

C/CAG

CITY/COUNTY ASSOCIATION OF GOVERNMENTS OF SAN MATEO COUNTY

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Millbrae ■ Pacifica ■ Portola Valley ■ Redwood City ■ San Bruno ■ San Carlos ■ San Mateo ■ San Mateo County ■ South San Francisco ■ Woodside*

STORMWATER (NPDES) COMMITTEE AGENDA

2:30 PM, Thursday, January 18, 2024

**San Mateo County Transit District Office
1250 San Carlos Ave, 2nd Fl. Auditorium,
San Carlos, CA**

*****HYBRID MEETING - IN-PERSON AND BY VIDEOCONFERENCE*****

This meeting of the Stormwater Committee will be held in person and by teleconference pursuant to Government Code Section 54953(e). Members of the public will be able to participate in the meeting remotely via the Zoom platform or in person at the location above. For information regarding how to participate in the meeting, either in person or remotely, please refer to the instructions at the end of the agenda.

Join by Zoom Webinar:

<https://us02web.zoom.us/j/86388699352?pwd=V0Yrb3d0MHJDSTBvS2hWRnJjMklBdz09>

Zoom Webinar ID: 86388699352

Passcode: 341161

Join by Phone:

Call in Number: (669) 900-6833

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Passcode: 341161

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

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| 1. Call to Order, Roll Call, and brief overview of teleconference meeting procedures. | Bogert | No materials |
| 2. Public comment on items not on the Agenda (presentations limited to three minutes). | Breault | No materials |
| 3. PRESENTATIONS | | |
| a. Receive presentation on US Environmental Protection Agency Region 9 San Francisco Bay Program Office Fiscal Year 2024 Draft Annual Priority List. | Valiela | Page 1 |
| b. Receive presentation on updates from the California Stormwater Quality Association. | Cowan | Page 2 |

4. ACTION – Review and approve 2024 Calendar of Meetings.	Breault	Page 3
5. ACTION – Review and approve November 30, 2023 Stormwater Committee Special Meeting minutes.	Breault	Pages 4-8
6. INFORMATION – Receive information on stormwater related announcements.	Bogert	Pages 9-15
7. INFORMATION – Receive information on the Final Interim MOU-Based Regional Collaborative Program Summary Report.	Bogert	Pages 16-17
8. Regional Board Report	Regional Water Board Staff	No materials
9. Executive Director’s Report	Charpentier	No materials
10. Member Reports	All	No materials
11. Adjourn	Breault	No materials

PUBLIC NOTICING: All notices of C/CAG regular Board meetings, standing committee meetings, and special meetings will be posted at the San Mateo County Court Yard, 555 County Center, Redwood City, CA, and on C/CAG’s website at: <http://www.ccag.ca.gov>.

PUBLIC RECORDS: Public records that relate to any item on the open session agenda for a regular Board meeting, standing committee meeting, or special meeting are available for public inspection. Those public records that are distributed less than 72 hours prior to a regular Board meeting are available for public inspection at the same time they are distributed to all members, or a majority of the members, of the Board. The Board has designated the City/County Association of Governments of San Mateo County (C/CAG), located at 555 County Center, 5th Floor, Redwood City, CA 94063, for the purpose of making public records available for inspection. Such public records are also available on C/CAG’s website at: <http://www.ccag.ca.gov>. Please note that C/CAG’s office is temporarily closed to the public; please contact Mima Crume at (650) 599-1406 to arrange for inspection of public records.

ADA REQUESTS: Persons with disabilities who require auxiliary aids or services to participate in this meeting should contact Mima Crume at (650) 599-1406 or mcrume@smcgov.org by 10:00 a.m. prior to the meeting date.

PUBLIC PARTICIPATION DURING HYBRID MEETINGS: During hybrid meetings of the C/CAG Stormwater Committee, members of the public may address the Committee as follows:

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

1. Your written comment should be emailed to rbogert@smcgov.org with the Subject line “Stormwater Committee Meeting Comment”.
2. Your email should include the specific agenda item on which you are commenting or note that your comment concerns an item that is not on the agenda.
3. Members of the public are limited to one comment per agenda item.
4. If your emailed comment is received at least 2 hours prior to the meeting, it will be provided to the Committee members, made publicly available on the C/CAG website along with the agenda. Emails received less than 2 hours before the meeting will be provided to the Committee members and included in the administrative record of the meeting as soon as practicable.

Spoken comments will be accepted during the meeting in person and through Zoom. Public comments will be taken first by speakers in person followed by via Zoom. Please read the following instructions carefully:

***In-person participation:**

1. If you wish to speak to the Committee, please fill out a speaker’s slip located on the 2nd floor auditorium side table against the wall. If you have anything that you wish distributed to the Committee and included in the official record, please hand it to the C/CAG staff who will distribute the information to the Committee members and staff.

