

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, November 17, 2022

On September 16, 2021, the Governor signed AB 361, which amended certain provisions of the Ralph M. Brown Act in order to allow for local legislative bodies to conduct their meetings remotely via telephonically or by other electronic means under specified circumstances. Thus, pursuant to Government Code section 54953(e), C/CAG Committee 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 Zoom Meeting:

<https://us02web.zoom.us/j/87923846411?pwd=dIMyY3dLV2QwLzFmR0FhVDg3R1o1QT09>

Meeting ID: 879 2384 6411

Passcode: 389315

Join by Phone: 669-900-6833

Meeting ID: 879 2384 6411

Passcode: 389315

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. 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, Roll Call, and brief 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. | PRESENTATIONS: | | |
| | 3.a – Receive a presentation on California Stormwater Quality Association 2022 program updates. | Cowan | Page 1 |
| | 3.b – Receive a presentation on “How Healthy is the Bay?” an update from the Regional Monitoring Program for Water Quality in San Francisco Bay. | Davis | Page 2 |
| 4. | ACTION – Review and approve October 20, 2022 Stormwater Committee meeting minutes. | Breault | Pages 3-7 |
| 5. | INFORMATION – Receive announcements on stormwater related issues. | | Pages 8-17 |
| 6. | INFORMATION – Receive information regarding MRP 3.0 requirements to address non-stormwater discharges associated with unsheltered homeless populations. | Kerr | Pages 18-19 |
| 7. | INFORMATION – Receive information regarding MRP 3.0 requirements to develop a Program for Polychlorinated Biphenyls Control Measure Implementation in Old Industrial Areas. | Konnan | Pages 20-22 |
| 8. | Regional Board Report | Mumley | No materials |
| 9. | Executive Director’s Report | Charpentier | No materials |
| 10. | Member Reports | All | No materials |
| 11. | Adjourn | Breault | No materials |

PUBLIC NOTICING: All notices of C/CAG regular Board meetings, standing committee meetings, and special meetings will be posted at the C/CAG kiosk located at 555 County Center, Redwood City, 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.
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. 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 Specialist: Reid Bogert (rbogert@smcgov.org)

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

C/CAG AGENDA REPORT

Date: November 17, 2022
To: Stormwater Committee
From: Reid Bogert, C/CAG Senior Program Specialist
Subject: Receive presentation on California Stormwater Quality Association 2022 program updates.

For further information or questions contact Reid Bogert at rbogert@smcgov.org

RECOMMENDATION

That the Stormwater Committee receive presentation on California Stormwater Quality Association (CASQA) 2022 program updates.

BACKGROUND/DISCUSSION

C/CAG, through the Countywide Water Pollution Prevention Program, annually purchases an area-wide municipal stormwater membership to CASQA on behalf of its member agencies. As Executive Director, Karen Cown provides annual updates to area-wide municipal members on CASQA's achievements, ongoing activities, and future plans, as well as member benefits. As CASQA members, C/CAG's member agencies are entitled to various benefits, including discounted pricing for meetings and the annual conference, statewide representation on regulatory issues of concern, access to CASQA work products and news updates, etc. In addition to the area-wide membership, C/CAG purchases group subscriptions to CASQA's Construction and Commercial/Industrial Best Management Practices (BMP) web portals, giving access to each agency to the latest information on construction and commercial/industrial stormwater management.

ATTACHMENTS

None.

C/CAG AGENDA REPORT

Date: November 17, 2022

To: Stormwater Committee

From: Reid Bogert, C/CAG Senior Program Specialist

Subject: Receive a presentation on “How Healthy is the Bay?” an update from the Regional Monitoring Program for Water Quality in San Francisco Bay

For further information or questions contact Reid Bogert at rbogert@smcgov.org

RECOMMENDATION

That the Committee receive a presentation on “How Healthy is the Bay?” an update from the Regional Monitoring Program for Water Quality in San Francisco Bay.

BACKGROUND/DISCUSSION

Staff from the San Francisco Estuary Institute (SFEI) will provide a brief presentation summarizing the current state of knowledge regarding the health of San Francisco Bay, based on data gathered through the Regional Monitoring Program for Water Quality in San Francisco Bay (RMP). The RMP is funded through required financial contributions from in-Bay dischargers and C/CAG pays into the RMP on behalf of its member agencies for their required contributions under the Municipal Regional Stormwater Permit (MRP). Member agencies may also pay into the RMP under their wastewater treatment plant discharge permits. C/CAG’s contributions to the RMP are based on a combination of population numbers from the State Department of Finance and drainage area. Contributions to the RMP support operations as well as special and pilot studies developed among various workgroups of the RMP. Beginning this Fiscal Year, as provided by the reissued Municipal Regional Stormwater Permit (MRP 3.0), the MRP co-permittees plan to meet new requirements for monitoring contaminants of concern via increased contributions to the RMP that would fund pilot and special studies under the Emerging Contaminants Workgroup. Generally, there is increased focus on addressing emerging contaminants by assessing their potential presence in the San Francisco Bay and its tributaries. There is also increased attention on the need to better understand relative contributions of different pathways of emerging contaminants including stormwater runoff. SFEI’s lead scientist will summarize the latest data regarding key pollutants (PCBs and mercury) and their impacts on Bay water quality, aquatic life, and human-based uses of the Bay (such as fishing), as well as information on “emerging contaminants” that may represent new challenges facing agencies responsible for keeping pollution out of the Bay.

ATTACHMENTS

None.

