



Media Contacts: **City/County Association of Governments of San Mateo County**
Reid Bogert, Stormwater Program Specialist
650.863.2126 | rbogert@smcgov.org

FOR IMMEDIATE RELEASE

Popular San Mateo Countywide Rain Barrel Program Returns for a Third Year Residents offered up to two discounted rain barrels to capture water this rainy season

SAN MATEO CA. October 18, 2023 – [Flows To Bay](#), the public outreach arm of the San Mateo Countywide Water Pollution Prevention Program, announced today that it will once again be partnering with the City of San Mateo and Rain Water Solutions, a North Carolina-based rain barrel provider, to sell and distribute discounted rain barrels to San Mateo County residents.

"Rain barrels are a practical investment for residents to help adapt to climate change and turn rainwater into a resource," said Davina Hurt, Vice Mayor of Belmont and Chair of the City/County Association of Governments of San Mateo County (C/CAG). "We're thrilled to announce the return of the rain barrel program for the third consecutive year to help save money and water. We encourage residents and businesses to consider the installation of one or two rain barrels – a great choice for a more sustainable future."

San Mateo County residents can submit their orders online at [Flows to Bay website](#) from now until October 22nd. Rain Barrels are discounted at \$80 each and will be delivered on November 4th to a City of San Mateo off-loading site for pick-up in person. Supplies are limited, so residents are encouraged to act fast.

"Rain barrels protect our waterways by collecting and storing rainwater for use in gardens, rather than allowing it to runoff properties where it can become polluted with contaminants as it flows toward the Bay and ocean," said Reid Bogert, Director of the Stormwater Program at C/CAG. "Importantly, they can become a tool for reducing our use of precious water resources and adapting to a changing climate as we continue to experience more intense, though less frequent large storms, and longer periods of high heat and drought."

Qualified residents can receive up to \$200 in rebates for installing rain barrels from Bay Area Water Supply & Conservation Agency (BAWSCA) and the City/County Association of Governments, San Mateo County (C/CAG). Residents can view their eligibility for rebates [here](#). And [read the terms](#) here.

Discounted Rain Barrels will be available for residents on [Flows to Bay's website](#) until Sunday, October 22 at <https://www.flowstobay.org/bulk-rain-barrel-program/>.

####

About Flows to Bay

Flows To Bay, the public outreach arm of the San Mateo Countywide Water Pollution Prevention Program, is a program of the City/County Association of Governments of San Mateo County, a joint powers agency of the County and the 20 cities and towns in San Mateo County. In addition to funding green infrastructure projects, C/CAG supports its member agencies in achieving State-mandated stormwater pollution reduction requirements through countywide and regional collaboration on stormwater planning, water quality monitoring, community outreach and engagement, and public education.

Link to logos and images:

<https://drive.google.com/drive/folders/1NJafiqXcLBleIbLnRF2mOCBoqdcy4aUH?usp=sharing>

October 3, 2023

Submitted via email to commentletters@waterboards.ca.gov

Ms. Courtney Tyler
Clerk to the Board
State Water Resources Control Board
1001 I Street, 24th Floor
Sacramento, CA 95814

Subject: Comment Letter – Draft Municipal Stormwater Cost Policy

Dear Ms. Tyler:

Thank you for the opportunity to submit comments on the Draft Water Quality Control Policy for Standardized Cost Reporting in Municipal Separate Storm Sewer System (MS4) Permits (herein referred to as the Draft Policy) dated August 2023. I am submitting these comments on behalf of the San Mateo Countywide Water Pollution Prevention Program (SMCWPPP or the Program) which represents the 20 towns and cities and the County of San Mateo and the San Mateo County Flood and Sea Level Rise Resiliency District (Permittees). The Program recognizes the significant effort that has gone into developing the Draft Policy and appreciates the State Water Resources Control Board (SWRCB)'s efforts to collaborate with regional stakeholders throughout the state, including representatives from SMCWPPP and the other countywide programs and permittees under the San Francisco Bay Municipal Regional Stormwater Permit (MRP) on this important policy.

SMCWPPP Supports CASQA's Comment Letter

Generally, the Program supports the California Stormwater Quality Association (CASQA)'s comment letter on the Draft Policy submitted to the SWRCB on this same date, and respectfully requests the SWRCB to address the comments made and the revisions requested by CASQA in developing the Revised Draft Policy. In particular, SMCWPPP supports the points made in CASQA's comment letter regarding the requested changes to ensure the Draft Policy is broad enough to allow Permittees to report costs consistent with the applicable permit, instead of requiring a new and more complicated format and terminology, to avoid duplication of effort and significant challenges in reconfiguring costs and accounting for two reporting processes.

SMCWPPP also strongly urges the SWRCB to remove subcategories in the Draft Policy, and instead require cost reporting at the category and line item level only. In many cases, NPDES stormwater permit responsibilities are split among different departments with different budgeting and accounting processes and timelines. Furthermore, year to year and permit to permit, these processes may change to accommodate other department and agency-wide changes in fiscal management. The complex nature of local municipal stormwater planning and budgeting makes it challenging, if not infeasible, to reliably and accurately separate out stormwater-related costs from other ongoing department activities and expenditures.

Recognition of the Bay Area Cost Reporting Framework and Guidance Manual as a Model for the Draft Policy

As noted in the CASQA comment letter, significant effort and lessons learned on establishing new MS4 permit cost reporting guidance have gone into the development of the Bay Area Cost Reporting Framework (Framework) and Guidance Manual (see enclosures) developed by the

Bay Area Permittees, via the Bay Area Municipal Stormwater Collaborative (BAMSC). The BAMSC developed the Framework and Guidance in compliance with Provision C.20, Cost Reporting, of the reissued Francisco Bay Region Municipal Regional National Pollutant Discharge Elimination System (NPDES) Permit¹ (MRP).

SMCWPPP program Permittees and program representatives worked regionally over the past year with the other Phase I countywide stormwater programs in the San Francisco Bay via the BAMSC to finalize the Framework and Guidance Manual in June 2023, with input from SWRCB and the San Francisco Bay Regional Water Quality Control Board (Regional Water Board). Having gone through a thorough review process and received input from permittees, program representatives and State and regional regulators, we strongly urge that the SWRCB explicitly recognize the Framework and Guidance Manual in the Draft Policy. In compliance with the reissued MRP (MRP 3.0), the Bay Area Permittees have already submitted the Framework and Guidance Manual to the Regional Water Board for Executive Officer approval², and have received feedback from Regional Water Board staff that the Framework and Guidance Manual are “generally acceptable” with just two minor revisions. Once the Framework is approved, Permittees will begin annually preparing and submitting a fiscal analysis of the costs incurred to comply with MRP requirements beginning in FY 2024-25. It is our collective and express hope that the SWRCB will make the necessary changes to align the Draft Policy with the Bay Area Framework as a leading example for rigorous and implementable cost reporting policy guidance for MS4 permits throughout the state.

Additional Requests to Support Implementation of the Bay Area Cost Reporting Framework and MRP Cost Reporting Requirements

In addition to the requested revisions in the CASQA comment letter and those stated above regarding developing a statewide cost reporting policy that supports permit-specific reporting requirements and is structured at the right reporting level to ensure a reliable and practical reporting process, we encourage the SWRCB to consider incorporating into the Draft Policy the specific terminology, cost categories, line items, and cost estimating procedures contained in the Framework and Guidance Manual. The Framework and the Draft Policy are, to a certain extent, already aligned in this regard; however, the specific cost categories, line items and estimating procedures in the Framework have been carefully vetted by a wide range of Permittees in the Bay Area, and we encourage leveraging this valuable institutional knowledge in the Draft Policy. We also feel strongly that the Draft Policy include specific guidance for each component of cost reporting as documented in the Guidance Manual to ensure accuracy and consistency in reporting as permits are implemented. Given the extensive effort put into the Framework and lessons learned from that collaborative process among Permittees, Regional Water Board staff and SWRCB staff, we further respectfully request that SWRCB explicitly acknowledge that the Framework is equivalent to the guidance in the Draft Policy and to develop the STORMS MS4 Implementation Cost Survey Tool to be consistent with the reporting structure of the Framework. This will ensure Bay Area Permittees will have a clear and more streamlined cost reporting process at the regional and state level when the SWRCB adopts its final cost reporting policy.

The SMCWPPP Permittees and Program staff sincerely hope that SWRCB members and staff will consider our recommendations and continue to work with us towards an implementable

¹ The San Francisco Bay Regional Water Quality Control Board adopted the first MRP on October 14, 2009. This permit was reissued on November 11, 2015, and again on May 11, 2022, as Order No. R2-2022-0018. This Order became effective on July 1, 2022.

² The Bay Area Cost Reporting Framework and Guidance Manual were submitted via transmittal from the BAMSC Co-Chairs to the Regional Water Board on June 26, 2023.

municipal stormwater cost reporting policy. If you have any questions, please feel free to contact me at Reid Bogert (rsbogert@smcgov.org) or 650-863-2126.

Sincerely,

A handwritten signature in black ink, appearing to read "Reid Bogert". The signature is fluid and cursive, with the first name "Reid" and last name "Bogert" clearly distinguishable.

Reid Bogert
Stormwater Program Director
City/County Association of Governments of San Mateo County

cc:

Jonathan Bishop, State Water Resources Control Board
Karen Mogus, State Water Resources Control Board
Amanda Magee, State Water Resources Control Board
Tom Mumley, San Francisco Bay Regional Water Quality Control Board
Keith Lichten, San Francisco Bay Regional Water Quality Control Board

encl:

- 1) Final Bay Area Cost Reporting Guidance Manual
- 2) Bay Area Cost Reporting Framework and Guidance Manual presentation given at the CASQA Annual Conference on September 9, 2023



BAY AREA MUNICIPAL STORMWATER
(BAMS) COLLABORATIVE

BAY AREA COST REPORTING GUIDANCE MANUAL

Final Draft - Under Review

June 2023

Submitted in compliance with the San Francisco Bay Municipal Regional Stormwater National Pollutant Discharge Elimination System (NPDES) Permit, Order No. R2-2022-0018, Provision C.20, on behalf of:

Alameda Countywide Clean Water Program

Contra Costa Clean Water Program

San Mateo Countywide Water Pollution Prevention Program

Santa Clara Valley Urban Runoff Pollution Prevention Program

Solano Stormwater Alliance

Preface

The Bay Area Municipal Stormwater (BAMS) Collaborative represents 103 stormwater management agencies in the San Francisco Bay Area, including 88 cities and towns, 8 counties, and 7 special districts. The BAMS Collaborative is focused on regional challenges and opportunities to improve the quality of stormwater flowing to local creeks, the Delta, San Francisco Bay, and the Pacific Ocean. The BAMS Collaborative was organized in 2021 by the Board of Directors for the Bay Area Stormwater Management Agencies Association (BASMAA) to continue the information sharing and permittee advocacy functions of BASMAA in an informal manner after BASMAA's dissolution. The BAMS Collaborative continues BASMAA's mission to encourage information sharing and cooperation, and to develop products and programs that are more cost-effectively completed regionally than locally.

Within the BAMS Collaborative, 79 agencies are Permittees under the San Francisco Bay Municipal Regional Stormwater NPDES Permit (MRP), Order No. R2-2022-0018. MRP Provision C.20 requires Permittees to annually prepare and submit a fiscal analysis of the costs incurred to implement MRP requirements, beginning with the 2025 Annual Report (i.e., for Fiscal Year 2024-2025), and use a common framework and methodology. This Bay Area Cost Reporting Guidance Manual describes the cost reporting framework and methodology that will be used by MRP Permittees. It is anticipated that adjustments to the framework and methodology may be made over time as Permittees gain experience with estimating and submitting MRP implementation costs.

The Guidance Manual and accompanying Framework Tool (Excel-based workbook) was funded by the BAMS Collaborative member agencies subject to the MRP and developed on behalf of the BAMS Collaborative by EOA, Inc. and Larry Walker Associates, Inc. under the oversight of the BAMS Collaborative's Cost Reporting Work Group.

BAY AREA COST REPORTING GUIDANCE MANUAL

Table of Contents

| | |
|--|-----------|
| 1.0 Background | 1 |
| 1.1 MRP Requirements | 1 |
| 1.2 State Water Board Efforts | 3 |
| 1.3 Municipal Regional Permit Justification for Tracking and Reporting Costs | 3 |
| 2.0 Approach | 4 |
| 3.0 General Guidance and Assumptions | 5 |
| 3.1 Description of Cost Reporting Categories | 5 |
| 3.2 Other Related Municipal Activities | 11 |
| 4.0 Organization and Use of the Framework | 13 |
| 4.1 Framework Tool Organization | 13 |
| 4.2 Instructions for Completing the Framework Tool | 15 |
| 4.3 Submittal of the Cost Analysis | 16 |
| 5.0 Guidance by MRP Provision | 16 |
| 5.1 Program Management [including C.20, C.22, and C.25] | 16 |
| 5.2 Provision C.2 – Municipal Operations | 18 |
| 5.3 Provision C.3 – New Development and Redevelopment | 19 |
| 5.4 Provision C.4 – Industrial and Commercial Site Controls | 21 |
| 5.5 Provision C.5 – Illicit Discharge Detection and Elimination | 22 |
| 5.6 Provision C.6 – Construction Site Control | 24 |
| 5.7 Provision C.7 – Public Information and Outreach | 25 |
| 5.8 Provision C.8 – Water Quality Monitoring | 26 |
| 5.9 Provision C.9 – Pesticides Toxicity Control | 27 |
| 5.10 Provision C.10 – Trash Load Reduction and Assessment | 28 |
| 5.11 Provision C.11 – Mercury Controls | 30 |
| 5.12 Provision C.12 – PCBs Controls | 32 |
| 5.13 Provision C.13 – Copper Controls | 34 |

| | |
|--|-----------|
| 5.14 Provision C.14 – Bacteria Controls for Impaired Waters | 35 |
| 5.15 Provision C.15 – Exempted and Conditionally Exempted Discharges | 36 |
| 5.16 Provision C.16 – Discharges to Areas of Special Biological Significance | 37 |
| 5.17 Provision C.17 – Discharges Associated with Unsheltered Homeless Populations | 38 |
| 5.18 Provision C.18 – Control of Sediment Discharges from Coastal San Mateo County Roads | 40 |
| 5.19 Provision C.19 – Cities of Antioch, Brentwood, and Oakley, Unincorporated Contra Costa County, and the Contra Costa County Flood Control and Water Conservation District Requirements | 41 |
| 5.20 Provision C.21 – Asset Management | 42 |
| 6.0 Guidance on Estimating Costs for the Upcoming Fiscal Year | 42 |
| 7.0 Guidance on Reporting Sources of Funds | 43 |
| Appendix A – Cost Reporting Cover Sheet Template | |

1.0 Background

This Bay Area Cost Reporting Guidance Manual describes a regional cost reporting framework and methodology that have been developed to address the requirements of the San Francisco Bay Area Municipal Regional Stormwater NPDES Permit, Order R2-2022-0018 (MRP), Provision C.20. The MRP requires each Permittee to annually prepare and submit a fiscal analysis of the costs incurred to implement MRP requirements, beginning with the 2025 Annual Report (i.e., for Fiscal Year 2024-2025). The language in Provision C.20 encourages Permittees to collaboratively develop the cost reporting framework and methodology to perform the fiscal analysis for purposes of efficiency, cost-savings, and regionwide consistency and comparability.

