

MRP 3.0 Steering Committee Meeting
Tuesday, April 7, 2020
1:00pm-4:00pm
Meeting Summary

I. Introductions

Outcome: Participants signed in to an online Excel spreadsheet, reproduced below:

<u>Attendee</u>	<u>Organization</u>
Sharon Gosselin	County of Alameda and ACFC&WCD
Joanne Le	City of Richmond
Michelle Daher	City of East Palo Alto
Luisa Valiela	EPA, Region 9
Leah Walker	City of Petaluma
Matt Fabry	San Mateo Countywide Water Pollution Prevention Program
Lucile Paquette	Walnut Creek
Amanda Booth	City of San Pablo
Chelsea Thompson	City of Petaluma
Beth Baldwin	Alameda County Clean Water Program
Paul Willis	Town of Hillsborough
Jennifer Harrington	Vallejo Flood & WW District
Michele Mancuso	Contra Costa County and Contra Costa Flood Control
Kirsten Struve	Santa Clara Valley Water District
Melody Tovar	City of Sunnyvale
David Krueger	City of San Ramon
Rinta Perkins	City of Santa Clara
Sarah Scheidt	City of San Mateo
Jill Bicknell	EOA/SCVURPPP
Reid Bogert	San Mateo Countywide Water Pollution Prevention Program
Kathy Cote	City of Fremont
Bonnie de Berry	BASMAA/EOA/SMCWPPP
Kevin Cullen	FSURMP
Sharon Newton	City of San Jose
Kristine Corneillie	Contra Costa Clean Water Program
Jim Scanlin	Alameda County Clean Water Program
Terri Fashing	City of Oakland
Shannan Young	City of Dublin
Karin Graves	Contra Costa Clean Water Program
Chris McCann	Town of Danville
Bob Russell	Town of Danville
Scott Alman	Clayton, City of; Martinez, City of
John Allan	County of San Mateo, Office of Sustainability
Mitch Avalon	Contra Costa Clean Water Program
Janelle Lee	Town of Los Altos Hills
Pam Boyle Rodriguez	City of Palo Alto
Bruce Davis	City of Concord
Jeff Sinclair	City of San Jose
Gary Grimm	Alameda County Clean Water Program
Dan Cloak	Contra Costa Clean Water Program
Brad Underwood	City of San Mateo

Athena Watson	Zone 7
Jennifer Harrington	VFWD
Khalil Abusaba	CCCWP
K Springer	--
Joe	--
Lej	--
Lisa Austin	Geosyntec
Lynne Filson	Harris & Associates
M Carlson	--
Michelle Daher	City of East Palo Alto
V Patel	--
Rita Di Candia	City of Pleasanton
Scott Walker	Langan Engineering & Environmental Services
R Bartlett	--
Robert Newman	City of Vallejo
Vatsal Patel	City of San Carlos
Thomas Mumley	SFBRWQCB
Keith Lichten	SFBRWQCB
Derek Beauduy	SFBRWQCB
Joseph Martinez	SFBRWQCB
Imtiaz-Ali Kalyan	SFBRWQCB
Zach Rokeach	SFBRWQCB
Elyse Heilshorn	SFBRWQCB

Workgroup Coordinators:

- C.3: Matt Fabry and Jill Bicknell
- C.4/5: Michelle Mancuso and Kristin Kerr
- C.8: Lucile Paquette and Bonnie de Berry
- C.10: Chris Sommers
- C.11/12: Lisa Austin and Jim Scanlin
- Firefighting: Zach Rokeach
- Homelessness: Imtiaz-Ali Kalyan
- Tracking/Reporting: Chris Sommers and Vishakha Atre

II. Changes to Agenda

Outcome: None.

III. Review of Action Items

Outcome: Reviewed action items from December 3 Steering Committee Meeting; those that aren't yet finished will be carried over to the list for this meeting.

