

## NOTICE OF MEETING

### NPDES TECHNICAL ADVISORY COMMITTEE

April 12, 2010

**TUESDAY, APRIL 20, 2010 - 10:00 A.M. TO NOON**  
**CITY OF DALY CITY**  
**CITY OF DALY CITY'S CITY HALL – TRAINING ROOM**  
**333 90<sup>th</sup> Street, Daly City**  
**(See location map on back)**

Web Site: [www.flowstobay.org](http://www.flowstobay.org)

### AGENDA

1. INTRODUCTIONS, ANNOUNCEMENTS, MINUTES APPROVAL, AGENDA REVISIONS – MATT FABRY
2. PRESENTATIONS
  - A. COMMISSION ON STATE MANDATES DECISION THAT SOME SAN DIEGO STORMWATER PERMIT REQUIREMENTS ARE REIMBURSABLE STATE MANDATES – MATT/EVERYONE
  - B. BAY AREA STORMWATER MANAGEMENT AGENCIES ASSOCIATION UPDATE – MATT/EVERYONE
  - C. PROPOSED BASIN PLAN AMENDMENT TO ADD SURFACE WATER BODIES AND BENEFICIAL USES – FRED JARVIS/EVERYONE
  - D. ACTION ITEM: APPROVAL OF FY 2010/11 COUNTYWIDE PROGRAM BUDGET – MATT/EVERYONE**
  - E. UPDATE ON NPDES FUNDING WORK GROUP MEETING – MATT/EVERYONE
3. SUBCOMMITTEE REPORTS
  - A. PUBLIC INFORMATION/PARTICIPATION – JAMES SHANNON
  - B. COMMERCIAL/INDUSTRIAL AND ILLICIT DISCHARGE – WARD DONNELLY
  - C. NEW DEVELOPMENT – MATT FABRY
  - D. MUNICIPAL GOVERNMENT MAINTENANCE ACTIVITIES – FRED JARVIS
    - i. TRASH WORK GROUP – KILEY KINNON
    - ii. PARKS MAINTENANCE AND INTEGRATED PEST MANAGEMENT WORK GROUP – VERN BESSEY
  - E. WATERSHED ASSESSMENT AND MONITORING – DERMOT CASEY
4. PUBLIC COMMENTS
5. ANNOUNCEMENTS
6. NEXT MEETING – May 18 TAC

