



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

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

NOTICE OF CANCELLATION

SCVURPPP MANAGEMENT COMMITTEE MEETING

The SCVURPPP Management Committee meeting scheduled for May 15, 2025 has been cancelled.

The next meeting, normally held on June 19, 2025, will be rescheduled to the following week due to the Juneteenth holiday.

MANAGEMENT COMMITTEE INFORMATION PACKET



Santa Clara Valley *Urban Runoff* Pollution Prevention Program

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May 2025

MATERIALS FOR INFORMATION

I. April 17, 2025 Meeting Minutes

II. April 17, 2025 Action Items

III. MRP Implementation

1. Memorandum to Management Committee, from Program Staff, re: Management Committee Briefing on Priority Items, May 2025.
2. Highlights of BAMSC Committee and Subcommittee Meetings, April – May 2025.

Other Items

1. Letter to Connolly Damon, Environmental Safety and Toxic Materials Committee from Karen Cowan, Executive Director, CASQA, re: AB 1313 (Papan) As Introduced – Oppose Unless Amended & Work with Author, April 21, 2025.
2. Letter to U.S. Environmental Protection Agency, from Karen Cowan, Executive Director, CASQA, re: Comments on the Implementation of the Definition of Waters of the United States (Docket ID No. EPA-HQ-OW-2025-0093-0001) April 23, 2025.
3. Letter to Jennifer T. Teerlink, Deputy Director and Science Advisor from Karen Cowan, Executive Director, CASQA, re: Comments on Department of Pesticide Regulation Pesticide Prioritization Process Workshop, May 7, 2025.
4. MC Calendar, May – July 2025.



**MANAGEMENT COMMITTEE MEETING
MINUTES**

April 17, 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

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

II. ADDITIONS OR REVISIONS TO THE AGENDA; ANNOUNCEMENTS

There were no changes to the agenda. Jill Bicknell (Program staff) reminded the MC that the CASQA Quarterly Seminar is being held this morning from 10 am–3 pm on the topic of Stormwater Funding. MC members can attend by logging in to the CASQA website.

III. APPROVAL OF MINUTES

Motion: Sheila Tucker (WVSWA) moved to approve the minutes of the March 20, 2025 MC meeting. **Second:** Brian T. Jones (Mountain View). **Vote.** Motion passed with one abstention from the City of Santa Clara.

IV. REVIEW OF ACTION ITEMS FROM LAST MEETING

Action Items from March 2025 MC meeting:

- None

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

- Action Item 12-24-1 (Discuss Budget AHTG concerns on the Regional Monitoring Program (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 complete. Chris Sommers (Program staff) reached out to Co-permittee POTW agency staff and discussed the RMP Fee. The RMP fee is currently approved through 2028 and reviewed annually by the RMP Steering Committee. Due to uncertainties regarding Federal funding sources, any reduction in the fee at this time is very unlikely. The MC asked Chris to send them information on how the RMP is funded. They also recommended that SCVURPPP be provided an opportunity to comment on future fee increases prior to approval.
- 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. The Work Plan 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 BAMS Collaborative Steering Committee internal meeting on July 24, 2025 will be focused on discussion of strategies for MRP 4.0. An internal meeting of SCVURPPP representatives will be scheduled to obtain input for the July meeting.
- 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. Program staff will review the guidance currently being developed by WB staff and work with the IND/IDDE AHTG to develop local guidance.

- 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 done. A link was sent to the MC on March 24, 2025.
- 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

None.

VII. PROGRAM BUSINESS

A. PROGRAM MANAGEMENT

1. Action Item: Draft FY 2024-25 Program Manager Mid-Year Self-Audit Report

Chris reported that the Program Memorandum of Agreement and By-Laws require the completion of mid-year and end-of-year Program Manager Self-Audit Reports. The mid-year FY 2024-25 Self-Audit Report, covering the period of July 1, 2024 to December 31, 2024, was sent to the MC for review on April 2, 2025. He requested the MC to consider accepting the mid-year Self-Audit Report.

Motion: Rajani Nair (San José) moved to accept the FY 2024-25 Mid-year Program Manager Self-Audit Report. **Second:** Sheila Tucker (WVSWP). **Vote:** Motion passed unanimously.

2. Action Item: Program Manager's Notice to Proceed (NTP) for FY 2025-26

Chris informed the MC that the Program's Fiscal Agent, the City of Sunnyvale, requires approval of a Notice-to-Proceed from the MC in order to modify the Program Manager's Agreement for FY 2025-26. After the NTP is approved, Carrie Sandahl (Mountain View) will sign the approval letter on behalf of the MC.

Motion: Ursula Syrova (Cupertino) moved to approve the Notice-to-Proceed for the Program Manager Agreement for FY 2025-26, effective July 1, 2025. **Second:** Vanessa Marcadejas (County). **Vote:** Motion passed unanimously.

3. FY 2023-24 Annual Report Guidance

Jill informed the MC that Water Board (WB) staff provided conditional approval of the FY 2024-25 Annual Report forms. BAMSC members are working with WB staff to resolve WB comments. After these comments are resolved, Program staff will develop

SCVURPPP-specific Annual Report forms, and these will be distributed to the MC in May.

B. PROGRAM BUDGET

No items.

C. PROGRAM MANAGER'S REPORT

1. BAMS Collaborative Update

Chris provided the following updates:

- WB staff will provide an update on items related to C.3 and monitoring at the August 13, 2025 WB meeting. BAMSC members will be invited to contribute presentations. This is to help educate Water Board members in advance of MRP 4 reissuance.
- At its December 2025 meeting, the WB is planning to adopt Cease and Desist Orders for Permittees that do not meet the 100% trash reduction benchmark.
- BAMSC representatives have begun planning the next stormwater forum. Additional information on the date and location should be available this summer.
- The State Commission has adopted rules and procedures for submitting Unfunded Mandate reimbursement claims and is now developing guidance on submitting claims for reimbursement. Chris will send the MC an email with additional information. He asked the MC to let him know if any SCVURPPP member agency is planning to submit a claim.

2. CASQA Update

Not discussed.

3. Grants Update

Not discussed.

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 enrollment requirements for business licenses under the Industrial General Permit (IGP), and add coverage requirements for any construction site under the Construction General Permit (CGP), and more. CASQA is currently opposing this bill.

VIII. MRP IMPLEMENTATION

A. NEW DEVELOPMENT AND REDEVELOPMENT

Jill reported that the C.3 workshop will be held at the Campbell Community Center on April 29, 2025.

B. TRASH CONTROLS AND UNSHELTERED HOMELESS

The Trash AHTG met on April 15, 2025 and continued to discuss progress toward the 100% trash reduction benchmark.

C. MONITORING / POLLUTANTS OF CONCERN

All outfall and receiving water trash monitoring for WY 2025 is complete. Program staff is continuing to work on PCB sampling associated with source properties.

