

MRP Workgroup on Discharges Associated with Homelessness

Kickoff Meeting

Room 15, 2nd floor, 1515 Clay Street, Oakland CA 94612

February 24, 2020

Meeting Summary

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I. Workgroup Purpose, Goals and Desired Outcomes

The purpose of this workgroup is to discuss best practices for addressing water quality impacts related to homeless encampments and people living in vehicles including RVs, with the goal of identifying a set of practices that Water Board staff expects to incorporate into the Municipal Regional NPDES Stormwater Permit (MRP) when it is reissued. A portion of the impacts is associated with direct discharges to receiving waters; while these are not necessarily regulated directly via the MRP, it's likely that the associated set of practices to address direct discharges would be similar. This workgroup is timely, with the Governor's recent State of the State address focused on homelessness, and San Francisco Baykeeper's recent notice of intent to sue the cities of Mountain View and Sunnyvale for elevated levels of bacteria discharging via their storm drains to receiving waters. Water Board staff are looking at where discharges related to homelessness fit into the MRP, particularly the monitoring provision and the direct discharge provision. It may also be appropriate to frame the practices as a plan of control that addresses municipal causes of or contributions to violations of applicable water quality standards for bacteria pursuant to MRP Provision C.1. Water Board staff are looking for a commitment to action that results in meaningful changes. A range of solutions may be appropriate, as homeless populations and the municipalities within which they occur are heterogeneous.

Two goals were established:

1. Determine the current practices that Bay Area municipalities are employing to combat the adverse water quality impacts of homelessness.
2. Develop language for MRP 3.0 that sets expectations for discharges associated with homelessness.

II. Workgroup Process

Water Board staff would like to take a similar approach in this workgroup as in the other MRP workgroups in terms of process. That is, meet roughly monthly while keeping in mind the need to develop permit language within the MRP 3.0 reissuance schedule.

III. Summaries of Group Breakout Discussions

The workgroup broke into three smaller groups plus one group comprised of those on the phone, each of which discussed the following questions: 1) What do you want to get out of this workgroup? 2) What information do you have to present about practices or challenges? Their answers are summarized below.

Group 1: Designated areas where RVs can dump their waste (temporary vouchers employed by Napa County); garbage services that are shared and contracted between the flood control districts and municipalities; used syringes dumped in waterways; campfires that occur in high-concentration homeless encampments; Seattle PUC's Chris Wilkerson

leading a new program on similar issues; info generation – censuses and mapping; access to a point-in-time water quality survey.

Group 2: Desired outcome of this workgroup: share info between Caltrans and the municipalities, in Region 2 and across the state; advocate for water quality; drive collaboration between Caltrans and the municipalities and eliminate barriers to that collaboration; provide input/expertise to maintenance staff; communication and info sharing between permittees; empowering illicit discharge inspectors; inspectors' main tool is enforcement, but that is not a very good tool for the homeless; retaining the Direct Discharge Control Plan (DDCP) program sanctioned by the current issue of the permit. What info do you want to present about existing practices/challenges: share info on encampment cleanups/abatement between Caltrans and the municipalities; crediting those actions towards Caltrans CDO compliance; changes to Caltrans' internal policies; discussions of Caltrans' internal taskforce.

Group 3: Different solutions based on different sources (e.g., SCVWD vs. Oakland); find a central place to move the encampments to, to make providing services easier; better understand costs and best practices, then, what kind of program is most appropriate for each permittee, and what would implementation of that program look like (similar to DDCPs); regional partnerships; what is Caltrans doing with their lease properties?

Group on the phone: Coordinating with Public Works; private property soil contamination with sewage; safe RV parking areas with services; DDCPs; lots of interest from permittees in what a provision on homelessness would look like; caution that there is a great difference in homelessness conditions between municipalities; protecting the municipalities from suit, especially those that don't have sufficient financial resources for social services (which may be handled at the county level) or other amenities; be cautious and flexible about the implementation approach.

IV. Next Steps and Action Items

- Meet every 4-6 weeks.
 - Continuing to allow workgroup participants to call in will make more frequent meetings (e.g., 4 weeks instead of 6 weeks) easier on those who have to travel far to get to the Water Board offices.
- Water Board staff will send out a doodle poll to set the next workgroup meeting.
- Water Board staff will send out the meeting summary of this meeting.
- At the next workgroup meeting, Caltrans will provide an update on the latest from their internal homelessness task force.
- Water Board staff requested that some of the workgroup members bring some case studies to discuss at the next workgroup (we will send out an email with that request).
- Water Board staff will draft a framework for this workgroup.

Workgroup on Discharges Associated with Homelessness Kickoff Meeting Agenda

Monday, February 24, 2020, 11 am – noon
SF Bay Regional Water Quality Control Board
Elihu M. Harris Building - Room 15 (2nd Floor)
1515 Clay St. Oakland, CA 94612

Conference Line: 1-877-402-9757
Participant Code: 5183280

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| 1. | Welcome (Keith Lichten) | 5 min. |
| 2. | Introductions | 5 min. |
| 3. | Workgroup purpose, goals, and desired outcomes (Water Board and all) | 15 min. |
| 4. | Break-out discussion (All) <ul style="list-style-type: none">• Break into small groups to discuss key water quality issues, current municipal actions, and associated concerns (RV discharges, encampments, issues participants would like the work group to address/consider) | 10 min. |
| 5. | Summarize small group discussions and key issues (All) | 15 min. |
| 6. | Next steps and action items (Water Board and all) <ul style="list-style-type: none">• Future workgroup meetings• Action items | 10 min. |