

MANAGEMENT COMMITTEE INFORMATION PACKET



Santa Clara Valley *Urban Runoff* Pollution Prevention Program

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

April 17, 2025 Meeting

MATERIALS FOR INFORMATION

II. April 17, 2025 Agenda

III. March 20, 2025 Meeting Minutes

IV. March 20, 2025 Action Items

VIII. MRP Implementation

1. Memorandum to Management Committee, from Program Staff, re: Management Committee Briefing on Priority Items, March 2025.
2. Highlights of BAMSC Committee and Subcommittee Meetings, March - April 2025.
3. IND/IDDE Ad Hoc Task Group Meeting Summary, March 19, 2025.
4. C.3 Provision Oversight Ad Hoc Task Group Meeting Summary, March 24, 2025.

Other Items

1. Letter to Courtney Tyler, State Water Resources Control Board, from Karen Cowan, Executive Director, CASQA, re: Comment Letter – 2026 California Integrated Report, April 2, 2025.
2. MC Calendar, April – June 2025.



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AGENDA

MANAGEMENT COMMITTEE MEETING

April 17, 2025, 9:00 am – 10:00 am

Note change in start and end time

Zoom Meeting¹

- 9:00** **I. Management Committee Meeting Call to Order/Introductions**
- II. Additions or Revisions to Agenda; Announcements**
- III. Approval of Minutes (March 20, 2025 meeting)**
- IV. Review of Action Items from Last Meeting**
- 9:05** **V. Time Open for Public Comment on Any Subject Not on Agenda (2 minutes)**
- 9:07** **VI. Regional Water Board Staff Comments**
- VII. Program Business**
- 9:10** **A. Program Management**
1. **Action Item:** Draft FY 2024-25 Program Manager Mid-Year Self-Audit Report – *request for acceptance.*
2. **Action Item:** Program Manager’s Notice to Proceed (NTP) for FY 2025-26 – *request for approval.*
3. FY 2024-25 Annual Report Guidance – *status update.*
- B. Program Budget**
- No items
- 9:20** **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. Please contact Program staff via email at jcbicknell@eoainc.com if you would like to attend the meeting via Zoom.

4. Legislative Update – *information*.

VIII. MRP Implementation

9:30 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*

9:35 B. Trash Controls & Unsheltered Homeless

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

9:40 C. Monitoring / Pollutants of Concern

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

9:45 D. Outreach Activities

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

9:50 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*

9:55 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*.

10:00 X. Adjourn



**Santa Clara Valley
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Pollution Prevention Program**

**MANAGEMENT COMMITTEE MEETING
MINUTES**

March 20, 2025

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

James Downing (Vice Chair, Valley Water) called the meeting to order at 9:00 a.m. Management Committee (MC) members and members of the public introduced themselves.

II. ADDITIONS OR REVISIONS TO THE AGENDA; ANNOUNCEMENTS

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

- Chris Sommers (Program staff) updated the MC on the Supreme Court of the United States (SCOTUS) decision in City and County of San Francisco v. Environmental Protection Agency case and noted that he will send out an email summarizing the case as well as the ruling's implication for NPDES permits.
- Mary Morse (San José) reported that Jeff Provenzano is the new Director of the City of San José Environmental Services Department.
- Dave Staub (Santa Clara) reported that Karin Hickey (City of Santa Clara) is retiring on April 30, 2025.
- The ribbon cutting ceremony for the City of San José River View Regional Stormwater Capture project will be held on April 9, 2025. All MC members are invited. Jill Bicknell (Program staff) will forward the invitation to the MC.
- Ursula Syrova (Cupertino) reported that SB54, the Plastic Pollution Prevention and Packaging Producer Responsibility Act, was signed into law in 2022, but regulations for its implementation were not finalized by the March 8, 2025 deadline. Governor Newsom has directed CalRecycle to restart the rulemaking process to ensure the law's goals are achieved.

III. APPROVAL OF MINUTES

Motion: Sheila Tucker (WVSWA) moved to approve the minutes of the February 20, 2025 MC meeting. **Second:** Ursula Syrova (Cupertino). **Vote.** Motion passed unanimously.

IV. REVIEW OF ACTION ITEMS FROM LAST MEETING

Action Items from February 2025 MC meeting:

- Action Item 2-25-1 (Include a legislative update on the MC agenda each month) is complete.

Action Items from the November 21 and December 2, 2024 Budget AHTG Meetings:

- Action Item 12-24-1 (Discuss Budget AHTG concerns on the RMP Fee increase being held at 3% with other Co-permittee POTW agencies (San Jose and Palo Alto) and report back to the AHTG and MC.) is in progress. Chris has reached out to Co-permittee POTW agency staff and discussed the RMP Fee, and will send an update to the MC via email.

- Action item 12-24-2 (Prepare a Draft Information Management Work Plan in the second half of FY 2024-25 for review by the Information Management AHTG.) is in progress. A presentation was made to the Information Management AHTG on February 6, 2025, and it will be documented in the Work Plan, which will be distributed soon.
- Action item 12-24-3 (Set up an internal meeting later this FY to discuss proposed changes to the format of MRP reissuance meetings.) is in progress. The topic will be raised at the next Program Manager/Water Board (WB) staff quarterly meeting on April 4, 2025.
- Action item 12-24-4 (Revisit the Regulatory Tracking Spreadsheet that was formerly prepared for the MC and consider adding legislative tracking of high priority items) is done. This Action Item was replaced by Action Item 2-25-1.
- Action item 12-24-5 (Discuss the appropriate content and forum for illicit discharge response training and bring back a recommendation to the Budget AHTG and MC.) is in progress. The topic was discussed at the March 19th IND/IDDE AHTG meeting. AHTG participants will forward Kristin Kerr (Program staff) emails with their communications with RWB staff on what information was requested/needed, and the discussion will continue at the next meeting.
- Action item 12-24-7 (Prepare a proposed watershed stewardship collaboration work plan for FYs 2024-25 and 2025-26 and convene a special meeting to discuss the approach.) is in progress. Program staff met with Grassroots Ecology staff to discuss ways to collaborate on a watershed stewardship program and are awaiting their response.

Action Items from previous MC meetings:

- Action Item 11-24-1 (Send a link to the Stormwater Forum presentations to the MC when available) is in progress. The link will be sent to the MC later today.
- Action Item 7-24-3 (Invite Ken Schiff (SCCWRP) to make a presentation on the San Diego bacteria study) is in progress. Ken has been contacted, and Chris will send out a meeting poll to the MC to select a date and time.

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

None.

VI. WATER BOARD STAFF COMMENTS

Jill and Chris reported on Water Board (WB) staff comments on the FY 23-24 Annual Reports. So far, WB staff comments have been general for all permittees, indicating whether the submitted information was sufficient and providing good examples. Jill and Chris met with Rebecca Nordenholt (WB) staff to discuss the comments for Santa Clara Co-permittees. Rebecca said that additional comments will be sent directly to Co-permittee staff. Program staff sent Rebecca the most current list of MC contacts.

VII. PROGRAM BUSINESS

A. PROGRAM MANAGEMENT

1. Action Item: Water Year 2024 Urban Creeks Monitoring Report and Electronic Data Submittal

Chris reported that the Urban Creeks Monitoring Report (UCMR) and Electronic Data Submittal are due to the Water Board on March 31st. The Draft UCMR was distributed

to the Monitoring AHTG on February 17, 2025, and comments were due on March 6, 2025. He requested the MC to consider approving the reports. Chris will make a presentation on the SCVURPPP Monitoring Program after the April MC meeting.

Motion: Rajani Nair (San José) moved to approve the Water Year 2024 Urban Creeks Monitoring Report and Electronic Data Submittal, and to authorize the Program Manager to transmit the Report and transmittal letter on behalf of SCVURPPP Co-permittees to the Water Board by March 31, 2025. **Second:** Winola Cheong (Sunnyvale). **Vote:** Motion passed unanimously.

2. Action Item: GIS Data Sharing Agreement with Davey Resource Group for use of data on land use and GSI opportunity locations to support development of the Santa Clara County Urban Forestry Master Plan

Jill reported on the presentation made by Davey Resource Group to the MC on March 7, 2025. The meeting was very informative, and the MC representatives that attended the meeting agreed to provide the requested data to Davey Resource Group. The MC representatives also recommended that all groups making data requests should present information to the MC on the need for and use of the data.

Motion: Rajani Nair (San José) moved to approve the GIS Data Sharing Agreement with Davey Resource Group for use of data on land use and GSI opportunity locations to support development of the Santa Clara County Urban Forestry Master Plan. **Second:** Brian Jones (Mountain View). **Vote:** Motion passed unanimously.

B. PROGRAM BUDGET

1. FY 2025-26 Program Work Plan

The draft FY 2025-26 Program Work Plan was provided to the MC for review on March 7, 2025. The Work Plan was developed consistent with the Program's FY 2025-26 approved budget and the level of effort represented by the budget items. Red text was used to indicate new tasks within the Work Plan sections, and a summary table of new MRP tasks and deliverables for FY 2025-26 was included in Appendix A of the Work Plan. Comments were due to Program staff by March 18, and none were received.

Motion: Sheila Tucker (WVSWA) moved to approve the FY 2025-26 Work Plan with edits. **Second:** James Downing (Valley Water). **Vote:** Motion passed unanimously.

C. PROGRAM MANAGER'S REPORT

1. BAMS Collaborative Update

Chris informed the MC that Keith Lichten (WB staff) announced at the BAMSC Steering Committee meeting that information items related to C.3 and monitoring are planned for the August 13, 2025 Water Board meeting and that BAMSC members will be invited to contribute presentations. This is to help educate Water Board members in advance of MRP 4 reissuance.

2. CASQA Update

The 2025 CASQA Annual Conference will be held on September 15-17, 2025 in Pasadena. Abstracts are due on April 7, 2025.

The next CASQA Quarterly Seminar will be held on April 17, 2025 from 10 am – 3 pm on the topic of Stormwater Funding. The MC meeting is on the same day and will be held from 9 am – 10 am.

3. Grants Update

Chris reported that the State Board is working on developing the implementation parameters for grants issued under Prop 4 (2004 Climate Bond), which was approved by California voters in November. Prop 4 includes \$110M as a direct line item for stormwater capture and an additional \$100M for urban greening. The request for grant applications will likely be released in late 2025 or early 2026.

