

# 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, September 19, 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/87242884758?pwd=cHhsazN2SEJrUzJLZzZLUTRocXE4Zz09&\\_device\\_id=7e078757-d2df-461d-9cc0-2ea73a20c9a6](https://us02web.zoom.us/j/87242884758?pwd=cHhsazN2SEJrUzJLZzZLUTRocXE4Zz09&_device_id=7e078757-d2df-461d-9cc0-2ea73a20c9a6)

Zoom Webinar ID: 872 4288 4758

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Join by Phone:

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Passcode: 139997

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](mailto: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.  | Breault/Bogert | No materials |
| 2. Public comment on items not on the Agenda (presentations limited to three minutes).   | Breault        | No materials |
| 3. ACTION – Review and approve July 18, 2024 Stormwater Committee Meeting minutes.   | Breault        | Pages 1-5    |
| 4. ACTION – Review and approve the Draft SMCWPPP Fiscal Year 2023-24 Annual Report contingent on any pending revisions to be included in the Final Report. | Bogert         | Pages 6-7    |

5. INFORMATION – Receive stormwater program related information and announcements.	Bogert	Pages 8-15
6. Regional Board Report	Regional Water Board Staff	No materials
7. Executive Director’s Report	Charpentier	No materials
8. Member Reports	All	No materials
9. Adjourn	Breault	No materials

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**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](mailto: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](mailto: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 2<sup>nd</sup> 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](mailto:scharpentier@smcgov.org)*

*Stormwater Committee Staff: Reid Bogert [rbogert@smcgov.org](mailto:rbogert@smcgov.org)*

## C/CAG AGENDA REPORT

Date: September 19, 2024  
To: Stormwater Committee  
From: Reid Bogert, Stormwater Program Director  
Subject: Review and approve the July 18, 2024 Stormwater Committee meeting minutes

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

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### **RECOMMENDATION**

That the Stormwater Committee (Committee) review and approve the July 18, 2024 Stormwater Committee meeting minutes as drafted.

### **BACKGROUND/DISCUSSION**

None.

### **EQUITY IMPACTS AND CONSIDERATIONS**

This item is necessary for the administration/operations of C/CAG.

### **ATTACHMENTS**

1. Draft July 18, 2024 Stormwater Committee Minutes

## STORMWATER COMMITTEE

Thursday, July 18, 2024

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 table. In addition to the Committee members, also in attendance were Reid Bogert (C/CAG staff), Sean Charpentier (C/CAG Executive Director), Matt Nichols (City of Half Moon Bay), Sultan Henson (County Sustainability Department), Sarah Deicke (County Sustainability Department), Johnathan Perisho (OneShoreline), Victor Voong (City of Burlingame), Kaila Jones (City of Menlo Park), Kelly Havens (Geosyntec Consultants). Chair Ovadia called the meeting to order at 2:35 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 – No comments were received from the public.
3. ACTION – The Committee nominated and elected (in his absence) Randy Breault (City of Brisbane) to continue to serve as Chair of the Stormwater Committee for Fiscal Year 2024-25. Motion: Member Fabry (City of San Mateo); Second: Member Ovadia (Town of Atherton). Vote: Motion passed unanimously (11:0:0). The Committee subsequently nominated and elected Robert Ovadia (Town of Atherton) to continue to serve as Vice Chair. Motion: Member Fabry (City of San Mateo); Second: Member Ovadia (Town of Atherton). Vote: Motion passed unanimously (11:0:0).
4. ACTION – The Committee approved the draft May 16, 2024, Stormwater Committee Meeting minutes. Motion: Member Machida (City of San Carlos); Second: Member Fabry (City of San Mateo). Vote: Motion passed unanimously (11:0:0).
5. INFORMATION – Announcements on stormwater related issues:
  - C/CAG Board of Directors updates for June - Two Resolutions were approved in June. One authorized the execution of Task Order EOA-17 with EOA for FY 2024-25 technical support services. The other authorized execution of an agreement with BAWSCA for FY 2025-25 through FY 2026-27 Rain Barrel Rebate Program funding.
  - The FY 2023-24 MRP Annual Reports are due September 30, 2024 via the Stormwater Multiple Applications for Reporting and Tracking System (SMARTS). A guidance package with instructions and Program-specific forms has been circulated to SWC members and is available on [flowstobay.org](http://flowstobay.org). Draft Annual Reports should be submitted to EOA (Koby Nguyen) by August 30<sup>th</sup> for review. Legally Responsible Persons (LRP) and Duly Authorized Representatives (DAR) must be linked to SMARTS accounts for Annual Report e-certification. Training is not being provided this year, but Program staff are available for questions. The Program can also create ArcGIS Online accounts, if requested, for Regional Board viewing access to requested trash information.
  - Regional Water Board staff are continuing to inspect trash controls throughout the county. About half of the agencies in San Mateo County have been contacted to schedule inspections, and C/CAG's Stormwater Program Director has been cc'd on the emails.
  - The Old Industrial Control Measures Plan (OICMP), required by Provision C.11/12.c, describes how and when control measures will be implemented to achieve required PCBs/mercury load reductions. The Revised OICMP describes targeted (e.g., actions) and non-targeted (e.g., opportunistic) implementation programs. Based on Regional Water Board staff feedback,

assumptions and related calculations for anticipated load reductions in the Revised OICMP are being updated and C/CAG staff will resubmit the revised plan to Water Board staff.