***Remote participation:**

1. The Stormwater Committee meeting may be accessed through Zoom at the online location indicated at the top of this agenda.
2. You may download the Zoom client or connect to the meeting using an internet browser. If using your browser, make sure you are using a current, up-to-date browser: Chrome 30+, Firefox 27+, Microsoft Edge 12+, Safari 7+. Certain functionality may be disabled in older browsers including Internet Explorer.
3. You will be asked to enter an email address and name. We request that you identify yourself by your name as this will be visible online and will be used to notify you that it is your turn to speak.
4. When the C/CAG staff or Chair call for the item on which you wish to speak, click on “raise hand.” The Clerk will activate and unmute speakers in turn. Speakers will be notified shortly before they are called on to speak. If calling in via phone, press *9 to raise your hand and when called upon press *6 to unmute.
5. When called, please limit your remarks to the time allotted.

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

Executive Director: Sean Charpentier scharpentier@smcgov.org

Stormwater Committee Staff: Reid Bogert rbogert@smcgov.org

C/CAG AGENDA REPORT

Date: January 18, 2024

To: Stormwater Committee

From: Reid Bogert, Stormwater Program Director

Subject: Receive presentation on US Environmental Protection Agency Region 9 San Francisco Bay Program Office Fiscal Year 2024 Draft Annual Priorities List.

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

RECOMMENDATION

That the Stormwater Committee receive presentation on US Environmental Protection Agency (USEPA) Region 9 San Francisco Bay Program Office Fiscal Year 2024 Draft Annual Priorities List.

BACKGROUND/DISCUSSION

Through the National Defense Authorization Act signed into law in 2022, Region 9 USEPA was authorized to establish the San Francisco Bay Program Office and directed to develop an Annual Priorities List to evaluate and allocate funding to projects and special studies in support of achieving the goals of the San Francisco Basin Plan. The authorization also provides significant increased funding through annual appropriations to the San Francisco Bay region, well above the historical level of funding made available through the San Francisco Bay Water Quality Improvement Fund (SFBWQIF), which typically has an annual program fund of approximately \$5M. In 2022, Congress appropriated approximately \$25M to the SFBWQIF and in 2023 the SFBWQIF received an appropriation of approximately \$50M. Under the Bipartisan Infrastructure Law, also signed into law in 2022, additional funds have been allocated to the San Francisco Bay Water Quality Improvement Fund program in an amount of \$5M annually for funding climate resilience projects in underserved communities. Region 9 USEPA staff have developed a Draft Annual Priorities List for the new Program Office for Fiscal Year 2024 and is sharing information with and seeking input from regional stakeholders to inform the Draft Priorities List.

ATTACHMENTS

None.

C/CAG AGENDA REPORT

Date: January 18, 2024

To: Stormwater Committee

From: Reid Bogert, Stormwater Program Director

Subject: Receive presentation on updates from the California Stormwater Quality Association.

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

RECOMMENDATION

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

BACKGROUND/DISCUSSION

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

ATTACHMENTS

None.

C/CAG AGENDA REPORT

Date: January 18, 2024

To: Stormwater Committee

From: Reid Bogert, Stormwater Program Director

Subject: Review and approve 2024 Calendar of Meetings.

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

RECOMMENDATION

That the Committee review and approve the 2024 Calendar of Meetings.

BACKGROUND/DISCUSSION

The Stormwater Committee (Committee) is scheduled to meet monthly at 2:30 PM on the third Thursday of the month, immediately following and at the same location as C/CAG's Congestion Management Technical Advisory Committee (CMP TAC). Pursuant to Government Code Section 54953(e), the Committee meetings are held in person with a remote hybrid option. Similar to meetings in 2023 and past years, staff anticipates bimonthly meetings will likely be sufficient to address anticipated action items, but the monthly calendar provides flexibility to address issues on an as-needed basis and to coordinate, as feasible, with other meeting schedules such as the City/County Engineers Association and the CMP TAC. The following is the recommended calendar of meetings for 2024:

Date
January 18, 2024
February 15, 2024
March 21, 2024
April 18, 2024
May 16, 2024
June 20, 2024
July 18, 2024
August 15, 2024
September 19, 2024
October 17, 2024
November 21, 2024
December 19, 2024

ATTACHMENTS

None.

C/CAG AGENDA REPORT

Date: January 18, 2024

To: Stormwater Committee

From: Reid Bogert, Stormwater Program Director

Subject: Review and approve the November 30, 2023 Stormwater Committee Special Meeting minutes.

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

RECOMMENDATION

That the Stormwater Committee (Committee) review and approve the November 30, 2023 Stormwater Committee Special Meeting minutes, as drafted.

BACKGROUND/DISCUSSION

N/A.