The Permittees and countywide stormwater program representatives currently work together to conduct projects of regional benefit through the Bay Area Municipal Stormwater (BAMS) Collaborative. In September 2022, the BAMS Collaborative Steering Committee approved a project profile describing the scope of work, estimated budget, and allocation of funding among countywide stormwater programs to develop a regional cost reporting framework and methodology. The products consist of a Framework Tool (Excel-based workbook) and this Cost Reporting Guidance Manual. A Cost Reporting Work Group was formed to direct the effort and provide input on draft products. After conducting two rounds of draft product review and comment by Permittees and countywide programs and receiving input from Regional Water Board staff and USEPA staff, the final Bay Area Cost Reporting Guidance Manual and accompanying Framework Tool were submitted to the Regional Water Board by June 30, 2023, per MRP requirements.

1.1 MRP Requirements

Program Areas for Cost Reporting

MRP Provision C.20.b.iii specifies that the cost reporting framework and methodology must include the following program areas:

1. Program Management
2. Municipal Operations (C.2)
3. New Development and Redevelopment (C.3)
4. Industrial and Commercial Site Controls (C.4)
5. Illicit Discharge Detection and Elimination (C.5)
6. Construction Site Controls (C.6)
7. Public Information and Outreach (C.7)
8. Water Quality Monitoring (C.8)
9. Pesticides Toxicity Control (C.9)
10. Trash Load Reduction (C.10)
11. Mercury Controls (C.11)
12. PCBs Controls (C.12)

13. Copper Controls (C.13)
14. Bacteria Controls (C.14)
15. Discharges Associated with Unsheltered Homeless Populations (C.17)
16. Asset Management Plan Development and Implementation (C.21)

The Framework includes the required program areas listed above as well as programs to comply with the following additional MRP provisions:

- C.15: Conditionally Exempted Discharges
- C.16: Discharges to Areas of Special Biological Significance
- C.18: Control of Sediment Discharges from Coastal San Mateo County Roads
- C.19: Cities of Antioch, Brentwood, and Oakley, and Unincorporated Contra Costa County and Contra Costa County Flood Control and Water Conservation District

The Program Management area in the Framework represents activities related to overall management of a Permittee's stormwater compliance program. Program Management also includes activities related to implementation of the following MRP Provisions:

- C.20: Cost Reporting
- C.22: Annual Reporting
- C.25: Permit Reissuance/Report of Waste Discharge

Cost Reporting Categories

MRP Provision C.20.b.iv requires that the costs reported for each program area address the following cost categories:

1. Total cost
2. Capital expenditures
3. Land costs
4. Personnel costs
5. Consultant costs
6. Overhead costs
7. Construction costs
8. Operation and maintenance costs
9. Other costs

The Framework covers the costs in the categories required in Provision C.20.b.iv and groups some categories for ease of cost estimating. A description of types of costs included in each category or group of categories is presented in Section 3.0 of this Guidance Manual.

Other specific permit requirements for the cost reporting framework and methodology include:

- Identify costs solely to comply with MRP requirements (as listed in Provision C.20.b.iii).
- Allow comparisons and identification of trends over time.

- Describe the source of funds used to meet the necessary expenditures, including legal restrictions on the use of such funds.
- Identify funding resources shared on a regional or countywide basis.
- Estimate costs for the upcoming fiscal year.

1.2 State Water Board Efforts

In 2020, the State Water Board’s Office of Research, Planning, and Performance (ORPP) released the Guidance for Obtaining Phase I Municipal Separate Storm Sewer System (MS4) Permit Compliance Costs. This guidance provided a list of standard categories recommended to report MS4 permit implementation costs. However, a comprehensive cost-tracking methodology was not developed.

Subsequently, the State Water Board’s Stormwater Planning Unit known as “Strategy to Optimize Resource Management of Stormwater” (STORMS) began the project “Standardizing Cost Reporting in Municipal Stormwater Permits,” which was created to address one of the high-priority items (i.e., item 3.5.3 “Cost of Stormwater Permit Implementation”) for the State Water Board as described in its 2022 Strategic Work Plan. In April 2022, STORMS staff created a stakeholder outreach document containing descriptions of proposed draft cost reporting categories (comparable to MRP “program areas”) and invited stakeholders to participate in an informal public workshop to discuss the cost reporting categories. Since that time, STORMS staff have revised the categories, developed a beta version of an online reporting tool, and begun beta testing of the tool.

The Bay Area Cost Reporting Framework and Guidance Manual was informed by and is generally consistent with past and current State Water Board efforts to develop cost reporting guidelines and cost category descriptions. Coordination with STORMS staff will continue as cost reporting efforts advance, with the goal of developing compatible cost reporting tools.

1.3 Municipal Regional Permit Justification for Tracking and Reporting Costs

The MRP Fact Sheet¹ provides justification for requiring Permittees to track and report costs. It states that fiscal analysis and cost reporting provide a useful tool to evaluate program implementation and effectiveness. The Fact Sheet provides examples of related information from federal, state, and local municipal NPDES regulations including the following:

- USEPA has found that “examining the levels of proposed spending and funding allows the permitting authority to gauge the ability of the applicant to implement the program and predict its effectiveness. The fiscal analysis also will help determine whether the applicant has met the statutory requirement of reducing the discharge of pollutants to

¹ California Regional Water Quality Control Board, San Francisco Bay Region, Municipal Regional Stormwater NPDES Permit (Attachment A, Municipal Regional Stormwater Permit Fact Sheet), Order No. R2-2022-0018, NPDES Permit No. CAS612008, May 11, 2022.

the MS4 to the maximum extent practicable. Finally, the estimates help the applicant evaluate the feasibility and cost-effectiveness of its program.”

- Federal NPDES regulation 40 CFR 122.26(d)(1)(vi) requires “[for] each fiscal year to be covered by the permit, a description of the financial resources currently available to the municipality to complete part 2 of the permit application. A description of the municipality’s budget for existing storm water programs, including an overview of the municipality’s financial resources and budget, including overall indebtedness and assets, and sources of funds for storm water programs.”
- Federal NPDES regulation 40 CFR 122.26(d)(2)(vi) requires “[for] each fiscal year to be covered by the permit, a fiscal analysis of the necessary capital and operation and maintenance expenditures necessary to accomplish the activities of the programs under paragraphs (d)(2) (iii) and (iv) of this section. Such analysis shall include a description of the source of funds that are proposed to meet the necessary expenditures, including legal restrictions on the use of such funds.”
- Standardization and comparison of cost reporting is supported by the State Water Board-funded NPDES Stormwater Cost Survey, which finds that “standards for reporting costs and stormwater activities are needed to allow accurate cost comparisons to be made between stormwater activities.”
- The State Water Board’s Office of Research, Planning, and Performance (ORPP) has also developed guidance for Water Board staff on obtaining MS4 Permit implementation costs from permittees. This guidance describes the benefits from greater detail and more standardization in cost reporting because stormwater issues vary from system to system, often making it difficult to compare compliance costs for individual MS4 permits. Collecting standardized data on what permittees spend to comply with their MS4 permits will allow the Water Boards and stakeholders to broadly compare across regions and systems and to identify trends over time.
- The City of Salinas MS4 Permit provides another example of standardized cost reporting data being used to evaluate the effectiveness of program implementation. It finds that “consistent and reliable cost information is critical for the Permittee to manage its assets, programs, funding strategies, and potential future credit programs and stormwater utility fees.”

2.0 Approach

The Framework Tool is presented in an Excel format as a series of tabbed worksheets in a single workbook. The Guidance Manual (this document) describes the cost reporting methodology and provides guidance on how to complete the Framework Tool. The cost estimation methods and assumptions are described in Section 3.0 of the Guidance Manual.

The Framework Tool and methodology strive to find the balance between detail and level of effort so that useful cost reporting information is provided in a regionally consistent manner. The Framework recognizes that municipalities have different ways of splitting, lumping, and

allocating expenses within budget lines and categories, and tries to provide flexibility within a common cost-estimating approach. Thus, the costs developed for each category and overall total costs will not necessarily be completely comparable among municipalities.

The format of the Framework Tool is a “build-up” approach that entails estimating various categories of costs (e.g., personnel and overhead, external professional services, capital expenditures, O&M) by various program areas (which generally correspond to the various MRP provisions), and then summing these parts to estimate total costs. The details of this approach are described in Sections 3.0 and 4.0 of this Guidance Manual and specific assumptions for each program area are presented in Section 5.0. It is important to note that the Framework Tool may be refined over time as Permittees gain experience with using it as a cost reporting tool.

3.0 General Guidance and Assumptions

3.1 Description of Cost Reporting Categories

This section describes how the Framework Tool addresses the cost categories specified in Provision C.20.b.iv. Table 3-1 provides the definition and assumptions related to each category.

Table 3-1. Description of Cost Reporting Categories

| Cost Category | Definition | Assumptions |
|--|--|--|
| Capital Expenditures | Expenditures related to the planning, design, and construction of stormwater quality related assets | Only applies to the following provisions: C.2, C.3, and C.10. |
| Land Acquisition | One time cost of real property, exclusive of the cost of any constructed assets on the property ² , necessary to be acquired for projects | Included with Capital Expenditures. Typically applies to the purchase of land for construction of stormwater quality assets if the land is not already owned by the Permittee. |
| Personnel | Cost of Permittee staff labor on stormwater permit-related activities | Labor rates or dollar amounts that include direct labor cost and cost of benefits. |
| Consultant | Consultant or contractor services used by the individual Permittee | Does not include countywide program consultant services. |
| Overhead | The cost of maintaining the infrastructure of the organization such as management, finance support services, janitorial, motor pool, etc. | Combined with Personnel costs for the purpose of this cost reporting methodology (see page 7). |
| Construction | Cost of construction of stormwater quality related assets | Included in Capital Expenditures. |
| Operation and Maintenance (O&M) | Costs related to the O&M of publicly owned stormwater quality-related assets constructed for stormwater permit compliance | Includes personnel, contractor, equipment, materials, and disposal costs related solely to O&M of publicly owned assets. Only applies to the following provisions: C.2, C.3, and C.10. |
| Other | Costs not included in the other categories | Includes the Permittee's contribution to the countywide program budget (reported by provision/program area). |

² Common practice in right-of-way acquisition dictates that, if a necessary land acquisition includes existing improvements not rendered useless for their intended purpose, even though they have no purpose related to the acquisition, then the cost of improvements must be included in land cost.

Based on the definitions and assumptions presented in Table 3-1, the following cost categories or groups of categories will be compiled in and reported out from the Framework:

- Personnel & Overhead Costs
- External Professional Services (Consultant and Contractor)/Other Costs
- Capital Expenditures
 - Planning, Design, Construction & Permitting
 - Land Acquisition Costs
- Operation and Maintenance (O&M) Costs
- Total Expenditures for Current Reporting Year

A further explanation of some of the categories is provided below.

Personnel and Overhead Costs

There are two components of the cost of labor that are the direct result of hiring a person. One component is the direct labor cost, represented by either the annual salary or the hourly rate. The second component is the cost of benefits such as sick leave, medical, vacation, retirement and any other benefits that an employer decides to offer (typically referred to as “burden on labor”). Overhead cost is a separate category that is related to the cost of maintaining the infrastructure of the organization such as management, finance support services, janitorial, motor pool, etc. that exist regardless of the direct impact of hiring an individual.

The cost reporting methodology assumes that personnel costs (direct labor plus benefits) will be combined with overhead costs. The Framework’s “General Personnel and Overhead” section allows the combination of personnel and overhead costs to be distributed into the different program areas in one of two ways: the “Available FTE Method” or the “Dollar Amount Method”.

1. Available FTE Method. For each staff person, labor category, or group of staff (e.g., inspectors, planners, or others that do a similar activity) involved with implementation of the Permittee’s stormwater program, the Permittee will:
 - Estimate the fraction of the total Full Time Equivalent (FTE) time available for that person, category, or group that is spent addressing each of the program areas.
 - Enter an annual or hourly “fully loaded” rate (including direct labor, benefits, and overhead) for that staff person, category, or group (if rates are different within the group, an average value should be used).
 - Enter a fully loaded rate multiplier. This can be done in one of two ways:
 - If an annual rate is used, the multiplier to enter is 1.
 - If an hourly rate is used, the multiplier to enter is the estimated number of the agency's working hours per year (e.g., 2,080 hours per year).

This multiplier, the fully loaded rate, and the fraction(s) of FTE are multiplied to generate dollar amounts associated with each program area, which are then used to populate the program area tabs.

The total FTE may be greater than 1.0 if a category or group represents multiple individuals; the Framework ensures that the sum of the program area fractions does not exceed the total FTE. FTEs spent solely on O&M of public assets for Provisions C.2, C.3, and C.10 are recorded separately from other activities in those provisions, as explained below.

Some Permittees include training costs within the available FTE or fully loaded hourly rate. If the FTE or hourly rate includes training costs, this assumption should be noted on the worksheet, and additional training costs not added to this tab or program area tabs.

2. Dollar Amount Method. For each staff person, labor category, or group of staff (e.g., inspectors, planners, or others that do a similar activity) involved with implementation of the Permittee's stormwater program, the Permittee will estimate: a) the total budget available for that person or category during the reporting fiscal year; and b) the portion of that budget that is spent addressing each of the program areas. The dollar amounts associated with each program area are then used to populate the program area tabs. Dollar amounts spent solely on O&M of public assets for Provisions C.2, C.3, and C.10 are recorded separately from other activities in those provisions, as explained below.

Accounting for personnel training costs under the Dollar Amount Method can be done one of two ways: a) included in the dollar amounts distributed across the program area tabs; or b) listed as a separate line item in the General Personnel & Overhead table (and distributed across the program area tabs).

External Professional Services

This category includes consultant or contractor services used by the individual Permittee, not including countywide program consultant services. Like personnel costs, the Permittee will estimate the fraction of the contract amount that is spent addressing each of the program areas during the reporting fiscal year. For example, if a consultant is hired to do C.3 development plan reviews and C.6 construction inspections, the contract budget spent during the reporting year would be divided between C.3 and C.6 as appropriate. Consultant/contractor budgets spent solely on O&M activities for Provisions C.2, C.3, and C.10 are recorded separately from other activities in those provisions, as explained below. External Professional Services costs are added to Other Costs, which includes countywide program costs. However, countywide program costs are estimated using a different methodology described below.

Countywide Program Costs

Countywide stormwater programs provide services to member Permittees for compliance assistance with most program areas. In one program area, water quality monitoring (C.8), nearly all the work is performed at the countywide program level. Permittees contribute funds to the

countywide programs based on established cost allocations towards the total countywide program budget. Since cost reporting needs to be done by program area (i.e., provision), the Framework provides a mechanism to enter the countywide program's budget by program area for a given fiscal year and calculate the Permittee's contribution to each program area. These contributions are considered part of "Other Costs" and are combined with the External Professional Services costs.

In-kind services that are provided by a Permittee for a countywide program activity should be accounted for as part of the Permittee's costs. They should be allocated depending on the program area in which the service was provided. If the services were directed to more than one program area or if they were part of Permittees' shared costs for projects at the countywide program level, a best estimate should be provided.

Within the Bay Area, there is one group of permittees that formed a joint powers authority to complete some permit-required activities collaboratively. The Cities of Campbell, Monte Sereno, and Saratoga and the Town of Los Gatos work together via the West Valley Clean Water Authority (WVCWA) and contribute funding to the WVCWA for compliance assistance. The Framework includes a separate tab to enter the WVCWA's budget by program area for a given fiscal year and calculate the contributions of Campbell, Monte Sereno, Saratoga and Los Gatos to WVCWA for each program area. These contributions are then added to the contributions that these Permittees make to the Santa Clara Valley Urban Runoff Pollution Prevention Program (SCVURPPP).

