

NOTICE OF MEETING

NPDES TECHNICAL ADVISORY COMMITTEE

August 5, 2008

TUESDAY, August 19, 2008 - 10:00 A.M. TO NOON
 East Palo Alto – City Hall – Community Room – First Floor
 2415 University Ave., East Palo Alto
 (See location map on back)

Web Site: www.flowstobay.org

AGENDA

1. INTRODUCTIONS, ANNOUNCEMENTS, MINUTES APPROVAL, AGENDA REVISIONS – MATT FABRY
2. PRESENTATIONS
 - A. STATUS OF REVISING THE DRAFT MUNICIPAL REGIONAL PERMIT – MATT/EVERYONE
 - B. SCHEDULE FOR REVIEW AND COMMENT ON SUSTAINABLE GREEN STREETS AND PARKING LOTS DESIGN GUIDEBOOK- MATT/EVERYONE
 - C. REVIEW AND COMMENT ON DRAFT ANNUAL REPORT – FRED JARVIS/EVERYONE
 - D. ***DECIDE WHETHER TO SUPPORT BASMAA'S INCORPORATION AS A NON-PROFIT – MATT/EVERYONE**
 - E. REVIEW OF PERMIT PROVISION C.1 AND EACH MUNICIPALITY'S RESPONSIBILITY FOR COMPLIANCE – FRED /EVERYONE
 - F. RECENT SOUTHERN CALIFORNIA STORMWATER LITIGATION – FRED/EVERYONE
 - G. REGIONAL WATER QUALITY CONTROL BOARD REPORT – HABTE KIFLE
3. SUBCOMMITTEE REPORTS/
 - A. PUBLIC INFORMATION/PARTICIPATION – EVA JUSTIMBASTE
 - B. COMMERCIAL/INDUSTRIAL AND ILLICIT DISCHARGE – WARD DONNELLY
 - C. NEW DEVELOPMENT – MATT FABRY
 - D. MUNICIPAL GOVERNMENT MAINTENANCE ACTIVITIES – MICHAEL PETERSON
 - E. PARKS MAINTENANCE AND INTEGRATED PEST MANAGEMENT WORK GROUP – VERN BESSEY
 - F. WATERSHED ASSESSMENT AND MONITORING – FRANK MANDOLA
4. PUBLIC COMMENTS
5. ANNOUNCEMENTS
6. NEXT MEETING – SEPTEMBER 16

FUTURE MEETINGS:

SEPT 16	@	<u>San Mateo County</u>
OCT 21	@	<u>South San Francisco</u>
NOV 18	@	_____
JAN 20	@	_____

