

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

January 18, 2024 Meeting

MATERIALS FOR INFORMATION

II. January 18, 2024 Agenda

III. November 16, 2023 Meeting Minutes

IV. December 2023 Action Items

VIII. MRP Implementation

1. Memorandum to Management Committee, from Program Staff, re: Management Committee Briefing on Priority Items, January 2024.
2. Highlights of BAMSC Committee and Subcommittee Meetings, December 2023 -January 2024.
3. Construction Site Stormwater Inspection Workshop Evaluation Summary, November 29-30, 2023.
4. C3PO Ad Hoc Task Group Meeting Summary, December 11, 2023.

Other Items

1. Eugene Bromley, EPA Region 9, NPDES Permit Section, from Karen Cowan, Executive Director, CASQA, re: Comment Letter – Revised Request for Preliminary Designation of Certain Commercial, Industrial, and Institutional Stormwater Discharges in two Los Angeles County Watersheds, January 3, 2024.
2. MC Calendar, January – March 2024.



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AGENDA

MANAGEMENT COMMITTEE MEETING

January 18, 2024, 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 (November 16, 2023 meeting)**
- IV. Review of Action Items from Last Meeting**
- 9:40** **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 Budget**
1. **Action Item:** FY 24-25 Program Budget – *request for approval.*
2. **Action Item:** SCVURPPP FY 22-23 Budget Evaluation and Use of Unspent Funds –
request for approval.
- 10:05** **B. Program Management**
1. Final FY 22-23 Program Manager Self Audit Report (Full Year) – *status report.*
2. Final FY 22-23 Annual Budget Compilation (ABC) Report -- *status report.*
- 10:10** **C. Program Manager’s Report**
1. BAMS Collaborative Update – *information.*
2. CASQA Update – *information.*
3. Grants Update – *information.*

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

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. 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**

November 16, 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 changes to the agenda. The following announcements were made:

- The BAMSC Steering Committee will meet on December 1 at EOA's Oakland office. The meeting will be followed by EOA's holiday party at 5pm. All MC members are invited.
- The City of Santa Clara has an opening for a Code Enforcement Officer.
- Sandra Freitas is the new supervisor for the City of San José's C.3 New and Redevelopment Team.
- West Valley Clean Water Authority (WVCWA) has an opening for an intern position.

III. APPROVAL OF MINUTES

Motion: Sheila Tucker (WVCWA) moved to approve the minutes from the October 19, 2023, MC meeting. **Second:** Ursula Syrova (Cupertino). **Vote.** Motion passed unanimously.

IV. REVIEW OF ACTION ITEMS FROM LAST MEETING

Action Items from the October 19, 2023, meeting:

- Action Item 10-23-1 (Set up a meeting to discuss current and potential future Program and Co-permittee information management systems and processes that may address a number of drivers/needs, including efficient annual reporting) is in progress. The meeting will include discussion of all types of data associated with stormwater management and MRP requirements. A poll will be sent to schedule the meeting.

Action Items from previous meetings:

- Action Item 8-23-1 (Invite County Office of Supportive Housing staff to a future Trash AHTG meeting to provide an update on the Point-in-Time count survey and data sharing) is in progress. Program staff is coordinating with County stormwater staff to schedule this presentation. Zhenzhen Jiang (County) reported that she is waiting to hear back from County OSH staff regarding their availability to attend the Trash AHTG meeting. Rajani Nair (San José) recommended that Water Board staff be invited to a future Continuum of Care meeting to present information on MRP requirements.

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 and no comments were received.

VII. PROGRAM BUSINESS

A. Guest Speaker - City of San José's Outreach Campaigns with the Earthquakes and Sharks Sports Teams

Jenni Loft, Brittiny Gonzalez, and Marilu Bedolla (San José) presented an overview of the City's advertising partnership with the Sharks sports team. The City is currently in the second year of its three-year contract with the Sharks. The City previously had contracts with the Sharks and the Earthquakes. SCVURPP provides \$25,000 each year toward these advertising campaigns. Brittiny provided an overview of past media advertisements, media tactics, and effectiveness measures. Jennie added that she attended the last WEO AHTG meeting to provide an update on the plan for FY 23-24. The advertising messages will be sent to the WEO AHTG for input early in the development process. Sheila Tucker (WVCWA) asked if Co-permittees can add their logos to the advertisements and place them locally. Jennie said that she will check if this is allowed under the Sharks contract. Pam Boyle Rodriguez (Palo Alto) recommended posting relevant information on the Watershed Watch website when the advertisements are running. Vishakha Atre (Program staff) said that the website is updated during the advertising campaign with relevant images and messages. The MC thanked San José staff for their presentation.

Action: San José staff will check if the contract with the Sharks allows adding Co-permittee logos to the advertisements.

B. Program Management

1. Final FY 22-23 Program Manager Self Audit Report (Full Year)

The Final FY 22-23 Self Audit Report will be brought to the MC for acceptance at the December 2023 meeting.

C. PROGRAM BUDGET

1. FY 24-25 Program Budget Development

Chris Sommers (Program staff) reported on the FY 24-25 Program Budget development process. The draft Budget packet was distributed to the MC and BATG on November 7, 2023. The BATG will meet after the MC meeting today to discuss the budget. A second BATG meeting will be held at the end of November or early December, if needed.

D. PROGRAM MANAGER'S REPORT

1. BAMS Collaborative Update

Jill Bicknell (Program staff) provided the following updates:

- A Regional Work Group has started developing the draft FY 23-24 Annual Report forms.
- A new BAMSC Regional Trees and Stormwater Work Group started meeting in November.
- A new Regional Asset Management Work Group will start meeting in January. MC members should contact Jill if they want to participate in this Work Group.

The MC recommended that this Work Group include a discussion on the storm drain system mapping requirement in Provision C.5.

- The BAMSC Steering Committee approved the Project Profile to develop a Regional Firefighting Discharges BMP report and hold four information sharing Regional Work Group meetings, two each in FY 23-24 and FY 24-25.

2. CASQA Update

Chris reported that there is an increase in the 2024 CASQA dues. However, the dues will now include registration for all quarterly seminars. The increase will be included in the Program's Draft FY 2024-25 budget package.

3. Grants Update

After a review of proposals and interviews, a team led by EOA was selected by the Project Management Team (PMT) to implement the regional Watching Our Watersheds project, which is focused on trash monitoring. The 4.5-year project is funded via the USEPA's San Francisco Bay Water Quality Improvement Fund and administered by the City/County Association of Governments (C/CAG) San Mateo.

VIII. MRP IMPLEMENTATION

A. NEW DEVELOPMENT AND REDEVELOPMENT

The next C3PO AHTG meeting will be held on December 11, 2023. Program staff are completing the C.3 Handbook updates.

B. TRASH CONTROLS AND UNSHELTERED HOMELESS

Chris provided the following updates:

- WB staff have reviewed the Regional Best Management Practices Report for Addressing Non-Stormwater Discharges Associated with Unsheltered Homeless Populations and are currently discussing next steps internally. WB will reach out to Permittees and Programs in early 2024 with additional information.
- Some Co-permittees have received letters from WB staff requesting additional information on control measures summarized in Updated Long-term Trash Control Plans. Program staff is assisting these Co-permittees with responses.
- A Draft On-land Visual Trash Assessment (OVTA) Work Plan was distributed to the Trash AHTG and MC for comment. Separate memorandums are being sent by Program staff to each Co-permittee that has proposed changes to OVTA sites. Additional discussion can occur, as needed, to discuss these proposed changes to site in FY 23-24.