D. OUTREACH ACTIVITIES

Program staff is continuing to work with the Scripts Review Work Group to finalize the Youth Outreach Campaign Reels. Three Reels have been finalized and are being promoted.

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

Jill reported that the next Cost Reporting Work Group meeting will be held on April 21, 2025 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 May 1, 2025.

IX. OTHER BUSINESS

None.

X. ADJOURN

The MC meeting adjourned at 10:00 am.



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

Meeting Attendance Record

DATE April 17, 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

-

Rajani Nair – San Jose
Alternate: Mary Morse

Rajani Nair

Colleen Trostle – Santa Clara
Alternate: Dave Staub

Colleen Trostle

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

John Bourgeois, James Downing

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

Sheila Tucker

URBAN RUNOFF PROGRAM STAFF

Adam Olivieri

Adam Olivieri

Jill Bicknell

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

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

Action Items from April 17, 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
12-24-2	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	Done	The Draft Work Plan was distributed on May 1, 2025.
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	Program staff is reviewing Guidance developed by WB staff
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	Meetings held with Grassroots Ecology on 2/21/25 and 5/5/25. Memo with recommendations is in progress.

Action Items Remaining from Previous MC Meetings

Action	Description	Responsibility	Due Date	Status	Comments
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.

MEMORANDUM



Santa Clara Valley Urban Runoff Pollution Prevention Program

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

TO: Management Committee

FROM: Program Staff

DATE: May 12, 2025

SUBJECT: Management Committee (MC) Briefing on Priority Items

Program Management

- FY 2024-25 Annual Report Guidance - Guidance on preparation of the FY 2024-25 Annual Report has been prepared by Program staff and will be emailed to the MC during the week of May 12th. The Annual Report forms have been finalized (with the exception of the C.10 form, which is still be discussed with Water Board staff), and SCVURPPP-specific guidance is being added to the forms. The forms will be made available in a Share Drive folder and on the SCVURPPP members only webpage by May 16th.
- 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 authorized the notice-to-proceed for the Program Manager for FY 2025-26 at the April 17th MC meeting. The authorization was documented in the MC meeting minutes and will be provided as direction to the Program Fiscal Agent to execute the contract with the Program Manager.
 - 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.

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. The presentations, agenda, evaluation summary, and attendance list have been posted on the

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

SCVURPPP website. A recording of the BMPs presentation is available on the SCVURPPP members only website.

New Development and Redevelopment (C.3)

- 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 were 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. Program staff are updating the form per comments received.
- C.3/GSI Workshop – The C.3/GSI Workshop was held on April 29, 2025. A total of 127 Co-permittee staff attended the workshop. Workshop materials are posted on the SCVURPPP website at [this link](#).
- 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.
IND/IDDE Workshop - The business and illicit discharge stormwater inspector workshop will be held on June 16th from 11am – 2pm at the Quinlin Community Center, Cupertino. An email for registration will be sent soon.
- 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. The BMP fact sheet for fire restoration contractors was emailed for the third round of review with comments due 4/30. Program staff emailed another outreach fact sheet for good housekeeping practices and preventative measures for sites prone to firefighting emergencies for review. Program staff is updating the Fact Sheet with comments received and will email to the AHTG for another review.

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 fourth video for the youth outreach campaign. This video focuses on volunteering to pick up litter. Previously developed videos 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 were announced on April 22, 2025 to coincide with Earth Day. Certificates and checks have been sent to winners in each category.

- Outreach Events –The Watershed Watch booth was present at three events in April: the City of Sunnyvale’s Earth Day (April 5), the City of Santa Clara’s Earth and Arbor Day (April 10), and the City of Milpitas’s Earth Day (April 12). Program staff and staff from the City of Cupertino staffed the events. All events were well attended. The Watershed Watch booth will be present at the Saratoga Blossom Festival on May 17.

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. New equipment (piezometers) were installed at both sites after the first storm event, in late November and early December. These equipment continuously monitor water depth within each facility throughout the storm season. Six paired influent and effluent samples were collected during five stormwater runoff events during WY 2025. KEI are planning to uninstall equipment at both sites in May and June 2025.

The next annual LID Monitoring Technical Advisory Group (TAG) meeting is 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 were identified for potential monitoring during the WY 2025 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 during WY 2026. 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 June 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 completed the second round of store visits to update shelf takers and restock literature racks.
- Green Gardener Training – Program staff started discussions with Adult Education Center staff regarding the Fall 2025 Green Gardener training. Program staff contacted certified Green Gardeners regarding their interest in attending an Advanced Green Gardener training in Fall.
- 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. Program staff have compiled data from past Co-permittee and Program Annual Reports and have started developing the PSCEE Report.

Trash Controls (C.10)

- On-land Visual Trash Assessments (OVTAs) –Assessments for FY 2024-25 sites are complete, with the exception of Santa Clara County expressways, which will be completed by mid-May. 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. The next dashboard will be released prior to the next SCVURPPP Trash AHTG meeting on May 20th.

- 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. The Water Board staff letter and guidance were discussed at multiple meetings with Water Board staff during March and April and Permittees/Program expressed their frustration with Water Board staff issuing the guidance so close to the due date for the 100% trash load reduction benchmark and basically disallowing these systems to be used toward the benchmark. Additionally, the Contra Costa and Alameda Program sent letters to the Executive Officer of the Water Board requesting that the guidance be remanded and that Permittees be able to use bioretention systems towards the benchmark. On May 2nd Water Board staff released response to this request and agreed to presumptively consider bioretention systems installed in compliance with C.3 as full capture systems and be allowed to credit these systems towards the 100% benchmark. Over the next FY, Water Board staff asked that Permittees and Water Board staff continue discussion and come up with an acceptable method towards ensuring that these systems are full capture. SCVURPPP Program staff agreed to provide a response to Water Board staff comments on technical issues later this calendar year as well.
- Trash AHTG Meetings – The Trash AHTG typically meets on the 3rd Tuesday of the month. The last meeting was held on April 15th. The next meeting is scheduled for May 20th.
- Zero Litter Initiative (ZLI) – The ZLI Steering Committee meets approximately monthly via Zoom. The ZLI met on May 2nd and discussed the Watershed Watch litter campaign and new videos, 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 date of the ZLI is August 1st.

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. Additional on-site sampling at properties in San Jose is currently planned for June 2025. Program staff are also planning meetings with other Co-permittees to discuss on-site sampling that is currently being planned for FY 25-26, 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 Caltrans

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. The draft guidance materials were sent to the BAMSC MPC Subcommittee in April for initial review and comment, and will subsequently be sent out for all Co-permittee review and comment in July 2025. 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 4, 2024 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. Program staff will begin working with SVP and CPAU in June and July to gather the required reporting data for the Program's FY 2024-25 Annual Report that is due to the RWB on September 30, 2025.

- 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 Work Group, and the Emerging Contaminants Work Group (ECWG). The ECWG held their annual meeting on April 23rd and 24th. The SPLWG held their annual meeting on April 28th. The PCBs Work Group annual meeting is currently planned for June 18, 2025.
- 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 contacted County Office of Supportive Housing staff regarding the 2025 Point-in-Time survey data. The data will likely be available in June or July 2025. Program staff will develop Co-permittee specific maps using these data.