C/CAG AGENDA REPORT

Date: November 17, 2022
To: Stormwater Committee
From: Reid Bogert, C/CAG Senior Program Specialist
Subject: Review and approve the October 20, 2022 Stormwater Committee meeting minutes

(For further information or questions contact Reid Bogert at rbogert@smcgov.org)

RECOMMENDATION

That the Stormwater Committee (Committee) review and approve the October 20, 2022 Stormwater Committee meeting minutes, as drafted.

BACKGROUND/DISCUSSION

N/A.

ATTACHMENTS

1. Draft October 20, 2022 Meeting Minutes

STORMWATER COMMITTEE
Thursday, October 20, 2022
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 in the attached. In addition to the Committee members, also in attendance were Reid Bogert (C/CAG staff), Sean Charpentier (C/CAG Executive Director), Krista McDonald (County of San Mateo), Sultan Henson (County of San Mateo), Elizabeth Wada (City of Belmont), Jennifer Lee (City of Burlingame), Hayley Currier (Save The Bay), Sam Bautista (City of Millbrae), Jill Bicknell (EOA), Jon Konnan (EOA), Ileana Alvarado (EOA), Darren Choy (RRM Design), and Julia Schmitt (Brown and Caldwell). Chair Breault called the meeting to order at 2:33 p.m.

1. Call to Order, Roll Call, and overview of teleconference meeting procedures.
2. Public comment on items not on the agenda: None.
3. ACTION – The Committee approved the August 18, 2022 Stormwater Committee meeting minutes. Motion: Member Sun; Second: Member Willis. Approved (10:0:2). Member Chiu and Member Breault abstained. Member Javed joined the meeting at 2:39 p.m. and a vote was not recorded for the City of East Palo Alto.
4. INFORMATION – Announcements on stormwater issues:
 - The C/CAG Board approved in September 2022 Resolution 22-73 authorizing Amendment No.3 to the 2015 contract with EOA for a no-cost time extension to June 30, 2023. The additional time was requested to complete Water Year 2022 monitoring activities under an existing Task order under the pre-existing agreement with EOA.
 - All C/CAG member agencies submitted FY 2021-22 MRP Annual Reports on time. 21 municipalities submitted via SMARTS, while the Cities of Menlo Park and Atherton needed to submit via the Water Board's FTP site. It was also noted that for next year C/CAG plans to work with Water Board staff to address inaccuracies found in the SMARTS guidance document.
 - BAMSC SF Bay Water Quality Improvement Fund Proposal - Watching Our Watersheds: The application for this grant was submitted; these funds would support primarily the trash reduction and enhanced trash monitoring requirements under MRP 3.0. The grant totals \$6.73 million which includes a 50% match, and the project would cover 5.5 years of activity. The matching funds would be through in-kind support services provided by the other Phase I MRP countywide programs. C/CAG was the lead applicant, and if the application is successful, C/CAG would administer the grant on behalf of the other countywide program participants in Santa Clara, Alameda, Contra Costa, and Solano counties. C/CAG would be fully reimbursed for this task. It is estimated that the grant would save municipalities about \$2.2 million over the course of the permit term.
 - Clean Watershed Needs Survey: US EPA and CASQA are working together to collect information on cost estimates for stormwater programs throughout the state and the country. C/CAG and the other countywide programs under the BAMS Collaborative asked for an extension to submit documentation. In our region, the information submitted so far includes Green Infrastructure Plans capturing some of the cost and expenditure estimates through timelines up to 2040. C/CAG will include the Control Measures Plan for PCBs and mercury with different scenarios for costs to comply with the Bay TMDLs for these constituents and the Sustainable Streets Master Plan.
 - The CASQA annual conference will take place from October 24th – 26th in person in Palm Springs. C/CAG will provide three presentations. On a separate note, the CASQA board of directors is looking for nominations for seven director positions. The nominations close on November 1, 2022.
 - Workgroup Advancing Regional Projects (WARP) updates: C/CAG met in September with the City of South San Francisco and other jurisdictions in the Colma Creek watershed drainage area of the

Orange Memorial Park regional project. Topics included long-term funding for the operations and maintenance of that project. The WARP met on October 19 to receive information on the FY2022-23 workplan for advancing the San Mateo County Regional Collaborative Program to support regional-scale stormwater management. This was the first of several meetings planned for this fiscal year with this ad-hoc workgroup.

- GI Exchange Collaborative Grant Award – Climate Resilience Resources Guide Part 2: Reid Bogert emailed C/CAG’s member agencies a link to the Climate Resilience Resources Guide. Part I of that guide was completed this year. C/CAG has submitted a second successful application for the same collaborative grant program in the current cycle. The application is for a \$70,000 grant to develop Part II of the guide. C/CAG anticipates moving forward with the project after the Board’s meeting in November.
- Funding Opportunities: The Urban Community Drought Relief Grant Program is open under the Department of Water Resources with \$285 million available statewide; the matching fund requirement is 25%. A Proposition 1, round 2, Integrated Regional Water Management Implementation Grant Program solicitation will be open through February 2023; this grant has available for the Bay Area \$29.3 million in two phases. Another opportunity is a grant under the Coastal Commission called the Whale Tail grant, which focuses on Outreach and Education. Lastly, Caltrans has a second cycle of its Clean California Local Grant Program and C/CAG is considering submitting another application. A workshop for this grant is scheduled for November 3, 2022; Reid will provide more information to anyone interested in attending.