#### FUTURE MEETINGS:

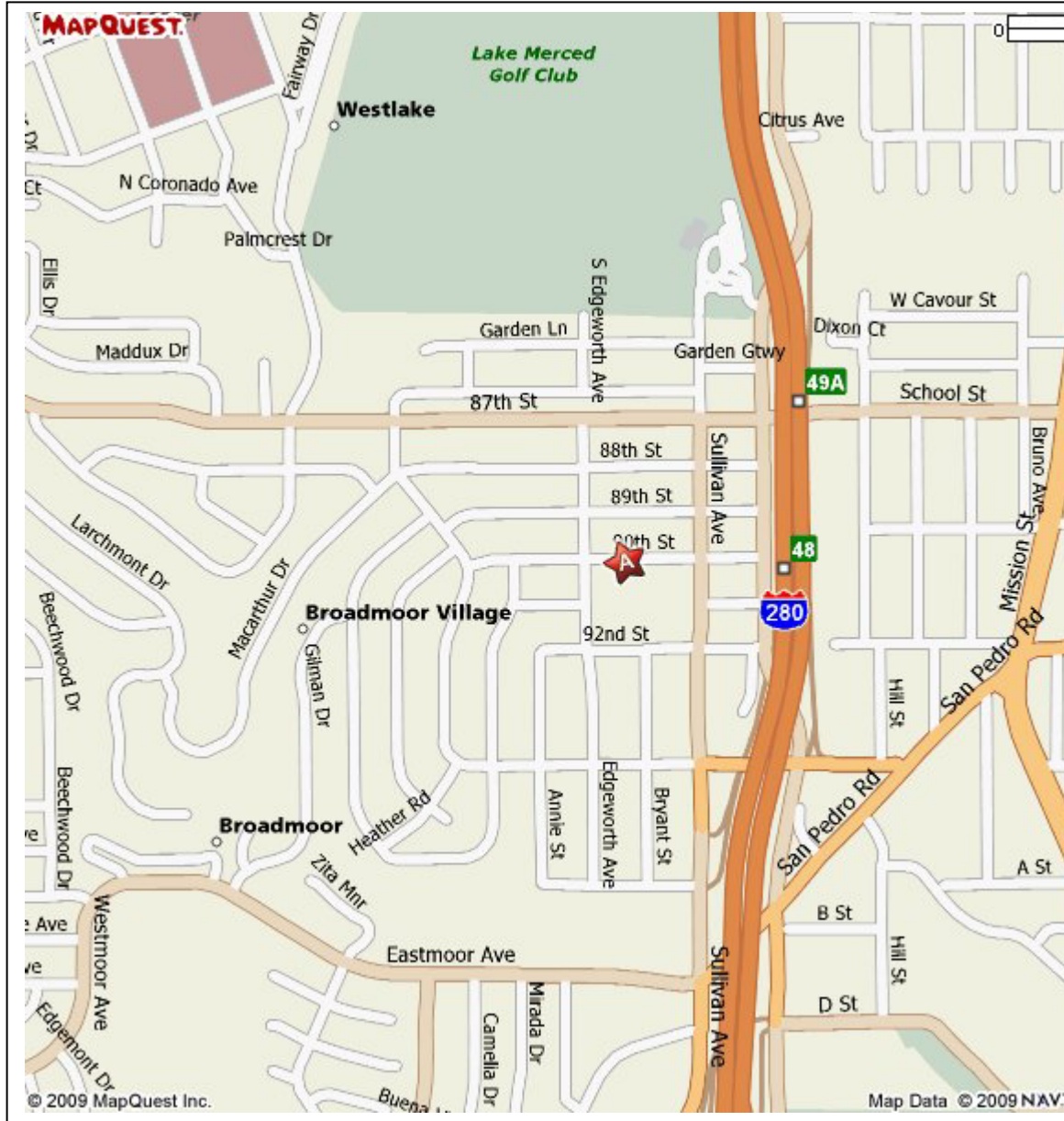
MAY 18 @ San Carlos  
JUNE 15 @ \_\_\_\_\_  
JULY 20 @ \_\_\_\_\_

Post by 5:00 P.M., Wednesday, April 14, 2010

**NOTE: Persons with disabilities who require auxiliary aids or services in attending and participating in this meeting should contact Matthew Fabry at (415) 508-2134, five working days prior to the meeting date.**

Public records that relate to any item on the agenda for a regular NPDES Technical Advisory Committee (TAC) meeting are available for public inspection. Those records that are distributed less than 72 hours prior to the meeting are available for public inspection at the same time they are distributed to all members, or a majority of the members of the TAC. The TAC has designated Brisbane's City Hall, located at 50 Park Place, Brisbane, for purpose of making those public records available for inspection. The documents are also available on the C/CAG Internet Web site, at the link for agendas for upcoming meetings. The website is located at: <http://www.ccag.ca.gov>.

**City of Daly City's City Hall – Training Room  
333 – 90<sup>th</sup> Street – Daly City**



### **NPDES TAC and Subcommittee Meeting Locations:**

- New Development – 1:30 to 3:30 pm, first Tuesday of every other month: next event will be full-day training workshop on May 26 @ Mission Blue Conference Center, Brisbane.
- Public Information/Participation – 10:00 am – noon, second Tuesday of every other month: next meeting will be May 11 @ San Mateo County Environmental Health, 2000 Alameda de las Pulgas, San Mateo, Atrium Room.
- Technical Advisory Committee – 10:00 am to noon, third Tuesday of each month, location varies.
- Municipal Maintenance – Noon to 1:00 pm (\$10:00 lunch), fourth Wednesday quarterly: next meeting will be on August 25 @ the Belmont Sports Complex, 550 Island Parkway, Belmont.
- Parks Maintenance and Integrated Pest Management Work Group – 1:30 to 3:00 pm, fourth Tuesday approximately quarterly at San Mateo City Hall, 330 West 20<sup>th</sup> Avenue. Next meeting will be on April 27 in room B.
- Trash Work Group – 10:00 to noon, fourth Wednesday at frequency to be determined at the Belmont Sports Complex, 550 Island Parkway, Belmont. Next meeting will be on April 28.
- Commercial/Industrial/Illicit Discharge Control – 1:00 to 2:30 pm, usually third Thursday of every other month: next meeting will be on April 15 @ Millbrae Community Center Conference Room, 477 Lincoln Circle.
- Watershed and Monitoring – 10:00 am to noon, second Thursday of month, approximately every quarter: future meetings have been postponed until the BASMAA Monitoring Committee (meets first Wednesday each month) and Countywide Program's MRP Work Group address policy level issues for planning compliance with the monitoring and PCBs/mercury MRP requirements.

