

MRP Reissuance - Summary of SMCWPPP Permittee Priority Issues and Updates

MRP Provision	Current MRP Requirement	Summary of Issues and Rationale for Changes in Reissued Permit	Recommended Update(s)	Priority	Associated Attachments to Permit Application
A	Discharge Prohibitions	No issue identified	None at this time.	--	None.
B	Receiving Water Limitations	No issue identified	None at this time.	--	None.
C.1	Compliance with Discharge Prohibitions and Receiving Water Limitations	No issue identified	None at this time.	--	None.

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C.2.a. Road Repair	Permittees shall develop and implement appropriate BMPs at street and road repair and/or maintenance sites to control debris and waste materials during road and parking lot installation, and repaving or repair maintenance activities such as those described in the CASQA Handbook for Municipal Operations.	WB staff wants to revise reporting to include submitting BMPs/SOPs in Year 1 and annual municipal staff/contractor training. The current Permit identifies appropriate BMP references such as CASQA Handbook for Municipal Operations, BASMAA's Blueprint for a Clean Bay, BASMAA's Mobile Surface Cleaner Program, Caltrans Storm Water Quality Handbook Maintenance Staff Guide (May 2003).	Instead of having Permittees submit BMPs/SOPs, have them provide a narrative description, including identifying any internal SOPs developed, contract language or BMP reference documents.	M	
C.2.b. Pavement Washing	Permittees shall implement, and required to be implemented, BMPs that prevent the discharge of polluted washwater and non-stormwater to storm drains for pavement washing; sidewalk and plaza cleaning; mobile cleaning; pressure washing operations in locations such as parking lots and garages; trash areas; and gas station fueling areas.		Add reporting requirement for number of municipal staff trained, training dates, and training topics. Add reporting requirement for how contractor compliance with BMPs is verified (e.g. contract language, training, municipal inspections, etc.).	M	
C.2.c.i(1) Bridge & Structural Maintenance & Graffiti Removal	Permittees shall implement appropriate BMPs to prevent polluted stormwater and non-stormwater discharges from bridges and structural maintenance activities directly over water or into storm drains.			M	
C.2.c.i (2) Bridge & Structural Maintenance & Graffiti Removal	Permittees shall implement BMPs for graffiti removal that prevent non-stormwater and washwater discharges into storm drains.			M	
C.2.e. Rural Public Works Construction and Maintenance	Permittees shall implement and require contractors to implement BMPs for erosion and sediment control during and after construction for maintenance activities on rural roads.			M	
C.2.d Pump Stations	Permittees shall develop and implement measures to operate, inspect and maintain stormwater pumps stations to eliminate non-stormwater discharges containing pollutants, and to reduce pollutant loads in the stormwater discharges to comply with WQS.	WB staff wants to revise reporting to include submitting BMPs/SOPs in Year 1 and annual municipal staff/contractor training.	Maintain current reporting. Reporting requirements in MRP 1.0 were removed in MRP 2.0.	M	
C.2.f.i. Corp Yards	Implement and maintain a site-specific Stormwater Pollution Prevention Plan (SWPPP) for corporation yards, including municipal vehicle maintenance, heavy equipment, and maintenance vehicle parking areas, and material storage facilities, to comply with water quality standards.	WB staff wants to revise reporting to include submitting SWPPPs in Year 1 and annual municipal staff/contractor training.	Revise reporting to include submission of the SWPPP in Year 1. Revise reporting to include training date(s) and number of municipal staff trained in the corporation yard SWPPP.	L	