Cost Reporting (C.20)

- Cost Reporting Work Group - A Work Group meeting was held on April 22nd 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; however, Program staff are available to provide on-call support as needed.

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 May 1st meeting, the AHTG discussed the progress and challenges with Co-permittees' Asset Management Plans, received updates on the Program's development of Asset Management SharePoint pages, and provided initial feedback on Program website layout options. Work is continuing on planning the asset condition assessment trainings, which will be conducted on May 14th and May 29th. The next Information Management AHTG meeting will be held on June 5th.



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

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

Steering Committee – April 24, 2025

Co-Chairs – Rinta Perkins (CCCWP) and Reid Bogert (SMCWPPP)

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

Internal Meeting

- The Steering Committee discussed current bills in the California Assembly and Senate that would potentially impact municipal stormwater agencies. In particular, SB601 and AB1313 were discussed.
- 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 over the summer in each community with materials in various languages. The work plan for development of a streamlined OVTA analysis has been finalized, and the first-year sampling for receiving water trash monitoring is now complete. The next Project Management Team (PMT) meeting will be in July.
- 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 June.
- 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 April 22nd. The Task Force (smaller, working group) met on March 31st. The Task Force was emailed a working draft of the Regional Report for input. There will be an internal Work Group meeting on May 7th to review the updated Draft Regional Report and identify areas where additional input and information would be especially helpful.
- 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 TWG meeting will be held on June 4th.
- 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 soon 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.
- Second Annual Stormwater Forum – BAMSC has solicited volunteers to help plan the next Forum. The first planning meeting will be held in June.

Next Meeting – May 22, 2025

PIP Subcommittee

Chair – TBD

SCVURPPP representative – Vishakha Atre (SCVURPPP)

Next Meeting – TBD

Development Subcommittee – No April or May 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 – April 22, 2025

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).

Internal Meeting:

- The Subcommittee discussed the recent meeting with Water Board staff on the use of bioretention systems as full trash capture, and the anticipated memorandum from Water Board staff on the “presumed full capture” approach that they will be taking when evaluating the use of these systems towards the MRP 100% trash load reduction benchmark. The memorandum is anticipated to be released in early May.
- Chris Sommers led a discussion on anticipated responses to Water Board staff comments on the FY 2024-25 Annual Report format, section C.10.

External Meeting:

- Chris Sommers provided an update on the Watching Our Watersheds (WOW) grant project, including receiving waters monitoring and the OVTA data analysis.
- Keith Lichten (Water Board) indicated that the memo regarding bioretention as full trash capture systems will be sent to Permittees within the next week or two.

Next Meeting – July 22, 2025 (meets quarterly)

Monitoring/POCs Subcommittee – May 7, 2025

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)

Internal Meeting:

- Attendees discussed ongoing regional coordination and planning efforts related to MRP 3.0, including the following topics:
 - Update on the status of the USEPA 2024 WQIF grant for PCBs TMDL Special Studies and timeline for next steps.
 - Discussion of formation/coordination of an MRP 4 regional work group for C.8. Bonnie de Berry volunteered to lead the work group, but the first meeting will not be held until after the July BAMSC Steering Committee meeting.
 - Discussion and planning for information item on C.3 and C.8 at the August 13th Regional Water Board (RWB) meeting.
 - Reviewed the agenda for the first C.11/12 Work Group meeting of the current permit term (scheduled for the afternoon in place of the external MPC meeting); and discussion of additional topics for future (quarterly) work group meetings.
 - Discussion of comments received from RWB staff on the C.11/12 sections of the stormwater programs' FY 23-24 Annual Reports; RWB staff had no comments for SCVURPPP, and noted they appreciated the report format and content.
 - C.8 monitoring (trash, LID, POC and receiving water limitations monitoring), including status updates and continued planning through the Regional Monitoring Coalition (RMC). Discussed needed QAPP updates for LID Monitoring, Trash Outfall Monitoring, and Receiving Water Monitoring.
 - Reviewed the agenda for the LID Monitoring TAG meeting scheduled for May 9th.
 - C.11/12.c implementation, including discussion of ongoing source investigations and implementation of old industrial area control measure plans.
 - C.12.e Controlling PCBs from Bridges and Overpasses – discussion of draft BAMSC Guidance document (sent out prior to the meeting) that provides support for permittees on how to address PCBs-containing materials during bridge demolitions in the absence of a Caltrans specification. Comments by the Stormwater Programs on the draft document were requested by the end of May. The draft document will be revised in response to those comments and sent out for Permittee and Caltrans review over the summer.
 - C.11/12.h Prepare Implementation Plan and Schedule to Achieve TMDL Wasteload Allocation (RAAs) – discussed topics for the next Regional RAA Work Group meeting, including comparisons of available land use layers, and other key modeling assumptions and approaches.
 - RMP updates, including discussion of the annual meetings held in April for the Sources, Pathways and Loadings Work Group and the Emerging Contaminants Work Group.

Main (External) Meeting:

- The main meeting was cancelled in May.

Next Meeting – July 2, 2025 (meets bimonthly)

BAMSC Regional C.11/12 (Mercury and PCBs) Work Group Meeting - May 7, 2025

The first Regional C.11/12 Work Group meeting was held on May 7th. Attendees included representatives from BAMSC member agencies and RWB staff. Additional meetings will be held on a quarterly basis to continue discussions about MRP 3.0 implementation and planning for MRP 4.0.

Next Meeting – Date TBD (meets quarterly)



April 21, 2025

Assembly Member Damon Connolly
Chair, Environmental Safety and Toxic Materials Committee
1021 O Street, Suite 5240
Sacramento, CA 95814

Subject: AB 1313 (Papan) As Introduced – Oppose Unless Amended & Work with Author

Dear Assembly Member Connolly:

The California Stormwater Quality Association (CASQA) and the organizations listed are strong supporters of the goals of advancing stormwater capture and identifying novel solutions to fund that critical infrastructure. This bill aims to advance those goals, and we are grateful for the author's leadership on this important conversation. However, we are concerned that the approach may actually result in significant unintended consequences to local governments and the business community and it is worth further review and discussion. Our primary concerns are ensuring that there is legal authority to issue the permit and adequate time and public participation to develop a permit, another regulatory tool, that is appropriate for statewide implementation. For the reasons detailed below, we must respectfully oppose AB 1313 (Papan), unless amended.

We would like to work in collaboration at the statewide scale to advance the Governor's Water Supply Strategy and identify potential options that may more fully achieve these shared goals. We look forward to continuing discussions with the author's office to identify alternative approaches that would advance our shared common goals for increasing stormwater capture and raising revenue to advance these critical projects.

