

MANAGEMENT COMMITTEE INFORMATION PACKET



Santa Clara Valley *Urban Runoff* Pollution Prevention Program

Campbell • Cupertino • Los Altos • Los Altos Hills • Los Gatos • Milpitas • Monte Sereno • Mountain View • Palo Alto
San Jose • Santa Clara • Saratoga • Sunnyvale • Santa Clara County • Valley Water

August 17, 2023 Meeting

MATERIALS FOR INFORMATION

II. August 17, 2023 Agenda

III. July 20, 2023 Meeting Minutes

IV. July 20, 2023 Action Items

VIII. MRP Implementation

1. Memorandum to Management Committee, from Program Staff, re: Management Committee Briefing on Priority Items, August 2023
2. Highlights of BAMSC Committee and Subcommittee Meetings, July-August 2023
3. C3PO AHTG Meeting Summary, June 26, 2023

Other Items

1. Letter to Karl Palmer, Department of Toxic Substances Control, from Karen Cowan, CASQA, re: Comments – Proposal to add Microplastics to the Candidate Chemicals List), July 27, 2023
2. Letter to Tameka Taylor, Environmental Protection Agency, from Karen Cowan, CASQA, re: Comments – PA's Draft National Strategy to Prevent Plastic Pollution (Docket ID No. EPA-HQ-OLEM-2023-0228), July 31, 2023
3. CASQA Stormwater Capture Factsheet, July 2023
4. MC Calendar, August 2023 – October 2023



**Santa Clara Valley
Urban Runoff
Pollution Prevention Program**

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AGENDA

MANAGEMENT COMMITTEE MEETING

August 17, 2023, 9:30am – 11:00am

Zoom Meeting¹

- 9:30** **I. Management Committee Meeting Call to Order/Introductions**
- II. Additions or Revisions to Agenda; Announcements**
- III. Approval of Minutes (July 20, 2023 meeting)**
- IV. Review of Action Items from Last Meeting**
- 9:45** **V. Time Open for Public Comment on Any Subject Not on Agenda (2 minutes)**
- VI. Regional Water Board Staff Comments**
- VII. Program Business**
- 9:50** **A. Program Management**
1. **Action Item:** Draft Regional BMP Report for Addressing Non-Stormwater Discharges Associated with Homelessness – *request for approval.*
2. **Action Item:** Letter of Support for SF Bay Area Water Quality Improvement Fund (WQIF) Grant proposal “Healthy Watersheds & Thriving Cities: Collaborating for Multiple Benefits at the Landscape-scale” - *request for approval.*
3. **Action Item:** Letter of Support for WQIF Grant proposal “PFAS Sources to Solutions: Identifying and Preventing PFAS Pollution in San Francisco Bay” - *request for approval.*
4. **Action Item:** Draft SCVURPPP Comment Letter on the MRP 3.0 Amendment Tentative Order – *request for approval.*
5. FY 22-23 Annual Report – *status report.*
- 10:15** **B. Program Budget**
1. FY 23-24 Program Assessments – *status report.*
- 10:20** **C. Program Manager’s Report**
1. BAMS Collaborative Update – *information.*

¹ *This Management Committee meeting is being conducted via Zoom. Please contact Program staff via email at jcbicknell@eoainc.com if you would like to attend the meeting.

2. CASQA Update – *information.*
3. Grants Update – *information.*

VIII. MRP Implementation

10:30 A. New Development and Redevelopment

1. Priority Items Identified by Program Staff
 - a. Green Stormwater Infrastructure Work Plan Tasks - *status report*
 - b. Regional Projects – *status report*

10:35 B. Trash Controls & Unsheltered Homeless

1. Priority Items Identified by Program Staff
 - a. Long-term Trash Load Reduction Plan Guidance – *status report*
 - b. Regional Projects – *status report*
2. Management Committee Requested Items

10:40 C. Monitoring / Pollutants of Concern

1. Priority Items Identified by Program Staff
 - a. Monitoring Planning Tasks – *status report*
 - b. Regional Projects – *status report*
2. Management Committee Requested Items

10:45 D. Outreach Activities

1. Priority Items Identified by Program Staff
2. Management Committee Requested Items

10:50 E. Other Permit-Related Activities

1. Priority Items Identified by Program Staff
 - a. Cost Reporting – *status report*
2. Management Committee Requested Items
 - a. Program Information Management Systems – *status report*

10:55 IX. Other Business

1. External Meeting Summaries – *questions on materials provided prior to the meeting.*
2. Miscellaneous – *information from MC members.*
3. AHTG Status Table – *updates requested.*
4. Planned Agenda Items for Future MC Meetings – *update.*

11:00 X. Adjourn



**MANAGEMENT COMMITTEE MEETING
MINUTES**

July 20, 2023

Campbell · Cupertino · Los Altos · Los Altos Hills · Los Gatos · Milpitas · Monte Sereno · Mountain View · Palo Alto
San José · Santa Clara · Saratoga · Sunnyvale · Santa Clara County · Valley Water

I. MANAGEMENT COMMITTEE CALL TO ORDER / INTRODUCTIONS

John Bourgeois (Chair, Valley Water) called the meeting to order at 9:00 a.m. Management Committee (MC) members introduced themselves.

II. ADDITIONS OR REVISIONS TO THE AGENDA; ANNOUNCEMENTS

There were no additions to the agenda. The following announcements were made:

- Mary Morse (San José) announced that Napp Fukuda (San José) is retiring. His retirement party will be on August 4, 2023.
- Sheila Tucker (WVCWA) reported that a community survey was conducted to gauge support for increasing property fees to provide funding for stormwater programs. The results will be presented to the WVCWA Board in September.

III. APPROVAL OF MINUTES

Motion: Rajani Nair (San Jose) moved to approve the minutes from the June 15, 2023, MC meeting. **Second:** Melody Tovar (Sunnyvale). **Vote:** Motion passed with two abstentions.

IV. REVIEW OF ACTION ITEMS FROM LAST MEETING

Action Items from the June 15, 2023, meeting:

- Action Item 6-23-2 (Provide training for Co-permittees on conducting PLDA inspections) is complete. The training was held on July 13, 2023. Approximately 30 municipal staff attended.

Action Items from previous meetings:

- Action Item 4-23-2 (Make a presentation to the Monitoring AHTG on the LID Monitoring Plan, future actions, and other monitoring taking place across the region) will be completed in the Fall. Also, a presentation for the MC will be held in the Fall.
- Action Item 5-23-2 (Provide training on the Trash Load Reduction Dashboard) will be completed at the August Trash AHTG meeting (August), as the tool is being adapted to account for Private Land Drainage Areas (PLDAs) Trash Inspection Program (TIP).

V. TIME OPEN FOR PUBLIC COMMENT ON ANY SUBJECT NOT ON AGENDA

No comments were made.

VI. WATER BOARD STAFF COMMENTS

Water Board (WB) staff did not attend the meeting. Chris Sommers (Program staff) reported that the Cost Reporting Guidance Manual and Framework Tool were submitted on June 26, 2023 to the Water Board by Emily Corwin, Co-Chair of the BAMS Collaborative Steering Committee on behalf of all MRP Permittees.

VII. PROGRAM BUSINESS

A. Program Management/Action Items

1. Regional Trash Monitoring Plan and Quality Assurance Project

Chris reported that the Draft Final versions of the Trash Monitoring Plan (MP) version 1.0 (Stormwater Outfall Monitoring) and the Quality Assurance Project Plan (QAPP) were sent to the Management Committee for final review on July 17, 2023. A follow-up email with two edits requested by the Contra Costa Clean Water Program (CCCWP) was also sent. Program staff are agreeable to the changes proposed by CCCWP.

Motion: Carrie Sandahl (Mountain View) moved to approve Draft Final versions of the Trash Monitoring Plan (MP) version 1.0 (Stormwater Outfall Monitoring) including edits proposed by CCCWP, and the Quality Assurance Project Plan (QAPP).

Second: Pam Boyle Rodriguez (Palo Alto). **Vote:** Motion passed unanimously.

2. FY 22-23 Annual Report

Chris provided a brief overview of the internal deadlines for SCVURPPP and Co-permittee Annual Reports. Sheila Tucker (WVCWA) asked MC members to post their IPM Policies and SOPs in the Program's SharePoint folder.

B. PROGRAM BUDGET

1. FY 23-24 Program Assessments

Chris reported that the FY 23-24 assessments will be sent to MC members by the end of July.

C. PROGRAM MANAGER'S REPORT

1. BAMS Collaborative Update

Chris reported that the Tentative Order for the MRP amendment will likely be issued by the end of July. Program staff will develop a comment letter on behalf of the Program. BAMSC representatives are planning to make a presentation about monitoring costs during the adoption hearing. Melody Tovar (Sunnyvale) questioned the timing of the presentation and suggested postponing it until costs have been realized after the first year of monitoring. Chris agreed to discuss with the other countywide programs at the next BAMSC Steering Committee meeting.