James reminded the MC that Valley Water's Grants and Partnerships Program is receiving Standard Grant Applications until March 28, 2025.

4. Legislative Update

Chris provided an update on SB601 introduced by Senators Allen (Santa Monica) and Gonzalez (Los Angeles). The bill would fundamentally change the legal definitions for water bodies in California, add a citizen suit provision, change drinking water standards, revisit the IGP enrollment requirements for business licenses, and add CGP coverage requirements for any construction permit, and more. CASQA is currently opposing this bill.

VIII. MRP IMPLEMENTATION

A. NEW DEVELOPMENT AND REDEVELOPMENT

Jill provided the following updates:

- The FY 2024-25 SCVURPPP C.3 workshop will be held at the Campbell Community Center on April 29, 2025. A registration flyer was distributed to the C3PO AHTG.
- Program staff received minor comments from the C3PO AHTG on the updated GSI details in Part 2 of the GSI Handbook. The final updated GSI details will be posted on the SCVURPPP website.
- An Alternative Compliance Work Group has been formed to assist Co-permittees with local alternate compliance programs and, if needed, a multi-jurisdiction alternative compliance program.
- The next meeting of the Regional Long Term GSI Implementation Technical Working Group will be held on March 26, 2025.

B. TRASH CONTROLS AND UNSHELTERED HOMELESS

Chris provided the following updates:

- All On-land Visual Trash Assessments (OVTAs) conducted by Program staff will be completed by the end of April/early May. This will ensure that adequate time is available to update the trash load reduction dashboard and calculate trash load reductions prior to the June 30, 2025 deadline for 100%.
- Program staff will be sending additional guidance on inspecting Private Land Drainage Areas (PDLAs). All PLDA inspections need to be completed by June 30, 2025.

C. MONITORING / POLLUTANTS OF CONCERN

A presentation on the SCVURPPP Water Year 2024 monitoring program will be made after today's MC meeting.

D. OUTREACH ACTIVITIES

Program staff is continuing to work with the Scripts Review Work Group to finalize the Youth Outreach Campaign Reels. Two Reels have been finalized and are being promoted. Both Reels received a lot of engagement on social media.

The Watershed Watch booth will be at three outreach events in April. A request for volunteers to help staff the booth was sent to the WEO AHTG.

E. OTHER PERMIT-RELATED ACTIVITIES**1. Cost Reporting**

Jill reported that the next Cost Reporting Work Group meeting will be held this afternoon to respond to Co-permittee questions on cost reporting. Program staff have been compiling questions received to date into an FAQ document that will be shared with Co-permittees.

2. Information Management

The Information/Asset Management Work AHTG will continue to meet on the first Thursday of every month. The next meeting will be held on April 3, 2025. Program staff are planning a Condition Assessment Training and looking for sites to conduct this training.

IX. OTHER BUSINESS

None.

X. ADJOURN

The MC meeting adjourned at 10:30 am.



**Santa Clara Valley
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Meeting Attendance Record

DATE March 20, 2025

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: TBD

Ursula Syrova

Harun Musaefendic – Los Altos

Alternate: Vency Woo

Harun Musaefendic

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

Winola Cheong – Sunnyvale

Alternate: Emma Hinojosa

Winola Cheong, Emma Hinojosa

Vanessa Marcadejas – Santa Clara County

Alternate: Zhenzhen Jiang

Vanessa Marcadejas, Zhenzhen Jiang

John Bourgeois - SCVWD

Alternate: James Downing

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

Julia Schmitt, Carollo Engineers

Bryn Evans, Craftwater

Michael Liquori, NCE

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

Action Items from March 20, 2025 MC Meeting

Action	Description	Responsibility	Due Date	Status	Comments
None					

Action Items from November 21 and December 2, 2024 Budget AHTG Meetings

Action	Description	Responsibility	Due Date	Status	Comments
12-24-1	Discuss Budget AHTG concerns on the RMP Fee increase being held at 3% with other MC POTW agencies (San Jose and Palo Alto) and report back to the AHTG and MC.	Program staff	April	In progress	The Program Manager will send out an update on these discussions to the MC and Budget AHTG in April.
12-24-2	Prepare a Draft Information Management Work Plan in the second half of FY 2024-25 for review by the Information Management AHTG.	Program staff	April	In progress	Presentation on proposed framework and tasks made to AHTG on February 6 th . Work Plan will be provided in April.
12-24-3	Set up an internal meeting later this FY to discuss proposed changes to the format of MRP reissuance meetings.	Program staff	TBD	To be done	
12-24-5	Discuss the appropriate content and forum for illicit discharge response training and bring back a recommendation to the Budget AHTG and MC.	Program staff	May	In progress	Discussed with the IND/IDDE AHTG on March 19. Program staff to develop guidance.
12-24-7	Prepare a proposed watershed stewardship collaboration work plan for FY 2024-25 and 2025-26 and convene a special meeting to discuss the approach.	Program staff	April	In progress	Meeting held with Grassroots Ecology on 2/21/25. Awaiting their response regarding collaboration.

Action Items Remaining from Previous MC Meetings

Action	Description	Responsibility	Due Date	Status	Comments
11-24-1	Send a link to the Stormwater Forum presentations to the MC when available.	Program staff	March	Done	Email sent on 3/25/2025
7-24-3	Invite Ken Schiff (SCCWRP) to make a presentation on the San Diego bacteria study to a small work group of Co-permittees that are subject to MRP Provision C.14.	Program staff	TBD	In progress	Will send meeting poll to MC.



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TO: Management Committee

FROM: Program Staff

DATE: April 14, 2025

SUBJECT: Management Committee (MC) Briefing on Priority Items

Program Management

- * Draft Mid-Year FY 2024-25 Program Manager Self-Audit Report – Program staff have completed development of the draft Self-Audit Report for the first half of FY 2024-25. This report describes Program staff’s accomplishments in comparison to the Program Management contract and approved FY 2024-25 Work Plan. The Self-Audit Report was sent to the MC for review on April 2nd and will be considered for acceptance at the April 17th MC meeting.
- * FY 2025-26 Program Manager Notice-to-Proceed – Following MC approval of the FY 2025-26 Program Budget Package (January MC meeting) and the FY 2025-26 Work Plan (March MC meeting) and acceptance of the draft FY 2024-25 Self-Audit Report (April MC meeting), the MC will be asked to authorize the notice-to-proceed for the Program Manager for FY 2025-26 at the April 17th meeting. The authorization will be documented in the MC meeting minutes and provided as direction to the Program Fiscal Agent to execute the contract with the Program Manager.
- Water Year (WY) 2024 Urban Creeks Monitoring Report (UCMR) and Electronic Data Submittal
The UCMR and Electronic Data Submittal were approved by the MC at the March 20th meeting and submitted to the Water Board on March 31, 2025.
- FY 2025-26 Program Work Plan - The MC approved the draft FY 2025-26 Program Work Plan at the March 20th MC meeting. The final Work Plan (PDF and Excel versions) are posted on the SCVURPPP members only website.
- 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. Please contact Program staff for the link.

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

Municipal Operations (C.2)

- Municipal Operations AHTG - The AHTG last met on September 11th at Sunnyvale City Hall Sycamore Conference Room.
- Rural Roads Workshop - The SCVURPPP Rural Roads Workshop was held on March 6th, 9:00 – 11:30am, at the Valley Water Board Room, 5750 Almaden Expressway, San Jose. Topics included BMPs to prevent erosion and manage sediment and requirements for MRP compliance. The presentations, agenda, evaluation summary, and attendance list have been posted on the SCVURPPP website. A recording of the BMPs presentation is available on the SCVURPPP members only website. There were 19 people who attended in person and 31 people who attended virtually.

New Development and Redevelopment (C.3)

- Stormwater Treatment Measure (STM) Data Portal – Program staff have received data on projects completed in FY 2023-24 from most Co-permittees. All received data has been uploaded to the STM Data Portal.
- GSI Handbook Update – Program staff are continuing to prepare updates to this Handbook to include MRP 3 requirements and other needed changes. Program staff have completed updating the GSI details in Part 2 of the Handbook. The revised details were sent out to the C3PO AHTG for review on January 6th and comments were due on February 14th. Comments on the details are currently being reviewed and addressed. Key updates to the details will be presented at the C.3/GSI workshop.
- C.3 Data Form for Public Projects – As requested by the C3PO AHTG, Program staff developed a C.3 Data Form for public projects and sent it to the C3PO AHTG for review. Comments are due on Friday, April 18, 2025.
- C.3/GSI Workshop – The C.3/GSI Workshop will be held on April 29, 2025. It will be an in-person workshop held at the Campbell Community Center. The registration flyer was distributed to the C3PO AHTG. Approximately 150 Co-permittee staff have registered for the workshop.
- C3PO AHTG – The next C3PO AHTG meeting is scheduled for May 19, 2025.

Industrial/Commercial Business Inspection/Illicit Discharge Detection/Elimination (C.4/C.5)

- IND/IDDE AHTG – The AHTG last met on March 19th. Program staff mailed a letter and fact sheets to the mobile business inventory. Program staff emailed the AHTG a draft work plan on countywide outreach activities that would take place each quarter beginning 3rd quarter FY 2024-25 through FY 2025-26 to assist Co-permittees.

Program staff emailed the AHTG to solicit municipal inspector volunteers to present case studies at the IND/IDDE stormwater inspector workshop to take place before the end of the FY.
- C.15.b.iii Emergency Firefighting Discharges – Updates on the Regional Firefighting Discharges Work Group to address Provision C.15.b.iii requirements are provided at the IND/IDDE AHTG meetings. The item is first on the agenda in case there are interested parties that do not need to attend the full AHTG meeting. There are two outreach materials required by C.15.b.iii. Program staff emailed draft text for outreach to fire restoration contractors to the AHTG for review. Program staff are reviewing comments received and updating the fact sheet. Program staff emailed another outreach fact sheet for good housekeeping practices and preventative measures for sites prone to firefighting emergencies for review and comments by April 14th.