5. INFORMATION – Received a copy of the Municipal Regional Stormwater Permit MRP 3.0 Five-Year Checklist developed by the Bay Area Municipal Stormwater Collaborative: Reid presented the MRP 3.0 five-year checklist. The checklist includes a summary of the MRP 3.0 requirements, due dates, and what has changed from MRP 2.0. The checklist is in Excel with a worksheet (tab) for each main provision. Every task is listed, including who is responsible for completing it and its specific source subprovision. The checklist is available on C/CAG's website (Stormwater Committee page) and will be emailed as a follow-up to the meeting. It was clarified that a few provisions aren't included in the checklist; for example, TMDL and Areas of Biological Significance requirements that apply only to a few specific Permittees. Jon Konnan noted that the checklist is an excellent tool and useful summary but lacks full details and thus is not a substitute for the permit.

Reid noted there are multiple ongoing BAMS Collaborative projects of regional benefit to address near-term deliverables on priority issues required under the reissued permit, including the LID Monitoring regional QAPP, Trash Full Capture Impracticability Report, PCBs Demolition Protocol and Guidance Update, BMP Report for Discharges Associated with Unsheltered Homeless Populations, Cost Reporting Framework and Methodology, and FY 2022-23 Annual Report Format. Currently, there are several workgroups either supporting these regional efforts, focusing on countywide efforts (e.g., Alternative Compliance), or both (e.g., Unsheltered Homeless Population, Asset Management).

The Committee discussed regulation of single-family home projects under MRP 3.0 Provision C.3. Committee members stated that the cities need clarity on how residents can design their projects to avoid the permanent inspection requirement or at a minimum, need materials to let residents know about this requirement upfront when they come in to apply for a permit. It was requested that additional guidance be provided for large single family residential regulated at 10,000 square feet and smaller multi-family subdivision projects regulated at 5,000 square feet. Jill Bicknell clarified that the permit requires that treatment measures be inspected, but site design measures do not need to be inspected. The Program currently has checklists of requirements for regulated projects and for small projects that are below the permit thresholds but still need to include site design measures. The Countywide Program is updating these checklists and will incorporate the new thresholds that take effect on July 1, 2023. It was also agreed that the Countywide Program should develop targeted outreach pieces for single-family home projects to make residents aware of the new requirements and to provide some potential solutions. As an action item, Jill Bicknell will communicate this information to the New Development Subcommittee.

6. Regional Board Report: None.

7. Executive Director's Report: Sean Charpentier informed the Committee that C/CAG is preparing to return to in-person meetings. The governor has indicated that the current state of emergency, absent any unforeseen surges of COVID, would end at the end of February, ending the ability to have wholly remote meetings. C/CAG will continue streaming the meetings via Zoom. Remote participation by Board Members is allowed only under very specific circumstances. Committee members should plan to return to in-person meetings in March. Remote participation will still be available to members of the public. C/CAG staff are exploring potential legislation that may afford some flexibility around allowing advisory bodies, particularly those as part of a countywide or regional entity, to continue to meet remotely.
8. Member Reports: None.
9. Chair Breault adjourned the meeting at 3:29 p.m.

2022-23 Stormwater Committee Attendance			July	Aug	Sept	Oct	Nov	Dec	Jan	Feb	Mar	Apr	May	Jun
Agency	Representative	Position												
Atherton	Robert Ovidia	Public Works Director		x		x								
Belmont	Peter Brown	Public Works Director				x								
Brisbane	Randy Breault	Public Works Director/City Engineer				x								
Burlingame	Syed Murtuza	Public Works Director		x										
Colma	Brad Donohue	Director of Public Works and Planning		x										
Daly City	Richard Chiu	Public Works Director				x								
East Palo Alto	Humza Javed	Public Works Director				x								
Foster City	Louis Sun	Public Works Director		x		x								
Half Moon Bay	Maziar Bozorginia	City Engineer	C	x	C	x								
Hillsborough	Paul Willis	Public Works Director	A	x	A	x								
Menlo Park	Nikki Nagaya	Public Works Director	N	x	N	x								
Millbrae	Vacant	Vacant	C		C	o								
Pacifica	Lisa Petersen	Public Works Director	E		E									
Portola Valley	Howard Young	Public Works Director	L	x	L	x								
Redwood City	Saber Sarwary	Supervising Civil Engineer	E		E									
San Bruno	Matthew Lee	Public Works Director	D	x	D	x								
San Carlos	Steven Machida	Public Works Director		o		x								
San Mateo	Azalea Mitch	Public Works Director		x		x								
South San Francisco	Eunejune Kim	Public Works Director		x		x								
Woodside	Sean Rose	Public Works Director		x		x								
San Mateo County	Ann Stillman	Public Works Director		x		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: November 17, 2022
To: Stormwater Committee
From: Reid Bogert, C/CAG Senior Program Specialist
Subject: Receive information on stormwater related announcements

(For further information or questions contact Reid Bogert at rbogert@smcgov.org)

RECOMMENDATION

That the Stormwater Committee receive information on stormwater related announcements during October 2022.

BACKGROUND/DISCUSSION

C/CAG's Stormwater Committee provides policy and technical advice and recommendations to the C/CAG Board of Directors and direction to technical subcommittees on all matters relating to stormwater management and compliance with associated regulatory mandates from the State Water Resources Control Board and San Francisco Bay Regional Water Quality Control Board. Staff provides regular updates on information regarding stormwater compliance and other Countywide Stormwater Program activities, as detailed below for the month of October 2022.

1) Recent C/CAG Board updates:

At the October 13, 2022 C/CAG Board of Directors meeting the Board approved the appointment of Public Works Director for the City of Millbrae, Sam Bautista, to the C/CAG Stormwater Committee.