ATTACHMENTS

1. Draft November 30, 2023 Special Meeting Minutes

**STORMWATER COMMITTEE
(SPECIAL MEETING)
Thursday, November 30, 2023
2:30 p.m.**

Draft Meeting Minutes

The Stormwater Committee meeting was held in a hybrid format (i.e., in person and videoconference) pursuant to Government Code Section 54953(e). Committee members met in-person at the offices of the San Mateo County Transit District in the City of San Carlos. Municipal staff (not part of a legislative body of C/CAG) and members of the public could participate remotely via the Zoom platform or in-person at the location above. Attendance at the meeting is shown in the attached. In addition to the Committee members, also in attendance were Reid Bogert (C/CAG staff and SMCWPPP Program Director), Sean Charpentier (C/CAG Executive Director), Sultan Henson (County Office of Sustainability), Melissa Ross-Perkins (County Office of Sustainability), Kareem Arabi (City of Foster City), Sam Fielding (City of Daly City), Sarah Deicke (County Office of Sustainability), Tracy Scramaglia (City of Belmont), Robert Walker (San Jose Conservation Corps), Edgar Echevarria (San Jose Conservation Corps), Christopher Nakamura (San Jose Conservation Corps), Bonnie de Berry (EOA), and Ileana Alvarado (EOA). Chair Breault called the meeting to order at 2:39 p.m.

1. Call to Order, Roll Call, and a brief overview of teleconference meeting procedures.
2. Public comment on items not on the agenda – None.
3. INFORMATION – Receive presentation from the San Jose Conservation Corps on partnership opportunities in San Mateo County. The presentation included an overall description of the history, program components, and work currently performed by the San Jose Conservation Corps/Charter School (SJCC+CS). The main objective of the presentation was to share with Committee members principal work areas and partnership opportunities identified by SJCC+CS and C/CAG's Stormwater Program staff as mutually beneficial. SJCC+CS is a 501(c)3 nonprofit organization with a multi-faceted program that combines education and job training, with a special focus on including many at-risk/underserved community members, to perform activities in the areas of natural resources management, zero waste services, environmental resilience, emergency operation, among others. The SJCC+CS has partnered with agencies such as Santa Clara County, City of San Jose, and CalTrans to provide trash cleanup services (e.g., from homeless encampments), clean hazards on roads, and vegetation management (e.g., providing maintenance to bioswales). Additionally, the SJCC+CS Development Team assists with identifying funding sources for projects and developing proposals for grant application submittals. Recently, C/CAG's Stormwater Program staff has started discussions with SJCC+CS and CalTrans to evaluate opportunities in San Mateo County to support stormwater trash pollution control measures and related maintenance activities that could be beneficial for compliance with MRP requirements related to trash load reduction. A pdf of the presentation slides will be shared with the committee.
4. ACTION – The Committee approved the draft September 21, 2023, Stormwater Committee meeting minutes. Motion: Member Donohue (Town of Colma); Second: Member Underwood (City of San Mateo). Vote: Motion passed (10:0:3). Members Bozorginia (City of Half Moon Bay), Underwood (City of San Mateo), O'Connell (City of Redwood City) abstained.
5. INFORMATION – Announcements on stormwater related issues:
 - i. Guidelines for Alternates – To ensure contingency coverage in situations where a jurisdiction's representative is unavailable, C/CAG staff updated the draft Stormwater Committee Guidelines to contain recommendations for including alternates on the Stormwater Committee and for

streamlining the appointment process. On September 21, 2023, the Committee approved the revised draft Stormwater Committee Guidelines to include alternates and designated Committee positions or specified staff holding designated positions, contingent on the inclusion of allowance for jurisdictions to update their membership on the roster prior to submitting to the Board.