Construction Controls (C.6)

- Construction Inspection AHTG – The AHTG last met in September 2023. Program staff have updated the following BMP brochures in the SCVURPPP fact sheet format: Home Repair and Remodeling, General Construction and Site Supervision, and Fresh Concrete and Mortar Application. Program staff emailed the updated outreach materials to the AHTG for review. There was a significant number of comments received. Program staff will email updated final draft fact sheets to the AHTG for review.

Watershed Education and Outreach (C.7)

- Watershed Watch Campaign – Program staff worked with Gigantic Idea Studio to develop the third video for the youth outreach campaign. This video focuses on picking up pet waste. Previously developed “Dirty Jobs, video, featuring Palo Alto maintenance staff and the “Pick up Litter” video are posted [here](#).
- Earth Day Poster Contest - Program staff received 77 submissions from students for the 2025 Earth Day Poster Contest. These include 36 entries from students in grades K-2, 27 entries for from students in grades 3-5, and 14 entries from students in grades 6-8. Winners will be announced on April 22, 2025.

Monitoring (C.8)

- Low Impact Development (LID) Monitoring – LID monitoring began at two locations in the City of San Jose during Water Year 2024, which began in October 2023. All equipment installations were completed in early October 2023 at the two bioretention units, identified as Treatment Control Measure (TCM) 4 and TCM6. Flow monitoring was ongoing throughout WY 2024, which ended on April 30th. Seven paired influent/effluent samples were collected during six storm/runoff events in WY 2024. In June, the monitoring subcontractor KEI removed all electronic equipment at the bioretention units in San Jose to protect the equipment from the summer heat. A summary of the status of LID monitoring during WY 2024 and the initial results were reported to the Water Board in the Urban Creeks Monitoring Report (UCMR) that was submitted on March 31, 2025.

Throughout 2024, Program staff met multiple times with Water Board staff and other Bay Area stormwater program representatives to discuss and finalize the required revisions that must be implemented in the LID Monitoring Plans. BAMSC developed a written response-to-comments document that incorporates the agreements reached with Water Board staff on proposed revisions to the Plans. The final response-to-comments document was submitted to the Water Board in May. At the July MPC meeting, Water Board staff said they would accept the proposed revisions to the LID Monitoring Plans and provide written confirmation soon. However, in a July 30th email to stormwater program representatives in the BAMSC, Water Board staff agreed to approve the proposed plan revisions but with one additional requirement added. The BAMSC Regional Monitoring Coalition (RMC) workgroup met with Water Board staff on August 20th and agreed to a revised proposal that included installation of monitoring wells within all unlined facilities to measure continuous water levels during the rainy season, and discontinuation of exfiltration tests and soil moisture monitoring. With these edits, Water Board staff agreed to approve the monitoring plans with all agreed-upon revisions for submittal by October 31st. Program staff submitted the revised LID Monitoring Plans with all agreed-upon revisions to the Water Board on October 31, 2024.

In preparation for WY 2025 monitoring, which started on October 1 2024, KEI re-installed the monitoring equipment at both sites during September and October. KEI has successfully sampled five storm events across the 2 sites in WY 2025 to date. New equipment (piezometers) were installed at both sites after this first storm event, in late November and early December. These equipment will continuously monitor water depth within each facility

throughout the storm season. Six paired influent and effluent samples have been collected during five stormwater runoff events during WY 2025 to date.

The next annual LID Monitoring Technical Advisory Group (TAG) meeting is currently planned for May 9th from 1-4 pm. The meeting will focus on updating the TAG on the outcomes of Year 2 monitoring, and further review and discussion of the data collected during Year 1.

- Trash Monitoring – Trash outfall monitoring for Water Year (WY) 2025 began in October 2024. Trash nets were deployed at all three sites during at least three storm events this WY. Unfortunately, the nets at two of the sites (Coyote and Stevens) opened during the third monitoring event and the samples were lost. Additional events at the two sites were planned, but additional storm events have not occurred. Program staff will report the equipment malfunction at two of the nets in the Program’s FY 24/25 Annual Report (September) and with the Integrated Monitoring Report in March 2026.

Trash receiving water monitoring has begun and samples have been collected during multiple events at the two sites in Santa Clara County. Due to back-ordered equipment, receiving water monitoring was delayed for WY 2025, but the minimum number of MRP-required storm event monitoring for WY 2025 was attained.

Trash monitoring is being conducted in coordination with the Trash Technical Advisory Group (TAG), which last met on February 25, 2025, to provide input on a number of trash monitoring topics, including results to date for both outfall and receiving water monitoring.

- POCs Monitoring – Planning and implementation of WY 2025 POCs monitoring is focused on the sites identified in the SCVURPPP Old Industrial Area Control Measure Plan and discussed with the POC AHTG. Up to 3 potential stormwater sampling locations have been identified for potential monitoring this rainy season. One stormwater sample was collected from one of these sites in the City of Santa Clara on March 13th. Additional samples will be collected at the two remaining sites if adequate storm events occur in April. Planning for additional sediment samples at sites across Santa Clara Valley is currently ongoing. Program staff anticipate conducting additional sediment sampling in the public right-of-way and on-site at old industrial properties starting in May 2025. Additional details on planned monitoring during WY 2025 were discussed with the POC AHTG at their meeting on March 10, 2025.
- 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. All results are currently being reviewed by Program staff and regional partners.
- Monitoring AHTG Meetings - The Monitoring AHTG last met on March 4, 2025, to discuss the Draft Water Year 2024 Urban Creeks Monitoring Report (UCMR). The next meeting will be planned for fall 2025.

Pesticide Outreach (C.9)

- OWOW Program – Program staff have received the print order of fact sheets from CASQA and are distributing fact sheets to Co-permittee staff that placed orders. The second round of store visits to update shelf takers and restock literature racks has started.

- Pesticides Source Control Effectiveness Evaluation (PSCEE) Report – Program staff sent a survey to the Pesticides AHTG and the MC to collect Co-permittee specific information for the PSCEE Report.

Trash Controls (C.10)

- On-land Visual Trash Assessments (OVTAs) –Assessments for FY 2024-25 sites began in November 2024 and will continue through April 2025. OVTA results are being incorporated into the Program’s trash management dashboard on a monthly basis to allow Co-permittees to know how the OVTA results impact their progress toward the MRP’s 100% trash load reduction goal, which must be achieved in 2025.
- Long-term Trash Reduction Guidance – Subtasks being completed by Program staff as part of the Long-term Trash Reduction Guidance task in FY 2024-25, including the following: revisions to baseline trash generation maps, creation and updating ArcGIS Online (AGOL) 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 towards achieving the MRP mandated 100% trash load reduction goal. The status of each of these subtasks will be discussed at the next Trash AHTG meeting.
- Private Land Area Drainage Area (PLDA) Inspections – Program staff have identified all PLDAs that need to be inspected by Co-permittees, consistent with the MRP. The inventory is included in the trash dashboard. Co-permittees should provide Program staff with the results of their PLDA inspections to incorporate into the dashboard and assist with calculating trash load reductions.
- Bioretention as Full Trash Capture (FTC) Systems – On September 30, 2022, SCVURPPP included a memo with our Annual Report, titled “Multi-benefit Bioretention Stormwater Treatment Facilities as Trash Full Capture Systems” (Memo). In January 2025, Water Board staff distributed a letter to MRP Program Managers that provides additional comments on the Memo and guidance regarding how bioretention systems can be acceptable as full trash capture equivalent systems. Overall, Water Board staff agreed that bioretention systems can provide a full trash capture benefit when they are:
 - Appropriately designed to treat the design storm for full trash capture, taking into account potential ponding;
 - Appropriately designed to have robust vegetation to capture trash so it can be removed prior to discharging to the storm drain or blowing out of the system, and to avoid flow paths that can discharge trash, or they include a full trash capture device; and
 - Adaptively managed to ensure they are being inspected and maintained at a frequency sufficient to remove trash before it discharges to the storm drain or blows out of the system.

The Water Board staff letter goes on to provide guidance intended to inform how bioretention systems may be acceptable as full trash capture controls and states that Permittees who are claiming bioretention systems for full trash capture equivalence should evaluate them consistent with the guidance and:

- a) Provide, in their FY 2024-25 annual reports and, as appropriate, subsequent annual reports, supplemental information confirming that claimed bioretention systems are full trash capture equivalent.
- b) Retrofit or otherwise modify practices around the claimed bioretention systems based on the evaluation of individual systems with respect to the guidance and subsequent discussion, sufficient to achieve full trash capture equivalence.

- c) Where bioretention systems do not achieve full trash capture equivalence, revise Section C.10.a.ii(a) of their Annual Report to remove claimed benefit and identify alternative measures.

The Water Board staff letter and guidance were discussed at the Trash AHTG on February 4th. Program staff will provide a response to Water Board staff comments on technical issues later this calendar year. In the interim, Program Staff provided guidance to SCVURPPP Co-permittees on how best to proceed with accounting for these systems towards the 100% trash load reduction benchmark, based on the Water Board staff guidance and the input provided from the Trash AHTG.

- Trash AHTG Meetings – The Trash AHTG typically meets on the 3rd Tuesday of the month. The last meeting was held on March 18th. The next meeting is scheduled for April 15th.
- Zero Litter Initiative (ZLI) – The ZLI Steering Committee meets approximately monthly via Zoom. The ZLI met on April 11th and discussed various existing and proposed local and state policies, existing and proposed laws, documents, news articles and updates on various litter-prone items, plastic pollution, stormwater and human health issues. The next meeting of the ZLI will be held on May 2, 2025.