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C.3.a Performance Standards	(1) Have adequate legal authority to implement all requirements of Provision C.3; (2) have adequate development review and permitting procedures; (3) evaluate potential water quality effects and identify appropriate mitigation measures; (4) provide adequate interdepartmental staff training; (5) provide adequate outreach; (6) for all projects not regulated by C.3, encourage inclusion of adequate site design measures; (7) for all projects not regulated by C.3, encourage inclusion of adequate source control measures; and (8) revise, as necessary, General Plans to integrate water quality and watershed protection and require implementation of C.3 measures.	No issues identified.	No updates recommended at this time.	--	
C.3.b Regulated Projects	i. Require all projects fitting the category descriptions listed below (hereinafter called Regulated Projects) to implement Low Impact Development (LID) source control, site design, and stormwater treatment onsite or at a joint stormwater treatment facility in accordance with Provisions C.3.c and C.3.d, unless the Provision C.3.e alternate compliance options are evoked.	No issues identified with general concept.	No updates recommended at this time.	--	
C.3.b Regulated Projects	ii. (1) Special Land Use Categories: Threshold is 5,000 square feet of impervious surface created/replaced for auto service facilities, retail gasoline outlets, restaurants, and stand-alone or uncovered parking lots.	No issues identified.	No updates recommended at this time.	--	
C.3.b Regulated Projects	ii. (2)&(3) New Development and Redevelopment Projects: for projects not in Special Land Use categories, threshold is 10,000 square feet of impervious surface created/replaced. Excludes detached single family homes that are not part of a larger plan of development.	WB staff want to reduce threshold for all regulated projects to 5,000 square feet of impervious surface created/replaced (including single family homes). Data analysis has shown a disproportionate amount of effort will be required by permittees to address this relatively small increase in additional regulated impervious area.	Maintain current thresholds and current exemption for detached single family homes not part of a larger plan of development.	H	

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C.3.b Regulated Projects	ii. (4) Road Projects: Any of the following types of road projects that create 10,000 square feet or more of newly constructed contiguous impervious surface: a) new streets/roads; b) widening of existing streets/roads with additional traffic lanes; and c) impervious trails > 10 feet wide and within 50 feet of creek bank. Excludes repavement of existing roads (implicitly), impervious surfaces that drain to permeable areas, permeable surfaces, and Caltrans facilities.	WB staff want to include reconstruction of existing roads in the list of applicable projects. "Reconstruction" has not been clearly defined but the intent is removal of road surface down to base rock. It is not clear whether they intend to reduce the threshold for this category of projects to 5,000 square feet of impervious surface created/replaced. Permittee perspective is that GI may not be feasible on all road sections, this would take away funding for road maintenance and would result in roads not being maintained, and the GI Plans include prioritization of roads for GI and the use of the "no missed opportunities" approach for evaluating capital projects.	Maintain current thresholds and do not extend applicability to existing road reconstruction.	H	
C.3.b Regulated Projects	iv. Reporting	WB staff have stated intent to reduce reporting requirements; however, reduction in C.3 reporting requirements has not yet been discussed in detail.	Recommend eliminating submittal of table of approved project information in each annual report and state that the table shall be made available upon request. Remove reporting requirement in 2017 Annual Report for C.3.b.i.(2) (information on historic projects).	M	
C.3.c Low Impact Development (LID)	i.(1) Source Control Requirements	No issues identified.	No updates recommended at this time.	--	
C.3.c Low Impact Development (LID)	i.(2) Site Design and Stormwater Treatment Measures	No issues identified.	No updates recommended at this time.	--	
C.3.c Low Impact Development (LID)	ii. Reporting	No issues identified.	Remove one time reporting requirement for pervious pavement specifications, which has been completed.	L	
C.3.d Numeric Sizing Criteria for Stormwater Treatment Systems	i. Require that stormwater treatment systems constructed for Regulated Projects meet at least one of the following hydraulic sizing design criteria: (1) Volume Hydraulic Design Basis; (2) Flow Hydraulic Design Basis; and (3) Combination Flow and Volume Design Basis. iii. Limitations on Use of Infiltration Devices in Stormwater Treatment Systems	No issues identified.	No updates recommended at this time.	--	