UNCERTAINTY OF THE STATE'S LEGAL AUTHORITY TO ISSUE THE NPDES PERMIT

This bill proposes to require the State Water Resources Control Board to regulate certain facilities under a statewide Commercial, Industrial, and Institutional (CII) National Pollutant Discharge Elimination System Permit (NPDES Permit; or specifically, a CII Permit). These facilities are currently excluded from regulation under the federal Clean Water Act (CWA). The CWA recognizes that other sources may need to be regulated on a case-by-case or category-by-category basis based on additional information or localized conditions. The authority to regulate other sources based on the localized adverse impact of stormwater on water quality through NPDES permits is commonly referred to as the "[Residual Designation Authority](#)." USEPA recently used its designation authority for similar facilities in two watersheds in the Los Angeles region (November 2025, [see here](#)). However, this designation is limited to those two watersheds. Meaning, unless and until USEPA exercises its Residual Designation Authority for the State of California, the State Water Board does not have the legal authority to issue the proposed CII Permit. As of January 2025, when USEPA was last able to communicate directly with stakeholders, USEPA noted they did not intend to use that Residual Designation Authority for these facilities for the State of California. Moving forward without this clear authority would create significant uncertainty and regulatory confusion for all potentially impacted permittees, as well as local governments.

DEVELOPMENT OF A NEW STATEWIDE PERMIT IS A SIGNIFICANT REGULATORY ACTION THAT REQUIRES ADEQUATE TIME AND PUBLIC PARTICIPATION

Section 3 of the bill (13383.1.(a)) proposes to require the issuance of a draft order for an entirely new statewide CII Permit, by December 31, 2028. Statewide permits are extremely complicated and require significant time to develop,

including the necessary time for all interested parties to participate in the process and for State Water Board staff to draft a proposed order. The State Water Board currently oversees three statewide permits, and the timeframe to renew each of these permits is several years. Establishing a new permit (not simply reissuing an existing permit), will be a significantly larger undertaking. In addition, while there is a CII permit under development in the Los Angeles Region for two local watersheds, that process will not include the input of stakeholders throughout the state, nor will the Los Angeles Regional Water Quality Control Board be required to consider the perspective of parties outside of their region and broader state impact. Further, to issue such an NPDES permit, USEPA will need to use its residual designation authority to allow the State to issue such a permit. As stated above, USEPA has not done so. Moving forward without this certainty leads to regulatory uncertainty and confusion.

THE BILL WOULD CREATE A SIGNIFICANT ADMINISTRATIVE AND LEGAL BURDEN FOR MUNICIPALITIES AND LOCAL BUSINESSES

The bill requires the creation of a template Memorandum of Agreement (MOA) that would be used by local municipalities and the facilities regulated by this future statewide CII permit - and is perhaps the most fundamental source of opposition to this bill. Requiring municipalities to enter into MOAs with each facility is based upon the approach in the Draft CII Permit for two watersheds in Los Angeles, released for public comment by the Los Angeles Regional Water Quality Control Board (first draft released in 2022; revised draft released in 2023). Of note, this permit has been under development for no less than 4 years and has not yet been adopted, underscoring the complexities of establishing a first of its kind permit, even at the watershed scale.

While we support the intention of creating an incentive for local businesses to work with municipalities and fund public infrastructure, the structure proposed for the CII Permit for the two watersheds in Los Angeles, and by extension through AB 1313, raises important policy concerns:

- Administratively, it creates a significant burden for municipalities that would need to enter into MOAs with each business (and track and modify MOAs if and when ownership of the property changes)
- The cost recovery (e.g., what municipalities can charge each facility) is a significant unknown; conversely, from the business community perspective, the cost may be prohibitively high and remove their pathway for compliance with the permit. This is especially sensitive at a time California is struggling to remain competitive in retaining businesses as costs continue to climb.
- It places local governments between the Water Boards and the local business community; the MOA provides one compliance vehicle for the facilities, leaving each local government to determine (1) if they will offer this compliance pathway to a local business – which may be the only viable compliance path for that business and (2) how much to charge each local business. Fundamentally, these responsibilities should remain with the Water Board.
- It creates legal liability questions for municipalities (1) through the enforcement of each MOA and (2) by potentially assuming liability for the quality of the water that the facility will discharge.
- Municipalities can only charge fees through a legal entity; meaning each municipality in the state would need to separately administer a unique program and / or create a new legal entity (a JPA) to administer a program with two or more municipalities. In smaller communities this especially would pose a challenge both financially and logistically.

In short – this type of permit is extremely complex. **There are many other approaches that can and should be explored**, both within the context of an NPDES permit, as well as other regulatory options that do not require the issuance of an NPDES permit. **We ask that the bill be amended to allow time and process to focus on these critical questions before proceeding at the statewide scale.**

IF ENACTED, FUNDING TO IMPLEMENT THIS BILL MUST BE PROVIDED BY THE STATE

The current permit fee setting process passes on all costs of the State Water Board's programs to permittees, including municipal local governments. As Proposition 218 created a significant barrier for stormwater funding, there are no rate payers who will cover these increased permit fees. Such increased fees are paid for directly from local general funds.

Such a passthrough most notably occurred around 2021 when all municipal, construction, and industrial stormwater permit fees were increased to fund the implementation of [SB 205](#), despite all analyses of the bill stating that the funding would be provided by new enrollees of the Industrial General Permit. Stormwater permit fees were increased \$600K to implement SB 205. For AB 2106 (a prior bill with identical language pertaining to the proposed statewide CII Permit), the Assembly Appropriations Committee's fiscal analysis indicated it will cost \$2.9M to implement. Permittees are significantly concerned about the annual and continual increase of permit fees resulting from these bills if passed. This concern is particularly relevant to the proposed establishment of a statewide CII Permit and the additional costs that will be needed by the State Water Board to implement and enforce a new, significant, statewide program. We respectfully request that if the legislature opts to create mandates for the State Water Board via bills such as AB 1313, that the legislature then appropriates parallel funding for those mandates. If not, these costs will be borne by the General Fund of local communities, as most stormwater agencies are fiscal orphans (e.g., lack a ratepayer base to support permit implementation).

REQUESTED AMENDMENTS

Replace the existing approach of AB 1313 with the following:

- *In lieu of requiring a draft order by December 31, 2028, require the initiation of the public workshop process to explore options for municipalities and the business community to partner on increasing stormwater capture (e.g., identify effective tools and regulatory options). Such a process is standard and critical for all statewide permitting and policy setting efforts to ensure adequate stakeholder feedback and engagement.*
- *To ensure a feasible path to compliance, require the initiation of the process contingent upon receiving the legal permitting authority from USEPA.*
- *Report back to the Legislature*

Appropriate Funds:

- *Require all aspects of AB 1313 to be contingent upon appropriations from the legislature*

Thank you for considering the concerns of the stormwater community. As stated, we share the same goal of the author and are willing to put in the time and effort to come up with a feasible approach to ensure the proper tool is enacted to capture more stormwater in California communities. If you have any questions, or would like to set up a meeting to discuss the needs of stormwater, please contact me at (310) 462-4939 or karen.cowan@casqa.org.

