

# 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*

**2:30 PM, Thursday, April 18, 2019**  
**San Mateo County Transit District Office<sup>1</sup>**  
**1250 San Carlos Avenue, 2<sup>nd</sup> Floor Auditorium**  
**San Carlos, California**

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

- |   |         |              |
|---|---------|--------------|
| 1. Public comment on items not on the Agenda (presentations limited to three minutes).  | Breault | No materials |
| 2. Stormwater Issues from C/CAG Board meetings: <ul style="list-style-type: none"><li>• Feb – Clean Water Pathways Funding Agreement for \$25K with The San Mateo County Office of Education</li><li>• Mar – Reso 19-15 adopting definition of northern, central, southern and coastal areas for the Flood and Sea Level Rise Resiliency District Board of Directors, Fair Oaks Community School SRTS/GI project update, approved letter of support of AB 825 (Mullin) for forming the new District</li><li>• April – C/CAG support letter for Mullin budget request for designing regional stormwater retention systems, time extensions for EOA and LWA task orders</li></ul> | Fabry   | No materials |
| 3. ACTION – Review and approve February 21, 2019 Stormwater Committee minutes   | Fabry   | Pages 1-6    |
| 4. INFORMATION – Announcements on stormwater issues <ul style="list-style-type: none"><li>• EPA Water Quality Improvement Fund Awards for Regional Project Designs</li><li>• Flood and Sea Level Rise Resiliency Agency proposal</li><li>• Support letters for Assembly Member Mullin’s budget request</li><li>• Funding Opportunities</li><li>• Reminder on Duly Authorized Representative approval process</li><li>• Other</li></ul>  | Fabry   | Verbal       |
| 5. INFORMATION – Receive presentation on the current status of Trash Load Reductions achieved by San Mateo Permittees and challenges for the remainder of the MRP term.   | Sommers | Page 7       |
| 6. INFORMATION – Receive update and provide feedback on development of the 2019-20 Countywide Water Pollution Prevention Program budget.  | Fabry   | Page 8       |
| 7. INFORMATION – Receive update on MRP 3.0 negotiations process.  | Fabry   | Page 9 - 40  |
| 8. Regional Board Report  | Mumley  | No Materials |
| 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. 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.

**PUBLIC NOTICING:** All notices of C/CAG regular Board meetings, standing committee meetings, and special meetings will be posted at the San Mateo County Transit District Office, 1250 San Carlos Ave., San Carlos, CA, and 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. Such public records are also available on C/CAG's website at: <http://www.ccag.ca.gov>.

**PUBLIC PARTICIPATION:** Public comment is limited to two minutes per speaker. 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 18, 2019  
To: Stormwater Committee  
From: Matthew Fabry, Program Manager  
Subject: Review and approve February 21, 2019 Stormwater Committee meeting minutes.

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

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### **RECOMMENDATION**

That the Committee review and approve February 21, 2019 Stormwater Committee meeting minutes, as drafted.

### **ATTACHMENTS**

1. Draft February 21, 2019 Minutes

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

**Meeting Minutes**

The Stormwater Committee met in the SamTrans Offices, 1250 San Carlos Avenue, San Carlos, CA, 2<sup>nd</sup> 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), Steve Carter (Paradigm Environmental), Keegan Black (City of Brisbane), Jennifer Lee (City of Burlingame), Chris Lamm (Menlo Park), and Sarah Scheidt (San Mateo). Vice Chair Oskoui called the meeting to order at 2:52 p.m.

1. Public comment: None

2. Stormwater Issues from C/CAG Board Meetings: Matt Fabry provided an update on stormwater-related items from the C/CAG Board in November and January, including the executed funding agreement with Paradigm Environmental to complete the San Mateo Countywide Sustainable Streets Master Plan, Amendment #1 to the Larry Walker Associates contract for an additional \$10,825 to complete the GI Design Guide, updates on the Water Committee progress to establish a new Flood and Sea Level Rise Resilience District (including C/CAG's Reso 19-01 endorsing the new entity) and appointment of Sam Bautista to the Stormwater Committee for the City of Pacifica.

3. ACTION – The draft minutes from the October 18, 2018 Stormwater Committee meeting were unanimously approved as drafted (motion: Underwood, second: Donohue).

4. INFORMATION – Fabry provided announcements on stormwater issues:

- Caltrans Cease and Desist Order (CDO) for trash control: Caltrans negotiated with State and Regional Water Board staff on a Tentative CDO for Caltrans due to lack of progress on trash controls in the Bay Area. The Regional Board held a public hearing on Feb 13 to consider adoption of a final CDO. Water Board members questioned staff about the costs and acreage identified for treatment in the Caltrans Tentative CDO, and ultimately decided to double the acres required for treatment via full trash capture or full capture equivalency and included language on supporting Operations and Maintenance for projects on Caltrans rights-of-way and in cooperative implementation agreements with permittees. It is anticipated Caltrans will appeal to the State Water Board on the adopted CDO. Stakeholders at the hearing suggested Caltrans should also do more to advance partnerships with localities.
- Flood and Sea Level Rise Resiliency District: C/CAG approved Reso 19-01 at its January 10, 2019 meeting, and the County Board of Supervisors approved endorsement at its January 29 meeting. The final proposal and the schedule of outreach meetings to municipalities is available online at [www.resilientsanmateo.org](http://www.resilientsanmateo.org) under the resources tab. The initial steps of the new district will be to develop an investment plan, and the Water Committee will be helping develop a Request for Proposals to be ready for when the new district staff are hired and the “board in waiting” is in place. AB 825 (Mullin) is the current spot bill, which will create the new district out of the existing County Flood Control District. C/CAG is developing a letter of support to be considered by the C/CAG Board at its March meeting.

- MRP 3.0 Discussions: Fabry provided an update on the process to negotiate the next MRP. The current permit will expire in December 2020. The Ad-hoc Workgroup has been engaged on the topic, and members are invited to attend future negotiations meetings. There are four Workgroups focused on priority areas of the permit (Trash, C.8 Monitoring, C.3/GI and C.11/C.12/RAA). The MRP 3.0 Steering Committee (which includes high level permittee staff, Water Board staff, and Program representatives) has met twice and will meet in March to discuss the first topic on Trash. The Steering Committee is planning to discuss C.3/GI in June (likely with C.11/C.12/RAA issues) and C.8 monitoring in September.
- FY19-20 and beyond budget planning: Fabry discussed the ongoing FY19/20 planning discussion with the Ad-hoc Workgroup, which has made recommendations for cutting services further in 19/20 to match the current budget and then considering future changes to the program to more cost-effectively provide program support to the permittees. Staff will plan to meet again with the Ad-hoc Workgroup in March to further identify areas to cut back in FY19/20 and otherwise shift resources within C/CAG and among the permittees to cost-effectively meet the requirements of the MRP. C/CAG staff will bring recommendations back to the Stormwater Committee in April and will bring a preliminary budget to the C/CAG Board in May for discussion and input.
- Funding Opportunities: Fabry shared several current/upcoming funding opportunities focused on green infrastructure implementation, including the Coastal Conservancy's Urban Greening funds under Prop 1, the Natural Resources Agency Cap and Trade/Urban Greening Grant Program, the Natural Resources Agency Green Infrastructure Grant Program under Prop 68 (out for public comment).
- Other: Fabry also shared updates on SB 205 for the reissuance of business licenses under the Industrial General Permit and the request by Water Board staff to related documentation of coverage by required entities, AB 755 which issues a fee on tire sales to fund projects that address zinc (a tire contaminant), and the completion of the SMCWPPP Urban Creeks Monitoring Report for Water Year 2018 – which will required Duly Authorized Representative approval prior to submitting to the Water Board on April 1, 2019. Fabry will request approval by most DARs at the next Stormwater Committee or via email.

#### 5. INFORMATION - Receive presentation on updated Reasonable Assurance Analysis results.

Steve Carter with Paradigm Environmental presented the latest updated results from the countywide Reasonable Assurance Analysis (RAA). The results show countywide and jurisdiction by jurisdiction calculated load reduction targets via green infrastructure based on sediment and PCBs-based analyses using land use classes from the San Francisco Estuary Institute's Bay Area Regional Watershed Spreadsheet Model. The model shows estimated green infrastructure (GI) capacity and relative costs for a targeted 17.6% PCBs load reduction, and the results in tables and GIS maps, along with a technical memo will be included in GI Plans. It was emphasized that the targets for load reductions associated with impervious areas retrofitted to GI and water volumes managed, are targets that will be subject to adaptive management as projects are identified, planned and implemented over time. Carter also provided an update on two new regional projects concepts for Red Morton Park in Redwood City and at the 280/380 interchange on Caltrans property in San Bruno. Finally, the new results include updated new and redevelopment projections for interim time periods (2020 and 2030). At the last GI Committee in January, the Committee agreed to a phased approach to GI implementation over the interim periods to 2040, so that in 2020 it would be assumed any new development projects along with existing GI

would be accounted for; by 2030 it would be assumed that one-third of the projected green infrastructure projects (through 2040) in the public right of way would be constructed; and by 2040 the metrics would be inclusive of all controls planned and implemented to date. The Project Team will develop a narrative to go into the GI Plans, as well as a separate Phase II RAA report that will support the C.12.d requirement to submit a complete RAA report at the countywide level with the 2020 Annual Report. The updated RAA results will be shared in more detail in an upcoming RAA Workshop (TBD) for SMCWPPP permittees to address questions. Finally, as other programs develop their RAA's there will be a regional peer review process involving external scientists and Water Board staff.