C. MONITORING AND POLLUTANTS OF CONCERN

Program staff submitted a letter on behalf of SCVURPPP Co-permittees responding to WB staff's comments on the Old Industrial Control Measure Plan (CMP). The letter outlined the planned revisions to the CMP and requested additional time for submitting a revised CMP. Program staff met with Richard Looker (WB staff) to discuss the proposed approach. An update will be provided to the Monitoring/POC AHTG.

D. OUTREACH ACTIVITIES

The WEO AHTG met on October 26, 2023. The meeting summary was provided to the MC.

E. OTHER PERMIT-RELATED ACTIVITIES

Jill reported that the Cost Reporting Work Group is working on a response to WB comments on the Bay Area Cost Reporting Framework.

IX. OTHER BUSINESS

Not discussed.

X. ADJOURN

The MC meeting adjourned at 11:00 a.m.



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Meeting Attendance Record

DATE November 16, 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

-

Elaine Marshall – Milpitas

Alternate: Roberto Alonzo

Elaine Marshall

Carrie Sandahl – Mountain View

Alternate: Brian T. Jones

Brian T. Jones

Karin North – Palo Alto

Alternate: Pamela Boyle Rodriguez

Alternate: Michel Jeremias

Pam Boyle Rodriguez

Rajani Nair – San Jose

Alternate: Mary Morse

Rajani Nair, 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

-

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

-

Jill Bicknell

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

Daryl Jordan, Monte Sereno

Zhenzhen Jiang, County of Santa Clara

Jennie Loft, San Jose

Britt Gonzalez, San Jose

Marilu Bedolla, San Jose

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

Action Items from December 5, 2023 Budget AHTG Meeting

Action	Description	Responsibility	Due Date	Status	Comments
12-23-1	Convene the Training Work Group to discuss different formats, how to increase engagement, and other ideas	Program staff	February	To be done	
12-23-2	Coordinate the attendance of SCVURPPP Co-permittee representatives at BAMS Collaborative Steering Committee meetings	Program staff	January	To be done	Discuss at Jan. 18 MC meeting.
12-23-3	Email the latest CPSC Annual Report to the MC and invite a CPSC representative to present at a future MC meeting	Program staff	January	Done	Joanne Brasch will present at the Feb. MC meeting.
12-23-4	Convene a meeting of Co-permittee and Program staff to discuss the future of SCVURPPP support for the LUS and the WMI in general	Program staff	February	To be done	
12-23-5	Include a list of submittals required by MRP 3.0 as an appendix to the Program's FY 24-25 Work Plan	Program staff	March	To be done	
12-23-6	Convene a joint MC and WEO AHTG meeting to discuss effectiveness of C.7 activities	Program staff	March	To be done	
12-23-7	Convene and support a Pesticide Controls AHTG during FY 24-25 (or sooner if needed)	Program staff	TBD	To be done	

Action Items Remaining from Previous Meetings

Action	Description	Responsibility	Due Date	Status	Comments
10-23-1	Set up a meeting to discuss current and potential future Program and Co-permittee information management systems and processes that may address a number of drivers/needs, including efficient annual reporting.	Program staff	February	In process	Includes discussion of all types of data associated with stormwater management and MRP requirements.
8-23-1	Invite County Office of Supportive Housing (OSH) staff to a future Trash AHTG meeting to provide an update on the Point-in-Time count survey and data sharing.	County staff	In progress	To be done	County stormwater staff are coordinating with County OSH staff to schedule the presentation.



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TO: Management Committee

FROM: Program Staff

DATE: January 12, 2024

SUBJECT: Management Committee (MC) Briefing on Priority Items

Program Management

- Final Draft FY 24-25 Program Budget - The Draft FY 24-25 Budget was distributed on November 7th to the MC and Budget AHTG for review and comment. The Budget AHTG met on November 16th and December 5th to discuss the draft budget and provide input and request modifications. The Final Draft version of the FY 24-25 Budget, incorporating the modifications requested by the Budget AHTG, was sent to the MC and Budget AHTG on January 10th. The MC will consider approval of the Final Draft FY 24-25 Budget at its January 18th meeting.
- Final Draft SCVURPPP FY 22-23 Budget Evaluation and Use of Unspent Funds - Consistent with Program policies, each year the Program Manager conducts a budget evaluation and develops recommendations for the use of carryover/unspent funds from previous FYs. A memorandum documenting the findings of the evaluation and the recommendations was discussed with the Budget AHTG at its December 5th meeting. The final draft memorandum, incorporating the input provided and modifications requested by the Budget AHTG, was distributed to the MC and Budget AHTG on January 10th. The MC will consider approval of the Final Draft FY 22-23 Budget Evaluation and Use of Unspent Funds at its January 18th meeting.
- FY 22-23 Program Manager Self Audit Report (SAR) – The FY 22-23 SAR documents the activities and tasks conducted by the Program Manager (EOA) from July 2022 through June 2023, including deliverables, meetings, presentations, etc. A draft version documenting activities/tasks through January 2023 was accepted by the MC at its March 2023 meeting. The final version that documents the entire fiscal year was completed by Program staff and emailed to the MC on December 11th for review and comment. No comments were received. The final SAR was sent to the MC on December 21st for acceptance via email and was accepted unanimously.
- Annual Budget Compilation (ABC) Report – Consistent with the Program’s Bylaws, the report contains a compilation of items related to the Program’s FY 22-23 budget. Program staff

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

completed the ABC Report for FY 22-23 and emailed it to the MC for review and comment on December 11th. No comments were received. The final ABC Report was sent to the MC on December 21st for acceptance via email and was accepted unanimously.

- Draft FY 23-24 Annual Report Forms – Program staff is participating in a Regional Work Group to prepare the draft FY 23-24 Annual Report Forms. The first draft forms were posted on the SCVURPPP Share Drive for MC review and sent to various AHTGs for review. Comments on the first draft forms are due by January 12th.
- 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

- 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 sent requests to Co-permittees to collect data on projects completed in FY 22-23 and have received data from some Co-permittees. 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 MRP 3.0 requirements and other needed changes and are now finalizing the sections. The Special Projects data form and appendix have been updated based on the recently adopted MRP amendment and are available by request from Program staff. The completed Handbook will be available in January.
- C3PO AHTG – The C3PO AHTG met on December 11th to discuss an approach for local alternative compliance programs and to continue discussion of challenges with implementing the new C.3 requirements. The next C3PO AHTG meeting is scheduled for February 26, 2023.

Industrial/Commercial Business Inspection

- IND/IDDE AHTG – The AHTG last met on October 2nd. Program staff are developing a mobile fueling BMP fact sheet to address MRP Provision C.5.e. Program staff emailed the AHTG in late November to collect information on mobile fueling operations in their jurisdictions. Program staff will email the draft fact sheet to the AHTG for review.
- C.15.b.iii Emergency Firefighting Discharges – Updates on the Regional Firefighting Discharges Work Group to address Provision C.15.b.iii requirements were provided at the last 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. The BAMSC Project Profile to develop a regional BMP report and hold two informational sharing Regional Work Group meetings in FY 23/24 and 24/25 was approved by the BAMSC Steering Committee meeting. The topics for the next Regional Work Group meeting will be on the use of firefighting foams, discontinuing the use of firefighting foams with PFAS, and addressing the requirement to evaluate large industrial facilities’ emergency firefighting discharge BMPs/SOPs.

Municipal Maintenance

- Municipal Maintenance AHTG - The AHTG last met on December 6th. The group discussed the IPM training to be held in May 2024 and the Municipal Maintenance training to be held in March 2024. Program staff sent a survey to the AHTG regarding topics for the IPM training. Program staff also emailed a memo to the AHTG providing a summary of training materials available for the activity topics required in MRP Provision C.2.h. After reviewing the memo, the AHTG will

provide feedback on which topics they would like Program Staff to address in a training session or additional materials for internal trainings.