IV. Approval of Summary from Previous Steering Committee Meeting

Outcome: Pushed back to the next Steering Committee meeting. Zach will resend the latest version to the group for review.

V. Summary of SC Work Group Discussions

Outcome: The workgroup leads gave presentations on discussions at recent meetings, focusing on areas of tentative agreement and disagreement with Water Board (WB) staff. PowerPoints for several of them are attached at the end of this meeting summary. During the C.3 presentation there was a discussion about the extent of the asset management program; during the C.4/5 presentation there was a discussion about the extent to which permit requirements apply to non-population-based permittees and the WB's rationale for including MS4 mapping requirements; during the C.11/12 presentation there was discussion about the permittees' programmatic approach on PCBs; during the firefighting presentation there was a question about bringing in more FD staff to increase the number of different perspectives that are provided. Workgroup meetings are mostly ongoing.

VI. Identification of Remaining Contentious Issues

Outcome: At the outset, WB staff indicated that although it's not unfruitful to have additional discussions, in the interest of advancing certain discussions that have repeated and remain contentious, WB staff will begin preparing draft language for the permittees to review. Discussion followed on several hot-button proposed changes to C.3 and C.10. For C.3, there was discussion about regulated project thresholds, the existing roadway exemption, special projects, single family homes, the relationships between GI implementation and achievement of TMDL WLAs, and allowing permittees time to get alternative compliance programs in place. For C.10, there was discussion about source controls and offsets, closing the loop on MS4 discharges and the ultimate goal of no adverse impacts, the consistency of OVTA scores necessary for permittees to claim Low or Moderate trash loading levels, FTCD O&M requirements, full capture equivalency, the equity of certain permittees having more of a trash problem than others, WB feedback on the trash receiving water monitoring program, and the benefits of curb inlet screens GI to controlling trash. There were also several questions raised in the chat box; the transcript of that chat box is attached to this meeting summary. Further discussion is best had at the workgroup level.

VII. MRP 3.0 Reports of Waste Discharge (ROWD)

Outcome: WB staff outlined expectations for the ROWDs to be submitted by the permittees by July 4, 2020. Similar to previous permit reissuances, they should be submitted collectively by the stormwater programs when a permittee is part of a program, or otherwise individually by the permittees. Three areas that WB may ask for additional information are: 1) plans to achieve "no adverse impact" trash loading, perhaps especially for those permittees that anticipate struggling to cross the finish line, 2) additional previews of the RAAs, considering the timing of their submission, and 3) the final report for the trash receiving water monitoring program.

VIII. MRP 3.0 Schedule

Outcome: WB staff indicated that we are collectively still on track to adopt and have MRP 3.0 effective by the beginning of Fiscal Year 2021. The June 2020 Board workshop is still expected to happen, though more details are TBD; it will provide an opportunity for the Board, NGOs, EPA and permittees to provide additional input. Trash, homelessness and Hg/PCBs will likely be priority topics.

IX. Planning for Future Steering Committee/Work Group Meetings

Outcome: The next Steering Committee meeting date was tentatively set for June 2, 2020.

X. Review Action Items

- a. Permittees and WB staff will discuss new TMDLs that will be incorporated into MRP 3.0.
- b. Permittees and WB staff will discuss which provisions/sub-provisions do or do not apply to non-population-based permittees.
- c. Send out the latest versions of the November and December (recall Jill Bicknell's proposed edits) 2019 Steering Committee meeting summaries to the group for review, then approve both at the next meeting.
- d. WB staff will create a list of permittees and schedule meetings to further discuss GI implementation targets provided in GI Plans.
- e. WB staff will send an email to the permittees with more information on the ROWDs.
- f. WB staff will respond to the permittees with their initial thoughts on the proposed trash receiving water monitoring program based on the preliminary report.