Capital Expenditures

Capital expenditures include expenditures related to the planning, design, and construction of publicly owned stormwater quality related assets, for example, green stormwater infrastructure (GSI), stormwater treatment measures, and trash full capture systems, that were incurred during the reporting fiscal year. Land acquisition costs, typically used for the purchase of land for construction of stormwater quality assets (if the land is not already owned by the Permittee), have also been included in this category. It is assumed that capital expenditures will only be associated with the following provisions³:

- Provision C.2 (e.g., stormwater related corporation yard and pump station improvements);
- Provision C.3 (e.g., stormwater treatment measures at regulated public projects and GSI retrofits to meet numeric targets and requirements for treatment in old industrial areas); and
- Provision C.10 (trash full capture systems).

³ Based on review of all MRP provisions, it was determined that only Provisions C.2., C.3/C.12, and C.10 have significant capital stormwater-related infrastructure investment that needs to be reported in this cost category. Costs of minor structures, e.g., pet waste stations used to help address bacteria discharges in stormwater runoff, should be considered as equipment purchases.

Provision C.12 requires addressing PCBs in old industrial areas or other areas with elevated PCBs concentrations. GSI retrofits are one of control measure options for complying with this requirement. These retrofits are allowed to count toward GSI retrofit numeric targets and the constructed assets would likely be maintained as part of a Permittee's stormwater treatment measure inventory. For these reasons, the Framework assumes that the capital expenditures for C.12 will be tracked under the C.3 program area.

If a capital project is implemented over multiple fiscal years, the Permittee should estimate and include in the cost reporting the amount that was incurred during the reporting fiscal year. The cost provided can be based on reported actual expenditures, if available, or an estimated percentage of completion during that year.

For a capital project that includes construction of stormwater quality assets as part of a larger project, the Permittee should estimate the portion of the total project cost that is associated with the stormwater quality assets to the best of their ability. For example, if a road reconstruction project includes GSI, the Permittee should separate out the cost of construction of the GSI facilities and other infrastructure associated with the GSI facilities (e.g., new storm drain pipes and junction structures required to connect a bioretention system underdrain to the existing storm drain network). The Permittee should also include a portion of the planning, design, and administrative ("soft") costs related to the stormwater quality assets (which can be estimated by determining the percent of construction costs associated with the stormwater quality assets and applying a similar percentage to the soft costs).

O&M Costs

Like the Capital Expenditures category, reportable O&M costs will only be those associated with O&M of publicly owned stormwater quality related assets (i.e., constructed infrastructure) and thus will only be reported for Provisions C.2, C.3, and C.10. O&M costs are typically comprised of personnel, consultant/contractor, equipment, supplies, and/or disposal costs. As described above, personnel and consultant/contractor costs are accounted for in other cost categories; however, in development of the methodology, it was considered important to separate out the personnel and consultant/contractor costs that are dedicated to O&M so that the O&M costs presented are comprehensive and present a true picture of resources expended on this activity. For Provisions C.2, C.3, and C.10, the Framework provides the ability to assign personnel and consultant/contractor costs specifically to O&M activities within those provisions. Other cost components of O&M, such as equipment, supplies, and disposal costs, can be itemized and summed on the provision-specific tab.

Some Permittees conduct O&M of stormwater quality assets by generating work orders that include personnel, equipment, supplies, and disposal costs. The Framework provides the ability to list individual work orders or the sum of all work orders for that reporting year on the C.2, C.3, or C.10 tab in lieu of the other methodology described above. If this approach is chosen, costs included in the work order should NOT be entered separately into the other cost categories to avoid double counting.

Due to the nature of scheduling O&M activities, and because various O&M needs may be addressed by a single person, it may be difficult to separate the O&M labor costs for stormwater quality assets from those expended on other assets. Permittees will need to make their best estimates in the allocation and reporting of O&M costs for stormwater quality assets.

Note that this O&M cost category is only for the costs associated with O&M of publicly owned stormwater quality assets. It should not include the costs associated with implementing O&M verification inspection programs that are focused on ensuring the O&M of privately owned stormwater treatment systems.

3.2 Other Related Municipal Activities

In general, the costs reported within the Framework should only include costs related to tasks required by the MRP. MRP Provision C.20 states that “the framework shall consider identification of costs incurred solely to comply with this Order’s requirements as listed in Provision C.20.b.(iii) as compared to costs shared with other programs or regulatory requirements”. It is recognized that cost efficiencies are often achieved by combining stormwater program activities with other programs, and that in fact, the intent of many permit provisions is to integrate stormwater pollution prevention practices into ongoing agency activities. This creates challenges for cost reporting that is required to separate the stormwater program costs from other programs.

Municipal programs or activities that are integrated and/or coordinated with stormwater compliance programs include street sweeping, sediment and trash removal from the storm drain system and stream channels, large equipment purchase, and solid waste management. The following sections provide guidance on how these costs can be addressed within this Cost Reporting Framework.

The “Other Related Municipal Activities” program area was added to the Cost Reporting Framework to allow Permittees to account for costs of programs that are not specifically required by the MRP but provide significant water quality benefits. The two main program areas that can be reported are Street Sweeping and Other Sediment/Trash Removal. The costs for these program areas are not combined into the Stormwater Program Total Costs but are shown explicitly as separate line items on the Cost Reporting Summary Table in the Framework. The “Other Related Municipal Activities” tab in the Framework facilitates the breakdown of these program area costs into the required cost categories (e.g., personnel, external professional, capital expenditures, etc.). Capital expenditures related to major equipment purchases (such as sweepers or vactor trucks) and O&M relate to the maintenance of that equipment.

Street Sweeping

Routine ongoing street sweeping programs conducted by municipalities remove significant quantities of sediment-bound pollutants and trash and provide clear benefits to water quality. For this reason, Permittees are interested in reporting the costs of these programs even though they may not directly relate to a specific MRP requirement or provision.

Costs for any enhanced sweeping activities that can be tied to compliance with specific MRP requirements should be counted as part of that program area to the extent possible. Examples of potentially applicable MRP sub-provisions include:

- Sweeping and/or vacuuming to remove debris, concrete, paint chips, or sediment residues from work sites upon completion of work (C.2.a. and C.2.c.);
- In areas where Full Trash Capture devices are not deployed, street sweeping (along with other trash controls) to reduce trash discharges relative to the 2009 baseline (C.10.b.);
- Sweeping conducted as an enhanced maintenance practice associated with a PCBs/mercury source property referral or if a municipality chooses to implement sweeping otherwise to remove sediments with PCBs/mercury as part of a program to reduce PCBs/mercury loads in stormwater discharges relative to the 2002 pollutant loading baselines (C.11/12.b.);
- Sweeping conducted as part of enhanced construction controls at applicable building demolition sites (PCBs in building materials at concentrations greater than 50 ppm) to minimize migration of PCBs into the storm drain system (C.12.g.).

If the costs for enhanced street sweeping cannot be separated out from the overall street sweeping program costs, they can be reported as part of the overall costs.

Other Sediment/Trash Removal

This program area can include the costs of activities that remove sediment and/or trash as part of catch basin or storm drain cleaning, stream/channel maintenance programs, and other trash removal programs (such as creek cleanups) that are no longer required or credited under Provision C.10 after a certain date. These costs should be entered into the “Other Related Municipal Activities” tab under the appropriate cost categories.

Large Equipment Purchases

If large equipment (such as for conducting O&M of stormwater quality assets) is purchased for multiple purposes, Permittees may need to separate out the portion of the equipment cost that is related to stormwater quality asset O&M. For example:

- Cranes for trash net O&M – Equipment cost should count as part of MRP compliance cost if it is needed to comply with C.10 and not part of another program or regulatory requirement.
- Vector trucks – Routine use is counted under “Other Related Maintenance Activities”. Costs for enhanced vector truck use should be counted as part of MRP costs; for example, PCBs referral enhanced O&M (C.12.b) or enhanced O&M for PCBs load reduction in old industrial areas (C.12.c), if it is possible to separate out those costs.

- Waste enclosures – Purchase or construction cost should be counted for C.2 corporation yard BMPs if the structure is not part of another program or regulatory requirement. In general, the cost to cover a waste enclosure and plumb it to the sanitary sewer are directly related to stormwater compliance. Also, costs for providing covered waste enclosures as source control measures for public C.3 regulated projects may be counted.

4.0 Organization and Use of the Framework

This section of the Guidance Manual describes the organization of the Framework tool and provides step-by-step instructions for how to use it to complete the required cost analysis and report for compliance with C.20.

4.1 Framework Tool Organization

Table 4-1 describes the organization and content of the color-coded Excel workbook tabs, whether they are for data entry or will be automatically populated based on formulas in the workbook, and whether the information on the tab needs to be included in the Permittee's Annual Report (beginning with the FY 24-25 Annual Report due September 2025).

Table 4-1. Framework Tool Organization

| Workbook Tabs | Tab Color | Auto-Populated | Permittee Enters Raw Data | Included in Annual Report |
|---|-----------|----------------|---------------------------|---------------------------|
| 1. General Information Tab #1 provides general information regarding the workbook content and instructions for filling out the tabs. | | --- | --- | --- |
| 2. Cost Reporting Summary Tab #2 is a summary table that is automatically populated based on the information entered into the General, Next Reporting Year's Budget, and Provision Specific tabs. This table is included within the Annual Reports submitted to the Regional Water Board. | | Yes | No | Yes |
| 3. Source of Funds Summary Tab #3 is a summary table that is filled out directly. This table is included within the Annual Reports submitted to the Water Board. | | No | Yes | Yes |
| 4. Next Reporting Year's Budget Tab #4 is a summary table that has two options: 1. Automatically populated based on information from the Cost Reporting Summary Tab on current reporting year costs. It requires the entry of estimated increase rates by program area and one-time expenditures (if applicable). 2. Filled out directly with Permittee's estimated or approved budget. | | Yes | Yes | No |
| 5. Other Related Municipal Activities Tab #5 is a summary table for Street Sweeping and Other Sediment/Trash Removal activities that should be filled out directly. | | No | Yes | No |
| General Tabs [Personnel & Overhead; External Professional; Countywide Pgm Costs; and WVCWA Pgm Costs] Within each tab, the white cells with red text should be filled out; apportioning the costs among the various permit provisions. | | Yes | Yes | No |
| Permit Provision Tabs [Program Mgmt; C.2 Municipal Ops, etc.] In each of these tabs, portions of the tables will be auto-populated based on the entries in the "General" tabs or, in some cases where there is red text, the Permittee may add values. | | Yes | Yes | No |
| Countywide Pgm Contributions The information on this tab automatically populates the co-permittees dropdown list and corresponding share and program in the General - Countywide Pgm Costs tab and WVCWA Pgm Costs. | | --- | --- | --- |

4.2 Instructions for Completing the Framework Tool

The General Information tab within the Framework Tool provides instructions to the user and should be reviewed prior to starting work.

Within each tab, a legend guides users as to which cells they can enter data:

| | |
|----------------|---|
| White Cells | Values or text can be added, as appropriate. |
| Shadowed Cells | Entering values is not required or applicable. |
| Blue Cells | DO NOT enter values; these cells are locked and are automatically calculated based on the General Cost tabs or totals. |
| Red Text | Represents example text; actual description or value can be added. Red text should be deleted if cell is not used. |

The step-by-step instructions are as follows:

- Step 1:** Enter as much detailed information as possible in the "General" tabs (**Personnel & Overhead, External Professional, Countywide Program Costs, and WVCWA Program Costs [if applicable]**). Add the information within the white cells with red text.
- Step 2:** Review each of the "Permit Provision Tabs" and add additional information as needed (within white cells or white cells with red text).
- Step 3:** Enter estimated costs in the "Other Related Municipal Activities" tab (optional).
- Step 4:** Enter the estimated increase rate(s), dollar amounts, and/or one-time expenditures (as applicable) in the "Next Reporting Year's Budget" tab (see Guidance Manual Section 6.0).
- Step 5:** Review the "Cost Reporting Summary" to ensure that the estimates look accurate. Enter Permittee Name and Reporting Fiscal Year.
- Step 6:** Review and revise the "General" tabs and/or "Permit Provision" tabs as needed until the "Cost Reporting Summary" looks accurate.
- Step 7:** Complete the "Source of Funds Summary" tab (see Guidance Manual Section 7.0).
- Step 8:** Include the "Summary" tabs (as PDFs) and cover sheet (see template in Guidance Manual Appendix A) within the Annual Report that is submitted to the Regional Water Board.

Note: if a Permit Provision Tab or cost category does not apply, leave it blank.

Permittees may include their account numbers or codes in the columns' headings (if applicable) to facilitate entering information. Also, Permittees may add other notes, clarifications, or comments as needed to provide context for the values reported. These can be added as footnotes, using Excel's "Comments" or "Notes" options in the "Review" tab, or by adding new sheets to the Workbook.

4.3 Submittal of the Cost Analysis

The MRP requires each Permittee to annually prepare and submit a fiscal analysis of the costs incurred to implement MRP requirements, beginning with the 2025 Annual Report (i.e., for Fiscal Year 2024-2025). Following completion of the cost analysis using the Framework Tool for a particular fiscal year, Permittees will submit the Cost Reporting Summary (Tab 2) and Source of Funds Summary (Tab 3) as part of their Annual Reports. This can be done by creating a PDF file of each of these specific tabs and inserting the PDF files into the Annual Report as an attachment to the Provision C.20 report section.

It is recommended that Permittees include a cover sheet with the two PDF files that describes the submittal and any assumptions or limitations that are relevant to the cost analysis. A template for a cover sheet has been developed (see Appendix A) which includes suggested disclaimer language along with a discussion of other general limitations to the cost tracking and reporting process. Permittees are advised to review and edit the language in the cover sheet as appropriate and as needed for their reports.

5.0 Guidance by MRP Provision

This section of the Manual provides specific guidance by program area and MRP provision for the cost analysis, including typical activities conducted under that program area/provision, recommended assumptions, guidance on how to report activities that address requirements in multiple provisions (where applicable), and examples of "Other" costs (i.e., other than personnel and contractor costs) that may be considered under that provision.

5.1 Program Management [including C.20, C.22, and C.25]

Introduction

Although "Program Management" is not included as a specific provision within the MRP, this category includes foundational activities that are necessary for the overall function of the municipal stormwater program within each jurisdiction. For the purposes of the cost reporting analyses, Program Management includes activities associated with the general administration and management of the program as well as the development of the cost reporting, annual report, and the permit renewal processes. Permittees may in some instances find it challenging to consistently define whether a cost item should be reported under Program Management versus a specific MRP Provision. Further description of typical

activities that should be reported under Program Management or each of the applicable MRP Provisions is provided below.

Typical Activities

Program Management activities include the following (as applicable):

- Costs associated with general municipal stormwater program administration and management for the program manager including:
 - Internal, jurisdictional management of the program and coordination with other departments and personnel
 - General coordination/collaboration with other permittees
 - General coordination/collaboration with other program stakeholders, Regional Water Board staff, State Water Board staff, etc.
 - Responding to data and information requests or other letters/notices from the Regional Board unless they are directly attributable to a specific C Provision
 - Responding to Regional Water Board or State Water Board regulatory actions or initiatives directly applicable to the MRP
 - Annual budget and staffing planning
 - Preparation for and delivery of City Council and City Manager briefings and meetings
 - O&M contract review, renewal, and management
 - Website updates and maintenance
 - Responding to public inquiries
- Provision C. 20 - Cost Reporting
 - Revisions to the cost reporting framework and/or jurisdiction specific spreadsheets/tools or analyses
 - Participation in meetings specific to cost reporting
 - Preparation and submittal of the annual fiscal analysis
 - Legal review of cost reporting information/requirements
- Provision C.22 - Annual Reports
 - Revisions to the annual reporting format/forms and/or jurisdiction specific tools and analyses
 - Participation in meetings specific to annual reporting
 - Preparation and submittal of the annual report document, program effectiveness assessment, tables, figures, etc.
- Provision C.25 - Expiration Date
 - Participation in meetings specific to the development of the Report of Waste Discharge (ROWD)
 - Participation in meetings specific to the reissuance of the MRP

Assumptions

- The collection and management of the data for each of the C Provisions (e.g., C.2, C.3, C.4) is accounted for within the corresponding Provision activities, not Program Management.
- Program Management, C.20, C.22, and C.25 related staff training should be included under Personnel and Overhead costs.