Pollutants of Concern Controls (C.11/C.12)

- PCB/Hg Source Property/Area Identification Studies
 - **Source ID Investigations** - 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 collect on-site samples and identify and address properties with moderate or high PCBs. The memo was discussed with the POC AHTG meeting during summer 2023. The details of the new program were finalized based on input received and presented in the Final-Revised Old Industrial Area Control Measure Plan that was submitted to the Regional Water Board in September 2024. Program staff continued working with individual Co-permittees to plan and implement source investigations during FY 23-24, and have continued to plan and conduct source investigations during FY 24-25, consistent with the plans described in the OICMP. Program staff completed the first on-site investigations that included collection of sediment samples on private properties over three days (June 4-6) in the Cities of Sunnyvale and San José. On-site sediment samples were successfully collected at every property the Program and Co-permittee staff visited during these on-site inspections. The chemical analysis results for these samples were reported in the Urban Creeks Monitoring Report (UCMR) that was submitted to the Water Board on March 31, 2025. Two properties in the City of San Jose had sediment samples with moderate PCBs concentrations. Program staff held meetings and are currently planning follow-up meetings with City of San Jose staff to discuss next steps for these moderate PCBs properties. Program staff are also planning meetings with other Co-permittees to discuss on-site sampling that is currently being planned, as well as the outcomes of ongoing source property investigations and potential referrals to the Water Board.
 - **Source Property Referrals** - 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 (O&M) activities. Water Board staff approved the enhanced O&M Plan, and the City of Palo Alto submitted the source property referral to the Water Board in January 2024. Program and City of San José staff met with Water Board staff in April to discuss six potential source property referrals and proposed enhanced O&M activities. Water Board staff approved the enhanced O&M plans and agreed to accept the six source property referrals. The City of San José submitted these six referrals at the end of June 2024.

- Control Measures Plan for Old Industrial Land Use Areas and Areas with Moderate Levels of PCBs/Mercury - Program staff developed a Control Measures Plan, consistent with MRP 3.0 Provision C.11/12.c. The Plan was submitted to the Regional Water Board on March 30, 2023. WB 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 WB expectations. Program staff developed the Draft Revised Plan with review and comments from Co-permittees. The Final Revised Plan was approved by the MC in March. The Final Revised Plan was submitted to the Water Board on March 28, 2024.

Program staff received further comments from WB staff on the Control Measures Plan and presented a proposed strategy to address these comments at the POC AHTG meeting held on August 2nd. Co-permittees agreed with the proposed strategy and Program staff subsequently revised the Plan accordingly. The revised Plan was approved by the MC at their September 19th MC meeting and submitted to WB staff in late September. Water Board staff provided formal acceptance/approval of the revised Plan in a letter submitted to the Program Manager on October 10, 2024. Program Staff are currently implementing the Plan in coordination with Co-permittees.

- 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 2024-25. 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 the 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 on September 11th, for public review and comment. Program staff reviewed the draft SOP and discussed with regional partners at the BAMSC Steering Committee meeting on September 26th about providing guidance to Permittees on implementation. Based on the review, BAMSC agreed to develop regional guidance for MRP Permittees on how best to address the MRP requirements, possibly using the Caltrans SOP. Program staff anticipate the draft guidance materials will be available for Co-permittee review and comment in mid- April. 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 WB on September 30, 2023.
- Controlling PCBs from Electrical Utilities – Over the summer of 2023, 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 WB on September 30, 2023.

Program staff facilitated a meeting of the BAMSC municipal utilities workgroup on June 4th to discuss new reporting requirements for the FY 2023-24 Annual Report. Program staff worked directly with municipal utility staff from SVP and CPAU to gather all required reporting data and to develop a summary of their plans to maintain and upgrade OFEE. The data and the plans were submitted with the Program’s FY 23-24 Annual Report on September 30, 2024.

- 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 2023-24 on implementation of this Program was compiled by Program staff and was included in Appendix 11-1 of the SCVURPPP Annual Report that was submitted to the RWB on September 30, 2024. Co-permittees should continue to implement the established PCBs in demolition program in FY 2024-25, 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 last met in March and the Steering Committee in April. The TRC will next meet in June and the Steering Committee in July. In addition, Program staff serve as stormwater representatives on various RMP workgroups, including the Sources Pathways and Loadings Work Group (SPLWG), the PCBs Workgroup, and the Emerging Contaminants Work Group (ECWG).
- Pollutants of Concern AHTG Meetings - The POC AHTG last met on March 10th to discuss the Draft Work Plan for the development of the updated mercury and PCBs TMDL Implementation Plan and Reasonable Assurance Analysis (RAA Plan) that is due to the Water Board by March 31, 2026. The next POC AHTG meeting will likely be held in the Fall (date TBD) to discuss progress on developing the updated RAA Plan.

Water Utility (C.15)

- Water Utility AHTG – No recent activities.

Unsheltered Homeless Populations (C.17)

- Unsheltered Homeless Populations AHTG – Program staff compiled information from Provision C.17 of the FY 2022-23 Co-permittee Annual Reports and sent it to the Unsheltered Homeless Populations AHTG to assist Co-permittees with the reporting requirements in the FY 2024-25 Annual Reports.

Cost Reporting (C.20)

- Cost Reporting Work Group - A Work Group meeting was held on March 20th to respond to Co-permittee questions on cost reporting. Program staff have been compiling questions received to date into an FAQ document that will be shared with Co-permittees. The next Cost Reporting Work Group meeting has not been scheduled.

Information/Asset Management (C.21)

- Information Management AHTG – The AHTG meets monthly to assist Co-permittees with development and implementation of Asset Management Plans and to discuss broader information management efforts within SCVURPPP. At the March 6th meeting, the AHTG discussed the approach for developing cost projections for Asset Management Plans, received an overview of updates to the Asset Management SharePoint page, and received an update on development of the broader Information Management Work Plan for FYs 2024-25 and 2025-26. Work is underway to plan the asset condition assessment training in May. The next Information Management AHTG meeting will be held on May 1, 2025.



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Highlights of Bay Area Municipal Stormwater (BAMS) Collaborative Steering Committee, Subcommittee and Work Group Meetings March – April 2025

Steering Committee – March 27, 2025

Co-Chairs – Rinta Perkins (CCCWP) and Reid Bogart (SMCWPPP)
SCVURPPP representatives – Jill Bicknell and Kristin Kerr (Program staff)

Internal Meeting

- The Steering Committee approved the final draft BAMSC Trash Monitoring Progress Reports for submittal with Countywide Program Urban Creek Monitoring Reports (UCMRs) by March 31, 2025.
- The Committee continued discussion of USEPA’s disbursement of 2024 Federal Funding for SF Bay (approximately \$50 million) through non-competitive grants. USEPA Region 9 has approved the non-competitive exception request for \$8M funding submitted by the City of San Pablo (City) on behalf of the Bay Area Municipal Stormwater Collaborative (BAMSC) to fund regional PCBs TMDL studies and projects. Grant funding will offset a portion of the costs associated with MRP Provision C.8 and C.12 compliance. The City of San Pablo has agreed to be the fiscal agent for the grant project and signed the agreement with USEPA. The RFP for consultant assistance has been released (responses due May 7th) and the grant project work is scheduled to begin in July.
- An update on the Watching Our Watersheds (WOW) project was provided. The Project Team is continuing to develop the focused public outreach and education campaign. The strategy is to link the campaign to five trash outfall monitoring locations to help inform the strategies based on the types of trash observed at the monitoring locations. There will be a three-month campaign in each community with materials in various languages. The work plan for development of a streamlined OVTA analysis has been finalized, and initial sampling for receiving water trash monitoring is being conducted this winter. The next Project Management Team (PMT) meeting will be in April.
- An update on the Alternative Trash Outfall Monitoring Methods Project was provided. Three alternative methods are being reviewed: 1) in-pipe sampling; 2) collection of trash at deposition point of outfall; and 3) AI approach to review imagery to quantify what is coming out of outfalls. These alternative methods were discussed with the Trash Monitoring Technical Advisory Group (TAG). The Project Team is developing a memorandum describing the results of the literature review and will submit it to the BAMSC Steering Committee, MPC, and Trash Monitoring TAG for review and comment later in FY 2024-25.
- The Committee discussed planning/timeline for MRP 4 negotiations. The Program Managers will meet in April to discuss the process for getting input from the various BAMSC Subcommittees and selecting leads for different topic areas. The Steering Committee meeting on July 24 will be an all-day, in-person strategy session (location TBD).

- The Committee received updates from the Regional Work Groups (see below).

External Meeting

- **Regional Work Groups**

- Fire Fighting Discharges Work Group – The last meeting was held on January 14th. The Task Force (smaller, working group) met on March 31st. The Task Force was emailed the Work Group agenda for review and comment and will be emailed a working draft of the Regional Report for input. A meeting poll was sent to the Work Group to schedule the next meeting in late April.
- Asset Management Work Group – The group has not met since July and no meetings are currently planned.
- BASMAA Surface Cleaning Program – The Spanish language materials, including quizzes and informational items, have been compiled and uploaded to the BAMSC website. A Project Profile for a project of regional benefit to further update and maintain the Surface Cleaning Program was developed by BAMSC for FY 2025-26.
- Long-Term GSI Technical Work Group (TWG) – The TWG had its third meeting on March 26th. In response to Water Board staff's proposed two-path approach for compliance with future GSI retrofit requirements, the TWG discussed two different models for an integration planning approach. The TWG also discussed the elements of a framework for long term GSI implementation, including types of projects that qualify, scales of projects, and whether retrofit acres exceeding permit term targets can be carried over to future permit terms. Two examples of multi-benefit stream restoration projects in Contra Costa County were presented by CCCWP permittees. The next meeting will be held in May (date TBD).
- BAMSC Trees in GSI Work Group – The Work Group met on April 2nd and discussed nine different types of Tree-based GSI systems. The Work Group also shared information on best practices for tree-based GSI systems that utilize Silva Cells with a representative from DeepRoot, the manufacturer of Silva Cells.

- **Caltrans Update** (no report)

- **Collaboration with Regional Water Board Staff** (Keith Lichten and Rebecca Nordenholt)

- FY 2024-25 Annual Report Forms – Rebecca indicated that they would provide comments on the AR Forms within the next week.
- Comments on FY 2023-24 Annual Reports - General comments on the FY 2023-24 Annual Reports were sent to the Program Managers in early March. Comments on individual permittees' FY 2023-24 annual reports will be sent out soon. These will include mostly clarifying questions that can be responded to by email.
- MRP 4 Planning Process – Keith announced that there are information items related to C.3 and monitoring planned for the August 13th Water Board meeting and that BAMSC members will be invited to contribute presentations. This will be a 1 to 2 hour session to help educate Water Board members in advance of MRP 4 reissuance. There will be no specific discussion of MRP 4.
- Trash Load Reduction Goals – Keith confirmed that Water Board staff would like to meet in the latter half of April with a small group of Program/Permittee staff to further discuss how statistical confidence/variability in OVTA scores can be considered in the context of the 100% trash load reduction benchmark. The results of the Phase I OVTA data analysis being conducted as part of the WOW project will help inform Water Board staff and Permittees on making determinations as to whether they will need to submit a notice of noncompliance and updated trash load reduction plan by June 30, 2025.