XI. Schedule of Steering Committee Meetings

- a. October 30, 2018 - Kickoff Meeting
- b. January 29, 2019 - Process and Structure
- c. March 26, 2019 - C.10
- d. June 25, 2019 - C.3/11/12
- e. November 5, 2019 - Other Provisions
- f. December 3, 2019 - C.8/Reporting
- g. April 7, 2020 - Remaining Contentious Issues
- h. June 2, 2020 - TBD

XII. Attachments

- a. Chat box script
- b. Work group presentations
- c. April 7, 2020, Steering Committee Agenda



MRP 3.0 Steering
Committee 4_7_20 We



MRP 3 SC Mtg



MRP 3.0 Steering

Committee Meeting_A

Attachments

DRAFT Agenda
MRP Steering Committee Meeting
Tuesday, April 7, 2020
1:00pm-4:00pm
[Click Here to Join the Meeting](#)
Meeting #/Access Code: 622 089 180
Password: yMcJ9337QUB
Phone/Audio: 1-510-338-9438

I.	Introductions	1:00pm
II.	Approval of Summary from Previous Meeting and Review of Action Items	1:10pm
III.	Changes to Agenda	1:20pm
IV.	Summary of SC Work Group Discussions <ul style="list-style-type: none"> a. C.3 – New/Redevelopment and GI (Jill Bicknell/Matt Fabry) b. C.4/5 – Ind/Com Site Controls (Michelle Mancuso/Kristin Kerr) c. C.8 – Water Quality Monitoring (Bonnie de Berry/Lucile Paquette) d. C.10 – Trash Load Reduction (Chris Sommers) e. C.11/12 – PCBs and Hg (Jim Scanlin/Lisa Austin) f. Homelessness/Firefighting – (Imtiaz-Ali Kalyan) g. Tracking/Reporting – (Chris Sommers/Vishakha Atre) <p><i>Work group leads to briefly summarize recent meetings. Highlight topics that are resolved vs. topics that are yet unresolved.</i></p>	1:25pm
V.	Identification of Remaining Contentious Issues <ul style="list-style-type: none"> a. C.3 – New/Redevelopment b. C.8 – Water Quality Monitoring c. C.10 – Trash Load Reduction d. Others <p><i>This will be an opportunity to identify the major issues which are still being discussed in the work groups, not to actually discuss those issues. Prescribe timelines for their resolution (I.e. agree or agree to disagree) at the work group level.</i></p>	2:10pm
VI.	MRP 3.0 Reports of Waste Discharge (ROWD) <p><i>Discuss WB’s expectations for ROWD submittals, such as info gathering for MRP 3.0.</i></p>	3:00pm
VII.	MRP 3.0 Schedule <p><i>WB will provide the latest update to the MRP 3.0 reissuance schedule, if any.</i></p>	3:20pm
VIII.	Planning for Future Steering Committee / Work Group Meetings	3:30pm
IX.	Review Action Items and Next Steps	3:45pm
X	Adjourn	4:00pm

MRP 3.0 Steering Committee

April 7, 2020

Chat String

from Kathy Cote to everyone:

I have an item for the approval of the November 5 meeting summary - can you add my name (Kathy Cote) to the attendance list. I was there but forgot to sign the sheet. Thanks

from Bob Russell to everyone:

can you include me in the email list brussell@danville.ca.gov

from bethb to everyone:

I sent a minor correction this morning - I am with ACCWP and not CCCWP. For some reason my mic is not working. I can hear you but you cannot hear me.

from zach rokeach to everyone:

we'll make the change

from LVALIELA to everyone:

Can we get an example of what the lack of agreement is for "Special projects"? I'm not aware what the actual issue is..

from KCullen to everyone:

what is SB 205??

from Dan Cloak to everyone:

Would like WB staff to clarify expectations with regard to mapping storm drain systems.

from KCullen to everyone:

thanks

from Chris McCann to everyone:

I have a question on the need for additional mapping

from LVALIELA to everyone:

To add to Zach's summary, at our wkgp mtg we had representation from 3 different fire districts 9(if I remember correctly) but even with the 3, it seems like there is more to be learned systematically from what each fire district is using and if fire district's have a contact with its respective city or county

from MTovar to everyone:

