

STORMWATER COMMITTEE
Regular Meeting
Thursday, April 17, 2014
2:30 p.m.

Meeting Minutes

The Stormwater Committee met in the SamTrans Offices, 1250 San Carlos Avenue, San Carlos, 2nd Floor Auditorium. Attendance at the meeting is 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), Jon Konnan (EOA, Inc.), Sarah Scheidt and Gary DeJesus (City of San Mateo), John Fuller (Daly City), Fernando Bravo (Menlo Park), and Jerry Bradshaw and Jennifer Per Lee (SCI Consulting Group). Chair Breault called the meeting to order at 2:30 p.m. and noted the lack of quorum would prevent the Committee from taking any formal actions at the meeting.

1. **Public Comment:** None
2. **Issues from Last C/CAG Board Meeting:** Staff member Fabry indicated the C/CAG Board received an update on the potential countywide stormwater funding initiative.
3. **Approval of Minutes:** Approval of the February minutes was deferred to the next meeting due to the lack of a quorum.
4. **Update on Potential Countywide Funding Initiative:** Staff member Fabry provided an update on overall progress and schedule. Enabling legislation for C/CAG to propose a special tax or fee is not signed yet but is out of Assembly committee and may go back to the Assembly floor next week. If approved by 2/3 of the Assembly, the bill would go to the governor for signature in May, and if signed, go into effect immediately. This would allow C/CAG to potentially proceed with a mail-out property-related fee election as early as fall of this year. That schedule would avoid competing initiatives and, if the initiative was successful, provide funding at the earliest possible date. However, it would require staff to present the final needs analysis and funding options reports to the C/CAG Board for adoption in May, followed by Board approval in June to issue public notices and, assuming no successful protest, Board approval in August to issue the ballots. There are multiple efforts that would need to be completed in a short timeframe in order to meet this aggressive schedule.

Committee members weighed in on the pros and cons of various schedules. It was noted that having the election this fall versus next spring would not make a difference with regard to when potential revenue would be available but waiting any later would. Also, waiting until spring 2015 might result in lowered support if certain water-related initiatives are approved on the November 2014 ballot. Pros to delaying include public release of a draft revised Municipal Regional Permit in early 2015, which would clarify requirements and associated costs (especially for PCBs) for the next five years, making municipal needs for additional funding more clear.

Committee members were unable to vote due to the lack of quorum but generally agreed that C/CAG should slow down the overall process and not attempt a fall 2014 election.

Updates on the needs analysis report by EOA and funding options evaluation by SCI were deferred to a future meeting.

5. **Implementation Planning for PCBs and Mercury:** Jon Konnan (EOA, Inc.) gave an overview on this topic. Regional Water Board staff has requested more information about PCBs and mercury in the Bay Area to inform the next permit. This information would lead to more focused permit requirements for Permittees. Water Board staff requested Permittees gather three general types of information over the next 15 months: 1) Pilot Watersheds – develop plans for future implementation of control measures in current pilot watersheds, including the Pulgas Creek pump station watershed in San Carlos (preliminary plan by June 2014, final by December 2014); 2) Additional High Opportunity Areas – identify additional high opportunity areas (primarily within old industrial land uses) where focused control measure implementation could occur during MRP 2.0 (preliminary list by June 2014 and refined list by December 2014 and complete initial implementation planning by June 2015); and 3) Moderate Opportunity Areas – identify moderate opportunity areas (primarily within old industrial and other old urban land uses except residential) where additional Pollutant of Concern (POC) load reductions could be achieved opportunistically as the land area is redeveloped and/or retrofitted with Green Streets (preliminary list by June 2014 and refined list by December 2014 and complete initial implementation planning by June 2015).

High and moderate opportunity areas will be identified using a process with similarities to that used recently for trash generation areas: 1) preliminary source area maps will be developed using GIS data (e.g., old industrial land uses, pre-1978 facility construction, known pollutant release sites); 2) Permittees will verify maps following a guidance document (e.g., field visits, Google Street View, local knowledge); 3) urban sediments will be collected near source areas and analyzed for PCBs and mercury; and 4) opportunity area maps will be refined based on Permittee verification and sample results. The field sampling will be the most expensive part of this process and won't start until next fiscal year. Permittees with substantial old industrial acreage will likely be the most involved with the above tasks. SMCWPPP would like to establish a workgroup of staff from appropriate Permittees with substantial old industrial acreage to work with SMCWPPP Program staff in implementing the above process. As an initial step, Program staff will distribute a draft workplan to the workgroup.

In response to questions from the committee it was confirmed that historical research and gathering information about PG&E facilities (including PCB spills from transformers) would be part of the process. The committee was generally supportive of the approach. Konnan noted that going after "low hanging fruit" via addressing high opportunity areas would only put a small dent in the problem and thus the need to opportunistically address moderate opportunity areas via Green Street retrofit projects that provide the opportunity for integration of POC load reductions with other drivers and funding sources (e.g., transportation projects).

6. **Update on Municipal Regional Permit Reissuance:** Staff member Fabry described the required Report of Waste Discharge (ROWD) permit renewal application process and indicated he would email to municipal representatives a draft table with prioritized issues and recommendations, with a more final format coming in May. The ROWD is due to the Water Board on June 2. The final submittal will include a CD with all of the referenced documents from the prioritization/recommendation table.

7. **Update on Potential Changes to MRP Potable Water Discharge:** Staff member Fabry provided a brief update on a proposed regional potable water discharge permit from the Regional Water Board, including background on why the general permit is being developed, concerns regarding a proposed numerical effluent limit for chlorine residual, implications on municipal purveyors under the Municipal Regional Permit, and plans for regional comments via the Bay Area Stormwater Management Agencies Association (BASMAA). Committee members requested more information regarding the proposed chlorine residual limit.

8. **Preliminary Discussion of 14/15 Budget:** Staff member Fabry provided a brief summary of the planned budgeting assumptions for the Countywide Water Pollution Prevention Program for fiscal year 14-15, emphasizing that the Program is unlikely to be able to maintain its current level of effort in FY 15-16 and beyond without additional revenue. Committee Member Murtuza suggested pursuing Integrated Regional Water Management Plan funds. Chair Breault requested staff plan ahead for future funding deficits and ensure adequate warning to member agencies.

9. **Regional Board Report:** NONE – Regional Board staff not present.

10. **Executive Director’s Report:** NONE

11. **Member Reports:** NONE

Meeting was adjourned at 3:33 p.m.