#### 6. INFORMATION – Receive update on the Caltrans-funded Countywide Sustainable Streets Master Plan Project (SSMP).

Fabry presented updates on the Caltrans-funded Sustainable Streets Master Plan, funded by a Round 2 Adaptation Planning Grant. The presentation covered the primary project deliverables and background information, and touched on the following main updates:

- The grant schedule requires completion by February 2021, but the project team is on track to finish by July 2020.
- The County's Round 1 Adaptation Planning Grant will produce downscaled climate modeling for the region as well as other data inputs pertaining to vulnerable communities and public outreach to be leveraged in the SSMP
- The SMMP builds off previous C/CAG efforts, including the Stormwater Resource Plan and the RAA modeling
- The community engagement strategy has been established and will include a phased approach of pop up events, walk and talks and workshops, beginning with Earth Day activities in multiple communities this spring
- C/CAG has sent a data request memo to all agencies asking to submit GIS data on the storm drain system as well as other priority planning data in multiple formats to support the project prioritization task of the SSMP – the data are being compiled via a sharefolder and C/CAG is requesting submissions by 3/1/2019.
- The prioritization process will require close involvement of municipal staff when started
- Up to 10 project concepts will be developed across a variety of communities
- The tracking tool task is starting and a memo will be released in the coming months to help formulate the software plan and user interface – the tracking tool will not likely be complete by September to support GI Plan submissions, but there will be a plan and developments to reference in GI Plans
- The Stakeholder Advisory Committee will be convened in March – this task is slightly behind schedule due to the delay in executing the project contract

#### 7. ACTION - Receive presentation on draft Green Infrastructure Design Guide.

Reid Bogert presented the final draft Green Infrastructure Design Guide documents to support GI Plans and future GI implementation. The GIDG was adapted from previously developed SMCWPPP guidance, including the Green Streets and Parking Lots Guide completed in 2011. The new documents expand the guidance to include sustainable streets guidance and design examples, as well as further design considerations for C.3 projects, which are primarily covered in the C.3 Technical Design Guide, but which does not have adequate design examples. The GIDG also includes a chapter on maintenance for hardscape and landscape features, as well as appendices that include references, typical details and specifications for key facility features, and a funding options report. The following chapters and

appendices are included in the GIDG, which together with the updated C.3 Technical Guide (to be called the C.3 Regulated Projects Guide), will be posted on [www.flowstobay.org](http://www.flowstobay.org) for future reference:

Chapter 1 – Introduction

Chapter 2 – Green Infrastructure Measures and Opportunities

Chapter 3 – Introduction to the Design Strategies and Guidelines

Chapter 4 – Key Design and Construction Considerations

Chapter 5 – Key Implementation Strategies

Chapter 6 – Operations and Maintenance

Appendix A.1 – Glossary

Appendix A.2 – Reference Documents

Appendix A.3 – Sustainable Streets Typical Design Details

Appendix A.4 – Sustainable Streets Specifications

Appendix A.5 – Sample Maintenance Plan Forms

Appendix A.6 – Potential Green Infrastructure Funding Source Analysis and Recommendations

The GIDG and new C.3 Regulated Projects Guide are anticipated to be completed by early summer.

8. Regional Board Report: None.

9. Executive Director's Report: Fabry reported on behalf of C/CAG Executive Director, Sandy Wong, about progress on the new Water Agency, emphasizing that the outreach to cities and endorsement process should be finished by mid-April, after which the Water Coordination Committee will begin the recruitment process for the "Board in waiting."

10. Member Reports: None.

Vice Chair Oskoui adjourned the meeting at 3:55 p.m.

2018-19 Stormwater Committee Attendance			July	Aug	Sept	Oct	Nov	Dec	Jan	Feb	Mar	Apr	May	June
Agency	Representative	Position												
Atherton	Robert Ovidia	Public Works Director				X								
Belmont	Afshin Oskoui	Public Works Director				X				X				
Brisbane	Randy Breault	Public Works Director/City Engineer				X				O				
Burlingame	Syed Murtuza	Public Works Director				X				X				
Colma	Brad Donohue	Director of Public Works and Planning	C	C	C	X	C	C	C	X				
Daly City	Richard Chiu	Public Works Director	A	A	A	O	A	A	A					
East Palo Alto	Kamal Fallaha	City Engineer	N	N	N		N	N	N	X				
Foster City	Jeff Moneda	Public Works Director	C	C	C		C	C	C	X				
Half Moon Bay	Maziar Bozorginia	City Engineer	E	E	E		E	E	E	X				
Hillsborough	Paul Willis	Public Works Director	L	L	L	X	L	L	L	X				
Menlo Park	Justin Murphy	Public Works Director	E	E	E	X	E	E	E	O				
Millbrae	Khee Lim	Public Works Director	D	D	D		D	D	D					
Pacifica	Van Ocampo	Public Works Director/City Engineer												
Portola Valley	Howard Young	Public Works Director				X								
Redwood City	Saber Sarwary	Supervising Civil Engineer				X				X				
San Bruno	Jimmy Tan	City Engineer				X								
San Carlos	Grace Le	Public Works Director								X				
San Mateo	Brad Underwood	Public Works Director				O				X				
South San Francisco	Eunejune Kim	Public Works Director								X				
Woodside	Sean Rose	Public Works Director												
San Mateo County	Jim Porter	Public Works Director				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: March 21, 2019  
To: Stormwater Committee  
From: Matthew Fabry, Program Manager  
Subject: Presentation on the current status of Trash Load Reductions achieved by San Mateo Permittees and challenges for the remainder of the MRP term.

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

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### RECOMMENDATION

Receive presentation on the current status of Trash Load Reductions achieved by San Mateo Permittees, SMCWPPP projects underway to assist San Mateo County Permittees, challenges for the remainder of the Municipal Regional Permit (MRP) term, and key topics that will be discussed with Regional Water Board staff during 2019-20.

### BACKGROUND

The (MRP) requires specific reductions in the amount of trash that is discharged via municipal stormwater runoff in the Bay Area. A 40% reduction in trash was required by July 2014 and 70% reduction was required by July 2017. With the exception of East Palo Alto, all San Mateo County Permittees demonstrated at least a 70% trash reduction in their Fiscal Year 2016-17 annual reports. Through the construction of a large trash capture system, East Palo Alto recently achieved this reduction goal as well.

The last trash load reduction goal in the current MRP is 80% by July 2019. The vast majority of San Mateo County Permittees are currently inline to demonstrate at least an 80% reduction. Reductions will be reported in Fiscal Year 2018-19 annual reports (September 2019). Those Permittees that do not demonstrate an 80% reduction are required to submit an “action plan” with their annual report, which describes control measures that will be implemented (including trash full capture systems) to achieve the 80% and a timeline for meeting this goal. The Regional Water Board may choose to use its enforcement authority against these Permittees for lack of progress, similar to enforcement actions (i.e., Cease and Desist Orders) taken against seven MRP Permittees in June 2018 for failing to demonstrate a 70% reduction.

A number of SMCWPPP projects are currently underway to assist Permittees in achieving 2019 and future MRP trash reduction goals. These include developing litter reduction tools/guidance, conducting OVTAs to demonstrate progress, facilitating coordination with transportation agencies (e.g., Caltrans, Caltrain, BART) and waste haulers, and assisting with trash load reduction tracking/reporting.

Discussions between MRP Permittees and Water Board staff are just beginning on topics associated with trash load reductions. Discussions will continue through 2019 and into 2020, in preparation for reissuance in 2021. High priority topics include timelines for achievement of 100% reduction/no adverse impact goal; crediting and offsets for source controls, receiving water cleanups and direct discharge programs; and the appropriate level of tracking/monitoring/assessment needed to demonstrate reductions over time. On behalf of all San Mateo County Permittees, staff from San Mateo County municipalities and SMCWPPP Program staff are participating in these discussions via the newly created MRP 3.0 regional Trash Work Group and Steering Committee.

### ATTACHMENTS

None

## **C/CAG AGENDA REPORT**

Date: April 18, 2019

To: Stormwater Committee

From: Matthew Fabry, Program Manager

Subject: Receive update and provide feedback on development of the 2019-20 Countywide Water Pollution Prevention Program budget.

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

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### **RECOMMENDATION**

That the Committee receive an update and provide feedback on the development of the 2019-20 Countywide Water Pollution Prevention Program budget.

### **BACKGROUND**

C/CAG staff met with the Ad-hoc Workgroup on March 12, 2019 to discuss the priorities and potential solutions to budgetary constraints in advance of developing the Fiscal Year 2019-20 budget for the Countywide Water Pollution Prevention Program. A preliminary look at Fiscal Year 2018-19 projected revenues and expenditures in relation to draft budgets for proposed consultant services suggests that additional program cuts will be necessary to meet the existing budget for technical support. The Ad-hoc Workgroup identified several areas to consider modifying resource allocations for programmatic support or reducing expenditures in lower-priority support areas. Topics for consideration include:

- 1) Reduce the frequency of or consolidate Subcommittees and potentially link with trainings
- 2) Reduce or eliminate budget for source property monitoring, due to diminishing returns
- 3) Potentially shift trash on-land visual assessments to jurisdictions (need additional input)
- 4) Eliminate or move the Litter Workgroup to the SBWMA
- 5) Cut “optional” tasks from proposed consultant scopes of work
- 6) Maintain the contingency fund for a future funding initiative if SB 231 is upheld

Staff will provide a presentation on the preliminary proposed budget cuts and modifications based on input from the Ad-hoc Workgroup. Staff is seeking consensus on potential program shifts and invites Committee feedback on how and where to prioritize cuts to services in advance of creating the preliminary 2019-20 budget for the May 9, 2019 C/CAG Board meeting.

### **ATTACHMENTS**

None

## C/CAG AGENDA REPORT

Date: April 18, 2019  
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 650 599-1419)

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### RECOMMENDATION

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

### BACKGROUND

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 four workgroups to facilitate the negotiation process on key provisions of the MRP. The workgroups are focused on Trash, Provision C.3/Green Infrastructure (GI), Provision C.8 Monitoring, and Provisions C.11/12 mercury/PCBs/Reasonable Assurance Analyses. The Steering Committee has met three times since October 2018 and discussed priorities from the Trash Workgroup at its last meeting on March 26, 2019. See Attachment 1 for summaries of recent Steering Committee meetings. The following is the tentative schedule for MRP 3.0 Steering Committee meetings through December 2019 and key topics:

Trash	March
C.3/GI + C.11/C.12/RAA	June
C.8 Monitoring + Reporting/Other	September

The workgroups will be meeting as needed throughout this period and most on a monthly basis. Attachment 2 includes meeting summaries from recently held workgroup meetings. C/CAG has also briefed the Ad-hoc Workgroup on the permit reissuance at recent meetings and provided a GI/C.3 Workgroup briefing to San Mateo permittees on March 27, 2019.

It is anticipated a draft of Tentative Order of the MRP 3.0 will be completed by spring 2020 and public hearings would be held fall 2020. Staff will provide an overview of the planned process for negotiations, priorities for consideration in MRP 3.0, and opportunities for permittees to engage in future meetings.

