STORMWATER COMMITTEE
Regular Meeting
Thursday, August 20, 2020
2:30 p.m.

Meeting Minutes

The Stormwater Committee met remotely via Zoom, per C/CAG's shelter-in-place policy and consistent with state and county directives to manage COVID-19. Attendance at the meeting is shown on the attached roster. In addition to the Committee members, also in attendance were Matt Fabry (C/CAG Program Manager), Reid Bogert (C/CAG staff), Sandy Wong (C/CAG Executive Director), Jon Konnan (EOA), Susan Wright, Kim Springer and Jon Allan (County of San Mateo), Jennifer Lee (City of Burlingame), Natalie Gribben (Town of Hillsborough), Makena Wong (San Mateo County Flood and Sea Level Rise Resiliency District) Doug Silverstein (Thrive Alliance) and Darren Choy (RRM). Vice Chair Ovadia called the meeting to order at 2:30 p.m.

1. Public comment: Doug Silverstein from Thrive Alliance in San Mateo County provided a public comment on a recent research project and special initiative led by the alliance, called "Reduce & Rethink Single-Use Plastics in San Mateo County" to evaluate the challenges of single-use plastics in the County and the full cost accounting of the impact of plastics. Mr. Silverstein mentioned the first phase, which includes a technical report, and invited members of the Committee to join the second phase of the project, which will focus on action and identifying pilot programs to reduce single-use plastics in San Mateo.

2. Stormwater Issues from C/CAG Board Meetings: July/August – None.

3. ACTION – Approval of the draft minutes from the July 16, 2020, Stormwater Committee meeting. Motion: member Machida, second: member Donahue. Approved (12:0:0).

4. INFORMATION – The following items were covered in announcements:

- Funding Opportunities – Matt Fabry noted the San Mateo County Transportation Authority's recently release bike/ped call for projects, and that the Measure W funding includes a core principle for climate resiliency and green infrastructure and projects that include these features will receive additional points in the scoring. Project proposals are due September 21. Fabry also mentioned the Ocean Protection Coastal Resiliency Grant program, which includes eligibility for sea level rise and other climate resilience projects (like green infrastructure). The deadline for this solicitation is September 14.
- Annual Reporting Process/Schedule – Fabry provided an overview of the Annual Reporting schedule for 2020 reporting. Key dates include:
    - Send draft jurisdiction reports to EOA for review - September 2
    - The draft Program Annual Report distributed for permittee review – September 2
    - Final reports submitted to EOA for upload to Water Board FTP site – September 23
- Sustainable Streets Master Plan – Project Concepts – Fabry updated the Committee on developing project concepts. The project team is wrapping up the first four of the ten draft concepts in the next week to send out to the cities for review, and has attained the necessary additional information to develop the remaining draft concepts. Fabry also shared the planned draft and final report schedule for the overall Sustainable Streets Master Plan, which will include

opportunities for the Stormwater Committee to provide input and approve recommended adoption for the final report by the C/CAG Board of Directors. The initial draft of the report is planned for release to permittees in mid-October, with the final draft and final report brought to the C/CAG Board in November/December or December/January (February if no meeting is held in January). The project must be completed by the end of February.

- MRP 3.0 process and schedule update – Fabry gave an update on the schedule for developing draft language for reissuance of the Municipal Regional Permit (MRP).

5. INFORMATION – Received a presentation on (1) compliance with MRP requirements for PCBs load reduction in San Mateo County stormwater runoff and (2) first draft of Pollutant Control Measures Implementation Plan – Scenarios to Achieve PCBs and Mercury TMDL Wasteload Allocations in San Mateo County Stormwater Runoff.

Matt Fabry introduced a presentation provided by Jon Konnan (EOA) for the San Mateo County Pollutant Control Measures Implementation Plan (Plan) for attaining the PCBs and mercury TMDL wasteload allocations for San Mateo County. Fabry noted the Plan is a culminating report on PCBs and mercury efforts in San Mateo County under the current Municipal Regional Permit (MRP) requirements. It modelswhat additional controls would need to be implemented to achieve the final numeric load reductions stipulated in the TMDLs for PCBs and mercury in San Francisco Bay. Fabry noted the Plan is due with the 2020 Annual Reports, and that Jon's presentation will address the near-term requirements for compliance under MRP 2.0 as well as the long-term analyses showing different scenarios for achieving wasteload allocations for PCBs and mercury in San Mateo County, as detailed in the Plan.

Konnan first provided an overview of the calculated load reductions for PCBs to-date, as will be reported in the Program Annual Report, including a summary of the various PCBs control measures. Based on regionally compiled calculations for 2020 reporting, the co-permittees under the MRP did achieve the load reduction requirement for the 2020 compliance benchmark of 3,000 kg/year by all source control and structural control measures. The region collectively achieved an estimated 3,020 kg/year reduction. Though the regional load reduction target was achieved, San Mateo County permittees did come under on its population-based share of the regional load reduction requirement, and program staff are cognizant of this respect to moving forward with advancing toward future load reduction goals. But the countywide target is moot since the regional target was met. Notably, the PCBs demolition program, green infrastructure, and source property investigations accounted for significant load reduction credit, both for San Mateo County and for the other countywide programs. Konnan reminded the Committee that San Mateo County has disproportionately less old industrial land use area relative to other areas under the MRP, which contributes to San Mateo County permittees coming under the population-based share of the overall TMDL stormwater load reduction. Konnan did report on multiple source property investigations that have already been referred to the Regional Water Board or are underway in San Carlos, where there are high priority drainage management areas. One site on 1411 Industrial Road that is currently being cleaned up and under referral, could potentially provide a 50 g/year load reduction credit in the future.

