

# 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

### STORMWATER (NPDES) COMMITTEE AGENDA 2:30 PM, Thursday, March 18, 2021

On March 17, 2020, the Governor issued Executive Order N-29-20 suspending certain provisions of the Ralph M. Brown Act in order to allow for local legislative bodies to conduct their meetings telephonically or by other electronic means. Pursuant to the Shelter-in-Place Orders issued by the San Mateo County Health Officer and the Governor, and the CDC's social distancing guidelines, which discourage large public gatherings, C/CAG meetings will be conducted via remote conferencing. Members of the public may observe or participate in the meeting remotely via one of the options below.

Join by Zoom: <https://us02web.zoom.us/j/85680429257?pwd=SG5wR1NxYlkyMUttMktlb0Zlc1l3QT09>  
Join by Phone: +1 669 900 6833 Meeting ID: 856 8042 9257 Password: 618842

Persons who wish to address the C/CAG Stormwater Committee on an item to be considered at this meeting, or on items not on this agenda, are asked to submit written comments to [rbogert@smcgov.org](mailto:rbogert@smcgov.org). Oral public comments will also be accepted during the meeting through Zoom. Please see instructions for written and spoken public comments at the end of this agenda.

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|---|---------|--------------|
| 1. Call to Order and overview of teleconference meeting procedures  | Bogert  | No materials |
| 2. Public comment on items not on the Agenda (presentations limited to three minutes).  | Breault | No materials |
| 3. Stormwater Issues from Mar C/CAG Board meeting: <ul style="list-style-type: none"><li>• Approved opposition position on AB 377</li><li>• Received update on MRP 3.0 reissuance</li></ul> | Fabry   | No materials |
| 4. ACTION – Review and approve February 18, 2021 Stormwater Committee minutes   | Breault | Pages 1-5    |
| 5. INFORMATION – Announcements on stormwater issues <ul style="list-style-type: none"><li>• Funding opportunities</li><li>• AB 377</li><li>• Other</li></ul>                                | Fabry   | No materials |
| 6. INFORMATION – Receive update and provide input on response to Municipal Regional Permit Administrative Draft.  | Fabry   | Page 6       |
| 7. ACTION – Nominate and appoint ad-hoc work groups members   | Fabry   | Page 7       |
| 8. ACTION – Nominate and elect Chair and Vice-Chair   | Fabry   | Page 8       |
| 8. Regional Board Report  | Mumley  | No Materials |
| 9. Executive Director's Report  | Wong    | No Materials |
| 10. Member Reports  | All     | No Materials |
| 11. Adjourn   |         |              |

**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 meeting are available for public inspection at the same time they are distributed to all members, or a majority of the members, of the 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>. Please note that C/CAG's office is temporarily closed to the public; please contact Mima Guilles at (650) 599-1406 to arrange for inspection of public records.

**PUBLIC PARTICIPATION DURING VIDEOCONFERENCE MEETINGS:** Persons with disabilities who require auxiliary aids or services to participate in this meeting should contact Mima Guilles at (650) 599-1406, five working days prior to the meeting date.

Written comments should be emailed in advance of the meeting. Please read the following instructions carefully:

1. Your written comment should be emailed to [rbogert@smcgov.org](mailto:rbogert@smcgov.org).
2. Your email should include the specific agenda item on which you are commenting or note that your comment concerns an item that is not on the agenda.
3. Members of the public are limited to one comment per agenda item.
4. The length of the emailed comment should be commensurate with the two minutes customarily allowed for verbal comments, which is approximately 250-300 words.
5. If your emailed comment is received at least 2 hours prior to the meeting, it will be provided to the C/CAG Committee members and made publicly available on the C/CAG website along with the agenda. We cannot guarantee that emails received less than 2 hours before the meeting will be able to be posted or provided to Committee members prior to the meeting, but such emails will be included in the administrative record of the meeting.

Oral comments will be accepted during the meeting through Zoom. Please read the following instructions carefully:

1. The Stormwater Committee meeting may be accessed through Zoom at the online location indicated at the top of this agenda.
2. You may download the Zoom client or connect to the meeting using an internet browser. If using your browser, make sure you are using a current, up-to-date browser: Chrome 30+, Firefox 27+, Microsoft Edge 12+, Safari 7+. Certain functionality may be disabled in older browsers including Internet Explorer.
3. You will be asked to enter an email address and name. We request that you identify yourself by your name as this will be visible online and will be used to notify you that it is your turn to speak.
4. When C/CAG Staff or the Committee Chair/Vice-Chair call for the item on which you wish to speak, click on "raise hand." C/CAG staff will activate and unmute speakers in turn. Speakers will be notified shortly before they are called on to speak.
5. When called, please limit your remarks to the time allotted.