### ATTACHMENTS

1. Steering Committee meeting summaries
2. Workgroup meeting summaries

# MRP 3.0 Reissuance Kickoff Steering Committee Meeting Meeting Minutes

10/30/18

## Meeting Information

Elihu M. Harris State Office Building, 2<sup>nd</sup> floor, Room 10  
1515 Clay Street, Oakland, CA 94612  
October 30, 2018, 1:00-4:00 pm

## Water Board Attendees

Tom Mumley  
Dale Bowyer  
Keith Lichten  
Kevin Lunde  
Richard Looker  
Selina Louie  
Zach Rokeach  
Joseph Martinez

## Other Attendees

Geoff Brosseau, BASMAA  
Peter Schultz-Allen, San Mateo Countywide Water Pollution Prevention Program  
Jon Konan, San Mateo Countywide Water Pollution Prevention Program  
Jing Wu, SFEI  
Kevin Booker, Sonoma County Water Agency  
Steven Aguiar, Livermore  
Jim Scanlin, Alameda Countywide Clean Water Program  
Sandy Mathews, Marin County Stormwater Pollution Prevention Program  
Kevin Cullen, Fairfield/Suisun Urban Runoff Management Program  
Allison Chan, Save the Bay  
Sharon Newton, San Jose  
Melody Tovar, Sunnyvale  
Kirsten Struve, SCVWD  
Adam Olivieri, Santa Clara Valley Urban Runoff Protection Program  
Jill Bicknell, Santa Clara Valley Urban Runoff Protection Program  
Terrance Davis, City of Vallejo  
Jennifer Harrington, Vallejo Flood and Sanitation Dist.  
Chris Sommers, Santa Clara Valley Urban Runoff Protection Program  
Courtney Riddle, Contra Costa County Clean Water Program  
Shannan Young, City of Dublin  
Sharon Gosselin, Alameda Countywide Clean Water Program

## Action Items

- Produce list of the deliverables in existing MRP with dates, that are key and pertinent to the reissuance
- Schedule the next Steering Committee Meeting
- Establish subgroups, potentially through BASMAA

## Reissuance Plan & Schedule

Water Board staff described the overall plan for reissuance, including a general schedule:

- October 30, 2018 Meet with Permittees as Steering Committee (Permittees) and discuss outline of key reissuance issues. Outreach to and include North Bay Counties and City/County of SF.
- Through June 2019 Steering Committee meets about every three months, continue discussions and conclude outline for MRP 3.0 key issues.
- July 2019 Circulate outline for MRP 3 reissuance, outreach to NGO stakeholders. Surface additional issues.
- September 2019 Resolve, as much as possible, contentious issues for MRP Reissuance in consultation with key stakeholders – Permittees, NGOs, EPA, Attorneys and OCC, Board subcommittee.
- December 2019 Begin to draft MRP 3.0 permit language.
- February 2020 Informal redrafting with Steering Committee.
- March 2020 Check in with key stakeholders on most contentious issues.
- April 2020 Admin draft circulated for 2 weeks
- May 2020 Circulate TO, 45-day comment period, public notice in paper of record.
- June 2020 Board workshop.
- July 2020 Take remaining steps for September Board hearing.
- September 2020 Board considers TO.

## Introductions

It was established that the purpose of the meeting was to create a framework and goals (short- and long-term) for the MRP reissuance. Tom Mumley spoke about a statewide interest in a regional platform and how our MRP 3.0 could be the model for that.

Dale Bowyer and Tom spoke about the Board's intention to finally bring the Phase II North Bay communities and the City and County of San Francisco into MRP 3.0. Chris Sommers explained that there might be inherent timing difficulties with this, and there was agreement that the timing of MRP requirements with respect to new permittees would need to be considered, similar to the current approach with adding East Contra Costa County municipalities. Whether additional Phase II permittees could be included is still being discussed—for example, the Ports of Oakland and Redwood City, or BART. Water Board staff indicated they do not intend to include the much larger number of non-traditionals, such as schools, prisons, etc.

There was some discussion with Sharon Gosselin about permit readability. It was suggested by one of the Permittees in attendance that Geoff Brosseau should be used as the conduit to the Permittees for distributing Steering Committee materials, such as agendas.

The meeting discussion then continued with a Provision by Provision overview of edits Board staff intends to consider.

## C.1 – Compliance with Discharge Prohibitions and Receiving Water Limitations

Dale noted we will need to update the opening paragraph to include the water body and pollutant TMDLs that didn't exist when we crafted MRP 2. Tom spoke about the history of the MRP as it relates to C.1, the discharge prohibitions, forecasting future contaminants, the main TMDLs, nexuses between permittee discharges and waters within Permittee jurisdictions on the 303(d) list. There was discussion about the State Board appeal review process, and that the timing and outcome of that process are currently unknown. However, it has the potential to significantly affect the receiving water limitation “do loop” and required Permittee actions. Board staff and the Permittees will consider next steps should a decision be issued prior to the reissuance.

## C.2 – Municipal Operations

Dale noted Water Board staff doesn't intend on making significant changes to this Provision. However, there are some minor edits: updating dates, and clarifying BMPs in other parts of the provision. Jill Bicknell asked about reducing reporting. Dale mentioned that State Board wants reporting via SMARTS, and that our reporting may turn into that. Tom explained that SMARTS is not user-friendly and expressed his desire to create our own “smart” electronic reporting system, building upon the various GIS-based tracking systems that already exist, which could help reduce reporting. Keith requested that the Permittees work with Water Board staff on this.

## C.3 – New Development and Redevelopment

Dale noted we intend to remove the special projects category and encourage alternative compliance. The Water Board will consider modifying the “regulated project” impervious surface threshold for all new and redevelopment projects, removing the exemption for single family homes that exceed the size threshold, removing the road projects exemption, and clarifying the definition of road reconstruction. Keith Lichten recognized Amanda Booth (San Pablo) and Rinta Perkins (Walnut Creek) for seeking EPA grants on alternative compliance programs, noting that work could feed into the MRP. Jill asked that we make alternative compliance broader and allow for more opportunities. Keith stressed that we should be looking for multi-benefit incentives and spoke about tools that we can use to facilitate this (e.g. web-based tracking). Dale talked about GI requirements having more structured mandatory minimums for municipalities that haven’t developed strong plans, said we would look again at the threshold size for hydromod projects, and consider how to address issues Permittees are having with installation and O&M of GI systems. Dale spoke further about credit/impervious surface reduction associated with tree canopy creation possibly being removed, and potential problems with the bioretention soil mix, such as nutrient generation. Tom asked about an all-for-one pollutant trading scheme compared to region or county-wide, a nutrient strategy dialogue, and the exchange of \$ for pollutant reduction. Allison from Save the Bay asked about the connection between GI and pollutants that are not Hg/PCBs, like trash.

#### C.4 – Industrial and Commercial Site Controls

Dale spoke about instances where Permittees may not be inspecting the full range of commercial and industrial businesses within their jurisdictions or may not be inspecting a business’ full range of polluting activities, in part because they are relying on one entity to do their inspections for them (e.g., CUPAs doing hazmat inspections). He expressed concern about inspections that are completed in dry weather, when stormwater is not discharging, and that some inspectors may not treat violations associated with potential discharges with the same level of concern as actual discharges. Our intent is to clarify language to ensure Permittees appropriately increase the level of attention and enforcement given to problem sites, regardless of whether an inspector visited when a discharge to the storm drain was occurring. Melody Tovar asked about reducing inspection frequencies. Selina noted the current permit language allows for prioritization criteria and reduced inspections, and thus can accommodate Melody’s request, so doesn’t need to be changed.

#### C.5 – Illicit Discharge Detection and Elimination

Water Board staff does not intend to make significant changes to this Provision. However, Dale noted ongoing challenges with illicit discharges associated with homelessness and asked if there’s anything that the permittees can do to encourage the implementation of RV dump stations. Keith noted East Palo Alto’s recent extensive efforts to address this issue, including volunteer mechanics and vouchers to discharge to the wastewater plant. Mountain View has a mobile sewage pumping truck to assist RVs that are not very mobile.

#### C.6 – Construction Site Control

Water Board staff does not intend to make significant changes to this Provision. Tom asked about the default mandatory minimum for a construction inspection program. Dale and Tom

talked about aligning with the construction general permit requirements. Tom spoke briefly about whether the default reporting creates meaningful knowledge.

### C.7 – Public Information and Participation

Water Board staff noted that in response to Permittee requests, including Matt Fabry's discussion about realigning outreach to focus on elected officials or otherwise support funding initiatives, we are open to considering changes to C.7. Tom noted that support for funding initiatives is a good indicator of public support for the stormwater program. There was discussion about the currently-established set of actions under C.7 and constituency supporting broad public education and stewardship. Water Board staff is open to Permittee suggestions on revisions. Dale noted that it's not clear that all Permittees are fully implementing C.7 requirements to maintain storm drain inlet markings. We intend to retain this requirement, and Permittees should ensure they're implementing it.

### C.8 – Water Quality Monitoring

Dale said that dry weather monitoring may be no longer very useful, how no new questions are being answered, and what other questions could we apply those resources towards instead? Kevin asked about the data need and data collection need, and what changes to make. Tom spoke about State Board reviewing our approach, reducing the cost of monitoring. Further discussion about CECs and the RMP's program, and as the RMP grows, the growing role for accounting for CECs in urban runoff. Over the next couple years, how do we address the RMP's tributary and sources/pathways loading strategies, to better account for CEC loading; not currently amenable to that; in the short term, there will be a limited need for municipalities to do that; we'll expect participation from municipalities.

### C.9 – Pesticides Toxicity Control

Tom spoke about the statewide approach, which mirrors the approach the Permittees have taken under the MRP, accounting for urban pesticides getting into the MS4 through overwatering as being implicit, but not explicit in the MRP, CECs during dry weather, the Permittees being already able to prevent those discharges, and a current effort for a statewide pesticide monitoring program rather than separate pesticide-related monitoring.

### C.10 – Trash Load Reduction

Water Board staff noted we anticipate significant discussion about this provision during the upcoming reissuance, including consideration of requirements to reduce trash to a no adverse effect level during the MRP 3.0 permit term and evolution of receiving water monitoring, given that sufficient actions should have been taken in contributing catchments to see a signal in the receiving waters. Dale noted we would consider adding a requirement for receiving water monitoring in still waters (e.g., the Bay), such as by trawling. Tom asked about other opportunities to verify the trash condition of receiving waters. Dale noted we will consider removing the current source control action credits and offsets, and Keith noted that the cleaner urban surface should reflect those controls anyway (currently, there is double-counting). Chris noted that the credits and offsets don't only benefit discharges via the MS4, but also address direct dumping and homeless encampments that do not route trash through the MS4. Dale said



that we need to be increasingly careful about where FTCDs are placed relative to receiving waters, and Tom added that Permittees should let us know ASAP if they anticipate a potential conflict there, to avoid a regulatory bind.

Allison Chan asked about the receiving water monitoring science development process, and strategies for verification as municipalities approach 100%. Tom emphasized the need for this verification, and having Permittees prove that their accounting is reflected in the conditions of the receiving waters. Discussion about homeless encampments & direct discharge. Chris suggested a study on the data that's already been collected.