- The Program sent a comment letter on July 9 to the State Water Board supporting CASQA comments on the Proposed State Cost Reporting Policy, with a strong request to avoid duplicative reporting requirements.
- A draft decision for partial approval of MRP 1.0 (2009) Unfunded State Mandate test claims has been issued by the Commission on State Mandates, with public comments due July 30<sup>th</sup> and a hearing September 27<sup>th</sup>. The Cities of Dublin and San Jose and the County of Santa Clara submitted claims that MRP 1.0 Provisions C.2, C.8, C.10, and C.11/12 required increased service without commensurate state funding. A similar test claim from the City of Brisbane was previously deemed incomplete and withdrawn. The City of Union City also submitted a valid test claim covering several provisions in MRP 3.0, and the State and Regional Water Boards requested a longer comment period (i.e., September 16<sup>th</sup>). Staff noted while there may or may not be reimbursement available to San Mateo permittees for past expenditures related to the MRP 1.0 test claims, there is potential for future funding through the state budget process for MRP-required programs which have been deemed unfunded state mandates by the Commission.
- SB 867, enacting the Safe Drinking Water, Wildfire Prevention, Drought Preparedness, and Clean Air Bond Act (i.e., the Climate Bond) was approved in July. This bill authorizes \$10 billion in bonds for voter approval, including a special bucket of \$110 million (1% of total) for stormwater projects and \$100 million for urban greening.

6. ACTION – Following a summary of the regional trash monitoring plan compliance documents and SMCWPPP DAR approval process, the Committee approved the recommendation for C/CAG’s Duly Authorized Representative to certify and submit the Regional Receiving Water Trash Monitoring Plan (Version 1.0) and Regional Outfall Trash Monitoring Plan (Version 2.0) to the San Francisco Bay Regional Water Quality Control Board by July 30, 2024. Motion: Member Fabry (City of San Mateo); Second: Member Machida (City of San Carlos). Vote: Motion passed unanimously (11:0:0).
7. INFORMATION – Receive information MRP Provision C.8 water quality monitoring requirements, SMCWPPP monitoring accomplishments, and ongoing challenges.

LID Monitoring (C.8.d) is intended to measure the effectiveness of LID controls. The MRP requires 25 influent-effluent paired storm samples over the permit term. Samples must be analyzed for PCBs, PFAS, Hg, Cu, Zn, TSS, TPH, hardness, and pH, with continuous flow monitoring throughout the wet season. Monitoring began October 1, 2023 following Regional Water Board conditional approval of the SMCWPPP LID Monitoring Plan. Monitoring is conducted at bioretention facilities in the City of Brisbane. The minimum number of paired samples (i.e., three) was exceeded in FY 2023-24; however, the Program was just shy of goal of six samples needed to make progress towards the permit term goal of 25 samples. EOA is working with Brisbane to understand why effluent is not observed at one of the two facilities equipped for monitoring.

Trash Monitoring (C.8.e) is intended to assess the effectiveness of trash controls and evaluate conditions in receiving waters. MS4 Outfall monitoring began October 1, 2023 following conditional approval of a Regional Trash Outfall Monitoring Plan. The Program successfully monitored trash discharges from two San Mateo County outfalls (San Carlos and Half Moon Bay) during three storm events. Receiving Water Monitoring will begin October 1, 2024. Receiving water monitoring is being conducted through the EPA WQIF “Watching Our Watersheds” (WOW) project. Characterization and measurement of all trash samples (outfalls and receiving waters) is conducted via the WOW project. Although annual flow hydrographs have not yet been calculated, preliminary results suggest that trash discharges at the monitored outfalls have successfully been controlled to low (i.e., less than 5 gal/acre/year).

Pollutants of Concern (POC) Monitoring (C.8.f) addresses six information needs listed in MRP Provision C.8

and supports C.11/12 requirements for investigation of old industrial land uses and identification of source properties. POC analytes include PCBs, mercury, copper, and constituents of emerging concern (CEC). CEC monitoring requirements are met through financial contributions to the RMP.

Pesticide & Toxicity (P&T) Monitoring (C.8.g) is required annually during the dry season at one site in San Mateo County. The Program is targeting Pilarcitos Creek for P&T monitoring because it was recently 303(d) listed for toxicity.