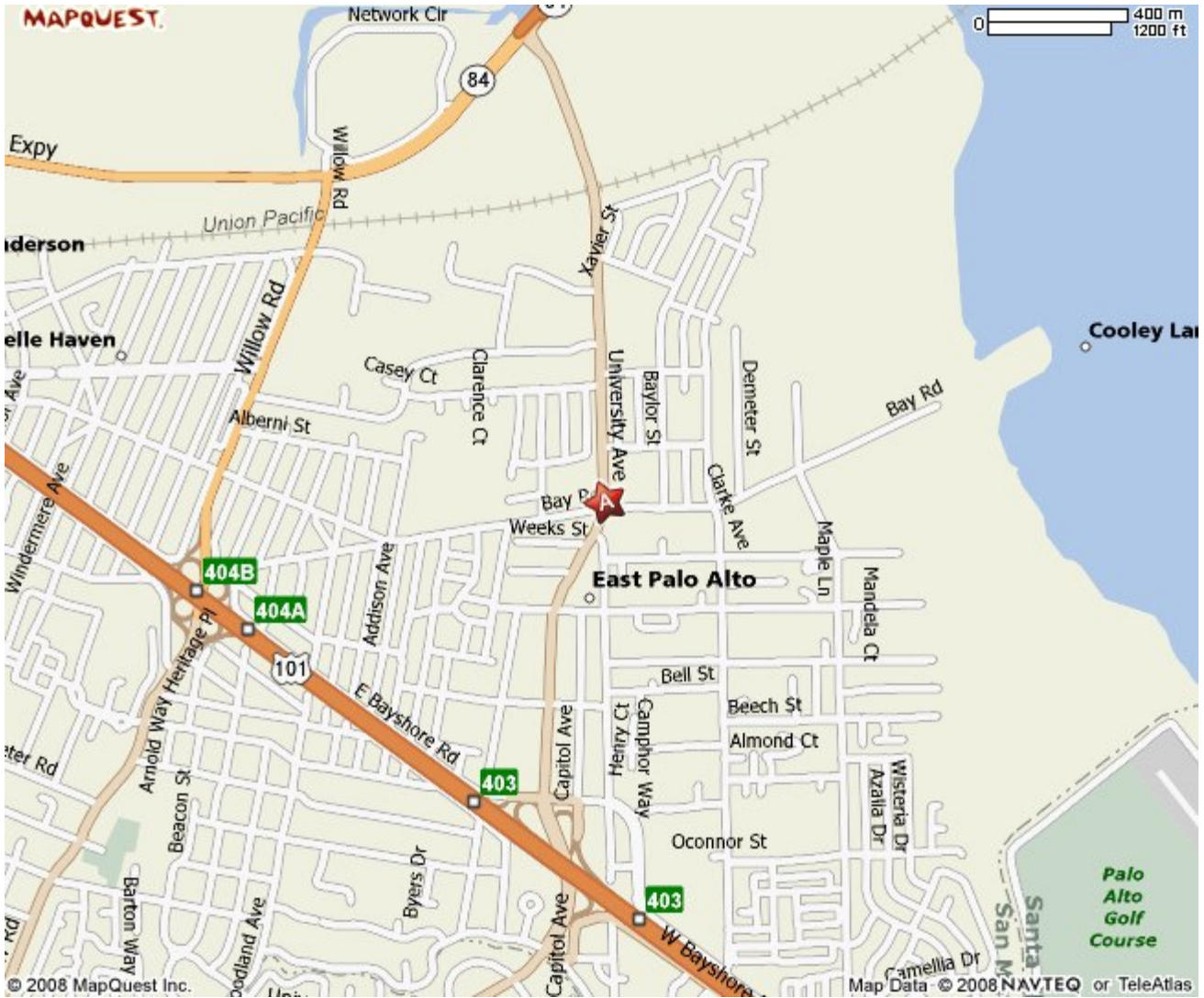
*** ACTION ITEMS: IF YOU WISH TO MODIFY A REPORT, PLEASE COME PREPARED WITH SUGGESTED LANGUAGE FOR CONSIDERATION.**

Post by 5:00 P.M., Wednesday, AUG. 13, 2008

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>.

**East Palo Alto City Hall
Community Room – First Floor
2415 University Avenue – East Palo Alto**



NPDES TAC and Subcommittee Meeting Locations:

- New Development – 1:30 to 3:30 pm, first Tuesday of every other month @ South San Francisco Water Quality Control Plant Administrative Building, 395 Belle Air Road
- Public Information/Participation – 10:00 am – noon, second Tuesday of every other month @ Redwood City Municipal Service Center Conference Room, 1400 Broadway
- 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: August, and October meetings will be held at Gellert Clubhouse, 50 Wembley Drive, Daly City
- Parks Maintenance and Integrated Pest Management Work Group – 1:30 to 3:00 pm, fourth Tuesday quarterly at San Mateo City Hall, 330 West 20th Avenue
- Commercial/Industrial/Illicit Discharge Control – 1:00 to 2:30 pm, second Thursday of every other month @ Millbrae Community Center Conference Room, 477 Lincoln Circle. **Next meeting will be held one week later than usual on August 21st.**
- Watershed and Monitoring – 10:00 am to noon, second Tuesday of every other month @ South San Francisco Water Quality Control Plant Administrative Building, 395 Belle Air Road

Yellow highlight denotes recent change.

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

DRAFT REPORT OF MEETING

TUESDAY, JULY 15, 2008

10:00 A. M.

CITY OF MENLO PARK

1. INTRODUCTION, ANNOUNCEMENTS, ADOPTION OF MINUTES, AND REVISION TO AGENDA

Self-introductions were made, the May meeting minutes were adopted as written, and the proposed agenda was accepted as drafted. Matt Fabry mentioned that city staff will be eligible for the members' discounted rate for admission to the California Stormwater Quality Association (CASQA) conference in Oakland in September. He also brought along copies of a brochure that describes the benefits of CASQA membership.

