

Stormwater Committee

Thursday March 20, 2025

2:30 p.m.

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), Dan Sternkopf (C/CAG Staff), Sean Charpentier (C/CAG Executive Director), Shilpa Patel (Caltrain), Elizabeth Wada (City of Belmont), Eduardo Castellanos (Town of Woodside), Sultan Henson (County of San Mateo), Sarah Deicke (County of San Mateo), Melissa Ross-Perkins (County of San Mateo), Summer Bundy (OneShoreline), Jill Bicknell (EOA Inc.), Chris Sommers (EOA Inc.), Rebecca Nordenholt (Regional Water Board), Aidan Cecchetti (Regional Water Board), J Chin (member of the public; full name not provided). Chair Breault called the meeting to order at 2:41 p.m.

1. Call to Order, Roll Call, and a brief overview of meeting procedures.
2. Public comment on items not on the agenda – No comments were received from the public.
3. PRESENTATION – The Committee received a presentation from Laura Walsh with Save The Bay on the Flood Resilience Scorecard. Walsh presented how the scorecard gives cities a tool to complete their Regional Shoreline Plans, highlights the good work that has been done and emphasizes the work left to be done in terms of long-term resilience. The scorecard seeks to meet the challenges of compound flooding and specific community concerns. Scores are based on the number of policies that municipalities have already implemented compared to additional policies that can be implemented in the future. A 30/52 score would mean that 30 policies have been implemented and there are 22 policies left to implement. The scorecard is broken down by policy types: General Flood Resilience, Groundwater Rise Resilience, Sea Level Rise Resilience, Stormwater Resilience, Accountability and Transparency. Walsh asked the Committee for feedback on the scorecard in an effort to continue refining the scorecard. Committee Member Fabry asked how cities are chosen to be scored. Walsh responded that Save the Bay usually looks to work with municipalities where Save the Bay has existing partnerships with Community Based Organizations. Walsh also added that Save the Bay can provide resilience planning support ad-hoc with willing partners on an informal basis. C/CAG Executive Director Charpentier asked if the scorecard advocates for certain Best Management Practices. Walsh responded that the scorecard advocates for nature-based solutions.
4. ACTION – The Committee approved the draft February 20, 2025, Stormwater Committee Meeting minutes with the condition that the attendance record be corrected to show that Noah Craney attended as the alternate for Burlingame. Member Fabry motioned approval of the minutes with the condition that the attendance record be corrected to show that Noah Craney attended as the

alternate for Burlingame. Motion: Member Fabry (City of San Mateo); Second: Member Craney (City of Burlingame). Vote: Motion passed unanimously (14:0:0).

5. ACTION – The Committee reviewed and approved the recommendation for C/CAG’s Duly Authorized Representative to certify and submit the SMCWPPP Water Year 2024 Urban Creeks Monitoring Report to the Regional Water Board. Motion: Member Craney (City of Burlingame); Second: Member Mitch (City of San Mateo). Vote: Motion passed unanimously (14:0:0).
6. INFORMATION – The Committee received a presentation on the upcoming deadline for 100% trash reduction requirements. Chris Sommers with EOA Inc. provided an update on the Municipal Regional Permit (MRP) requirement to implement trash load reduction control actions (i.e., full trash capture systems or equivalent measures) to meet the goal of 100% trash load reduction by June 30, 2025. Regarding municipalities that will not meet the 100% reduction benchmark, a Notice of Non-compliance Letter and Model Updated Trash Load Reduction Plan must be submitted to the Water Board. Additionally, all member agencies will need to complete Private Land Drainage Area (PLDA) inspections by June 30, 2025. Rebecca Nordenholt with the Regional Water Board (RWB) reiterated the June 30, 2025 deadline for compliance. Nordenholt stated that municipalities that may not meet the deadline should reach out to the RWB and emphasized that the RWB wants to work with municipalities. Nordenholt stated that Caltrans has funding for projects that can help municipalities reach the 100% trash reduction requirement. The expectation for noncompliant municipalities will be to submit notice letters to the RWB. The RWB is planning to use Cease and Desist Orders (CDOs) for noncompliant municipalities. CDOs are the RWB's most flexible tool and the CDOs do not have monetary penalties but will require a schedule for compliance. For municipalities very close to 100% and will achieve 100% by December 2025, RWB may not issue a CDO.
7. INFORMATION – The Committee received an update on upcoming stormwater cost reporting requirements and timelines from Jill Bicknell with EOA Inc. Provision C.20 requires municipalities to annually prepare and submit a fiscal analysis of the costs to implement the MRP, beginning in FY 2024/25. The first submittal is due with the September 2025 Annual Report. The costs must be reported by permit provision and in defined categories such as personnel, contractors, capital costs and operations and maintenance (O&M). The excel-based Bay Area Cost Reporting Framework Tool was developed in March 2024 and a San Mateo County specific version of the tool was recently developed for municipalities to use. Bicknell also presented an overview of the Bay Area Cost Reporting Guidance Manual. After the update, there was discussion about the purpose of this MRP requirement. Bicknell stated that the State Water Board (SWB) wants to understand what the permit is costing permittees across regions and the level of effort required. Reid Bogert with C/CAG added that the 2018 State Auditor's report found a lack of ongoing MRP cost reporting as required by the Clean Water Act. Aidan Cecchetti with the RWB added that provision C.20 helps to determine the maximum extent practicable for permit requirements.
8. INFORMATION – The Committee received stormwater program related information and announcements. Bogert presented on the CASQA 2025 Call for Abstracts and upcoming Seminar Series. The Funding & Finance Ad-hoc Workgroup met on March 7 and received a presentation from Craftwater Engineering on potential strategies and phases of developing a stormwater funding initiative and Bogert will circulate notes from the meeting. Bogert presented on the City and County of San Francisco v. Environmental Protection Agency ruling. The Supreme Court ruled Clean Water Act under section 1311(b)(1)(C) does not authorize the EPA to include "end-result" receiving water limitations provisions in NPDES permits. Receiving water limits have been in all NPDES permits to-

date. Previously the Clean Water Act was interpreted by EPA to allow the regulation of water quality standards in NPDES permits with respect to stormwater effluent or stormwater related discharges to receiving waters, now the Court's ruling establishes that only effluent based limitations can be promulgated through NPDES stormwater permits. There was discussion about the potential pause on currently reissued permits due to the Supreme Court ruling and the likely impacts on all NPDES permits moving forward, though the ramifications of the ruling are yet to be determined.

9. Regional Board Report – Aidan Cecchetti with the RWB discussed how the RWB recently provided general feedback on the Fiscal Year 2023-24 Annual Reports and are still compiling permittee-specific feedback. The RWB is working on Fiscal Year 2024-25 Annual Report form feedback and will likely share that feedback with permittees by the end of the month. The RWB is working on a guidance for expectations for permittee spill response communication with RWB. The RWB is also in the process of mapping out the reissuance of MRP 4.0, but it is unclear how the San Francisco v. EPA Supreme Court ruling will impact the reissuance, if at all.
10. Executive Director's Report – C/CAG Executive Director Charpentier provided updates on C/CAG's current state and federal budget requests and earmarks. C/CAG is currently pursuing funding for Colma's El Camino Real Sustainable Streets Project, the OneWatershed Strategic Plan, a laundry to landscape pilot study, and a coastal resilience project.
11. Member Reports - None
12. Adjourned at 4:08 p.m.