8. INFORMATION – Received information on the San Mateo County OneWatershed Framework approach and data inventory. The OneWatershed Framework is part one of a NOAA grant funded (\$650k) multi-year, multi-part strategy to build systematic and transformational change, addressing climate risk with respect to integrated watershed management and resilience. The objective of the Framework is “to assess the regional and shared-risk of climate change to water infrastructure and resources (sewer, water, and stormwater) and develop opportunities to build adaptive capacity to climate impacts for the most vulnerable communities.” It builds off prior GI planning work, pulling disaggregated plans under one umbrella framework with shared goals focusing on climate adaptation. Equity first is a major theme of the Framework, with the San Bruno Creek Watershed “Community-Led Plan” serving as a pilot study of the Framework. The Geosyntec-led project team is currently developing the OneWatershed Data Inventory, a compilation of County and other publicly available data on climate impacts, groundwater, social vulnerability, stormwater infrastructure, wastewater and water supply. Data will be available online via C/CAG’s existing GIS web viewer.
9. Regional Board Report: None.
10. Executive Director’s Report: None
11. Member Reports: None
12. Vice Chair Ovadia adjourned the meeting at 4:07 p.m. The next meeting is tentatively scheduled for August 15.

July 18, 2024 Stormwater Committee Attendance				
Agency	Representative (Primary or Alternate)	Attendance		
		In-Person	Remote Voting (AB 2449)	Remote Non-voting
Atherton	Robert Ovidia (Vice Chair) - Public Works Director	x		
Belmont	Tracy Scramaglia - Assistant Public Works Director/City Engineer (Alternate)	x		
Brisbane	Randy Breault (Chair) - Public Works Director/City Engineer			
Burlingame	Syed Murtuza - Public Works Director			x
Colma	Jim Porter - Deputy Public Works Director/City Engineer (Alternate)	x		
Daly City	Richard Chiu - Director of Public Works	x		
East Palo Alto	Humza Javed - Director of Public Works	x		
Foster City	Andrew Brozyna - Director of Public Works			x
Half Moon Bay	Maziar Bozorginia - Director of Public Works			
Hillsborough	Paul Willis - Public Works Director			
Menlo Park	Azalea Mitch - Director of Public Works			
Millbrae	Ahmad Haya - City Engineer (Alternate)	x		
Pacifica	Roland Yip - Deputy Director of Public Works	x		
Portola Valley	Howard Young - Director of Public Works			
Redwood City	James O'Connell - City Engineer	x		
San Bruno	Matt Lee - Director of Public Works			
San Carlos	Steven Machida - Director of Public Works	x		
San Mateo	Matt Fabry - Director of Public Works	x		
South San Francisco	Eunejune Kim - Director of Public Works			x
Woodside	Yaz Emrani - Director of Public Works			
San Mateo County	Ann Stillman - Director of Public Works	x		
Regional Water Quality Control Board	Watershed Management Supervisor			

X - primary or designated alternate representative

O - "other" agency representative/non-voting (see meeting minutes for "other" attendees)



## C/CAG AGENDA REPORT

Date: September 19, 2024

To: Stormwater Committee

From: Reid Bogert, Stormwater Program Director

Subject: Review and approve the Draft SMCWPPP Fiscal Year 2023-24 Annual Report contingent on any pending revisions to be included in the Final Report.

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

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### RECOMMENDATION

That the Stormwater Committee (Committee) review and approve the Draft SMCWPPP Fiscal Year 2023-24 Annual Report contingent on any pending revisions to be included in the Final Report.

### BACKGROUND/DISCUSSION

The San Mateo County Countywide Water Pollution Prevention Program (SMCWPPP or Program) provides compliance support to the 21 municipalities in San Mateo County and the San Mateo County Flood and Sea Level Rise Resiliency District who are co-permittees under the Municipal Regional Stormwater Permit (MRP; Order No. R2-2022-0018) administered by the San Francisco Bay Regional Water Quality Control Board (Regional Water Board). As part of its core compliance support, the Program develops the SMCWPPP Annual Report, documenting MRP implementation for the current reporting year conducted by the Program on behalf of the San Mateo County permittees. The Program Annual Report must be submitted with the jurisdictional Annual Reports by September 30, 2024 via the Stormwater Multiple Applications for Reporting and Tracking System (SMARTS).

Program staff released the Draft SMCWPPP Fiscal Year 2023-24 Annual Report for review and comment by the San Mateo County permittees via email on August 29, with comments due by September 13. The Draft Program Annual Report was distributed to the Stormwater Committee, NPDES Technical Advisory Committee and Program Subcommittees. As of the release of the September 19 Stormwater Committee agenda packet, Program staff received minimal/editorial comments on the Draft Report.

Staff recommend the Committee review and approve the Draft SMCWPPP Fiscal Year 2023-24 Annual Report, contingent on any pending revisions received by the comment deadline of September 13.

### EQUITY IMPACTS AND CONSIDERATIONS

This item is necessary for the administration/operations of C/CAG.