2) Workgroup Advancing Regional Projects updates:

C/CAG's Workgroup Advancing Regional Projects (WARP) was formed in February 2022, with representatives including the Stormwater Committee Chair and Vice Chair and representatives from the agencies with ongoing regional project planning and implementation (South San Francisco, San Bruno, Belmont, Redwood City), to support countywide programmatic implementation of regional multi-benefit stormwater capture projects to achieve water quality and green stormwater infrastructure requirements specified in the Municipal Regional Stormwater Permit (MRP). The WARP met once in FY 2021-22 and with new consultant support to the Countywide Program led by EOA beginning in FY 2022-23, the ad-hoc workgroup will provide policy and technical oversight on the development of the San Mateo County Regional Collaborative Program as proposed in the recently completed [Regional Collaborative Program Framework White Paper](#), which builds the case for implementing a more cost-effective strategy for achieving MRP related, as well as other multi-benefit drivers and objectives, with a focus on regional stormwater capture projects. C/CAG's support on regional stormwater capture projects also extends to seeking funding for preliminary

study, design and implementation funds for high priority regional projects. To date, this effort has included facilitating coordination with Caltrans on securing \$15.5M funding for the completion of the Orange Memorial Park Project in South San Francisco, leveraging a State General Fund Grant for \$2.73M to support initial study and design on three additional high priority projects identified in C/CAG's Stormwater Resource Plan (San Bruno at I-280/I-380, Belmont at Twin Pines Park and Redwood City at Red Morton Park) and making a member directed funding request through Congresswoman Jackie Speier's office to seek an additional \$2.4M to advance technical studies and environmental design work on the San Bruno project. For FY 2022-23, the WARP has a workplan to develop the initial MOU-based Regional Collaborative Program with the goal of having a case study of a pilot exchange to demonstrate how cost-sharing on regional stormwater capture projects may proceed, using the Orange Memorial Park Regional Project as an example. The WARP met on October 19, and discussed the FY 2022-23 workplan with the intent of demonstrating a pilot exchange in support of new green infrastructure retrofit requirements under MRP 3.0 and also meeting the near term and longer term operations and maintenance costs for the Orange Memorial Park Regional Project. As a subcontractor to EOA, Geosyntec will be leading the development of the Interim MOU-based Regional Collaborative Program, which will include a legal review process memo, developing an updated Regional Collaborative Program Summary Report, detailing the proposed elements of an initial MOU-based program, materials and documentation supporting a pilot exchange case study and a funding and financing evaluation memo which will include recommendations for evolving the interim program into a broader Market Based Regional Collaborative Program. The WARP plans to meet three times this Fiscal Year.

3) Caltrans partnership opportunities:

Working with Countywide Stormwater Program staff and permittees, EOA recently completed 10 engineering concepts with cost estimates for large full trash capture projects in partnership with Caltrans. Concepts were developed for the following jurisdictions: Colma, Pacifica (three concepts), City of San Mateo, San Mateo County, Redwood City, San Carlos, South San Francisco (two concepts) and East Palo Alto. The selected concept sites were prioritized based on an enhanced countywide desktop analysis and field verification process of potential sites throughout San Mateo County, an effort that was supported by the Committee last fall following notification from Caltrans with the intent to fund up to \$36M in large full trash capture projects in three municipalities (South San Francisco, Daly City and San Bruno) based on earlier Caltrans/municipal partnership opportunities analysis. In coordination with Caltrans and the Countywide Stormwater Program, the Town of Colma and Daly City have submitted for a 20-month time extension for allocation of funds under the 2020 State Highway Operation and Protection Program (SHOPP) Financial Contribution Only (FCO) funds to work towards a cooperative implementation agreement with Caltrans to support construction of a full trash capture netting system in the Colma Creek Channel. Countywide Program staff and consultants are advocating for other municipalities with design concepts to seek funding partnerships with Caltrans for the current 2024 SHOPP FCO program as well as the ongoing Cooperative Implementation Agreement (CIA) program funds which are available annually based on remaining unspent maintenance dollars. Projects identified and advanced towards design and implementation in the next several years could be claimed towards the 2023 and 2025 trash load reduction requirements under MRP 3.0.

4) State Water Resources Control Board NPDES fee schedule for FY 2022-23:

California Water Code Section 13260 requires each person who discharges waste or proposes to discharge waste that could affect the quality of the waters of the state to file a report of waste discharge with the appropriate regional water board and to pay an annual fee set by the State Water Board. The Water Code further requires the State Water Board to adopt emergency regulations revising and establishing fees to be deposited in the Waste Discharge Permit Fund in the State Treasury and to adjust the fee schedule each fiscal year to conform to the revenue levels set forth in the annual Budget Act. On September 20, 2022, the State Water Board adopted an adjusted waste discharge permit fee schedule to conform to the revenue levels set forth in the Budget Act for Fiscal Year 2022-23. Based on projected revenue for the NPDES program, and accounting for a desired 5% reserve for overall Waste Discharge Permit Fund, the adopted FY 2022-23 fee schedule included no change in NPDES Stormwater permit fee schedule for the current Fiscal Year.

5) Clean Watershed Needs Survey submittals:

Countywide Stormwater Program staff and consultants have submitted several countywide planning and related documents in response to the State Water Board and U.S. Environmental Protection Agency request for submittals to the Clean Watershed Needs Survey. Submitted documents from the San Mateo Countywide Water Pollution Prevention Program included the 2020 Control Measures Implementation Plan for the Polychlorinated Biphenyls and Mercury TMDL to the San Francisco Bay, the twelve concept plans from the San Mateo County Sustainable Streets Master Plan and the ten new concepts for full trash capture opportunities in partnership with Caltrans. The survey is typically released every four years and provides input on capital investment needed nationwide for publicly-owned wastewater collection and treatment facilities (including stormwater) to meet the water quality goals of the Clean Water Act. These capital investment needs are reported periodically to Congress to support federal appropriations.