Yellow highlight denotes recent change.

**NPDES Stormwater  
Technical Advisory Committee (TAC)**

**DRAFT REPORT OF MEETING**

**TUESDAY, MARCH 16, 2010  
10:00 A. M.  
CITY OF REDWOOD CITY**

1. INTRODUCTIONS, ANNOUNCEMENTS, ADOPTION OF MINUTES, AND REVISION TO AGENDA  
Self-introductions were made and the January meeting minutes were adopted as written.

2. PRESENTATIONS

- a. Review of Transportation for Livable Communities & Urban Greening Project/Planning Grant Opportunities and Agree on Encouraging C/CAG Letters of Support for Projects that Incorporate Green Streets – Matt Fabry described two funding opportunities that may be used for constructing green streets. The MRP requires the construction of ten green street projects regionally, and two of these projects must be constructed in San Mateo County. The green parking lot and adjoining street demonstration project that Burlingame is constructing with vehicle license fees may meet the MRP’s requirements for one of the green street projects. He requested information about applications that municipalities are submitting for these grant funds.

Robert Weil reviewed the concept for a grant application that San Carlos is preparing for the Metropolitan Transportation Commission’s Transportation for Livable Communities grant. The proposed project would transform a lightly traveled street with dirt and weeds along the side of the street to a bicycle boulevard with green street planter boxes and areas for stormwater infiltration. The TAC agreed that C/CAG should send a letter of support for this project.

There are also opportunities to apply for urban greening planning grants under state Proposition 84 (The Safe Drinking Water, Water Quality and Supply, Flood Control, River and Coastal Protection Bond Act of 2006). The maximum amount for one of these planning grants is \$250,000, and no local match is required. Matt requested approval for having the Countywide Program work on a greening planning grant application with the City of San Carlos. The planning project would occur in an approximately one square mile area where surface stormwater flows over gutters into people’s yards. The area includes schools, and creating a plan could lead to calming traffic, reducing flood frequency, and improving water quality. It was suggested that the project be multi-jurisdictional to merit the Countywide Program’s involvement. The application for the green planning grant is due April 30. Matt requested that municipalities let him know if they also need assistance from the Countywide Program in applying for these grants.

- b. Discuss State Water Resources Control Board’s Plans to Raise Stormwater Fees By 13% – Matt distributed a spreadsheet that showed the current stormwater fees that each agency has to pay and the fee increases that may occur in FY 2010/11. The stormwater fees had not been raised for two years. Geoff Brosseau reported that the State Water Board staff views the fee increase as a worse case scenario. The amount of needed fee increase will be decided in the fall of 2010. It was pointed out that the stormwater fees had run a surplus during each of the previous six years, and there appears to be a lack of accountability for how the funds have been and will be used in the future. It was suggested that the California Stormwater Quality Association should assist with solving the problem posed by increasing stormwater fees. Matt will let the TAC members know if a future need arises for them to get involved in writing letters or taking other actions.
- c. Review and Provide Feedback on Proposed FY 10/11 Countywide Program Budget – Matt noted that the MRP Implementation Work Group held a conference call last week on the draft budget, and he also has met with Rich Napier. The purpose of this item is to have a preliminary discussion, and the TAC will need to decide at its April meeting what FY 10/11 budget to recommend to C/CAG for its consideration in May and June. The budget estimates have declined because of better cost estimating and by having an improved sense of what tasks may be accomplished more cost-effectively at the BASMAA level. The budget worksheets include details about what tasks will be done at the local, countywide, and regional level, and what the expected completion dates and products of those tasks will be. Products will be stored on the Countywide Program’s website. The estimated increase in Countywide Program funding that would be needed through FY 13/14 has declined from \$5 million to \$3.1 million. Fiscal year variations in the compliance costs for

monitoring and pollutants of concern reflect year to year variations in the amounts of field work, laboratory analyses, and construction activities for pilot scale projects. The majority of the monitoring costs are for laboratory analyses. There will be a shortfall in funding in future years especially if the costs of supporting a Proposition 218 election are added to the budget.