#### **ATTACHMENTS**

The following attachments are available on the C/CAG website (*See “Additional Agenda Materials” for the relevant Stormwater Committee meeting*) at: <https://ccag.ca.gov/committees/stormwater-committee/>

1. Draft SMCWPPP Fiscal Year 2023-24 Annual Report - Main Report
2. Draft SMCWPPP Fiscal Year 2023-24 Annual Report - Appendices

## C/CAG AGENDA REPORT

Date: September 19, 2024

To: Stormwater Committee

From: Reid Bogert, Stormwater Program Director

Subject: Receive stormwater program related information and announcements

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

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### RECOMMENDATION

That the Stormwater Committee (Committee) receive stormwater program related information and 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 August.

1) C/CAG Board updates:

- August: none.

2) CASQA Annual Conference: The 2024 California Stormwater Quality Association Conference will be held in Sacramento on October 20-23. Early bird registration has closed but regular general admission tickets are still available through October 11 at a discounted price for San Mateo County permittee representatives under the C/CAG area-wide membership. The conference will have a keynote address from Letitia Grenier, Water Policy Director at the Public Policy Institute of California and there will be a capstone event featuring a panel discussion with California water leaders, including:

- Anna Caballero – Senator – 14th District, California State Senate
- Joaquin Esquivel – Chair, California State Water Resources Control Board
- Karla Nemeth – Director, California Department of Water Resources; Governor Newsom's Advisor on the State's water priorities
- Karen Cowan – Executive Director, CASQA

C/CAG staff will also be presenting on four topics related to the Countywide Program efforts at the conference this year.

- 3) NOAA Grant – Climate Resilience Regional Challenge: C/CAG staff was informed on July 18 that the application submitted by C/CAG and its partners for the proposed “Implementing OneWatershed Climate Resilience Infrastructure in San Mateo County” project was not selected for award. Though this was a disappointment, staff are eager to continue to seek additional funding opportunities at the state and federal level to help launch a pilot program focused on funding multi-benefit climate resilience or “OneWatershed” infrastructure in the county. This past Fiscal Year, C/CAG was successful with securing \$850,000 in member directed funding through the Department of Transportation for funding sustainable streets projects in three underserved community areas, leveraging conceptual designs developed in the Sustainable Streets Master Plan (East Palo Alto, Colma, Daly City).
  
- 4) FY 2023-24 Annual Reports: The Fiscal Year 2023-24 Annual Reports for the Municipal Regional Stormwater Permit are due on September 30, 2024 via the Stormwater Multiple Applications for Reporting and Tracking System (SMARTS). In June, C/CAG staff circulated the SMCWPPP FY23-24 Annual Report guidance package to the Stormwater Committee and NPDES Technical Advisory Committee (and subcommittee distribution lists) including a guidance memo and reporting schedule, along with the SMCWPPP specific Annual Report forms, cover letter and certification statement templates and SMARTS guidance. The materials are also available on the permittees section of the program website - <https://www.flowstobay.org/permittees/annual-report-guidance/>. Permittee Draft Annual Reports were due to EOA staff for review by August 30. On August 29, staff also circulated the Draft Fiscal Year 2023-24 SMCWPPP Annual Report for permittee review, with comments due September 13. The Draft Fiscal Year 2023-24 SMCWPPP Annual Report will be considered for approval by the Stormwater Committee at its September 19 meeting, contingent on any final edits to be incorporated into the final report. Permittees must submit their jurisdictional reports along with the SMCWPPP Annual Report via SMARTS by September 30. It is also important to have current Legally Responsible Persons (LRP)/Duly Authorized Representatives (DAR) linked to your respective SMARTS accounts for Annual Report certification and submittal, which can take up to a week or two to complete if a new LRP needs to be linked to an account and for an e-authorization form to be sent to and approved by the State Water Resources Control Board. See the SMARTS guidance document for details.
  
- 5) Regional Water Board Trash Information Item: On September 11, 2024, the San Francisco Bay Regional Water Quality Control Board heard an information item on the MRP trash load reduction requirements associated with Provision C.10, and specifically in regard to achievements and ongoing challenges with respect to the recent 90% trash load reduction compliance benchmark on June 30, 2023 and the upcoming 100% load reduction compliance deadline on June 30, 2025. The Regional Water Board heard a presentation from Water Board staff followed by a coordinated presentation from the Bay Area Municipal Stormwater Collaborative (BAMSC), featuring presentations from staff at the City of San Jose, City of San Pablo and City of Oakland. A representative from Save The Bay also presented on progress towards achieving the 100% compliance deadline. Generally, comments and concerns from Water Board members can be summarized as follows:

1. Broad understanding of the progress to-date and the challenges ahead

(financial, political and engineering), but also concern regarding the time it has taken to-date given a number of municipalities have still not achieved 80% trash load reduction relative to the 2009 baseline.