2. PRESENTATIONS

- a. Status of Revising the Draft Municipal Regional Permit – Matt noted that the Bay Area Stormwater Management Agencies Association (BASMAA) managers and staff have had a series of meetings with Regional Water Board staff. BASMAA managers are interested in using CASQA's effectiveness evaluation approach as a way to allow municipalities more flexibility in complying with permit requirements. BASMAA managers have made it clear to the Regional Water Board staff that none of the concepts it is presenting have been approved by municipalities, and municipalities' views will still need to be vetted. Regional Water Board staff is open to making a few changes to the draft permit to incorporate some effectiveness evaluation concepts. One of the permit areas likely to be improved is the requirements for trash and litter control; the emphasis may be on addressing trash and litter hotspots. The Regional Water Board staff seems less flexible about reducing the amount of monitoring and on phasing in the new requirements to allow municipalities' time to attempt to obtain additional revenue. The Regional Water Board staff currently anticipates releasing a revised draft of the permit for public comment in September and adopting the permit in November. This schedule may be unrealistic given the amount of disagreement remaining over the permit and the lack of recent participation by municipalities in discussions with the Regional Water Board staff.
- b. Update on Grant for Sustainable, Green Streets and Parking Lot Projects – Nevue Ngan Associates and Sherwood Design Engineers have been working on the draft design guidebook for sustainable green streets and parking lots. The consultants will attend the August 5 New Development Subcommittee meeting to review the draft guidebook and the areas of the draft where input from municipal staff would be most helpful. Matt and the consultants will present information about the guidebook, demonstration projects, and vehicle registration fees at CASQA's conference in September.

Legislation (SB 348 – Simitian) that would extend the vehicle registration fees for a four year period beyond its current termination date of December 31, 2008, has passed the Assembly. Rich Napier believes that the legislation will be adopted by the legislature and approved by Governor Schwarzenegger. If the legislation is approved, the TAC can decide how it would like to spend these resources to address stormwater pollution associated with vehicles.

- c. Submittal of Completed Deliverable Forms for Annual Report – Fred Jarvis reminded everyone that the completed deliverable forms are due. If late submittals reach EOA by July 18, the information will get into the draft Annual Report. The municipalities will have about one week to review the draft Annual Report starting the second week in August. Information that is submitted by August 19 will be included in the final version of the Annual Report that will be submitted to the Regional Water Board by September 1.
- d. Proposed Listing of Creeks as Impaired by Trash and Approach to Improving Trash and Litter Controls – Fred mentioned that the Regional Water Board staff is tentatively planning to list San Mateo and Colma Creeks as impaired by trash and litter. The State Water Resources Control Board, Regional Water Quality Control Boards, and U.S. EPA review their lists of waterbodies that are impaired under the Clean Water Act's section 303(d) every two years. The Regional Water Board staff also expressed concern about the amount of trash and litter in Laurel, Pulgas, and San Pedro Creeks. It is anticipated that the proposed new listings would be available for public comment in August or September, and the Regional Water Board would adopt the new list in November. Once the Regional Water Board adopts the list, it is forwarded to the State Water Resources Control Board for consideration, and then it requires approval by U.S. EPA Region 9

in San Francisco.

The Watershed and Monitoring Subcommittee is proposing to focus on identifying sources of trash and litter found in creeks in order to help the cities to correct these problems. This type of work may be conducted first in San Mateo and/or Colma Creeks. City of San Mateo staff is willing to participate in a pilot project. It was mentioned that Colma Creek is operated by the San Mateo County Flood Control District, and cities do not have access to this creek unless permits are obtained.

BASMAA is developing a regional advertising campaign for trash and litter that targets young males. The San Mateo Countywide Clean Water Program needs a new person to be SMCWPPP's representative to BASMAA's Public Information and Participation Committee. Menlo Park's Dianne Dryer can no longer serve as the representative.