If you have any questions about this agenda, please contact C/CAG staff:

Program Manager: Matthew Fabry ([mfabry@smcgov.org](mailto:mfabry@smcgov.org))

Administrative Assistant: Mima Guilles ([mguilles@smcgov.org](mailto:mguilles@smcgov.org) or (650) 599-1406)

## **C/CAG AGENDA REPORT**

Date: March 18, 2021  
To: Stormwater Committee  
From: Matthew Fabry, Program Manager  
Subject: Review and approve February 18, 2021 Stormwater Committee meeting minutes.

(For further information or questions contact Matthew Fabry at [mfabry@smcgov.org](mailto:mfabry@smcgov.org))

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### **RECOMMENDATION**

That the Committee review and approve February 18, 2021 Stormwater Committee meeting minutes, as drafted.

### **DISCUSSION**

N/A.

### **ATTACHMENTS**

1. Draft February 18, 2021 Minutes

**STORMWATER COMMITTEE**  
**Regular Meeting**  
**Thursday, February 18, 2021**  
**2:30 p.m.**

**Draft 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 (note – Member Petersen joined the meeting at 3:36 p.m. and did not vote on Item 5). 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 and John Allen (County of San Mateo), Jennifer Lee (City of Burlingame), Sarah Scheidt (City of San Mateo), Ahmad Haya (Redwood City), Gwendolyn White (City of Pacifica), Nick Zigler (CSG), Jon Konnan (EOA), Bruce Allender (InfraManagement Group), and Darren Choy (RRM). Chair Breault called the meeting to order at 2:31 p.m. Member Chiu (Daly City) joined the meeting at 2:42 p.m.

1. Public comment: None

2. Stormwater Issues from February C/CAG Board Meetings: Approved adoption of the final Sustainable Streets Master Plan and approved appointment of Dante Hall to represent Foster City on the Stormwater Committee.

3. ACTION – Approval of the draft minutes from the January 21, 2021, Stormwater Committee meeting. Member Tan requested a correction to the Member Reports item to correctly state “Prop 218” instead of “Prop 215” as drafted. Motion: Member Willis; second: Member Machida. Approved (11:0:1). Member Petersen abstained; Member Chiu was not present for voting on this item as he joined the meeting at 2:42 p.m. after the voting for this item occurred; Member Rose did not vote).

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

- Funding Opportunities – Matt Fabry noted an open solicitation from the California Coastal Conservancy with a focus on San Francisco Bay climate resiliency efforts, with \$5.7 million available and project maximum of \$1 million – proposals are accepted on a rolling basis starting in January, and a pre-proposal submission is required. The Environmental Enhancement and Mitigation grant from the Natural Resources Agency provides funds for transportation related projects to go above mitigation requirements (e.g., potentially the 101 Managed Lanes Project).
- Other –
  - Fabry provided information on AB 377 (Rivas), which is a new bill that would require all waters of the state to be fishable, swimmable and drinkable by 2050. Under the bill, Water Boards would be prohibited to issue NPDES permits or provide time schedules for dischargers that are causing or contributing to exceedances of water quality standards. C/CAG staff is tracking the California Stormwater Quality Association’s position on the bill and will bring the bill to the C/CAG Legislative Committee and with a likely OPPOSE position.
  - In C/CAG’s role as the areawide CASQA membership holder on behalf of member agencies, Fabry mentioned an opportunity to vote on candidates for an opening on the

- CASQA Board of Directors and indicated intent to vote for the candidate from northern California, Rinta Perkins, from the City of Santa Clara, unless any agencies had concerns.
- Fabry reminded the Committee of the annual process for getting member agency approval to submit the draft Annual Report forms via BASMAA (Bay Area Stormwater Management Agencies Association). Fabry recommended combining Duly Authorized Representative approval of the Annual Report forms in tandem with the Urban Creeks Monitoring Report for the program in late March.
  - Fabry announced the plan to propose a Stormwater Committee Chair and Vice Chair nomination and election at the March or April Committee meeting, consistent with the elections last April.
  - Lastly, Fabry updated the Committee on the process to procure consultant services for the Resilient San Carlos Schoolyards Project, which is planned for a recommended approval of the agreement with the preferred consultant at the March C/CAG Board meeting.