- ii. Agreement with Climate Resilient Communities – In November 2023, the C/CAG Executive Director approved an agreement with Climate Resilient Communities for an amount not to exceed \$225,400 to complete its portion of the scope of work for the San Mateo County OneWatershed Framework and Community-Led Plan.
- i. Fiscal Year 2022-23 Annual Reports – This year, the Annual Reports were due October 2, 2023, via online submission to the Regional Water Quality Control Board (RWQCB) on the Stormwater Multiple Application and Report Tracking System (SMARTS). All San Mateo County permittees successfully submitted their Annual Reports, along with the Program Annual Report. RWQCB staff indicated they have reviewed all the reports, and will notify Permittees if submittal of additional information is required.
- ii. MRP 3.0 Amendment. RWQCB approved the Revised Tentative Order (TO) of the MRP 3.0 on October 11, 2023. Following the adoption of the Amended TO, the Board asked Permittees to convene a workgroup/subcommittee with Regional Water Board members to potentially discuss the following: 1) get a better understanding of the effectiveness and potential for innovation with Alternative Treatment Systems, 2) evaluate any unintended consequences of new road requirements, 3) support a consistent approach with other Regional Water Boards on new/redevelopment, 4) continue to evaluate progress toward pollutant of concern load reductions, and 5) and ensure Annual Reports are supporting progress towards informing the next permit term.
- iii. Grants – C/CAG staff shared the status of two recent grant-funded projects to support MRP implementation and broader Green Stormwater Infrastructure (GSI) planning and implementation goals. These projects are:
 - o Regional Trash Monitoring Project: The EPA Water Quality Improvement Fund (WQIF) awarded a \$3.3 million grant with matching funds from the Countywide Programs. C/CAG will administer the grant and be reimbursed for staff time and project management contracted services. These funds would cover costs related to Receiving Water Trash Monitoring requirements with Outfall Trash Monitoring making up the bulk of the match. Based on its review and the interview process, the evaluation panel recommends proceeding with the EOA Team as the consultant for the WQIF Watching Our Watersheds Regional Trash Monitoring Project. C/CAG staff will bring a proposed recommendation for contracting with EOA to the Stormwater Committee prior to a proposed recommendation to the Board of Directors in December.
 - o San Mateo County OneWatershed Climate Resilience Framework and Community-Led Plan: This project will create a shared plan to develop a risk assessment framework for addressing water infrastructure in the County. Given its watershed characteristics, a San Bruno Regional Project was selected as a priority. C/CAG was awarded \$649,648 from the Governor's Office of Planning and Research to complete the project by January 2026. C/CAG with support from its regional partners issued a Request for Proposals (RFP) in October 2023. Based on the selection panel's review and the interview process, the evaluation panel recommends proceeding with the Geosyntec Team as the consultant for the OneWatershed Framework Project. C/CAG staff will bring a proposed recommendation for contracting with Geosyntec to the Stormwater Committee prior to a proposed recommendation to the Board of Directors in December.
- iv. FY 2023-24 State Water Resources Control Board NPDES permit fees – CASQA and Permittee representatives throughout the state plan to participate in upcoming fee schedule stakeholder

workshops for the FY 24-25 fee setting process to address concerns regarding over collecting for the NPDES stormwater permit fund.

- v. State MS4 Cost Reporting Policy – Comment Letters on the Draft Statewide Water Quality Control Policy for Standardized Cost Reporting in Municipal Separate Storm Sewer System (MS4) Permits were submitted by all Bay Area Stormwater Countywide Programs. Responses to comments haven't been released yet. The State Water Board is tentatively planning to release a Revised Draft Policy in February 2024.
 - vi. Funding and Financing Work Group – C/CAG continues to evaluate funding and financing opportunities to support MRP compliance. Also, it continues to assess options to support other stormwater management needs at the local level.
6. ACTION – Review and recommend Board approval of a contract with EOA, Inc. for completing the WQIF grant funded Watching Our Watersheds Regional Trash Monitoring Project. The Committee approved submitting a recommendation to the C/CAG Board of Directors at the December 14, 2023 meeting, requesting authorization to execute an agreement with EOA, for an amount not to exceed \$3,171,000 to complete the WOW project with a contract term through June 30, 2028. Motion: Member Bautista (City of Millbrae); Second: Member Bozorginia (City of Half Moon Bay). Vote: Motion passed unanimously (13:0:0).
7. ACTION – Review and recommend Board approval of a contract with Geosyntec for completing the ICARP grant funded San Mateo County OneWatershed Framework and Community-Led Plan. The Committee approved submitting a recommendation to the C/CAG Board of Directors at the December 14, 2023 meeting, to request authorization to execute an agreement with Geosyntec Consultants, for an amount not to exceed \$424,248 to complete the OneWatershed Project with a contract term through January 30, 2026. Motion: Vice Chair Ovadia (Town of Atherton); Second: Member Brown (City of Belmont). Vote: Motion passed unanimously (13:0:0).
8. Regional Board Report: None.
9. Executive Director's Report: C/CAG's Executive Director noted additional funding available for transportation projects and that C/CAG is actively recruiting members for various Committees. Of note, C/CAG is recruiting for two seats on the OneShoreline Board of Directors, for the northern and southern region city seats for the OneShoreline Board. The C/CAG Board of Directors will consider appointing C/CAG representatives to fill the vacancies in December 2023.
10. Member Reports: None.
11. Chair Breault adjourned the meeting at 3:37 p.m.

November 30, 2023 (Special Meeting) Stormwater Committee Attendance				
Agency	Representative	Attendance		
		In-Person	Remote/AB 2449	Remote/Non-voting
Atherton	Robert Ovadia (Vice Chair) - Public Works Director	X		
Belmont	Peter Brown - Public Works Director	X		
Brisbane	Randy Breault (Chair) - Public Works Director/City Engineer	X		
Burlingame	Jennifer Lee - Environmental Compliance Manger (Alternate)			X
Colma	Brad Donohue - Director of Public Works and Planning	X		
Daly City	Richard Chiu - Director of Public Works	X		
East Palo Alto	None			
Foster City	None			
Half Moon Bay	Maziar Bozorginia - Director of Public Works	X		
Hillsborough	Paul Willis - Director of Public Works			X
Menlo Park	Azalea Mitch - Director of Public Works	X		
Millbrae	Sam Bautista - Director of Public Works	X		
Pacifica	None			
Portola Valley	Howard Young - Director of Public Works			X
Redwood City	James O'Connell - City Engineer	X		
San Bruno	Hae Won Ritchie - Deputy Director of Public Works			X
San Carlos	Steven Machida - Director of Public Works	X		
San Mateo	Brad Underwood - Interim Director of Public Works	X		
South San Francisco	Eunejune Kim - Director of Public Works	X		
Woodside	None			
San Mateo County	Krzysztof Lisaj - Deputy Director of Engineering and Resource Protection (Alternate)	X		
Regional Water Quality Control Board	None			