Construction Controls

- Construction Inspection AHTG – The AHTG last met on September 21st. The final draft SCVURPPP BMP Plan Sheet was emailed to the AHTG in early December after three rounds of comments on the Plan Sheet text. Comments related to errors or corrections were due by December 21st. In January 2024 Program staff will finalize the Plan Sheet, post it to the SCVURPPP website and email the AHTG when it is available. At that time, Program staff can send the InDesign file to any municipality that requests it so that they can revise it for their jurisdiction.
- Construction Inspector Training - The construction site stormwater inspector training workshop was held in person on November 29 and 30, 2023 at Valley Water. The same training was held on the two dates. The workshop agenda, presentations, attendance list, and evaluations summary are available on the SCVURPPP website on the Construction Site Control or Library webpages. A recording of the classroom presentations will be made available on the SCVURPPP members only webpage.

Water Utility

- Water Utility AHTG – There are no meetings scheduled and no update on the State Drinking Water Systems Discharges General Permit being updated. Program staff emailed the AHTG in early December a reminder that annual representative monitoring should have been conducted for calendar year 2023.

Watershed Education and Outreach

- Watershed Watch Campaign– Program staff, Gigantic Idea Studio, and the Scripts Review Work Group are continuing to work on a major update of the Watershed Watch website.
- City of San José’s Campaign with the Sharks – Program staff are worked with the Scripts Review Work Group to approve bus back and digital video advertisements for the outreach campaign with Sharks.

Pesticide Controls

- Santa Clara Valley Green Gardener Training– The Winter 2024 Green Gardener training is scheduled from February 2, 2024 to April 25, 2024. Program staff and Gigantic Idea Studio staff worked with the Scripts Review Work Group to develop a new promotional flyer and a new Green Gardener logo. The flyer and social media messages were sent to the WEO AHTG for distribution.
- Outreach to Structural Pest Control Professionals – Program staff worked with the Scripts Review Work Group to develop an article for the County Agricultural Commissioner’s annual newsletter. This newsletter is distributed to all licensed pest control professionals in Santa Clara County. The 2023 newsletter, which includes the Program’s article, is posted at this [link](#).

Watershed Management Initiative

- Land Use Subgroup (LUS) – The LUS meets approximately quarterly via Zoom. The LUS met on September 20th and shared information on land use related issues. The LUS discussed the results of the event on June 1st and ideas for future events and speakers at LUS meetings including Coyote Valley, native plant species policies, and light pollution impacts of development in urban areas. The next meeting date is TBD.

- Zero Litter Initiative (ZLI) – The ZLI Steering Committee meets approximately monthly via Zoom. The ZLI met on January 5th and discussed litter and trash related state legislation including SB 560 (formerly AB 1256) regarding single-use propane containers - see this [website](#). The ZLI also discussed lessons learned for reducing contamination in on-site municipal discard management systems, prevention and sources of illegal dumping, topics for the next IDCON (the [4th annual statewide illegal dumping conference](#)) in May of 2024, and the recently adopted City of Oakland litter and single-use foodware reduction ordinance. The next ZLI meeting is scheduled for February 2nd at 9am.

Trash Controls

- On-land Visual Trash Assessments (OVTAs) –Consistent with the Program’s Work Plan, Program staff have developed an OVTA-specific Work Plan that was distributed to the Trash AHTG and MC for review on November 9th. Additionally, Co-permittee specific memorandums describing proposed changes to OVTA sites in FY 23-24 were submitted to those Co-permittees with proposed changes. Comments on both the Work Plan and the memorandums were due by the end of the calendar year. OVTAs have now restarted based on the proposed changes included in the Co-permittee specific memos and feedback provided by Co-permittee staff.
- Long-term Trash Reduction Guidance – Subtasks being completed by Program staff as part of the Long-term Trash Reduction Guidance task in FY 23-24 include the following: revisions to baseline trash generation maps, trash dashboard updates and maintenance, continued assistance with the private land drainage area (PLDA) trash control program, assistance in siting small (catch basin insert) types of full capture systems, and support for Co-permittees that had to submit updated Long-term Trash Control Plans and respond to comments/requests from Water Board staff. The status of each of these subtasks was discussed at the November Trash AHTG meeting.
- Trash AHTG Meetings – The Trash AHTG typically meets on the 3rd Tuesday of the month. The last meeting was held on November 7th. The next meeting is scheduled for January 16th.

Monitoring / Pollutants of Concern

- Monitoring
 - Low Impact Development (LID) Monitoring – LID monitoring began this fall at two locations in the City of San Jose. All equipment installations were completed in early October at the two bioretention units. Flow monitoring will occur throughout WY 2024 and samples will be collected during a minimum of three storm/runoff events in WY 2024. Flow monitoring was conducted during the first storm event of the season in mid-November. However, equipment issues were discovered. The monitoring contractor was unable to resolve the equipment issues working with the manufacturer, and determined the best course of action was to return the equipment and purchase from a different company. The monitoring contractor was able to replace the faulty equipment in time to conduct the first storm monitoring event on January 2nd and 3rd. Monitoring of both influent and effluent was successful at one of the sites, but only influent was collected successfully at the 2nd site. The monitoring contractor is currently reviewing the instrument data to determine why effluent was not collected. Program staff also met with Water Board staff and other Bay Area stormwater program representatives on November 29, 2023 to discuss and finalize the required revisions that must be implemented in the LID Monitoring Plans. The outcome of that meeting was that the stormwater programs and the Water Board have reached agreement on all major revisions. Program staff are working with the monitoring subcontractor KEI to ensure all required revisions are implemented in a timely manner.
 - Trash Monitoring – Installation of trash monitoring equipment at the 3 outfall locations in San Jose, Mt. View and Palo Alto is now complete. Outfall monitoring has begun, and each site has been monitored twice during storm events this wet weather season. A minimum of

three storm events needs to be monitored during WY 2024. Planning for trash receiving water monitoring scheduled to begin in October 2024 is also underway. Trash receiving water monitoring will be coordinated and funded via the Watching Our Watersheds (WOW) grant project, which is funded by USEPA. The City/County Association of Governments (C/CAG) of San Mateo is the grant manager for the project and C/CAG's selection panel, which includes Permittee representatives from each of the MRP counties, recently selected a consultant team to implement the project. The consultant team is now under contract with C/CAG and the WOW project has started. The Project Management Team (PMT) kick-off meeting is scheduled for January 12, 2024.