- Process for responding to illicit discharge referrals – Aidan Cecchetti is working on draft guidance memo (being discussed internally) that covers the basic requirements, MRP requirements, and level of effort and prioritization. This should not be “above and beyond” the MRP documentation requirements; they would just like to see the documentation so they can respond back to OES. This topic will be further discussed at the April 4th meeting (see below).
- Water Board Staff/Program Manager Coordination Meeting - The next quarterly meeting will be held on April 4th, 10:30 am – 12:00 pm via Teams.
- Second Annual Stormwater Forum – BAMSC has solicited volunteers to help plan the next Forum. The first planning meeting will be held in April.

Next Meeting – April 24, 2025

PIP Subcommittee

Chair – TBD

SCVURPPP representative – Vishakha Atre (SCVURPPP)

Next Meeting – TBD

Development Subcommittee – No April Meeting

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

SCVURPPP representatives – Pam Boyle Rodriguez (City of Palo Alto), Jason Day, Sandra Freitas (City of San José), Peter Schultze-Allen and Jill Bicknell (SCVURPPP)

Next Meeting – June 10, 2025 (meets quarterly)

Trash Subcommittee – No March Meeting

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

SCVURPPP representatives – Brad Hunt (Palo Alto), Tiffany Ngo (San Jose), Emma Hinojosa (Sunnyvale), and John Fusco and Chris Sommers (SCVURPPP).

Next Meeting – April 22, 2025 (meets quarterly)

Monitoring/POCs Subcommittee – No April Meeting

Chair – Beth Baldwin (CCCWP); *Vice Chair* – Lisa Austin (ACCWP)

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

Next Meeting – May 7, 2025 (meets bimonthly)



Industrial and Commercial/ Illicit Discharge, Detection and Elimination (IND/IDDE) Ad Hoc Task Group (AHTG)

Meeting Summary Report

March 19, 2025, 10:00 am – 12:00 pm

Key Issues Discussed

C.15b.iii Emergency Firefighting Discharges

- Two BAMSC Regional Work Group meetings are required for this fiscal year. The first was held January 8, 2025. The second is TBD. The Regional Work Group is comprised of stormwater program staff, fire department representatives, regulators (RWB and EPA Region 9) and other invited organizations/agencies. The Regional Work Group is for information sharing about topics that need to be addressed in the Regional Emergency Firefighting Discharge Report due with the September 2025 Annual Report. This report will focus on the coordination with Fire Departments on emergency firefighting discharges of water and foam.
- The Task Force will next meet on March 31st from 9-10am. This is a smaller working group that decides on the topics to be discussed in the Regional Work Group and works on the Provision deliverables.
- The MRP requires Permittees to evaluate the adequacy of BMPs and SOPs at “large industrial sites within Permittees’ jurisdictions, such as IGP sites, gas plants, gas concentration facilities, and chemical plants” for the prevention, containment and cleanup of emergency firefighting discharges into storm drains and receiving waters and improve those BMPs and SOPs as appropriate. This topic has been discussed at previous AHTG meetings but the AHTG will wait until the next meeting to continue discussions.
- Outreach pieces regarding containment and cleanup BMPs and SOPs for contractors hired by private parties to participate in the containment and cleanup of discharges of firefighting water and foam must be distributed by September 2025. Program staff emailed draft text to the AHTG for review and comment. Program staff emailed the updated SCVURPPP fact sheet to the AHTG for comments due March 17th. Program staff will finalize the fact sheet with comments received. Program staff will utilize the contractor list that had been assembled for illicit discharge cleanups to distribute the outreach material on behalf of Co-permittees. The list will be provided to the AHTG for review before the outreach is distributed.

- The other outreach material required to be developed is regarding good housekeeping practices and preventative measures at sites that are prone to firefighting emergencies. This material must also be distributed by September 2025. Program staff will email the draft text to the AHTG for review. There was some concern with distinguishing between required and suggested BMPs. Co-permittees will be responsible for identifying sites prone to firefighting emergencies in their jurisdiction and for distributing the outreach fact sheet to those facilities. At the next meeting the AHTG will discuss how to identify sites prone to firefighting emergencies. There was some initial discussion about whether these sites should be identified by business categories or by contacting fire departments for information on businesses that have had fires, and distinguishing between indoor and outdoor fires. There was a suggestion to limit the identification of sites to the large industrial facilities that will be evaluated for BMPs/SOPs.
- Program staff are sharing the outreach materials being developed and coordinating with the BAMSC Regional Project representatives. However, Program staff have recommended that each Countywide Program develop their own outreach materials to distribute.

MS4 Maps

- MRP C.5.f MS4 Maps requires Permittees to submit a Plan and Schedule to identify information missing from current MS4 maps and compile additional storm sewer system information. The Plan and Schedule must be submitted in the September 2026 Annual Reports. The Plan and Schedule must consider the potential to identify component locations, size or specifications, material of construction, and condition. The MRP Fact Sheet states the purpose for updating the MS4 maps with the identified information is *“to effectively manage and respond to illicit discharges, as well as potential impacts from conditionally exempted discharges like emergency firefighting discharges, it is essential for Permittees to understand their current MS4 system layout and conditions, as well as how discharge sources are connected to outfalls that discharge to their system”*. During this FY Program staff will develop guidance for the MS4 mapping Plan and Schedule. In FY 25/26, Co-Permittees can use the guidance to develop their individual Plans for submittal in the 2026 Annual Report.
- A draft Plan and Schedule Template was emailed to the AHTG for review and comment in December 2024 and January 2025. Program staff received comments from one Co-permittee. As requested by the AHTG, Program staff will send the draft Plan and Schedule Template out for review again before making any revisions.

Responding to Water Board Illicit Discharge Inquiries

- RWB staff have been emailing Co-Permittees and requesting additional information regarding spill notifications they receive through CalOES. The Management Committee (MC) discussed their concerns over the significant level of staff effort to compile information and would like to have guidance on what would be acceptable to the RWB. The MC has requested the IND/IDDE AHTG develop guidance for responding to these RWB requests.
- Several AHTG participants will forward Kristin emails with their communications with RWB staff on what information was requested/needed. The AHTG agreed to focus guidance on responses for more information regarding CalOES reports. One suggestion was that if another responsible party was the

lead agency that the Co-Permittee could provide the RWB with a contact person at that agency instead of gathering the information from the outside agency/department and forwarding it to the RWB. The Co-permittee should confirm the correct, appropriate contact and let them know of the RWB's request for more information. There was also a request for guidance on how to respond when the RWB forwards a spill complaint/notification to a Co-permittee to follow up on when it is outside their jurisdiction.

FY 24/25 Inspector Workshop

- The last inspector workshop was held in 2022. The AHTG agreed to an in-person workshop in late May or early June. Potential topics that were discussed:
 - Invite Regional Water Board staff to present Industrial Stormwater General Permit case study inspections
 - Business and illicit discharge case studies from municipal inspectors
 - Enhanced focus on potential bacteria sources
 - RV waste complaints
 - CASQA Handbook
 - Initiating third party cleanups and cost recovery.
 - MRP basic training (requested at last meeting)
- Program staff will be emailing the AHTG to request municipal volunteers to present case studies. Program staff will be contacting individual representatives to coordinate a workshop location.

C.5.e Control of Mobile Sources

- There are MRP reporting requirements for the September 2026 Annual Report related to mobile business outreach. Program staff shared a draft workplan on countywide outreach activities that would take place each quarter beginning 3rd quarter FY 24/25 through FY 25/26. Outreach activities include having fact sheets available at tabling events, social media posts and mailing/emailing a letter and appropriate fact sheet to the countywide mobile business inventory. Program staff will email the draft workplan to the AHTG.
- The letter and fact sheets will be mailed to the countywide mobile business inventory in March. If only an email address is available, the materials will be emailed to the business.
- At a previous meeting Pam (Palo Alto) requested Program staff provide content for cities to include in their own newsletters. Program staff are developing example text and will email it to the AHTG when available.

Outreach Material

- The final tallow bin fact sheet is being formatted in InDesign. The final formatted fact sheet will be emailed to the AHTG before being posted on the My Watershed Watch website.
- The next outreach task will be to update the RV fact sheet. This will be prioritized after the fire fighting related outreach materials are developed.

IDDE Phone Trees and Contact Lists

- Co-Permittees are required to have a phone tree/flow chart for internal staff responsible for spills and dumping (C.5.c.ii.(4)). Co-Permittees are required to submit this contact list in the September 2026 Annual Report.
- An external phone tree is required for outside agencies to contact, as needed (e.g., CDFW, Regional Water Board, Valley Water, CalOES, etc.). Co-Permittees are required to submit this contact list in the September 2026 Annual Report.
- Example Co-Permittee phone tree/flow chart/contact lists are available on the SCVURPPP Sharepoint IND/IDDE AHTG folder.

Open Forum

- The AHTG discussed commercial aquarium stores and koi pond discharges.

Next meeting - TBD

Action items

- Program staff will email the updated fire restoration contractor fact sheet to the AHTG for review and comment.
- Program staff will email the AHTG the list of illicit discharge contractors that the fire restoration contractor fact sheet will be mailed to for review.
- Program staff will email the draft fact sheet for sites prone to fire fighting emergencies to the AHTG for review and comment.
- Program staff will include on the next agenda an item to discuss how to identify sites prone to firefighting emergencies.
- Program staff will mail the mobile business outreach letter and fact sheets to the countywide inventory in March.
- Program staff will provide example content regarding mobile businesses for cities to include in their newsletters.
- Program staff will email the AHTG the final tallow bin fact sheet before posting to the My Watershed Watch website.
- Program staff will email the draft MS4 mapping update Plan and Schedule Template to the AHTG again for review and comment.
- Program staff will develop guidance on responding to the RWB staff request for more information on CalOES reported discharges.
- Program staff will email the AHTG for municipal inspector volunteers to present case studies at the IND/IDDE Workshop.