C/CAG AGENDA REPORT

Date: January 18, 2024
To: Stormwater Committee
From: Reid Bogert, Stormwater Program Director
Subject: Receive information on stormwater related announcements.

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

RECOMMENDATION

That the Committee receive information on stormwater related announcements.

BACKGROUND/DISCUSSION

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

1) C/CAG Board updates from December:

- Approved Resolution 23-101 authorizing the C/CAG Executive Director to execute a contract with EOA, Inc. for an amount not to exceed \$3,171,000 to complete the Watching Our Watersheds Regional Trash Monitoring Project to support compliance with the Municipal Regional Stormwater Permit, and further authorizing a waiver of the standard three-year contract term to complete the project by June 30, 2028.
- Approved Resolution 23-102 authorizing the C/CAG Executive Director to execute a contract with Geosyntec Consultants for an amount not to exceed \$424,248 to complete the San Mateo County One Watershed Climate Resilience Framework and Community-Led with a contract term through January 31, 2026.
- Approved Resolution 23-105 approving appointment of Lisa Guathier and Donna Colson to the Southern Region and Northern Region City seats on the One Shoreline Board of Directors for four-year terms expiring on December 31, 2028
- Received a press release featuring the outcomes from the Bulk Rain Barrel Distribution event held at the City of San Mateo Corp Yard on November 4.

- 2) Regional Water Board staff review of Fiscal Year 2023 Annual Reports: On December 19, Regional Water Board staff sent emails to 19 of C/CAG's 21 member agencies regarding review of and requests for additional information pertaining to the Fiscal Year 2023 Annual Reports. Comments and questions from Water Board staff varied, though there were several consistent comments and inquiries pertaining to Provisions C.3, C.4, C.6 and C.10. In some cases there were comments made regarding missing or duplicate sections of the reports. The initial deadline for providing responses was January 5; however, after subsequent discussion with Water Board staff managers, an extension was provided to February 16. Water Board staff further clarified that this initial engagement was intended to notify permittees that Water Board staff had reviewed the Annual Reports and were reaching out to permittees to ask clarifying questions, and that there may be follow-up requests to submit additional information or resubmit revised reports via the SMARTS platform. On December 21, C/CAG staff circulated an email to the Stormwater Committee with a supplemental to the SMARTS guidance document, which includes instructions on how to submit revised Annual Reports for Fiscal Year 2023, if requested at a future date. The current request from Water Board staff is just an email communication and permittees do not need to resubmit Annual Reports unless directed to do so.
- 3) Fiscal Year 2024 Draft Annual Report Forms: Fiscal Year 2024 Annual Report Forms are being developed by the Bay Area Municipal Stormwater Collaborative as a project of regional benefit. The Annual Report Forms must be submitted to the Regional Water Board for approval by the Executive Officer no later than March 1, 2024. C/CAG staff circulated the Draft Fiscal Year 2024 Annual Report Forms to the Stormwater Committee and Subcommittees on December 21, with a request for feedback by January 12. A reminder was sent on January 10.
- 4) New MRP Requirement Updates:
- PCBs Old Industrial Landuse Control Measures Plan: Provision C.11/12.c requires permittees to implement or cause to be implemented treatment control measures, stormwater diversion to wastewater treatment facilities, redevelopment (provided GSI is implemented in compliance with Provision C.3.b), or other control measures to achieve PCBs load reduction. San Mateo County permittees must collectively achieve a load reduction of 81 grams/year (or via controls addressing an equivalent 445 acres) by the end of the permit term. The Countywide Program submitted the SMCWPPP PCBs Old Industrial Landuse Control Measures Plan (OILCMP) on January 30, 2023 in accordance with the MRP and following a request from Water Board staff for significant revisions, have since been working with the SMCWPPP Old Industrial Control Measures Plan for PCBs Work Group to develop a plan for making requested revisions and implementing the revised plan. The revised plan is due to the Water Board for Executive Officer approval by no later than March 31, 2024. EOA has developed a memorandum (revised draft circulated to the Work Group on January 9), documenting the key elements of the proposed revised plan, the focus of which is a proposed enhanced monitoring, inspection and control measures implementation program for drainages and properties with documented "moderate to high" levels of pollutants of concern. The memorandum provides context and background on the legal authority needed to implement the

proposed enhanced program in coordination with the Countywide Program, as well as the core elements and proposed process for implementing the program. C/CAG staff plans to convene a meeting in mid-January with city representatives, legal counsel representatives and program staff to address any additional questions or concerns pertaining to the legal authority and enforcement of the proposed enhanced program. The Work Group will continue meeting in the coming weeks to review and comment on the Draft Revised OILCMP and the final plan will be circulated to the Stormwater Committee prior to submittal to the Water Board at the end of March.