6) Reminder to request credentials for GI Tracking Tool:

In August, Paradigm Environmental presented a workshop to San Mateo County permittees on recent updates to the GI Tracking Tool, including the latest QA/QC on project data, enhanced user interface and updated dashboard capabilities, including watershed-scale pollutant loading displays. The Tool will also be evaluated this Fiscal Year for potential to integrate new asset management tracking and reporting requirements under Provision C.15 of the MRP. Municipal staff have been encouraged to request unique user log-in accounts to view jurisdiction-specific data and dashboards. Municipal staff may reach out to Reid Bogert, C/CAG staff, at rbogert@smcgov.org to request a log-in account.

7) Developing C/CAG's legislative platform for 2023-24 session:

C/CAG's Legislative Committee provides advice and recommendations to the full C/CAG Board on all matters dealing with State legislation, ballot measures, and positions to take on specific bills. During the active legislative year (January through August) the Committee monitors bills of potential interest to C/CAG member agencies and selects those to be tracked. The Committee then recommends positions on bills for consideration by the full C/CAG Board and acts as the liaison with C/CAG's legislative advocating firm. On issues of highest priority, the Committee may direct staff to seek one or more legislative delegates to sponsor a bill that provides countywide benefit and aligns with C/CAG's adopted legislative policies. The Legislative Committee also works with staff and

C/CAG's Federal Legislative Advocate to track federal policies and funding opportunities for C/CAG projects.

In preparation for the 2023-2024 Legislative Session, C/CAG staff are currently working on reviewing C/CAG's 2022 Legislative Platform (Attachment 1) for consideration by the Legislative Committee at the November 17 meeting and also working with C/CAG's state legislative and federal advocacy consultants to identify potential focus areas for this legislative calendar year, including stormwater funding and legislation to support programmatic implementation emphasizing green stormwater infrastructure and regional scale stormwater capture project planning and implementation. C/CAG staff encourage Stormwater Committee members to provide input on stormwater related bills as they are developed early in 2023.

8) Funding Opportunities:

The Countywide Stormwater Program continues to track and evaluate funding opportunities to support program developments and C/CAG's member agencies with opportunities to fund local stormwater projects and programs. The California Grants Portal is a useful resource to track statewide and regional funding opportunities - <https://www.grants.ca.gov/>. The following opportunities are currently open solicitations or programs under development related to stormwater management:

- [Tire Derived Aggregate Grant Program](#) (Department of Resources, Recycling and Recovery), due 12/7/22, up to \$750K per project, includes LID applications
- [Prop 68 Climate Adaptation Funds](#) (California Coastal Conservancy), ongoing, \$5.7M available for the SF Bay Area, including green infrastructure and climate resilience projects/additional statewide appropriations for 2022/23, including \$350M climate resilience projects, \$160M for sea level rise, \$150M for coastal resilience
- [Clean California Local Grant Program Cycle 2](#) (Caltrans), call for projects forecasted for January 2023, \$100M statewide up to \$500M per project

ATTACHMENTS

1. C/CAG's 2022 Legislative Platform

C/CAG LEGISLATIVE POLICIES FOR 2022

(Received by Committee: February 10, 2022 C/CAG Legislative Meeting)

Policy #1 - Protect against the diversion of local revenues, promote equitable distribution of state/regional resources and revenues, and protect against increased local cost resulting from State actions.

- 1.1 Support League of California Cities, California State Association of Counties, and other stakeholders, as well as initiatives, to protect local revenues.
- 1.2 Provide incentives and tools to local government to promote economic vitality.
- 1.3 Support efforts to improve the disadvantaged community screening tools used by the state on the allocation of “cap and trade” and other state funding programs to ensure that San Mateo County community needs are addressed.
- 1.4 Support appropriate new funding or the reinstatement of state funding for economic development and affordable housing, including the use of tax-increment financing or “Redevelopment 2.0.”
- 1.5 Pursue and support efforts that direct state and regional funds equitably to ensure a return to source.
- 1.6 Support State actions that ensure adequate funding is made available by the State for delegated re-alignment responsibilities and ensure that all State mandates are 100% reimbursed.
- 1.7 Oppose State actions that delegate responsibilities to local jurisdictions without full reimbursement for resulting costs.
- 1.8 Support funding efforts for the COVID-19 public health emergency that are responsive to equity, transportation, housing, and environmental needs in San Mateo County.

Policy #2 - Protect against loss of local land use authority from State action.

- 2.1 Support State actions that provide funding for local agencies to plan, incentivize, and mitigate for future housing development.
- 2.2 Support State actions that allow flexibility for local agencies to pool resources and share credit on their housing production reports.
- 2.3 Oppose State actions that would inhibit local agencies’ ability to make decisions that address the specific needs of that community.
- 2.4 Oppose State actions that would withhold funding (including transportation) from jurisdictions based on housing production performance outcomes.

- 2.5 Monitor legislation and ballot initiatives that impact local housing and land-use authority and oppose and legislation that would usurp a local government’s authority regarding land-use decisions.
- 2.6 Support legislation that identifies revenue to fund airport/land use compatibility plans.

Policy #3 - Support actions that help to meet municipal stormwater permit requirements and secure stable funding to pay for current and future regulatory mandates.