- e. Review of Upcoming Grant Funding Opportunities and How to Prepare a Competitive Grant Application – Susan Gladstone, the Regional Water Board's grant funding coordinator, provided the following information:
- i. Proposition 84 was adopted by the voters in 2006. There will be \$82 million available statewide for stormwater related grants under this proposition.
 - ii. Local public agencies are eligible to apply for these grants. The broader the group of stakeholders involved with the project the better.
 - iii. AB 739 defines seven types of stormwater projects that will be eligible for grant funding. This legislation also created a task force to guide how the grant funds are spent. Low impact development projects will be encouraged. Projects should address a significant, high priority problem and add to the overall knowledge base.
 - iv. Most of Proposition 84 is intended for capital improvement projects.
 - v. Plans for projects will need to be fairly well developed by the time the grant application is due.
 - vi. Projects need to be maintained, and grant recipients need to demonstrate a commitment to using the grant funded stormwater controls or practices in similar types of future, non-grant funded, projects. In addition, the Regional Water Board staff wants the project's results to be institutionalized via local policy or ordinance. These types of changes will require support from a grant applicant's city council or Board of Supervisors.
 - vii. The State Water Resources Control Board (State Board) will distribute in October the draft guidelines for applying for these grants, and the State Board will adopt the guidelines in December. Once the guidelines are adopted, a 30 to 45 day window for soliciting grants will be initiated. One needs to be figuring out a project now to meet this quick turnaround time. The application process will probably include two steps: a concept proposal and then a more detailed proposal for projects selected to remain in the competition.
 - viii. The State Water Resources Control Board's priorities for projects are low impact development, sustainability, and green building. The Regional Water Board also places a high priority on creek and surface water restoration.
 - ix. Other grants will be offered under Proposition 1E that the Department of Water Resources leads, and U.S EPA offers annually Clean Water Act Section 319 grants. The solicitation for Section 319 grants will be available later this month, and about \$4 million will be available statewide.
 - x. State revolving loan funds are also available, and municipalities should contact the Regional Water Board staff about getting a project on the list.
 - xi. Agencies thinking about applying for grants should contact Susan Gladstone (510 622-2352 SGladstone@waterboards.ca.gov) before proceeding too far. She is willing to facilitate a meeting with Regional Water Board staff to help grant applicants.

3. SUBCOMMITTEE REPORTS

PUBLIC INFORMATION/PARTICIPATION (PIP) – EVA JUSTIMBASTE

Eva reported that the subcommittee met on July 8. Planning for the County Fair on August 8 through 18 was discussed. The fair will be advertised in the Examiner using a bookmark that describes who the Program is and what it does. The training for staffing the Program's county fair booth was videotaped, and Sarah Pratt developed a list of talking points to help staff.

COMMERCIAL/INDUSTRIAL AND ILLICIT DISCHARGE (CII) – WARD DONNELLY

Ward provided an update on the June meeting, and a summary of this meeting was included with the TAC agenda packet.

NEW DEVELOPMENT (ND) – MATT FABRY

Matt reported on the June meeting that was summarized in the packet of information canceling last month's TAC meeting. One of the items discussed was the changes in this year's construction site management workshops hosted by the San Francisco Estuary Project. In order to reduce costs, there will be fewer workshops and no field training will be offered. Santa Clara Valley will have a workshop at the end of November or beginning of December. Frank noted that he preferred that the workshops be held earlier in the year. Matt believes that the field portion of the training is very useful.

MUNICIPAL GOVERNMENT MAINTENANCE ACTIVITIES

The subcommittee held its annual training workshop in June, and a summary of the information presented at the workshop was distributed at the TAC meeting. One of the highlights of the workshop was a presentation by Tom Leary, the City of Long Beach's Stormwater Program Officer, about their award-winning litter abatement program.

PARKS MAINTENANCE AND IPM WORK GROUP – VERN BESSEY

The work group has not met recently.

WATERSHED ASSESSMENT AND MONITORING (WAM) – FRANK MANDOLA

Frank reviewed the subcommittee's field trip to see trash impacts on urban creeks. A summary of the field trip was included with the TAC agenda packet.

4. PUBLIC COMMENTS

None

5. NEXT MEETING

The next TAC meeting will be held on August 19 in East Palo Alto. In addition, San Mateo County Environmental Health volunteered to host the September TAC meeting at its new location, and South San Francisco volunteered to host the October TAC meeting.