Dale discussed other issues that Water Board staff intends to consider or which could be considered, including whether the current flow spec for full trash capture devices is appropriate for our region (noting that where the downstream storm drain capacity was less, it could be reduced to that capacity), removing the ¼ credit for booms in the current permit, which does not appear in the Provision, but could be read out of the glossary, and, with Keith and Tom, discussed the relative difficulty that different Permittees will have meeting the no adverse impact standard by 2022, and that more time may be appropriate for some Permittees to attain no trash impact. This led to a discussion of partnership opportunities with Caltrans. In addition, Water Board staff is reviewing Permittee-submitted trash management area data to better be able to characterize the trash control work done thus far and what remains to be accomplished.

### C.11/C.12 – Mercury and PCBs Controls

Discussion led by Richard and Tom. The Water Board wants to use the Permittees' future-directed implementation plans for TMDL compliance via C.11.c/d and 12.c/d from the current permit as the basis of Hg and PCB provisions in MRP 3 (Plan A). For PCBs, they must contain elements that address PCBs reductions that can be achieved via green infrastructure, the building demolition control program, remediation of contaminated properties, and implementation of various other treatment control measures. For Hg, they'll have some of those elements and more emphasis on recycling. There are various issues to work out for this "Plan A" approach. Plan B is to fall back to just updating the MRP 2 approach, with a requirement for a certain level of load reduction that needs to be demonstrated. There was discussion about frontloading credit for referrals of PCBs-contaminated properties for cleanup. Currently, Permittees' may obtain 50% credit based on the referral and completion of additional control measures to shut off the flow of PCBs from the referred site to the storm drain. The remaining load reduction credit is obtained upon completion of the cleanup. Water Board staff intends to maintain that approach.

### Other Provisions

Water Board staff is not anticipating significant changes to other provisions, but will need to update or add provisions, as appropriate. These include C.14 – Pacifica Bacteria Controls, C.16 – discharges to areas of special biological significance, and additional provisions to account for TMDL implementation requirements for TMDLs adopted since the issuance of MRP 2.0.

In addition, U.S. EPA is imposing an electronic reporting requirement that likely will be in place prior to the MRP reissuance. We'll want to consider EPA's expectations with respect to

electronic reporting and what we may want to accomplish, especially consistent with other work (e.g., web-available green infrastructure reporting).

### Closing Discussion

Tom discussed incorporating the North Bay Small MS4 permittees and San Francisco into the MRP. We may also consider including the ports (SF, Oakland, Redwood City). Tom discussed an outgrowth of the recent state audit of the stormwater program, which is leading to mandatory cost reporting. State Board staff is developing guidance on cost reporting expectations.

Keith asked the Permittees how frequently these Steering Committee meetings should be (quarterly); the next meeting was requested to be late January 2019. Tom emphasized the need to make progress this quarter, to identify simple changes, major efforts associated with trash/PCB/Hg/C.3 reporting, to engage with Phase 2 Permittees separately, and for subgroups, potentially through BASMAA.

Chris requested that Water Board staff give input on the workgroups at the next meeting. Tom reminded that the application for reissuance is due 180 days from expiration date of current permit, that the permit term can be administratively extended upon submittal/acceptance of a complete application, and that upon submittal of a report of waste discharge (a pending/adjudicative action), the ex parte shield goes up, and no dialogue is allowed with Board Members. Chris asked that the schedule of deliverables be presented at the December 7, 2018, BASMAA meeting.

Meeting Information

Elihu M. Harris State Office Building, 2<sup>nd</sup> floor, Room 10  
1515 Clay Street, Oakland, CA 94612  
January 29, 2019, 10:00-11:30 am

Water Board Attendees

Keith Lichten  
Dale Bowyer  
Jan O'Hara  
Richard Looker  
Kevin Lunde  
Zach Rokeach  
Joseph Martinez

Outside Attendees

Ryan Jackson	SFPUC	<a href="mailto:ryjackson@sfwater.org">ryjackson@sfwater.org</a>
Jim Scanlin	ACCWP	<a href="mailto:jims@acpwa.org">jims@acpwa.org</a>
Rinta Perkins	City of Walnut Creek	<a href="mailto:perkins@walnut-creek.org">perkins@walnut-creek.org</a>
Amanda Booth	City of San Pablo	<a href="mailto:amandab@sanpabloca.gov">amandab@sanpabloca.gov</a>
Chris Sommers	EOA/SCVURPPP	<a href="mailto:csommers@eoainc.com">csommers@eoainc.com</a>
Matt Fabry	SMCWPPP/CCAG	<a href="mailto:mfabry@smcgov.org">mfabry@smcgov.org</a>
Adam Olivieri	EOA/SCVURPPP	<a href="mailto:awo@eoainc.com">awo@eoainc.com</a>
Jennifer Harrington	VFWD	<a href="mailto:jharrington@vallejowastewater.org">jharrington@vallejowastewater.org</a>
Courtney Riddle	CCCWP	<a href="mailto:courtney.riddle@pw.cccounty.us">courtney.riddle@pw.cccounty.us</a>
Kevin Cullen	FSURMP/FSSD	<a href="mailto:kcullen@fssd.com">kcullen@fssd.com</a>
Jill Bicknell	EOA/SCVURPPP	<a href="mailto:jcbicknell@eoainc.com">jcbicknell@eoainc.com</a>
Dan Cloak	Dan Cloak Consulting/CCCWP	<a href="mailto:dan@dancloak.com">dan@dancloak.com</a>
Geoff Brosseau	BASMAA	<a href="mailto:geoff@brosseau.us">geoff@brosseau.us</a>

Action Items

- Schedule quarterly Steering Committee meetings
  - Next meeting is tentatively set for: March 26, 2019, 1-4 pm
- BASMAA will develop workgroups, assign leads and teams
  - C.3 workgroup has been established, and will meet monthly beginning Thursday, Feb. 7, at 10:30 am.
- Begin to develop technical documents via the BASMAA committees on trash, asset management, etc.
- Create a master calendar to keep track of all steering committee and workgroup meetings
  - Also, create an easily-accessible online archive in which to store 1) meeting minutes, 2) high-level discussion topics and agreements, 3) important documents shared during these meetings, 4) etc.
- Distribute a list of Water Board lead staff for each provision to Geoff and the BASMAA program managers
- Draft minutes for this meeting by February 12, 2019

- The upcoming February 13, 2019, Board meeting, will include consideration of a proposed enforcement order requiring Caltrans to control trash from its Bay Area right-of-way. Several programs submitted written comments on the tentative enforcement order, and municipal representatives are welcome to provide testimony, if they want.
- The February 1 deadline for the FTCD investigation letters is extended to March 1

### Discussion Topics

This meeting's purpose was to decide on the process and structure of the time leading up to the reissuance. There will be 5 workgroups: C.3, C.8, C.10, C.11/12, and Reporting/Other (need to determine what's in Other). Each workgroup will have a coordinator and dedicated members, including Water Board staff. BASMAA will set the coordinators and members.

The upcoming steering committee meetings (see Action Items) will each be focused on a key MRP provision or set of topics:

- March 26, 2019: C.10, trash.
- June 25, 2019: C.3/C.11/C.12 (new/re-development, pollutants of concern, and the link between them)
- September 2019: C.8 & Other.
- 4<sup>th</sup> quarter 2019: Reporting, including electronic and cost reporting.

BASMAA has identified the following workgroup coordinators:

- C.3: Matt Fabry and Jill Bicknell
- C.8: Lucille Paquette and Bonnie de Berry
- C.10: Chris Sommers
- C.11/C.12: Lisa Austin and Jim Scanlin
- Reporting/other: The BASMAA Board of Directors

The coordinators will facilitate the workgroup meetings and generate ideas. BASMAA will also organize the members and schedule of each workgroup. Monthly workgroup meetings should preferably earlier in the month than the BASMAA Board of Directors meetings, which Keith Lichten attends.

Water Board staff noted that one of the MRP changes under consideration is to move the traditional small MS4 permittees (North Bay cities, towns, and counties, San Francisco, and potentially the Ports of SF, Oakland, and Redwood City, and the major airports) into the MRP, and the Permittees expressed their desire to address those changes separately, and as a secondary priority. Water Board staff noted a separate meeting has been scheduled for March 12 at 1:30 pm at the State Building with the permittees who are now under the statewide small and non-traditional NPDES MS4 permit.

The Permittees asked if it would be possible to get rid of some MRP provisions completely, and ensuing discussion noted that there are minimum required measures in stormwater permits; as such, those provisions cannot be removed. However, Water Board staff is open to productive discussions about focus and level of effort. For example, Matt Fabry has suggested we consider

public outreach that is focused on elected officials/related decision-makers, with the goal of obtaining funding for the programs.

The Permittees asked for a structured and transparent process, in which all documents and discussion topics from each workgroup and steering committee meeting are easily available to all permittees, BASMAA staff, and Water Board staff, via a online document storage. Also, a master calendar, with each workgroup and steering committee meeting. Ensuing discussion suggested that this could be an online service, like google docs, or something BASMAA sets up; Water Board staff could set up something smaller-scale on the Water Board web page.

Under the rubrics of electronic reporting and topics that are likely to be considered under C.3 and C.10 (e.g., asset management), Water Board staff asked about opportunities to use GIS-based systems for data tracking and reporting as an alternative to submitting equivalent information via the annual reporting process, though there are some permittees (e.g., San Pablo) who do not have a GIS system.

There was discussion about structuring the permit to free up resources to prioritize certain provisions, like green infrastructure. Another example was moving resources from certain C.8 sub-provisions towards supporting a focus on restoration. Water Board staff asked about the nexus between climate change infrastructure that permittees will already have to build and water quality targets or other permit requirements and suggested those topics be discussed starting in the work groups. They noted Jim Scanlin (ACCWP) and others have stated an interest in considering opportunities to incorporate this concept into the MRP.

Water Board staff noted they are interested to discuss pollutant/water quality trading, and recognize the SF Bay Water Quality Improvement Fund grant application put forth by Walnut Creek and San Pablo as an opportunity to help develop that in MRP 3.0.

Water Board staff noted their goal is to start drafting MRP 3.0 language by Fall 2019, and since we don't want to defer discussion too much past that, we need to identify the key issues before then and put to bed as much as possible. Water Board staff noted they need to hear from the municipalities regarding their wish list for MRP changes.

Water Board staff noted municipalities, possibly coordinated by BASMAA, have an opportunity to make their voices heard regarding the Caltrans CDO at the upcoming February 2019 Board meeting.