2. Recognized the importance of Direct Discharge programs in dealing with a potentially small number of very significant contributors in select areas. Also recognized the severe political and financial challenges cities face in effectively managing the complex issue of unsheltered populations and illegal dumping.
3. Multiple Board Members interested in better understanding why beneficial programs like source controls and creek/shoreline credits are already removed from load reduction accounting or are being phased out by June 2025 (Water Board staff emphasized the issue of needing to focus on controls in the storm drain system and wanting to avoid “double-counting” load reductions from the On-land Visual Trash Assessment (OVTA) programs.

Permittees expressed concerns about the significant challenges cities/counties face with addressing remaining trash loading areas, especially where engineering or socio-political factors make achieving load reduction goals through other on-land control programs verified through on-land visual assessments problematic. Permittees advocated for allowing trash load reductions associated with Low Impact Development/Green Infrastructure projects as full trash capture (as allowed for by the State Water Resources Control Board), as well as consideration of allowing ongoing use of Direct Discharge programs and alternative approaches for demonstrating load reductions outside of the OVTA process. Water Board staff stated there are ongoing discussions regarding the use of LID projects to claim trash load reductions, pertaining to the proper design and maintenance of these facilities, and that the Water Board staff intends to work with permittees on approaches to modify the existing OVTA framework to potentially reduce resource burdens for demonstrating trash reduction goals have been achieved in management areas that have shown consistent low trash generation scores. During the meeting, Water Board members also approved a rescission of five Cease and Desist Orders placed on MRP permittees for the 80% trash load reduction requirement.

- 6) Long-term GSI Technical Workgroup: MRP Provision C.3.j.ii (4) states that Permittees may, together with Regional Water Board staff and others, collectively form a Technical Working Group (TWG) to discuss long-term green infrastructure goals and recommend long-term percentage reductions in Permittees’ impervious surfaces, at individual, countywide and regional scales. The TWG is expected to be comprised of municipal staff and other experts knowledgeable about planning and processes that can facilitate implementation of GI and existing stormwater requirements and processes to set GSI targets (e.g., RAA planning, TMDL compliance). Four meetings of the TWG, approximately quarterly, are planned for FY 2024-25, and one meeting planned for each of FYs 2025-26 and 2026-27. Program staff has solicited participation on the TWG from members of the Ad-hoc Workgroup Advancing Regional Projects with regional projects underway (representatives from San Bruno, Redwood City, Belmont, County Unincorporated). The first meeting was held on September

13.

7)

8) PCBs Old Industrial 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 to the Regional Water Board the revised SMCWPPP PCBs Old Industrial Control Measures Plan (OICMP) on March 29, in accordance with the request for submitting revised plans from Water Board staff in October 2023. The revised OICMP proposes a two-pronged approach for achieving the load reduction goals, and associated resources to support the enhanced program:

1. Targeted implementation program – description of ongoing, enhanced, and new actions that target OI areas located in stormwater catchments containing known or suspected PCBs source areas or evidence of moderately to highly elevated PCBs based on monitoring data.
2. Other non-targeted implementation program – opportunistic implementation of control measures in OI areas that have yet to be verified as “low concentration” or “moderate to high concentration” catchments through monitoring data; control measures may include Green Stormwater Infrastructure, trash controls and high flow proprietary media-based filtration systems.

Following feedback from the Regional Water Board staff regarding the revised OICMP submitted last October, Program staff further revised the OICMP to clarify that projected Source Property referral and abatement projects will not be included in the accounting towards the C.12.c load reduction goals this permit term and resubmitted the OICMP on July 23. Program staff have not yet heard back from Water Board staff on the revised plan. In the meantime, the Program has also initiated right of way sediment sampling in several jurisdictions starting as part of the enhanced monitoring program, including requests for onsite sampling on private properties.

To help offset the significant costs associated with the proposed enhanced moderate PCBs property investigation and control measures program outlined in the revised OICMP, SMCWPPP is participating in a regional grant under the new U.S. EPA Region 9 Program Office base grant program, which is providing its first round of water quality improvement grants in the Bay Area under the Federal Fiscal Year 2023 budget. In April 2024, with support from Region 9 EPA staff, the BAMSC submitted a request for waiving the competitive process for accessing grant funds under the initial year funding allocation on a proposed Regional PCBs TMDL Special Studies and Implementation Project. The exception was granted and on August 09, the City of San Pablo submitted the final application for the proposed project, as the fiscal sponsor of the grant on behalf of the participating BAMSC agencies and programs. The proposed project includes \$8 million in grant funds to be expended over 5 years, with a focus on monitoring and planning/studies to support achieving

the Polychlorinated Biphenyls (PCBs) Total Maximum Daily Load (current set with a compliance timeframe for 2030). The grant includes the following tasks and budget (with matching funds to be provided proportionately by each participating countywide program area through planned in-kind consultant services over the course of the 5-year grant):

Task #	Grant Program Function or Activity	Grant-Funded Costs	Match-Funded Costs	Total Project Costs
1	Regional PCBs Monitoring Programs	\$700,000		
2	Phase II PCBs Program Development and Monitoring	\$1,101,878		
3	Phase I PCBs Monitoring, Mapping, and Control Measure Planning	\$5,398,122		
4	Project Administration/ Management	\$800,000		
<b>Total</b>		<b>\$8,000,000</b>	<b>\$2,666,667</b>	<b>\$10,666,667</b>

C/CAG staff will participate in the Project Management Team at the regional level to support the Request For Proposals (RFP) process led by City of San Pablo staff, and the implementation of the grant during its duration. It is anticipated the RFP will be developed and released in October/November.