6. ADJOURNED

2008 NPDES TAC Attendance Record		Page 1											
AGENCY AND NAME	Telephone #	Jan	Feb	Mar	Apr*	May	Jun*	Jul	Aug	Sep	Oct	Nov	Dec
STOPPP/Brisbane													
Matt Fabry	415-508-2134	X	X	X		X		X					
EOA, Inc.													
Fred Jarvis	510 832-2852 x111	X	X	X		X		X					
Regional Board													
Habte Kifle	510-622-2371	X	X	X		X							
Cecil Felix	510-622-2343												
Keith Lichten	510-622-2380												
Atherton					N		N						
Steve Tyler	752-0570	X		X	O	X	O	X					
Troy	752-0551												
Belmont													
Gilbert Yau	595-7425	X	X		M		M						
Karen Borrman	595-7427			X	E	X	E	X					
Burlingame					E		E						
Phil Monaghan	558-7230		X	X	T		T						
Eva Justimbaste	333-4626	X	X	X	I	X	I	X					
Victor Voong	558-7230				N		N						
Colma					G		G						
Muneer Ahmed	757-8888							X					
Daly City													
Cynthia Royer	991-8203	X	X			X							
Ward Donnelly	991-8208	X	X	X		X		X					
Patrick Sweetland	991-8200		X										
Mike Peterson	991-5752			X									
East Palo Alto													
Jaime Camacho	853-3189	X											
Lucy Chen	853-3191					X		X					
John Latu			X	X									
Foster City													
Norm Dorais	286-3279	X	X	X		X		X					
Mike McEllicott	286-3279												
Half Moon Bay													
Nancy Kyser	726-8265												
Charlie Voos	726-8299	X				X							
Hillsborough													
Dave Bishop	375-7488												
Jen Chen	375-7488	X	X	X		X		X					
Menlo Park													
Jennifer Ng	330-6740	X	X	X		X		X					
Virgina Parks	330-6752												
Millbrae													
Khee Lim	259-2347	X	X										
Florian Ebo	259-2337	X		X									
Pacifica													
Raymund Donguines	738-3768	X											
Kathryn Farbstein													
Elizabeth Claycomb	738-7361	X				X		X					



B A S M A A

Memo

To: BASMAA Executive Board
From: Geoff Brosseau, Executive Director
Date: June 30, 2008
Subject: BASMAA – Establishing as non-profit organization

The purpose of this brief memo is to highlight the need and advantages and disadvantages of BASMAA establishing itself as a non-profit organization.

Introduction: BASMAA was formed by local governments starting in 1989 in response to the National Pollutant Discharge Elimination System (NPDES) permitting program for stormwater in an effort to promote regional consistency and to facilitate efficient use of public resources. The organization grew from the bottom (local) up to focus on regional challenges and opportunities to improving the quality of stormwater runoff to the San Francisco Bay and Delta. The association is designed to encourage information sharing and cooperation, and to develop products and programs that would either be beyond the ability of the individual member agencies or more cost-effectively conducted regionally than could be accomplished locally. In addition, BASMAA provides a forum for representing and advocating the common interests of member programs at the regional and state level.

Current Governance:

Documents - The eight member programs of BASMAA have all agreed to the terms of a Memorandum of Understanding (MOU) that sets policy on member's roles and responsibilities, and describes the purpose and basic operations (e.g., voting, dues) of the organization. Each year BASMAA collects dues from its members for a "baseline" program. The baseline program provides for staff (Executive Director / Executive Assistant), other consultants, and finances baseline projects (i.e., projects endorsed by all member stormwater programs). In addition, the BASMAA MOU provides a means for two or more of the member programs, or other organizations, to agree to contribute additional funds to do "tasks of regional benefit." This option allows regional or subregional projects to go forward absent a unanimous endorsement by the eight member programs. In addition to the MOU, BASMAA governance is guided by Operational Guidelines – the purpose of which is to effectively implement the MOU by providing more detail on the governance of BASMAA.

Structure

- Executive Board - The Executive Board comprises managers from the member stormwater programs, and is led by the Board Chair who is selected by the Executive Board.
- Treasurer - As BASMAA is not a legal entity, it has no standing to make legal (e.g., contracts) or financial (e.g., bank accounts) commitments. Therefore, these duties are provided by a Treasurer – a role fulfilled on a volunteer basis by one of the member agencies. The role of the Treasurer is to keep BASMAA's financial accounts and to provide fund collection and disbursement services for BASMAA's accounts. The Treasurer is also the contracting agency for BASMAA's long-term contracts (e.g., Executive Director). To spread the administrative burden, other member agencies volunteer to manage other BASMAA contracts.