- POCs Monitoring – WY 2023 POC monitoring was completed in August with the collection of sediment samples in the Cities of Mountain View and Sunnyvale. Ongoing planning for WY 2024 POCs monitoring has been ongoing, and sites were identified and discussed with the POC AHTG in July. Stormwater samples were collected at two sites in the City of San Jose in December. Additional sediment and stormwater sample collection is planned during the winter/spring 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 occurred in July 2023.
- Monitoring AHTG Meetings - The Monitoring AHTG met on December 19th to discuss the status of LID and Trash monitoring and next steps for 2024. The next Monitoring AHTG meeting will be conducted in early March 2024 (exact date TBD).
- **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. Sediment samples to support source investigations were collected as described in the Work Plan in the Cities of Mountain View and Sunnyvale in August 2023. Additionally, as part of the proposed enhancements to the source investigation process, the Program developed a memo providing guidance on the development and implementation of a new program to identify and address properties with moderate PCBs. The memo was discussed at the July 13th POC AHTG meeting and finalized based on the input received. Program staff are currently working with individual Co-permittees to plan and implement source investigations during FY23-24 as described in the Source Investigation Work Plan. Program staff also held meetings and are currently planning follow-up meetings with specific Co-permittees to discuss the outcomes of ongoing source property investigations and potential referrals to the Water Board. Program and City of Palo Alto Staff met with Water Board staff in November to discuss a potential PCBs source property referral and the proposed enhanced operation and maintenance activities. The City of Palo Alto anticipates submitting the source property referral to the Water Board in the near future.
 - 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 sent a response letter to all five of the Bay Area Countywide Stormwater Programs on August 25, 2023 indicating the Control Measure Plans did not meet Water Board expectations. The letter detailed the shortcomings of the Plans, identified the remedies to address the shortcomings, and required the Countywide Programs to revise and resubmit their plans by October 31, 2023. During the September 6th BAMSC Monitoring and Pollutants of Concern sub-committee meeting Program staff and Permittees began internal discussions on how to address these requirements at the regional level. A meeting with RWB staff was held on September 15th to talk through the regional issues and identify next steps. Based on outcomes of the meeting, the RWB agreed to consider an extension of the Oct 31st revised plan submittals conditional on Permittees submitting a letter to the RWB staff on or before Oct 31st that outlines the proposed revisions to the Control Measure Plans to address RWB comments. A POC AHTG meeting was held on September 27th to discuss revisions to the SCVURPPP Control Measure Plan. Program staff then developed a draft letter to the RWB describing the proposed revisions based on input received at the POC AHTG meeting. Co-permittees provided comments on the letter, which Program staff then finalized and submitted to the MC for review at their October meeting. The MC approved the letter, which was then sent by Program staff to RWB staff on October 20th. Based on the contents of the letter, the Water Board staff agreed to extend the due date for the revised Plan to March 31, 2024. Program staff met with Water Board staff in mid-November to discuss the proposed revisions. At that time, Water Board staff provided preliminary approval of the proposed revisions, but requested ongoing discussion and updates prior to submission of the Final revised Plan in March 2024. Program staff are currently developing the revised Plan and continue to meet with specific Co-permittees to discuss planning and implementation of controls that will be described in the Plan. The draft revised Plan will be sent to Co-permittees for review in mid-February.

- 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 may be added to the database as well during future phases to align with MRP 3.0 Asset Management requirements, as directed by the MC.
- 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 worked with Co-permittees to develop inventories of bridges within each Co-permittee’s jurisdiction. The bridge inventories were included as an appendix to the SCVURPPP Annual Report that was submitted to the RWB on September 30, 2023. Water Board staff did not have any updates on the availability of the Caltrans Specification as of early November. Program staff will continue to track development of the Caltrans Specification.
- 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 were due with the 2023 Annual Reports. The Program worked directly with municipal utility staff from Silicon Valley Power (SVP) and the City of Palo Alto Utilities (CPAU) to gather the data required for the SCVURPPP Annual Report. The Program produced a draft SOP for updating spill response and reporting for spills from municipal electrical utility equipment, which was reviewed by municipal utility staff across the Bay Area. The SOP was finalized per comments received and included as an appendix to the SCVURPPP Annual Report that was submitted to the RWB on September 30, 2023. Program staff will continue to work with the BAMSC workgroup, and the municipal utility staff from SVP and CPAU during this fiscal year to implement the new requirements.

- 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. All required reporting data for FY 22-23 on implementation of this Program was included in Appendix 11-1 of the SCVURPPP Annual Report that was submitted to the RWB on September 30, 2023. Co-permittees should continue to implement the established PCBs in demolition program in FY 23-24, 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 Steering Committee met in July and the TRC met in September. The Steering Committee will next meet in October and the TRC in December. In addition, Program staff serve as stormwater representatives on various RMP workgroups, including the Sources Pathways and Loadings Workgroup (SPLWG), the PCBs Workgroup, and the Contaminants of Emerging Concern Workgroup (CECWG). The PCBs Workgroup's annual meeting will be held on January 18th.
- Pollutants of Concern AHTG Meetings - The POC AHTG last met on September 27th to discuss potential revisions to the Old Industrial Control Measure Plan. The next POC AHTG meeting is scheduled for February 27th to review and discuss the Draft Revised Old Industrial Control Measure Plan, which will be sent out to Permittees by mid-February.



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Highlights of Bay Area Municipal Stormwater (BAMS) Collaborative Steering Committee, Subcommittee and Work Group Meetings December-January 2024

Steering Committee – December 1, 2023

Co-Chairs –Rinta Perkins (CCCWP) and Emily Corwin (SSA)

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

Internal Meeting

- The Alameda Countywide Clean Water Program (ACCWP) and SCVURPPP are slated to Co-chair the Steering Committee in 2024. ACCWP (Sandy Mathews, Interim Program Manager) will Chair the first half of 2024 and SCVURPPP (Chris Sommers, Program Manager) will chair the second half.
- The Committee prepared for the discussion in the external meeting with Eileen White, SF Bay Regional Water Board Executive Officer (EO).
- Reid Bogert provided an update on the status of the WQIF trash grant project, Watching Our Watersheds. A consulting team led by EOA was selected for managing and implementing the grant project, and a contract between EOA and C/CAG is set for approval at the December 14th C/CAG Board meeting.
- The Steering Committee intends to continue to maintain the BASMAA website and surface cleaner certification program. The current website content, quiz, and videos have the wrong information about discharges of wash water to storm drains and the MCSTOPPP program has agreed to make changes to the surface clean certification program content, as well as update the existing BASMAA website to be a BAMSC website.
- The Committee approved the project profile for the MRP FY 23-24 Annual Report Form Development.
- The Committee received updates from the Regional Work Groups.

External Meeting

- **Presentation: US EPA Region 9 SF Bay Program Office FY 2024 Draft Annual Priority List**
 - Luisa Valiela (USEPA) provided a summary of the new USEPA SF Bay Program Office, which was established as a result of the Fiscal Year 2023 National Defense Authorization Act (NDAA), which was signed into law by Congress in December 2022 and authorized the establishment of the Program Office.
 - The authorizing language in the NDAA set out certain expectations for the Program Office including developing an annual priority list to direct funding towards projects, activities, and studies, including restoration projects and habitat improvement for fish, waterfowl, and wildlife, that advance the goals and objectives of the San Francisco Bay Comprehensive Conservation and Management Plan (CCMP), for (i) water quality

improvement, including the reduction of marine litter; (ii) wetland, riverine, and estuary restoration and protection; (iii) nearshore and endangered species recovery; and (iv) adaptation to climate change.