How is road "reconstruction" defined?

from Kathy Cote to everyone:

Fremont is very concerned that lowering the threshold size will be an ineffective use of very limited resources.

from sscheidt to everyone:

there have been limited opportunities for alternative compliance / regional compliance projects.

from Gary Grimm to everyone:

Will the slides be made available after this session?

from MTovar to everyone:

For the workgroup discussion: 1) What is road reconstruction; 2) What is the cost adder for implementing LID (utility conflicts and all) on a road project? I'm remembering it is really significant, far more than the adder when implementing C3 on a private project development (high value).

from LVALIELA to everyone:

Special projects seems to be being pitted against alternative compliance approach- why? Are there examples where WB thinks special projects

from LVALIELA to everyone:

special project have been "abused"/not worthy, and thus is why want them removed?

from Don Eisenberg to everyone:

Luisa, I'm happy to follow up with you after the meeting to give you more background on the Special Projects discussion if you'd like.

from sscheidt to everyone:

If it's due to lack of design vs. feasibility - deal with those jurisdictions or projects individually. Some are pushing back and not allowing the credits and requiring GI where feasible..

from Don Eisenberg to everyone:

This is Jill, not Don Eisenberg!

from LVALIELA to everyone:

Keith's response mostly answered this.. sounds like it is a matter of it not being effective enuf

from Joseph to everyone:

Mtovar I wrote down your question to bring up in workgroup

from Kathy Cote to everyone:

Can we simply include the chat box comments in the minutes?

from MTovar to everyone:

Thanks, Joseph (it's Melody, no idea how to modify that)

from Dan Cloak to everyone:

Luisa, There is no quantifiable difference in water quality effectiveness between LID and non-LID. LID has ancillary benefits and is more reliable.

from Don Eisenberg to everyone:

I agree with Dan, although it likely depends on the pollutant.

from Don Eisenberg to everyone:

This is Chris S.

from Terri Fashing to everyone:

Oakland would like to better understand why mechanical treatment in a downtown area at the bottom of the watershed with no hydromod impacts possible downstream is so inferior to LID, especially if landscaping is included with a given project and especially if the only LID approach feasible would be flow-through planters. What is the exact environmental benefit of LID versus mechanical treatment?

from Terri Fashing to everyone:

Also, I appreciate Melody Tovar's contribution and look forward to following up on this at the next work group meeting. -Terri

from Dan Cloak to everyone:

As Keith says, the Water Board's position is that development in the urban core does not offset development in the periphery, so there is no water quality justification for making it easier to develop high-density housing projects near transit. The Permittees have a different view as they are committed to building housing near transit in their climate plans and as a long-term need to make housing affordable and reduce homelessness.

from khalil.abusaba to everyone:

agreed and well summarized thanks Lisa -kpa

from Dan Cloak to everyone:

2nd that thanks Lisa.

to Derek Beauduy (privately):

Nee to move on?

from bethb to everyone:

yes thank you for the break!

from Don Eisenberg to everyone:

Come back at 3:14pm

from bethb to everyone:

I thought the cleanups/direct discharge only allowed if cannot meet the 100% and could take off the top.

from LVALIELA to everyone:

I don't want to assume that muni investment in enforcement of source control measures hasn't already been incorporated into the credits being given, but if they haven't, can that be captured as a "new action" to give muni's more flexibility in what they can garner credit for?

from Stephen Pree to everyone:

On land cleanup credit may be the most effective , verifiable and economical trash reduction action and should be credited

from Terri Fashing to everyone:

Can these comments be shared with the group later?

from zach rokeach to everyone:

yep terri, we'll do a meeting summary and include all points made

from Lynne Filson to everyone:

Do you get credit for enforcement, it isn't just passing the ordinance.

from Lucile Paquette to everyone:

Is the new homeless provision have credit for this? Like a programmatic approach in c.11/12?

from IMTIAZ-ALI to everyone:

Lynne, current requirements that allow credit for source control require that the ordinances in place are enforceable and muni. are enforcing if/when necessary

from Stephen Pree to everyone:

where full capture is not possible, on land clean-ups rely must be credited

from bethb to everyone:

on land cleanups can only get credit from results of visual assessments - not volume or anything like that.

from Lucile Paquette to everyone:

Will The C11/12 plans rely on the programmatic approach and source control accounting help WB have an idea of what to expect?