Meeting Attendance List

Location:	Zoom
Date:	March 19, 2025 10:00am-12:00 pm
Name	Agency
Lori Baumgartner	City of Cupertino
Riley Moffatt	City of Cupertino
Harun Musaefendic	Los Altos
Zach Wu	City of Mountain View
Brian Jones	City of Mountain View
Brandon Redic	City of Mountain View
Cassandra Garcia	City of Milpitas
Angela Zhao	City of San Jose
Chris Donaldson	City of San Jose
Cecilia Rios	City of San Jose
Joe Schwennesen	City of San Jose
Brandon Massey	City of San Jose
Damaris Han	City of Santa Clara
Dustin Clark	City of Sunnyvale
Joey Wong	City of Sunnyvale
Lauren Acance	City of Sunnyvale
Emma Hinojosa	City of Sunnyvale
Michelle Arias	City of Sunnyvale
Julianna Martin	County of Santa Clara
Vanessa Marcadejas	County of Santa Clara
Zhenzhen Jiang	County of Santa Clara
Joanna Kincaid	County of Santa Clara
Rafles Warnars	WVSWA
Julie Schaer	WVSWA
Kendra Boutros	Valley Water
Vishakha Atre	Program Staff
Kristin Kerr	Program Staff

C3 Provision Oversight Ad Hoc Task Group (C3PO AHTG)

Meeting Summary

March 24, 2025

1:30 – 3:00 pm

Announcements

The following announcements were made:

- Program staff updated the GSI details in Part 2 of the GSI Handbook. The revised details were sent to the C3PO AHTG for review and comments are being addressed.
- The SCVURPPP C.3 Workshop will be held on April 29, 2025 at the Campbell Community Center. Approximately 150 people have registered so far.

Regional C3/GSI-Related Work Groups

Jill Bicknell (SCVURPPP) provided an update on the Regional Long-Term GSI Technical Work Group (TWG). The TWG had its second meeting on December 5, 2024. The group discussed implementation of different scales of GSI (parcel-based, green streets, and regional) and Water Board staff concerns about large regional projects. The TWG also discussed a proposal from Water Board staff to provide two pathways for compliance with future GSI retrofit requirements: 1) Path 1 would be similar to MRP 3, with increased retrofit acreage targets (informed by TWG discussions); and 2) Path 2 would allow a reduction in retrofits targets if Permittees demonstrated coordinated GSI planning and implementation with other planning efforts (e.g., urban forestry, climate change adaptation, complete streets, and stream restoration). Permittees agreed to consider this approach and provide feedback to Water Board staff at the next meeting (which is scheduled for March 26). Two internal meetings have been held to discuss the two-path approach and other topics.

Draft C.3 Data Form for Public Projects

As requested by the C3PO AHTG, Program staff have developed a C.3 Data Form for public projects. Vishakha Atre (SCVURPPP) provided an overview of the draft C.3 Data Form. Attendees provided minor feedback. Program staff will update the form per feedback received and email it to the C3PO AHTG for review.

Approach to Developing an Alternative Compliance Program

The Alternative Compliance Work Group met on March 13, 2025. The Work Group discussed how SCVURPPP staff can assist Co-permittees with local alternate compliance programs and if needed, develop a multi-jurisdiction alternative compliance program.

Roundtable Discussion

Attendees discussed issues related to artificial turf and pervious pavement sizing.

Action Items:

Program staff will send the **C.3 Data Form for Public Projects** to the C3PO AHTG for review.

Next Meeting – May 19, 2025.

Meeting Attendance List

Meeting:	C3PO AHTG
Location:	Zoom
Date:	March 24 2025 27, 2025, 1:30– 2:30 pm
Name	Agency
Ursula Syrova	Cupertino
Riley Moffatt	Cupertino
Harun Musaefendic	Los Altos
Alex Wong	Mountain View
Brad Hunt	Palo Alto
Sandra Freitas	San Jose
Damaris Han	Santa Clara
Gaurav Kumarllemos	Santa Clara
Darrell Wong	Santa Clara County
Julianna Martin	Santa Clara County
Kara Baker	Stanford
Dustin Clark	Sunnyvale
Emma Hinojosa	Sunnyvale
James Downing	Valley Water
Kendra Boutros	Valley Water
Sheila Tucker	WVSWA
Jeff Sinclair	SCVURPPP
Jill Bicknell	SCVURPPP
Peter Schultze-Allen	SCVURPPP
Vishakha Atre	SCVURPPP



California Stormwater Quality Association®

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

April 2, 2025

Courtney Tyler, Clerk to the Board
State Water Resources Control Board
1001 I Street, 24th Floor
Sacramento, CA 95814

Submitted via email: commentletters@waterboards.ca.gov

Subject: Comment Letter – 2026 California Integrated Report

Dear Ms. Tyler:

On behalf of the California Stormwater Quality Association (CASQA), thank you for the opportunity to comment on the Draft 2026 California Clean Water Act Section 303(d) List of Impaired Waters (Draft 2026 Integrated Report), which includes new listing and delisting recommendations for waterbodies in the on-cycle regions including North Coast, Lahontan, and Colorado River Basin as well as the off-cycle regions including San Joaquin River watershed of the Central Valley Region, Central Coast, and San Diego. We recognize and sincerely appreciate the significant effort and technical expertise involved in analyzing the extensive data and developing the proposed listing and delisting decisions.

CASQA's primary intent and goal is to provide comments that will assist in improving the state's listing process, particularly for issues that are applicable at the statewide scale. In this particular listing cycle, our comments include issues that have been raised as concerns in prior comment letters for the 2024 Integrated Report, the 2022 Integrated Report, and the 2016 Integrated Report¹. It is important to address these issues since 303(d) listings of pollutant and waterbody combinations have material and immediate impacts to many stormwater Permittees.

During the Draft 2026 Integrated Report public hearing on March 18, 2025, State Water Resources Control Board (State Water Board) staff stated that the 303(d) list "does not by itself directly establish new regulatory requirements" and that the Category 5 TMDL high, medium, low Priority Ranking allows for impairments to be addressed as needed (within two years to over ten years). However, as CASQA has noted in previous listing cycles, many stormwater permits trigger immediate, specific requirements for waterbody-pollutant combinations that are 303(d) listed. These requirements include, but are not limited to, extensive additional monitoring, increased or focused inspections of industrial, commercial and/or construction sites, and the need to implement additional treatment controls at various scales (on-site to regional facilities)². Universally, the 303(d) list impacts prioritization processes and, therefore, the allocation of limited public resources. The 303(d) list also communicates to the public the status of California's waterways. As such, it is critical that these assessments, even in draft form, are accurate.

¹ CASQA Comment Letter – 2024 California Integrated Report to State Water Resources Control Board, April 3, 2023 ; CASQA Comment Letter – 2020-2022 California Integrated Report to State Water Resources Control Board, July 16, 2021; CASQA Comment Letter - 2014-2016 303(d) List of Impaired Waters, April 26, 2017

² CASQA has provided a detailed list of specific Phase I and Phase II permit requirements that are triggered by the 303(d) list in prior testimony in previous listing cycles, as well as to State Water Board staff directly.

For the 2026 listing cycle, a total of 426 new listings and 136 delistings are being proposed. The listing process tends to focus on the new listings, yet it is equally important to highlight delistings as well. These delistings identify waterbodies that are either attaining water quality standards or are being reanalyzed with updated scientific information or water quality standards. Delistings may reflect improvements in the underlying scientific understanding of what constitutes an impairment, as well as the positive impacts of water quality programs throughout the state. It is important to acknowledge, and celebrate, those successes.

COMMENT #1: WATERBODIES LISTED FOR BENTHIC COMMUNITY EFFECTS SHOULD BE IN CATEGORY 3, WHICH IS CONSISTENT WITH CALIFORNIA'S ADOPTED WATER QUALITY CONTROL POLICY FOR DEVELOPING THE CLEAN WATER ACT SECTION 303(D) LIST (LISTING POLICY)

The Draft 2026 Integrated Report includes 40 new decisions and recategorizations from the 2018 and 2020 Integrated Reports to list waterbodies with benthic community effects on the 303(d) list (category 5):

- Region 1 – 14 listings
- Region 5 – 7 listings
- Region 6 – 19 listings

The Draft Staff Report states the following regarding the approach that was used for this assessment [emphasis added]:

- “Under Listing Policy section 3.9, a waterbody segment shall be placed on the 303(d) list **if the waterbody exhibits significant degradation in biological populations and the degradation is associated with water or sediment concentrations of pollutants** in accordance with one or more other listing factors, such as exceedances of chemical concentrations, temperature, dissolved oxygen, trash, or other pollutants using sections 3.1, 3.2, 3.6, 3.7, 6.1.5.9, or other applicable sections (e.g., toxicity under section 3.6).³

In addition, the Draft Staff Report reiterated the approach that was used by State Water Board staff for the development of the 2024 Integrated Report as well as USEPA’s response⁴ [emphasis added]:

- “For the 2024 California Integrated Report, the State Water Board placed 44 waterbodies in Category 3 for benthic community effects when data and information demonstrated that the benthic macroinvertebrate community (a biological community) was degraded, and the waterbody was listed on the 303(d) list with at least one pollutant impairment of an aquatic life beneficial use. This was an interim approach that was applied in order to provide time for the State Water Board to **develop a methodology for determining if a degraded benthic community is associated with a pollutant.**”
- “The USEPA disapproved California’s omission of the 44 waterbody-pollutant combinations from Category 5, finding the State Water Board’s decision to not list 44 waterbodies for benthic community effects inconsistent with California’s water quality standards.....The USEPA asserted that the lack of an assessment methodology to associate degraded biology to a pollutant impairment is not by itself a basis to decline to evaluate available data or information.”
- “For the 2026 California Integrated Report, waterbodies for which new benthic community data was received during the solicitation period for the 2026 cycle, were placed into Category 5 for benthic community effects, when data and information demonstrated degraded biological communities, and the waterbody is impaired by at least one pollutant for an aquatic life beneficial use. This approach was applied to be consistent with the USEPA’s action during 2024 Integrated Report approval process.”

Although USEPA issued the Partial Approval/Disapproval of the 2024 California Integrated Report on December 12, 2024, comments on this decision were accepted through January 15, 2025, and have not yet received a formal

³ Draft Staff Report, January 30, 2025, page 74.