- Cost Reporting Updates: Provision C.20 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 FY 2024-25). The Bay Area Cost Reporting Framework and Guidance Manual were submitted to the Water Board by June 30, 2023. Relatively minor comments were received from Water Board staff. Also in August, the State Water Board STORMS unit released a draft State Cost Reporting Policy and held a workshop in September. The cost reporting categories in the draft State Policy have some similarities to but also some major differences from the Bay Area approach. C/CAG and CASQA submitted comments on the draft State Policy and discussions have been held with STORMS staff to try to align the approaches. The revised draft State Policy has been delayed and is now expected to be released late March/early April, with adoption in summer 2024, and first reporting year of FY 25-26. The Bay Area Municipal Stormwater Collaborative (BAMSC) is currently preparing a response to Water Board comments and completing minor changes to the Bay Area Framework and Guidance Manual. The Countywide Program plans to conduct a training this spring and begin preparation for tracking costs in FY 24-25
 - Asset Management Requirement Updates: Provision C.21 requires each Permittee to develop and implement an Asset Management (AM) Plan to ensure the satisfactory condition of all “hard assets”, i.e., publicly-owned structural controls that protect water quality (primarily public LID/GI, non-LID treatment, and trash full capture facilities). AM Plans are due to the Water Board by September 2025 (submitted with annual reports.) The Asset Management Plan must include an inventory of assets, data management approach/tools, and an “Operation, Maintenance, Rehabilitation, and Replacement Plan” (O&M Plan). A C/CAG Asset Management Work Group will be formed and start meeting in February/March to discuss AM Plan components and approaches to data management. Data can be managed at the countywide and/or local levels. Work Group decisions will help inform any needed updates/enhancements to the GI Tracking Tool Updates. (A request for participation and a meeting poll will be sent out following the Stormwater Committee meeting.) A BAMSC Regional Work Group is being formed to discuss consistent approaches to evaluating condition of assets and required actions to maintain performance. EOA will assist C/CAG and permittees by facilitating the C/CAG AM Work Group and developing a template and guidance for the AM Plans.
- 5) Proposed 2024 303(d) List: In accordance with the Clean Water Act, every two years the State Water Resources Control Board (State Board) develops the Integrated Report which includes the updated 303(d) List, documenting proposed modified, delisted or newly listed

impaired waterbodies in California, and the 305(b) Condition Report, which documents the condition of all assessed segments. Waterbodies placed on the 303(d) List initiates the process for Total Maximum Daily Loads (TMDL's) to restore and maintain water quality standards. After adoption of the proposed 303(d) List by the State Board, the list is approved by the US Environmental Protection Agency. The 2024 Cycle for the 303(d) List includes assessment of waterbodies in the San Francisco Bay Region, as well as the Los Angeles and Santa Ana Regions. With a number of newly proposed listings in San Mateo County, the Countywide Program developed and submitted a comment letter on April 3, 2023 to the State Board regarding comments and requested changes to the proposed listing in San Mateo County. On December 21, 2023, the State Board issued a notice of public hearing for the adoption of the proposed 2024 303(d) List along with a response to comments table (see Attachment 1 for link to public notice and associated documents). The California Stormwater Quality Association, along with an number of countywide stormwater programs and permittees in the Bay Area and throughout the state also submitted comment letters. As detailed in the response to comments table, most requested modifications to the proposed listings in San Mateo County (including removal of proposed listings) were not considered by the State Board, with the exception of the proposed listing for toxicity in Belmont Creek. The State Board proposed removing the listing for toxicity at Belmont Creek based on the occurrence of false positive mortality to fathead minnow caused by laboratory contamination in one of two mandatory samples provided as lines of evidence in support of the listing. The following table shows the original proposed 2024 new 303(d) listings for San Mateo County and current status of the listings in the final proposed 303(d) List. The hearing for the adoption of the proposed 2024 303(d) List is set for February 6, 2024 at the CalEPA office in Sacramento with a video and teleconference option.

Table of final proposed 2024 303(d) listings in San Mateo County.