7-2-2020

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C.3.e Alternative or In-Lieu Compliance with Provision C.3.b	i. The Permittees may allow a Regulated Project to provide alternative compliance with Provision C.3.b in accordance with one of the two options listed below: Option 1: LID Treatment at an Offsite Location; and 2: Payment In-Lieu Fees	Permittees have agreed with Water Board staff on minor language changes to Options 1 and 2 and the addition of an Option 3 to allow Regional Alternative Compliance in another jurisdiction, based on the outcome of a grant funded project being led by the City of San Pablo.	Incorporate language changes agreed to in the MRP 3.0 C3/GI Work Group. Keep alternative compliance as an optional tool for compliance, and do not require all Permittees to develop alternative compliance programs.	H	
C.3.e Alternative or In-Lieu Compliance with Provisions C.3.b	ii. Special Projects. LID Treatment Reduction Credits approved by the Water Board may be applied to Special Projects, which are Regulated Projects that meet the specific criteria listed in Provisions C.3.e.ii.(3), (4), or (5), if treatment of runoff with 100% of LID is infeasible.	Water Board staff have proposed to eliminate the Special Projects provisions in order to stimulate alternative compliance programs that result in treatment of an equivalent amount of runoff with LID installed offsite. Permittees have argued that the Special Project provisions provide needed flexibility when constructing lot-line to lot-line urban infill projects or high density projects near transit, and that it will take time to develop and implement alternative compliance programs.	Maintain current provisions for Special Projects.	H	
C.3.e Alternative Compliance with Provisions C.3.c	vi. Reporting on Special Projects - Permittees shall track any identified potential Special Projects, including those projects that have submitted planning applications but have not received final discretionary approval. In each Annual Report, Permittees shall report to the Water Board on these tracked potential Special Projects. For each project, Permittees shall include a narrative discussion of the feasibility or infeasibility of 100% LID treatment onsite, offsite, and at a Regional Project. Once the project has final discretionary approval, it shall be reported in the C.3.b table with other approved projects, with some supplemental information.	Special Project reporting has not been discussed with Water Board staff since they have proposed to eliminate the entire provision. Consistent with Water Board staff's stated intent to reduce reporting requirements, Permittees would like to remove the requirement to submit information on potential Special Projects as well as the LID feasibility narrative, and make information on approved Special Projects available upon request.	Update to remove extra reporting requirement and submittal of LID feasibility narrative, and just report Special Projects similar to other approved projects. (See request in C.3.b.iv. to maintain data about approved projects and make available to Water Board staff upon request.)	H	
C.3.f Alternative Certification of Stormwater Treatment Systems	In lieu of reviewing a Regulated Project's adherence to Provision C.3.d., a Permittee may elect to have a third party conduct detailed review and certify the Regulated Project's adherence to Provision C.3.d.	No issues identified.	No updates recommended at this time.	--	
C.3.g Hydromodification Management	All applicable projects shall meet the Hydromodification Management Standard of Provision C.3.g.ii.	No issues Identified.	No updates recommended at this time.	--	

