

STORMWATER COMMITTEE
Regular Meeting
Thursday, October 15, 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), Susan Wright, Kim Springer and Jon Allan (County of San Mateo), Jennifer Lee (City of Burlingame), Matthew Zucca (City of San Mateo), Raymund Donguines (City of Pacifica), Leticia Alvarez (City of Belmont), Kelly Carrol (CGS), Geoff Brosseau (CASQA), Jay Davis (SFEI), Darren Choy (RRM). Vice Chair Ovadia called the meeting to order at 2:31 p.m.

1. Public comment: None

2. Stormwater Issues from C/CAG Board Meetings: September – Appointment of Lisa Petersen, Public Works Director of the City of Pacifica, to the C/CAG Stormwater Committee and CMP TAC on behalf of the City of Pacifica.

3. ACTION – Approval of the draft minutes from the August 20, 2020, Stormwater Committee meeting. Motion: member Underwood, second: member Donahue. Approved (17:0:1).

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

- Funding Opportunities – Matt Fabry noted an upcoming solicitation from the Department of Water Resources for a Flood Plain Management and Risk Awareness Grant, with \$25 million in Prop 68 funds for flood risk management projects, including green infrastructure. The solicitation is anticipated for fall of 2021.
- Annual Reports – All jurisdictions submitted Annual Reports on time (East Palo Alto submitted separately).
- Regional Projects updates – Following the joint RFP between the cities of San Bruno and Redwood City, with C/CAG and the Office of Sustainability for regional project designs on two projects and analyzing additional opportunities along with new project concepts for five priority opportunities as well as working with the Flood and Sea Level Rise Resiliency District to develop a business case for regional stormwater collaboration. Fabry also noted that local storm drain master plans would be useful in identifying storm drain capacity issues and deficiencies as part of the project identification and prioritization process, as well as for developing a business case for regional collaboration, and staff will follow-up with an email request for existing storm drain master plans for those that have them available.

5. INFORMATION – The Committee received a presentation on California Stormwater Quality Association (CASQA) 2020 program updates from Geoff Brosseau, Executive Director of CASQA. Through the area-wide membership, all SMCWPPP agencies receive access to the CASQA Industrial/Commercial/Construction BMP Handbooks and other member benefits.

Geoff Brosseau provided updates on CASQA's organizational and membership details and then summarized key program updates for 2020. Much of the past few years, CASQA has focused on visioning and strategy, with recent program emphasis on high priority issues like addressing bacteria and pesticides in stormwater runoff and stormwater funding needs. CASQA works at the regional, state-wide and national scale to address high priority policy, permitting, implementation and regulatory issues. A significant benefit of CASQA is dedicated resources for providing testimony and collective comment letters on regional, state-wide and national policy issues. Due to the COVID situation, CASQA initiated a #CASQA hashtag in coordination with the virtual Annual Conference and training offerings on QSD/QSPs associated with the reissued Industrial General and Construction General Permits. CASQA also started a scholarship in 2020 to support the next generation of stormwater practitioners. Regarding new priority issues, CASQA has heard priorities from municipal representatives for bacteria and trash as well as addressing zinc in tires, among others. Brosseau summarized the results of the online Annual Conference, with approximately 900 attendees on September 15 and 16. The virtual environment was very successful, and the presentations are available in PDF format on the website for those that were registered. Lastly, Brosseau addressed the cost of compliance for the MS4 NPDES permits, noting increased fees this year and planned for future years, and that the State Water Resources Control Board is interested in making future permits more cost-effective.

6. INFORMATION – Received presentation on “How Healthy is the Bay?” an Update from the Regional Monitoring Program (RMP) for Water Quality in San Francisco Bay. This presentation was made in advance of the C/CAG Board of Directors meeting to provide information on the Regional Monitoring Program and water quality updates pertaining to the use of local stormwater funds to better understand water quality conditions in the Bay. Dr. Jay Davis, Senior Science Director of the San Francisco Estuary Institute (SFEI), provided the presentation.

Dr. Davis summarized the main program areas of SFEI, including the Clean Water, Resilient Landscapes and Environmental Informatics program areas. The RMP is housed in the Clean Water Program. The RMP is focused on data collection to inform management decisions, with stakeholder participation from four major sectors (Publicly Owned Waster Water Plants, Stormwater, Dredgers and Industrial Wastewater Dischargers). The overall program budget is \$4 million/year, with funds dedicated primarily to status and trends monitoring (long-term monitoring of the Bay since 1993), special studies (pilot projects/literature reviews) and administration/governance.