Sincerely,



Karen Cowan
Executive Director
California Stormwater Quality Association



Kristopher Anderson
Policy Advocate
California Chamber of Commerce



Melissa Sparks-Kranz
Legislative Advocate
League of California Cities



California Stormwater Quality Association[®]

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

April 23, 2025

Docket ID No. EPA-HQ-OW-2025-0093-0001
U.S. Environmental Protection Agency
1200 Pennsylvania Avenue, NW
Washington, DC 20460
www.regulations.gov
OW-Docket@epa.gov

Attn: Stacey Jensen, Oceans, Wetlands and Communities Division, Office of Water, Environmental Protection Agency; Milton Boyd, Office of the Assistant Secretary of the Army for Civil Works; Department of the Army

Subject: Comments on the Implementation of the Definition of Waters of the United States (Docket ID No. EPA-HQ-OW-2025-0093-0001)

The California Stormwater Quality Association (CASQA) ¹appreciates the opportunity to provide comments to the United States Environmental Protection Agency (EPA) and Army Corps of Engineers' (the Corps) (collectively the "Agencies") on the Implementation of the Definition of Waters of the United States.

CASQA is California's largest professional, non-profit association that advances sustainable stormwater management protective of California water resources. CASQA's municipal members are subject to detailed regulation of their municipal separate storm sewer systems (MS4s) by virtue of NPDES stormwater permits issued by the California Regional Water Quality Control Boards, the State Water Resources Control Board, and approved by EPA Region 9. These permits are expansive, include detailed programmatic requirements to control sources of pollutants, and in some cases include rigorous requirements for watershed management protection. Implementation of these requirements is costly and has a profound effect on municipal agency resources dedicated to the control of stormwater. Additional regulatory burdens on the implementation of these requirements will not further the goal of protecting water quality but will only increase costs unnecessarily.

As the new administration evaluates the definition of WOTUS, we ask that our perspectives for stormwater management are considered. We are therefore attaching our last comment letter on this issue from 2022, that outlines our key points, which are still relevant and applicable:

- MS4s are not WOTUS
- The Exclusions for Waters that are not WOTUS Must Be Revised to Incorporate MS4 Conveyance and Other Related Facilities

Thank you for your consideration of our comments. If you have any questions, please contact me at karen.cowan@casqa.org.

¹ CASQA is a nonprofit corporation that advances sustainable stormwater management protective of California water resources. With approximately 2,000 members, our membership is comprised of a diverse range of stormwater quality management organizations and individuals, including over 180 cities, 23 counties, special districts, federal agencies, state agencies, ports, universities and school districts, wastewater agencies, water suppliers, industries, and consulting firms throughout the state. Collectively, CASQA represents over 26 million people in California.

Comments on the Implementation of the Definition of Waters of the United States (Docket ID No. EPA-HQ-OW-2025-0093-0001)

Sincerely,

A handwritten signature in black ink, appearing to read 'K. Cowan', written in a cursive style.

Karen Cowan, Executive Director
California Stormwater Quality Association

cc: CASQA Board of Directors
CASQA Executive Program Committee
CASQA Policy and Permitting Subcommittee



California Stormwater Quality Association®

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

February 7, 2022

Docket ID No. EPA-HQ-OW-2021-0602
U.S. Environmental Protection Agency
1200 Pennsylvania Avenue, NW
Washington, DC 20460
www.regulations.gov
OW-Docket@epa.gov

Attn: Damaris Christensen (Office of Water) and Stacey Jensen (U.S. Army Corps of Engineers)

Subject: Comments on EPA and U.S. Army Corps of Engineers' Proposed Definition of "Waters of the United States" Under the Clean Water Act (Docket ID No. EPA-HQ-OW-2021-0602)

The California Stormwater Quality Association (CASQA) ¹appreciates the opportunity to comment on the United States Environmental Protection Agency (EPA) and Army Corps of Engineers' (the Corps) (collectively the "Agencies") Proposed Revised Definition of "Waters of the United States" (Revised Definition).

CASQA is California's largest professional, non-profit association that advances sustainable stormwater management protective of California water resources. CASQA's municipal members are subject to detailed regulation of their municipal separate storm sewer systems (MS4s) by virtue of NPDES stormwater permits issued by the California Regional Water Quality Control Boards, the State Water Resources Control Board, and approved by EPA Region 9. These permits are expansive, include detailed programmatic requirements to control sources of pollutants, and in some cases include rigorous requirements for watershed management protection. Implementation of these requirements is costly and has a profound effect on municipal agency resources dedicated to the control of stormwater. Additional regulatory burdens on the implementation of these requirements will not further the goal of protecting water quality but will only increase costs unnecessarily. The Revised Definition's failure to exclude some types of stormwater facilities, infrastructure projects, and associated facilities from the scope of the definition of "waters of the United States" (WOTUS) poses uncertainty and potential confusion among both the regulating entities and the regulated entities, and may increase the regulatory burden associated with implementation of MS4 permit requirements, without advancing our shared goals of the protection of water quality.

CASQA recommends that the Agencies revise the Revised Definition to clarify that MS4s are not WOTUS, and that certain types of stormwater related facilities discussed herein are also not considered to be WOTUS. Specifically, CASQA recommends that the exclusions within the Revised Definition be expanded to include MS4 conveyance facilities and other related facilities. Exclusions that need to be expanded or included are as follows: waste treatment system, stormwater control features, artificial lakes, ditches, and swales. Revisions to the Revised Definition are provided in Comment #2 below.

¹ CASQA is a nonprofit corporation that advances sustainable stormwater management protective of California water resources. With approximately 2,000 members, our membership is comprised of a diverse range of stormwater quality management organizations and individuals, including over 180 cities, 23 counties, special districts, federal agencies, state agencies, ports, universities and school districts, wastewater agencies, water suppliers, industries, and consulting firms throughout the state. Collectively, CASQA represents over 26 million people in California.

COMMENT #1: MS4S ARE NOT WOTUS

CASQA understands the Agencies' intent to build on the 1986 definition of what is a WOTUS, along with some changes to address US Supreme Court's decisions in *Rapanos v. United States*, 547 U.S. 715 (2006), *Solid Waste Agency of Northern Cook County (SWANCC) v. U.S. Army Corps of Engineers*, 531 U.S. 159 (2001), and *United States v. Riverside Bayview Homes (Bayview)*, 474 U.S. 121 (1985). However, by reverting to these previously vague definitions while leaving out specific stated exclusions creates significant uncertainty with respect to how the Revised Definition would be applied to MS4s and related facilities. To avoid such a result, it is imperative that the Revised Definition clearly distinguishes MS4s and related facilities from WOTUS.