- Program Office staff has developed an initial priority program list to address these objectives and goals. The initial list includes the following program areas:
 - Wetlands Regional Monitoring Program
 - Beneficial Reuse of Dredged Material Support
 - Nutrient Management Strategy
 - Subtidal eelgrass and oyster reef restoration
 - The Bay Restoration Regulatory Integration Team (BRRIT)
 - Large scale tidal wetlands restoration
 - In-Bay Monitoring of pollutants, including trash, and Algal Species under the Regional Monitoring Program
 - Large scale shoreline resilience, multi-benefit projects
 - Large scale implementation of urban green stormwater infrastructure
 - Special studies/projects for addressing PFAS in SF Bay
 - Special studies/projects for addressing PCBs under TMDL implementation plan
- Luisa is asking for feedback from water quality protection and restoration organizations, agencies and collaboratives throughout the Bay Area, as they finalize the 2024 list. The Program Office anticipates receiving roughly \$50M annually beginning in 2024 to support these priorities. A large portion of the funding is anticipated to be distributed via non-competitive grants to organizations, agencies, and collaboratives that have the institutional capacity to implement projects.
- Regional Work Groups
 - **Unsheltered Populations** –The Regional BMP Report was submitted to the Water Board as part of Countywide Program Annual Reports. The BAMSC Work Group is awaiting comments from WB staff.
 - **Firefighting Discharges** – The Regional BMP Report from this Work Group is not due until September 2025, but the MRP requires the Work Group to meet twice per year. A draft BAMSC Project Profile to develop a regional BMP report and hold two informational sharing Regional Work Group meetings each FY was approved at the October BAMSC Steering Committee meeting. The topics for the next Regional Work Group meeting will be on the use of firefighting foams, discontinuing the use of firefighting foams with PFAS, and addressing the requirement to evaluate large industrial facilities' emergency firefighting discharge BMPs/SOPs.
 - **Cost Reporting Framework and Methodology** – The final Framework and Guidance Manual were submitted to the WB on June 26, 2023. WB staff provided some relatively minor comments on August 11th. A draft table with responses to comments was prepared and sent to the Regional Cost Reporting Work Group and MRP countywide program managers for review. Relevant changes to the revised Framework and Guidance Manual are in progress.
 - **Bay Area Hydrology Model (BAHM)** – The basic and advanced trainings on BAHM 2023 took place on October 24th and the training for municipal reviewers was held on October 30th. The BAHM 2023 software and User Manual have been finalized and posted on the Clear Creek Solutions website, along with the recording of the trainings and the video library by topic (see <https://www.clearcreeksolutions.info/bahm-download-page>). The work of this Work Group is now complete, and the remaining budget will be used for technical support for the remainder of the fiscal year.
 - **Asset Management Work Group** – A request to form a new BAMSC Asset Management Work Group was made and approved at the September BAMSC Steering Committee

Meeting. The purpose of the Work Group is to provide a forum to discuss and get regional agreement on approaches to condition assessment and O&M needs of stormwater quality assets. There will be no joint product developed and a limited number of meetings is planned. A project profile for cost sharing will not be needed. The Work Group will start meeting in January.

- **Trees and Stormwater Work Group** – This work group of the Development Subcommittee had a kickoff meeting on November 13th. Attendees included staff from several municipalities, EPA, Regional Water Board, UC Extension, Davey Resource Group, CD+A, and NGOs including SFEI and Clean South Bay. The work group received a presentation from Peter Schultze-Allen (SCVURPPP) on stormwater and trees terminology, MRP 3.0 requirements, options for integrating trees and stormwater, and the role of BAMSC for a possible regional project in FY 24-25. Melissa Foley from SFEI also made a presentation on their previous work on trees and stormwater. The next work group meeting is scheduled for February 12th at 2pm via Zoom.
- **FY 23-24 Annual Report Form Work Group** -- A Work Group consisting of representatives from each of the Phase I countywide programs has begun the work of updating the MRP Annual Report Form for the FY 23-24 Annual Report (the Form must be submitted to the Water Board by March 1, 2024.) Draft sections were distributed to MRP countywide program managers/permittees for review on December 20th.
- Caltrans Collaboration (Hardeep Takhar)
 - **Partnerships** – Caltrans continues to seek partnerships with local public agencies to support trash capture and multi-benefit GSI projects.
- Water Board Collaboration (Keith Lichten and Derek Beauduy)
 - **Trash 90% Compliance Letters and Updated Load Reduction Plans** – WB staff are preparing letters requesting that some Permittees amend their Updated Plans and resubmit to the Water Board in December. Keith indicated that time extensions have been granted to Permittees that cannot achieve the submittal date requested in the letters.
 - WB staff and the Committee members discussed the idea of having an Annual Meeting to share lessons learned and successes in stormwater management and monitoring in the Bay Area. One goal of the meeting could be to engage and educate the next generation of Permittee and Water Board staff on stormwater management. The Committee agreed to continue discussing this concept in future meetings.
 - Derek mentioned that WB staff have started reviewing Permittee FY 22-23 Annual Reports. Joe Monical (WB staff) has prepared guidance on uploading Amended Annual Reports to SMARTS and offered two options. The Steering Committee preferred Option 2, which was to have a tab for uploading a “Revised Annual Report (Optional – Unless Requested by Water Board)”. The guidance document will be distributed to Permittees within the next month.
 - There will be an agenda item on Caltrans’ trash compliance at the December WB meeting, scheduled for December 13th.
 - WB staff plan to conduct “trash inspections” in the near future (starting early 2024) on Caltrans and Permittee rights-of-way. Water Board members are planning a field trip to several trash full capture system locations for their April 2024 meeting. Additional information will be provided to Program Managers on both items, prior to initiating.
- Discussion with Eileen White, Water Board EO
 - Eileen appreciates that there are more and more challenges with Bay water quality issues and wants to partner with BAMSC on approaches.

- Eileen and the Committee also discussed the challenges of stormwater funding and working together on legislative changes. Collaboration on multi-benefit projects could increase the success of getting grant funding. There is a need for simple, consistent messaging to promote such projects.
- Jim Scanlin (Newark) raised the idea of bringing stormwater information items to Water Board meetings. Eileen offered to give BAMSC time on a future agenda, especially if WB staff are presenting on a topic (should coordinate in advance).

Next Meeting – January 26, 2024 (virtual meeting).

PIP Subcommittee

Chair – TBD

SCVURPPP representative – Vishakha Atre (SCVURPPP)

Next Meeting – TBD

Development Subcommittee – December 12, 2023

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

SCVURPPP representatives – Pam Boyle Rodriguez (City of Palo Alto), James Downing (Valley Water), Tiffany Ngo, Sandra Freitas and California Biordi (City of San José), Peter Schultze-Allen and Jill Bicknell (SCVURPPP)

External Meeting

- Updates were given on activities of the Regional Work Groups and Subcommittees.
- Panel Discussion: GSI Challenges and Opportunities in the Bay Area.
 - Kelly Havens from Geosyntec moderated a panel discussion with Pam Boyle Rodriguez (Palo Alto), Reid Bogert (C/CAG) and Shannan Young (Dublin). The panel discussed various issues that they have experienced in their jurisdictions related to GSI implementation including sea level rise, rising groundwater levels, difficulties finding feasible locations for GSI, lack of flexibility on definitions for credits of greened acres, clay soils, grant funding, construction costs going up in the post Covid-world, land costs, utility conflicts, resources to prepare grant-related documents/reports and applications, and budget limitations due to other permit priorities such as monitoring.
- Discussion of the FY 23-24 Annual Report Form template and proposed development-related modifications.

Internal Meeting

- Continued discussion of the FY 23-24 Annual Report Form template and proposed modifications and discussed other MRP challenges.

Next Meeting – March 12, 2024 (meets quarterly)

Trash Subcommittee – No December Meeting

Chair – Ben Livsey (City of Oakland); *Vice Chair* – Chris Sommers (SCVURPPP)

SCVURPPP representatives – Sheila Tucker (West Valley) and John Fusco and Chris Sommers (SCVURPPP).

Next Meeting – January 23, 2024 (meets quarterly)

Monitoring/POCs Subcommittee – January 3, 2024

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)

Internal Meeting:

- Attendees discussed ongoing regional coordination and planning efforts related to MRP 3.0, including the following topics:
 - Regional project for the Comprehensive Bioassessment Data Report.
 - C.8 monitoring (trash, LID, POC and receiving water limitations monitoring), including status updates and continued planning.
 - Regional coordination to address C.11/12 controls, including discussion of Old Industrial Area Control Measure Plan revisions, and initial planning for C.11/12 reporting requirements for the 2024 Annual Report.