- 9) State Water Resources Control Board NPDES Permit Fees FY 2024-25: California State Water Code Section 13260 requires each person who discharges waste or proposes to discharge waste that could affect the quality of the waters of the state to file a report of waste discharge with the appropriate regional water board and to pay an annual fee set by the State Water Resources Control Board (State Water Board), the funds from which are deposited in the Waste Discharge Permit Fund (WDPF). Water Code Section 13260 requires the State Water Board to adopt, by emergency regulations, an annual schedule of fees for persons discharging waste to the waters of the state. Water Code Section 13260 further requires the State Water Board to adjust the annual fees each fiscal year to conform to the revenue levels set forth in the Budget Act. State Water Board Staff review all WDPF programs’ fees on an annual basis and hold several stakeholder meetings throughout the year that coincide with the various iterations of the Governor’s Budget. The NPDES stormwater permit fee did not increase in the past two Fiscal Years; however, the proposed Fiscal Year 2024-25 NPDES stormwater permit fees proposed for adoption by the State Water Board on September 18, 2024 reflects a 3% increase to address State Water Board projected staffing and other resources needs. See Attachment 1 Table of San Mateo County NPDES Stormwater Permit Fees from Fiscal Year 2014-15 to the proposed fees for Fiscal Year 2024-25.
  
- 10) San Mateo County Grand Jury Report: Restaurant Exteriors: The Neglected Space: On July 9, 2024 the San Mateo County Civil Grand Jury released the San Mateo County Grand Jury Report: Restaurant Exteriors: The Neglected Space (Attachment 2), which broadly addresses the concern of exterior trash areas of food service businesses in San Mateo County being unclean and unsightly with respect to trash/litter. Though most of the findings address primarily the County Health Department/Unincorporated County of San Mateo, the action item for responses to F1-F6 and to Recommendation 4 are required of all 20 municipalities in

San Mateo County. Cities/the County may wish to respond to the findings with consideration of the jurisdictions' existing stormwater Commercial and Industrial Inspection programs and associated Business Inspection Programs and Enforcement Response Programs with respect to the prioritization and frequency of inspections for applicable facilities. It is also worth noting, responses to Recommendation 4 regarding authority to require restaurants to increase the number of trash receptacles or number of pickups may be limited to what is written into existing waste hauler franchise agreements. The findings, recommendations and action item from the report are summarized as follows:

F1: Sanitary conditions of the exterior of restaurant facilities fall outside current inspections of the County Health Department. The varying unsatisfactory conditions in the waste removal areas of the facilities shows something is lacking in the regulatory process.

F2: Sanitary conditions of parklets fall outside of current inspections by the County Health Department or Vector Control.

F3: Sanitary conditions of exterior areas used for waste storage and disposal fall outside current inspections by local jurisdictions; local jurisdictions are, by and large, only reactive to an actual complaint.

F4: Most restaurant exterior areas are "out of sight" of the public and as a result complaints are less frequent.

F5. Because they lack oversight, unacceptable conditions in restaurant trash areas are likely not to be rectified.

F6. Waste water from the cleaning of trash areas and from rain flow into the storm drain systems.

F7. Effective inspection of parklet sanitation can be severely hampered by closed skirting and lack of under floor access. Spacing between planking and lack of solid flooring can lead to accumulation of organic debris and possible infestation by vermin.

The Report recommendations are:

R1. By June 30, 2025, the County should amend its Food Facility Checklist to include the condition of trash area flooring, bins, dumpsters and enclosures, and note any needed repair, replacement or cleaning.

R2. By June 30, 2025, the County should amend its Food Facility Checklist to include the entire exterior waste storage area, retention areas and parklets, including flooring and underfloor areas.

R3. By June 30, 2025, the County should require operators/owners of restaurants to have a written diagram of their approved waste storage/retention area posted so the inspector can evaluate the condition of the facilities.

R4. By June 30, 2025, inspectors for all jurisdictions with restaurants should be empowered to require owners/operators to add receptacles or increase the frequency of pick-ups.



Action item:

The Grand Jury Report requests responses from the councils for all 20 cities and towns in the County, to Findings 1, 2, 3, 4, 5, and 6 and Recommendation 4. The comment or response of each governing body must be conducted subject to the notice, agenda, and open meeting requirements of the Brown Act, as well as the requirements of California Penal Code Section 933.05.