5. INFORMATION – Matt Fabry presented the latest from the work on regional scale stormwater management, including identifying new regional stormwater capture project opportunities, developing the next round of project concepts and developing a business case for regional scale stormwater management. Fabry summarized recent work on developing an initial Drivers and Objectives memorandum for regional stormwater management, with a focus on identifying the “what” in terms of the value of and objectives for implementing regional scale stormwater management, including regional scale stormwater capture projects and implementation of distributed green infrastructure projects at a countywide scale. The Drivers and Objectives memorandum has been shared with the Technical Advisory Committee and staff will send out the memorandum as a Word document for review by the Committee and stormwater representatives, with the hope that comments will be received by March 5. Fabry also summarized the overall project timeline for exploring the “why” and “how” of regional stormwater management, which will coincide with development of a business case framework and white paper describing a recommended approach to regional collaboration in San Mateo County.

6. INFORMATION – Matt Fabry introduced the item to review significant proposed changes in the Administrative Draft of the Municipal Regional Stormwater Permit, which was released to permittees and program staff on February 9. There is a 60-day comment period with comments due April 8. Water Board staff are hoping for consolidated comments from each countywide program. Jon Konnan (EOA), summarized the main issues of concern and for which staff plan to respond to via a comment letter and attached table of recommended modifications. For provisions that are specific to individual jurisdictions, e.g., bacteria provisions for areas in Unincorporated County, San Mateo, and Half Moon Bay, staff will defer to agency representatives for comments on those sub-provisions. Fabry requested that each agency provide a single point of contact to support the consolidated comment process. Additionally, staff plans to coordinate with the program’s Ad-hoc MRP Implementation Workgroup on March 5 to develop the comment letter, with plans to submit the letter and attached table of comments by April 8. Members noted it may be worth engaging elected officials, including potentially the C/CAG Board. Fabry agreed and suggested providing an information item to the Board at its March 11 meeting, given the April meeting is on April 8, which coincides with the close of the initial comment period.

7. ACTION – Matt Fabry proposed revisiting the Ad-hoc Workgroups that were established by the Committee back in 2013, including the MRP Implementation Workgroup and Countywide Funding Initiative Workgroup. With the end of the funding initiative in 2014, the latter has discontinued meetings. Staff recommend continuing both workgroups, with a focus on funding and financing for the

Countywide Funding Initiative Workgroup and continuing to convene the Implementation Workgroup with an emphasis on the permit reissuance process. At prior meetings, Member Bozorginia and Member Mitch had expressed willingness to participate in workgroups. Members discussed the proposal to reform the Countywide Funding Initiative Workgroup and to fill vacant seats on the MRP Implementation Workgroup. Chair Breault requested bringing back an action at the March meeting with specific proposed members to appoint for each workgroup and asked members to email Matt Fabry with interest in either Workgroup.

8. Regional Board Report: None.

9. Executive Director's Report: None.

10. Member Reports: None.

Chair Breault adjourned the meeting at 4:07 p.m.

2020-21 Stormwater Committee Attendance														
Agency	Representative	Position	July	Aug	Sept	Oct	Nov	Dec	Jan	Feb	Mar	Apr	May	June
Atherton	Robert Ovidia	Public Works Director	X	X		X	X		X	X				
Belmont	Peter Brown	Public Works Director	X	X		O	X		X	X				
Brisbane	Randy Breault	Public Works Director/City Engineer	X			X	X		X	X				
Burlingame	Syed Murtuza	Public Works Director	X	X	C	X	X	C	X	X				
Colma	Brad Donohue	Director of Public Works and Planning	X	X	A	X	O	A	X	O				
Daly City	Richard Chiu	Public Works Director	X	X	N	X	X	N	X	X				
East Palo Alto	Kamal Fallaha	City Engineer			C			C						
Foster City	Norm Dorais	Public Works Director	X	X	E	X	X	E						
Half Moon Bay	Maziar Bozorginia	City Engineer	X	X	L	X	O	L	X	X				
Hillsborough	Paul Willis	Public Works Director	X	O	E	X	X	E	X	X				
Menlo Park	Nikki Nagaya	Public Works Director	X		D	X		D	X	X				
Millbrae	Andrew Yang	Senior Engineer	X	X		X	X		X	X				
Pacifica	Lisa Petersen	Public Works Director/City Engineer	O			X	X		X	X				
Portola Valley	Howard Young	Public Works Director		X		X	X		X					
Redwood City	Saber Sarwary	Supervising Civil Engineer	X			X	X			O				
San Bruno	Jimmy Tan	Public Works Director	X	X		X	X		X	X				
San Carlos	Steven Machida	Public Works Director	X	X		X	X		X	X				
San Mateo	Brad Underwood	Public Works Director	X	X		X	X		X	X				
South San Francisco	Eunejune Kim	Public Works Director												
Woodside	Sean Rose	Public Works Director	X			X	X		X	X				
San Mateo County	Jim Porter	Public Works Director	X	O		X	X		X	O				
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 18, 2021  
To: Stormwater Committee  
From: Matthew Fabry, Program Manager  
Subject: Receive update and provide input on response to Municipal Regional Permit Administrative Draft.