Federal regulations define MS4 to mean "a conveyance or system of conveyances (including roads with drainage systems, municipal streets, catch basins, curbs, gutters, ditches, man-made channels, or storm drains): . . . Designed or used for collecting or conveying stormwater . . ." (40 C.F.R. § 122.26(b)(8).) MS4s are highly regulated, and NPDES permits provide legal authority for discharges from MS4s to WOTUS. (See, generally, Clean Water Act (CWA), § 402(p)(3)(B); see also 40 C.F.R. §§ 122.26, 122.30-122.37.) MS4s are not themselves WOTUS, and are required, at a minimum, to implement controls to reduce the discharge of pollutants to WOTUS to the maximum extent practicable. (CWA, § 402(p)(3)(B)(iii).) Such controls include source control best management practices (BMPs), treatment control best management practices, and other related infrastructure facilities. Examples of treatment control BMPs can include: "(1) storage practices such as wet ponds and extended-detention outlet structures; (2) filtration practices such as grassed swales, sand filters and filter strips; and (3) infiltration practices such as infiltration basins and infiltration trenches." (See 64 Fed. Reg. 68722, 68760 (Dec. 8, 1999).) Examples of related infrastructure facilities can include groundwater recharge basins and green infrastructure projects. Green infrastructure may include the creation of new habitat and recreational facilities and areas where runoff is infiltrated or dispersed.

Unfortunately, the Revised Definition fails to specifically exclude MS4s (and related infrastructure and associated facilities) from the definition of WOTUS. Thus, the Revised Definition could be interpreted in a manner that would find an MS4 and/or its related facilities to be a WOTUS. Specifically, CASQA is concerned that the inclusion of the "relatively permanent" and "significant nexus" standards that are now being added to all categories of WOTUS could capture and include MS4 related facilities. The type of stormwater facilities and other related infrastructure projects that are potentially vulnerable to jurisdiction under these new categories, include, but are not limited to:

- MS4 conveyance facilities
- Detention and settling basins
- Stormwater treatment systems
- Infiltration facilities
- Bioswales
- Groundwater recharge facilities
- Green infrastructure projects

Our concerns with these newly proposed definitions as well as their potential impact to stormwater and other related facilities are explained further in Comments #1A and #1B.

Comment #1A: Longstanding Interpretations of Tributaries Could Improperly Include MS4 Facilities

In the Revised Definition, the Agencies propose to remove any definition for the term tributaries and instead propose to rely on longstanding interpretations. (Revised Definition, p. 69422.) With this longstanding interpretation, the Agencies specifically call out that it is their intent that this includes natural, man-altered, or man-made water bodies that flow directly or indirectly into a traditional navigable water, interstate water, or the territorial seas.

Considering the expansive nature of this longstanding interpretation, and unless otherwise excluded by rule, stormwater conveyance facilities, treatment wetlands, and/or infiltration projects could be considered tributaries. For example, some MS4 conveyance facilities have open channels that ultimately enter a WOTUS through an outfall. Under the federal regulations, an outfall is defined to mean “a point source . . . at the point where a municipal separate storm sewer system discharges to waters of the United States.” (40 C.F.R. § 122.26(b)(9).) However, under the Proposed Rule, these open channels could be considered a WOTUS even though they have been viewed and regulated as being part of the MS4 and are considered to be part of the point source itself.

If these facilities were found to be a tributary to a WOTUS, they would become subject to CWA section 404 requirements, and current maintenance activities could require a section 404 permit as well as section 401 certification from the state. Further, water quality standards would apply in open channels rather than after the discharge into a “traditional” navigable water. Such a result is nonsensical considering that discharges from these types of open channels to traditional navigable waters are currently regulated under the MS4 permit program pursuant to section 402(p) of the CWA.

In addition to capturing open conveyance channels under the longstanding interpretation of tributary, other types of stormwater facilities may also be captured by this practice. For example, stormwater treatment or capture basins that have an “open water” feature could be jurisdictional, if it meets the relatively permanent or significant nexus standard to a tributary to a traditional navigable water. The Revised Definition has no geographical limit with respect to what is “tributary” when considering the relatively permanent or significant nexus standard. Thus, for example, a constructed stormwater treatment system located miles from a traditional navigable water could be a WOTUS.

Moreover, with respect to MS4 facilities, the significant nexus test is inapplicable because MS4 facilities are already regulated under CWA section 402. Specifically, to the extent that MS4 facilities may significantly affect traditional navigable waters, they are regulated like other point source discharges to a WOTUS, and are subject to extensive NPDES permit requirements. Since they are so regulated, it is not necessary to capture such facilities as a tributary with a significant nexus because their physical, chemical, and biological impacts to traditional navigable waters are addressed through the terms of the applicable NPDES permit.

In light of these concerns, CASQA recommends that the Revised Definition be revised to clearly exclude MS4 facilities from being a tributary or otherwise, even if they meet the relatively permanent or significant nexus standards. The Agencies can accomplish this by ensuring the exclusions (discussed below in section II) are clear, concise, and specifically address stormwater management facilities. The Agencies also need to include text within the descriptive portion of the final rule that clearly and definitively states that MS4 facilities are not a WOTUS. Such a clarification is consistent with previous EPA findings. (See 53 Fed. Reg. 49416, 49442 (Dec. 7, 1988) [“[W]aters of the United States are not storm sewers for purposes of this rule.”].)

Comment #1B: Expanding Adjacent Wetlands to Include Waters that meet the Relatively Permanent or Significant Nexus Standard Could Improperly include MS4 and other important water resource facilities

In the Revised Definition, the Agencies seek to return the definition of “adjacent wetlands” from the 1986 regulations and seeks to add wetlands to adjacent waters that meet the relatively permanent and significant nexus standards. By including wetlands that are adjacent to waters that meet the relatively permanent or significant nexus standard, this could result in treatment control BMPs, green infrastructure projects, and other multi-purpose benefit projects being classified as a WOTUS if such projects are installed in a floodplain or riparian zone and meet the broad definition of wetland. As indicated previously, such facilities are installed so that stormwater agencies can reduce pollutants to the maximum extent practicable, and many such facilities provide for multiple benefits to the environment. For example, green infrastructure

projects improve water quality, enhance recreational uses, and help to infiltrate water to groundwater basins for future municipal and domestic uses. However, under the Revised Definition, such projects could become jurisdictional. Thus, facilities designed and implemented to comply with NPDES MS4 permit requirements would be subject to further regulation as a WOTUS. Such a result undermines the intent and purpose of such facilities, and the stormwater program in general.

In California, infiltration basins or "spreading grounds" are operated to infiltrate recycled water, imported water, stormwater, and other water across basins to recharge underground drinking water aquifers. These facilities are essential to California's efforts to manage its water supplies. If included within the "adjacent wetlands" category, these spreading grounds could become a WOTUS and become subject to extensive regulation under the CWA.

Accordingly, it is necessary to specifically exclude stormwater treatment control BMPs, spreading grounds, and other beneficial projects such as green infrastructure from the definition of WOTUS. CASQA provides suggested amendments to the exclusions in Comment #2 below to achieve this purpose.