Konnan then provided an update on development of the Plan, with a focus on PCBs, given that the efforts to address PCBs are assumed to be sufficient to manage for the wasteload reduction requirements for both PCBs and mercury. The MRP requires the Plan to evaluate all "technically and economically feasible" controls needed to achieve the final wasteload allocations for PCBs and mercury by the TMDL timelines (2030 for PCBs and 2028 for mercury). A major question addressed in the Plan will be whether attaining the PCBs wasteload allocation for San Mateo will be feasible by the TMDL

timeline, and the main conclusion from the analysis in the Plan is that it is not feasible. Rather than think of the results of the Plan as a commitment to a single path toward compliance, the Plan will provide different scenarios and timelines (with associated cost estimates) for achieving the TMDL wasteload allocations. Konnan outlined the key steps in calculating the PCBs and mercury load reductions estimated for different timelines:

1. Revised baseline modeling for pollutant loading to the San Francisco Bay (Phase I Reasonable Assurance Analysis or RAA)
2. Estimated load reduction target or wasteload allocation
3. Estimated wasteload reduction from different source controls (with additional PCBs control measures being proposed for MRP 3.0, such as managing PCBs in electric utilities equipment and managing PCBs in infrastructure caulking in bridge sealants during bridge rehabilitation or replacement) for three timeframes (2030, 2040, 2080)
4. Estimated green infrastructure consistent with San Mateo Countywide Phase II RAA for green infrastructure through 2040
5. Evaluate gap in load reduction requirement between TMDL population-based load reduction and projected loads reduced through source controls and green infrastructure
6. Evaluate the additional green infrastructure required to fill the gap in achieving the waste load allocation and associated costs
7. Evaluate the "economic and technical feasibility" of achieving the countywide-apportioned waste load allocation across the three scenarios

The three timeline scenarios and cost estimates for feasibility demonstrate significant future resource burdens for municipalities to achieve jurisdictional wasteload allocations. The analysis determined that enormously high levels of green infrastructure and regional scale stormwater capture projects would be needed to fill the wasteload reduction gap across all time horizons, which would be especially costly for the 2030 and 2040 timelines. There are assumptions with some uncertainty about future new and redevelopment rates to project load reductions associated with regulated projects and associated stormwater controls.

The cost and feasibility analysis of the Plan lays out projected costs from regionally consistent unit cost estimates for different control measures, including estimated future operations and maintenance costs, for the three timeframes (2030, 2040 and 2080). The estimated costs range from $1.4 billion to $760 million between the 2030 and 2080 timelines for initial capital costs. The cost analysis further includes the estimated expenditures to-date from various controls, including source controls and public green infrastructure, toward achieving PCBs load reductions in San Mateo County to show the comparative resources investment in controlling PCBs to-date.

Konnan shared the main takeaway from the Plan is that the three scenarios demonstrate infeasibility in achieving TMDL load reduction targets via green infrastructure under the three timelines. The logical next step in the process of assessing feasibility and a path forward in the next permit and beyond would be to make a request to the Regional Water Board for a time extension for the PCBs TMDL based on findings in the Plan. Konnan noted the results from the Plan are generally consistent with the findings among control plans from most other MRP permittees. To make a successful request for a time extension, permittees would need to demonstrate implementation of controls within the current TMDL timeframe to the "maximum extent practicable," which is an involved dialogue with Regional Water Board staff on whether that effort has been demonstrated.

Finally, Konnan mentioned the additional approaches San Mateo co-permittees are employing with C/CAG's assistance to seek funding for projects and work more collaboratively to achieve water quality goals, including identifying new opportunities for regional scale multi-benefit projects, funding pilot projects via C/CAG and other grant funds, and supporting the San Mateo Flood and Sea Level Rise Resiliency District with developing a investment strategy that could help fund green infrastructure.

Konnan shared the planned schedule for review and comment on the drafts of the Plan and finalization for submitting the Plan to the Regional Water Board on September 30, 2020 with the Program and jurisdiction Annual Reports.

Committee members discussed various aspects of the report and raised questions about the long timeline and cost for achieving TMDL compliance and the process for providing input on revisiting the timeline with Water Board staff. Fabry suggested the first step is to provide the evidence for infeasibility under the current timeframe (and even long-term timeframes) via the Plan to initiate a dialogue, recognizing there may be some ongoing discussion to find common ground for negotiation. Fabry also mentioned Water Board members tend to respond positively to well-documented, data driven studies and analyses from permittees; though, making modifications to an existing TMDL is a separate process from permit negotiations and will require additional time and effort. Committee members also discussed the need for having broader conversations with local elected officials for motivating a more achievable approach to implementation based on the findings in the Plan and especially the significant cost implications, to which staff suggested this would be a worthwhile tactic for getting better engagement and institutional support via the annual San Mateo Countywide Program update to the C/CAG Board of Directors. Members also inquired about the basis for cost metrics and whether there is a need for adaptive management under the Plan. Konnan noted that consistent unit costs were used by all of the MRP counties in developing their plans and adaptive management is a built-in aspect of developing the control measure plans and there will be opportunities to update modeling and assumptions under the PCBs TMDL and to reevaluate findings and assumptions in the Plan. Lastly, members discussed the approach to regional coordination among MRP permittees as the programs move from developing control measures plans into later phases of implementation.

6. Regional Board Report: None.

7. Executive Director's Report: None.

8. Member Reports: None.

Vice Chair Ovadia adjourned the meeting at 3:33 p.m.