- 3.1 Primary focus on securing additional revenue sources and achieving cost effectiveness for both C/CAG and its member agencies for funding state and federally mandated stormwater compliance efforts.
 - a. Advocate for funding for implementing the San Mateo County Stormwater Resource Plan, San Mateo County Sustainable Streets Master Plan, and local Green Infrastructure Plans, and advocate to support long-term reductions in harmful bacteria, trash, plastics, mercury, PCBs, and other pollutants discharging to the Bay and Ocean and to reduce flooding, recharge groundwater, adapt to a changing climate, and enhance communities.
 - b. Advocate for inclusion of water quality and stormwater management as a priority for funding in new sources of revenues (e.g. water bonds) and protect against a geographically unbalanced North-South allocation of resources.
 - c. Track and advocate for resources for stormwater management in State and Federal grant and loan programs.
 - d. Support efforts to identify regulatory requirements that are unfunded state mandates and ensure provision of state funding for such requirements.
 - e. Pursue and support efforts that address stormwater issues at statewide or regional levels and thereby reduce the cost share for C/CAG and its member agencies and limit the need to implement such efforts locally.
 - f. Advocate for better integration between parallel statewide efforts to manage stormwater for water quality improvement, long-term climate change adaptation, and groundwater recharge.
 - g. Support legislative efforts to provide additional funding for stormwater projects in San Mateo County, including funding for regional stormwater management efforts through the San Mateo County Flood and Sea Level Rise Resiliency District, and advancing schoolyard greening initiatives, regional-scale multi-benefit stormwater capture projects, and programmatic implementation of regional-scale distributed green stormwater infrastructure.
 - h. Support mechanisms that allow credit trading approaches for stormwater management and water quality improvement.
- 3.2 Support efforts to secure statewide legislation mandating abatement of polychlorinated biphenyls (PCBs) in building materials prior to demolition of relevant structures, in

accordance with requirements in the San Francisco Bay Regional Water Quality Control Board's Municipal Regional Permit.

- 3.3 Pursue and support efforts that control pollutants at the source and extend producer responsibility, especially regarding trash and litter control, including but not limited to microplastics, tire wear byproducts and other vehicle related pollutants, and emerging contaminants of concern.
- 3.4 Support efforts to place the burden/ accountability of reporting, managing, and meeting municipal stormwater requirements on the responsible source rather than the cities or county, such as properties that are known pollutant hot spots and third-party utility purveyors.
- 3.5 Advocate for integrated, prioritized, and achievable stormwater regulations that protect water quality and beneficial uses and account for limitations on municipal funding.
- 3.6 Pursue and support pesticide and rodenticide regulations that protect water quality and reduce pesticide toxicity.

Policy #4 - Advocate and support an integrated and flexible approach to funding.

- 4.1 Advocate for appropriate and effective integrated approaches to both funding and project types for statewide and regional infrastructure efforts including stormwater management, transportation, affordable housing, and both climate action and adaptation (resiliency).
- 4.2 Advocate for efforts that provide flexibility in funding sources to enable a holistic approach to fund programs and projects.

Policy #5 - Support lowering the 2/3rd super majority vote for local special purpose taxes and fees.

- 5.1 Support constitutional amendments that reduce the vote requirements for special taxes and fees.
- 5.2 Oppose bills that impose restrictions on the expenditures, thereby reducing flexibility, for special tax category.

Policy #6 - Protect and support transportation funding and policies aligned with C/CAG's priorities.

- 6.1 Maximize the Bay Area's and San Mateo County's share of any State General Fund surplus revenue invested in local/regional transportation.
- 6.2 Support efforts that protect transportation revenues from being pledged, transferred, or used for non-transportation purposes.
- 6.3 Support the implementation of SB 1 (Road Repair and Accountability Act of 2017) programs and monitor the implementation of Executive Order N-19-19, N-79-20, and the Climate

Action Plan for Transportation Infrastructure (CAPTI), which call for aligning transportation spending with the state’s climate goals.

- 6.4 Monitor and engage in the planning for and potential implementation of new transportation funding sources, including identifying viable alternatives to the gas tax; and regional proposals to study congestion pricing.
- 6.5 Monitor legislation related to the California high-speed rail project as it affects our San Mateo County region.
- 6.6 Support legislation that identifies funding for active transportation, complete streets, and bike/pedestrian infrastructure projects, including multi-benefit projects that integrate transportation improvements with green stormwater infrastructure.
- 6.7 Support efforts to secure the appropriation and allocation of “cap and trade” revenues to support San Mateo County needs.
- 6.8 Support or sponsor efforts that finance and/ or facilitate operational improvements on the State Highway system and highway corridors in San Mateo County, including the 101 Express Lanes project.
- 6.9 Support alternative contracting and project delivery methods, such as Public Private Partnerships, that could result in project cost savings, such as accelerated deployment of technology including fiber optic cable for connected vehicle deployment, access to broadband capabilities, and more cost effective distributed green infrastructure for stormwater management.
- 6.10 Monitor the implementation of the new bridge toll program (Regional Measure 3) and advocate for an appropriate share of new revenues for projects in San Mateo County.
- 6.11 Monitor and engage in the effort to seek voter approval for a regional funding measure for transportation in 2024.
- 6.12 Support efforts that incentivize ridership and improve integration & connectivity among Bay Area transit systems. Monitor legislation that promotes transit-oriented development.
- 6.13 Support policies, including expanding community broadband access and technological advancements to encourage telecommuting, and others aimed at reducing vehicle miles traveled and associated traffic congestion by reducing the share of commuting by single-occupant vehicles.
- 6.14 Support efforts to improve the performance of high-occupancy vehicle (HOV) and express lanes.
- 6.15 Monitor or support legislation improving bicycle and pedestrian safety. In particular, support the implementation of AB 43 and authorization of automated speed enforcement technology to enforce speed limits and other elements of Vision Zero.