Key updates from the RMP from the State of the Estuary Report in 2015, which covers the Bay and Delta and gives a snapshot of Bay health based largely on RMP data focused on three core areas. For the “swimmable” category, the Bay is showing “good” conditions for summer conditions. For the “aquatic life” rating, the conditions are considered “fair” mostly due to mercury impacts on aquatic fowl and reproductive harm. In the category of “fish are safe to eat” the condition is considered “fair” mostly due to polychlorinated biphenyls (PCBs) impacts of bioaccumulation. Several fish consumption advisories are in place based on RMP data and targets for water quality in the Total Maximum Daily Loads for PCBs and state health thresholds for this legacy pollutant. Mercury is an additional driver for consumption advisories. There seems to be no observable trend declining concentrations in fish tissue samples. The RMP reconnaissance monitoring effort in partnership with the MRP permittees supports understanding stormwater impacts to the Bay with respect to PCBs and mercury. Associated management actions by permittees resulting from monitoring results (especially source property identification and referral) may be the best approach to reducing loads to the Bay from the MS4, especially in terms of cost-effective management actions. Davis also summarized recent work and results from a multi-media study of microplastics in Bay water sediment, food chains, and stormwater and municipal waste water. Of note,

the results showed a significant difference in concentrations and loads of microparticles in stormwater compared to wastewater. An abundance of black rubbery microparticles, suggests tire wear is a major source of microplastics to the Bay via stormwater. Further, there is a particular vulcanization compound used in tire manufacturing that has been linked to salmonid toxicity in the Peugeot Sound area. Matt Fabry mentioned the potential issue of trash management controls being designed for trash 2 mm in diameter and larger, whereas microplastics are much smaller and would not be managed by current trash control designs. Committee members discussed the question of why declines in PCBs and mercury are not being seen based on monitoring and control measure implementation. The main reasoning provided by Davis and Fabry include the long time frame for “flushing” PCBs and mercury out of Bay sediment, and the fact that control measures are limited mostly to the effect of new and redevelopment projects (shifting old industrial land areas to newer urban landuse with stormwater controls), source controls (new programmatic controls in place and coming in the next permit) as well as source property identification and referrals to control known sources of PCBs at industrial sites. Green infrastructure controls are much less effective in terms of dollars spent per pollutant load reduction achieved, and the timeframe for implementing green infrastructure to achieve TMDL goals is currently 2040, which is cost- and technically-prohibitive based on the recently submitted San Mateo Countywide Control Measures Plan for PCBs and Mercury TMDLs.

7. INFORMATION - Received update on the Municipal Regional Permit reissuance process and Regional Water Board response letter regarding Green Infrastructure Plans. Matt Fabry updated the Committee on the revised MRP 3.0 reissuance process, notably with a year-long administrative extension of MRP 2.0 requirements and a new tentative effective date of the next permit on July 1, 2022. Regional Water Board staff has proposed releasing an Administrative Draft by the end of November, a Tentative Order in spring 2021 and an adoption hearing in October 2021. Fabry summarized key topics of discussion at the recent MRP 3.0 Steering Committee meeting on September 29, 2020. Regarding C.3 requirements, Regional Water Board staff is proposing to reduce regulated project thresholds for all projects to be regulated at 5,000 square-feet with the exception of single-family homes at 10,000 square-feet. Water Board staff are also considering including roadway projects as regulated projects, exempting simple grind and overlay projects. Special project exemptions for Category C are also planned to be phased out – Category A and B would be retained. Asset management systems focused on water quality features are being proposed under C.3, as well as a requirement for green infrastructure implementation for “non-regulated” projects on a jurisdictional basis. Water Board staff have indicated a “small, medium and large” municipality framework for GI implementation requirements (proposed 2, 6 and 10 acres of impervious area treated, respectively), with an option to work countywide or regionally to achieve GI implementation goals. Committee members responded to this provision suggesting large home properties should be given consideration of the pervious area that is retained on a new/redevelopment project to avoid creating an undue burden of C.3 requirements on single-family homes. Committee members also asked about the timing of implementation of specific subprovisions as proposed at the Steering Committee meeting, given there is a revised reissuance schedule (i.e., requirements implemented in “year three” of the new permit). There was some discussion on the topic of Water Board expectations on achieving GI targets established in GI Plans given the original intent of “self-implementing” via GI Plan development in-lieu of reduced project thresholds for C.3 projects as stipulated in MRP 2.0. It was noted, Water Board staff have shown some disappointment in the approach to implementation in GI Plans, focused primarily or entirely on stormwater controls related to regulated new and redevelopment projects. Committee members suggested if there is a minimum implementation requirement, it should include C.3 projects. C.8 water quality monitoring requirements were discussed in brief, with the main emphasis on maintaining cost-neutrality on the monitoring provision, with consideration of adding emerging contaminants of concern. The proposed C.10 trash

