.com>, Miriam Gordon <mgordon@cleanwater.org>, "Williams, Meredith@sfei.org" <meredith@sfei.org>, Tom Dalziel <tdalz@pw.cccounty.us>, 'Chris Sommers' <csommers@eoainc.com>, "Scanlin, Jim" <jims@acpwa.org>, Matt Fabry <mfabry@smcgov.org>, 'Adam Olivieri' <awo@eoainc.com>, Lance Barnett <Lbarnett@vsfcd.com>, "kcullen@fssd.com" <kcullen@fssd.com>, geoff Brosseau <geoff@brosseau.us>, Melody Tovar <MTovar@ci.sunnyvale.ca.us>, Dan Cloak <dan@dancloak.com>, "Mumley, Thomas@Waterboards" <Thomas.Mumley@waterboards.ca.gov>, Napp Fukuda <Napp.Fukuda@sanjoseca.gov>, "dstaub@ci.santa-clara.ca.us" <dstaub@ci.santa-clara.ca.us>, "lpatterson@cityofsanmateo.org" <lpatterson@cityofsanmateo.org>, Randy Breault <rbreault@ci.brisbane.ca.us>, Paul Ledesma <Paul.Ledesma@sanjoseca.gov>, "lestes@oaklandnet.net" <lestes@oaklandnet.net>, "lynne\_scarpa@ci.richmond.ca.us" <lynne\_scarpa@ci.richmond.ca.us>, "sharon@acpwa.org" <sharon@acpwa.org>, "perkins@walnut-creek.org" <perkins@walnut-creek.org>, "jpaluck@fairfield.ca.gov" <jpaluck@fairfield.ca.gov>, "kcote@fremont.gov" <kcote@fremont.gov>, "pschultze-allen@emeryville.org" <pschultze-allen@emeryville.org>, "Kirsten.Struve@CityofPaloAlto.org" <Kirsten.Struve@CityofPaloAlto.org>, "Elaine.marshall@sanjoseca.gov" <Elaine.marshall@sanjoseca.gov>, "jporter@smcgov.org" <jporter@smcgov.org>  
**CC:** "Wolfe, Bruce@Waterboards" <Bruce.Wolfe@waterboards.ca.gov>, "JamesMcGrath (macmcgrath@comcast.net)" <macmcgrath@comcast.net>, "terry\_young@mindspring.com" <terry\_young@mindspring.com>  
**Date:** 10/11/2013 10:04 AM  
**Subject:** Water Board Workshop on Trash Load Reductions - November 13

This email is to confirm that the San Francisco Bay Water Board will hold a workshop to discuss issues related to the trash load reduction requirements of the Regional Municipal Stormwater Permit. The workshop will be part of the regular Water Board meeting on November 13, 2013, and we expect the agenda will have a specified start time of 1:00 p.m. and end time of 4 p.m.

There is no current regulatory action associated with the workshop, and there will be no Board decisions made during the workshop. The purpose of the workshop is for our staff, municipalities, stakeholders, and interested parties to discuss with the Board successes and challenges with managing and reducing trash loads, lessons learned, and opportunities for improvements. A major issue of interest to the Board is development of an adequate compliance monitoring system and approaches the Board could use to determine compliance with permit requirements until an acceptable monitoring program has been developed.

The workshop will include planned presentations and time for dialogue among participants and the Board. We anticipate you will participate, so please respond to confirm and whether you will want to make a presentation, and if so, how much time you would like. We encourage you to work with related stakeholders to present your interests within an aggregate block of time and try to avoid redundant individual presentations. We also welcome your input on the scope, design, and conduct of the workshop.

We will provide further details on the workshop and directions to participants in advance of the Board meeting. In the meantime, please consider the following working questions that the Board would like to discuss at the workshop:

- \* What protocols are available to reproducibly measure trash quantities? What would an acceptable compliance monitoring program that is based primarily on field measurements look like? How quickly and at what cost could such a system be deployed?
- \* What existing data (such as annual cleanup days, citizen monitoring, hot spot monitoring, etc.) can be mined to indicate: trash load levels for a baseline year of 2012, 2013, or 2014; and trash reduction trends through 2014? Data for individual jurisdictions as well as regional data are of interest.
- \* If annual reports, short-term plans, and long-term plans are used as part of a weight-of-evidence approach to determine compliance through 2014, how should adequacy be measured?
- \* What examples are available (within or outside this region) of successful trash reduction programs and what are the elements of those programs?
- \* What options are attractive for streamlining reporting requirements once an adequate field monitoring program is in place?

I look forward to your timely response and participation in what should be an engaging workshop.

- Tom

Thomas Mumley  
Assistant Executive Officer  
thomas.mumley@waterboards.ca.gov<mailto:thomas.mumley@waterboards.ca.gov>  
510 622-2395