<u>Jurisdiction</u>	<u>Waterbody</u>	<u>Pollutant</u>	<u>Status</u>
San Mateo	San Mateo Creek	Chlordane, Indicator bacteria	Included
County	Pilarcitos Lake	Mercury	Included
Belmont	Belmont Creek	Toxicity	Removed
San Mateo	Laurel Creek	Toxicity	Included
Half Moon Bay	Pilarcitos Creek	Toxicity	Included
Foster City	Erkenbrack Park (Foster City Lagoon)	Indicator bacteria	Included
Foster City	Gull Park (Foster City Lagoon)	Indicator bacteria	Included
Foster City	Marlin Park (Foster City Lagoon)	Indicator bacteria	Included
County	Coyote Point Park	Indicator bacteria	Included

County	Montara State Beach (Pacific Ocean)	Indicator bacteria	Included
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- 6) GI Tracking Tool Updates: In FY 2023-24, Paradigm (subcontractor to EOA) will be making a number of updates to the GI Tracking Tool to improve the user interface, add “greened acres” to the project metrics and data visualization, enhance project data upload and download functionality, expand data visualization options for the publicly viewable portion of the tool and to prepare the tool for future integration of trash reduction metrics related to green infrastructure and capabilities for addressing asset management requirements. The New Development Subcommittee discussed the proposed enhancements and work plan for this Fiscal Year at the November meeting. The final Work Plan has since been circulated to the New Development Subcommittee for information. Staff will plan to present updates to the Stormwater Committee in the coming months.
- 7) Grants: C/CAG staff has pursued two recent grant-funded projects to support MRP implementation and broader Green Stormwater Infrastructure (GSI) planning and implementation goals. The projects include the Watching Our Watersheds Regional Trash Monitoring Project (in partnership with the other Phase I MRP stormwater programs in the Bay Area) with funding from the San Francisco Water Quality Improvement Fund, administered by Region 9 of the US Environmental Protection Agency (USEPA), and the San Mateo County OneWatershed Climate Resilience Framework and Community-Led Plan (in partnership with multiple regional partners focused on climate resilience for water infrastructure in San Mateo County) with funding from the Integrated Climate Adaptation and Resilience Program Adaptation Planning Grant Program administered by the California Governor’s Office of Planning and Research (OPR). The following provides a status on each grant:
- Watching Our Watersheds (WOW) Regional Trash Monitoring Project: Subsequent to entering into a grant agreement with the USEPA, and with a recommendation from the Stormwater Committee, C/CAG’s Executive Director executed a contract with EOA, Inc. to complete the project for an amount not to exceed \$3,171,000 by June 30, 2028. The project team has initiated work and will continue implementing the trash outfall monitoring components as in-kind matching contributions to the grant and will be developing the receiving water monitoring and public engagement tasks of the project in the coming months.
 - San Mateo County OneWatershed Climate Resilience Framework and Community-Led Plan: In March 2023, C/CAG and its project partners (co-applicants), including OneShoreline, the Bay Area Water Supply and Conservation Agency (BAWSCA), San Mateo County Office of Sustainability, City of San Bruno and City of South San Francisco (Water Quality Control Plant) submitted a successful application to the Governor’s Office of Planning and Research (OPR) for the Integrated Climate Adaptation and Resilience Program to implement the San Mateo County OneWatershed Climate Resilience Framework and Community-Led Plan. The overall objectives of the project are to support integrated water infrastructure planning and community resilience to water related

climate impacts in San Mateo County through “OneWatershed Climate Resilience Infrastructure” focusing on multi-benefit stormwater capture projects.

Following execution of a grant agreement with the OPR and a consultant contract with Climate Resilient Communities to support the community engagement portions of the project (with a grant amount not to exceed \$225,400), C/CAG’s Executive Director, with a recommendation from the Stormwater Committee, executed contract with Geosyntec Consultants to complete the project for an amount not to exceed \$424,248 by January 30, 2026. The project kick-off meeting was held on December 18, and the project partners are focusing on developing Task 5.1, which is a grant application for the National Oceanic and Atmospheric Administration’s (NOAA) Climate Resilience Regional Challenge Grant, for which C/CAG submitted a successful letter of intent in August. The primary goal of this countywide collaborative grant is to secure substantial seed funding (\$50M+) for implementing multiple OneWatershed Climate Resilience Infrastructure projects, focusing on a pilot watershed in San Bruno, as well as three sustainable streets projects Colma, Daly City and East Palo Alto and a flood plain/creek restoration project in Pescadero. The project also proposes to develop a pilot work force development program for green infrastructure maintenance in San Mateo County. The focus of the grant is to provide significant long-term and equitable climate change risk reduction for coastal communities. C/CAG was one of 120 entities throughout the nation invited to submit a full application to NOAA. The grant is due February 13, 2024 and staff will be coordinating with project partners in the coming weeks to request letters of support and additional project information.