COMMENT #2: THE EXCLUSIONS FOR WATERS THAT ARE NOT WOTUS MUST BE REVISED TO INCORPORATE MS4 CONVEYANCE AND OTHER RELATED FACILITIES

The Revised Definition intends to repromulgate only two exclusions for inclusion within the definition of WOTUS. Repromulgating the two exclusions from the 1986 regulation fails to include exclusions related to MS4 conveyance facilities and other stormwater related facilities. Moreover, the Federal Register notice states that it is the Agencies' intent to return to the pre-2015 regulatory regime with respect to determining what is "not" considered a WOTUS. (FR, p. 69433.) This means that stormwater facility exclusions included in later rules are now specifically excluded from not being a WOTUS under the Revised Definition.

As explained above, stormwater facility-based exclusions need to be included to provide certainty to stormwater managers, state regulators, and the Agencies themselves. Accordingly, CASQA requests that the Revised Definition be revised to include the following language to reflect the need to exclude stormwater related-facilities.

Comment #2A: Waste Treatment System Exclusion

With respect to the waste treatment system exclusion, it does not adequately address the range of facilities constructed in California to convey, capture, treat, or infiltrate stormwater. At most, one would have to show that the stormwater facility was "designed to meet the requirements of the Clean Water Act." However, considering the iterative nature of stormwater BMPs and MS4 permits in general, considerable discretion will be given to the Agencies, and ultimately the courts, in determining if a specific stormwater BMP was designed to meet the requirements of the CWA. Further, based on information presented in public workshops since the Proposed Rule was published, the Agencies have been unable to provide clear direction with respect to stormwater facilities, and how they are covered by the waste treatment system exclusion. Accordingly, there is significant uncertainty with maintaining the waste treatment system exclusion, as it currently exists.

CASQA Recommendation:

To ensure stormwater facilities are properly included in the waste treatment system exclusion, CASQA recommends that the waste treatment system exclusion be revised as follows:

- Waste treatment systems, including treatment ponds, or lagoons, or stormwater capture and treatment systems designed to meet the requirements of the CWA (including permits issued pursuant to CWA section 402(p)) are not waters of the United States.

Comment #2B: Add Exclusion for Stormwater Control Features

Of greatest concern to CASQA is the removal of the Stormwater Control Features exclusion as contained in both the 2015 and 2019 regulations. Without this specific exclusion, there will be significant uncertainty regarding the distinction between facilities that are stormwater-based BMPs designed to serve an important function of treating and/or retaining stormwater versus waterbodies that properly should be considered as WOTUS.

CASQA Recommendation:

To ensure that stormwater control features are properly excluded from the definition of WOTUS, CASQA recommends that the Revised Definition be revised to include a stormwater control features inclusion as follows:

- Stormwater control features constructed to convey, treat, or store stormwater designed to meet the requirements of the Clean Water Act (including permits issued pursuant to CWA section 402(p) are not waters of the United States.

CONCLUSION

The Revised Definition would revert to an era where there was significant uncertainty with respect to how stormwater related facilities are treated under the definition of WOTUS. Under the Revised Definition, groundwater recharge facilities, stormwater conveyance channels, and other stormwater related facilities could be found to be a WOTUS. The exclusions in the Revised Definition do not adequately incorporate these types of facilities. Unless the Revised Definition is further revised to address this uncertainty by clearly excluding the types of facilities discussed herein, significant confusion will result with respect to what constitutes a WOTUS. Moreover, if such facilities are found to be WOTUS, the regulatory burden associated with establishing, maintaining, and operating these facilities will increase, and result in significant costs to municipal ratepayers. However, considering these facilities are highly regulated for the protection of water quality, these increased burdens and costs will not result in better environmental protection. Stormwater agencies will also be left guessing as to their legal responsibilities and could be open to legal liability from third parties. CASQA recommends that the Revised Definition be revised to avoid these results.

Thank you for your consideration of our comments. If you have any questions, please contact me at karen.cowan@casqa.org or (424) 241-2249.

Sincerely,



Karen Cowan, Executive Director
California Stormwater Quality Association

cc: CASQA Board of Directors
CASQA Executive Program Committee
CASQA Policy and Permitting Subcommittee



California Stormwater Quality Association®

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

May 7, 2025

Jennifer T. Teerlink, Deputy Director and Science Advisor
California Department of Pesticide Regulation

Via DPR Public Comment Portal: <https://cdpr.commentinput.com/?id=c6HqahZY7>

Subject: Comments on Department of Pesticide Regulation Pesticide Prioritization Process Workshop

Dear Ms. Teerlink:

The California Stormwater Quality Association (CASQA)¹ appreciates the opportunity to provide input on the Department of Pesticide Regulation's (DPR) proposed Pesticide Prioritization Process as presented in the April 8, 2025 Workshop (Workshop).

For decades, the uses of certain pesticides in urban areas – even when applied in compliance with pesticide regulations – have adversely impacted urban water bodies. Currently, several pesticides are present in California urban water bodies at concentrations above aquatic toxicity thresholds.² Our member agencies face substantial costs to comply with pesticides-related Total Maximum Daily Loads (TMDLs), California State Water Board Toxicity Provisions, and additional permit requirements. However, while local agencies in California have authority over their own use of pesticides, they are pre-empted by state law from regulating pesticide use by consumers and businesses to address these sources of pollution in stormwater.

Consistent with CASQA's [Vision for Sustainable Stormwater Management](#) (Vision),³ we strongly support efforts to reduce pesticide pollution, at the source. Minimizing pesticide pollution before it can occur, as opposed to attempting to remove pesticides from the environment, is essential to sustainable stormwater management. True source control (the elimination of a pollutant at its source) and the use of alternative products offers the most effective and economical approach to eliminating pesticides that impair the beneficial uses of California's waterways.

From a true source control perspective, CASQA supports DPR's plan for a robust and coordinated prioritization process for pesticides subject to reevaluation. Through DPR's Pesticide Prioritization Workshop, DPR has requested comments on the prioritization process, structure for submission of potential priorities, and Scientific Advisory Committee (SAC) areas of expertise. CASQA offers the following comments to help support DPR in developing its pesticide prioritization process.

¹ CASQA is a nonprofit corporation that advances sustainable stormwater management protective of California water resources. With approximately 2,000 members, our membership is comprised of a diverse range of stormwater quality management organizations and individuals, including cities, counties, special districts, federal agencies, state agencies, ports, universities and school districts, wastewater agencies, water suppliers, industries, and consulting firms throughout the state. Collectively, CASQA represents over 34 million people in California.