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C.3.h Operation and Maintenance of Stormwater Treatment Systems	ii. O&M Verification Program shall include: (1) conditions of approval or other legally enforceable mechanisms; (2) coordination with vector control agency; (3) legally enforceable mechanism to allow access to site for inspection; (4) database to track installed pervious pavement systems (>3,000 SF), treatment systems, and HM controls; (5) database of sites, facilities, and inspections conducted; (6) prioritized O&M Inspection Plan; and (7) ERP for O&M inspections.	No issues identified.	Update implementation dates.	L	
C.3.h Operation and Maintenance of Stormwater Treatment Systems	v. Reporting: The database in C.3.h.ii.(4) and (5) shall be maintained by Permittees and made available to Water Board staff upon request. On an annual basis, provide list of newly installed treatment and HM controls to vector control agency. Report summary statistics on number of projects and inspections conducted, and an evaluation of the inspection program.	No issues identified.	Remove one time reporting requirement for 2016 Annual Report. Remove ERP certification requirement for 2017 Annual Report.	L	
C.3.i Site Design Measures for Small Projects and Detached Single-Family Home Projects	i. Require all development projects under the Permittee's jurisdiction that create/replace 2,500 - 10,000 SF of impervious surface and detached single-family home projects that create and/or replace 2,500 SF or more of impervious surface to implement one or more site design measures. On an annual basis, describe the implementation of this requirement.	Water Board staff have proposed to change the thresholds in this provision to 2,500-5,000 SF (consistent with lowering the Regulated Project threshold to 5,000 SF in Provision C.3.b).	Maintain current thresholds for regulated projects and small projects, and maintain site design requirements (only) for single family homes.	H	
C.3.j Green Infrastructure Planning and Implementation	i. (1) Prepare a framework or workplan that describes specific tasks and timeframes for development of its Green Infrastructure Plan. (2) Prepare a Green Infrastructure Plan with specified elements. (3) Adopt policies, ordinances, and/or other appropriate legal mechanisms to ensure implementation of the Green Infrastructure Plan. (4) Conduct public outreach, train staff, and educate elected officials.	MRP 3.0 will focus on implementation of GI Plans. Water Board staff and Permittees have discussed requirements that include programmatic elements and implementation goals/targets, as well as asset management requirements focused on structural water quality assets (LID/GI and trash capture devices). Agreement has been reached on programmatic elements and asset management, but no proposed goals or targets have been provided by Water Board staff to date.	Revise this provision to focus on implementation of GI Plans. Allow time for Permittees to continue to make progress on programmatic elements of implementation (e.g., continued coordination with other municipal plans, development of local design standards, outreach, training, development of funding mechanisms, etc.). Provide implementation goals for next permit term that are reasonable, flexible, scalable, and countywide/regional, and include both regulated and non-regulated projects. Limit asset management requirements to structural water quality assets and allow requirements to be met by building on existing tracking systems. Do not require updates to GI Plans.	H	

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C.3.j Green Infrastructure Planning and Implementation	i. (5) Reporting: (a) Submit documentation of approved GI Framework in 2017 Annual Report. (b) Submit completed GI Plan with 2019 Annual Report. (c) Submit documentation of legal mechanisms to ensure implementation of GI Plan with 2019 Annual Report. (d) Submit summary of outreach and education efforts in each Annual Report.	There has been limited discussion of reporting related to C.3.j. Water Board staff have expressed overall intent to reduce reporting requirements in MRP 3.0.	Revise this provision to be consistent with GI Plan Implementation requirements specified in C.3.j. Report on progress twice during permit term.	H	
C.3.j Green Infrastructure Planning and Implementation	ii. Early Implementation of GI Projects (No Missed Opportunities): (1) Prepare and maintain a list of GI projects, public and private, that are already planned for implementation during the permit term and infrastructure projects planned for implementation during the permit term that have potential for GI measures. (2) Submit the list with each Annual Report and a summary of planning or implementation status for each GI project.	Water Board staff supports continuing to review capital projects for GI opportunities, and most Permittees are continuing to implement this approach to identifying potential GI projects, using the BASMAA guidance for review of CIPs.	No updates recommended at this time.	--	
C.3.j Green Infrastructure Planning and Implementation	iii. Participate in Processes to Promote Green Infrastructure: Permittees shall, individually or collectively, track processes, assemble and submit information, and provide informational materials and presentations as needed to assist relevant regional, State, and federal agencies to plan, design, and fund incorporation of GI measures into local infrastructure projects, including transportation projects.	No issues identified.	No updates recommended at this time.	--	
C.3.j Green Infrastructure Planning and Implementation	iv. Tracking and Reporting Progress: (1) Develop and implement regionally-consistent methods to track and report implementation of GI measures on both public and private parcels. (2) Report on progress on development of tracking methods in each Annual Report. (3) Submit tracking methods and report implementation of GI measures in 2019 Annual Report.	Most Permittees are using countywide stormwater program databases to track and report implementation of GI measures, and support continuing to use these countywide databases for this purpose.	Update reporting requirements to reflect that tracking methodologies have been developed and will continue to be used to report progress. Consider allowing data on completed GI projects to be made available for review on public websites, rather than submitted in Annual Reports.	L	