⁴ Draft Staff Report, January 30, 2025, page 75.

response.⁵ Therefore, this decision is still open and subject to change. Until the USEPA position on this matter is finalized and comments addressed, the State Water Board's approach to the 2026 listings should fully conform to the adopted California Listing Policy and approach used for the 2024 Integrated Report.

CASQA supports the rationale and approach that was used by the State Water Board for the 2024 Integrated Report and does not agree with the State Water Board's decision to modify the approach used for the listings in the Draft 2026 Integrated Report. For the reasons listed below, CASQA recommends that the Draft 2026 Integrated Report benthic community listings should remain/be placed in Category 3:

- **The 2026 listings must be consistent with the Listing Policy** - The listing of waterbodies for benthic community effects in Category 3 is consistent with California's adopted water quality control policy for developing the Clean Water Act section 303(d) list (Listing Policy) Section 3.9. A benthic community water quality limited segment shall only be placed on the 303(d) list as Category 5 requiring a TMDL if two conditions are met:
 - 1) The water segment exhibits significant degradation in biological populations and/or communities as compared to reference site(s); AND
 - 2) The above-referenced significant degradation is associated with water or sediment concentrations of pollutants
- **The term "associated with" inherently implies that there is causality**; that the two findings are connected or one produces another⁶. Pursuant to the Listing Policy, the benthic community significant degradation must be **associated** with a pollutant.

In addressing comments received during the development of the 2024 Integrated Report regarding the use of Category 3 instead of Category 5, the State Water Board provided the following rationale in the Final 2024 Staff Report (excerpt and emphasis added):

"Determining whether the degradation of biological populations is "associated" with listed pollutants involves some judgment, **because not all listed pollutants are necessarily a potential cause of the degraded biological population.**

Section 3.9 of the Listing Policy does not explain how to determine if the degraded biology is associated with the pollutant impairment. In previous integrated report cycles, a new waterbody-pollutant combination was placed on the 303(d) list when the waterbody exhibited significant degraded biology and there was at least one pollutant impairment of an aquatic life beneficial use, **without always evaluating whether the pollutant could be a potential cause of the degraded biology.** Because some discretion is used to apply section 3.9, there is a need to clarify the appropriate approach for associating pollutant impairments with degraded biological populations under section 3.9, including the evaluation of whether the pollutant impairment may be a potential cause of the degraded biology, possibly with the consideration of site-specific data and information. Doing so will help ensure section 3.9 is applied uniformly.

... However, because the methodology to associate the pollutant impairment with the degraded biology is not yet developed, the waterbodies are recommended for placement in Category 3 on an interim basis. The expectation is that the methodology will be developed and used to make listing recommendations in the 2026 California Integrated Report. During the 2026 listing cycle, staff intends to evaluate the waterbodies placed in Category 3 during the 2024 listing cycle, along with any additional waterbodies subject to section 3.9, consistent with the methodology that is developed."⁷

⁵ Also see the CASQA Comment letter submitted to USEPA on January 15, 2025.

⁶ See also Merriam Webster.

⁷ 2024 Final Staff Report, pages 64.

- **A pollutant impairment affecting aquatic life is not, in and of itself, a causal association.** In previous listing cycles, the directive that there must be an association of a pollutant was construed as meaning that a pollutant impairment affecting aquatic life was, itself, the requisite “association.” In recognizing that at least some judgement is involved in construing the requirement of an associated pollutant and that section 3.9 does not elaborate on how to determine if the degraded biology is “associated” with water or sediment pollutant concentrations, it has been determined that greater clarity needs to be provided in how to make decisions under section 3.9 for purposes of transparency and greater confidence in listing decisions.
- **Listing a waterbody in category 5 for benthic community effects without an identified associated cause(s) places a significant resource and regulatory burden on the affected agencies to conduct the necessary studies to try to determine the cause(s) and source(s).** During the March 2025 public hearing, State Water Board staff indicated that the benthic community effects listings in Category 5 could first focus on the pollutants identified for the aquatic life listings for the same water body and that the following steps could be employed:
 - “A TMDL, or other action, may be developed to address the pollutant impairment that may be contributing to degraded biology.”
 - “If a pollutant impairment is addressed and delisted from the 303(d) list, but the biological community has not improved, the waterbody-pollutant combination will be placed in Category 3.”
 - “If an impairment is the result of pollution and is not caused by any known pollutant, a waterbody-pollutant combination may be placed into Category 4c, and no regulatory action is required.”

The first and most critical step should be to identify the specific causes and sources of the observed biological degradation, rather than presuming a link to a previously identified pollutant associated with aquatic life beneficial use impairment. Proceeding without this clarity risks directing regulatory focus and resources toward disproving a potentially incorrect assumption - an approach that can lead to years, if not decades, of inefficient effort and significant cost. In contrast, understanding the actual causes and sources from the outset enables more targeted, effective, and resource-efficient regulatory action – and most importantly, water quality outcomes.

The Southern California Coastal Water Research Project (SCCWRP) developed a Technical Report in April 2015 to provide guidance on strategies and approaches for discerning the stressor(s) responsible for impacting a biological community within a stream reach. A few of the observations included the following⁸:

- Interpreting how to improve biological condition and meet biointegrity goals is much less straightforward compared to chemistry. Biological communities are dynamic and constantly changing....Each species may respond to different stressors in different ways, so a reduction in certain species is not always indicative of harm. Moreover, biological communities integrate stress over time, so an insult from months earlier may persist while the current day chemistry appears completely natural. Finally, biological communities respond to more than just chemical pollutants. For example, biological communities also respond to changes in habitat such as substrate (e.g., sand vs. cobble), temperature, hydrology, or food availability (Chessman 1999, Ode et al. in press). All of these complexities make identifying the specific cause of an impact to biological communities challenging (Page 1).
- Causal Assessment is the process of identifying specific stressor(s) that impact biological communities. It is precisely the complexity of biological communities and their differential response to various stressors that are exploited for deciphering the responsible stressor. It is

⁸ Causal Assessment Evaluation and Guidance for California (Technical Report 750), SCCWRP, April 2015.

an inexact science and, as a result, relies largely on a "weight-of-evidence" approach to either diagnose or refute a stressor. There is no single assessment tool or measurement device that can give us the answer, so we use many tools that in combination build a case towards the responsible stressor. (Page 1).

- **The listings in the Draft 2026 Integrated Report were included even though there is no established water quality criterion, process, or policy to assess benthic community effects statewide – particularly on the Central Valley floor and in “modified” channels with hardened sides and/or bottoms, or those significantly straightened and repurposed for functions such as flood control.**

Further, there is no regulatory document within California that defines a CSCI score of 0.79 as the threshold of impairment for every type of receiving water condition throughout the State of California. Of importance, the State Water Board is in the process of developing a Biostimulatory Substances Objective and Program to Implement Biological Integrity, however this project is still underway.

Additionally, other scientific tools and studies, such as the Algae Stream Condition Index and Bio Integrity Prediction Models, are being developed and there is no direction as to how these tools should be used, if at all, for listing purposes. As a result, there is concern that the proposed Category 5 listings are premature as they are in advance of policy development, scientific tools, and data interpretation. Specifically, listing water bodies based on the CSCI in the absence of statewide guidance (which is currently under development) will likely result in statewide inconsistency and inappropriate and inaccurate listings.

CASQA Recommendation:

- *Place all new and recategorized benthic community effects listings in Category 3.*
- *Do not move any new benthic community effects listings from Category 3 to Category 5 until the State Water Board has adopted the Biostimulatory Substances Objective and Program to Implement Biological Integrity and identified a process or policy to assess benthic community effects and a methodology to determine the associated pollutants or conditions causing the impairment.*

COMMENT #2: ENSURE THAT ALL WATERBODIES INCLUDED IN THE INTEGRATED REPORT ARE WATERS OF THE UNITED STATES (WOTUS) SUBJECT TO THE CLEAN WATER ACT.

The Clean Water Act (CWA) requires each state to identify waters within its boundaries that are considered impaired for applicable water quality standards. (CWA, § 303(d)(1)(A).) The term “waters” under the CWA means “waters of the United States” or “WOTUS.” Accordingly, waterbody-pollutant listings for purposes of the CWA 303(d) list, and the Integrated Report, must necessarily be limited to a finding of impairment for a WOTUS. However, the 303(d) list inappropriately includes discharge locations or drains that are not WOTUS. Any such waterbody must be excluded and deleted from the Integrated Report as they are not subject to the CWA.

CASQA has made similar comments on past Integrated Reports. (See, e.g., CASQA Comments on the 2020-2022 Integrated Report and CASQA Comments on the 2024 Integrated Report.) In response, the Water Boards stated that they do not make jurisdictional determinations as part of the 303(d) process and that, if a determination is made by the US Army Corps of Engineers (Corps) that a 303(d) listed waterbody is not jurisdictional, then the waterbody will be removed in a future listing cycle. CASQA disagrees with the Water Boards’ response for several reasons.

- First, the statement is not accurate. By virtue of the Water Boards’ actions to include a waterbody as being impaired on the 303(d) list, they are making an affirmative finding that the waterbody is (at least presumptively) a WOTUS.
- Second, the Army Corps of Engineers makes jurisdictional determinations regarding administration of the CWA’s 404 program. (33 U.S.C., § 1344(d); 33 CFR Part 328.) Water quality standards and national pollutant discharge elimination system (NPDES) provisions of the CWA are administered by U.S. EPA and can be delegated to the States. (33 U.S.C., § 1251(d).) Accordingly, the Water Boards should not defer WOTUS determinations for 303(d) listing purposes to the Corps but rather determine on their own accord

what waterbodies should be considered WOTUS. This is important for 303(d) purposes as well as for determining the application of NPDES permit requirements.

- Further, CASQA is concerned that the Water Boards may be assuming that the existence of data in CEDEN for a specified location or a drain means that the location is a WOTUS. Data is reported into CEDEN by many entities for various purposes and not all data is associated with a WOTUS. Thus, an essential preliminary step in developing the 303(d) list and the Integrated Report is to first determine if the waterbodies for which data exists in CEDEN are in fact WOTUS. It is improper to assume that just because data is in CEDEN that the waterbody identified is a WOTUS.