If the Countywide Program pursued a Proposition 218 election it may make sense at the same time to seek funding for the municipalities to comply with their local MRP requirements. If the cities support and desire a countywide Proposition 218 election for Countywide and local stormwater funding, it would make sense if the cities took on the role of education. The Countywide Program needs to know what the implementation of the MRP would cost the municipalities as part of pursuing funding sources. One suggestion would be to collaborate Bay Area-wide on a Proposition 218 election.

Another possible source of funding that will need to be pursued is submitting an unfunded mandate claim to the Commission on State Mandates. Each of the cities should submit its claim for unfunded state mandates based on guidance provided by the Countywide Program. Rich Napier requested that each city provide an estimate of what its MRP compliance costs will be for the next two years. One representative stated that the MRP is estimated to cost its city about \$600,000/year.

The Countywide Program also needs to develop a proposed plan for the use of the vehicle license fees. The development and implementation of a plan for the use of the vehicle license fees has been hampered by not having a full time stormwater coordinator.

- d. Evaluate Interest in Holding an Orientation Overview of the Municipal Regional Stormwater Permit – Support was expressed for holding this type of overview training for up to two hours. Overview orientation would just provide a summary of the MRP and what is being done to comply. It would not go into detail, such as what will be provided during the upcoming new development Provision C.3 training.
  - e. Update on the Status of San Francisco Estuary Partnership’s Trash Grants and First Trash Work Group Meeting on March 24 – ABAG will be adopting contracts on March 18 with vendors who the Water Board staff has certified as meeting the MRP’s requirements for full-capture trash devices. The Water Board staff does not believe that some of the devices it has certified should actually be implemented because the amount of trash capture capacity is small and would lead to a lot of maintenance. The San Francisco Estuary Partnership (SFEP) is planning on distributing for comment draft copies of an agreement between interested cities and ABAG to participate in the trash capture device installation pilot-project. Participating cities will need to agree to maintain any of the devices installed for twenty years following the end of the project. The Water Board staff and SFEP are planning on holding a meeting with the cities and a vendor fair on May 4 (based on information provided following the TAC meeting) in Oakland at the state building.
3. SUBCOMMITTEE REPORTS
    - a. Public Information/Participation – This subcommittee met last week to review its proposed work plan and budget.
    - b. Commercial/Industrial and Illicit Discharge – A summary of the February subcommittee meeting was included in the agenda packet.
    - c. New Development – A summary of the February was included in the agenda packet. The subcommittee will hold training on May 26 about the new requirements contained in the MRP’s Provision C.3.
    - d. Municipal Maintenance – This subcommittee will be meeting next on March 24 at the Belmont Sports Complex.
    - e. Parks Maintenance and Integrated Pest Management Work Group – This subcommittee held its training at the end of February. The training was well attended and received. The next meeting will be held near the end of April.
    - f. Watershed Assessment and Monitoring – This subcommittee will continue to hold its meetings in abeyance for a few more months. Any questions TAC members have in the details of the monitoring and pollutants of concern tasks and budgets should be forwarded to Jon Konnan at EOA.
  4. PUBLIC COMMENTS - None.
  5. NEXT MEETING  
The April TAC meeting will be held on April 20 in Daly City.
  6. ADJOURNED





## **Commission on State Mandates Finds Regional Stormwater Permit to be a Reimbursable State Mandate**

The Commission on State Mandates on Friday, March 28 found that 10 stormwater-related programs mandated by the San Diego Regional Water Quality Control Board are subject to state reimbursement for the additional costs imposed on San Diego County and the cities within the county to comply with the programs. This decision could have broad ramifications on municipal storm water programs statewide as the programs mandated in the permit are common components of stormwater permits being issued by other Regional Boards across the state.

The commission found that the following specific programs are reimbursable state mandates:

- Street sweeping;
- Street sweeping reporting;
- Conveyance system cleaning;
- Conveyance system cleaning reporting;
- Educational component;
- Watershed Urban Runoff Management Program;
- Regional Urban Runoff Management Program;
- Program Effectiveness Assessment;
- Long Term Effectiveness Assessment; and
- All co-permittee collaboration.