Main (External) Meeting:

- The Subcommittee received a presentation from Alicia Gilbreath (SFEI) on the RMP stormwater monitoring projects planned for 2024.
- The Subcommittee received updates from WB staff on relevant topics and provided updates to WB staff on ongoing projects including:
 - Staffing changes at the WB;
 - Due date for 2024 UCMR and Old Industrial CMP submittal – Both reports are due March 31, 2024; but due to March 31 falling on a Sunday, and April 1 a holiday, Water Board staff agreed to allow submittal of both report on April 2, 2024.
- The Subcommittee provided updates to WB staff on ongoing projects including:
 - A presentation of the current status of trash, LID and RWL monitoring across the region, including discussions of the many issues that arise during field operations.

Next Meeting – March 6, 2024 (meets bimonthly)



C3 Provision Oversight Ad Hoc Task Group (C3PO AHTG)

Meeting Summary

December 11, 2023

1:30 – 3:30 pm

Announcements

The Special Projects Worksheet (effective November 1, 2023) is posted on the SCVURPPP website on the New and Redevelopment page. An interim Special Projects Worksheet for addressing Category C projects received between July 1, 2023 and October 31, 2023 was not developed because Co-permittees did not express a need for this worksheet.

FY 23-24 C.3 Annual Report Form

Program staff are participating in a Regional Work Group that is preparing the draft FY 23-24 Annual Report forms. Vishakha provided an overview of the draft C.3 Section and requested feedback. The C3PO AHTG recommended adding back the “status” column in the Special Projects table and creating rows for “regulated” and “non-regulated” projects in *C.3.h.v.(2). Table of Newly Installed Stormwater Treatment Systems and Hydromodification Management (HM) Controls*.

Alternative Compliance

Jill provided an overview of Alternative Compliance requirements in the MRP, an approach for a tool for tracking alternative compliance projects, and mechanisms for cost recovery. The AHTG provided the following feedback on the tracking tool:

- Track the GSI project providing greened acres (i.e., impervious area treated) only by the total greened acres available. It is not necessary to track the greened acres provided by individual drainage management areas.
- Add a field for tracking O&M cost/year for the project providing greened acres.
- In a future iteration of the tool, consider adding land-use type for calculating net benefit.

Program staff will develop an Excel-based tool for tracking alternative compliance.

Roundtable Discussion:

The AHTG discussed how municipalities are interpreting road reconstruction requirements as they relate to projects focused on improving multiple street intersections. The AHTG reviewed an example of sidewalk improvements at all four corners of an intersection and discussed whether it should be considered contiguous or non-contiguous. The requirement in the MRP is unclear. Project staff will review the MRP Fact Sheet and check in with regional partners as to how the requirement is being interpreted.

Action Items:

- Program staff will update the FY 23-24 C.3 Annual Report Form per C3PO AHTG comments.
- Program staff will develop an Excel-based tool for tracking alternative compliance.
- Program staff will report back to the AHTG on the contiguous impervious surface definition as it applies to projects at intersections.

Next Meeting – February 26, 2024.

Meeting Attendance List

Meeting:	C3PO AHTG
Location:	Zoom
Date:	December 11, 2023, 1:30– 3:30 pm
Name	Agency
Roger Storz	City of Campbell
Jennifer Chu	City of Cupertino
Roger Storz	City of Campbell
Jenn Chu	City of Cupertino
Lori Baumgartner	City of Cupertino
Erin McDannold	City of Los Altos
James Watson	City of Los Gatos
Elaine Marshall	City of Milpitas
Brian Petrovic	City of Milpitas
Tyler Nguyen	City of Milpitas
Elaine Marshall	City of Milpitas
Glenn Wong	City of Milpitas
Carrie Sandahl	City of Mountain View
Alex Wong	City of Mountain View
Renee Gunn	City of Mountain View
Brian Jones	City of Mountain View
Brad Hunt	City of Palo Alto
Pam Boyle Rodriguez	City of Palo Alto
Cesar Arellano	City of San José
Leila Correa	City of San José
Mary Morse	City of San José
Rajani Nair	City of San José
Sandra Freitas	City of San José
David Dorchich	City of Saratoga
Emma Hinojosa	City of Sunnyvale
Melody Tovar	City of Sunnyvale
Darrell Wong	County of Santa Clara
Vanessa Marcadejas	County of Santa Clara
Yu-Wen Huang	County of Santa Clara
James Downing	Valley Water
Kendra Boutros	Valley Water
Julie Schaer	WVCWA
Kara Baker	Stanford
Jill Bicknell	SCVURPPP staff
Peter Schultze-Allen	SCVURPPP staff
Vishakha Atre	SCVURPPP staff
Kristin Kerr	SCVURPPP staff



January 3, 2023

Eugene Bromley
EPA Region 9, NPDES Permit Section
Submitted electronically: R9RDA@epa.gov

Subject: Comment Letter – Revised Request for Preliminary Designation of Certain Commercial, Industrial, and Institutional Stormwater Discharges in two Los Angeles County Watersheds

Dear Mr. Bromley:

On behalf of the California Stormwater Quality Association (CASQA) ¹, thank you for the opportunity to provide comments on EPA's revised Request for Preliminary Designation of Certain Commercial, Industrial, and Institutional Stormwater Discharges in the Alamitos Bay/Los Cerritos Channel Watershed and the Dominguez Channel and Los Angeles/Long Beach Inner Harbor Watershed in Los Angeles County (Revised Preliminary Designation memorandum). In the Revised Preliminary Designation memorandum, EPA proposes to take action under the Clean Water Act (CWA) to designate stormwater discharges from certain privately-owned commercial, industrial and institutional (CII) sites, exclusively within two Los Angeles County watersheds - Alamitos Bay/Los Cerritos Channel Watershed and the Dominguez Channel and Los Angeles/Long Beach Inner Harbor Watershed. Once designated, these CII sites will be required to obtain coverage under a National Pollutant Discharge Elimination System (NPDES) permit. CASQA submitted comments on the July 2022 version. After reviewing the Revised Preliminary Designation Memorandum, CASQA finds it necessary to re-submit its previous comments because they were not addressed in the Revised Preliminary Designation memorandum and responses to comments submitted in 2022 are not available.

The EPA Revised Preliminary Designation memorandum² requests that the Regional Administrator exercise their discretionary authority to designate additional stormwater discharges for permitting for specified watersheds in Los Angeles County because EPA has determined that the CII sites in the aforementioned watersheds contribute to a violation of water quality standards. The authority being relied on is EPA's Residual Designation Authority, or RDA, which was established when EPA adopted the Phase II Rule in 1999. EPA's stated purpose for adopting this authority was to preserve its regulatory authority "to subsequently address a source (or category of sources) of stormwater discharges of concern on a localized or regional basis."³ Most importantly, when using this authority, the Regional Administrator (or designated state authority) must evaluate local conditions and be certain that any such

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 34 million people in California.

² Preliminary Designation Memorandum of Certain Commercial, Industrial, and Institutional Stormwater Discharges in the Alamitos Bay/Los Cerritos Channel Watershed and the Dominguez Channel and Los Angeles/Long Beach Inner Harbor Watershed in Los Angeles/Long Beach Inner Harbor Watershed in Los Angeles County (US EPA, July 15, 2022).

³ See 64 Fed. Reg. 68,781.