- 7) **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:
- [Local Transportation Climate Adaptation Program \(LTCAP Cycle 2\)](#) – The CA Transportation Commission is developing the FY2024-25 guidelines for the Cycle 2 LTCAP, which funds climate resilience-based transportation improvements funding under the Infrastructure Investments and Jobs Act and newly created Promoting Resilient Operations for Transformative, Efficient, and Cost-saving Transportation (PROTECT) program. The PROTECT program has \$252 million available over five years through 2026. The call for projects in FY 2024-25 is anticipated in spring 2025 - <https://catc.submittable.com/submit>.
  - [U.S EPA Bipartisan Infrastructure Law Funds for the San Francisco Bay Water Quality Improvement Fund](#) Fiscal Year 2024-25 Notice of Funding Opportunity – The San Francisco Bay Water Quality Improvement Fund anticipates releasing a Notice of Funding Opportunity in the coming weeks for \$14 million to fund water quality/Bay restoration projects in underserved communities where there are strong relationships with community partners. There's no matching requirement.
  - Fiscal Year 2024-25 State and Federal Funding – The State Legislature passed and the Governor signed a \$10 billion Climate Bond (SB 867 - Allan) to put Proposition 4 on the November ballot, along with a \$10 billion Education Bond. The Climate bond includes a specific callout for stormwater (\$110M for stormwater and \$100M for urban greening).

## EQUITY IMPACTS AND CONSIDERATIONS

This item is necessary for the administration/operations of C/CAG.

## ATTACHMENTS

- 1) Table of San Mateo County NPDES Stormwater Permit Fees from Fiscal Year 2014-15 to the proposed fees for Fiscal Year 2024-25
- 2) San Mateo County Civil Grand Jury released the San Mateo County Grand Jury Report: Restaurant Exteriors: The Neglected Space (*Attachment available on the C/CAG website: see "Additional Agenda Materials" for the relevant Stormwater Committee meeting*) at: <https://ccag.ca.gov/committees/stormwater-committee>)

Table of State Water Resources Control Board NPDES Stormwater Fee Schedules for San Mateo County County Permittees from FY14-15 through FY23-24 and projections for FY24-