Agenda Item IV

MRP 3.0 Workgroup Updates

MRP 3.0 STEERING COMMITTEE MEETING
TUESDAY, APRIL 7, 2020

MRP 3.0 C3/GI Workgroup Provision C.3 and Green Infrastructure Summary of Workgroup Discussions

MRP 3.0 STEERING COMMITTEE MEETING
TUESDAY, APRIL 7, 2020

Workgroup Meetings and Topics

2020 Meeting Dates	Topics Discussed
February 6, 2020	GI Plan reviews; WB staff's current perspectives on C.3.j (GI) provisions
March 5, 2020	WB staff proposed C.3.j (GI) language; LID installation/O&M inspections; Regulated Project thresholds and exemptions
April 2, 2020	Continued discussion of GI language; Special Projects; Alternative Compliance; Asset Management

Areas of General Agreement

- LID design, construction and O&M inspection requirements in MRP 2.0 are adequate and supported by stormwater program guidance
- Alternative compliance provisions can be improved by clarifying edits to existing options and addition of a third option for a Regional Alternative Compliance Program
- Asset management requirements should focus on identification, tracking, and reporting of structural water quality assets (LID treatment and full trash capture devices) and build on existing tracking and reporting tools.

Areas of General Agreement – C.3.j

- Programmatic indicators of GI Plan implementation:
 - Coordination of GI implementation with other efforts (e.g., urban forestry, climate adaptation, redevelopment, CIP, creek restoration)
 - Development of funding mechanisms (local and regional)
 - Progress on GI Plan elements (e.g., standard details/specs, tracking and reporting systems, outreach, worker training, etc.)

Areas Lacking Agreement

- Regulated project thresholds and exemptions for single family homes and roads
- Special Projects provisions
- GI implementation goals/targets

[To be discussed under Agenda Item V]

MRP 3.0 C4/C5 Workgroup Commercial/Industrial Source Control and IDDE

Summary of Workgroup Discussions

MRP 3.0 STEERING COMMITTEE MEETING

TUESDAY, APRIL 7, 2020

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Workgroup Meetings and Topics

Meeting Date	Topics Discussed
Internal Meetings 12/12/19, 01/10/20	WB staff's comments/revisions from 11/4/19 matrix
February 11, 2020	WB staff's comments/revisions from 11/4/19 matrix
April 2, 2020	WB staff's updated matrix provided 3/30/20

Areas of General Agreement (C.4)

- Clarify in BIP entities performing inspections for which types of businesses and communication of inspection findings.
- Keep potential and actual discharge terminology. Move definition in Fact Sheet to Permit (footnote or glossary).
- Remove list of facilities covered under C.4 from Annual Report requirements but available upon request.
- Remove list of Industrial General Permit nonfilers from Annual Report requirements but available upon request.
- Inspector Training reporting will include identification of inspectors from other agencies/entities performing inspections

Areas of General Agreement (C.5)

- Clarify in Enforcement Response Plan (ERP) responsible parties that can receive enforcement action for illicit discharge from mobile business (e.g. business owner, operator, property owner, mobile business, etc.)
- Shift emphasis from identifying individual mobile businesses to property owner/responsible party that hires mobile business responsible for discharges

Areas Lacking Agreement (C.4)

- Adding language that Provision applies to - non-population based Permittees for facilities located on property
- Adding language that Permittees must comply with SB 205
- Adding Enforcement Response Plan (ERP) language that all inspectors have authority to first level of enforcement