(For further information or questions contact Matthew Fabry at [mfabry@smcgov.org](mailto:mfabry@smcgov.org))

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### RECOMMENDATION

That the Committee receive an update and provide input on response to Municipal Regional Permit Administrative Draft.

### BACKGROUND/DISCUSSION

The five-year term of the Municipal Regional Stormwater Permit Order No. R2-2015-0049 (MRP 2.0) issued by the San Francisco Bay Regional Water Quality Control Board (Water Board) ended on December 31, 2020. Water Board staff administratively extended the permit until reissuance and, on February 9, released an Administrative Draft for permittee review and comment and summarized key issues at an MRP 3.0 Steering Committee meeting on the same day. Water Board staff has provided a 60-day comment period, with comments due on April 8. Water Board staff has requested, to the extent possible, consolidated comments through Countywide Stormwater Programs.

Staff will provide an update on developing provision-by-provision comments for Water Board staff on the Administrative Draft, as well as an overall comment letter summarizing key concerns in the Administrative Draft, progressive stormwater management efforts already being implemented by C/CAG and member agencies, and recommendations to revise draft provisions to further incentivize and support these efforts in San Mateo County.

### ATTACHMENTS

None

## C/CAG AGENDA REPORT

Date: March 18, 2021  
To: Stormwater Committee  
From: Matthew Fabry, Program Coordinator  
Subject: Nominate and appoint ad-hoc work groups members

(For further information or questions contact Matthew Fabry at [mfabry@smcgov.org](mailto:mfabry@smcgov.org))

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### RECOMMENDATION

That the Committee confirm existing interested participants, solicit nominations, and appoint ad-hoc work groups members.

### DISCUSSION

As discussed at the February 2021 Committee meeting, staff recommends revisiting the Committee's two ad-hoc workgroups established in February 2013 (Countywide Funding Initiative and Permit Implementation). Since their establishment, many of the original appointees have left the Stormwater Committee and the Countywide Funding Initiative work group stopped meeting after C/CAG discontinued efforts toward a countywide stormwater fee in 2014.

The Permit Implementation work group meets periodically on Municipal Regional Permit (MRP) issues and members have participated on the regional MRP 3.0 Steering Committee. Staff recommends refocusing the Countywide Funding Initiative ad-hoc to be more general to funding/financing issues to support staff if a countywide funding initiative is revisited and to help with current C/CAG efforts to evaluate innovative funding and financing approaches.

At the February 2021 meeting, Chair Breault asked interested Committee members to notify C/CAG staff. Staff received interest from members Bozorginia (Permit Implementation) and Mitch (both Permit Implementation and Funding/Financing). Existing members on the original Countywide Funding Initiative work group are Chair Breault and member Porter. Existing members of the Permit Implementation work group are members Porter and Willis, with Chair Breault and Vice-Chair Ovadia also participating.

Staff recommends the Committee confirm existing work group members/participants wish to continue participating, solicit any additional nominations/volunteers from the floor, and then move to appoint all interested members to the respective work groups.

### ATTACHMENTS

None

## **C/CAG AGENDA REPORT**

Date: March 18, 2021  
To: Stormwater Committee  
From: Matthew Fabry, Program Manager  
Subject: Nominate and elect Chair and Vice-Chair.

(For further information or questions contact Matthew Fabry at [mfabry@smcgov.org](mailto:mfabry@smcgov.org))

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### **RECOMMENDATION**

The Committee nominate and elect a Chair and Vice-Chair.

### **BACKGROUND**

The Committee is served by a Chair and Vice Chair for facilitating meetings and working with C/CAG staff on agenda materials and meeting planning. The current Chair, Randy Breault from the City of Brisbane, has been serving in that position since the Committee's inception in February 2013, having been re-elected to the position on multiple occasions. The current Vice Chair is Robert Ovadia from the Town of Atherton, who has been serving in that position for one year.

Consistent with C/CAG committee procedures, staff recommends the Committee nominate and elect representatives to fill both the Chair and Vice Chair positions annually. There are no term-limit restrictions on how long any one member can serve in either role (i.e., current Chair and Vice-Chair are both eligible to be re-elected and continue serving). In accordance with typical C/CAG Committee procedures, staff recommends soliciting nominations from the floor (including self-nominations) and then vote on nominated candidates, with the Chairperson election occurring first and the candidate with the most votes for each position being appointed for a one-year term.

### **ATTACHMENTS**

None.