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C.4.a. Legal Authority	Permittees shall have sufficient legal enforcement authority to inspect, require effective stormwater pollutant control, and implement progressively stricter enforcement to achieve expedient compliance and pollutant abatement at commercial and industrial sites within their jurisdiction.	No issues identified.	No updates recommended at this time.	--	
C.4.b. Inspection Plan	Permittees shall continue to update and implement an inspection plan that will serve as a prioritized inspection work plan.	WB staff wants to clarify BIP requirements to include the departments, agencies, contractors, etc., performing C.4 inspections; clarify what types of businesses each group inspects; how do "outside inspectors" communicate findings, follow up actions, and enforcement needs, with the Permittee stormwater staff and, if needed, each other.	If a Permittee relies on multiple entities to perform business and commercial inspections, its Business Inspection Plan should list the entities and their responsibilities.	L	
C.4.b.iii Reporting	Include the list of all industrial and commercial facilities requiring inspections identified in Provision C.4.b.ii.(2)(d) in each Annual Report	Requested not to include the list in Annual Reports but provide to WB staff upon request. This list is also available in the BIP.	Delete from Reporting section and include clarification that the list is available upon request as part of the description of the list in C.4.b.ii.(2)(d).	L	
C.4.c. Enforcement Response Plan (ERP)	Permittee shall implement and update, as needed, its ERP - a reference document for inspection staff to take consistent actions to achieve timely and effective compliance from all commercial and industrial site operators.	WB staff wants ERP to state that all inspectors have authority to issue first level enforcement. Permittee position is that Provision C.4.c.ii.(1) already requires the ERP to include "the roles and responsibilities of staff responsible for implementing the ERP".	No updates recommended at this time.	L	
C.4.d Inspections	Permittees shall conduct inspections and maintain adequate records to demonstrate compliance and appropriate followup enforcement responses for facilities inspected. Permittees shall maintain an electronic database or equivalent tabular system.	WB staff will keep current potential and actual discharge terminology, but would like to define where used, in the text or as a footnote, add to glossary, and maybe list additional example BMPs. Permittee position is that potential discharge is defined in Permit Fact Sheet page A-52.	Add language defining potential discharge from the Fact Sheet to the Glossary.	L	
C.4.d.iii.(2)(e) Reporting	A list of facilities that are required to have coverage under the Industrial General Permit, but have not filed for coverage	WB staff suggested removing the list from annual reporting and have it available upon request. Their intent is to request the list every three years.	Delete from Reporting section. Clarify under C.4.d.ii.(2) Recordkeeping that list should be made available upon request.	L	
C.4.e Staff Training	Permittees shall provide focused training for inspectors annually. Training may be Program-wide, Region-wide, or Permittee-specific.	WB staff wants other agencies or entities performing inspections for the entity submitting the annual report form listed, the number of inspectors from each agency or entity, including the entity submitting the AR and the total number of inspectors performing C.4 inspections for the Permittee.	Revise reporting section to include percentage of inspectors attending training of each agency/entity performing inspections.	L	