2. CASQA Update

Program staff provided the following updates:

- The CASQA quarterly seminar was held on July 13th, focused on stormwater controls for trash and cost reporting. Chris presented information on trash control efforts in the Bay Area. Karen Ashby from Larry Walker Associates presented information on the Bay Area Cost Reporting Framework.
- The 19th CASQA Annual Conference will be held in-person on September 11-13 in San Diego.
- CASQA is meeting with State Water Board staff to discuss an early version of the Draft Phase II Small MS4 Stormwater General Permit.

3. Grants Update

Chris provided the following updates:

- The C/CAG Board approved the Water Quality Improvement Fund (WQIF) trash grant agreement. An RFP process for grant management/assistance is expected to occur in August with a contract approved by September/October.
- EPA has released a Request for Application (RFA) for the next round of WQIF grant (\$30M), with proposals due in August. SFEI is putting together an application for PFAS monitoring. They are looking for in-kind matching contributions from stormwater programs related to their LID monitoring work. Chris indicated that work done by the Program's LID monitoring sub-contractors could be used as in-kind match if the MC approved. Grant funds would cover any monitoring sub-contractor administrative costs. Chris will send the MC an email describing the SFEI request and the benefit to SCVURPPP. Rajani Nair (San Jose) mentioned that SFEI also reached to the City of San Jose and Valley Water regarding support for another grant proposal that they are submitting for WQIF grant funding.

VIII. MRP IMPLEMENTATION

A. NEW DEVELOPMENT AND REDEVELOPMENT

No items.

B. TRASH CONTROLS AND UNSHELTERED HOMELESS

Vishakha Atre (Program staff) reported that the draft *Regional Best Management Practices Report for Addressing Non Stormwater Discharges from Unsheltered Homeless Populations* was sent to the Trash AHTG for review. It will be brought to the MC for approval at the August MC meeting.

C. MONITORING AND POLLUTANTS OF CONCERN

No items.

D. OUTREACH ACTIVITIES

No items.

E. OTHER PERMIT-RELATED ACTIVITIES

No items.

IX. OTHER BUSINESS

A. Miscellaneous

Chris reported that a meeting will be held in September/October to discuss asset management. Rajani, Melody, and Emma Hinojosa (Sunnyvale) requested that they be added to the asset management discussions. Pam Boyle Rodrigues (Palo Alto) asked if a Work Group will be formed to discuss Alternative Compliance. Vishakha will check with Jill Bicknell (Program staff) about forming a Work Group.

X. ADJOURN

The MC meeting adjourned at 10:00 a.m.



**Santa Clara Valley
Urban Runoff
Pollution Prevention Program**

Meeting Attendance Record

DATE July 20, 2023

Campbell • Cupertino • Los Altos • Los Altos Hills • Los Gatos • Milpitas • Monte Sereno • Mountain View • Palo Alto
San Jose • Santa Clara • Saratoga • Sunnyvale • Santa Clara County • Valley Water

CO-PERMITTEE REPRESENTATIVES
(voting members)

SIGNATURE

Ursula Syrova – Cupertino
Alternate: Alex Wykoff

Ursula Syrova

Thanh Nguyen – Los Altos
Alternate: Erin McDannold

Erin McDannold

WooJae Kim – Los Altos Hills
Alternate: John Chau

WooJae Kim

Elaine Marshall – Milpitas
Alternate: Roberto Alonzo

Elaine Marshall

Carrie Sandahl – Mountain View
Alternate: Brian T. Jones

Carrie Sandahl, Brian T. Jones

Karin North – Palo Alto
Alternate: Pamela Boyle Rodriguez
Alternate: Michel Jeremias

Pamela Boyle Rodriguez

Rajani Nair – San Jose
Alternate: Mary Morse

Mary Morse

Colleen Trostle – Santa Clara
Alternate: Dave Staub

Dave Staub

Melody Tovar – Sunnyvale
Alternate: Madeline Khair

Melody Tovar, Madeline Khair

Vanessa Marcadejas – Santa Clara County
Alternate: Garik Iosilevsky

Vanessa Marcadejas

John Bourgeois - SCVWD
Alternate: James Downing

John Bourgeois, James Downing

Sheila Tucker – West Valley Communities
(Campbell, Los Gatos, Monte Sereno, and Saratoga)

Sheila Tucker

URBAN RUNOFF PROGRAM STAFF

Adam Olivieri

Adam Olivieri

Jill Bicknell

-

Chris Sommers

Chris Sommers

Vishakha Atre

Vishakha Atre

**INTERESTED PARTIES/AGENCY
REPRESENTATIVE**

Trish Mulvey – Clean South Bay

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ADDITIONAL ATTENDEES

Emma Hinojosa, City of Sunnyvale

Marina Chislett, Town of Los Gatos

Julia Schmitt, Carollo Engineers

**Santa Clara Valley Urban Runoff Pollution Prevention Program
Management Committee Meeting Action Items**

Action Items from July 20, 2023 Meeting

| Action | Description | Responsibility | Due Date | Status | Comments |
|---------------|--------------------|-----------------------|-----------------|---------------|-----------------|
| None | | | | | |

Action Items Remaining from Previous Meetings

| Action | Description | Responsibility | Due Date | Status | Comments |
|---------------|---|-----------------------|---------------------|---------------|---|
| 4-23-2 | Make a presentation to the Monitoring AHTG on the LID Monitoring Plan, future actions, and other monitoring taking place across the region. | Program staff | August or September | To be done | |
| 5-23-2 | Provide training on the Trash Load Reduction Dashboard. | Program staff | August | To be done | Will occur at August Trash AHTG Meeting |



**Santa Clara Valley
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MEMORANDUM

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San José • Santa Clara • Saratoga • Sunnyvale • Santa Clara County • Valley Water


TO: Management Committee

FROM: Program Staff

DATE: August 11, 2023

SUBJECT: Management Committee (MC) Briefing on Priority Items

Program Management

- * MRP 3.0 Amendment – On July 21, 2023, Water Board staff publicly noticed an MRP 3.0 Amendment Tentative Order (TO). The TO contained edits to Provision C.3 related to alternative (non-LID) treatment measures and revised criteria for Special Projects Category C – Affordable Housing. SCVURPPP submitted comments on the earlier Administrative Draft and Program staff revised the comment letter for the TO. A draft comment letter was sent to the MC and C3PO AHTG on August 11th and a special C3PO AHTG meeting will be held on August 14th to discuss the key concerns. Approval of the comment letter will be requested at the August 17th MC meeting, and comments will be submitted to the Water Board by August 21st. The Water Board hearing considering adoption of the Order will be part of the October 11th Water Board meeting.
- * Regional C.17 (Unsheltered Homeless) BMP Report – The Regional Best Management Practices (BMP) Report for Addressing Non-stormwater Discharges Associated with Unsheltered Homeless Populations was sent to the MC for review and consideration of approval at the August 17th MC meeting. The Report was prepared based on input from the BAMSC C.17 Work Group and the Trash AHTG. Both groups have reviewed this Report and their comments are incorporated into the final version. It is due to the Water Board with the FY 2022-23 Annual Report in September. The Report can be found here:
 [Regional C.17 \(Unsheltered Homelessness\) BMP Report](#)
- * Letter of Support for SFEI's Healthy Watersheds & Thriving Cities WQIF Grant Application – SCVURPPP is being asked to provide a letter of support for this project. As part of this proposed project, SFEI will host Regional Forums that include community groups, Tribes, and local, regional, and state agencies. The forums will hope to build bridges between organizations by identifying shared goals, priority projects, and opportunities for collaboration. The proposed project will also assess benefits currently provided in the urban areas of Coyote Creek and Guadalupe River watersheds to inform where benefits are missing on the landscape

Note: * indicates that Program staff has identified this item for discussion and/or consideration for approval at the Management Committee meeting.

and where opportunity areas exist for increasing benefits at the landscape scale. Opportunity areas for future collaboration and multi-benefit planning will be identified by the participants of the Regional Forum. Project partners will select 1-2 pilot projects to take to the conceptual design stage, incorporating results and findings from the project—including strategies to support multiple benefits and community priorities—into design concepts. Program staff will track and participate in the project, in collaboration with Permittee staff.

- ★ Letter of Support AND Match Commitment for SFEI's PFAS Sources to Solutions: Identifying and Preventing PFAS Pollution in San Francisco Bay WQIF Grant Application – SCVURPPP is being asked to provide match and a letter of support for this project. This proposed project will accelerate PFAS monitoring in Bay Area watersheds and develop high-quality information on PFAS-containing products to support reduction of PFAS product sources to urban runoff. To support the project, all Bay Area Stormwater Programs are providing match to the project. SCVURPPP is proposing to pledge at least \$245,000 of in-kind matching funds to be provided via SCVURPPP monitoring contractor services that are already planned for implementation during FYs, 2023-24, 2024-25, and 2025-26 in compliance with MRP C.8 monitoring requirements (i.e., LID monitoring). There will be no costs to SCVURPPP for providing match to this grant project. Program staff will track and participate in the project through our participation in RMP workgroups.
- FY 2022-23 Annual Report – Program staff is preparing the Draft Program Annual Report and plan to distribute most sections by August 21st for MC review. Co-permittees that would like to have a consistency/completeness review of their draft annual reports should submit them to Vishakha Atre by August 21st or contact her if more time is needed.
- Internal SCVURPPP Share Drive/Folder – Program staff have created an internal Share Drive/Folder for the MC, Budget AHTG, and all SCVURPPP AHTGs. The drive/folder is accessible by all MC and AHTG members and contains materials/documents associated with each group. The AHTG Status Table is also posted on the Program's share drive/folder, which can be accessed by clicking [here](#).