- 8) New State Water Resources Control Board Executive Director Appointment: The State Water Resources Control Board appointed Eric Oppenheimer as the new Executive Director in January 2024. Mr. Oppenheimer previously served as a Chief Deputy Director of the State Board, where his responsibilities included water rights, Bay-Delta planning, groundwater management, water conservation, and administration. He has also worked for the Department of Water Resources and the California Coastal Commission.
- 8) Funding Opportunities: The Countywide Stormwater Program continues to track and evaluate funding opportunities to support program developments and C/CAG’s member agencies with opportunities to fund local stormwater projects and programs. The California Grants Portal is a useful resource to track statewide and regional funding opportunities - <https://www.grants.ca.gov/>. The following includes currently open solicitations related to stormwater management:
 - Clean Water State Revolving Fund – including stormwater infrastructure projects with dedicated funds for the San Francisco Bay region; ongoing; no match; low interest loans with potential principal forgiveness for Disadvantaged/Severely Disadvantaged Communities - <https://www.grants.ca.gov/grants/clean-water-state-revolving-fund-cwsrf-program-construction-2/>
 - Fiscal Year 2024-25 State Budget – C/CAG staff will continue to work with state and federal representatives on advancing regional scale multi-benefit stormwater capture project implementation funding (including seeking support for the planned OneWatershed Climate Resilience Infrastructure NOAA funding proposal due in

February), as well as a new request for funding schoolyard greening implementation and additional resilient schoolyards planning throughout the county following the Resilient San Carlos Schoolyards project. With the Governor's January State Budget proposal (see Attachment 2 for a budget summary from CalCities) for FY24-25 anticipating a \$38B budget deficit, many cuts are being proposed across the board, including for nature-based solutions, urban greening/heat reduction and climate resilience. The budget proposal includes \$2.9B in reductions, \$1.9B in delays of expenditures to future years, and \$1.8B in shifts to other funds (primarily the Greenhouse Gas Reduction Fund) for climate-related programs. The budget proposal did not include a climate bond but the administration is tracking two climate bonds from last year.

ATTACHMENTS

- 1) Proposed 2024 Cycle 303(d) List Hearing Notification and Documents - https://www.waterboards.ca.gov/water_issues/programs/water_quality_assessment/2024-integrated-report.html
- 2) Fiscal Year 2024-25 State Budget Proposal Summary from CalCities - <https://www.cacities.org/news/post/2024/01/11/newsom's-budget-proposal-maintains-most-funding-commitments-with-housing-and-climate-among-the-exceptions>

C/CAG AGENDA REPORT

Date: January 18, 2024

To: Stormwater Committee

From: Reid Bogert, Stormwater Program Director

Subject: Receive information on the Final Interim MOU-Based Regional Collaborative Program Summary Report.

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

RECOMMENDATION

That the Stormwater Committee (Committee) receive information on the Final Interim MOU-Based Regional Collaborative Program Summary Report.

BACKGROUND/DISCUSSION

In 2022, the Countywide Stormwater Program, in collaboration with regional partners, including the San Mateo Flood and Sea Level Rise Resiliency District (OneShoreline), the Bay Area Water Supply and Conservation Agency (BAWSCA), the Regional Water Quality Control Board, and others, completed the Advancing Regional-Scale Stormwater Capture in San Mateo County Project, which was a multi-part study to evaluate and advance a regional approach to cost-effective multi-benefit stormwater management at a countywide scale. The primary output from this effort was a Regional Collaborative Program Framework White Paper, establishing the business case for regional-scale stormwater management in San Mateo County with an emphasis on regional stormwater capture projects and regional-scale distributed green infrastructure. The Regional Collaborative Program Framework also included a proposed program design to support long term funding and implementation of multi-benefit stormwater capture projects that could involve cost-sharing or credit trading among San Mateo County municipalities and potentially other entities with a regulatory or financial interest in cost-effective and multi-benefit stormwater infrastructure. The White Paper also included countywide analysis of regional capture project opportunities, five new project concepts for high priority regional project sites, a feasibility assessment for a countywide stormwater credit trading program and a hypothetical revenue and spending plan for implementing a regional collaborative program.

Following the completion of this project, the Countywide Stormwater Program continued work on advancing the Regional Projects with the establishment of the Workgroup Advancing Regional Projects (WARP), an ad-hoc workgroup of the Stormwater Committee, and the development of the Interim MOU-Based Regional Collaborative Program Summary Report (RCP Summary Report), which was completed in September 2023. The RCP Summary Report documents the proposed phasing of the Regional Collaborative Program, proposed units of exchange focusing on current Regional Municipal Stormwater Permit compliance goals for Green Infrastructure retrofits, proposed administrative needs and roles, financial considerations for near and long-term funding needs, and a case study of an initial

cost-sharing arrangement to support the operational needs of the Orange Memorial Park Regional Stormwater Capture Project in South San Francisco. The report concludes with recommendations for proceeding with the initial phase of the RCP on a project by project basis and considerations for advancing the program into future phases that could involve greater levels of centralization in administering and funding infrastructure planning, implementation and ongoing maintenance.

Staff will provide an overview of the Final RCP Summary Report and presentation of key findings and recommended next steps.

ATTACHMENTS

1. Final Interim MOU-Based Regional Collaborative Program Summary Report (*The document is available on the C/CAG website (See “Additional Agenda Materials”) at: <https://ccag.ca.gov/committees/stormwater-committee/>*)