While we recognize that the definition of what constitutes a WOTUS is often a moving legal target, that does not remove Water Boards responsibility for making a good faith effort to include only waterbodies that are considered to be a WOTUS on the 303(d) list.

Examples of problematic listings that were first included in prior listing cycles and remain on the list include the following:

- 2024 List - La Vista Drain (Ventura County) – Aluminum (Decision ID 153930) and Fenpropathrin (Decision ID 152765).

The La Vista Drain is an agricultural drain designed to convey excess irrigation water from agricultural lands, and as such, it is predominantly an open ditch that flows alongside W. Los Angeles Avenue and then along Santa Clara Avenue where it becomes the Santa Clara Drain. Neither La Vista Drain or Santa Clara Drain are waterbodies designated with beneficial uses in the Basin Plan or shown in the map of tributaries to Revolon Slough in the Basin Plan. This listing should be removed.

The Final Response to Comments state “Existing natural drainages are frequently modified to collect and move excess irrigation water or precipitation away from the soil surface. Santa Clara Drain (Ventura County) and La Vista Drain (Ventura County) are such drainages. On older hydrology maps, these waterbodies appear as unmodified ephemeral streams in the Beardsley Channel sub-watershed. Additionally, La Vista Drain is tributary to Calleguas Creek Reach 5 (Beardsley Channel). These natural drainages that are modified to convey runoff are receiving waters and it is appropriate that these two waterbodies are assessed”⁹.

- 2024 List - Bolsa Chica and East Garden Grove Wintersburg Channels (Orange County) – Indicator Bacteria (Decision ID 149132), Ammonia (Decision ID 73788), pH (Decision ID 77494), and Ammonia (Decision ID 76724).

Bolsa Chica and East Garden Grove-Wintersburg Channels (Channels) are man-made flood channels constructed as part of a municipal storm sewer system (MS4) used to collect and transport stormwater. They did not exist prior to urban development. Notably, the CWA presumptive uses (fishable/swimmable) do not apply, and these water bodies have no designated beneficial uses and no applicable water quality objectives within the Santa Ana Regional Water Board Basin Plan. Neither the Staff Report nor any of the Appendices provides sufficient basis upon which jurisdiction under the CWA can be exercised over the Channels given these factors. As an MS4, these Channels are not traditional navigable waters, and they cannot be classified as tributaries to traditional navigable waters subject to CWA jurisdiction.

The Final Response to Comments state “...relevant information does not exist that makes it absolutely clear that Bolsa Chica Channel is not a WOTUS”¹⁰ and “it was unable to be determined with certainty that the channel [East Garden Grove Wintersburg] is not a WOTUS”.

⁹ Final Summary of Comments and Responses, March 13, 2024, Comment 7.74, page 103.

¹⁰ Final Summary of Comments and Responses, March 13, 2024, Comment 17.30, page 294.

- 2022 List - Unnamed Tributary to Alder Creek (Sacramento County) – Bifenthrin (Decision ID 120667), Fipronil (Decision ID 120663), Fipronil Sulfone (Decision ID 120675), Imidacloprid (Decision ID 120665), and Pyrethroids (Decision ID 120662)

The unnamed tributary is an MS4 structure used to convey residential drainage along a greenbelt prior to draining to stormwater detention ponds upstream of Alder Creek. As such, these sampling locations are part of the MS4 and its associated treatment features.

The Revised Response to Comments state “State Water Board staff...were unable to determine with certainty that Unnamed Tributary to Alder Creek...does not qualify as a WOTUS”¹¹.

At a minimum, we are requesting that the State Water Board proactively confirm the jurisdiction of waterbodies that are identified through the public comment process as part of the storm drain system or agricultural drains prior to finalizing the list to ensure that the list is as accurate as possible. If a monitoring location or waterbody cannot definitively be determined to be a WOTUS, then it should not be included within the Integrated Report.

CASQA Recommendation:

- *Ensure that proposed new waterbodies in the 303(d) List are subject to the CWA and are not portions of the MS4 or agricultural drains/channels.*
- *Confirm the jurisdiction of the waterbodies/locations specifically listed within this comment and modify the draft 303(d) List and Integrated Report as needed.*

COMMENT #3: PROVIDE DOCUMENTATION OF HOW DATA ANALYSES WERE PERFORMED IN SUPPORTING DOCUMENTS AS OPPOSED TO PRESENTING RAW DATA SPREADSHEETS

In order to be fully transparent and allow for an efficient public review of the new listings and delistings, all of the specific data that was used and the corresponding data analysis methodology should be fully and clearly documented within the Fact Sheets. Section 6.1.2.2 of the Listing Policy describes what must be included in the Fact Sheets, which specifically includes “*Data evaluation as required by sections 3 or 4 of this Policy*” (see Item M, page 19 of the Listing Policy). However, none of the Fact Sheets include the data calculations. Qualitative descriptions of the assessments do not comply with the Listing Policy requirements and quantitative calculations are needed in order to evaluate, and replicate, the proposed listings.

The Fact Sheets simply refer to (within the Data Reference portion) extremely large compilations of hundreds if not thousands of rows of raw data within Excel spreadsheets. In addition, there is no supplemental information or analysis provided when data was transformed by calculating a Water Effect Ratio, total to dissolved transformation, or other simple unit conversions. Thus, the reviewer is left sorting large amounts of data and spending excessive amounts of time to try to understand and replicate the analysis that was conducted by Water Board staff. Since the assessment was completed in order to determine impairment, the actual calculations and data transformations need to be provided as a part of the supporting Fact Sheet.

In order to allow for a full and consistent review of the work that was completed as a part of the listing process, the Fact Sheets need to identify (at a minimum) what analysis was conducted and how it was conducted (show the work), the specific data was used, and what assumptions or deviations were made for the analysis (e.g., use of total data instead of dissolved).

Similar comments were previously made in comment letters on prior listing cycles, including, the 2014-2016 303(d) List of Impaired Waters (letter dated April 26, 2017), the 2020-2022 303(d) List of Impaired Waters (letter dated July

¹¹ Revised Summary of Comments and Responses, February 16, 2022, Comment 6.03, page 96.

16, 2021), and the 2024 California Integrated Report (letter dated April 3, 2023). In response to these comments, State Water Board staff responded (in part)¹²:

“The State Water Board also recognizes the value of providing detailed information when communicating quantitative analyses and assessment methodologies used during the compilation of the Integrated Report to ensure replicable data analysis.” [2022 Integrated Report]

“A more detailed description of quantitative analysis and methodologies for all pollutants could be beneficial. As part of State Water Board efforts to improve transparency related to the assessment procedures, staff are working to communicate the details of analysis methodologies more clearly.” [2022 Integrated Report]

“While data and data analysis components are available in Waterbody Fact Sheets, the State Water Board recognizes the importance of improving clarity when presenting the California Integrated Report for public review. Therefore, tools and processes are being refined to improve transparency, data accessibility, and communicate details related to our assessment procedures in current and future California Integrated Reports.” [2024 Integrated Report]

“A more detailed description of quantitative analysis and methodologies for all pollutants could be beneficial and work to improve communication and transparency will continue to be conducted.” [2024 Integrated Report]

While we appreciate the narrative descriptions and contextual information provided in the Fact Sheets, we respectfully request that the specific data and quantitative analyses used to support the listing determinations be included as part of the public review process. Providing this information is essential to ensure transparency and enable meaningful public review of all proposed listing decisions.

CASQA Recommendation:

- *Fully document and provide for review the specific data and assessment methodology and resulting calculations used to support a listing decision in the Fact Sheets (e.g., show the work to allow for public review and replication).*

Thank you again for the opportunity to comment on Draft 2026 Integrated Report. 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: Karen Mogus, State Water Resources Control Board
Phil Crader, State Water Resources Control Board
Nick Martorano, State Water Resources Control Board
Rebecca Fitzgerald, State Water Resources Control Board
CASQA Board of Directors, CASQA Executive Program Committee, CASQA Policy and Permitting Subcommittee, CASQA Monitoring and Science Subcommittee

¹² Revised Summary of Comments and Responses, Statewide Clean Water Act Section 303(d) List Portion of the 2020-2022 California Integrated Report, Section 4.3. February 16, 2022.

Final Summary of Comments and Responses, Statewide Clean Water Act Section 303(d) List Portion of the 2024 California Integrated Report, Section 3.3, March 13, 2024.

Scheduled Meetings and Deliverables
April 2025 – June 2025

May 2025

1	Information Management AHTG 10:00 am – 11:30am	Zoom Meeting
2	WMI – Zero Litter Initiative Steering Committee 9:00 am – 10:00 am	Zoom Meeting
7	BAMSC Monitoring and Pollutants of Concern (MPC) Subcommittee 10:00 am – 3:30 pm	MS Teams Meeting
9	BAMSC LID Monitoring Technical Advisory Group 1:00 pm – 4:00 pm	MS Teams Meeting
15	SCVURPPP Management Committee 9:30 am – 11:00 am	Zoom Meeting
19	C3PO AHTG 1:30 pm – 3:00 pm	Zoom Meeting
20	SCVURPPPP Trash AHTG 1:00pm – 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	MS Teams Meeting

**Scheduled Meetings and Deliverables
April 2025 – June 2025**

June 2025

4	BAMSC Regional Monitoring Coalition (RMC) 10:00 am – 12:00 pm	Teams Meeting
5	Information Management AHTG 10:00 am – 11:30am	Zoom Meeting
6	WMI – Zero Litter Initiative Steering Committee 9:00 am – 10:00 am	Zoom Meeting
10	BAMSC Development Subcommittee 1:00 pm – 3:00 pm	Zoom Meeting
17	SCVURPPPP Trash AHTG 1:00pm – 3:00pm	Zoom Meeting
19	SCVURPPP Management Committee 9:30 am – 11:00 am	Zoom Meeting
26	BAMS Collaborative Steering Committee Internal Portion – 9:30 am – 12:00 pm External Portion - 1:00 pm – 3:00 pm	Teams Meeting

Anticipated Action Items for Future SCVURPPP Management Committee Meetings

MC Meeting	Action Item(s)
June 2025	TBD
July 2025	TBD
August 2025	Draft Long Term GSI Technical Working Group Summary and Recommendations
September 2025	Draft FY 2024-25 Program Annual Report