New Development and Redevelopment

- GSI Vegetation Guide – The SCVURPPP GSI Vegetation Guide (Guide) focuses on 12 species of plants commonly found in bioretention measures. It details identification, characteristics, care, inspection and maintenance primarily using photos. Program staff have completed the guide. It is now posted on the [GSI webpage of the program website](#) and can also be accessed via [this direct link](#). It was also distributed to the C3PO AHTG via the SharePoint folder. A higher resolution version is also available upon request.
- Stormwater Treatment Measure (STM) Data Portal – Program staff is continuing to work individually with Co-permittees to resolve remaining data inconsistencies, add voluntary GSI projects and update new projects. Program staff strongly recommend Permittees submit the Stormwater Management Plan, typically a one-page construction plan sheet that shows the project boundary, DMAs, STM locations and DMA summary table, with each project. This plan sheet can be attached to the project record and provides details needed for Program staff to efficiently update records.
- C.3 Stormwater Handbook Update – Program staff prepared updates to this Handbook to include anticipated MRP 3.0 requirements and other needed changes. The draft Handbook was sent to the C3PO AHTG for review. The comment deadline was extended to August 4, 2023. Program staff will update the C.3 Handbook per comments received.
- C.3 Outreach Materials – Program staff has developed fact sheets to inform developers and project applicants about the new C.3 requirements, including a new fact sheet on requirements for single-family home projects. All are posted on the SCVURPPP website.

Industrial/Commercial Business Inspection

- IND/IDDE AHTG – The AHTG last met on April 25th via Zoom. A doodle poll will be emailed to the AHTG to schedule the next meeting.

Program staff emailed the AHTG for mobile business enforcement actions taken during FY 22/23 to update the countywide enforcement table and mobile business inventory available on the SCVURPPP members only webpage. Program staff will email the AHTG when the new tables are posted.

- C.15.b.iii Emergency Firefighting Discharges – The Regional Firefighting Discharges Work Group to address Provision C.15.b.iii requirements met for the second time on June 1st. Updates on the Regional Work Group will be provided through the IND/IDDE AHTG. The item will be first on the agenda in case there are interested parties that do not need to attend the full AHTG meeting.

Municipal Maintenance

- Municipal Maintenance AHTG - Program staff emailed a reminder to the AHTG that annual corporation yard stormwater inspections must be completed between August 1st and September 30th.

Construction Controls

- Construction AHTG – The last AHTG meeting was held on June 15th. Program staff provided a presentation on the MRP Provision C.12.g Manage PCB-Containing Materials and Wastes During Building Demolition Activities requirements and the Bay Area Municipal Stormwater Collaborative (BAMSC) Work Group guidance materials to address the MRP requirements. The presentation included guidance on enhancements to construction site control programs to address PCB-containing materials from demolition projects. The next AHTG meeting will be scheduled for late August/early September.

Program staff have incorporated the substantial number of comments received on the second round review of the SCVURPPP BMP Plan Sheet. The revised Plan sheet will be provided to the AHTG for a final review by email. Program staff emailed a reminder to the AHTG that the wet season notifications must be sent by September 1st to applicable construction sites.

- Construction Inspector Training - Program staff surveyed the AHTG to determine the preferred time of year for the FY 23/24 inspector training workshop. Program staff received 10 responses from seven Permittees. The FY 23/24 workshop will be scheduled in October/November 2023.

Water Utility

- Water Utility AHTG – There are no meetings scheduled and no update on the State Drinking Water Systems Discharges General Permit being updated.

Watershed Education and Outreach

- Watershed Watch Campaign Website Update – Program staff, Gigantic Idea Studio, and the Scripts Review Work Group are working on a major update of the Watershed Watch website.

Pesticide Controls

- Santa Clara Valley Green Gardener Training - Program staff have started planning the Fall 2023 Green Gardener training in coordination with the Fremont Union High School District Adult School. The Green Gardener training will be held in-person on Wednesdays, from September 13, 2022 to November 15, 2023.

Watershed Management Initiative

- Land Use Subgroup (LUS) – The LUS meets approximately quarterly via Zoom. The next meeting is scheduled for September 20th.
- Zero Litter Initiative (ZLI) – The ZLI Steering Committee meets approximately monthly via Zoom. The next meeting is scheduled for September 1st.

Trash Controls

- On-land Visual Trash Assessments (OVTAs) – FY 22-23 OVTAs are complete. Consistent with the Program’s Work Plan, Program staff will be developing an OVTA-specific Work Plan in early FY 23-24 before starting OVTAs. The Work Plan will be provided to the Trash AHTG for review. The goal is to restart OVTAs in September 2023.
- Long-term Trash Reduction Guidance –Subtasks being completed by Program staff as part of the Long-term Trash Reduction Guidance task include the following: revisions to baseline trash generation maps, trash dashboard updates and maintenance, development of a model private land drainage area (PLDA) trash control program, assistance in siting small (catch basin insert) types of full capture systems, and guidance on updating Co-permittee Long-term Trash Control Plans, which some Co-permittees will be required to submit to the Water Board if they are unable to achieve the 90% reduction goal by June 30, 2023. The status of each of these subtasks will be discussed at the August Trash AHTG meeting.
- PLDA Inspection Training and Support Materials – Program staff have provided a number of guidance materials that Co-permittees can use to implement their PLDA Trash Inspection Program (TIP). These materials include: inventories of PLDAs, template TIP Plan, guidance memo on developing and implementing the TIP. In addition, Program staff have held one pilot and one full PLDA TIP trainings for Co-permittees. The full training was held on July 11th and was attended by over 30 Co-permittee staff. Presentation materials from the training and the template field form for conducting PLDA inspections is now posted on the Program’s sharedrive/folder, which can be accessed by clicking [here](#). In addition to these materials, Program staff have also developed a PLDA factsheet and template letter for communicating with PLDA owners/managers about the TIP. These materials will also be posted on the Program’s sharedrive/folder by August 18th for use by Co-permittees.
- Trash AHTG Meetings – The Trash AHTG typically meets on the 3rd Tuesday of the month. The last meeting was on June 20th. The next meeting is scheduled for August 16th.

Unsheltered Populations Management

- Unsheltered Homeless Populations BMP Report – MRP 3.0 requires Permittees to collectively develop a best management practice report that identifies effective practices to address non-stormwater discharges associated with homeless populations. The final BMP Report developed by the BAMSC Unsheltered Homeless Populations Regional Work Group was sent to the MC on August 10th for review and approval at the August 17th MC meeting.
- Map of Unsheltered Homeless Population Locations – MRP 3.0 requires Permittees to develop maps identifying the approximate locations of unsheltered homeless populations. Program staff prepared draft maps based on the 2022 PIT Count data provided by the County and sent them to the Trash AHTG for review. Comments/edits were due by July 21, 2023. Program staff revised the maps based on comments received. The final maps are posted in the Trash AHTG SharePoint folder.

Monitoring / Pollutants of Concern

- Monitoring
 - Low Impact Development (LID) Monitoring – Similar to trash outfall/discharge monitoring, LID monitoring is scheduled to begin in WY 2024 (fall 2023). Program staff identified two

potential locations for LID monitoring in the City of San Jose and developed a draft monitoring plan for those sites. Additionally, Program staff worked with the other Bay Area Stormwater Programs to develop a regional LID Monitoring QAPP. Both the Draft Monitoring Plan and QAPP were submitted to the Regional Water Board (RWB) on May 1st. Comments have not yet been received from RWB staff on the Monitoring Plan, but are expected by mid-July. Program staff participated in a meeting with RWB staff Keith Lichten on June 9th and requested (and received) tentative approval of the monitoring sites and equipment lists so that equipment purchases could begin. Tentative approval was given at that meeting and via subsequent emails.

- POCs Monitoring – Planning for WY 2024 POCs monitoring began in July 2023. Sites are currently being identified and discussed with the POC AHTG. Sediment and stormwater sample collection is planned during the summer and fall/winter of WY 2024.
- Pesticide/Toxicity Monitoring – MRP 3.0 requires that the Program conduct wet weather and dry weather monitoring for pesticides and toxicity. SCVURPPP is working with BAMSC regional partners to successfully accomplish all wet weather pesticides and toxicity monitoring requirements. MRP 3.0 requires that a regional total of 10 wet weather samples be collected during the permit term. SCVURPPP is responsible for 3 of the 10 samples, which were successfully collected from Stevens Creek, San Tomas Aquino, and Guadalupe River during a storm in early November 2022. Wet weather pesticide and toxicity monitoring is now complete for the permit term, barring any resampling needed based on the results. Dry weather sampling will begin in July 2023.

