

# **MRP 3 Tentative Order High Level Review of Priority Issues**

**C/CAG Board Meeting  
October 14, 2021**

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# Overall Comments

- Cumulative impact of many new and enhanced requirements has significant resource implications, including:
  - GI retrofit numeric targets
  - C.3 thresholds and road requirements
  - New monitoring requirements
  - Trash controls and monitoring
  - Unsheltered homeless populations
  - PCBs controls
  - Cost reporting
  - Asset management
  - Additions to "core" provisions (e.g., MS4 mapping & numerous new reporting requirements)
- The overall cost of implementing MRP 3 is anticipated to increase substantially compared to MRP 2
- **Strategically postpone non-essential new requirements**

# Overall Comments (cont.)

- Direct staff to work with Permittees to change permit so that implementation is more cost-effective and better tailored to municipal processes/priorities
- Reduce prescriptiveness – incentivize **integrated multi-benefit planning and funding efforts like SSMP** and **regional stormwater capture projects** in San Mateo County - continue building on previous successes
- **Phase requirements** over multiple permit terms to better align with
  - Local municipal planning and funding timelines
  - Realities of local government funding constraints (e.g., COVID, competing core public services, fee initiative challenges)

# C.3 New/Redevelopment

- More regulated projects compared to MRP 2
  - Thresholds for most project types reduced to **5,000 SF**
  - New: large single-family homes regulated at threshold of **10,000 SF**
- Roadway project regulation
  - Changes to maintenance exemptions, thresholds, and roadway reconstruction requirements
  - Public right-of-way projects (**e.g., bike lanes, ADA improvements**) may be regulated under MRP 3

## C.3.j. GI Implementation (Retrofit)

- **Long-term numeric goal to be developed during MRP 3** in collaboration with WB staff, EPA, and impartial science experts
- **Short-term GI implementation** – Each Permittee required to treat 3 acres per 50,000 population (prorated)
  - **Orange Memorial Park project** could potentially satisfy for all Permittees
  - In addition, each Permittee must implement or “cause to be implemented” one project with minimum of 0.2 acres treated
  - Questions regarding compliance via cost-sharing of construction and/or O&M costs of regional project (October 19 meeting with Water Board staff)

# C.8 Water Quality Monitoring

- New LID Monitoring subprovision replaces Creek Status Monitoring
  - Monitor effectiveness, e.g., inform design and implementation of future regional stormwater capture projects
  - If feasible, comply by assisting with and enhancing **401 Water Quality Certification monitoring at Orange Memorial Park** project
  - Various challenges including schedule and technical issues

## C.8 Water Quality Monitoring (cont.)

- **New Trash Monitoring subprovision** to verify effectiveness of trash controls, including full trash capture devices – technical, feasibility, and cost concerns
- Monitoring about one-quarter of total Program budget under MRP 2 - preliminary cost estimates suggest that total water quality monitoring costs for San Mateo County Permittees will increase by roughly 50%
- Strategically phase out new requirements over multiple permit terms

# C.10 Trash Controls

- Enforceable trash load reductions
  - by June 30, 2023 - 90% reduction
  - by June 30, 2025 - 100% reduction (or no adverse impacts to receiving waters)
- **Extend both dates by two years and make 90% reduction a non-enforceable target.**



# C.10 Trash Controls (cont.)

- Source Control Credits
  - No credit for existing source control actions, only new actions
  - Credits allowed towards 90% target, not 100%
  - Credits for existing source control actions allowed in MRP 2.0 should remain in MRP 3.0
  - Credits for additional/new source control actions should also be allowed in MRP 3.0
  - **Credits for existing and additional/new source controls should be allowed towards the 100% compliance benchmark**

# PCBs Control Measure Implementation in Old Industrial Areas

- New provision: mandatory **445 acres or 81/grams PCBs** load reduction per year (conversion assumes 70% efficiency)
- Performance metrics may not be achievable – thus no clear path to compliance
- Private properties are sources but PCBs containing sediments spread throughout urban landscape over many decades
- Need more time to
  - Gather additional monitoring data to better delineate hot vs. warm vs. cold areas
  - Work with private property owners to turn off tap
  - Plan cost-effective control strategies, including accounting for redevelopment occurring over time

# PCBs Control Measure Implementation in Old Industrial Areas (cont.)

- **Old Industrial Work Group** recently convened
  - Top nine agencies that contain more than 90% of old industrial land use areas in San Mateo County
  - Evaluate redevelopment (and potential progressive policies to enhance), source property cleanup, and other potential PCBs controls
  - Winning strategy is to address the sources on parcels, **not apply Band-Aid by treating runoff in the public right-of-way**
  - Good faith effort

# 10/12-13 Water Board Hearings on Tentative Order

- Presentations by program and permittee staff and elected officials
- Focus was on priority issues
  - C.3 and Green Infrastructure
  - Trash
  - Unsheltered Homeless Populations
  - PCBs
  - Water Quality Monitoring
- Testimony from SMC:
  - Marie Chuang – C/CAG Chair
  - Jovan Grogan – San Bruno City Manager
  - Randy Breault – Brisbane Public Works Director
  - Reid Bogert – C/CAG staff

# Water Board Hearings (cont.)

- WB members discussion highlights – uncertain to lead to changes
  - Addressing roadway water quality impacts important but avoid unintended consequences like less roads being fixed
  - Homelessness provisions: stay in our lane (bacteria & trash water quality impacts), don't hinder many existing municipal efforts and try to give credit for them under permit
  - Maintain impactful programs like trash source control credits/offsets and creek and shoreline cleanups that help community to connect to their watershed
  - Concern about limited municipal resources and increases in level of effort to implement permit, especially reporting and water quality monitoring
- Staff will work with Stormwater Committee to develop program public comment letter by November 9