**MRP 3.0 C3/GI Work Group Meeting**  
**Thursday, February 7, 2019**  
**Meeting Summary**

**1. Introductions**

- Introductions were made. List of attendees is attached.

**2. Purpose and Agenda**

- BASMAA Board and Water Board (WB) staff agreed to form work groups to allow detailed discussion of certain MRP 3.0 provisions, and those work groups would present results and any outstanding issues to the MRP Steering Committee.
- Purpose of this Work Group is to discuss C.3 provisions, with a focus on green infrastructure (GI) requirements.
- Terminology – Agreed to call all stormwater treatment on public and private property and public ROWs GI (or GSI). LID is a subset of GI that is parcel based.

**3. Work Group Topics and Schedule**

- Key topics for this Work Group over the next 5-6 months (monthly meetings);
  - GI
  - Alternative Compliance/Offsets
  - Other topics from Water Board list from 10-31-18 Steering Committee meeting
  - Other topics from BASMAA reps
- As topics come up for discussion, we should review the materials that were developed for MRP 2.0.
- ★ Action Item: Work Group members will develop a list of C.3/GI topics and approximate schedule for discussion and share with WB staff.

**4. GI Plan Expectations for MRP 2.0**

- The Work Group reviewed the draft GI Plan guidance memo provided by Water Board staff on February 5. It is intended to provide guidance on GI Plans, coordination with RAA analysis, and next steps in MRP 3.0, and to be used as a discussion tool for the C3/GI Work Group meetings.
  - Jill Bicknell – the guidance memo came out late in the process; many permittees are well into their GI Plan development, and are using the current MRP language as guidance.
  - Keith Lichten – the guidance memo was intended to present guidance on the current plans as well as ideas for future.
- The focus of the discussion was the three broad goals on the first page of the guidance memo, especially Goal #1: Ensure each Permittee has established the necessary procedures and practices to require and implement GI in public and private projects as part of its regular course of business (including design, design review, inspections, and operations and maintenance).
  - Keith – they are looking for permittees to have practices to design, construct and inspect. It's OK to incorporate regional guidance documents by reference.
  - Dan Cloak – agrees it's important to get practices and procedures in place. It's not a big deal to resolve conflicts in codes/policies and adopt standard details

and specs. It is more difficult to have the right people in the room (during design) to advocate for incorporation of GI.

- Jill – practices and policies should be in place for each department to identify opportunities for GI (e.g., BASMAA guidance).
- Dale Bowyer – does anything in MRP 2.0 require Goal #1? Jill - No, not explicitly.
- Jeff Sinclair – San Jose’s GI Plan is a high level plan. Projects originate and evolve with different sources of funding and different responsibilities.
- Dan – there was resistance from planning departments early on with respect to reviewing C.3 projects; now it will take some time to overcome resistance to new procedures related to GI.
- Shannan Young – getting support in General Plans and Specific Plans is a first step.
- Adele Ho – direction needs to come from the top down.
- Pam Boyle Rodriguez – staff culture needs to change, and it takes a while to create internal procedures and get buy-in.
- Jill – having processes in place is a good sign of commitment to the GI Plan.
- Process for review of GI Plans
  - The Work Group expressed concern as to how Water Board staff would review 70+ GI Plans before adoption of MRP 3.0, and how staff would judge plans to be acceptable.
  - Keith – they will look at a subset of plans initially to help craft MRP 3.0 and then review others for compliance later.
  - Dale – can the Work Group provide input to a standard review process?
  - Jill – it’s easy to develop a checklist based on the MRP requirements, but Water Board staff needs to consider the context and characteristics of each community in determining what makes sense for that community’s GI Plan.
- GI implementation and targets in MRP 3.0
  - Terri Fashing (and others) – the Water Board should allow time for permittees to implement their GI Plans instead of adding new requirements that would divert resources from implementation.
  - Dale – understands that it will take a long time to get the plans moving. They will be most concerned about plans that have a “weak start”.
  - Matt Fabry – San Mateo permittees have been focused on PCBs and mercury. Information from the RAA has enabled conversations on how to comply jurisdiction-by-jurisdiction or at countywide scale. But others’ RAAs will not be completed until 2020.
  - Terri – previous discussions with Water Board staff have indicated that we are already on a different path – that of MEP.
  - Dale – the challenge of permit writing is to provide motivators and drivers without creating useless requirements
  - Keith – we have TMDLs and other goals to address impacts of urbanization.
  - Matt – it is challenging to use PCBs as targets because it’s hard to communicate.
  - Jill – need to look at multiple benefits to sell projects.
  - Keith – want to know that they can rely on the GI Plans to get things done vs. expanding MRP requirements.
  - Matt – what the drivers are affects what can be done. It is also hard to align with the requirements/goals of funding sources.

- Dan – Meeting PCB loads is not the best goal. The best approach is “no missed opportunities”, implement as much as possible, and use a tracking mechanism. (Others agreed with this approach.)
- Pollutant trading and metrics
  - The Work Group discussed using different “currency” for tracking progress, such as volumes captured or acres greened.
  - Keith – open to other metrics but don’t want to indicate that we don’t have to meet TMDL waste load allocations.

## 5. Next Steps

- Develop a list of C.3/GI topics and approximate schedule.
- Potential topics for next meeting:
  - O&M/asset management
  - Targets/metrics/goals, including RAA tracking metrics/recipes/goals
  - Indicators of strong GI program over time
  - How MRP 3.0 can be set up to support GI implementation



**List of Attendees – February 7, 2019 Meeting**

<b>Name</b>	<b>Affiliation</b>	<b>2/7/19</b>	<b>3/7/19</b>	<b>4/4/19</b>	<b>5/2/19</b>	<b>6/6/19</b>	
Keith Lichten	Water Board	X					
Dale Bowyer	Water Board	X					
Zach Rokeach	Water Board	X					
Matt Fabry	SMCWPPP	X					
Jill Bicknell	EOA/SCVURPPP	X					
Peter Schultze-Allen	EOA/SMCWPPP	X					
Courtney Riddle	CCCWP	X					
Adele Ho	CCCWP	X					
Jennifer Harrington	Vallejo F&WD	X					
Pam Boyle Rodriguez	Palo Alto	X					
Jeff Sinclair	San Jose	X					
Terri Fashing	Oakland	X					
Shannan Young	Dublin	X					
James Paluck	Fairfield	X					
Dan Cloak	DCE/CCCWP	X					
Derek Crutchfield	Vallejo	X					
Melissa Tigbao	Vallejo	X					
Geoff Brosseau	BASMAA	X					

# MRP 3.0 C.8 Water Quality Monitoring Workgroup

DRAFT Meeting Summary (Internal Meeting)

Monday, February 25, 2019

1:00 – 3:30pm

EOA Conference Room

1410 Jackson Street, Oakland, CA 94612

**Attendees:** Bonnie de Berry (BASMAA facilitator)  
Reid Bogert (SMCWPPP)  
Lucile Paquette (CCCWP)  
Michele Mancuso (CCCWP, Contra Costa County)  
Amanda Booth (CCCWP, City of San Pablo)  
Chris Sommers (SCVURPPP)  
Paul Randall (SCVURPPP)  
Carol Boland (SCUVRPPP, City of San Jose) – by phone  
James Downing (SCVURPPP, Valley Water) – by phone  
Jim Scanlin (ACCWP)  
Amy King (Solano County Permittees) – by phone

**Overall Process.....Program Reps**

## Agreements:

- Need for consistent representation at this series of meetings.
- Attendees should represent their countywide program, rather than their individual municipality. Keep the overall big picture in mind.
- If trash receiving water monitoring is required in MRP 3.0, it should be included in provision C.8 as “ambient” monitoring rather than compliance monitoring in provision C.10.
- Monitoring costs in MRP 3.0 (including trash receiving water) should be less than (or equal to) MRP 2.0. Adding trash receiving water costs to the equation will result in a reduction in the level of effort required for other parameters.
- Monitoring should be meaningful to Permittees and tie into management actions.
- Permittees want to avoid end-of-pipe monitoring that has the potential to result in lawsuits from NGOs.
- Monitoring approaches in MRP 3.0 should be based on what was learned through MRP 1.0 and 2.0 monitoring. For example, PCB concentrations are not correlated with Hg; can these two POCs be disconnected?

## Discussion:

- Some (but not all) Permittees would like to continue to improve our understanding of the condition of the resource (e.g., streams) itself in absence of State monitoring of streams in order to show NGOs and citizens that it is being protected. Is the resource staying the same, getting worse, getting better?
  - The current MRP requires less work to address this question than other regions.
- The Baykeeper lawsuit against San Mateo and Contra Costa Permittees (early 2000’s) resulted in the requirement that either NPDES permits specify monitoring frequency, duration, and type, or individual monitoring plans are approved by the Water Board through a separate public process.

**Next Steps and Action Items:**

- This group (including RWQCB participants) should reach agreement on a proposed monitoring approach in July, prior to the August BASMAA BOD meeting and the MRP 3.0 Steering Committee scheduled for September.
- Bonnie will circulate the regional monitoring cost summary that was developed for the previous IMR and participants can use to estimate current MRP 2.0 costs.

**Review of C.8 Provisions .....Program Reps**

See the attached table for a summary of the discussion.