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C.5.a. Legal Authority	Permittees shall have the legal authority to prohibit and control illicit discharges and implement progressively stricter enforcement to achieve expedient compliance.	No issues identified.	No updates recommended at this time.	--	
C.5.b. Enforcement Response Plan (ERP)	Permittees shall implement and update, as needed, its ERP - a reference document for inspection staff to take consistent actions to achieve timely and effective abatement of illicit discharges and compliance from responsible parties.	WB staff want to clarify that the business, property manager, property owner, etc., that hires the mobile business, AND/OR the Mobile business, are responsible for SW pollution discharged by the mobile business operating at their location. RPs include business owner, business operator, property owner, and mobile business.	Add language to ERP to include guidance for identifying responsible parties for mobile business illicit discharges.	M	
C.5.c.ii.(1)&(2) Spill, Dumping and Complaint Response	Have a central contact point for reporting spills, dumping, and complaints. Publicize the phone number and web reporting address, if used.	No issues identified.	No updates recommended at this time.	--	
C.5.c.ii.(3) Spill, Dumping and Complaint Response	Require municipal staff conducting routine maintenance and inspection activities to report illicit discharges found during their activities to the central contact point.	No issues identified.	No updates recommended at this time.	--	
C.5.c.ii.(4)&(5) Spill, Dumping and Complaint Response	Maintain and update, as needed, a spill/dumping response flow chart and/or phone tree for staff response for response program to identify staff or positions responsible. Maintain and update, as needed, a spill/dumping response flow chart and phone tree or contact list for internal use that shows the various responsible agencies and their contacts, who would be involved in response that goes beyond Permittee's immediate capabilities.	No issues identified.	No updates recommended at this time.	--	
C.5.c.ii.(6) Spill, Dumping and Complaint Response	Permittees shall conduct reactive inspections in response to spill, dumping, and complaint reports and shall also conduct followup inspections, as needed, to ensure that corrective measures have been effectively implemented to achieve and maintain compliance.	WB staff will add the date the complaint investigation is started must not exceed 3 - 5 business days. Permittees prioritize responses by the type and number of complaints received so there should be flexibility for the requirement.	Prefer no change but if language is added to begin complaint investigation within 3-5 business days of receiving the complaint, should include "or within a longer time period if deemed appropriate with a recorded rationale".	H	

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C.5.d. Tracking and Case Follow-up	Maintain water quality spills, dumping and complaints tracking and followup in an electronic database or equivalent tabular system.	No issues identified.	No updates recommended at this time.	--	
C.5.d.i Tracking and Case Follow-up	"Task Description: It is not necessary to track and report data according to this provision if they are tracked and reported according to state Water Resource Control Board Order No. 2006-0003-DWQ."	WB staff propose adding the Order title "Waste Discharge Requirements for Sanitary Sewer Systems" to clarify the statement.	Add text.	L	
C.5.d.ii Tracking and Case Follow-up	Implementation Level - "The electronic database or equivalent tabular system shall be made available to Water Board staff or representatives during audits or inspections."	WB staff want to add that inspection information, tracking sheets, and supporting documentation shall be available upon WB request. Permittees are unclear if this wording is needed because WB staff have authority to request records during an audit or inspection.	No updates recommended at this time.	L	
C.5.d.ii(2) Tracking and Case Follow-up	Investigation information	WB staff want to add tracking requirement for departments or agencies responding to release.	Only track name of referral agency if the Permittee stopped an investigation or response and does not track the resolution. In addition, the Permit requires tracking the IDDE (1)(a) complaint date and time and (2)(a) the investigation date and time. We recommend removing the time component but keeping the date. It does not make sense to have that level of detail and use staff time to search for the exact time the complaint was received or investigation was started since there are a variety of ways a member of the public can submit that information (phone call, in-person, voicemail, etc.) and it is not always easy to verify that data. Keeping records of the date only would be much simpler.	M	

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C.5.e.ii(1)(a) Control of Mobile Sources	Implement minimum standards and BMPs to be required for each of the various types of mobile businesses, such as automobile washing, power washing, steam cleaning, and carpet cleaning.	WB staff want to add mobile vehicle fueling to list of example mobile businesses. Note that some Permittees prohibit mobile vehicle fuelers to operate in their jurisdiction.	No opposition to this change.	--	
C.5.e.ii(1)(b) Control of Mobile Sources	Implement an enforcement strategy that specifically addresses the unique characteristics of mobile businesses.	No issues identified.	No updates recommended at this time.	--	
C.5.e.ii(1)(c) Control of Mobile Sources	Regularly updating mobile business inventories.	No issues identified.	No updates recommended at this time.	--	
C.5.e.ii(1)(d) Control of Mobile Sources	Implement an outreach and education strategy to mobile businesses operating within the Permittee's jurisdiction.	WB staff want to shift emphasis from identifying individual mobile businesses to putting the responsibility for discharges from mobile businesses on the company who hires them, property owner, operator, etc.	Added language should allow Permittees flexibility to issue enforcement actions to any responsible party identified per guidance in ERP.	M	
C.5.e.ii(1)(e) Control of Mobile Sources	Inspection of mobile businesses, as needed.	No issues identified.	No updates recommended at this time.	--	