Examples of Other Costs

- Stormwater Permit Fees – Annual NPDES permit fees paid to the State for coverage under the MRP. These fees are entered as a separate line item on the Program Management Tab and are displayed as a separate line item on the Cost Reporting Summary.
- Other costs specific to Program Management that are not already included in Personnel and Overhead and External Professional Costs.

5.2 Provision C.2 – Municipal Operations

Introduction

Provision C.2 contains requirements for implementation of appropriate best management practices (BMPs) to control and reduce non-stormwater and polluted stormwater discharges to storm drains and watercourses during operation, inspection, and routine repair and maintenance activities of municipal facilities and infrastructure.

Typical Activities

Typical activities conducted by municipal staff for compliance with Provision C.2 consist of implementing BMPs to control potential discharges from the following types of work (addressed by specific sub-provisions of Provision C.2):

- Street and Road Repair and Maintenance
- Sidewalk/Plaza Maintenance and Pavement Washing
- Bridge and Structure Maintenance and Graffiti Removal
- Stormwater Pump Station Operation and Maintenance
- Rural Public Works Construction and Maintenance
- Corporation Yard Operations and Maintenance
- Storm Drain Inlet Marker Installation and Maintenance
- Training

The cost analysis for Provision C.2 may include capital costs (and associated O&M costs) related to stormwater treatment measures or structures constructed to prevent stormwater pollution at pump stations and corporation yards or as part of rural public works construction projects. The costs of equipment for street sweeping or general storm drain system

maintenance should not be included in this provision. (Refer to Section 3.2 Other Related Municipal Activities for additional discussion.)

If O&M of stormwater quality assets is performed by generating work orders that include personnel, equipment, supplies, and disposal costs, the individual work order cost or the sum of all work orders for that reporting year may be listed on the C.2 tab in lieu of categorizing costs separately. If this approach is chosen, costs included in the work order should NOT also be entered into the General Personnel & Overhead and External Professional tabs to avoid double counting.

Assumptions

- Compliance activities may be implemented by individual permittees and/or permittee contractors. Some support and guidance tasks may be performed by countywide programs.
- C.2 related staff training should be included under Personnel and Overhead costs.
- The costs of equipment for street sweeping, catch basin cleaning, sediment removal from stream channels, and general storm drain maintenance should be included under the Other Related Municipal Activities tab.

Examples of Other Costs

- Materials and supplies
- Disposal of debris and/or wastewater
- Sampling and analysis equipment for pump station wet well monitoring
- Storm drain inlet markers

5.3 Provision C.3 – New Development and Redevelopment

Introduction

The primary goal of Provision C.3 is for the Permittees to use their planning authorities to include appropriate source control, site design, and stormwater treatment measures in new development and significant redevelopment projects to address stormwater runoff pollutant discharges and prevent increases in runoff flows from new development and redevelopment projects. This goal is to be accomplished primarily through the implementation of low impact development (LID) techniques. Permittees are also responsible for ensuring proper construction and ongoing operation and maintenance (O&M) of treatment measures in new development and redevelopment projects.

A secondary goal of Provision C.3 is for Permittees to continue to update and implement their Green Stormwater Infrastructure (GSI) Plans and to retrofit existing impervious area within the Permittees' jurisdictions with GSI measures to meet specified numeric retrofit targets for acres treated.

Typical Activities

- New Development and Redevelopment Performance Standard Implementation (includes source controls and site design measures at non-regulated projects)
- Regulated Projects: Review, Approval, Permitting, and Tracking
- Publicly owned Regulated Projects – planning, design, and construction of LID/GSI facilities needed for C.3 compliance
- Alternative Compliance Program
- Treatment System O&M Verification Programs (maintenance agreements; installation inspections and ongoing O&M inspections)
- GSI Plan Supplements/Updates
- GSI Numeric Implementation – planning, design, and construction of GSI facilities not associated with publicly owned Regulated Projects
- GSI Tracking, Mapping, and Design Guidance

Capital Project Costs

The cost analysis for Provision C.3 should include capital expenditures (planning, design, and construction) associated with the following stormwater quality assets:

- 1) Any stormwater treatment/GSI measures built at publicly owned regulated projects;
- 2) GSI measures built in the public right-of-way to comply with GSI numeric targets; and
- 3) GSI measures built to control PCBs in old industrial areas to comply with C.12 requirements.

Contracted services for planning, design, and construction associated with a C.3-related capital project should be included as part of the capital project cost in the C.3 tab, and not listed separately under the General External Professional tab.

If a capital project consists solely of design and construction of a GSI facility, the reported capital costs should also include costs of any of the following activities associated with the project, if applicable: environmental permitting; protection and/or relocation of existing utilities; and preparation and implementation of a Stormwater Pollution Prevention Plan (SWPPP) if needed to meet local requirements. Costs of compliance with the State Construction General Permit, if applicable, should not be included.

For a capital project that includes construction of stormwater quality assets as part of a larger project, the Permittee should estimate the portion of the total project cost that is associated with the stormwater quality assets to the best of their ability. For example, if a road reconstruction project includes GSI, the Permittee should separate out the cost of construction of the GSI facilities and other infrastructure associated with the GSI facilities (e.g., new storm drains and junction structures required to connect a bioretention system underdrain to the existing storm drain network). The Permittee should also include a portion

of the planning, design, and administrative (“soft”) costs related to the stormwater quality assets (which can be estimated by determining the percent of construction costs associated with the stormwater quality assets and applying a similar percentage to the soft costs).

O&M Costs

The costs associated with O&M of only the publicly owned stormwater quality assets described above should be reported as part of the C.3 O&M category. If a Permittee takes over the O&M of GSI in the public right-of-way that was constructed as part of a Regulated Project but is not one of their assets, and they are getting paid by the owner to maintain it, they should NOT include it in their cost report. Also, the cost of inspecting and ensuring O&M by owners of Regulated Projects should NOT be included in the O&M category, as this is a programmatic activity related to compliance with C.3 requirements.

If O&M of stormwater quality assets is performed by generating work orders that include personnel, equipment, supplies, and disposal costs, the individual work order cost or the sum of all work orders for that reporting year may be listed on the C.3 tab in lieu of categorizing costs separately. If this approach is chosen, costs included in the work order should NOT also be entered into the General Personnel & Overhead and External Professional tabs to avoid double counting.

Assumptions

- Compliance activities may be implemented by both individual permittees and countywide programs.
- C.3 related staff training should be included under Personnel and Overhead costs.

Guidance on Activities Covering Multiple Provisions

- As discussed above, capital and O&M costs related to stormwater treatment/GSI measures constructed to control PCBs in old industrial areas in compliance with C.12 requirements should be included under Provision C.3.
- Public outreach on LID and GSI should be accounted for under Provision C.7.

5.4 Provision C.4 – Industrial and Commercial Site Controls

Introduction

Provision C.4 requires Permittees to implement industrial and commercial site control programs at sites that could cause or contribute to pollution of stormwater runoff. Permittees are required to conduct inspections, effective follow-up, and enforcement to abate potential and actual non-stormwater discharges, consistent with Enforcement Response Plans. Inspections are conducted to confirm implementation of appropriate and effective BMPs and other pollutant controls by industrial and commercial site operators.

Typical Activities

- Development/update of Industrial and Commercial Business Inspection Plan
- Conducting and documenting industrial and commercial business inspections, including follow-up inspections as necessary.
- Coordination with other agencies, where required, to complete industrial and commercial business inspections.
- Development/update of Enforcement Response Plan
- Training

Assumptions

- Compliance activities may be implemented by both individual permittees and countywide programs.
- C.4 related staff training should be included under Personnel and Overhead costs.

Guidance on Activities Covering Multiple Provisions

- Inspections for C.4, C.5, and C.6: Commercial and industrial business inspectors often accomplish multiple types of inspections, in addition to the stormwater inspections required under Provision C.4, during one site visit. In these situations, the Permittee should estimate the fraction of FTE, or percentage of dollar amount dedicated to each type of inspection and report them under Personnel & Overhead (if performed by municipal staff) or External Professional.
- Enforcement Response Plan covering C.4, C.5, and C.6: Estimate the fraction of FTE, or percentage of dollar amount dedicated to each Provision and report them under Personnel & Overhead (if performed by municipal staff) or External Professional.
- C.4 and C.13: All Provision C.4 Stormwater Commercial/Industrial Inspections performed in the reporting year should be reported under C.4. For example, if a portion of the inspections were conducted for facilities identified as likely to use copper or have sources of copper (e.g., plating facilities, metal finishers, auto dismantlers), report the costs associated with that estimated portion (along with the remainder of the inspection costs) under Provision C.4, not C.13.

5.5 Provision C.5 – Illicit Discharge Detection and Elimination

Introduction

The purpose of Provision C.5 is to implement the illicit discharge prohibition and to detect and control illicit discharges not otherwise controlled under Provisions C.4. – Industrial and Commercial Site Controls, C.6. – Construction Site Controls, and C.17 – Discharges Associated with Unsheltered Homeless Populations. Permittees are required to implement an illicit discharge program that includes active surveillance and centralized complaint collection and follow-up to detect and eliminate illicit discharges into the Municipal Separate Storm Sewer

System (MS4). Permittees must also maintain a complaint tracking and follow-up data system as their primary accountability reporting for this provision.

Typical Activities

- Development/update of Enforcement Response Plan
- Implementation of Spill, Dumping, and Complaint Response Program
- Tracking and Case Follow-up
- Control of Mobile Sources
- Development/update of MS4 Map

Assumptions

- Compliance activities may be implemented by both individual permittees and countywide programs.
- C.5 related staff training should be included under Personnel and Overhead costs.
- If funded by the municipality, outside agency response to Illicit discharge events should be accounted for in the External Professional worksheet tab.

Guidance on Activities Covering Multiple Provisions

- Inspections for C.4, C.5, and C.6: Commercial and industrial business inspectors often accomplish multiple types of inspections, in addition to the stormwater inspections required under Provision C.4, during one site visit. In these situations, the Permittee should estimate the fraction of FTE, or percentage of dollar amount dedicated to each type of inspection and report them under Personnel & Overhead (if performed by municipal staff) or External Professional.
- Enforcement Response Plan covering C.4, C.5, and C.6: Estimate the fraction of FTE, or percentage of dollar amount dedicated to each Provision and report them under Personnel & Overhead (if performed by municipal staff) or External Professional.
- Development of MS4 Map (C.5 and C.21): The development of MS4 maps under Provision C.5 will support the Permittees' implementation of Provision C.21 (Asset Management); however, map development costs should be accounted for under Provision C.5.
- Control of Illicit Discharges from Unsheltered Homeless Populations (C.5 and C.17): Costs of implementation of BMPs to control discharges from unsheltered homeless locations should be reported under Provision C.17 (see Section 5.17).

Examples of Other Costs

- Sample collection equipment.
- Analytic laboratory costs.

5.6 Provision C.6 – Construction Site Control

Introduction

Provision C.6 contains requirements for implementation of a construction site inspection and control program with follow-up and enforcement as needed. The inspections are to confirm the implementation of effective BMPs to prevent the discharge of pollutants into storm drains.

Typical Activities

Construction Site Control activities include:

- Legal authority for effective site management – development, revision, and/or adoption of codes or ordinances necessary to implement the program
- Enforcement Response Plan (ERP) – development and revision of an ERP
- Best management practices – identification and revision of effective BMPs for construction sites
- Review of erosion control plans to ensure compliance with local requirements
- Inspections – conducting initial and any follow-up inspections necessary during wet and dry seasons as well as enforcement actions, as applicable
- Training – provision of and/or attendance at construction-based training sessions/workshops
- Data collection and management – obtaining and maintaining the data necessary for program implementation and reporting for the construction program as described in C.6

Assumptions

- Compliance activities may be implemented by both individual permittees and countywide programs. However, the costs should be apportioned as applicable between Personnel & Overhead Costs and Countywide Program Costs.
- C.6 related staff training should be included under Personnel & Overhead costs.

Guidance on Activities Covering Multiple Provisions

- Inspections for C.4, C.5, and C.6: Commercial and industrial business inspectors often accomplish multiple types of inspections, in addition to the stormwater inspections required under Provision C.4, during one site visit. In these situations, the Permittee should estimate the fraction of FTE, or percentage of dollar amount dedicated to Provision C.4 stormwater inspections and report them under Personnel & Overhead (if performed by municipal staff) or External Professional.
- Enforcement Response Plan covering C.4, C.5, and C.6: Estimate the fraction of FTE, or percentage of dollar amount dedicated to each Provision and report them under Personnel & Overhead (if performed by municipal staff) or External Professional.

5.7 Provision C.7 – Public Information and Outreach

Introduction

The purpose of Provision C.7 is to increase the awareness of the community, including diverse socioeconomic groups, government elected officials and staff, and ethnic communities, regarding the impacts of stormwater pollution on receiving waters and potential solutions to mitigate these impacts; positively influence the public's waste disposal and runoff pollution generation behavior; and involve various citizens in mitigating the impacts of stormwater pollution. Outreach required in other provisions is often conducted under Provision C.7.

Typical Activities

- Outreach campaigns
- Stormwater Pollution Prevention Education
- Public Outreach and Citizen Involvement Events
- Watershed Stewardship Collaboration
- School-Age Children Outreach
- Outreach to Municipal Officials
- Outreach to Targeted Audiences (as required by the provisions listed below)
- Tracking and Reporting

Assumptions

- All programs related to public information, education, outreach, involvement, and participation, including public education or outreach specifically required for provisions other than C.7 should be included within the Provision C.7 costs tab, with the exception of C.17-related outreach to unsheltered homeless individuals.
- Compliance activities may be implemented by both individual permittees and countywide programs. However, the costs should be apportioned as applicable between Personnel & Overhead Costs and Countywide Program Costs.

Guidance on Activities Covering Multiple Provisions

- All the following subprovisions overlap with Provision C.7 as they have education and outreach components. These requirements should be accounted for under Provision C.7 Personnel & Overhead (if activities are performed by municipal staff), External Professional, or Countywide Program costs:
 - C.3.a.i(5)
 - C.3.j.ii.(1)(g)
 - C.4 (e.g., outreach to businesses)
 - C.5 (e.g., outreach to mobile businesses)
 - C.6.d.ii.(3) and C.6.e.ii.(1)
 - C.9.e.ii

- C.10.g.xi(2)
- C.11.d.ii and C.11.h
- C.13.a.ii(2)
- C.14.a.v
- C.15.iv(1)(a), v(1)(b), and vi(1)(b).
- C.19.e.i and C.19.e.ii(3) (only for East Contra Costa County Permittees)

Examples of Other Costs

- Creating, printing, and distributing electronic or print media.
- Media advertising.
- Materials and supplies for public outreach events.

5.8 Provision C.8 – Water Quality Monitoring

Introduction

Provision C.8 outlines the water quality monitoring requirements for all Permittees. Permittees may comply with the requirements via regional collaboration, contributions to countywide program efforts, and/or use of authorized third party monitoring data.