▪ Pollutants of Concern Controls

- PCB/Hg Source Property/Area Identification Studies – Program staff continue to implement Source Property investigation activities and have developed a Source Investigation Work Plan to be fully consistent with MRP 3.0 provision C.11/12.b requirements, which are more focused on old industrial areas. The status of these activities was discussed at the POC AHTG meeting in July. Program staff finalized the Work Plan to address Co-permittee comments. Program staff also have held meetings and are currently planning follow-up meetings with specific Co-permittees to discuss ongoing source property investigations and potential referrals to the Water Board.
- Control Measures Plan for Old Industrial Land Use Areas and Areas with Moderate Levels of PCB/mercury – Program staff developed a Control Measures Plan, consistent with MRP 3.0 Provision C.11/12.c, that outlines measures that Co-permittees and the Program will take during MRP 3.0 to address the PCBs and mercury load reduction requirements in this Provision. The Final Plan was submitted to the Regional Water Board on March 30, 2023. Water Board staff intend to send a response letter to SCVURPPP that will detail additional follow-up actions that will be required. Program staff developed a memo providing guidance on the development and implementation of a new program to address properties with moderate PCBs. The memo was discussed at the July 13th POC AHTG meeting and comments on the memo were due on July 24th. The memo is currently being finalized.
- Tracking POC Control Measure Implementation – The Program's Stormwater Treatment Measures Data Portal is available to the public at <https://scvurppp.org/gsi/>. The current structure of the database is in Phase I. Phase 2 is planned to be completed in FY 2023-24. Additional functionality will be added to the database as well during future phases to align with MRP 3.0 Asset Management requirements.
- Controlling PCBs from Bridges and Overpasses – The Program has been tracking progress of the Caltrans Specification to manage potential PCBs-containing material in bridge roadway expansion joints during bridge/overpass replacement or major repair. A draft SOP was sent out at the end of June. An additional review and comment period is expected after the draft SOP has been revised to address RWB comments. Program staff have also been working with Co-permittees to develop an inventory of bridges within the County that is due with the Program's 2023 Annual Report.

- Controlling PCBs from Electrical Utilities – The Program led a regional workgroup to address requirements for municipal electrical utilities within the MRP area. The workgroup met twice (May 16th and June 8th) to discuss the requirements and develop the necessary products that are due with the 2023 Annual Reports. The Program produced a draft SOP for updating spill response and reporting for spills from municipal electrical utility equipment, which is currently under review by municipal utility staff. The Workgroup will have a 3rd meeting in July (date TBD) to finalize the SOP. The Program is also working with municipal utility staff from Silicon Valley Power (SVP) and the City of Palo Alto Utilities (CPAU) to gather the data needed for Annual Reporting.
- Management of PCBs during Building Demolition – With assistance from Program staff, Co-permittees are using the information, tools and guidance provided via the BASMAA regional project to implement a PCBs in Building Demolition Management Program. Co-permittees should continue to implement the established PCBs in demolition program in FY 2022-23, consistent with guidance provided by Program staff.
- SF Bay Regional Monitoring Program (RMP) – Program staff serves as stormwater representatives on the RMP's Steering Committee (SC) and Technical Review Committee (TRC). Program staff participates to ensure, to the extent possible, that information needs and priority projects for the RMP align with monitoring needs and requirements identified in the regional stormwater permit. The TRC met in June and the Steering Committee met in July. The Steering Committee will next meet in October and the TRC in September. In addition, Program staff serve as stormwater representatives on various RMP workgroups, including the Sources Pathways and Loadings Workgroup (SPLWG) and the Contaminants of Emerging Concern Workgroup (CECWG).
- Monitoring & Pollutants of Concern AHTG Meetings
 - The POC AHTG last met July 13th to discuss the Draft Source Property Investigation Work Plan and ongoing POC-related control program planning and implementation during MRP 3.0. The next POC AHTG meeting will occur in September or October (TBD).
 - The Monitoring AHTG met on March 7th to discuss the WY 2022 UCMR, LID monitoring plan, and Trash monitoring plan. The next Monitoring AHTG meeting will be this Fall (exact date TBD).



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Highlights of Bay Area Municipal Stormwater (BAMS) Collaborative Steering Committee, Subcommittee and Work Group Meetings July - August 2023

Steering Committee – July 27, 2023

Co-Chairs – Emily Corwin (SSA) and Karin Graves (CCCWP)

SCVURPPP representatives – Jill Bicknell and Chris Sommers (Program staff)

Internal Meeting

- Continued to discuss next steps on collaboration with Water Board (WB) management and staff. Priorities are developing a spill response procedure, posting of inspection reports on SMARTS, and LID/Special Projects review comments. Next meeting with WB will be scheduled in August or September
- Approved the following regional project deliverable: *Trash Monitoring Plan version 1.0 (Stormwater Outfall Monitoring) and Quality Assurance Project Plan*. Products will be submitted by July 31st via email to WB staff by BAMSC Co-Chair Rinta Perkins.
- Shared information on the status of Permittees achieving the 90% trash load reduction benchmark by June 30, 2023.
- Provided an update on bioretention design for full trash capture. A meeting with Dubin Environmental on the bioretention modeling effort was held in late June and a response to WB staff modeling comments has been provided. Next steps are to complete the response to comments, document the process that permittees will use to demonstrate that a bioretention facility is effectively capturing trash, and outline a pilot project for observing performance and O&M requirements. A work group meeting has been scheduled for August 21st.
- Received an update on the status of the WQIF trash grant and upcoming WQIF grants. The trash grant agreement was approved in July. An RFP process for grant management/assistance is expected to occur in mid-August with a contract approved by September/October. In-kind match can be counted back to April 2023. A Project Management Team has been formed with representatives from SCVURPPP (Simret), CCCWP (Liz Yin, LWA), SMCWPPP (Reid Bogert), and ACCWP (Sharon Gosselin). An RFA for the next round of WQIF funding (\$30M) was released in June with proposals due August 31st. SFEI has requested that MRP Stormwater Programs consider providing match to a grant application associated with PFAS monitoring and source identification. Stormwater Program representatives generally agreed to provide the match if there are no costs to the Programs.
- The Steering Committee intends to continue to maintain the BASMAA website and surface cleaner certification program but no plans have been made (other than renewing the website license). Rob Carson (MCSTOPPP) will set up a work group meeting in August.
- Received an update on the process for developing the BAMSC New/Redevelopment Regional Supplement for FY 22-23 Annual Reports. Jill Bicknell is leading the effort with assistance from Reid Bogert, Peter Schultze-Allen, Daniel Matlock and John Steere. The draft Supplement will

be available in mid-August. The other Annual Report Supplements (Pesticides Regulatory Report and Our Water Our World Program Report) will come from CASQA after CASQA Board approval on August 9th.

- Discussed the MRP 3.0 Amendment Tentative Order and approach to comments and presentations at the October 11, 2023 adoption hearing. Decided to coordinate regionally through the Development Subcommittee.
- Received updates from the MRP 3.0 Work Groups.

External Meeting

- Received updates from the MRP 3.0 Work Groups.
- Regional Work Groups
 - **Unsheltered Populations** – Countywide stormwater program leads prepared the Draft Regional BMP Report, which includes the BMP fact sheets as an attachment, and sent it to the Regional Work Group for review on May 31, 2023. Comments from the Work Group were addressed and the Draft Regional BMP Report was sent to Countywide stormwater programs for further review. Comments were due on July 21, 2023.
 - **Firefighting Discharges** – The report from this Work Group is not due until September 2025 but the MRP requires the Work Group to meet twice per year. A project profile to develop the Regional BMP Report was developed and was reviewed by the Work Group. The draft Project Profile was provided to the Steering Committee for review and the final is expected to be approved at the September meeting.
 - **Cost Reporting Framework and Methodology** – The final draft Framework and Guidance Manual were sent to the countywide programs on June 2nd for approval during June. The final products were submitted to the WB on June 26th, following approval by the BAMSC Steering Committee at its June 22nd meeting. The State Water Board is planning to release a draft statewide policy on cost reporting on August 17th, followed by a workshop on September 6th. Comments on the policy are due on September 18th.
 - **Bay Area Hydrology Model (BAHM)** –The updates to the software and User Manual were completed and sent to the Work Group on June 30th. The comment deadline was extended to July 31st. A project profile was developed for trainings and video development during FY 23-24 and will be sent to the Steering Committee for review and approval in August.
 - **PCBs in Building Demolition** – The final work products were distributed to Countywide Programs for approval on May 5th. The BAMSC Steering Committee approved the final documents at the May 25th meeting. The documents were finalized and distributed on May 30th. The final work products are available in the SCVURPPP Sharepoint folder. The work products have also been posted on the SCVURPPP website.
 - **Receiving Water Limitations (RWL) Monitoring** – The Work Group was tasked with developing a regional Receiving Waters Monitoring Report (Plan), as required by the MRP. The final report was approved by the BAMSC Steering Committee on March 23rd and submitted to the WB by March 31st by each Program via their Urban Creeks Monitoring Reports. WB staff provided comments on the Plan in June 2023. The Work Group may need to respond to WB staff comments and revise the report, but not until later in the permit term.
- Caltrans Collaboration (Hardeep Takhar)
 - **Partnerships** – The SHOPPP program funded seven projects in 2022 and Caltrans is continuing to look for partnership opportunities with Permittees. For TMDL compliance, they can fund projects that don't necessarily include their ROW, and they can get three times the credit for funding projects in old industrial areas. Trash capture projects remain

the highest priority, but TMDL-related projects are second in line. Unlike trash projects, TMDL projects do not have to address Caltans' ROW.