Areas Lacking Agreement (C.5)

- Adding language that Provision applies to non-population based Permittees
- Adding illicit discharge data tracking requirement for responding departments/agencies
- Expanding MS4 mapping requirements

Next Steps

- Workgroup members provide comments on 3/30/20 matrix
- If there are still areas lacking agreement, another work group meeting will be scheduled

MRP 3.0 C.8 Workgroup Water Quality Monitoring

Summary of Workgroup Discussions

MRP 3.0 STEERING COMMITTEE MEETING
TUESDAY, APRIL 7, 2020

Workgroup Meetings and Topics

Meeting Date	Topics Discussed
Internal Meetings: 2/25/19, 3/25/19, 7/30/19, 10/29/19	Provision C.8 matrix
4/25/19	Compliance options (C.8.a), Monitoring protocols (C.8.b), RMP Participation (C.8.c), Creek status monitoring (C.8.d), SSID Projects (C.8.e), Pesticides and Toxicity (C.8.g)
8/19/19	Creek status monitoring (C.8.d): lessons learned & potential new approach Pollutants of concern: management questions & parameters (C.8.f) and reporting (C.8.h)
11/19/19	Creek status monitoring (C.8.d)
12/3/19	Overview of prior discussions and BASMAA suggestions at Steering Committee

MRP 3.0 C.8 Water Quality Monitoring Workgroup

- BASMAA suggestions presented at Dec. 3 Steering Committee
- Issues of contention not yet identified
- Waiting for WB staff input on:
 - Creek Status Monitoring
 - Transition from probabilistic monitoring to targeted watershed approach
 - Monitoring methods (creek walks, bioassessment, etc.) and level-of-effort
 - Pollutants of Concern (POC) Monitoring
 - PCBs monitoring level-of-effort
 - Elimination of nutrients from POC monitoring
 - Changes to Creek Status and POC Reporting
- Next WG meeting tentatively scheduled for May 4th

MRP 3.0 C.10 Workgroup Trash Load Reduction

Summary of Workgroup Discussions

MRP 3.0 STEERING COMMITTEE MEETING

TUESDAY, APRIL 7, 2020



Workgroup Meetings and Topics

Meeting Date	Topics Discussed
12/13/19	<ul style="list-style-type: none">• Curb Inlet Screens as Trash Controls• Trash Control Requirements for Non-population Permittees• Terminology for Trash Reduction Endpoint/Goal
1/28/20	<ul style="list-style-type: none">• Curb Inlet Screens as Trash Controls• Defining Full Capture System Equivalency (FSCE) via OVTAs
3/24/20	<ul style="list-style-type: none">• Schedule for attainment of 100% load reduction (i.e., full capture or FCSE)• Trash Reduction Offsets and Credits• Jurisdictional Areas – Caltrans ROW & Private Land Areas• Full Capture System Topics<ul style="list-style-type: none">• Situations/conditions where installing systems downstream of a RW allowed• Green Stormwater Infrastructure as Full Capture• Full capture system operation and maintenance

Areas of General Agreement

- Extend 100% trash load reduction schedule to beyond 2022
- Compliance point remains focused on MS4 discharges
- Remove minimum full capture requirement
- Certification of Full Capture deferred to State Water Board

Areas of General Agreement

- Incorporate requirement to notify Vector Control of full cap devices
- Explicitly state which provisions apply to Non-population based permittees
- Remove requirement for annual creek/shoreline hot spot cleanups
- Allowance for full capture downstream or in receiving waters on case-by-case basis (meet and confer)

Areas Lacking Agreement

- Reduction/Elimination of:
 - Source Control Credits
 - Creek Cleanup Offsets
 - Direct Discharge Offsets
- Trash controls on Private Land Areas
- Trash Reduction Goal as defined by OVTAs
 - Assessment frequency