Typical Activities

Types of monitoring required by Provision C.8 include:

- Receiving Water Monitoring
- LID Monitoring
- Trash Monitoring
- Pollutant of Concern Monitoring
- Pesticides and Toxicity Monitoring

Implementation of monitoring requirements, including development of monitoring plans and protocols, review of data quality, and reporting, is typically conducted at the countywide and regional levels and funded through Permittee contributions to countywide program budgets. However, activities that may be conducted at the Permittee level include:

- Review of countywide program monitoring plans and reports
- Assistance with investigation and selection of monitoring sites
- Granting access and/or providing permits to enter property to install and access monitoring equipment and conduct monitoring.

Assumptions

- For most Permittees, water quality monitoring activities are implemented through countywide programs. In this case, consultant and contract services should be included in Countywide Program Costs and not under External Professional costs.

Examples of Other Costs

- Ancillary costs related to monitoring, such as equipment purchase/rental, laboratory analysis, etc., should already be included in Countywide Program costs.

5.9 Provision C.9 – Pesticides Toxicity Control

Introduction

To prevent the impairment of urban streams by pesticide-related toxicity, Permittees are required by Provision C.9 to implement a pesticide toxicity control program that addresses, within their jurisdictions, their own and others' use of pesticides that pose a threat to water quality and that have the potential to enter the municipal conveyance system. This provision implements requirements of the TMDL for Diazinon and Pesticide-Related Toxicity for Urban Creeks in the region.

Typical Activities

- Maintain and Implement an Integrated Pest Management Policy or Ordinance and Standard Operating Procedures
- Train Municipal Employees
- Require Contractors to Implement IPM
- Interface with County Agricultural Commissioners
- Public Outreach
- Track and Participate in Relevant Regulatory Processes
- Evaluate Implementation of Pesticide Source Control Actions

Assumptions

- Compliance activities may be implemented by both individual permittees and countywide programs.
- C.9 related Permittee staff training should be included under Personnel and Overhead costs.

Guidance on Activities Covering Multiple Provisions

- C.9 and C.7: Costs for pesticide outreach to the public should be included in Provision C.7.
- C.9 and C.8: Pesticide monitoring-related costs are included in Provision C.8.

Examples of Other Costs

- Materials and supplies required to conduct IPM pest control methods.

5.10 Provision C.10 – Trash Load Reduction and Assessment

Introduction

Provision C.10 contains requirements for Permittees to significantly reduce levels of trash and litter discharged from MS4s to waterways via the implementation of trash control programs. Permittees are required to achieve trash reduction benchmarks of 90% and 100% by 2023 and 2025, respectively. To meet these requirements, Permittees must implement trash controls and effectiveness assessment programs designed to demonstrate progress towards the benchmarks.

Typical Activities

- Trash Reduction Requirements – identifying high trash generation areas and trash management strategies including identifying optimal locations for trash full capture devices, reducing trash sources in areas not treated by full capture devices, and addressing trash from private land drainage areas.
- Design, installation, and O&M of trash full capture (FTC) systems/devices in appropriate locations.
- Demonstration of Trash Reduction Outcomes – identifying, developing, and implementing trash assessment strategies, including mapping full capture treatment areas, conducting on-land visual trash assessments, and calculating and reporting trash load reductions.
- Requirements for Flood Management Agencies – flood management agencies must implement trash control measures such as trash pickups and installation of trash receptacles, to control moderate to high trash generation areas within their jurisdiction including, but not limited to, parking lots, trailhead areas, and along recreational paths and trails, and demonstrate effectiveness of these trash control measures.
- Trash Load Reduction Plans – updating and implementing Long-term Trash Reduction Plans.
- Reporting – reporting on all aspects of the trash control and assessment programs.
- Purchasing trash capture devices from and managing contracts with vendors.

Capital Project Costs

The cost analysis for Provision C.10 should include capital expenditures associated with the installation of stormwater quality assets, i.e., FTC systems/devices, including high-flow capacity systems, catch basin insert devices, and multi-benefit stormwater treatment systems, for compliance with C.10. If a multi-benefit treatment system (e.g., bioretention) was installed for C.3 compliance and is also being used for C.10 compliance, include the capital cost of that system under C.3 costs.

Contracted services for planning, design, and installation associated with a C.10-related capital project should be included as part of the capital project cost in the C.10 tab, and not listed separately under the General External Professional tab.

O&M Costs

Reported O&M costs in C.10 should only be those associated with O&M of the FTC systems/devices listed above. “O&M” in this context does not include maintenance of public trash receptacles or trash cleanup in general. The cost of trash cleanup and removal services that are not specifically required by Provision C.10 can be reported under the Other Related Municipal Activities tab.

If O&M of FTC systems/devices is performed by generating work orders that include personnel, equipment, supplies, and disposal costs, the individual work order cost or the sum of all work orders for that reporting year may be listed on the C.10 tab in lieu of categorizing costs separately. If this approach is chosen, costs included in the work order should NOT also be entered into the General Personnel & Overhead and External Professional tabs to avoid double counting.

Assumptions

- Compliance activities may be implemented by both individual Permittees and countywide programs.
- C.10 related Permittee staff training should be included under Personnel and Overhead costs.

Guidance on Activities Covering Multiple Provisions

- C.10 and C.7: Report costs associated with requirements in Provision C.10.g.xi(2) (outreach and education provided to the public regarding illegal dumping and the availability of dumping vouchers) under Provision C.7 (Public Outreach).
- C.10 and C.17: Report costs for the preparation/update of a Direct Discharge Control Plan under C.10. Report costs of implementation of activities related to preventing discharges from unsheltered homeless encampments, such as encampment cleanups or outreach programs, under C.17.

Examples of Other Costs

- Equipment, materials, supplies, and/or disposal costs that are not already accounted for as part of a capital or external professional services costs.

5.11 Provision C.11 – Mercury Controls

Introduction

Provision C.11 requires implementation of a mercury control program consisting of control measure planning and implementation, load reduction assessment, implementing measures to reduce risk to consumers of Bay fish, and reporting on all these measures, including mercury load reductions associated with each control measure. C.11 implements the urban runoff requirements of the San Francisco Bay and Guadalupe River Watershed mercury TMDLs. Many of the C.11 requirements are implemented in parallel with C.12 PCBs Controls requirements with PCBs load reduction being the primary driver. East Contra Costa County Permittees (the cities of Antioch, Brentwood, and Oakley, unincorporated Contra Costa County, and the Contra Costa County Flood Control and Water Conservation District) are exempt from this requirement.

Typical Activities

- Assess Mercury Load Reductions from Stormwater – gathering the data needed to track control program implementation during MRP 3.0 and to calculate mercury/PCBs load reductions consistent with the approved methodologies.
- Program for Source Property Identification and Abatement – implementing a mercury/PCBs source property identification and abatement program to investigate over the permit term the acreages specified for each MRP county, including records review, public right-of-way surveys and site visits, and field sampling (stormwater runoff and/or sediment).
- Program for Control Measure Implementation in Old Industrial Areas – planning and implementing a program for mercury/PCBs control measure implementation in old industrial areas or other areas with moderate to high levels of PCBs to achieve the MRP 3.0 requirements for acres addressed or pollutant loads reduced.
- Mercury Collection and Recycling Implemented throughout the Region – promoting, facilitating, and/or participating in collection and recycling of mercury containing consumer products, devices, and equipment (e.g., thermometers, thermostats, switches, fluorescent bulbs).
- Plan and Implement Green Stormwater Infrastructure to Reduce Mercury Loads – implementing GSI projects during the MRP permit term consistent with the requirements in Provision C.3.j. (Green Infrastructure Planning and Implementation).
- Prepare Implementation Plan and Schedule to Achieve TMDL Wasteload Allocations – on a countywide program basis, developing updates to the MRP 2.0 mercury/PCBs Control Measures Plans and Reasonable Assurance Analyses (RAA) for achieving urban runoff pollutant load reductions specified in the PCBs and mercury TMDLs for San Francisco Bay, in coordination with efforts to track GSI projects and update the RAA modeling tools for GSI planning.

- Fate and Transport Study of Mercury: Urban Runoff Impact on San Francisco Bay Margins – participating on behalf of BAMSC in the Regional Monitoring Program Mercury/PCBs Fate and Transport Work Group which facilitates studies concerning the fate, transport, and biological uptake of mercury/PCBs discharged from urban runoff to San Francisco Bay margin areas.
- Implement a Risk Reduction Program – conducting an ongoing risk reduction program to address public health impacts of mercury/PCBs in San Francisco Bay/Delta fish by taking actions to reduce actual and potential health risks in those people and communities most likely to consume San Francisco Bay-caught fish, such as subsistence anglers and their families.

Assumptions

- Compliance activities may be implemented by both individual Permittees and countywide programs.
- C.11 related Permittee staff training should be included under Personnel and Overhead costs.

Guidance on Activities Covering Multiple Provisions

- C.11/12 and C.10: Report capital expenditures and O&M costs associated with stormwater treatment facilities constructed primarily to address trash but that can also contribute to C.11/12 compliance (i.e., trash full capture device/system) under Provision C.10 (Trash Load Reduction) rather than C.11/12.
- C.11/12 and C.3: Report capital expenditures and O&M costs associated with stormwater treatment facilities that address mercury/PCBs but that can also contribute to Provision C.3 (New Development and Redevelopment) compliance (i.e., with the C.3.j. GSI retrofit requirement) under C.3 rather than C.11/12.
- C.11 and C.12: Labor/expenses that are not associated with capital expenditures and address both mercury and PCBs should be reported under C.12 rather than C.11, since addressing PCBs is generally the primary MRP compliance driver, with mercury benefits generally a secondary consideration. Mercury collection and recycling programs are examples of activities whose costs should be reported under C.11.

Examples of Other Costs

- Equipment, materials, supplies, and/or disposal costs that are not already accounted for as part of a capital or external professional services costs (e.g., equipment used during a targeted mercury/PCBs-containing sediment removal conducted by Permittee staff, including any associated sampling and analysis).

5.12 Provision C.12 – PCBs Controls

Introduction

Provision C.12 requires implementation of a PCBs control program consisting of control measure planning and implementation, load reduction assessment, implementing measures to reduce risk to consumers of Bay fish, and reporting on all these measures, including PCBs load reductions associated with each control measure. C.12 implements the urban runoff requirements of the San Francisco Bay PCBs TMDL. Many of the C.12 requirements are implemented in parallel with C.11 Mercury Controls requirements with PCBs load reduction being the primary driver. East Contra Costa County Permittees (the cities of Antioch, Brentwood, and Oakley, unincorporated Contra Costa County, and the Contra Costa County Flood Control and Water Conservation District) are exempt from this requirement.

Typical Activities

- Assess PCBs Load Reductions from Stormwater – gathering the data needed to track control program implementation during MRP 3.0 and to calculate mercury/PCBs load reductions consistent with the approved methodologies.
- Program for Source Property Identification and Abatement – implementing a mercury/PCBs source property identification and abatement program to investigate over the permit term the acreages specified for each MRP county, including records review, public right-of-way surveys and site visits, and field sampling (stormwater runoff and/or sediment).
- Program for Control Measure Implementation in Old Industrial Areas – planning and implementing a program for mercury/PCBs control measure implementation in old industrial areas or other areas with moderate to high levels of PCBs to achieve the MRP 3.0 requirements for acres addressed or pollutant loads reduced.
- Program for Controlling PCBs from Bridges and Overpasses – developing an inventory of bridges in their jurisdictions that includes bridge ownership and a replacement/repair schedule and implementing a Caltrans specification to manage, as part of bridge and overpass roadway replacement or major repair, potential PCBs-containing material in bridge roadway expansion joints during applicable replacement activities that are under the direction of the Permittee.
- Program for Controlling PCBs from Electrical Utilities – developing and implementing a program to manage PCBs in oil-filled electrical equipment (OFEE) for municipally-owned electrical utilities in the MRP program area and collaborating with Water Board staff to determine PCBs loadings in OFEE from non-municipally owned electrical utilities and evaluate and identify opportunities to improve the actions these utilities are taking to reduce or prevent the release of PCBs from their equipment and to respond to potential releases of PCBs from their equipment.

- Plan and Implement Green Stormwater Infrastructure to Reduce PCBs Loads – implementing GSI projects during the MRP permit term consistent with the requirements in Provision C.3.j. (Green Infrastructure Planning and Implementation).
- Manage PCBs-Containing Materials and Wastes During Building Demolition Activities – continuing to implement the protocol developed during MRP 2.0 to manage PCBs during building demolition and for MRP 3.0, developing and implementing enhancements to existing construction site inspection and control programs at applicable demolition sites (PCBs in building materials ≥ 50 ppm) and implementing enhanced notification and reporting requirements.
- Prepare Implementation Plan and Schedule to Achieve TMDL Wasteload Allocations – on a countywide program basis, developing updates to the MRP 2.0 mercury/PCBs Control Measures Plans and Reasonable Assurance Analyses (RAA) for achieving urban runoff pollutant load reductions specified in the PCBs and mercury TMDLs for San Francisco Bay, in coordination with efforts to track GSI projects and update the RAA modeling tools for GSI planning.
- Fate and Transport Study of Mercury: Urban Runoff Impact on San Francisco Bay Margins – participating on behalf of BAMSC in the Regional Monitoring Program Mercury/PCBs Fate and Transport Work Group which facilitates studies concerning the fate, transport, and biological uptake of mercury/PCBs discharged from urban runoff to San Francisco Bay margin areas.
- Implement a Risk Reduction Program – conducting an ongoing risk reduction program to address public health impacts of mercury/PCBs in San Francisco Bay/Delta fish by taking actions to reduce actual and potential health risks in those people and communities most likely to consume San Francisco Bay-caught fish, such as subsistence anglers and their families.

Assumptions

- Compliance activities may be implemented by both individual Permittees and countywide programs.
- C.12 related Permittee staff training should be included under Personnel and Overhead costs.

Guidance on Activities Covering Multiple Provisions

- C.11/12 and C.10: Report capital expenditures and O&M costs associated with stormwater treatment facilities constructed primarily to address trash but that can also contribute to C.11/12 compliance (i.e., trash full capture device/system) under Provision C.10 (Trash Load Reduction) rather than C.11/12.
- C.11/12 and C.3: Report capital expenditures and O&M costs associated with stormwater treatment facilities that address mercury/PCBs but that can also

contribute to Provision C.3 (New Development and Redevelopment) compliance (i.e., with the C.3.j. GSI retrofit requirement) under C.3 rather than C.11/12.

- C.11 and C.12: Labor/expenses that are not associated with capital expenditures and address both mercury and PCBs should be reported under C.12 rather than C.11, since addressing PCBs is generally the primary MRP compliance driver, with mercury benefits generally a secondary consideration.

Examples of Other Costs

- Equipment, materials, supplies, and/or disposal costs that are not already accounted for as part of a capital or external professional services costs (e.g., equipment used during a targeted mercury/PCBs-containing sediment removal conducted by Permittee staff, including any associated sampling and analysis).

5.13 Provision C.13 – Copper Controls

Introduction

Provision C.13 requires implementation of BMPs and copper control measures to prevent urban runoff discharges from causing or contributing to exceedances of copper site-specific water quality objectives for the Bay, consistent with the Basin Plan.

Typical Activities

- Manage Waste Generated from Cleaning and Treating of Copper Architectural Features, Including Copper Roofs, during Construction and Post-Construction – requiring appropriate BMPs to manage wastes generated from installing, cleaning, treating, or washing copper architectural features, including copper roofs.
- Manage Discharges from Pools, Spas, and Fountains that Contain Copper-Based Chemicals – prohibiting discharges to storm drains from pools, spas, and fountains that contain copper-based chemicals.
- Industrial Sources – minimizing discharges from industrial facilities likely to use copper or have sources of copper (e.g., plating facilities, metal finishers, auto dismantlers) of elevated levels of copper to storm drains by ensuring, through industrial facility inspections, that proper BMPs are in place, including educating installers and operators on appropriate BMPs for managing copper-containing wastes.