Comment Letter: Revised Request for Preliminary Designation of Certain Commercial, Industrial, and Institutional Stormwater Discharges in two Los Angeles County Watersheds

designation is supported with required studies and in consultation with state and local officials.⁴ Further, based on the data and information collected, there must be sufficient evidence to show that discharges either contribute to a violation of a water quality standard or be a significant contributor of pollutants to waters of the United States.⁵

With this letter, CASQA continues to take no position on the sufficiency of the data and information relied on by EPA to reach its preliminary determination that stormwater discharges from the identified CII facilities located in the Alamos Bay/Los Cerritos Channel Watershed and the Dominguez Channel and Los Angeles/Long Beach Inner Harbor Watershed contribute to violations of water quality standards and thus merit inclusion in the Clean Water Act's NPDES permit program. Rather, CASQA repeats its previous comments here regarding potential future uses of the RDA authority by EPA or the Water Boards within California.

It is imperative that EPA and the Water Boards use the RDA only when there is sufficient case-by-case or watershed specific evidence that supports a finding that the discharge or category of discharges contributes to a violation of a water quality standard or is a significant contributor of pollutants to a water of the United States. This requirement must be satisfied.⁶ As stated by the Ninth District Court of Appeal, the authorizing statutory provision (CWA § 402(p)(6)) is not a blank check but is designed to allow designation of individual or categories of discharges that may have a local impact.⁷ Most importantly, and as stated previously, use of such authority must be supported by particularized data. In other words, generalized or summarized data on a large scale (i.e., nationally or statewide) is not sufficient to support the use of RDA. Accordingly, we recommend that EPA review the data it seeks to rely on to determine if it meets this standard.

Further, CASQA encourages EPA and the Water Boards to consult with local agencies, including municipal separate storm sewer systems (MS4s), local industries, and other stakeholders prior to using RDA. By working with local communities and stakeholders, it may be possible to identify alternative solutions that are more appropriate and effective in resolving localized water quality conditions. Such alternative approaches would potentially avoid the need to designate new categories of dischargers that are subject to NPDES permits, which would in turn avoid confusion amongst the various state and local jurisdictions and administrative burdens for all involved. Unfortunately, it appears from EPA's Revised Preliminary Designation memorandum that only the State Water Resources Control Board and the Los Angeles Water Quality Control Board were consulted by EPA. This is unfortunate as it likely prevents EPA from having the best data and information available to it before making such a decision.

Thank you again for the opportunity to comment on Revised Preliminary Residual Designation. 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: CASQA Board of Directors
CASQA Executive Program Committee
CASQA Policy and Permitting Subcommittee
CASQA Industrial Subcommittee

⁴ *Environmental Def. Center., Inc. v. EPA* 344 F.3d 832, 875 (9th Cir. 2003).

⁵ 40 CFR §122.26(a)(9)(i)(D).

⁶ 40 CFR §122.26(a)(9)(i)(D).

⁷ *Environmental Def. Center., Inc. v. EPA* 344 F.3d 832, 875 (9th Cir. 2003).



CONSTRUCTION SITE STORMWATER INSPECTION WORKSHOP

Number of Evaluations: 62
Number of Attendees: 86

Number of Evaluations for Virtual Classroom Session: 2
Number of Attendees for Virtual Classroom Session: 16

Valley Water Board Room – 5750 Almaden Expressway

November 29 & 30, 2023

1. Classroom Training – MRP and CGP - Kristin Kerr, SCVURPPP Program Staff

Very Useful 52

Somewhat Useful 12

Not useful 0

Comments:

- Great presentation (2)
- Very helpful flow charts
- Helpful differentiating regulation differences between federal, state and local
- Very useful information
- Kristin and Peter always provide good information in a clear manner
- Effective speaker and made things easy to understand
- Should focus on changes and updates
- Very thorough explanation of MRP & CGP with clear information on what regulations come from what permit
- Good to know the background and the MRP & CGP impact (4)
- Good summary of MRP/CGP (2)
- Clear comparison between permits
- Showing main MRP changes was good
- Slideshow tended to parallel lecture content and could have been better used as a lecture supplement
- The “why” behind the training I think is always important. There appears to be newer inspectors with limited stormwater experience, so always good to train on the MRP
- After 30 years, lots of redundancy, except for the newer provisions.
- I have attended in person training a few years back, mix of classroom lecture and hands-on/field review session made everything a lot easier to understand.

2. Classroom Training – Construction Fact Sheets –Peter Schultze-Allen, SCVURPPP Program Staff

Very Useful 55

Somewhat Useful 9

Not useful 0

Comments:

- Seemed a little confused about some things
- Thank you for all the photos

- Common issues during my routine inspection
- Good reminders
- Would like more photos/ examples of BMPs around the county
- Kristin and Peter always provide good information in a clear manner
- Good presentation (2)
- Should focus on changes or additional requirements
- Lots of examples, good information
- Good overview of key BMP factsheets
- Target three important BMPs
- Very helpful hearing the most useful BMPs
- Slideshow tended to parallel lecture content and could have been better used as a lecture supplement
- This was a nice feature and would like to see this again in future workshops
- Showing top BMPs used at construction sites was good

3. Field Session Station #1- Slope Protection– Colin Ewart, Profile Products

Very Useful 57

Somewhat Useful 5

Not useful 0

Comments:

- Very knowledgeable instructors. (2)
- Very useful updates with modern methods. Good refresher
- Good presentation
- Loved the presentation, very experienced and useful demonstration
- Colin was great- good/detailed explanation of slope protections (7)
- Informative (3)
- Colin was very informative, explained things clearly and answered questions in depth
- It would be nice to show silt fence and proper way to install
- Same types of material with little change
- It is good to see the BMPs in action, proper vs improper methods
- Best Session! Super useful and lots of good information, I could've stayed for longer to learn more
- Hydroseed and hydro mulch portion very helpful
- Good to see the various types of solutions for slopes
- Learning proper installation was useful, as well as the proper BMPs

4. Field Session Station #2 - Storm Drain Inlet Protection and Check Dams – Dan Toda, Reed & Graham

Very Useful 50

Somewhat Useful 12

Not useful 0

Comments:

- Identifying the most useful tools for BMPs and informative for upgrading products
- Very nice team and very informative
- Multiple solutions
- Wide range of inlet protection
- Enjoyed hearing different types/uses

- Very knowledgeable instruction, very useful updates with modern methods, good refresher
- Good presentation of useful products
- Too many options, kind of overwhelming
- Same materials with little change
- Great way to see multiple types for various applications (5)
- Good to see a local company and a comparison to other types of inlet protection
- Good reminder
- Would've like to see more examples of what works and what doesn't; also would have liked to see more examples of how to use equipment in different situations

5. Field Session Station #3 - Stabilized Construction Entrance/Exits – Bryce Clingerman, FODS

Very Useful 47

Somewhat Useful 14

Not useful 1

Comments:

- FODs are more sustainable than I thought. I hope to see them more.
- Looks like a superior product for controlling sediment; hope to see it used more
- Inventive design and I think could be very effective onsite
- Interesting, new
- Good to see innovation in the construction stabilization exits, thanks for answering questions
- Good presentations of new product I was not familiar with
- Like this better than rocks, good information
- Same material with little change
- Wish they had this years ago
- Proper install methods were helpful
- Would have been better to see some other entrance/exit stabilization options
- Too specific to their product, would like to learn more about a traditional stabilized construction exit
- More of a sales pitch
- Overly product-centric, could have included more general theory

6. Did this training meet your expectations? Yes 61 No 0

Comments:

- Good intro/overview as a newbie
- Good basic training
- Great training and field presentations
- Very informative
- Always great and very thorough without being overwhelming
- Third time – finally digesting the acronyms
- Better than before
- Both lecturers were able to hold my attention for the duration of the class, which is

sometimes difficult to do with webinars (comment from virtual attendee)