- Water Board Collaboration (Keith Lichten, Derek Beauduy)
 - **MRP 3.0 Permit Amendment** – Keith reported that the October 11th Water Board meeting will be a hybrid meeting and include two items: 1) permit amendment adoption and 2) information items on equity/DAC issues and monitoring costs.. He would like permittees to provide coordinated presentations as done in the past. It was mentioned that it might be premature to talk about monitoring costs and that a progress report on monitoring efforts might be more appropriate.
 - **SMARTS Guidance** – WB staff sent out a revised updated version of the SMARTS Guidance for permittee review in early June. Sandy Mathews, Kristin Kerr, and Jill Bicknell provided comments. It was suggested that the process for submitting amended annual reports be described in a separate memo once it is worked out. WB staff reported that they are finalizing the guidance and plan to send it out in the next couple weeks.
 - **Submittal of Trash 90% Compliance Letters and Load Reduction Plans** – WB staff indicated that they received 25 notices of non-compliance and 22 updated long-term plans. They are currently reviewing the submittals and will reach out individually to Permittees to provide comments and discuss the plans in the near future as needed. Enforcement actions are not expected at this time for those Permittees unable to achieve the 90% load reduction benchmark, assuming that an acceptable level of detail is provided in the Updated Plans.
 - **Monitoring Plans** – WB staff (Keith Lichten and Zach Rokeach) are reviewing the LID Monitoring Plan and Trash Monitoring Plan and hope to provide comments/approvals in the near future.

Next Meeting – August 24, 2023 (Virtual meeting; 9:30am-12pm for internal meeting and 1pm-3pm for main meeting.)

PIP Subcommittee

Chair – TBD

SCVURPPP representative – Vishakha Atre (Program staff)

Next Meeting – TBD

Development Subcommittee – No July Meeting

Co-Chairs – John Steere (Contra Costa County) and Daniel Matlock (City of Fremont)

SCVURPPP representatives – Tiffany Ngo (City of San José), Peter Schultze-Allen and Jill Bicknell (Program staff)

Next Meeting – September 19, 2023 (meets quarterly)

Trash Subcommittee – July 25, 2023

Chair – Liza DeFrain (MCSTOPPP); *Vice Chair* – Chris Sommers (SCVURPPP) and Beth Baldwin (Contra Costa County)

SCVURPPP representatives – Liz Neves (San Jose), Sheila Tucker (West Valley), and Chris Sommers (SCVURPPP).

- Annual O&M Costs (large and small FTC devices) – The group agreed to focus the October meeting around sharing information on the costs and challenges of maintaining FTC systems.

- Presentation on BAMSC Stormwater Trash Monitoring Plan – Chris Sommers provided a presentation on the recently completed Trash Monitoring Plan (version 1.0) by BAMSC. The Plan will be submitted to the Water Board in July and monitoring at stormwater outfalls is planned to begin in October 2023.
- Compliance with MRP 90% Trash Load Reduction Benchmark – Water Board staff reporting that roughly 25 MRP Permittees were unable to demonstrate the achievement of the 90% trash load reduction benchmark by June 25, 2023. Water Board staff are reviewing notices of non-compliance and update trash reduction plans submitted by Permittees and will be communicating on next steps in the near future.

Next Meeting – October 24, 2023

Monitoring/POCs Subcommittee – No August Meeting

Chair – Lisa Austin (ACCWP); *Vice Chair* – Lisa Sabin (SCVURPPP)

SCVURPPP representatives – Chris Sommers and Lisa Sabin (SCVURPPP), Simret Yigzaw (San Jose), and James Downing (Valley Water)

Next Meeting – September 6, 2023 (meets bimonthly)



C3 Provision Oversight Ad Hoc Task Group (C3PO AHTG)

Meeting Summary Report

June 26, 2023

1:30 – 3:00 pm

Key Issues Discussed:

Announcements

- The 19th CASQA Annual Conference will be held in-person on September 11-13 in San Diego.

C.3/GSI Work Products

- Update on Existing Products on the SCVURPPP Website – Updated products can be found at www.scvurppp.org/new/dev/ and in the SCVURPPP C3PO AHTG shared folder in the “FY 22-23 / Updated C.3 Materials” subfolder. The Program has completed the C.3 Data Form, the worksheets for sizing flow-based, volume-based, and a combination of flow and volume-based treatment measures, and three outreach pieces: The Factsheet for Large Single-Family Homes, the Notice to Project Applicants, and the Developer Factsheet.
- Flow Chart for Road, Trail, and Pavement Maintenance Projects – The MRP requirements corresponding to road, trail, and pavement construction and maintenance projects have been included in a flow chart and table. Both products have been completed. Jill Bicknell walked meeting participants through the process and criteria being evaluated in the chart and its potential outcomes and presented the table format. Products are available in the shared folder for review. Comments are due July 21st.
- C.3 Stormwater Handbook – The final drafts of Chapters 1 through 5; Sections 6.1, 6.2, and 6.3; Chapter 8, and the Glossary have been posted on the SCVURPPP C3PO AHTG shared folder in the “FY 22-23 / Updated C.3 Materials / C.3 Stormwater Handbook” subfolder. Jill Bicknell indicated the most relevant changes included per Chapter (e.g., Chapter 2: Updated all of the regulated projects information, Chapter 3: Included new C.3 Data Form, Chapter 4: Excluded interceptor trees as a site design measure, etc.). Program staff are especially interested in getting feedback for Chapters 2, 3 and 4. Comments are due July 21st.
- Vegetation Guide – The Green Stormwater Infrastructure Vegetation Guide is 99% complete. It only needs minor formatting changes and some hyperlinks need to be replaced. Peter Schultze-Allen walked meeting attendees through the document. He explained the document’s purpose and approach, how the guide is organized, the maintenance groups covered (i.e., rushes, grasses, and flowers), and the additional information that is provided in Chapter 5 (i.e., tips for checking and diagnosing irrigation systems, tips for determining frequency of GSI measure maintenance, common weeds, and a list of local nurseries). The final document will be posted in the SCVURPPP C3PO AHTG shared folder and on the SCVURPPP website.

FY 22-23 Provision C.3 Annual Reporting

- Discussed final Annual Report Form and guidance – Program staff emailed to Permittees updates to the C.3 report form including SCVURPPP-specific guidance and a guidance memo for responding to Provision C.3.a requirements prior to this C3PO AHTG meeting. Jill Bicknell went over the Annual Report Form. Program staff answered specific questions and provided clarification where requested.

MRP 3.0 Amendment Update

- The Tentative Order (TO) for the MRP 3.0 Permit Amendment was originally scheduled to be posted by June 2, 2023 in order to meet the deadlines for an August 9, 2023 Water Board adoption hearing. The schedule has been delayed, and the adoption hearing moved to the September 13th Water Board meeting. The TO is expected to be released in the next week. This will start a 30-day comment period. Comments will be due late July. SCVURPPP will prepare a draft comment letter based on the previous comment letter developed for the Administrative Draft amendment. Program staff will send a draft comment letter out for Management Committee review by mid-July. Program staff will also assist in coordinating a presentation at the hearing. [Post-meeting update: The TO was posted on July 21st, with comments due by August 21st, and the adoption hearing rescheduled to October 11, 2023.]

Regional C.3/GSI Work Groups Update

- Jill Bicknell provided the following updates:
 - Alternative Treatment Systems Work Group, Road Reconstruction in Disadvantaged Communities Work Group, and Special Projects Category C Work Group – It is not expected that these work groups will continue to meet as there are no pending tasks/requirements to be covered under the scope of work for which they were created.
 - BAHM Work Group – The updated BAHM software and User Manual were completed and provided to the Work Group for review. The next phase of work will include three virtual trainings, development of training videos, and technical support. A Work Group meeting will be scheduled in early August to coordinate the three virtual trainings on the updated BAHM. The trainings would occur in late summer/early fall.

Action Items

- Permittees will send comments on the Flow Chart for Road, Trail, and Pavement Maintenance Projects, and the Updated Sections of the C.3 Stormwater Handbook by Friday, July 21, 2023.
- Program Staff will post the final Green Stormwater Infrastructure Vegetation Guide by July 27, 2023.