Assumptions

- Compliance activities may be implemented by both individual Permittees and countywide programs.
- C.13 related Permittee staff training should be included under Personnel and Overhead costs.

Guidance on Activities Covering Multiple Provisions

- C.4 and C.13: All Provision C.4 Stormwater Commercial/Industrial Inspections performed in the reporting year should be reported under C.4. For example, if a portion of the inspections were conducted for facilities identified as likely to use copper or have sources of copper (e.g., plating facilities, metal finishers, auto dismantlers), report the costs associated with that estimated portion (along with the remainder of the inspection costs) under Provision C.4, not C.13.
- C.7 and C.13: Report costs for outreach activities associated with Provision C.13.a.ii(2) (educate installers and operators on appropriate BMPs for managing copper-containing wastes) under Provision C.7.

Examples of Other Costs

- Equipment, materials, and/or supplies that are not already accounted for as part of a capital or external professional services costs (e.g., used during inspections or outreach conducted by Permittee staff).

5.14 Provision C.14 – Bacteria Controls for Impaired Waters

Introduction

Permittees identified in Provision C.14 are required to demonstrate compliance with bacteria related Receiving Water Limitations during the MRP 3.0 permit term through the timely implementation of control measures and other actions to reduce bacteria discharges from their municipal separate storm sewer systems. Provision C.14.a. applies to Permittees (Cities of Mountain View and Sunnyvale) with discharges that are causing or contributing to exceedances of bacteria water quality objectives in Stevens Creek, Calabazas Creek, and Sunnyvale East Channel/Guadalupe Slough, water bodies without bacteria TMDLs. Provision C.14.b. applies to Permittees with San Pedro Creek and Pacifica State Beach Indicator Bacteria TMDL wasteload allocations (Pacifica and County of San Mateo). Provision C.14.c. applies to Permittees with San Francisco Bay Beaches Bacteria TMDL wasteload allocations (City of San Mateo). Provision C.14.d. applies to Permittees with Pillar Point Harbor Beaches and Venice Beach Bacteria TMDL wasteload allocations (Half Moon Bay and County of San Mateo).

Typical Activities

The bacteria control measures (e.g., controls of sources related to industrial/commercial sites, illicit discharges, unsheltered populations, and pets and livestock, coordination with sanitary sewer system entities, and public outreach) and other actions (e.g., water quality monitoring) required by MRP 3.0 vary among the above-identified impaired waters and Permittees. Complete details for each applicable waterbody and Permittee are provided in Provision C.14.

Assumptions

- Compliance activities may be implemented by both individual Permittees and countywide programs.
- C.14 related Permittee staff training should be included under Personnel and Overhead costs.

Guidance on Activities Covering Multiple Provisions

- C.7 and C.14: Report costs associated with public outreach conducted per Provision C.14 requirements under Provision C.7 (Public Outreach).
- C.8 and C.14: Report costs associated with any water quality monitoring conducted per Provision C.14 requirements under C.14 rather than Provision C.8 (Water Quality Monitoring).

Examples of Other Costs

- Equipment, materials, and/or supplies that are not already accounted for as part of a capital or external professional services costs (e.g., used during outreach or water quality monitoring conducted by Permittee staff).

5.15 Provision C.15 – Exempted and Conditionally Exempted Discharges

Introduction

The objective of Provision C.15 is to exempt unpolluted non-stormwater discharges from MRP Discharge Prohibition A.1 and to conditionally exempt non-stormwater discharges that are potential sources of pollutants. Relevant discharge categories include groundwater, air conditioning condensate, residential car washing, swimming pool/hot tub/spa/fountain water, irrigation water/landscape irrigation/lawn watering, and emergency firefighting. For non-stormwater discharges to be conditionally exempted, Permittees must identify appropriate BMPs, monitor the non-stormwater discharges where necessary, and ensure implementation of effective control measures to eliminate adverse impacts to surface waters.

Typical Activities

The BMPs and monitoring required by MRP 3.0 vary among the categories of potential discharges to be conditionally exempted. Examples of typical activities include the following (complete details for each discharge are provided in Provision C.15):

- Identifying and implementing effective BMPs and control measures to eliminate adverse impacts to surface waters.
- Public outreach and educational efforts and ensure implementation of the required BMPs.
- Conducting recordkeeping and reporting.

- Water quality monitoring of representative discharges and/or receiving water samples.
- For firefighting discharges, collaborate regionally to evaluate which firefighting foams are the least environmentally harmful, existing BMPs, and resources used to determine impacts to receiving waters (e.g., MS4 maps and maps that identify environmentally sensitive areas), and implementing recommendations developed through the collaboration including conducting outreach and staff training.

Assumptions

- Compliance activities may be implemented by both individual Permittees and countywide programs.
- C.15 related Permittee staff training should be included under Personnel and Overhead costs.

Guidance on Activities Covering Multiple Provisions

- C.7 and C.15: Report costs associated with any public outreach conducted per Provision C.15 requirements under Provision C.7 (Public Outreach).
- C.8 and C.15: Report costs associated with any water quality monitoring conducted per Provision C.15 requirements under C.14 rather than Provision C.8 (Water Quality Monitoring).

Examples of Other Costs

- Equipment, materials, and/or supplies that are not already accounted for as part of a capital or external professional services costs (e.g., used during any outreach or water quality monitoring conducted by Permittee staff).

5.16 Provision C.16 – Discharges to Areas of Special Biological Significance

Introduction

Provision C.16 applies to stormwater discharges from the County of San Mateo into the James V. Fitzgerald Marine Reserve Area of Special Biological Significance (ASBS). C.16 serves as the NPDES authorization for the County of San Mateo to discharge stormwater into the ASBS, provided that the discharge the discharges comply with all applicable terms, prohibitions, and special conditions of the exception to the ASBS discharge prohibition in the Ocean Plan granted by the State Water Board, are essential for flood control or slope stability, are designed to prevent soil erosion, occur only during wet weather, and are composed of only stormwater runoff.

Typical Activities

For the County of San Mateo only, complying with all applicable terms, prohibitions, and special conditions of the ASBS Exception, including monitoring requirements, as they apply to stormwater.

Assumptions

- Compliance activities to be implemented by the County of San Mateo.
- C.16 related Permittee staff training should be included under Personnel and Overhead costs.

Guidance on Activities Covering Multiple Provisions

- Report all costs associated with complying with the ASBS Exception under Provision C.16.

Examples of Other Costs

- Equipment, materials, and/or supplies that are not already accounted for as part of a capital or external professional services costs (e.g., used during any water quality monitoring conducted by Permittee staff).

5.17 Provision C.17 – Discharges Associated with Unsheltered Homeless Populations

Introduction

The purpose of Provision C.17 is to identify and ensure the implementation of appropriate control measures, by all Permittees, to address non-stormwater discharges into MS4s associated with unsheltered homeless populations, including discharges from areas where unsheltered people congregate (e.g., formal and informal encampments including, but not limited to, informal tent or small cabin encampments, areas where people living in vehicles park, and safe parking areas).

Typical Activities

- Collectively developing a BMP report due with the 2023 Annual Report that identifies effective practices to address non-storm water discharges associated with homelessness into MS4s that impact water quality and specific milestones for reducing such discharges within a given timeframe.
- Developing maps, due with the 2023 Annual Reports and updated for the 2025 Annual Report, identifying within each Permittee's jurisdiction the approximate location(s) of unsheltered homeless populations, including homeless encampments and other areas where other unsheltered homeless people live in relation to storm drain inlets and existing streams, rivers, flood control channels, and other surface water bodies.

- Documenting and reporting on programmatic efforts, including those currently being implemented, to control MS4 discharges associated with unsheltered populations.
- Identifying, implementing, and evaluating the effectiveness of BMPs to control MS4 discharges associated with unsheltered populations.
- Using the information generated through biennial point-in-time census surveys and related information, and regional coordination tasks, to review and update implementation practices.

Assumptions

- Compliance activities may be implemented by both individual Permittees and countywide programs.
- Costs reported for C.17 should be aligned with MRP requirements, which are focused on controlling non-stormwater discharges.
- Implementation of BMPs to control discharges associated with unsheltered populations may involve multiple Permittee departments as well as outside agencies. Costs for other agencies that may be involved via grants or contracts related to providing services to unsheltered homeless that address trash and human waste (e.g., grants to non-profit organizations, porta-potty contracts, mobile pumping services for RVs, etc.) may be reported under the External Professional Costs tab.
- C.17 related Permittee staff training should be included under Personnel and Overhead costs.

Guidance on Activities Covering Multiple Provisions

- C.7 and C.17: Report costs associated with outreach to unsheltered homeless individuals conducted per Provision C.17 requirements under C.17 rather than Provision C.7 (Public Outreach). This may include grants and contracts with non-profit outreach organizations (e.g., Downtown Streets Team, Homeless Outreach Team, etc.).
- C.10 and C.17: Report costs for the preparation/update of a Direct Discharge Control Plan under C.10. Report costs of implementation of activities related to preventing discharges from unsheltered homeless encampments, such as encampment cleanups or outreach programs, under C.17.

Examples of Other Costs

- Equipment, materials, supplies, and/or disposal costs that are not already accounted for as part of a capital or external professional services costs (e.g., used during any BMP/cleanup associated efforts conducted by Permittee staff).

5.18 Provision C.18 – Control of Sediment Discharges from Coastal San Mateo County Roads

Introduction

Provision C.18 requires the County of San Mateo to take actions to reduce sediment delivery to stream channels due to erosion from San Mateo County-maintained roads in the Pescadero-Butano Creek and San Gregorio Creek watersheds. C.18 includes implementing requirements of the Pescadero-Butano Sediment TMDL. Road-related erosion includes, but is not limited to, erosion of the road surface, road shoulder, road drainage structures such as ditches and culverts, and erosional features such as gullies, landslides, or sloughing that are road-related. C.16 is in addition to and does not supersede Provision C.2.e. for Rural Road and Public Works Construction and Maintenance.

Typical Activities

- Developing road erosion inventories for the Pescadero-Butano Creek and San Gregorio Creek watersheds to be submitted to the Water Board in the County of San Mateo's 2023 and 2025 Annual Reports, respectively.
- Documenting road-related erosion sites with the potential to discharge at least 5 cubic yards of sediment to streams or other water bodies.
- Documenting the location, shape (e.g., circular, elliptical, arch, box), size, and condition of all culverts along the roadways and culvert plugging and flow diversion potential.
- For culverts with a moderate to high plugging potential, developing a brief description of the proposed improvement(s), priority for treatment, and required permits.

Assumptions

- Compliance activities to be implemented by the County of San Mateo.
- C.18 related Permittee staff training should be included under Personnel and Overhead costs.

Guidance on Activities Covering Multiple Provisions

- Report all costs associated with actions to reduce sediment delivery from road-related erosion on San Mateo County-maintained roads in the Pescadero-Butano Creek and San Gregorio Creek watersheds to stream channels under Provision C.18. This is in addition to reporting costs associated with implementation of BMPs for erosion and sediment control during and after construction for maintenance activities on rural roads anywhere in the MRP area, which should be reported under Provision C.2.

Examples of Other Costs

- Equipment, materials, and/or supplies that are not already accounted for as part of a capital or external professional services costs (e.g., used during road erosion inventories and evaluations conducted by Permittee staff).

5.19 Provision C.19 – Cities of Antioch, Brentwood, and Oakley, Unincorporated Contra Costa County, and the Contra Costa County Flood Control and Water Conservation District Requirements

Introduction

Provision C.19 contains TMDL and pollutant-specific program requirements that are specific to the East Contra Costa County Permittees named above. C.19 also notes that Provisions C.11 and C.12 are not applicable to these Permittees.

Typical Activities

East Contra Costa County Permittee activities include:

- Methylmercury control measure plan and monitoring – developing and implementing the actions described in the methylmercury control study (e.g., conducting a reasonable assurance analysis and monitoring).
- Delta mercury control program minimum BMPs – identify and implement inorganic mercury reduction BMPs as well as public education activities.
- Pyrethroid control program – implement the activities described in the control program.

Assumptions

- Unless otherwise specified, all other Provisions apply to East Contra Costa County Permittees.
- Compliance activities may be implemented by both individual permittees and countywide or regional programs. However, the costs should be apportioned as applicable between Personnel & Overhead Costs and Countywide Program Costs.
- C.19 related Permittee staff training should be included under Personnel and Overhead costs.

Guidance on Activities Covering Multiple Provisions

- Activities for methylmercury monitoring under Provision C.19 may be included within the overall water quality monitoring program conducted under Provision C.8. To the extent possible, an estimate for the cost of methylmercury monitoring should be included under C.19 and not as part of C.8 costs.

- Activities conducted for compliance with Provision C.9, Pesticide Controls, may overlap with East Contra Costa County Permittees' activities conducted as part of the pyrethroid control program. To the extent possible, costs of C.9 activities should be reported under C.9 and activities specific to pyrethroids should be reported under C.19.

5.20 Provision C.21 – Asset Management

Introduction

Provision C.21 contains requirements for the development and implementation of an Asset Management Plan for the assets associated with Provisions C.2, C.3, C.10, C.11, C.12, C.13, C.14, C.17, C.18, and C.19, as applicable.

Typical Activities

Asset Management activities include:

- Development and implementation of an Asset Management Plan
- Revisions to the Asset Management Plan, as needed
- Development of a Climate Change Adaptation Report (regional task)

Assumptions

- For agencies that currently have an Asset Management System or program, determine (based on best professional judgement) what portion of the work effort applies to the MRP-based requirements.
- Compliance activities may be implemented by both individual permittees and countywide or regional programs. However, the costs should be apportioned as applicable between Personnel & Overhead Costs and External Professional Services/Other Costs.
- C.21 related Permittee staff training should be included under Personnel and Overhead costs.

6.0 Guidance on Estimating Costs for the Upcoming Fiscal Year

Provision C.20.b.ii requires that the cost analysis include an estimate of costs for the upcoming Permit (i.e., fiscal) year. The methodology for estimating future costs allows one of two options: 1) use of an estimated multiplier on the total program area costs for the current reporting year (or individual estimated multipliers per program area); or 2) direct entry of expected costs for the upcoming year by program area (e.g., based on an adopted budget for that year). A combination of the two options is not allowed within the Framework Tool.

The first option recognizes that there may be one-time capital costs or expenditures that have been identified for the coming fiscal year and allows these costs to be added to the future cost estimates for the appropriate provisions. The second option assumes that any one-time capital

costs are included in the entered dollar amounts but allows Permittees to include notes about those costs in the adjacent column.

While either of the above two options may be used, the use of actual budgets (i.e., the second option) is encouraged if possible.

Framework Tab #4 provides a table for estimating the upcoming year's costs using one of the methods described above and listing known one-time expenditures (if any). A brief (one sentence) description of any one-time expenditures should be added in the "One-time Expenditures - Comments" field (see examples in the template). The resulting estimated costs for the upcoming year are automatically populated into the far-right column of the Cost Reporting Summary (Tab #2).

7.0 Guidance on Reporting Sources of Funds

Per MRP Provision C.20.b.ii, the cost reporting must include a description of the source(s) of funds used to meet the necessary expenditures to comply with the MRP, including any legal restrictions on their use and whether the sources are shared countywide or regionally. Examples of these sources may include:

- Primary sources
 - General Fund
 - Other internal sources of funding
 - Property taxes
 - Stormwater utility
- Secondary sources
 - Sales taxes
 - Vehicle registration/license fees
 - Solid waste fees
 - Gas tax
- User fees
 - Fees for C.3-related development project application review, building permit, and installation inspections
 - Fees for C.4 stormwater commercial and industrial inspections
 - Fees for C.6-related construction site inspections
- Other regulatory fees
- Grants or loans for capital expenditures or program development

Framework Tab #3 contains a table for summarizing the sources of funding specific to the Permittee ("Source of Funds Summary"). Each Permittee should complete the table with the list of funding sources for the implementation of the stormwater program in their jurisdiction. The examples above are presented as suggestions only and can be deleted as needed.