- It was great networking

7. What parts of the training were most useful to you?

- Seeing the materials in use, slope protection was good
- Field sessions (10)
- Field session; seeing BMPs correctly placed and understanding pros and cons was helpful
- Field sessions; visual assessment is best
- Visuals and site examples
- Field demos; how are BMPs used correctly
- BMP demonstrations (3)
- BMPs demo/explanation
- Product demonstrations
- The different materials available as BMPs
- Field class, slope and storm drain protection
- Field session site #1(2)
- Field session site #2 (3)
- Classroom trainings (2)
- Great reminders for implementation of BMPs and inspection requirements
- Inspection requirements
- Combined approach of in class and field allows for theory in action
- I liked the combination of field session and classroom time
- The MRP vs CGP lecture and the product demonstrations on slope and inlet control
- CGP summary/comparison with MRP
- CGP/MRP very useful for new inspectors
- C6 MRP enforcement actions and annual reporting
- Construction fact sheets (2)
- I'm pretty familiar with different BMPs but the FODs system was new to me and showed me a possibly better solution
- Good Tips
- Photos of the example BMPs
- CASQA BMP training in conjunction with field stations
- Breakdown of agency/permit responsibilities
- New MRP requirements (2)
- Good as a refresher
- Not too much – review of previous known items
- All of it (2)
- The entire training. I am a manager, so the big picture was helpful but also the details
- I found it all to be very useful

8. What would have made this training more useful?

- More sections covered during class time
- More BMP examples in classroom presentation

- More examples of good and bad BMPs
- More field training
- Pricing of cost breakdown of hill protection
- Maybe polls to see what the other cities are doing/using/seeing (2)
- Case studies
- Better interaction with field sessions; they could ask us more questions for a better interface/conversation
- More time for questions with the field stations, maybe 25-30 minutes
- Provide reviews of updates to requirements
- Better explanations and examples of inlet protection dos and don'ts
- Videos could be cool during the class portion
- Actual videos make it better than just pictures
- More video examples
- More stories/photos of sites around the county
- Doing an actual inspection
- Compare different city ordinances for enforcement
- More theory on protection methods
- Role playing more situations
- Having CGP Water Board staff/ inspectors present their role and coordination with permittees. What works and what doesn't.
- Discussion of how permittees and private project QSPs work together, how private QSPs enforce, document and convey that information to permittees for C6 Annual Report
- Hands-on/field review would be very helpful and useful (comment from virtual attendee)

9. What topics would you recommend for a future training?

- More photos of successful BMPs and failures
- More photos of actual application
- Dos and don'ts when installing BMPs
- More photos of construction sites showing poorly installed BMPs (3)
- BMPs
- Use protection on actual storm drains or stockpiles
- Keep MRP/CGP as a topic always
- Practical storm water demonstrations
- Actual field information, design vs actual installation, how much maintenance is really done
- More field sessions (erosion control BMP); tire wash vendors
- Non-stormwater management – dewatering and diversions
- Treatment Control Measures, dust control, site draining of excess rainwater with/without tributary
- Compare different city ordinances for enforcement
- More construction site management
- Conducting field inspections

- If possible, construction site walk through would be useful
- Field installation (2)
- Show and tell; challenges discussion
- Implementation – getting municipal contract documents in line with C6 procedures
- Methods of removing contaminants instead of focusing on only prevention
- You guys are doing great

10. General Comments?

- Good to be back in person
- Good job (3)
- Good information overall
- Very good refresher (2) and updates
- Good use of time
- Very good
- Great training (2)
- Overall well done
- Always a good workshop (2)
- Keep the training going, very helpful especially for new people like myself
- I appreciate your efforts and making these workshops meaningful
- Discussion about linear project
- Offer more in-depth conversations/presentations
- Stick to timelines and skip through examples
- Please finish on time
- Great training just a little long
- Kristin on-point with presentation; she is appreciated
- Thank you for lunch (3)
- Gluten free lunch options
- Thanks for all your work
- Thank you (6)

**Scheduled Meetings and Deliverables
January 2024 – March 2024**

January 2024

3	BAMS Collaborative Monitoring and Pollutants of Concern (MPC) Subcommittee 10:00 am – 3:30 pm	Microsoft Teams Meeting
5	WMI – Zero Litter Initiative Steering Committee 9:00 am – 10:00 am	Zoom Meeting
16	Trash AHTG 1:00 pm – 3:00pm	Zoom Meeting
18	Management Committee 9:30 am – 11:00 am <ul style="list-style-type: none"> • Final Draft FY 24-25 Program Budget • Final Draft SCVURPPP FY 22-23 Budget Evaluation and Use of Unspent Funds 	Zoom Meeting
23	BAMS Collaborative Trash Subcommittee Internal Portion – 9:30 – 10:30 am External Portion - 10:30 – 12:00 pm	Microsoft Teams Meeting
25	CASQA Seminar Series – State of the Union 10:00 am – 3:00 pm	Zoom Meeting
26	BAMS Collaborative Steering Committee Internal Portion – 9:30 am – 12:00 pm External Portion - 1:00 pm – 3:00 pm	Zoom Meeting

**Scheduled Meetings and Deliverables
January 2024 – March 2024**

February 2024

2	WMI – Zero Litter Initiative Steering Committee 9:00 am – 10:00 am	Zoom Meeting
7	BAMS Collaborative C.8 Monitoring Planning Work Group 10:00 am – 12:00 pm	Microsoft Teams Meeting
12	BAMS Collaborative Trees and Stormwater Work Group 2:00 pm – 4:00 pm	Zoom Meeting
15	Management Committee 9:30 am – 11:00 am <ul style="list-style-type: none"> • FY 2023-24 Annual Report Format • California Product Stewardship Council (CPSC) Presentation 	TBD
20	Trash AHTG 1:00 pm – 3:00pm	Zoom Meeting
22	BAMS Collaborative Steering Committee Internal Portion – 9:30 am – 12:00 pm External Portion - 1:00 pm – 3:00 pm	Zoom Meeting
26	C3PO AHTG 1:30 pm – 3:00 pm	Zoom Meeting
27	POC AHTG 1:00 pm – 3:00 pm	Zoom Meeting

**Scheduled Meetings and Deliverables
January 2024 – March 2024**

March 2024

1	WMI – Zero Litter Initiative Steering Committee 9:00 am – 10:00 am	Zoom Meeting
6	BAMS Collaborative Monitoring and Pollutants of Concern (MPC) Subcommittee 10:00 am – 3:30 pm	Microsoft Teams Meeting
12	BAMSC Development Subcommittee 1:00 pm – 3:00 pm	Zoom Meeting
19	Trash AHTG 1:00 pm – 3:00pm	Zoom Meeting
21	Management Committee 9:30 am – 11:00 am <ul style="list-style-type: none"> • WY 2023 Urban Creeks Monitoring Report (UCMR) • Updated Old Industrial Control Measure Plan • FY 2024-25 Program Work Plan 	TBD
28	BAMS Collaborative Steering Committee Internal Portion – 9:30 am – 12:00 pm External Portion - 1:00 pm – 3:00 pm	TBD

Scheduled Meetings and Deliverables January 2024 – March 2024

Anticipated Action Items for Future Management Committee Meetings

MC Meeting	Action Item(s)
April 2024	<ul style="list-style-type: none">• Draft FY 2023-24 Self Audit Report (SAR)• Program Manager Notice-to-Proceed for FY 24-25
May 2024	
June 2024	
July 2024	<ul style="list-style-type: none">• Regional Trash Monitoring Plan and Quality Assurance Project Plan (QAPP) Version 2.0
Aug 2024	
Sept 2024	<ul style="list-style-type: none">• SCVURPPP FY 2023-24 Annual Report
Oct 2024	<ul style="list-style-type: none">• Draft FY 2023-24 Self Audit Report (SAR)
Nov 2024	
Dec 2024	