Next Meeting – August 28, 2023

Meeting Attendance List

| | |
|---------------------|------------------------|
| Meeting: | C3PO AHTG |
| Location: | Zoom |
| Date: | June 26, 1:30pm-3:00pm |
| Name | Agency |
| Ursula Syrova | City of Cupertino |
| Alex Wykoff | City of Cupertino |
| Jennifer Chu | City of Cupertino |
| Roger Storz | City of Campbell |
| Erin McDannold | City of Los Altos |
| Thanh Nguyen | City of Los Altos |
| Elaine Marshall | City of Milpitas |
| Carrie Sandahl | City of Mountain View |
| Brad Hunt | City of Palo Alto |
| Pam Boyle Rodriguez | City of Palo Alto |
| Cecilia Rios | City of San José |

| | |
|----------------------|------------------------|
| Meeting: | C3PO AHTG |
| Location: | Zoom |
| Date: | June 26, 1:30pm-3:00pm |
| Name | Agency |
| Tiffany Ngo | City of San José |
| Mahmoud Jillo | City of San José |
| Hayde Pacheco | City of San José |
| Leila Correa | City of San José |
| Tommy Nguyen | City of San José |
| David Dorcich | City of Saratoga |
| Julie Choun | City of Sunnyvale |
| Emma Hinojosa | City of Sunnyvale |
| Melody Tovar | City of Sunnyvale |
| Lauren Sagun | City of Sunnyvale |
| Vanessa Marcadejas | County of Santa Clara |
| Zhenzhen Jiang | County of Santa Clara |
| James Downing | Valley Water |
| Kendra Boutros | Valley Water |
| Sheila Tucker | WVCWA |
| Julie Schaer | WVCWA |
| Kara Baker | Stanford |
| Raymond Wong | Sunnyvale |
| Jill Bicknell | SCVURPPP staff |
| Peter Schultze-Allen | SCVURPPP staff |
| Ileana Alvarado | SCVURPPP staff |



California Stormwater Quality Association®

Dedicated to the Advancement of Stormwater Quality Management, Science and Regulation

July 27, 2023

Karl Palmer
Safer Consumer Products Program Deputy Director
Department of Toxic Substances Control
1001 I Street
Sacramento, CA 95814

Submitted via the Online CalSAFER Comment Portal

Subject: Comments on the Proposal to add Microplastics to the Candidate Chemicals List

Dear Mr. Palmer:

The California Stormwater Quality Association (CASQA)¹ appreciates the opportunity to provide comments on the Department of Toxic Substances Control's (DTSC) proposal to add microplastics to the Candidate Chemicals List.

The inclusion of microplastics to the Candidate Chemicals List will enable DTSC to consider Priority Products for their potential to release microplastics into the environment during the use or end-of-life stages of the product's life cycle, as outlined in DTSC's Three Year Priority Products Work Plan (2021 – 2023).

As noted during the June 27, 2023 Public Workshop, and in DTSC's Microplastics Background Document,² microplastics that are released into the environment can enter stormwater collection systems and are subsequently discharged into receiving waters. The pervasive and persistent nature of microplastics in the environment is a significant concern to our member agencies.

Microplastics are a global-scale problem, however the impact is shifted to local communities in several ways. Municipal permits not only require monitoring but may also include mitigation at the local scale. Actions like product and material bans and financial incentives are very resource intensive for local governments to implement city by city and county by county. To solve this global problem effectively, solutions need to occur at a broader, more applicable scale – such as through statewide actions.

DTSC's approach for regulating products containing microplastics aligns with CASQA's own [Vision for Sustainable Stormwater Management](#), which emphasizes pollution prevention (true source control) as the most effective mechanism to resolve water quality impairments in California's waterbodies. Removing or finding alternatives to products that release microplastics, as opposed to attempting to remove microplastics from the environment after they have been released, is essential to sustainable stormwater management. True source control also more

¹ CASQA is a nonprofit corporation that advances sustainable stormwater management protective of California water resources. With well over 2,000 members, our membership is comprised of a diverse range of stormwater quality management organizations and individuals, including cities, counties, special districts, federal agencies, state agencies, ports, universities and school districts, wastewater agencies, water suppliers, industries, and consulting firms throughout the state. Collectively, CASQA represents over 36 million people in California.

² https://dtsc.ca.gov/wp-content/uploads/sites/31/2023/04/Background-Document-Proposal-to-Add-Microplastics-to-the-Candidate-Chemical-List_May272023.pdf

Comment Letter on DTSC's Proposal to add Microplastics to the Candidate Chemicals List

appropriately aligns the costs of addressing pollution with its generation, rather than shifting the cost and environmental impacts to local communities. Minimizing pollution at the source is therefore more effective and the most sustainable approach, particularly for microplastics.

CASQA fully supports DTSC's proposal to add microplastics to the Candidate Chemicals List, as it initiates statewide control of microplastics at their source.

Thank you again for the opportunity to comment on DTSC's proposal to add microplastics to the Candidate Chemicals List. If you have any questions, please contact me at (310) 462-4939 or karen.cowan@casqa.org.

Sincerely,



Karen Cowan, Executive Director
California Stormwater Quality Association

cc: Jonathan Bishop, State Water Resources Control Board
Karen Mogus, State Water Resources Control Board
Claire Waggoner, State Water Resources Control Board
Amanda Magee, State Water Resources Control Board
CASQA Board of Directors
CASQA Executive Program Committee
CASQA Policy and Permitting Subcommittee
CASQA True Source Control Subcommittee



California Stormwater Quality Association®

Dedicated to the Advancement of Stormwater Quality Management, Science and Regulation

July 31, 2023

Tameka Taylor

Resource Conservation and Sustainability Division

Office of Resource Conservation and Recovery, Office of Land and Emergency Management

Mail Code 5306T

Environmental Protection Agency

1200 Pennsylvania Avenue, N.W.

Washington, DC 20004

Submitted online via Federal eRulemaking Portal: <http://www.regulations.gov>

Subject: Comments on EPA's Draft National Strategy to Prevent Plastic Pollution (Docket ID No. EPA-HQ-OLEM-2023-0228)

Dear Ms. Taylor:

The California Stormwater Quality Association (CASQA)¹ appreciates the opportunity to provide input on *EPA's Draft National Strategy to Prevent Plastic Pollution* (Draft National Strategy) that was released in May. CASQA supports EPA's efforts to identify goals, objectives, and actions to prevent plastic pollution and reduce, reuse, recycle, collect, and capture plastic and other waste from land-based sources. We also support evaluating this issue from a holistic perspective and view reduction of plastics as a key strategy to achieve sustainable stormwater management.

Consistent with the request for public comment, CASQA is providing feedback on the following specific questions that were posed by EPA regarding the Draft National Strategy:

- I. Which actions are the most important and would have the greatest positive impact at the local, regional, national, and global level?
- II. Is Your Organization Willing to Lead an Action or Collaborate with Others to Implement Actions?
- III. Do you have any additional information or recommendations for EPA regarding these or other proposed actions in this draft strategy?

Our comments are intended to provide productive input to EPA to help inform the finalization of the Draft National Strategy based on our significant, long-term experience in addressing trash and plastic pollution in California.

I. WHICH ACTIONS ARE THE MOST IMPORTANT AND WOULD HAVE THE GREATEST POSITIVE IMPACT AT THE LOCAL, REGIONAL, NATIONAL, AND GLOBAL LEVEL?

CASQA supports the inclusion of all three Draft National Strategy Objectives [Objectives A, B, and C] as well as the associated actions as a holistic, circular approach that is restorative or regenerative by design, enables resources to maintain their highest value for as long as possible, and aims to eliminate waste in the management of plastic

¹ CASQA is a nonprofit corporation more than 2,000 members representing more than 26 million people throughout California that advances sustainable stormwater management protective of California water resources. Our membership is comprised of a diverse range of stormwater quality management organizations and individuals, including cities, counties, special districts, industries, and consulting firms.

products. In terms of what will have the greatest positive impact, CASQA strongly advocates for Objective A and the associated, proposed actions for reducing the production and consumption of single-use and non-recyclable plastic. Implementing these actions at the national and global scale will be the most impactful and have the greatest, positive effect on the environment and in protecting water quality at all scales, including local and regional scales. In fact, the actions to achieve Objective A are also the most effective ways to achieve the goals of Objective C (preventing trash from entering waterways), which is typically a local scale action.

Objective A is in alignment with CASQA's own *Vision for Sustainable Stormwater Management*² which emphasizes pollution prevention (True Source Control) as one of the most effective and important mechanisms to protect California's waterways (see Action 1.2, Objective 1). Minimizing pollution, as opposed to attempting to remove pollution from the environment, is essential to sustainable stormwater management. True Source Control also more appropriately aligns the cost of addressing pollution with its generation, rather than shifting the cost, environmental impacts, and necessary removal from the environment to local communities. Minimizing pollution at the source is, therefore, not only more effective, but the most sustainable approach, particularly for plastics. Further, a global scale problem like plastics requires solutions at the appropriate scale. Absent actions at this scale, local municipalities are left not only with the impact, but are obligated to create and recreate these policies over and over again – city by city, county by county. This approach is wholly ineffective in terms of outcomes and resources. State and Federal policies to reduce the very generation of trash is the most effective scale to solve the problem.

A great example of how True Source Control can be accomplished for plastics is California's Senate Bill 54 (SB 54), the Plastic Pollution Prevention and Packaging Producer Responsibility Act, which was signed into law on June 30, 2022³. CASQA was proud to support this landmark bill as it focuses on reducing the generation and impacts of plastics through true source control solutions. SB 54 requires, by 2032: 100% of packaging in the state must be recyclable or compostable, a 25% cut in plastic packaging, and 65% of all single-use plastic packaging be recycled. The reduction in plastic packaging and compostable requirements are particularly powerful approaches. A similar, national approach could have a significant, positive impact on water quality and the environment.