Need: To-date, the 77 Phase I stormwater programs have been covered by six separate permits, with differing requirements, on schedules up to four years out of phase. The expected adoption of a Municipal Regional Permit (MRP) covering all of the Phase I stormwater programs in the Bay Area will align the programs on one set of permit requirements and on one compliance schedule. The BASMAA Executive Board expects these changes to promote much more regional implementation of stormwater projects and programs.

Unfortunately, BASMAA's current financial management system is inefficient and administratively burdensome for BASMAA staff and the member agencies that volunteer to help administer it. To-date, that system has sufficed because the workload has been relatively small. With the adoption of the MRP, the workload is expected to increase significantly and the inefficiencies and administrative burdens of the current financial management system will increase significantly.

Proposal: Establish BASMAA as a 501(c)(3) non-profit organization.

Cost: Legal - \$3,500 - \$5,000, including application for tax exemption, fees, and development of Bylaws.

Advantages:

- Removes burden of financial management from volunteer member agency
- Much more efficient financial management as all financial administration handled by one entity and that entity is the same organization as BASMAA
- Provides ability to let own contracts
- Provides ability to secure outside funding (e.g., grants)

Disadvantages:

- Annual Audit / Tax preparation / Bookkeeper / State Fees cost (est. \$2,500 - \$5,000)
- Annual Directors & Officers Liability insurance / Business Owners Policy (est. \$2,000)

Other Differences:

- Executive Board and Officers would be formally elected by member agencies
- Annual financial statement required to be made available to member agencies

PIP Subcommittee Report

Meeting Date: July 8, 2008

Subcommittee Action:

It was agreed that the old plastic STOPPP bags will be recycled properly, instead of reused.

Requested Technical Advisory Committee Action or Feedback/Guidance: None needed at this time.

COUNTY FAIR TRAINING

Booth Set-up Discussion

- Three tables with informational documents and appropriate give-away items separated by subject matter - Stormwater, Coastal Cleanup Day, HHW/Oil.
- Move diorama to side of booth to allow the public better access to the booth's tables & information
- Add a welcome sign to entice people to enter booth
- Drill hole in Landscaper's Guide Book and add string to attach to rack so it is not stolen
- Create large version of Too Toxic To Trash Poster
- Make larger displays for Coastal Cleanup Day table and Stormwater Table

Fair Advertising/Promotion Suggestions

- Place ad in the Examiner's County Fair insert, published August 7 and handed out at Fair.

Staff Logistics

- Booth staff are welcome to exchange shifts with other groups – notify Marilyn of changes
- Marilyn (Redwood City), Eva (Burlingame), & Mike McElligott (San Mateo) will be “on call” for staffing emergencies/breaks.
- Booth should be staffed by at least 2 people for the majority of the time. Contact Marilyn if your agency can only provide one person; and she will try to pair you with another member agency.

Staff Roles & Duties

- Wear SMCWPPP tag to denote who you are representing
- Arrive 10 minutes early for shift
- Monitor amount of give-away items on tables
- Use counter to track number of people stopping by booth
- Empty trash at end of shift
- Replace water in buckets for diorama
- Take pictures of the booth in action, if possible

Materials Review, Talking Points

- All materials on display were demonstrated by Sarah Pratt with a discussion about how to use materials and brochures to answer people's questions.
- “Talking Points”, “Outreach Materials and How to Use Them”, and “Frequently Asked Questions” documents will be emailed to each PIP member. Please forward these to all city staff who will be working the booth. The sheets will also be laminated and placed in the plastic drawers at the Fair.



Diorama Training

- Redwood City Public Works staff explained how to use the stormwater diorama. Key points:
 - DON'T TOUCH ANYTHING BUT THE SURGE PROTECTOR SWITCH
 - Clean out water buckets for shift changes
 - Put display cover on diorama at end of day
- Instructions will be in the plastic rolling cart at the booth, as in years past.

Announcements

- Sarah Pratt - www.flowstobay.org website re-design will be launched on July 21st.

Subcommittee Work That Affects Other Subcommittees: N/A

Next Steps: Review handouts on Material Use, FAQ's & Talking Points to prepare to fair outreach.

Next Meeting Date: September 9, 2008 – 10 am to noon