Areas Lacking Agreement

- Reductions via Green Infrastructure
- Reductions via Curb Inlet Screens
- Maintenance Requirements for Full Capture Devices
- Receiving Water Monitoring
- Reporting Requirements

[To be discussed under Agenda Item V]

MRP 3.0 C.11/12 Workgroup

PCBs/Mercury Controls

Summary of Workgroup Discussions

MRP 3.0 STEERING COMMITTEE MEETING
TUESDAY, APRIL 7, 2020

Workgroup Meetings and Topics

- The C.11/C.12 Workgroup is continuing to iron out the Programmatic Approach in a summary matrix
- We have had 13 meetings to date and have two remaining meetings scheduled (one internal tomorrow (4/8) and one external next week (4/14))
- We are hopeful that we can reach agreement on the Programmatic Approach at the last meeting
- We have no contentious issues to bring forward to the Steering Committee currently

MRP 3.0 WQ Impacts of Homelessness & Firefighting Workgroups (Potential New Requirement)

Summary of Workgroup Discussions

MRP 3.0 STEERING COMMITTEE MEETING
TUESDAY, APRIL 7, 2020

Workgroup Meetings and Topics

Meeting Date	Topics Discussed
Firefighting	
February 25, 2020	Kickoff meeting; Berkeley Fire Dept procedures to protect receiving water and training; different types and uses of foam
Homelessness	
February 24, 2020	Purpose of WG; Desired Outcomes Breakout groups – key issues, actions
April 1, 2020	Draft WB Framework City of Oakland presentation

Next Steps

- **Firefighting**

- WB staff asked Countywide Programs to propose MRP 3.0 permit and fact sheet language for urban firefighting discharges in C.15.

- **Homelessness**

- Water Board staff to update draft framework
 - Problem Statement
 - Goals/Proposed Outcomes
 - Practices Under Discussion (initial list)
- Workgroup to discuss updated framework at next meeting

MRP 3.0 Tracking and Reporting Workgroup

Summary of Workgroup Discussions and Remaining Issues

MRP 3.0 STEERING COMMITTEE MEETING

TUESDAY, APRIL 7, 2020

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Workgroup Meetings and Topics

Meeting Date	Topics Discussed
February 19, 2020	Kickoff meeting; Provisions C.2 (Municipal Operations), C.6 (Construction), C.7 (PIP), C.9 (Pesticides) and C.15 (Conditionally Exempt Discharges); Cost reporting

Topics Discussed

- C.2 - Describe implementation of BMPs/SOPs or provide links to documents
- C.6 - Report total number of active sites; report total number of inspectors conducting inspections and training received; conduct inspections throughout the year
- C.7 - Simplify Provision C.7.a (Effectiveness Assessment)
- C.9 - Develop indicators for determining the success of an IPM Program
- C.15 - No change
- Cost Reporting – Concerns with reporting costs; possibly calculate costs on a regional basis, using industry standard unit costs

Next Steps

- BASMAA representatives will meet to discuss issues pertaining to Provisions C.2, C.6, C.7, and cost reporting
- WB staff will develop indicators for determining the success of an IPM Program
- Next meeting of Work Group is being scheduled

Agenda Item V

Identification of Remaining Contentious Issues

MRP 3.0 STEERING COMMITTEE MEETING
TUESDAY, APRIL 7, 2020

MRP 3.0 C3/GI Workgroup

Provision C.3 and Green Infrastructure

Remaining Contentious Issues

MRP 3.0 STEERING COMMITTEE MEETING
TUESDAY, APRIL 7, 2020

Areas Lacking Agreement

- Regulated project thresholds and exemptions for single family homes and roads
- Special Projects provisions
- GI implementation goals/targets

Regulated Project Thresholds/Exemptions

- WB staff plan to lower regulated project definition to 5,000 sq. ft. of impervious surface created/replaced for all project types, including single family (SF) homes
- BASMAA position:
 - Oppose lower threshold due to increased effort for small benefit; removes flexibility for permittees to regulate locally if part of GI Plan
 - Adding SF homes greatly increases burden on permittees to review, track, and inspect. Benefit is unclear. Best addressed under Provision C.3.i.
- Compromise may be to strengthen language in Prov. C.3.i.