CASQA Recommendations:

- *While it is important to have all three Objectives as a part of the holistic National Strategy, Objective A would have the greatest positive, cost-effective impact at the local, regional, national, and global level. As such, the actions associated with Objective A should be prioritized.*
- *Incorporate the approaches of SB 54 into the Draft National Strategy.*

II. IS YOUR ORGANIZATION WILLING TO LEAD AN ACTION OR COLLABORATE WITH OTHERS TO IMPLEMENT ACTIONS?

Given the current, national review and potential expansion of various regulatory tools and programs to address and manage trash and plastics production/pollution in the future, CASQA recommends that EPA consider the establishment of a Scientific Advisory Committee as well as a Stakeholder Advisory Committee so that the implementation of the National Strategy can benefit from the significant data and information that has been generated from similar programs and scientific studies that have been implemented to date and lessons learned from both a regulatory and technical perspective .

Given the long-term, practical implementation experience that the stormwater agencies have in addressing trash, CASQA can assist in identifying key contacts and resources within California that can help to inform the implementation of the National Strategy. Examples of the types of information and resources that would be beneficial include, but are not limited to, the following:

² <https://www.casqa.org/about/strategic-plan-vision>

³ https://leginfo.ca.gov/faces/billTextClient.xhtml?bill_id=202120220SB54

- **303(d) Listings and Integrated Report** – The scientific basis and rationale for 303(d) listings for trash and micro/nanoplastics should be evaluated and options provided. Approaches and additional information that is necessary for these types of listings along with the lessons learned from the work that has been completed in California can be provided for consideration.
- **Regulatory Mechanisms and Implementation Programs for Trash** - There are both Trash Total Maximum Daily Loads (TMDLs) and a Statewide Trash Amendment that have been adopted and implemented within California for more than a decade. Both the TMDLs and Statewide Trash Amendments use various combinations of source controls (e.g., public education, street sweeping) and treatment controls (trash full capture systems – proprietary and public domain) to address trash that has been released into the environment. There is a wealth of information regarding the costs, effectiveness, and equity ramifications for the programs that have been implemented. It is strongly recommended that EPA consult with the California Water Boards as well as municipal permittees to evaluate the information that has been generated from the long-term implementation of these programs to understand the policy and technical benefits and challenges of addressing the prevention and removal of trash from the environment as well as the cost impacts to the communities.

CASQA Recommendation:

- *Establish a Scientific Advisory Committee and a Stakeholder Advisory Committee for the future implementation of the National Strategy. Once the focus, goals, and objectives of the Committees are identified, solicit interested parties for the Committees, including CASQA.*

III. DO YOU HAVE ANY ADDITIONAL INFORMATION OR RECOMMENDATIONS FOR EPA REGARDING THESE OR OTHER PROPOSED ACTIONS IN THIS DRAFT STRATEGY?

For this question, CASQA is primarily focused on Objective C since the proposed objectives C.1 through C.5 and associated actions to prevent littering and capture trash are likely to have the greatest impact on stormwater programs. In general, CASQA is supportive of C 1.3, C.4 and C.5.

- C 1.3 - CASQA agrees and supports the provision of technical assistance to assist in identifying effective trash reduction/removal actions as well as provisions in stormwater permits, stormwater plans, and/or other watershed management plans that support BMP-based implementation. This type of assistance could supplement similar tools and mechanisms that are in place in California such as:
 - Trash Control Measure Implementation Guidance (CASQA publication, available upon request to EPA)
 - [Certified Trash Full Capture Systems](#);
 - [Categorically Certified Multi-Benefit Trash Treatment Systems](#)

CASQA further supports and highlights the need for technical assistance to identify funding and finance options for trash capture infrastructure.

- C.4 - To the extent that there can be national and consistent public education messaging and materials, this scale makes the messaging more effective and cohesive, allows municipalities to tailor the messaging to local needs, and creates a partnership where the outcomes and goals are an integrated effort between EPA and local communities.
- C.5 - CASQA recognizes and agrees that additional research and methodologies are necessary to understand the sources, transport, fate, impacts and potential remediation options that are available to address microplastics and nanoplastics prior to establishing regulatory requirements that would impact local communities.

In terms of the finalization of the Draft National Strategy, CASQA offers the following recommendations:

Objective C. Prevent Trash and Micro/Nanoplastics from Entering Waterways and Remove Escaped Trash from the Environment

- Objectives A and B are primarily addressing plastic materials, products and waste whereas Objective C includes a series of objectives and actions to address “trash”, “microplastics”, and “nanoplastics”. Since the scientific understanding, pathways, and potential actions and programs may be different depending on the target pollutant (trash vs microplastics vs nanoplastics), it is strongly recommended that the Draft National Strategy define each of the terms and clarify, for each objective and action, which target pollutant it applies to.
- Objective C should emphasize that stormwater is a pathway for trash, microplastics, and nanoplastics and not a source. The distinction between a source and a pathway is fundamentally important to ensure that the Draft National Strategy focuses on the solutions – reducing or eliminating the actual sources that generate the trash, microplastics, and nanoplastics pollution. This approach is demonstrate in California’s Ocean Protection Council’s [Statewide Microplastics Strategy](#).

CASQA Recommendation

- *For each action included within objectives C.1 through C.5, identify if the action is intended to target “trash”, “microplastics”, and/or “nanoplastics”.*
- *Universally, when referencing stormwater, ensure that it is described as a pathway and not as a source for trash, microplastics, and nanoplastics.*

C2: Improve Water Management to Increase Trash and Micro/Nanoplastic Capture in Waterways and Stormwater/Wastewater Systems.

Similar to the overarching comment for Objective C, since the scientific understanding, pathways, and potential actions and programs may be different depending on the target pollutant (trash vs microplastics vs nanoplastics), this objective and corresponding actions should clarify which target pollutant(s) are being addressed and recognize that the potential barriers, technologies, and costs will differ based on the pollutant.

CASQA Recommendation

- *Modify C.2.1 and C.2.2 to clarify that the specific actions will be evaluated to determine if there are differences based on the type of pollutant that is targeted.*

C3: Increase and Improve Measurement of Trash Loadings Into Waterways to Inform Management Interventions.

Similar to the overarching comment for Objective C, since the scientific understanding, pathways, and potential actions and programs may be different depending on the target pollutant (trash vs microplastics vs nanoplastics), this objective and corresponding actions should clarify which target pollutant(s) are being addressed and recognize that the potential barriers and approaches will differ based on the pollutant.

While CASQA supports these actions, actions 3.1 and 3.2 should be conducted on a national level using available local data and information as needed to support the national estimates and/or modelling efforts.

Comment Letter on EPA's Draft National Strategy to Prevent Plastic Pollution

For Action 3.3, there are well defined protocols that have been developed, implemented, and accepted by the regulatory agencies in California to assess and estimate trash within the environment. Examples of this include, but are not limited to:

- [Visual On-land Trash Assessment Protocol for Stormwater](#); and
- [Rapid Trash Assessment Protocol of the San Francisco Bay Regional Water Quality Control Board's Surface Water Ambient Monitoring Program \(SWAMP\)](#)

These protocols and methods should be recognized as a part of this national effort.

CASQA Recommendation

- *Actions C.3.1 and C.3.2 should be conducted at a national level with specific, local data used as available (instead of requiring local jurisdictions to monitor and collect new data and information).*
- *Action C.3.3 should recognize established, existing protocols and methodologies that have been developed, implemented, and accepted by the regulatory agencies.*

Thank you again for the opportunity to comment on EPA's Draft National Strategy. On behalf of our members across the state, we look forward to consideration of our comments. If you have any questions, please contact me at (310) 462-4939 or karen.cowan@casqa.org.

Sincerely,



Karen Cowan, Executive Director
California Stormwater Quality Association

cc: Jonathan Bishop, State Water Resources Control Board
Karen Mogus, State Water Resources Control Board
Analisa Kihara, State Water Resources Control Board
Claire Waggoner, State Water Resources Control Board
Amanda Magee, State Water Resources Control Board
Leo Cosentini, State Water Resources Control Board
CASQA Board of Directors
CASQA Executive Program Committee
CASQA Policy and Permitting Subcommittee
CASQA True Source Control Subcommittee
CASQA Monitoring and Science Subcommittee

Stormwater Capture is Key to California's Water Supply Strategy



As reflected in the Administration's Water Supply Strategy, stormwater is a critically untapped resource, and our state's infrastructure must be updated to capture as much as possible while protecting our communities. Capturing water and protecting our water resources will provide substantial value — healthier, more livable, and more resilient communities. An investment in stormwater capture is also an investment in flood control, green infrastructure, street beautification, sanitation, water conservation, and groundwater recharge.

The current water year underscores how vital it is to invest today, to ensure that our communities are prepared and able to maximize opportunities for capture when the rains and snow are abundant.