The County of San Diego and the 21 cities within the county decided to file a claim with the State Mandates Commission after the San Diego Regional Water Board adopted its new stormwater permit in 2008. The County and cities estimated that cost of compliance in FY 2007-08 was more than \$10 million, and the cost for FY 2008-09 exceeded \$18 million.

Although the commission's favorable decision is very encouraging, it is just the start of a long process, which may include litigation, before the county and the cities will see any reimbursement from the state.

Estimated SMCWPPP Countywide Program Budget - 5 Year Planning

<b>A. Compliance Tasks (based on final MRP adopted on 10-14-09)</b>	<b>FY 09/10</b>	<b>FY 10/11</b>	<b>FY 11/12</b>	<b>FY 12/13</b>	<b>FY 13/14</b>	<b>Total</b>
C.2 Municipal Operations	\$49,000	\$47,000	\$52,000	\$72,000	\$57,000	\$277,000
C.3 New Development	\$192,000	\$191,600	\$184,212	\$171,836	\$152,473	\$892,121
C.4 Industrial-Commercial	\$136,000	\$98,000	\$106,000	\$94,000	\$96,000	\$530,000
C.5 Illicit Discharge Detection and Elimination	\$38,000	\$48,000	\$28,000	\$46,000	\$18,000	\$178,000
C.6 Construction Site Management	\$43,000	\$24,000	\$39,000	\$19,000	\$34,000	\$159,000
C.7 Public Information and Participation	\$283,416	\$307,696	\$315,261	\$320,657	\$325,885	\$1,552,915
C.8 Monitoring	\$120,688	\$117,648	\$384,887	\$552,527	\$578,039	\$1,753,788
C.9 Pesticide Controls	\$68,032	\$86,280	\$84,160	\$108,040	\$85,920	\$432,432
C.10. Trash Controls	\$50,000	\$60,000	\$60,000	\$45,000	\$35,000	\$250,000
C.11 Mercury Controls & C.12 PCBs Controls	\$89,800	\$190,486	\$236,042	\$709,404	\$201,496	\$1,427,228
C.13 Copper	\$0	\$26,400	\$31,400	\$21,400	\$16,400	\$95,600
C.14 PBDEs, Selenium and Legacy Pest	\$3,330	\$6,360	\$7,080	\$16,740	\$0	\$33,510
C.15 Conditionally Exempt Discharges	\$0	\$40,000	\$20,000	\$20,000	\$30,000	\$110,000
<b>Compliance Task Subtotal:</b>	<b>\$1,073,266</b>	<b>\$1,243,470</b>	<b>\$1,548,041</b>	<b>\$2,196,604</b>	<b>\$1,630,212</b>	<b>\$7,691,594</b>
<b>B. Program Management and Oversight</b>						
<u>Consulting Services</u>						
Compliance Tasks C.2 - C.15 from above	\$1,073,266	\$1,243,470	\$1,548,041	\$2,196,604	\$1,630,212	\$7,691,594
Program Coordinator tasks not included above	\$60,000	\$60,000	\$60,000	\$60,000	\$60,000	\$300,000
Vehicle license fee plan & implement	\$0	\$40,000	\$40,000	\$40,000	\$40,000	\$160,000
Litigation, permit appeal, unfunded mandates	\$75,000	\$75,000	\$75,000	\$75,000	\$75,000	\$375,000
<u>Professional Dues &amp; Membership</u>						
BASMAA Dues	\$37,131	\$37,874	\$38,631	\$39,404	\$40,192	\$193,231
CASQA	\$8,250	\$8,415	\$8,583	\$8,755	\$8,930	\$42,933
Regional Monitoring Program	\$83,603	\$85,275	\$86,981	\$88,720	\$90,495	\$435,073
<u>Professional Services</u>						
Controller's Fee	\$66,000	\$68,000	\$68,000	\$68,000	\$68,000	\$338,000
EDS Consultant Work	\$14,913	\$15,211	\$15,515	\$15,826	\$16,142	\$77,608
Lobbyist	\$38,000	\$38,000	\$38,000	\$38,000	\$38,000	\$190,000
<u>Administrative Services</u>						
Executive Director of C/CAG	\$25,000	\$25,000	\$25,000	\$25,000	\$25,000	\$125,000
Administrative/Office Expenses	\$15,000	\$15,000	\$15,000	\$15,000	\$15,000	\$75,000
<u>Distributions</u>						
Member Agency Support/Distributions	\$10,000	\$10,000	\$10,000	\$10,000	\$10,000	\$50,000
<u>Other</u>						
Printing/Postage	\$10,000	\$10,000	\$10,000	\$10,000	\$10,000	\$50,000
Conferences and Meetings	\$1,500	\$1,500	\$1,500	\$1,500	\$1,500	\$7,500
Miscellaneous	\$1,000	\$1,000	\$1,000	\$1,000	\$1,000	\$5,000
<b>C. Support for Countywide Proposition 218 Election</b>	<b>\$0</b>	<b>\$50,000</b>	<b>\$50,000</b>	<b>\$400,000</b>	<b>\$0</b>	<b>\$500,000</b>
<b>Grand Total:</b>	<b>\$1,518,663</b>	<b>\$1,783,745</b>	<b>\$2,091,252</b>	<b>\$3,092,809</b>	<b>\$2,129,471</b>	<b>\$10,615,940</b>
<b>Increase Above Original Adopted<sup>1</sup> FY 2009/10 Budget:</b>	<b>\$108,340</b>	<b>\$373,422</b>	<b>\$680,929</b>	<b>\$1,682,486</b>	<b>\$719,148</b>	<b>\$3,564,325</b>
<b>Percent Increase:</b>	<b>7%</b>	<b>25%</b>	<b>45%</b>	<b>111%</b>	<b>47%</b>	<b>51%</b>