provision currently states a target for 90% trash load reduction by 2022 and a “no adverse impact” condition for all generating areas by 2025. It is unsure at this time whether these proposed timeframes will remain in the next permit, or if they will be pushed back because of the delay in reissuance. Source controls and offsets are being proposed to be phased out by the 100% threshold, and there are other subprovisions being considered for requiring infeasibility plans justifying not attaining “no adverse impact” by the determined compliance date and considerations for how to demonstrate full trash capture equivalency through a combination of curb-inlet screens and enhanced street sweeping, along with the potential for GI to control for trash. The C.11/12 provision for PCBs and mercury controls and accounting is shifting to a programmatic approach to achieving stipulated load reductions via program implementation (source property investigations, bridge rehabilitation/replacement, electric utilities management, PCBs managed in building demolition, etc.) with performance metrics, in-lieu of a numeric load reduction requirement. This topic is still under discussion with the C.11/12 Workgroup and the Steering Committee. Implementation in terms of mandatory minimums for control measures in high priority areas (i.e., old industrial landuse areas) is also under discussion, given the fact that PCBs tend to be present in much higher concentrations in these locations (which are also not typically the ideal places for installing green infrastructure). Other proposed changes to the permit, still under development, include addressing homeless encampments with associated concerns regarding trash and bacteria contamination in water ways and cost reporting with recent federal requirements to evaluate costs of compliance for MS4 NPDES permits.

Fabry briefly summarized the GI Plan Memo from Water Board staff, circulated on October 1. No actions are required based on the response memo, and most or all identified issues will be addressed via the C.3 Workgroup for MRP 3.0 and in the reissued permit. Water Board staff pointed to certain deficiencies and strengths of GI Plans from municipalities around the MRP area. Generally, Water Board staff expressed they would like to see a stronger commitment to voluntary green infrastructure projects and that most GI Plans focused too heavily on stormwater controls associated with new and redevelopment projects. Other points of interest include Water Board staff interest in seeing broader coordination with schools, as well as partnership on regional stormwater capture projects and coordination with other non-traditional NPDES permittees, such as BART, Caltrans, Caltrain and others on GI implementation. Committee members discussed the option to provide a coordinated response among permittees to address Water Board staff concerns regarding deficiencies. Fabry mentioned the potential for creating a list of activities at the jurisdictional and countywide program level, not necessarily as a response back to the Water Board, but to help with future negotiations on MRP 3.0.

8. INFORMATION – Received update on developing the Draft Countywide Sustainable Streets Master Plan. Due to time restrictions on the meeting, Vice Chair Ovadia recommended receiving a high-level overview of recent deliverables and the schedule for review and comment on the Draft Sustainable Streets Master Plan. The project team is focused on developing 11 project concepts addressing different sustainable streets typologies and are currently receiving input from the respective agencies. There is shift to a virtual open house to finish the last phase of community engagement and to showcase the final deliverables. The team is also developing the beta version of the tracking tool, and C/CAG staff will schedule a series of workshops to engage and train staff on its use and functionality. The plan to review and finalize the plan itself entails releasing an InDesign document for permittee review in the next week or two with anticipation for a second draft released publicly on December 1. Staff plan to then bring the draft plan to the C/CAG Board of Directors at the December 10 meeting with a final adoption proposed for the February 11 meeting with the Committee’s recommendation.

9. Regional Board Report: None.

10. Executive Director's Report: None.

11. Member Reports: None.

Vice Chair Ovadia adjourned the meeting at 4:18 p.m.