Critical Need for Investment

While stormwater management is one of the most important ways we can protect our precious waterways while also increasing valuable water supplies, stormwater capture remains one of the most chronically underfunded infrastructure needs facing local governments today.

Unlike all other water resources, most stormwater programs in California lack dedicated funding due to Proposition 218. Almost all municipalities rely solely on their local general fund — the same source of funding for law enforcement, fire, paramedics, parks, street lighting and libraries. Even if local communities were to secure a dedicated local source of funding, local communities alone cannot provide the resources needed to reshape our urban landscapes. The State of California has a significant role to play, particularly in our underserved communities.

The funding needs are significant:

- In the Los Angeles area alone, stormwater infrastructure will require \$20 billion over 20 years, averaging out to a \$1 billion need each year.
- The County of San Mateo has a need of \$700 million - \$1 Billion.
- At the city scale, the City of San Diego identified a funding gap of \$467.8 million in FY 2022, with a cumulative funding gap of \$5.47 billion over FYs 2022-2041.
- These needs exist in communities throughout California.

Examples of Stormwater Capture Projects

1. Canyon Country Community Center

City of Santa Clarita, Los Angeles County

Project Design: \$4,000,000
Regional Infiltration Facility
Construction: \$3,000,000
Community Center Construction
and Amenities: \$58,000,000



Water Resilience

Project diverts, treats and infiltrates stormwater to help recharge groundwater in Santa Clara River. Over the past two rainy seasons, estimated at least 47 million gallons of water captured, treated and recharged.

- [Canyon Country Infiltration System Captures, Treats Stormwater Pollution](#)

Flood

Diverts flood flows from Sierra Highway, reducing FEMA AE flood zone risk.

- [FEMA's National Flood Hazard Layer \(NFHL\) Viewer](#)

Extreme Heat Mitigation, Biodiversity and Nature-Based Climate Solutions

Blighted vacant lot with no vegetation repurposed into a shady and cool community park, also includes shade sails and indoor community cooling space. LEED Silver certification.

- [Canyon Country Community Center Project Milestones](#)
- [Sheriff's Station, Canyon Country Community Center Awarded LEED Silver Certification](#)

Park Creation and Outdoor Access

Blighted vacant lot now a vibrant community center with connected walking and biking access from surrounding neighborhoods, new slate of community programming for all ages, farmers markets, with beautiful outdoor play areas.

- [Canyon Country Community Center](#)

2. Via Princessa Park and Regional Infiltration BMP

City of Santa Clarita, Los Angeles County

Project Design: \$8,000,000
Estimated Construction Stormwater Infiltration
Component at 30% Design: \$12,000,000
Estimated Overall Project Construction
at 30% Design: \$53,000,000

Drought, Flood, and Water Resilience

Project will capture, treat and infiltrate up to 30-acre feet of stormwater after every rain event, estimate this project alone will raise groundwater table by six inches.

- [Via Princessa Park and Regional Infiltration BMP](#)

Emergency Resilience

Project will create access under existing Metrolink station train tracks that will allow emergency vehicles to access river in emergency, reduce flooding hazards.

Extreme Heat Mitigation

Reforestation with over 300 trees, gathering areas and active playgrounds with shade sails.

Biodiversity and Nature-Based Climate Solutions

Restoration of Honby Channel by removing invasive and monoculture plants with variety of native plants.

Park Creation and Outdoor Access

Exciting outdoor recreation space in park poor area of city which will allow programming and active recreation with four multi-purpose fields and pickleball along with substantial passive outdoor space with river interpretation.

- [Via Princessa Park](#)



Examples of Stormwater Capture Projects (cont.)

3. Orange Memorial Park Regional Stormwater Capture Project

City of South San Francisco, San Mateo County

Project Cost: \$15.5 M

This regional stormwater capture project, the first-of-its-kind in Northern California, diverts all dry-weather flow and stormwater from Colma Creek channel into an underground retention system integrated within the park. The project provides water quality, flood reduction, and water conservation benefits, including:

- Water quality treatment provided to tributary watershed area
- 640 acre-feet of water diverted and cleaned annually
- 15 million gallons of potable water offset per year
- 40 acre-feet of groundwater recharge annually
- 10 grams of PCBs removed annually
- 30 grams of mercury removed annually

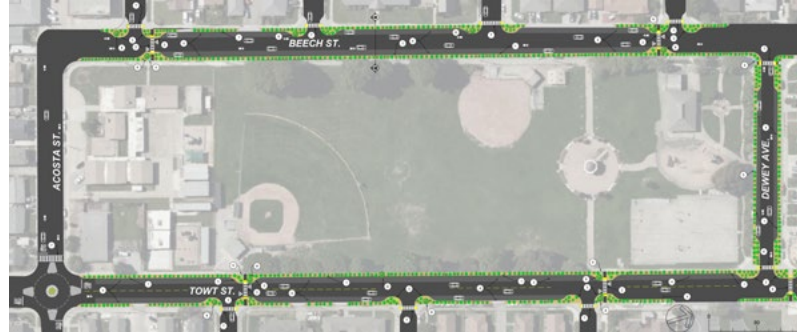


The project supports the City's park Master Plan by co-locating stormwater capture, storage, and treatment facilities in Orange Memorial Park with the park renovations which will follow this project.

4. Closter Park Green Street Project

City of Salinas, Monterey County

Estimated Project Cost: \$6.5 M



Closter Park is an existing city-owned park with significant deferred maintenance needs. In 2021, the City Stormwater Program developed a conceptual design plan to incorporate green infrastructure and other improvements on the streets surrounding Closter Park. The planned design will collectively capture stormwater from 45.5 acres of a highly impervious economically disadvantaged neighborhood. The vision is to deliver a high value stormwater project to the community that will capture stormwater, improve water quality, and provide an array of community multi-benefits, including:

- Urban greening
- Urban heat reduction

For more information please contact:

Karen Cowan

California Stormwater
Quality Association

karen.cowan@casq.org

Jaime Minor

Niemela Pappas & Associates

minor@npalobby.com



casqa.org

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Scheduled Meetings and Deliverables
August – October 2023

August 2023

| | | |
|-----------|---|-------------------------|
| 2 | BAMS Collaborative C.8 Trash/LID Planning Meeting 10:00 am – 12:00 pm | Microsoft Teams Meeting |
| 14 | C3PO AHTG 1:30 pm – 2:30 pm | Zoom Meeting |
| 15 | Trash AHTG 1:00 pm – 3:00 pm | Zoom Meeting |
| 17 | Management Committee 9:30 am – 11:00 am <ul style="list-style-type: none"> • Regional BMP Report for Addressing Discharges from Unsheltered Populations • Letters of Support for WQIF Grant Proposals • Comment Letter on Proposed MRP Provision C.3 Amendment | Zoom Meeting |
| 24 | BAMS Collaborative Steering Committee Internal Portion – 9:30am – 12:00pm External Portion - 1:00 pm – 3:00 pm | Zoom Meeting |

September 2023

| | | |
|-------|---|--------------------------------------|
| 1 | WMI – Zero Litter Initiative Steering Committee 9:00 am – 10:00 am | Zoom Meeting |
| 6 | BAMS Collaborative Monitoring & Pollutant of Concern (MPC) Subcommittee 10:00 am – 3:30 pm | Microsoft Teams Meeting |
| 11-13 | CASQA Annual Conference | San Diego |
| 19 | BAMS Collaborative Development Subcommittee 1:00 pm – 3:00 pm Trash AHTG 1:00 pm – 3:00 pm | Zoom Meeting Zoom Meeting |
| 20 | WMI – Land Use Subgroup 10:00 am – 11:30 | Zoom Meeting |
| 21 | Management Committee 9:30 am – 11:00 am <ul style="list-style-type: none"> • Program’s FY 2022-23 Annual Report | Zoom Meeting |
| 28 | BAMS Collaborative Steering Committee Internal Portion – 9:30am – 12:00pm External Portion - 1:00 pm – 3:00 pm | Zoom Meeting |

October 2023

| | | |
|----|--|--|
| 4 | BAMS Collaborative C.8 Trash/LID Planning Meeting 10:00 am – 12:00 pm | Microsoft Teams Meeting |
| 11 | Water Board Adoption Hearing for MRP 3.0 Amendment Tentative Order 9:00 am – 5:00 pm | Hybrid In-Person/Zoom Mtg 1313 Clay Street Oakland |
| 12 | SF Bay Regional Monitoring Program (RMP) Annual Meeting 9:00am – 5:00pm | David Brower Center 2150 Allston Way Berkeley |
| 17 | Trash AHTG 1:00 pm – 3:00 pm | Zoom Meeting |
| 19 | Management Committee 9:30 am – 11:00 am <ul style="list-style-type: none"> • Final FY 22-23 Program Manager Self Audit Report (Full Year) | Zoom Meeting |
| 23 | C3PO AHTG 1:30 pm – 3:00 pm | Zoom Meeting |
| 24 | BAMS Collaborative Trash Subcommittee 9:30 am – 12:00 pm | Zoom Meeting |
| 26 | BAMS Collaborative Steering Committee Internal Portion – 9:30am – 12:00pm External Portion - 1:00 pm – 3:00 pm | Zoom Meeting |