- 6.16 Support legislation that would amend Government Code Section 65089.20 to increase the maximum voter-approved vehicle license fee from its existing \$10.
- 6.17 Support efforts to create local VMT/GHG mitigation programs to assist in reaching SB 375 GHG reduction goals.
- 6.18 Monitor legislation and funding opportunities for integration of autonomous vehicles and infrastructure.
- 6.19 Support and monitor efforts to facilitate the deployment of transformative transportation technologies with the goal of accelerating safety, mobility, environmental, equity and economic benefits associated with new mobility technologies. Additionally, ensure strong federal vehicle safety standards while also preserving the ability of state and local agencies to continue to set policies governing the operation of vehicles on highways and local roads, regardless of whether they are driven autonomously or manually.
- 6.20 Support legislation that streamlines project delivery, including simplifying grant applications, streamlining CEQA, and accelerating project permit approvals.

Policy #7 - Advocate for revenue solutions to address State budget issues that are also beneficial to Cities/ Counties

- 7.1 Support measures to ensure that local governments receive appropriate revenues to service local communities.
- 7.2 Support measures and policies that encourage and facilitate public private partnerships.

Policy #8 - Support bold climate protection action, Greenhouse Gas reduction, and energy conservation and resilience legislation

- 8.1 Support incentive approaches toward implementing AB 32 (California Global Warming Solutions Act of 2006), SB 32 (extension of the target date and goals), and AB 398 (Cap and Trade), and legislation that supports electrification of infrastructure and the adoption of alternative fuel technologies.
- 8.2 Monitor climate legislation that would conflict with or override projects approved by the voters.
- 8.3 Support funding for both transportation and housing investments, which support the implementation of SB 375 (Sustainable Communities and Climate Protection Act of 2008), so that housing funds are not competing with transportation funds.
- 8.4 Monitor the regulatory process for implementing SB 743 (Evaluation of Transportation Impacts in CEQA) and impacts the new regulations may have on congestion management plans.
- 8.5 Support legislation that would require recording of vehicle miles of travel (VMT) as part of vehicle registration and initiatives to provide VMT and vehicle data from the DMV to evaluate trends in community greenhouse gas emissions and transit project outcomes.

- 8.6 Support efforts that ensure continued funding for ratepayer-funded local government partnerships to foster energy efficiency, electrification, and resilience, or expand funding for generation and use of renewable and/ or clean energy sources (wind, solar, etc.).
- 8.7 Work to initiate legislation that provides new funding and incentives for building energy electrification, transition to electric vehicles, or other greenhouse gas reducing initiatives, in support of local government climate action plans and the Governor’s Executive Orders N-19-19 and N-79-20.
- 8.8 Support funding for electric vehicle and bike charging infrastructure, electric power storage capacity, and rebates for electric vehicle purchase.
- 8.9 Support legislation that supports Peninsula Clean Energy (PCE) objectives and oppose proposed legislation that impairs that effort.
- 8.10 Support legislation that provides local government access to data necessary for completing greenhouse gas emission inventories, or legislation that requires the State to provide emissions data and develop community-scale greenhouse gas emission inventories and make them publicly available.
- 8.11 Support efforts that will engage the business community in making contributions to community improvements associated with stormwater, transportation congestion relief and mobility options, affordable housing, greenhouse gas emissions reductions, electrification, and energy resilience.
- 8.12 Support legislative efforts to create a unified voice in San Mateo County and to manage integrated water issues including sea level rise, flooding, coastal erosion, and stormwater vulnerabilities.
- 8.13 Support legislation to provide funding and policy guidance on wildfire preparedness and emergency response to local jurisdictions.
- 8.14 Monitor efforts to address emergency preparedness and response activities by PG&E.

Policy #9 - Protection of water user rights and access to sustainable water supply

- 9.1 Support the Bay Area Water Supply and Conservation Association (BAWSCA) efforts in the protection of water user rights for San Mateo County users.
- 9.2 Support legislation that provides funding for development of alternative sources of water supply, resources for municipal water supply conservation, and water capture initiatives.

Policy #10 - Other/Miscellaneous

- 10.1 Monitor and Support Brown Act reforms that provide flexibility, facilitate public engagement, and allow for transparent, accessible, and participatory remote public meetings; with the goals of increasing participation from board members, committee members, and the public; and reducing vehicle miles traveled.

C/CAG AGENDA REPORT

Date: November 17, 2022

To: Stormwater Committee

From: Reid Bogert, C/CAG Senior Program Specialist

Subject: Receive information regarding MRP 3.0 requirements to address non-stormwater discharges associated with unsheltered homeless populations

(For further information or questions contact Reid Bogert at rbogert@smcgov.org)

RECOMMENDATION

That the Committee receive information regarding MRP 3.0 requirements to address non-stormwater discharges associated with unsheltered homeless populations.

BACKGROUND/DISCUSSION

The reissued five-year term of the Municipal Regional Stormwater Permit Order No. R2-2022-0018 (MRP 3.0) administered by the San Francisco Bay Regional Water Quality Control Board (Water Board) was adopted by the Water Board on May 11, 2022, with an effective date of July 1, 2022.