The Source of Funds Summary Table includes columns to indicate for each source: 1) any legal restrictions on the use of the funds; and 2) any funding resources shared on a regional or countywide basis. An example of funding resources shared on a regional or countywide basis is a grant used for MRP compliance tasks which benefits multiple countywide programs in a region or multiple permittees (project partners), such as an EPA Water Quality Improvement Fund grant (it does not refer to countywide program services provided to Permittees.) In addition, Permittees may add notes, clarifications, or comments as needed to provide context for each of the listed funding sources. The amount of funding from each source does not need to be provided.

Appendix A

Cost Reporting Cover Sheet Template

FY [XX-XX] ANNUAL REPORT

Submittal of Annual Cost Analysis

As a part of the FY [XX-XX] Annual Report, [Permittee Name] has prepared and submitted a fiscal analysis of the costs incurred to comply with the Municipal Regional Stormwater Permit, Order No. R2-2022-0018 (MRP 3.0), Provision C.20 Cost Reporting. The fiscal analysis is consistent with the Cost Reporting Framework and Guidance Manual that was developed for the San Francisco Bay region by the Bay Area Municipal Stormwater (BAMS) Collaborative and includes the following:

- **Cost Reporting Summary** – Estimated personnel and overhead costs, external professional services costs, capital expenditures, and operation and maintenance costs by program area (program management and MRP provision) for the current reporting fiscal year and estimated expenditures for the next reporting fiscal year; and
- **Source of Funds Summary** - Source of funds for the current reporting fiscal year including legal restrictions on the use of the funds, and identification of funds that are shared on a regional or countywide basis.

[Permittee Name] has submitted the Cost Reporting Summary and Source of Funds Summary in good faith, based on the best available stormwater program cost reporting data compiled from multiple sources and departments within [Permittee Name]. As such, it is important to recognize the inherent limitations associated with the summaries including:

- The values provided are compiled from multiple, internal sources and different cost accounting programs, and attempt to separate out duties and time that staff spend complying with the numerous requirements in the MRP. As a result, the individual and compiled values may differ from the adopted budgets.
- Given the difficulty in accounting for the wide range of staff and expenditures associated with the implementation of the stormwater program throughout the [Permittee Name], the values in the Cost Summary Table are rounded to the nearest \$1,000.
- Although general street sweeping and some sediment/trash removal activities (e.g., catch basin cleaning and channel maintenance) are not explicitly required by the MRP, they provide significant water quality benefits. As such, the costs for implementing these programs are provided as separate line items in the Cost Reporting Summary.
- Given the diversity of the Bay Area permittee agencies in size, characteristics, and jurisdiction, the costs presented for various program areas may or may not be comparable among permittees.

CASQA 2023 ANNUAL CONFERENCE | SAN DIEGO

SEPTEMBER 13, 2023

GETTING READY TO REPORT MUNICIPAL STORMWATER PROGRAM COSTS: A FRAMEWORK AND METHODOLOGY FOR THE SAN FRANCISCO BAY AREA



JILL BICKNELL, P.E., EOA AND KAREN ASHBY, LWA

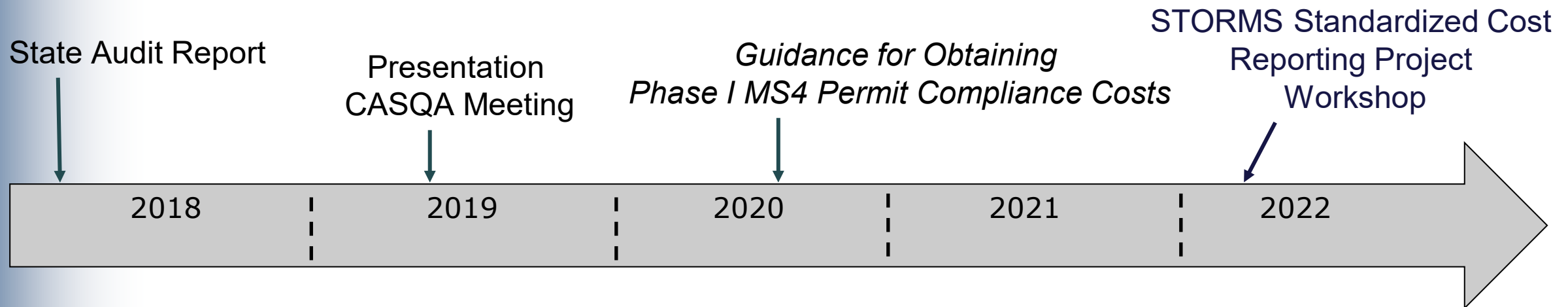
The content of presentations by individuals and organizations other than CASQA has not been officially reviewed, approved, or endorsed in any way by CASQA or any of its employees or agents. Any opinions or conclusions expressed in the presentations are the opinions and conclusions of the speakers and are not necessarily the opinions or conclusions of CASQA or any of its employees or agents.

PRESENTATION OVERVIEW

- Background on Cost Reporting Requirements
 - Requirements in Bay Area Municipal Regional Permit (MRP)
 - Approach to Bay Area Cost Reporting Framework
 - Structure of Framework Tool
 - Contents of Guidance Manual
 - Next Steps
 - Q&A
-

RECENT SHIFTS IN APPROACH FOR FISCAL ANALYSES

- Guidance issued by SWRCB – Office of Water Research, Planning and Performance (ORPP)
- Guidance used for new permit requirements
- SWRCB ongoing effort regarding standardized reporting



RECENT FISCAL REPORTING REQUIREMENTS IN MUNICIPAL STORMWATER PERMITS (POST 2019)

Recently adopted municipal stormwater permits require:

- a) Fiscal analyses consistent with the federal regulations, AND
- b) Additional, detailed fiscal analysis reporting pursuant to the State Water Board ORPP Guidance.

| Region | Order No.(s) | Permittees | CFR Fiscal Reporting | Additional Reporting |
|--------|--------------|--------------------|----------------------|---|
| 2 | R2-2022-0018 | SF Bay Area MRP | Yes | Additional, detailed reporting (Provision C.20) |
| 3 | R3-2019-0073 | City of Salinas | Yes | Additional, detailed reporting (Provision J) |
| 4 | R4-2021-0105 | LA Regional Permit | Yes | Attachment H – Annual Report (Additional, detailed reporting) |

MRP 3.0 PROVISION C.20 REQUIREMENTS

[CONSISTENT WITH ORPP GUIDANCE]

Accessible Document (August 12, 2020)
Subject to change

Guidance for Obtaining Phase I Municipal Separate Storm Sewer System (MS4) Permit Compliance Costs

Purpose

The objectives of this guidance are for the Water Boards and the public to obtain adequate, consistent, and comparable information on the storm water management costs local jurisdictions incur and for the Water Boards to base decisions on that information. This guidance is for Regional Water Board storm water permitting staff to follow when requesting information on the costs of municipal separate storm sewer system (MS4) permit compliance from their MS4 permittees.

Intended audience

Regional Water Board staff who request information on the cost of permit compliance from MS4 permittees.

Secondary audience

This guidance may be valuable to MS4 permittees seeking guidance on cost reporting. Please note this guidance does not set Board policy. This guidance does not supersede permit requirements; permittees are responsible for following permit requirements and other orders of the Water Boards.

Legal requirements

Refer to the Appendix for relevant legal requirements. This general guidance is not binding and does not change or otherwise affect the legal obligations of the Water Boards related to the adoption of waste discharge requirements. Rather, this guidance provides best practices to allow Water Board staff to conduct a thorough estimation of MS4 permit compliance costs to the extent that sufficient resources exist.

This guidance was developed in part to respond to recommendations of the California State Auditor (2018).¹

Maintenance of this guidance

This document was collaboratively developed by the State Water Board's Office of Research, Planning, and Performance (ORPP) and the State Water Board's Division of Water Quality (DWQ). The current version of the document was finalized on December 19, 2019 and submitted to the California State Auditor. In 2020, the DWQ took on responsibility for

¹ Among other changes, the State Auditor recommended that, "to ensure that the regional boards obtain adequate and consistent information on the storm water management costs local jurisdictions incur, the State Water Board should develop statewide guidance... for local jurisdictions on methods for tracking the cost of storm water management."



Required Program Areas

- Program management
- Municipal operations (C.2)
- New development and redevelopment (C.3)
- Industrial and commercial site controls (C.4)
- Illicit discharge detection and elimination (C.5)
- Construction site controls (C.6)
- Public information and outreach (C.7)
- Water quality monitoring (C.8)
- Pesticides toxicity control (C.9)
- Trash load reduction (C.10)
- Mercury controls (C.11)
- PCBs controls (C.12)
- Copper controls (C.13)
- Bacteria controls (C.14)
- Discharges associated with unsheltered homeless populations (C.17)
- Asset management plan development and implementation (C.21)

Required Cost Categories

- Total cost
- Capital expenditures
- Land costs
- Personnel costs
- Consultant costs
- Overhead costs
- Construction costs
- Operation and maintenance costs
- Other costs

MRP 3.0 PROVISION C.20 REQUIREMENTS

- Identify costs solely to comply with MRP requirements
 - Regional framework encouraged
 - Regional framework to be approved by the Executive Officer
 - Annual Reporting (beginning with FY 2024-25)
 - Current Fiscal Year Expenditures
 - By program area and in specified cost categories
 - Describe the source of funds and identify shared funding resources
 - Upcoming Fiscal Year Budget
 - Estimate costs for the upcoming fiscal year
-

APPROACH FOR REGIONAL FRAMEWORK

- Objectives:
 - Meet MRP requirements
 - Balance detail vs. level of effort (costs are estimates)
 - Provide information in a regionally consistent but flexible manner
 - Provide value to stormwater program managers
- Tools include Excel workbook (“Framework”) and Guidance Manual describing methodology, assumptions, etc.
- Uses a “build-up” approach: estimate various categories of costs by program area, then sum up to estimate total costs
- Coordination with SWRCB staff and STORMS project

GROUPING OF COST CATEGORIES (LINE ITEMS)

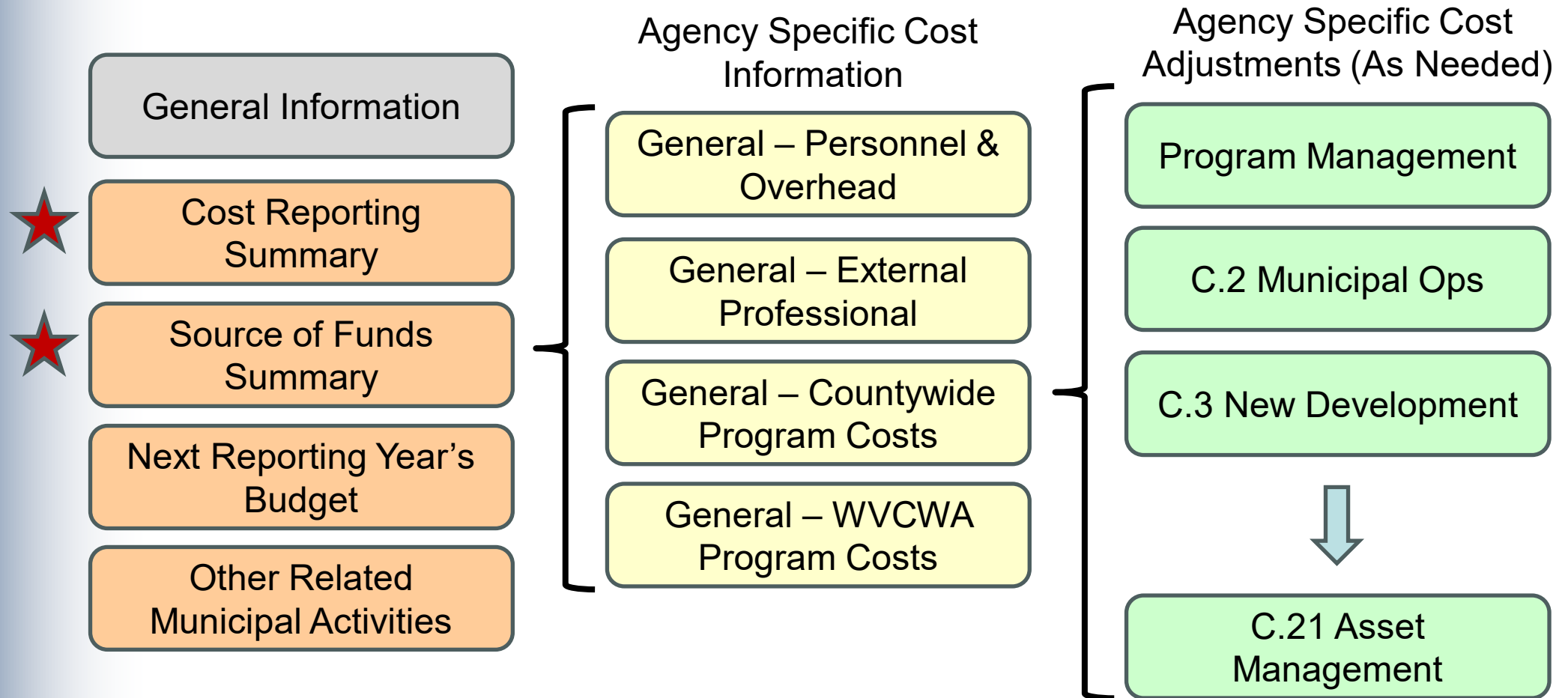
Required Cost Categories

- Total cost
- Capital expenditures
- Land costs
- Personnel costs
- Consultant costs
- Overhead costs
- Construction costs
- Operation and maintenance costs
- Other costs

Proposed Cost Category Groupings

- Personnel & Overhead Costs
 - External Professional Services (Consultant and Contractor)/Other Costs
 - Capital Expenditures
 - Planning, Design, Construction & Permitting
 - Land Acquisition Costs
 - Operation and Maintenance (O&M) Costs
 - Total Costs for Current Reporting Year
-

FRAMEWORK – EXCEL WORKBOOK



PERSONNEL & OVERHEAD

Cost Reporting Framework

Personnel and Overhead Costs (DRAFT)

To read this tab's Purpose and General Instructions (hover over)



Check Only One Box

Option 1: Available FTE

Instructions:

1. Click on the checkbox.
2. Provide the estimated number of working hours per year (Cell J9).
3. Fill in columns E and F with the estimated average FTE and estimated fully loaded rate(s) per staff group(s) or individual positions.
4. Allocate the estimated fractions of FTE in the corresponding Provisions (training and direct costs need to be included into the fully loaded rate).

☐

Option 2: Dollar Amount

Instructions:

1. Click on the checkbox.
2. (Optional) Allocate the estimated dollar amounts for the line items "Training" and "Direct Cost Allocation".
3. Allocate the estimated dollar amounts per staff group(s) or individual positions in the corresponding Provisions.

☒

Purpose: This tab is used to introduce cost of Permittee staff labor on stormwater permit-related activities. The white cells with red text should be filled out; apportioning, automatically, the costs among the various permit provisions.

General Instructions:

1. Staff labor costs can be introduced using the following two options:
 - Option 1: Available FTE. This option use fully loaded rates (including overhead) for labor and Full Time Equivalent (FTEs) fractions to represent level of effort.
 - Option 2: Dollar Amount. This option use costs in dollar amounts (including overhead) for labor by directly allocated by provision.
2. Choose one of these options by clicking on the corresponding checkbox.
3. Follow the instructions indicated for the chosen Option.