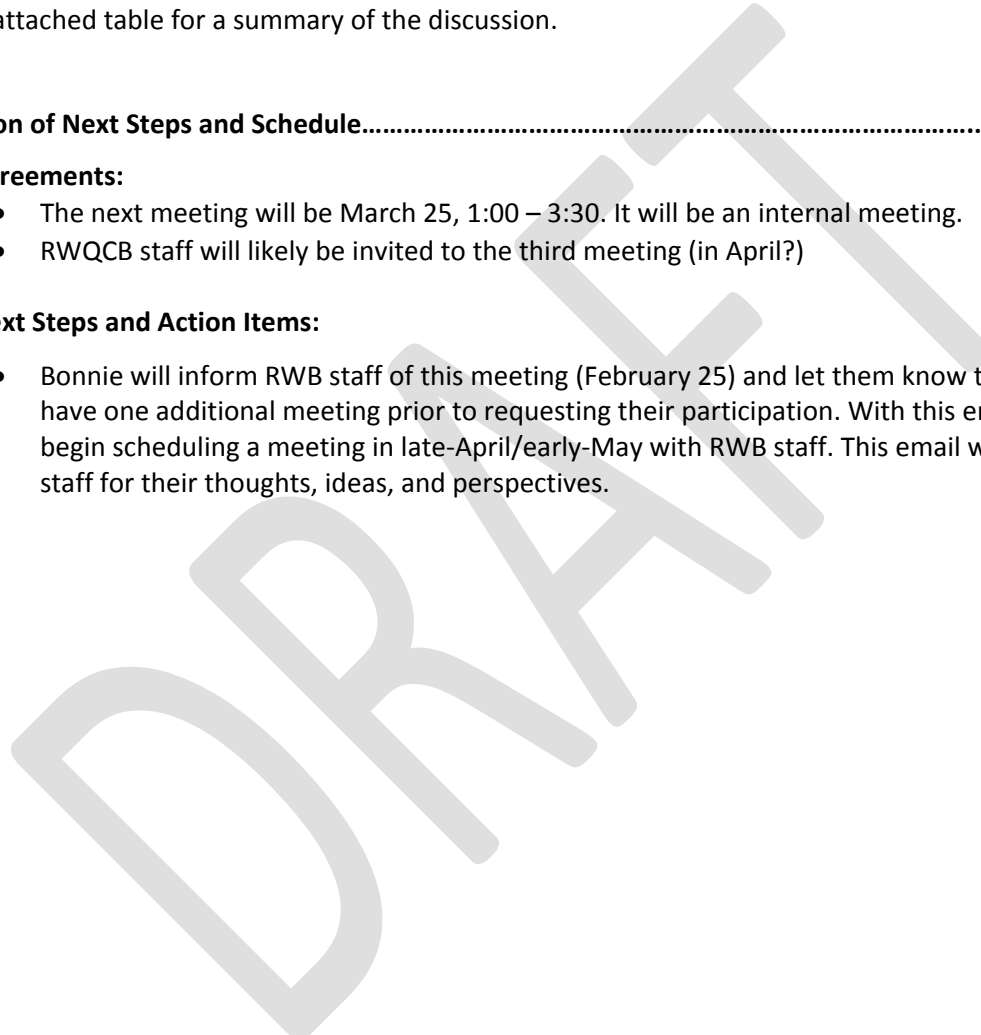
**Discussion of Next Steps and Schedule.....Group**

**Agreements:**

- The next meeting will be March 25, 1:00 – 3:30. It will be an internal meeting.
- RWQCB staff will likely be invited to the third meeting (in April?)

**Next Steps and Action Items:**

- Bonnie will inform RWB staff of this meeting (February 25) and let them know that we plan to have one additional meeting prior to requesting their participation. With this email, Bonnie will begin scheduling a meeting in late-April/early-May with RWB staff. This email will also ask RWB staff for their thoughts, ideas, and perspectives.



Provision	Agreements/Lessons Learned	Discussion	Next Steps
<p><b>C.8.a. Compliance Options</b></p> <p><b>Summary:</b> Permittees may choose to meet monitoring requirements through a Regional Collaboration, Area-wide Stormwater Program, and may use Third-party Monitoring.</p>	<ul style="list-style-type: none"> <li>Regional monitoring design, SOPs, QAPP, and other coordination conducted under MRP 1.0 and 2.0 provided efficiencies and cost savings.</li> </ul>	<ul style="list-style-type: none"> <li>Do we still need RMC? Do benefits (i.e., less requirements) justify the costs associated with being in the RMC?</li> <li>If we want to know creek status trends (CSCI), is that best addressed at local or regional scale?</li> <li>There are some unintended consequences (i.e., regional scale might not be interesting to local watershed groups).</li> </ul>	<ul style="list-style-type: none"> <li>Need to revisit the intent of this provision and its language.</li> </ul>
<p><b>C.8.b. Monitoring Protocols and Data Quality</b></p> <p><b>Summary:</b> Data must be SWAMP comparable</p>	<ul style="list-style-type: none"> <li>Change to CEDEN for data submittals is desired (however, this would require changes to regional database).</li> </ul>	<ul style="list-style-type: none"> <li>SWAMP provides SOPs and the data validation process - are there similar CEDEN protocols?</li> <li>What about regional database?</li> <li>How should trash data be validated?</li> </ul>	
<p><b>C.8.c. San Francisco Estuary Receiving Water Monitoring</b></p> <p><b>Summary:</b> Permittees shall contribute financially to the RMP.</p>	<ul style="list-style-type: none"> <li>MQs are dealt with through the RMP TRC – not the MRP.</li> <li>This provision and related funding requirements are unlikely to change.</li> <li>Permittees are generally supportive of this provision.</li> </ul>	<ul style="list-style-type: none"> <li>CECs are currently addressed through RMP monitoring.</li> <li>Prior statements by RWB staff suggest RWB does not want CECs in MRP.</li> <li>CCCWP would like to see RMP meeting efficiencies and less reports to review.</li> </ul>	

Provision	Agreements/Lessons Learned	Discussion	Next Steps
<p><b>C.8.d. Creek Status Monitoring</b></p> <p><b>Summary:</b> Bioassessment survey protocol (BMI, algae, nutrient samples); chlorine; continuous temperature; continuous water quality (temp, DO, pH, specific conductance); pathogen indicators.</p> <p><i>Management Questions:</i></p> <ul style="list-style-type: none"> <li>• <i>Are water quality objectives, both numeric and narrative, being met in local receiving waters, including creeks, rivers and tributaries?</i> <ul style="list-style-type: none"> <li>○ This question was addressed by continuous monitoring, and whether it has been answered depends on which creek/reach</li> </ul> </li> <li>• <i>Are conditions in local receiving waters supportive of or likely to be supportive of beneficial uses?</i> <ul style="list-style-type: none"> <li>○ This question has been answered through bioassessment monitoring – our urban streams are in poor condition regionally and countywide (see RMC 5-Year Report).</li> </ul> </li> </ul>	<ul style="list-style-type: none"> <li>• We have a good idea of creek status (baseline based on bioassessment) on regional and countywide scales.</li> <li>• FIB data not very useful – we could suggest eliminating this parameter.</li> <li>• Chlorine rarely observed, is episodic, and dealt with through another permit – eliminate this parameter.</li> <li>• Frequency of monitoring too high for Solano County due to small number of stream miles.</li> </ul>	<ul style="list-style-type: none"> <li>• It can be hard to tie temp/DO/chlorine/FIB monitoring to stormwater management.</li> <li>• If we continue bioassessment monitoring, it should address questions about trends.</li> <li>• ACCWP: Consider pausing bioassessment monitoring for MRP 3.0 to design a trends program. <ul style="list-style-type: none"> <li>○ SCVURPPP: If that is not possible, could conduct targeted bioassessment studies</li> <li>○ Would trends/targeted bioassessment monitoring be conducted regionally?</li> </ul> </li> <li>• MRP 3.0 will have to specify frequency, duration, and type of monitoring</li> <li>• Keep in the mind the State Biostimulatory/ Biointegrity Policy process and how that affects the need for nutrient monitoring and/or potential consequences of additional nutrient data.</li> </ul> <p><b>Monitoring ideas to evaluate GSI/C3:</b></p> <ul style="list-style-type: none"> <li>• Flow monitoring</li> <li>• Bioassessment trends – gross indicator of biological condition</li> <li>• Targeted bioassessment monitoring</li> <li>• Infiltration monitoring at GSI features (compare to expectations) – special study in CCC</li> </ul>	<ul style="list-style-type: none"> <li>• Evaluate MQs. Current ones are too broad</li> <li>• More discussion needed.</li> </ul>

Provision	Agreements/Lessons Learned	Discussion	Next Steps
<p><b>C.8.e. Stressor/Source Identification (SSID) Projects</b></p> <p><b>Summary:</b> SSID projects followup on C.8.d and C.8.g trigger exceedances. SSID projects are intended to be oriented toward taking action(s) to alleviate stressors and reduce sources of pollutants. EO approval for completion of SSID projects that determine non-MS4 cause.</p>	<ul style="list-style-type: none"> <li>•</li> </ul>	<ul style="list-style-type: none"> <li>• How many SSID projects have resulted in tangible actions?</li> <li>• RWB expectations for improved WQ may be too high given timeframes.</li> <li>• Can SSID projects be an off ramp from 303(d) listings? (Probably not)</li> </ul>	<ul style="list-style-type: none"> <li>• Review list of prior and ongoing SSID projects. Assess whether SSID projects have resulted in tangible actions.</li> </ul>
<p><b>C.8.f. Pollutants of Concern Monitoring</b></p> <p><b>Summary:</b> Monitoring of POCs (PCBs, mercury, copper, nutrients, emerging contaminants) to address specific MQs. Minimum number of samples per year required.</p> <p><i>Management Questions/Priority Information Needs:</i></p> <ul style="list-style-type: none"> <li>• <i>Source identification</i></li> <li>• <i>Contributions to Bay Impairment</i></li> <li>• <i>Management Action Effectiveness</i></li> <li>• <i>Loads and Status</i></li> <li>• <i>Trends</i></li> </ul>	<ul style="list-style-type: none"> <li>• Copper and nutrient monitoring is no longer needed (in terms of loading to the Bay)</li> <li>• PCBs and Hg monitoring requirements should not be tied together</li> <li>• There should not be annual minimum numbers of samples – it limits monitoring design options</li> </ul>	<ul style="list-style-type: none"> <li>• Some Permittees still need to do more sleuthing to find PCBs sources.</li> <li>• SMCWPPP is most interested in BMP effectiveness <ul style="list-style-type: none"> <li>○ Monitoring BMPs is very expensive and extrapolation of information is difficult</li> <li>○ There are lots of BMP effectiveness questions (e.g., lifecycle of BSM)</li> </ul> </li> <li>• Trends monitoring should include modeling and empirical monitoring <ul style="list-style-type: none"> <li>○ Loading stations could be re-established with monitoring designed for trends detection.</li> </ul> </li> <li>• There are monitoring challenges at Bayside properties. And issues with the referral process for these properties.</li> <li>• CECs are of high interest to RWB staff (Mumley) and will be addressed by the RMP</li> </ul>	<ul style="list-style-type: none"> <li>• More discussion needed.</li> </ul>

Provision	Agreements/Lessons Learned	Discussion	Next Steps
<p><b>C.8.g. Pesticides and Toxicity Monitoring</b></p> <p><b>Summary:</b> Wet weather and dry weather monitoring of pesticides (pyrethroids, carbaryl [sed only], fipronil, imidacloprid [water only]) and toxicity (5 test organisms) in water and sediments of urban creeks. Also includes PAHs, metals, TOC, and grain size in sediment samples.</p>	<ul style="list-style-type: none"> <li>•</li> </ul>	<ul style="list-style-type: none"> <li>• TBD. There will be a state program, but details are TBD and implementation mechanism is still unknown.</li> <li>• MRP 2.0 is low on level-of-effort, so if statewide monitoring effort is population based, costs could go up.</li> </ul>	<ul style="list-style-type: none"> <li>•</li> </ul>
<p><b>C.8.h Reporting</b></p> <p><b>Summary:</b></p> <ul style="list-style-type: none"> <li>• EDDs in SWAMP format submitted to SFEI for CEDEN upload.</li> <li>• Annual UCMR on March 31.</li> <li>• Annual POC Monitoring Report on October 15</li> <li>• Integrated Monitoring Report on March 31 of fifth year (i.e, 2020)</li> </ul>	<ul style="list-style-type: none"> <li>•</li> </ul>	<ul style="list-style-type: none"> <li>•</li> </ul>	<ul style="list-style-type: none"> <li>•</li> </ul>

**MRP 3.0 C3/GI Work Group Meeting**  
**Thursday, March 7, 2019**  
**Revised Draft Meeting Summary**

**1. Introductions/Changes to the Agenda**

- Introductions were made. List of attendees is attached.