MRP 3.0 includes several new or modified provisions of the prior permit and overall represents a significant expansion of compliance activities at the local and countywide program scales. A new area of focus of MRP 3.0 under Provision C.17 addresses discharges to municipal separate stormwater systems (MS4s) associated with unsheltered populations. To encourage ongoing regional, countywide and municipal coordination efforts, MRP Provision C.17.a.i.(2) requires Permittees to collectively develop a best management practice (BMP) report that identifies effective practices to address non-stormwater discharges associated with homelessness into MS4s that impact water quality and specific milestones for reducing such discharges within a given timeframe. This report is due with the September 2023 Annual Reports. To support implementation of this requirement, the Bay Area Municipal Stormwater Collaborative (BAMS Collaborative) initiated a project of regional benefit and a new workgroup in Fiscal Year 2022-23 to develop the regional BMP report for addressing non-stormwater discharges associated with homelessness. The regional report will include a compilation of information from the MRP Countywide Programs and permittees pursuant to Provision C.17.a.i.(2), all of which will be summarized in an executive summary. The 2023 submittal will include specific information from permittees regarding BMPs implemented to-date, the approximate portion of homeless population/locations being served, the approximate portion of homeless population/locations not being reached/not fully reached, as well as permittee maps that show locations of unsheltered homeless populations and these locations in relation to storm drain inlets and/or surface water bodies. The permittee specific data and information, including updated BMPs and maps, will need to be resubmitted with the 2025 Annual Reports.

The Countywide Stormwater Program has established a countywide workgroup focused on Provision C.17 to begin gathering data and information related to activities and BMPs in San Mateo County

detailed above, and which will be compiled into the regional report. C/CAG's consultants at EOA will provide a summary of the new requirements and the activities completed in the countywide and regional workgroups, as well as the schedule for completing deliverables set forth in the BAMSC regional report submittal planned for September 2023. Staff will solicit input regarding the process of collecting necessary data from relevant municipal departments and other San Mateo County agencies to support this effort.

ATTACHMENTS

None.

C/CAG AGENDA REPORT

Date: November 17, 2022
To: Stormwater Committee
From: Reid Bogert, C/CAG Senior Program Specialist
Subject: Receive information regarding MRP 3.0 requirements to develop a Program for Polychlorinated Biphenyls Control Measure Implementation in Old Industrial Areas

(For further information or questions contact Reid Bogert at rbogert@smcgov.org)

RECOMMENDATION

That the Stormwater Committee (Committee) receive information regarding MRP 3.0 requirements to develop a Program for Polychlorinated Biphenyls Control Measure Implementation in Old Industrial Areas.

BACKGROUND/DISCUSSION

The reissued five-year term of the Municipal Regional Stormwater Permit Order No. R2-2022-0018 (MRP 3.0) administered by the San Francisco Bay Regional Water Quality Control Board (Water Board) was adopted by the Water Board on May 11, 2022, with an effective date of July 1, 2022.

MRP 3.0 includes several new or modified provisions of the prior permit and overall represents a significant expansion of compliance activities at the local and countywide program scales. Provisions C.11/12.c require new efforts focused on reducing polychlorinated biphenyls (PCBs) and mercury in Old Industrial Land Use areas throughout the MRP area. The permit specifies an estimated acreage of Old Industrial areas that drain to the municipal separate sewer systems and that have not been redeveloped or treated by green stormwater infrastructure (or other control measures). The permit further specifies mandatory acreage treated and associated load reductions for PCBs and mercury on a countywide basis for each of the Phase I countywide program areas under the MRP to be achieved by the end of the five-year permit. The total acreage treated and/or load reduction compliance goals to be achieved by control measure implementation across the MRP area represents approximately 8 percent of the estimated remaining Old Industrial acreage yet to be redeveloped or treated as of MRP 3.0. San Mateo County's portion of the acreage treated and PCBs load reduction metrics are 445 acres and 81 grams/year, respectively.

To support this implementation requirement, the Countywide Stormwater Program initiated an Old Industrial Land Use PCBs Workgroup (OILU Workgroup) in fall 2021 with representatives from the nine C/CAG member agencies that have the majority of Old Industrial areas in their respective jurisdictions (see Attachment 1). Working with each municipality through the OILU Workgroup, the Countywide Stormwater Program is developing a proposed approach to compliance for San Mateo County co-permittees under Provisions C.11/12.c, including the development of a Control Measure Implementation Plan for PCBs in Old Industrial Areas to be submitted to the Water Board by March

31, 2022.

C/CAG's consultants from EOA will provide a summary of the new requirements under Provisions C.11/12.c, the efforts to-date to evaluate the anticipated level of implementation to address PCBs in Old Industrial areas planned by the end of the permit based on information collected from permittees, and the estimated remaining acreage/load reductions needed to demonstrate compliance. Staff and will solicit input from the Committee on the proposed overall approach, emphasizing a new proposed program to plan and implement controls in drainage areas shown to have moderate levels of PCBs (above 0.2 ppm below 1 ppm) via monitoring data collected to-date and additional data to be collected in future Water Years during the permit term.

ATTACHMENTS

1. Table of Old Industrial Land Use acreage among San Mateo County municipalities

Table of Old Industrial Land Use acreage among San Mateo County municipalities as of approximately the end of MRP 2.0. The nine member agencies highlighted yellow are participating in an Old Industrial Land Use PCBs Workgroup to support developing a PCBs Control Measure Implementation Plan for Old Industrial Areas in the county.

Municipality	Current Old Industrial (acres)
South San Francisco	1,133
Brisbane	761
San Mateo County	562
Redwood City	445
San Carlos	354
Burlingame	338
Menlo Park	337
San Mateo	238
East Palo Alto	115
San Bruno	76
Millbrae	59
Foster City	49
Belmont	44
Daly City	34
Colma	16
Woodside	6
Hillsborough	3
Atherton	1

4,571