Notes:

1. "O&M" means maintenance of the permittee's water quality hard assets related to C.2, C.3, and C.10 (O&M costs corresponding to provision C.12 are reported under provision C.3).
2. O&M should not include the costs associated with implementing O&M verification inspection programs that are focused on ensuring the O&M of privately owned stormwater treatment systems.
3. For "O&M only" columns, report estimated fractions of FTE or dollar amounts associated only with internal staff performing O&M activities.

Additional information can be found in the Cost Reporting Guidance Manual, pages 7, 8, 9, and 13.

PERSONNEL & OVERHEAD (FTE OPTION)

[illegible]

PERSONNEL & OVERHEAD EXAMPLE (FTE OPTION)

| | | | | | | | | | | | | | |
|------------------------------------|------------------|--|---|-------------------------------|---|----------------------|--|--------------------------------|------|------|------|------|--|
| | | | | Fully Loaded Rate Multiplier: | | | 2,080 | | | | | | |
| Category | Notes [Optional] | Available FTE for Stormwater Program | Fully Loaded Rate (Average for Groups) | | | | | | | | | | |
| | | | | Program Mgmt. | C.2 (Don't include O&M- related costs) | C.2 (O&M Only) | C.3 (Don't include O&M-related costs) | C.3 & C.12 (O&M Only) | C.4 | C.5 | C.6 | C.7 | |
| Stormwater Program Coordinator | Jane Doe | 1.00 | \$ 100.00 | 1.00 | | | | | | | | | |
| Environmental Services Aide | Terry Tan | 0.50 | \$ 40.00 | 0.20 | | | | | 0.10 | | | 0.20 | |
| Environmental Services Associate | John Smith | 1.00 | \$ 70.00 | 0.20 | 0.10 | | 0.10 | | 0.20 | 0.20 | 0.10 | 0.10 | |
| Planning Department Associate | Corey Kalb | 0.25 | \$ 70.00 | | | | 0.25 | | | | | | |
| Corp Yard Maintenance Staff | 6 staff | 1.50 | \$ 50.00 | | 1.00 | 0.50 | | | | | | | |
| Construction Site Inspectors | 5 staff | 5.00 | \$ 60.00 | | | | | | | | 5.00 | | |
| Parks Department Maintenance Staff | 10 staff | 1.00 | \$ 50.00 | | | | | 1.00 | | | | | |
| Public Works Department Staff | 5 staff | 1.00 | \$ 80.00 | 0.20 | | | 0.80 | | | | | | |

| Program Mgmt. | C.2 (Don't include O&M-related costs) | C.2 (O&M Only) | C.3 (Don't include O&M-related costs) | C.3 & C.12 (O&M Only) | C.4 | C.5 | C.6 | C.7 |
|---------------|--|-------------------|--|--------------------------|-----------|-----------|------------|-----------|
| \$ 208,000 | \$ - | \$ - | \$ - | \$ - | \$ - | \$ - | \$ - | \$ - |
| \$ 16,640 | \$ - | \$ - | \$ - | \$ - | \$ 8,320 | \$ - | \$ - | \$ 16,640 |
| \$ 29,120 | \$ 14,560 | \$ - | \$ 14,560 | \$ - | \$ 29,120 | \$ 29,120 | \$ 14,560 | \$ 14,560 |
| \$ - | \$ - | \$ - | \$ 36,400 | \$ - | \$ - | \$ - | \$ - | \$ - |
| \$ - | \$ 104,000 | \$ 52,000 | \$ - | \$ - | \$ - | \$ - | \$ - | \$ - |
| \$ - | \$ - | \$ - | \$ - | \$ - | \$ - | \$ - | \$ 624,000 | \$ - |
| \$ - | \$ - | \$ - | \$ - | \$ 104,000 | \$ - | \$ - | \$ - | \$ - |
| \$ 33,280 | \$ - | \$ - | \$ 133,120 | \$ - | \$ - | \$ - | \$ - | \$ - |

EXTERNAL PROFESSIONAL SERVICES

| Consultant or Contract Services | Contract Type (Optional) | Total Contract Amount Invoiced this FY | | | | | | | | | | |
|---------------------------------|--------------------------|--|---------------|---------------------------------------|----------------|---------------------------------------|-----------------------|------|------|------|------|------|
| | | | Program Mgmt. | C.2 (Don't include O&M-related costs) | C.2 (O&M Only) | C.3 (Don't include O&M-related costs) | C.3 & C.12 (O&M Only) | C.4 | C.5 | C.6 | C.7 | C.8 |
| Consulting Firm ABC, Inc. | Program Mgmt Services | \$ 100,000.00 | 0.25 | 0.05 | | 0.20 | | 0.10 | 0.10 | 0.10 | 0.20 | |
| Consulting Firm DEF, Inc. | Monitoring Services | \$ 70,000.00 | | | | | | | | | | 1.00 |
| West County Fire District | Stormwater Inspections | \$ 50,000.00 | | | | | | 1.00 | | | | |
| GHI Landscaping | GSI Maintenance | \$ 25,000.00 | | | | | 1.00 | | | | | |

| Program Mgmt. | C.2 (Don't include O&M-related costs) | C.2 (O&M Only) | C.3 (Don't include O&M-related costs) | C.3 & C.12 (O&M Only) | C.4 | C.5 | C.6 | C.7 | C.8 |
|---------------|---------------------------------------|----------------|---------------------------------------|-----------------------|-----------|-----------|-----------|-----------|-----------|
| \$ 25,000 | \$ 5,000 | \$ - | \$ 20,000 | \$ - | \$ 10,000 | \$ 10,000 | \$ 10,000 | \$ 20,000 | \$ - |
| \$ - | \$ - | \$ - | \$ - | \$ - | \$ - | \$ - | \$ - | \$ - | \$ 70,000 |
| \$ - | \$ - | \$ - | \$ - | \$ - | \$ 50,000 | \$ - | \$ - | \$ - | \$ - |
| \$ - | \$ - | \$ - | \$ - | \$ 25,000 | \$ - | \$ - | \$ - | \$ - | \$ - |

COUNTYWIDE PROGRAM COSTS

| Cost Reporting Framework | | | | | |
|--|-------------------------|----------------|-----------|-------|----------|
| Countywide Program Costs | | | | | |
| To read this tab's Purpose and General Instructions (hover over) | | | | | |
| | | | | | |
| Total for Program FY | 2022-2023 | \$1,025,000.00 | | | |
| | | | | | |
| Provision | Countywide Program Cost | Permittee Cost | Permittee | Share | Program |
| Program Mgmt | \$300,000 | \$ 21,750 | Sunnyvale | 7.25% | SCVURPPP |
| C.2 | \$100,000 | \$ 7,250 | | | |
| C.3 | \$20,000 | \$ 1,450 | | | |
| C.4 | \$15,000 | \$ 1,088 | | | |
| C.5 | \$15,000 | \$ 1,088 | | | |
| C.6 | \$50,000 | \$ 3,625 | | | |
| C.7 | \$200,000 | \$ 14,500 | | | |
| C.8 | \$25,000 | \$ 1,813 | | | |
| C.9 | \$150,000 | \$ 10,875 | | | |
| C.10 | \$0 | \$ - | | | |
| C.11 | \$80,000 | \$ 5,800 | | | |
| C.12 | \$5,000 | \$ 363 | | | |
| C.13 | \$0 | \$ - | | | |
| C.14 | \$10,000 | \$ 725 | | | |
| C.15 | \$0 | \$ - | | | |
| C.16 | \$30,000 | \$ 2,175 | | | |
| C.17 | \$0 | \$ - | | | |
| C.18 | \$0 | \$ - | | | |
| C.19 | \$25,000 | \$ 1,813 | | | |
| C.21 | \$0 | \$ - | | | |
| Total | | \$ 74,312.50 | | | |

Back to
Cost Reporting
Summary



Dropdown Menu with Permittee
Names and % Share

EXAMPLE PROGRAM AREA TAB

C.7: PUBLIC INFORMATION AND OUTREACH

| Cost Reporting Framework | | | | | Back to Cost Reporting Summary | | | | |
|--|---------------------------------|---|---|---------------|---|---|---|------------------------|---|
| Provision C.7 - Public Information and Outreach | | | | | | | | | |
| Provision C.7 - Summary (Linked to "Cost Reporting Summary") | | | | | | | | | |
| Permit Provision | Category | Operation & Maintenance (O&M) | | | Personnel & Overhead Costs (Not O&M related) | External Professional Services / Other Costs (Not O&M related) | Capital Expenditures | | Total Expenditures for Current Reporting Year |
| | | Personnel & Overhead Costs | External Professional Services/ Other Costs | Miscellaneous | | | Planning, Design, Permitting, Equipment Acquisition, Construction | Land Acquisition Costs | |
| C.7 | Public Information and Outreach | | | | \$ 41,600 | \$ 20,000 | | | \$ 61,600 |
| --- | Countywide Program Costs | | | | | \$ 15,150 | | | \$ 15,150 |
| --- | Other Costs | | | | | \$ 16,500 | | | \$ 16,500 |
| | Total Expenditures by Category | | | | \$ 41,600 | \$ 51,650 | | | |
| | | Total Expenditures for Stormwater Program | | | | | | | \$ 93,250 |
| | | See Detailed Costs | | | | | | | |

COST REPORTING SUMMARY TABLE

| | | Estimated Cost by Category | | | | | | |
|--|--|---|--|--|-------------------------------------|--|---|--|
| Permit Provision | Program Area | Personnel ^b & Overhead Costs ^c (Not O&M related) | External Professional Services/Other Costs ^d (Not O&M related) | Capital Expenditures ^e | | Operation and Maintenance (O&M) Costs ^h | Estimated Total Expenditures for Current Reporting Year | Estimated Total Expenditures for Next Reporting Year |
| | | | | Planning, Design, Permitting & Construction ^f | Land Acquisition Costs ^g | | | |
| --- | Program Management ^a | \$ 3,116,000 | \$ 91,000 | | | | \$ 3,207,000 | \$ 3,290,000 |
| --- | Stormwater Permit Fees | | \$ 10,000 | | | | \$ 10,000 | \$ 10,000 |
| C.2 | Municipal Operations | \$ 131,000 | \$ 49,000 | \$ 425,000 | \$ 800,000 | \$ 480,000 | \$ 1,885,000 | \$ 1,885,000 |
| C.3 | New Development and Redevelopment | \$ 552,000 | \$ 20,000 | \$ 425,000 | \$ 800,000 | \$ 160,000 | \$ 1,957,000 | \$ 1,957,000 |
| C.4 | Industrial and Commercial Site Controls | \$ 33,000 | \$ 19,000 | | | | \$ 52,000 | \$ 52,000 |
| C.5 | Illicit Discharge Detection and Elimination | \$ 38,000 | \$ 19,000 | | | | \$ 57,000 | \$ 57,000 |
| C.6 | Construction Site Control | \$ 35,000 | \$ 29,000 | | | | \$ 64,000 | \$ 64,000 |
| C.7 | Public Information and Outreach | \$ 29,000 | \$ 47,000 | | | | \$ 76,000 | \$ 76,000 |
| C.8 | Water Quality Monitoring | \$ 34,000 | \$ 35,000 | | | | \$ 69,000 | \$ 69,000 |
| C.9 | Pesticides Toxicity Control | \$ 40,000 | \$ 35,000 | | | | \$ 75,000 | \$ 75,000 |
| C.10 | Trash Load Reduction and Assessment | \$ 42,000 | \$ 17,000 | \$ 425,000 | \$ 800,000 | \$ 147,000 | \$ 1,431,000 | \$ 1,431,000 |
| C.11 | Mercury Controls | \$ 31,000 | \$ 29,000 | | | | \$ 60,000 | \$ 60,000 |
| C.12 | PCBs Control | \$ 33,000 | \$ 18,000 | | | | \$ 51,000 | \$ 51,000 |
| C.13 | Copper Control | \$ 38,000 | \$ 17,000 | | | | \$ 55,000 | \$ 55,000 |
| C.14 | Bacteria Control | \$ 35,000 | \$ 22,000 | | | | \$ 57,000 | \$ 58,000 |
| C.15 | Exempted and Conditionally Exempted Discharges | \$ 29,000 | \$ 20,000 | | | | \$ 49,000 | \$ 49,000 |
| C.16 | Discharges to Areas of Special Biological Significance | \$ 37,000 | \$ 26,000 | | | | \$ 63,000 | \$ 63,000 |
| C.17 | Discharges Associated with Unsheltered Homeless | \$ 47,000 | \$ 20,000 | | | | \$ 67,000 | \$ 67,000 |
| C.18 | Control of Sediment Discharges from Coastal San Mateo County Roads | \$ 41,000 | \$ - | | | | \$ 41,000 | \$ 41,000 |
| C.19 | Cities of Antioch, Brentwood, and Oakley, and Unincorporated Contra Costa County and Contra Costa County Flood Control and Water Conservation District | \$ 37,000 | \$ 22,000 | | | | \$ 59,000 | \$ 59,000 |
| C.21 | Asset Management | \$ 25,000 | \$ 22,000 | | | | \$ 47,000 | \$ 47,000 |
| Estimated Total Expenditures by Category | | \$ 4,403,000 | \$ 567,000 | \$ 1,275,000 | \$ 2,400,000 | \$ 787,000 | | |
| Estimated Total Expenditures for Stormwater Program | | | | | | | \$ 9,432,000 | \$ 9,516,000 |
| --- | Street Sweeping | \$ 500,000 | \$ 500,000 | \$ 250,000 | \$ - | \$ 200,000 | \$ 1,450,000 | \$ 1,450,000 |
| --- | Other Sediment/Trash Removal | \$ 400,000 | \$ 400,000 | \$ 10,000 | \$ - | \$ 100,000 | \$ 910,000 | \$ 910,000 |
| Estimated Total Expenditures for Stormwater Program (Including Other Related Municipal Activities) | | | | | | | \$ 11,792,000 | \$ 15,297,000 |

BAY AREA COST REPORTING GUIDANCE MANUAL

1. Background
 2. Approach
 3. General Guidance and Assumptions
 4. Organization and Use of Framework
 5. Guidance by MRP Provision
 6. Estimating Costs for the Upcoming Fiscal Year
 7. Reporting Sources of Funds
- App A – Cost Reporting Cover Sheet
-



BAY AREA MUNICIPAL STORMWATER
(BAMS) COLLABORATIVE

BAY AREA COST REPORTING GUIDANCE MANUAL

June 2023

Submitted in compliance with the San Francisco Bay Municipal Regional Stormwater National Pollutant Discharge Elimination System (NPDES) Permit, Order No. R2-2022-0018, Provision C.20, on behalf of:

Alameda Countywide Clean Water Program

Contra Costa Clean Water Program

San Mateo Countywide Water Pollution Prevention Program

Santa Clara Valley Urban Runoff Pollution Prevention Program

Solano Stormwater Alliance

NEXT STEPS

- Work with Regional Water Board staff to address comments and finalize the Framework and Guidance Manual
 - Conduct training for Bay Area Permittees on the use of the Framework Tool (and revise the tool as needed)
 - Continue to collaborate with State Water Board STORMS staff with the goal of having consistent cost reporting approaches and tools
 - Submit the first cost reporting summary with FY 24-25 Annual Report
-

QUESTIONS?

Jill Bicknell, P.E.
EOA, Inc.

jcbicknell@eoainc.com
(408) 720-8811 x1



Karen Ashby
Larry Walker Associates

karena@lwa.com
(530) 753-6400 x232