² California Integrated Report (Clean Water Act Section 303(d) List and 305(b) Report)
https://www.waterboards.ca.gov/water_issues/programs/water_quality_assessment/2020_2022_integrated_report.html

³ CASQA's Vision for Sustainable Stormwater Management, October 2020. Available at:
https://www.casqa.org/wp-content/uploads/2022/10/final_-_vision_for_sustainable_stormwater_management_-_10-07-2020.pdf

COMMENT #1: PRIORITIZATION PROCESS – CASQA SUPPORTS THE INCORPORATION OF APPLICATION-SPECIFIC POTENTIAL PRIORITIES

The initial step of the proposed pesticide prioritization process is obtaining potential priorities. These potential priorities would then be prioritized for review by the SAC. The identification of potential priorities would come from DPR staff, the SAC, and the public. It is recognized that the potential priorities sourced from DPR staff would come from active ingredient ranked lists and application-specific methods. CASQA supports the inclusion of application-specific methods to ensure problematic pesticides are not simply replaced with another problematic pesticide. Focusing solely on active ingredients may overlook application methods involving multiple ingredients.

COMMENT #2: PRIORITIZATION PROCESS – ESTABLISH A PUBLIC PROCESS FOR SETTING POTENTIAL PRIORITIES

The proposed pesticide prioritization process establishes a SAC responsible for evaluating whether the potential risks associated with potential priorities have been identified with sufficient data and quality scientific assessment. DPR is planning to identify up to eight potential priorities per year, four of which would be proposed by DPR staff, two by the SAC itself, and two by the public. However, the proposed pesticide prioritization process does not describe how submitted potential priorities would be selected by DPR for SAC review. To allow for both supportive and non-duplicative potential priority submissions, submitted potential priorities vetted and approved by DPR for consideration should be made available to the public through a dedicated web portal.

Additionally, adopting a structured public process for selecting the annual potential priorities for SAC review would provide another opportunity for incorporating public and stakeholder engagement. The Department of Toxic Substances Control (DTSC) uses a structured public process to prioritize products under its Safer Consumer Products Program, including a multi-year Priority Product Work Plan that is subject to public review and comment. Adopting a similar work plan approach, with opportunities for public input, would help address the current gap in transparency around how submitted potential priorities advance to SAC review.

CASQA Recommendation:

- Develop a dedicated web portal clearly listing potential priorities proposed by DPR, SAC, and the public, including all submitted and supporting documentation.
- Develop an annual work plan with public review and comment periods for setting the SAC's review of potential priorities; consider the DTSC Safe Consumer Products Program process as a model.
- Clarify the SAC's process for selecting two of the eight annual priorities for its own review and assess whether the SAC selecting annual priorities is appropriate given its objective evaluation role.

COMMENT #3: SCIENTIFIC ADVISORY COMMITTEE AREAS OF EXPERTISE – INCLUDE STORMWATER MANAGEMENT EXPERT

CASQA supports DPR's efforts to develop a Scientific Advisory Committee (SAC) with comprehensive expertise to address the various nuances associated with evaluating the scientific merits of pesticide registration and reevaluations. CASQA acknowledges that DPR has already included expertise in public drinking water and wastewater utilities. However, given the breadth of water resource considerations and stormwater's significant role as a transport mechanism for pesticides affecting surface and ground waters, the inclusion of stormwater management expertise would effectively address a critical gap in the committee's current scope.

CASQA Recommendation:

- Include stormwater management as an additional SAC area of expertise.

CASQA Comments on DPR's Pesticide Prioritization Process Workshop

CASQA appreciates DPR's efforts to create a robust pesticide prioritization process and we look forward to continued engagement.

Thank you for your consideration of our comments. If you have any questions, please contact me (karen.cowan@casqa.org) or Joseph Draper (joseph.draper@casqa.org).

Sincerely,



Karen Cowan, Executive Director
California Stormwater Quality Association

cc: Karen Morrison, Director, DPR
Sapna Thottathil, Deputy Director and Special Advisor, DPR
Aimee Norman, Chief, Integrated Pest Management Branch, DPR
Anson Main, DPR
Karen Mogus, Chief Deputy Director, California State Water Resources Control Board
Philip Crader, Deputy Director, California State Water Resources Control Board
Rebecca Nordenholt, California Regional Water Quality Control Board, San Francisco Bay Region
Amanda Magee, California State Water Resources Control Board
Laural Warddrip, California State Water Resources Control Board
Jessica Radar, California Regional Water Quality Control Board, Central Valley Region
Peter Meertens, California Regional Water Quality Control Board, Central Coast Region
Jenny Newman, California Regional Water Quality Control Board, Los Angeles Region
CASQA Board of Directors, Executive Program Committee, Policy and Permitting Subcommittee, True Source Control Subcommittee

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 – 2:30 pm	Hybrid in person at Geosyntec Office in Oakland and on MS Teams Meeting
7	BAMSC Regional C.11/12 Workgroup 2:30 pm – 4:30 pm	Hybrid in person at Geosyntec Office in Oakland and on MS Teams Meeting
9	BAMSC LID Monitoring Technical Advisory Group (TAG) 1:00 pm – 4:00 pm	MS Teams Meeting
15	SCVURPPP Management Committee [CANCELLED]	Zoom Meeting
19	C3PO AHTG 1:30 pm – 3:00 pm	Zoom Meeting
20	SCVURPPPP Trash AHTG 1:00pm – 3:00pm	Zoom Meeting
22	BAMSC 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
10	BAMSC Development Subcommittee 1:00 pm – 3:00 pm	Zoom Meeting
16	SCVURPPP IND/IDDE AHTG Workshop 11:00 am – 2:00 pm	In-person - Cupertino Quinlan Community Center
17	SCVURPPPP Trash AHTG 1:00pm – 3:00pm	Zoom Meeting
19	SCVURPPP Management Committee [To be rescheduled due to holiday]	Zoom Meeting
26	BAMSC Steering Committee Internal Portion – 9:30 am – 12:00 pm External Portion - 1:00 pm – 3:00 pm	Teams Meeting

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

<h1>July 2025</h1>		
2	BAMSC Monitoring and Pollutants of Concern (MPC) Subcommittee 10:00 am – 3:30 pm	MS Teams Meeting
3	Information Management AHTG 10:00 am – 11:30am	Zoom Meeting
10	CASQA Quarterly Seminar Series 10:00 am – 3:00 pm	CASQA webinar
15	SCVURPPPP Trash AHTG 1:00pm – 3:00pm	Zoom Meeting
17	SCVURPPP Management Committee 9:30 am – 11:00 am	Zoom Meeting
22	BAMSC Steering Committee Internal Portion – 9:30 am – 11:00 am External Portion - 11:00 am – 12:00 pm	MS Teams Meeting
24	BAMSC Trash Subcommittee Internal Portion – 9:30 am – 12:00 pm External Portion - 1:00 pm – 3:00 pm	MS Teams Meeting
28	C3PO AHTG 1:30 pm – 3:00 pm	Zoom Meeting

Anticipated Action Items for Future SCVURPPP Management Committee Meetings

MC Meeting	Action Item(s)
August 2025	Draft Long Term GSI Technical Working Group Summary and Recommendations
September 2025	Draft FY 2024-25 Program Annual Report
October 2025	Final FY 2024-25 Program Self Audit Report
November 2025	Final FY 2024-25 Annual Budget Compilation (ABC) Report