**2. Accept Previous Meeting Summary**

- The February 7, 2019 meeting summary was accepted, as written.

**3. Work Group Topics and Schedule**

- Work group agreed to add a “C.3 Implementation” bullet to the proposed topics for the April 4, 2019 meeting to step back and evaluate implementation of C.3 projects and green infrastructure generally to-date, identifying successes and challenges in the context of Municipal Regional Permit (MRP) 2.0 requirements and what could be tweaked for MRP 3.0 that would improve implementation.
- Examples: may be more important to ensure existing C.3 regulated projects get “good LID” implementation than focusing on smaller projects that would be captured with a lower threshold. Make sure there are good LID standards and project applicants are well-versed in hierarchy of approaches. These issues are crucial to good implementation and aren’t in the permit. Discussions should consider MRP 3.0 language in big picture context of quality projects/processes, what needs prescriptive requirements, and thresholds for applicability.
- Keith – Sounds like some issues may be addressed through programmatic or agency guidance, and some may need to be incorporated into MRP 3.0.

**4. Discussion of Key Topics for MRP 3.0**

- The key topics for this Work Group meeting were:
  - Implementation tracking and reporting
  - Indicators of a strong GI program
  - Goals, targets, and metrics
- Keith expressed interest in establishing backstops/minimum levels of implementation, recognizing they may need to be community-dependent. Not so much “everybody must have a plan,” but “each community must go ‘X’ far” in implementing plans.
- Dan: How do we make sure cities don’t just do the minimum? Recognize WB needs an enforceable requirement – but cities need a motivational mechanism (i.e., a “compelling storyline”) to augment any minimum set of requirements.
- Dan then explained his proposed “Conceptual Framework and Potential Indicators for GI Implementation” memo, recommending the group not get bogged down with discussion of what the right indicators are, but try to reach agreement on how to combine a minimum level of implementation with an indicator framework and see if WB is willing to consider such an approach. Categories of indicators include Programmatic, Implementation, and Outcomes.
- Keith: This approach makes sense, and it is likely that some cities have already done similar approaches, like Oakland getting to its Measure DD funding initiative for Lake Merritt, and San Mateo County focusing on regional facilities with a new integrated



agency. We all know “grey to green” is a slow process – how do we focus? What is the unifying theme? Waterbodies? Urban mobility? How can communities show more meaningful progress in shorter timeframes?

- Dale: So. Cal has beaches as their driver. What would drive GI in our locales? We recognize PCBs is not a great storyline. We need indicators that relate to the drivers.
- Dan: Story will be different in every community – preservation of streams is a great story for some, but in others it doesn’t sell.
- Matt: Ancillary benefits of GI are what sell projects.
- Kristen: For Oakland, social equity and urban greening are huge, but need flexibility around implementation to not just focus on where PCBs are expected.
- Keith: This ties in to Provision C.3, pollutant trading, alternative compliance, recognizing the underlying backstop of achieving TMDL wasteload allocations.
- Frank: GI is good to do for many reasons, but as a City Engineer, focus is health and safety first, then maintain infrastructure, and then add new programs, but all beholden to “color of money” in terms of what funds can be spent on what programs.
- Jill: Can we talk in terms of greened acres as an overall all-encompassing indicator? It is easy to understand and measure, and we’re already tracking relevant data.
- Keith: Yes, and how do we use those indicators to support cities doing what they want to do?
- Matt: Where do things stand with WB GI Expectations Letter? Is it helpful to incorporate this type of discussion in that letter?
- Jill: We’ve heard WB say they are shifting more to a Maximum Extent Practicable (MEP) standard with less focus on PCBs and old industrial areas so as not to miss other opportunities. That’s how we are advising communities in SCVURPPP with regard to WB expectations and approaches to implementation.
- Dan: Does it make sense to consider greened acres as a percent of a communities’ infrastructure investment?
- Dale: We’re all comfortable with C.3 requirements because it’s primarily addressed through private funding of development. Do we make GI implementation to the MEP standard for any big infrastructure project? Is there a reasonable GI threshold for work in the public rights-of-way?
- Frank: We need to look at the legislation that stipulates what gas tax and the half cent sales tax can be used for. The definitions include storm drainage repairs and extensions but do not include green infrastructure. To change those definitions of allowed costs will require legislative action. [Post-meeting note: Matt pointed out that there is language in the SB1 gas tax increase and the San Mateo County Measure W for ½ cent sales tax that allows use for GI.]
- Jill: Would need to scale a GI MEP expectation to various community types.
- Keith: Agreed, not expecting a lot in more rural communities that are already “green”.
- Dale: Have to find a balance. Need some drivers in the MRP to get local leverage.
- Adele: Where is Caltrans on all of this? They issued a Complete Streets Directive, can they go further for GI? (Transportation projects with State and Federal funding are required to consider complete streets elements for those projects.)
- Dale: Caltrans has statewide C.3 requirements similar to MRP.
- Keith: The Water Board would like to create a path for Caltrans to provide money to local agencies.

- Jill: Volume managed as another potential indicator?
- Pam: Let's make MRP 3.0 meet agencies' existing trajectories – don't make us change directions now, it's too late. Percent impervious area changed over time may be best.
- Matt: How does existing 2040 goal for GI and PCB/Hg load reductions carry over into 3.0? Does WB have flexibility to remove or amend?
- Keith: Permits are five-year terms, there are adopted TMDLs that have potential reopener clauses for enough reason. Always an issue open for discussion, but WB staff expects to retain the MRP 2.0 GI goal for GI in MRP 3.0.
- Terri: Believes most agencies are trying to do more than minimum, but we all need to finish Reasonable Assurance Analyses (RAA), GI Plans, etc. The alternative compliance movement is starting. Can we extend MRP 2.0 for a couple years? WB hasn't seen GI Plans yet, but we're discussing changes to requirements already. We all need time to implement and evaluate outcomes.
- Jill: Rather than delay MRP 3.0 issuance, alternative would be to allow time in 3.0 to report out on indicators that inform future options. Suggested including in MRP 3.0 an implementation status report after the 3<sup>rd</sup> or 4<sup>th</sup> year.
- Matt: In San Mateo County, the RAA results have helped drive conversations and policy discussions among agencies at the individual level, but if we want to work collaboratively at countywide level and implement where it makes most sense for multiple reasons, those conversations and agreements on how to share money and O&M burden, etc., will all take a long time. Permit needs to recognize and reflect that and incentivize having those discussion and creating those agreements.
- Keith: Expect WB members will want to see permit reissued on time for various reasons, including trash load reductions. Important to recognize where we are collectively in the process, and craft permit language to reflect that.
- Frank: Agree that collaborative agency processes will take years. Changing things like impact fees takes time and requires a lengthy public process.
- Pam: (Keep in mind, you can't use impact fees for maintenance.) Would like more time in next permit. As a county or a region – want a single metric or freedom to choose a different one – can't wait till much later to make these decisions
- Dan: Would help to get a "statement of no regrets" from WB for implementing now to maximize community benefits even if it doesn't result in PCBs reduction benefit.
- Keith: Would like people in the room to come back to the next meeting with ideas for community-based drivers, up to and including MEP and TMDL drivers.
- Dan: Expect agencies would need to see progress in all three categories of metrics from his proposed framework (Programmatic, Implementation, and Outcomes)
- Jill: Can WB come up with its own list of ideas for drivers/indicators?
- Keith: Yes
- Jill: OK, drivers and indicators will be the focus for next meeting.

## 5. Next Steps

- ACTION: Work group, including WB staff, to bring example drivers/indicators for discussion at next meeting.
- From proposed schedule, other potential topics include:
  - O&M requirements and asset management
  - Alternative compliance and pollutant trading

- Green streets GI sizing requirements
- (From above) C.3 implementation success and challenges
- Next meeting scheduled for April 4.

DRAFT

**List of Attendees – March 7, 2019 Meeting**

<b>Name</b>	<b>Affiliation</b>	<b>2/7/19</b>	<b>3/7/19</b>	<b>4/4/19</b>	<b>5/2/19</b>	<b>6/6/19</b>	
Keith Lichten	Water Board	X	X				
Dale Bowyer	Water Board	X	X				
Zach Rokeach	Water Board	X	X				
Matt Fabry	SMCWPPP	X	X				
Jill Bicknell	EOA/SCVURPPP	X	X				
Peter Schultze-Allen	EOA/SMCWPPP	X	X				
Courtney Riddle	CCCWP	X					
Adele Ho	CCCWP	X	X				
Jennifer Harrington	Vallejo F&WD	X					
Pam Boyle Rodriguez	Palo Alto	X	X				
Jeff Sinclair	San Jose	X					
Terri Fashing	Oakland	X	X				
Shannan Young	Dublin	X	X				
James Paluck	Fairfield	X	X				
Dan Cloak	DCE/CCCWP	X	X				
Derek Crutchfield	Vallejo	X	X				
Melissa Tigbao	Vallejo	X					
Geoff Brosseau	BASMAA	X	X				
Kristen Hathaway	Oakland		X				
Kevin Cullen	Fairfield		X				
Frank Kennedy	Concord/Moraga/ Pleasant Hill		X				
Jim Scanlin	ACCWP		X				

# MRP 3.0 Trash Work Group

DRAFT Meeting Summary (Internal Meeting)

Monday, March 11, 2019

9:30am – 12:00pm

EOA Conference Room

1410 Jackson Street, Oakland, CA 94612

**Attendees:** Chris Sommers (EOA/BASMAA facilitator)  
Reid Bogert (SMCWPPP)  
Jennifer Harrington (VFWD)  
Rinta Perkins (City of Walnut Creek)  
Carrie Sandahl (City of Mountain View)  
Sara Scheidt (City of San Mateo)  
Jim Scanlin (ACCWP)  
Julie Casagrande (County of San Mateo)  
Liz Neves (City of San Jose)  
Beth Baldwin (CCCWP)  
Ben Livsey (City of Oakland)  
Shelia Tucker (West Valley Clean Water Program)  
Geoff Brosseau (BASMAA) – Phone  
Kathy Cote (City of Fremont) – Phone  
Matt Fabry (SMCWPPP) – Phone  
Kristine Hathaway (City of Oakland)  
Kirstin Struve (Valley Water) – Phone

## I. Introductions and Agenda Review

Attendees introduced themselves and the work group reviewed the agenda. No modifications were made to the agenda.