<sup>1</sup> C/CAG Adopted FY 2009/10 NPDES Original Budget on 6-11-09

### Available Revenue Sources

Existing Revenue Stream	
Current NPDES Revenue (basic fee, extended fee, member contributions, and interest)	Estimated Amount/year \$1,466,457

One-Time Fund Balances	
NPDES Fund Balance	\$1,244,000
BASMAA Clean Estuary Program Available Fund	\$112,000
BASMAA Regional Advertising Campaign	\$75,000
<b>Total</b>	<b>\$1,431,000</b>

BASMAA EPA Hg-PCBs Grant	
	Total Estimated Amount over Four Years
Countywide Program Share	\$720,000

Vehicle License Fees	
Vehicle License Fee (fee collected through 1-1-13 unless extended)	Total for Various Provisions FYs 09/10 - 13/14
C.2 Municipal Maintenance	\$12,000
C.3 New Development	\$210,000
C.4 Industrial-Commercial	\$0
C.5 IDDE	\$45,000
C.6 Construction	\$0
C.7 PIP	\$38,530
C.8 Monitoring	\$0
C.9 Pesticides	\$0
C.10 Trash	\$250,000
C.11 Hg- C.12 PCBs	\$0
C.13 Copper	\$5,600
C.14 PBDEs, etc.	\$0
C.15 NSW Discharges	\$0
VLF Plan and Implementation	\$160,000
<b>Total</b>	<b>\$721,130</b>

Reserve Fund Balance	
Reserve Funds	\$200,000

Total Estimated Revenue Shortfall FYs 09/10 -13/14	
Estimated revenue shortfall if reserve fund balance kept at \$200K and vehicle license fee funding shown above is available for use	\$411,525

Sources of Funding Estimated by Fiscal Year							
Fiscal Year	Current NPDES Revenue	Vehicle License Fees	BASMAA EPA Grant	NPDES Fund Balance	BASMAA Fund Balance	Shortfall	Total
FY 09/10	\$1,466,457	\$60,000	\$0	-\$7,794	\$0	\$0	\$1,518,663
FY 10/11	\$1,466,457	\$189,300	\$60,000	-\$4,512	\$72,500	\$0	\$1,783,745
FY 11/12	\$1,466,457	\$170,490	\$129,943	\$209,862	\$114,500	\$0	\$2,091,252
FY 12/13	\$1,466,457	\$160,610	\$480,686	\$985,056	\$0	\$0	\$3,092,809
FY 13/14	\$1,466,457	\$140,730	\$49,371	\$61,388	\$0	\$411,525	\$2,129,471
<b>Totals</b>	<b>\$7,332,285</b>	<b>\$721,130</b>	<b>\$720,000</b>	<b>\$1,244,000</b>	<b>\$187,000</b>	<b>\$411,525</b>	<b>\$10,615,940</b>