Municipality	Population (2015 DOF)	Population (2016 DOF)	Population (2017 DOF)	Population (2018 DOF)	Population (2019 DOF)	Population (2020 DOF)	Population (2021 DOF)	Population (2022 DOF)	Population (2023 DOF)	Population (2024 DOF)	Baseline Fee	Adopted 14 Fee (8.9% Reduction)	Adopted 15 Fee (28.4% Reduction)	Adopted 16 Fee (6.4% Reduction)	Adopted 17 Fee (11% reduction and new baseline)	Adopted 18 Fee (0% on new baseline)	Adopted 2019-20 (no change)	Adopted 2020-21 (5.3% increase)	Adopted 2021-22 (17.9% increase)	Adopted 2022-23 (no change)	Adopted 2023-24 (no change)	Proposed for Adoption 2024-25 (3% increase)
Atherton	6,940	6,927	6,945	6,948	6,950	6,942	6,896	6,718	6,678	6,976	\$6,395	\$5,826	\$4,579	\$5,986	\$5,692	\$5,692	\$5,692	\$5,994	\$7,067	\$7,067	\$7,067	\$7,279
Belmont	26,912	26,963	26,951	26,898	26,808	26,669	26,470	27,203	26,793	26,931	\$15,989	\$14,566	\$11,448	\$14,966	\$14,230	\$14,230	\$14,230	\$14,984	\$17,666	\$17,666	\$17,666	\$18,196
Brisbane	4,572	4,648	4,653	4,654	4,642	4,621	4,579	4,721	4,648	4,661	\$6,395	\$5,826	\$4,579	\$5,986	\$5,692	\$5,692	\$5,692	\$5,994	\$7,067	\$7,067	\$7,067	\$7,279
Burlingame	30,224	30,377	30,355	30,318	30,224	30,068	29,746	30,283	30,136	30,513	\$15,989	\$14,566	\$11,448	\$14,966	\$14,230	\$14,230	\$14,230	\$14,984	\$17,666	\$17,666	\$17,666	\$18,196
Colma	1,494	1,495	1,493	1,476	1,496	1,678	1,659	1,370	1,359	1,410	\$6,395	\$5,826	\$4,579	\$5,986	\$5,692	\$5,692	\$5,692	\$5,994	\$7,067	\$7,067	\$7,067	\$7,279
Daly City	107,889	108,421	108,599	109,088	109,102	108,767	108,599	102,875	101,471	101,458	\$39,974	\$36,416	\$28,621	\$37,415	\$35,577	\$35,577	\$35,577	\$37,463	\$44,168	\$44,168	\$44,168	\$45,493
East Palo Alto	30,184	30,571	30,641	30,747	30,716	30,630	30,350	28,963	28,586	29,078	\$15,989	\$14,566	\$11,448	\$14,966	\$14,230	\$14,230	\$14,230	\$14,984	\$17,666	\$17,666	\$17,666	\$18,196
Foster City	32,511	32,624	32,741	32,746	33,221	33,025	32,842	33,056	32,703	32,581	\$15,989	\$14,566	\$11,448	\$14,966	\$14,230	\$14,230	\$14,230	\$14,984	\$17,666	\$17,666	\$17,666	\$18,196
Half Moon Bay	12,064	12,373	12,391	12,423	12,444	12,404	12,309	11,308	11,226	11,238	\$9,594	\$8,740	\$6,869	\$8,980	\$8,539	\$8,539	\$8,539	\$8,992	\$10,601	\$10,601	\$10,601	\$10,919
Hillsborough	11,325	11,418	11,455	11,486	11,444	11,442	11,391	11,018	10,962	11,116	\$9,594	\$8,740	\$6,869	\$8,980	\$8,539	\$8,539	\$8,539	\$8,992	\$10,601	\$10,601	\$10,601	\$10,919
Menlo Park	33,457	33,478	35,195	35,398	35,279	35,120	34,825	33,034	32,478	33,140	\$15,989	\$14,566	\$11,448	\$14,966	\$14,230	\$14,230	\$14,230	\$14,984	\$17,666	\$17,666	\$17,666	\$18,196
Millbrae	22,915	23,000	22,986	22,975	22,874	22,742	22,509	22,512	22,487	23,093	\$9,594	\$8,740	\$6,869	\$8,980	\$8,539	\$8,539	\$8,539	\$8,992	\$10,601	\$10,601	\$10,601	\$10,919
Pacifica	38,778	38,802	38,673	38,632	38,470	38,267	37,890	37,533	37,082	37,062	\$15,989	\$14,566	\$11,448	\$14,966	\$14,230	\$14,230	\$14,230	\$14,984	\$17,666	\$17,666	\$17,666	\$18,196
Portola Valley	4,583	4,615	4,611	4,614	4,607	4,598	4,560	4,289	4,247	4,249	\$6,395	\$5,826	\$4,579	\$5,986	\$5,692	\$5,692	\$5,692	\$5,994	\$7,067	\$7,067	\$7,067	\$7,279
Redwood City	83,059	84,697	84,779	84,943	85,686	86,444	85,182	82,344	81,495	81,863	\$31,979	\$29,133	\$22,897	\$29,932	\$28,461	\$28,461	\$28,461	\$29,969	\$35,334	\$35,334	\$35,334	\$36,394
San Bruno	45,194	45,408	45,423	45,442	45,391	45,392	44,936	42,656	42,054	42,152	\$15,989	\$14,566	\$11,448	\$14,966	\$14,230	\$14,230	\$14,230	\$14,984	\$17,666	\$17,666	\$17,666	\$18,196
San Carlos	29,571	29,684	29,689	29,713	29,644	30,067	29,814	29,837	29,496	29,420	\$15,989	\$14,566	\$11,448	\$14,966	\$14,230	\$14,230	\$14,230	\$14,984	\$17,666	\$17,666	\$17,666	\$18,196
San Mateo	101,884	102,877	103,038	103,412	103,140	102,766	103,045	103,779	103,318	103,352	\$39,974	\$36,416	\$28,621	\$37,415	\$35,577	\$35,577	\$35,577	\$37,463	\$44,168	\$44,168	\$44,168	\$45,493
South San Francisco	66,914	67,182	67,156	67,193	67,070	67,730	67,135	64,492	64,323	64,601	\$23,982	\$21,848	\$17,171	\$22,447	\$21,344	\$21,344	\$21,344	\$22,475	\$26,498	\$26,498	\$26,498	\$27,293
Woodside	5,618	5,659	5,665	5,670	5,647	5,670	5,628	5,212	5,128	5,133	\$6,395	\$5,826	\$4,579	\$5,986	\$5,692	\$5,692	\$5,692	\$5,994	\$7,067	\$7,067	\$7,067	\$7,279
San Mateo County Unincorporated	65,533	65,880	65,962	66,151	66,305	66,019	64,880	61,459	60,974	61,538	\$23,982	\$21,848	\$17,171	\$22,447	\$21,344	\$21,344	\$21,344	\$22,475	\$26,498	\$26,498	\$26,498	\$27,293
<b>Total</b>	<b>761,621</b>	<b>767,099</b>	<b>769,401</b>	<b>770,927</b>	<b>771,160</b>	<b>771,061</b>	<b>765,245</b>	<b>744,662</b>	<b>737,644</b>	<b>741,565</b>	<b>\$340,564</b>	<b>\$317,537</b>	<b>\$249,568</b>	<b>\$326,251</b>	<b>\$310,220</b>	<b>\$310,220</b>	<b>\$326,662</b>	<b>\$385,134</b>	<b>\$385,134</b>	<b>\$385,134</b>	<b>\$396,668</b>	