Regulated Project Thresholds/Exemptions

- WB staff considering clarification and revisions to road requirements, including removal of exemptions for road reconstruction
- BASMAA position:
 - Oppose removal of exemptions for road reconstruction
 - GI Plans identify and prioritize best locations for green streets
 - Utilities in ROW are a major barrier to GI for many streets
 - May result in delayed road reconstruction work
 - Alternative compliance programs take time to develop and implement

Special Projects

- WB staff plans to remove Special Projects provisions and promote use of alternative compliance to address onsite constraints
- BASMAA position:
 - Maintaining these provisions provides flexibility when working with developers of smart growth, high density, transit-oriented and housing projects and an effective tool to maximize environmental benefits
 - Alternative compliance programs take time to develop, implement, and roll out to development community
- Possible compromise is to phase out and/or to narrow the non-LID treatment allowances

GI Implementation Goals/Targets

- How to set “required goal for greened acres to be achieved within permit term”?
 - Challenges with use of impervious surface retrofit targets from GI Plans due to inconsistent methodology, changing assumptions
- How will goal “assure sufficient progress” on PCB/Hg TMDL load reduction requirements?
 - Previous agreement not to assign specific load reduction to GI
- How will goals/targets be enforced, regionally, countywide and locally?
 - Need flexibility and scalability for different permittee characteristics

Next Steps

- At May 7th and June 4th Work Group meetings:
 - Continue to discuss GI targets and how they will be set
 - Discuss potential changes to Provision C.3.i to address requirements for small projects and SF homes
 - Discuss phase-out and modification of Special Projects provisions
 - Continue discussion of roads requirements
- If cannot reach agreement on issue(s) in next two months, bring back to Steering Committee

MRP 3.0 C.10 Workgroup

Trash Load Reduction

Remaining Contentious Issues

MRP 3.0 STEERING COMMITTEE MEETING
TUESDAY, APRIL 7, 2020

Reduction/Elimination of Credits/Offsets (WB staff Perspective)

- **Source Control Credits**
 - Only apply to new actions not accounted for to-date
 - Only applied to remaining trash generation, after accounting for full capture and OVTAs (e.g., 10% of the 20% remaining)
- **Cleanup/Direct Discharge Offsets**
 - Enhanced cleanups and Direct Discharge combined
 - Maximum reduced from 25% to 10-15%
 - Only applied to remaining trash generation, after accounting for full capture and OVTAs (e.g., 10% of the 20% remaining)
- **Discuss at future WG meeting?**

Other Areas Lacking Agreement

- **Trash controls on Private Land Areas**
 - Need to achieve full capture/green (WB staff perspective)
 - Possible development of BMP-based approach for these areas
 - BASMAA member agencies to discuss & propose
 - Discuss at future WG meeting?
- **Trash Reduction Goal as defined by OVTAs**
 - Definition of how green is green enough (i.e., FCSE)
 - Evaluation underway
 - Frequency of OVTAs – reduction over time?
 - Discuss at future WG meeting?

Other Areas Lacking Agreement

- **Reductions via Green Infrastructure**
 - Evaluations underway
 - Present at future WG meeting?
- **Reductions via Curb Inlet Screens**
 - Review draft SCVURPPP/Oakland Report
 - Discuss at future meeting?
- **Maintenance Requirements for Full Capture Devices**
 - Confirm no major changes proposed by WB staff
 - Discuss at future meeting?

Other Areas Lacking Agreement

- **Receiving Water Monitoring**
 - Not yet discussed
 - Defer to C.8 Workgroup?
- **Reporting Requirements**
 - Not yet discussed
 - Discuss at future meeting?