## II. Overall Process and Schedule

Chris Sommers reviewed with the work group the overall MRP 3.0 negotiation process and schedule that the MRP 3.0 Steering Committee agreed upon for 2019. Trash Load Reduction will be the first topic presented and discussed by the Steering Committee at their March 26<sup>th</sup> meeting. Other topics will be discussed at subsequent Steering Committee meeting, currently scheduled quarterly for 2019.

The scope of the MRP 3.0 Trash Work Group is identify provision C.10 issues that need to be discussed and addressed with Water Board staff, with the goal of finding agreement, which would be incorporated into MRP 3.0.

## III. Review Water Board Staff and BASMAA Trash Committee perspectives on Current and Potential MRP Requirements

The Work Group reviewed the table titled *DRAFT Summary of Water Board Staff and MRP Permittee/Program Perspectives on Provision C.10*. Chris indicated that the list of issued developed via the BASMAA Trash Committee and issues identified by Water Board staff at previous meetings and via written correspondence (e.g., letters regarding placement of full capture devices in/downstream of receiving waters) were compiled to make the table.

The work group members provided feedback, but generally agreed with the issues and MRP Permittee/Program Perspectives listed in the table. Work Group members suggested that the stated Water Board staff position should probably be removed (i.e., left blank) at this point and can be completed by Water Board staff in the future.

**Action:** In preparation for the MRP 3.0 Steering Committee meeting on March 26<sup>th</sup>, Chris Sommers will revise the table based on input provided at the meeting by work group members. Chris will then provide the table to Water Board staff in preparation for the Steering Committee meeting.

#### IV. Prepare for March MRP 3.0 Steering Committee

Work Group members discussed preparation for the MRP 3.0 Steering Committee meeting, where Trash Load Reduction will be the main topic of discussion. Chris Sommers indicated that he planned to lead the discussion (as the MRP 3.0 Trash Work Group Coordinator) by preparing a few slides to provide background information and help frame the discussion of the major issues that need to be addressed via negotiations. Additionally, Chris indicated that he plans to distribute the revised table discussed in item III to the Committee with the agenda. The slides and the table will hopefully help structure the discussion moving forward. Work Group members agreed with this approach and suggested that the slides not only identify the major issues that need to be addressed, but also the parts of the trash reduction framework that are working well.

**Action:** In preparation for the MRP 3.0 Steering Committee meeting on March 26<sup>th</sup>, Chris Sommers will prepare a small set of slides to provide background information, identify the parts of the trash reduction framework that are working well, and identify the major issues that need to be discussed during MRP 3.0 negotiations. Due to timing, Chris will provide the slides to the Work Group members after the Steering Committee meeting.

#### V. Next Steps and Schedule

- Chris Sommers will present a few slides at the March 26<sup>th</sup> Steering Committee meeting on background information, the parts of the trash reduction framework that are working well, and the major issues that need to be discussed during MRP 3.0 negotiations. Chris will distribute the slides to the Work Group, following the Steering Committee meeting.
- The next meeting of the MRP 3.0 Trash Work Group will occur in April, following the Steering Committee meeting on March 26<sup>th</sup>. The agenda will be informed based on the discussion at the Steering Committee meeting. Chris will reach out to Water Board staff, inviting them to the next Work Group meeting.
- Chris will distribute the revised table of Permittee/Program and Water Board staff perspectives to the Work Group.

## MRP 3.0 C.11/C.12 Workgroup Meeting Notes

Monday, March 25, 2019  
10:00 AM – 12:00 PM

### I. Workgroup Member Introductions and Agenda Review

The workgroup agreed that the focus of the workgroup would be to facilitate internal discussion with BASMAA member agencies and external discussion with the Regional Water Board on C.11/C.12 permit provisions, but not necessarily to come to complete agreement within BASMAA on preferred approaches for MRP 3.0.

### II. Provision C.11/C.12 Matrix Brainstorm

Program representatives discussed each provision of C.11/C.12, focusing on identifying discussion topics and desired approach and prioritizing issues. *[See attached Item II revised matrix for discussion notes.]*

### III. Action Items and Meeting Schedule

#### Meeting Schedule

- Next internal meeting will be held on April 10<sup>th</sup> from 1:30 – 3:30 pm at Geosyntec's office.
- First meeting with RWB staff will be held on April 25<sup>th</sup> from 1:00 – 3:00 pm at Geosyntec's office.
  - Discuss GI first on the agenda.
  - Encourage Keith Lichten to attend.
- Additional internal and RWB staff meetings may be scheduled for May, prior to the Steering Committee meeting to be held in June.

#### Action Items

- Geosyntec will draft an agenda for the April 25<sup>th</sup> RWB meeting for discussion at the April 10<sup>th</sup> meeting.
- Pull together a negotiation package focusing on the key messages that reflects what BASMAA wants C.11/C.12 to look like.
  - Draft a matrix of control measures that identifies a general level of effectiveness going forward (i.e., what makes the most sense for the next permit term?).
- Revise matrix (or alternative format) based on brainstorming session for further discussion at April 10<sup>th</sup> meeting.
  - List of discussion topics related to population-based accounting.
  - GI metrics integrated into accounting.

## MRP 3.0 C.8 Water Quality Monitoring Workgroup

DRAFT Meeting Summary (Internal Meeting)

**Monday, March 25, 2019**

**1:00 – 3:30pm**

EOA Conference Room

1410 Jackson Street, Oakland, CA 94612

**Attendees:** Bonnie de Berry (BASMAA facilitator)  
Reid Bogert (SMCWPPP)  
Lucile Paquette (CCCWP)  
Michele Mancuso (CCCWP, Contra Costa County)  
Amanda Booth (CCCWP, City of San Pablo)  
Chris Sommers (SCVURPPP)  
Paul Randall (SCVURPPP)  
Carol Boland (SCUVRPPP, City of San Jose)  
James Downing (SCVURPPP, Valley Water)  
Jim Scanlin (ACCWP)  
Craig Pon (ACCWP, City of Oakland)  
Amy King (Solano County Permittees, RCD)

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

Attendees introduced themselves and the Workgroup reviewed the agenda. No modifications were made.

### **II. Review Program Representative Perspectives on MRP C.8 Requirements**

The Workgroup reviewed the February 25 meeting summary and then continued to review the current C.8 Provisions. Workgroup members provided perspectives on lessons learned from MRP 1.0 and 2.0 monitoring and ideas for management questions in MRP 3.0. Main discussion topics are listed below:

#### **Provision 3.8.d Creek Status Monitoring**

Each of the current creek status monitoring parameters were reviewed within the context of the potential management questions listed below:

- What is the current status?
- Are conditions of creeks in the MRP urban area changing over time?
- What are the causes of poor condition?



Parameter	Have we answered these MQs:		
	Current Status (Countywide & Regional)	Trends	Causes
Biological condition	Yes	No.	Partially. Main causes of poor conditions may not be directly related to stormwater quality. Extent of impervious surface appears to be the primary cause of poor condition; however, there may be site-specific stressors that are equally important. SSID studies can help identify site-specific stressors.
DO	No	No	No. Conditions are likely site-specific.
Temperature	No	No	No. Conditions are likely site-specific
Specific conductance	No	No	No. Conditions are likely site-specific
Chlorine	Yes	No	Yes. Chlorine conducted at bioassessment sites show little to no chlorine issues.
FIB	Maybe	No	SiteNo. Would require site specific SSID studies.

There was general consensus that, should Creek Status monitoring be required in MRP 3.0, the management question driving the monitoring design should be “Trends.” Creek status trends could be addressed using a trends monitoring design. The Programs agreed that although regional approaches are interesting, monitoring at a local level gets more interest. A design that would address specific watersheds (on a rotating basis) and priority streamreaches, and/or reaches below Green Stormwater Infrastructure features may be the best design for MRP 3.0 (although the connection between GSI and creek status indicators is uncertain).

The Programs did not agree on the appropriate overall level-of-effort for monitoring in MRP 3.0. Lucile Paquette (CCCWP) suggested cutting monitoring efforts in half to reduce costs and mitigate for costs associated with trash receiving water monitoring requirements that will likely be included in the reissued permit. Carol Boland (San Jose/SCVURPPP) did not see a need to cut creek status monitoring since the data are useful in showing stakeholders that creeks are being monitored for issues and addressed by the stormwater programs. Chris Sommers suggested that the overall level-of-effort for creek status might be better based on the number of stream miles in urban areas, as opposed to population.

**Provision C.8.e SSID**

Based on the discussion at the meeting, SSID projects seem to have a high level of local interest, even if they do not result in stormwater management actions. Causes of WQO/trigger exceedances are often not related to stormwater. Jim Scanlin asked if there is a better way to find projects and set the level-of-effort – does level-of-effort have to be based on number of projects?

**Provision C.8.f POC Monitoring**

There was overall agreement that MRP 3.0 should allow greater flexibility in obtaining the minimum number of samples (i.e., eliminate annual minimums). Lucile Paquette suggested that 80 PCB/Hg samples are too many.

Trends are beginning to be addressed through the RMP STLS, but monitoring conducted through the MRP could support that effort. Chris Sommers suggested that the Workgroup consider focusing some POC monitoring under MRP 3.0 on developing and implementing trends monitoring stations.

### III. Discussion of Next Steps and Schedule

The next meeting will include RWQCB staff. The goal will be to hear RWQCB perspectives on MRP 3.0 monitoring. Programs will share their “big picture” ideas:

- Maintain or reduce resources associated with C.8 compliance
- Creek status should shift from baseline to trends
  - desire for lower level of bioassessment effort
  - trends may not be best addressed at a regional level

**Actions:** Bonnie de Berry will send out a Doodle poll to schedule the next meeting (April 22, 25, 29, May 6). Bonnie will also create a Provision C.8 Table to organize the discussion with RWQCB staff.