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C.5.f. MS4 Map Availability	Permittees shall make maps of the MS4 publicly available, either electronically or in hard copy. Public availability shall be made through a single point of contact that is convenient for the public, such as a staffed counter or web accessible maps. The MS4 map availability shall be publicized through Permittee directories and web pages.	<p>WB staff believes Permittees should know the location, materials and condition of the MS4 system on public and private properties and this information is a necessary part of asset management. WB staff proposes requiring Permittees to: identify the information gaps in the knowledge and records of their MS4 system; submit documentation identifying and describing the gaps with Permit Year 4 Annual Report; and submit a plan to obtain the missing information over the next permit term.</p> <p>Permittees believe the requirement to publicize availability of maps should only be applied to maps that meet 40CFR122.26(d)(1)(iii)(B)(1)&(5) identifying location of major outfalls. If more detailed maps are required these should be available to municipal staff and developers, as needed, and not the general public. The addition of requiring materials and condition of the entire system would be a significant resource burden to develop this asset management system. These requirements are inconsistent with asset management requirements proposed in C.3.j.</p>	Recommend requiring maps of the MS4 public storm drain system be made available to staff and developers, as needed.	H	
New proposed subprovision	No current requirements.	WB staff would like to add a subprovision with requirements for RV and homeless encampment illicit discharges.	Provide narrative description of implementation practices to reduce illicit discharges from RV and homeless encampments.	H	

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C.6.a. Legal Authority for Effective Site Management	Permittee shall have the ability to require effective stormwater pollutant controls to prevent discharge of pollutants into the storm drains, and implement progressively stricter enforcement to achieve expedient compliance the cleanup at all public and private construction sites.	No issues identified.	No updates recommended at this time.	--	
C.6.b. Enforcement Response Plan (ERP)	Permittee shall implement and update, as needed, its ERP - a reference document for inspection staff to take consistent actions to achieve timely and effective compliance.	No issues identified.	No updates recommended at this time.	--	
C.6.c. Best Management Practice Categories	Permittee shall require all construction sites to have site-specific, and seasonally and phase-appropriate, effective BMPs in 6 categories: erosion control, run-on and runoff control, sediment control, active treatment systems (as necessary), good site management, and non-stormwater management.	No issues identified.	No updates recommended at this time.	--	
C.6.d. Plan Approval Process	Permittee shall review erosion control plans for consistency with local requirements and the appropriateness and adequacy of proposed BMPs. Verify that sites disturbing one acre or more of land have filed a NOI for permit coverage under the construction General Permit.	No issues identified.	No updates recommended at this time.	--	
C.6.e. Inspections	By September 1 of each year, each permittee shall remind all sites disturbing 1 acre or more of soil, hillside projects, and high priority sites to prepare for wet season.	No issues identified.	No updates recommended at this time.	--	

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C.6.e. Inspections	Inspect all sites disturbing 1 acre or more of land, hillside projects, and high priority sites monthly during wet season (October - April).	WB staff would like Permittees to conduct stormwater inspections all year round, even during the dry season. Adding another month or more of required inspections would be potentially significant work load for some municipalities. The majority of permittees understand their construction site control program is implemented all year long.	No updates recommended at this time.	H	
C.6.e. Inspections	All inspections shall be recorded on a written or electronic inspection form. Track in an electronic database or tabular format all inspections.	No issues identified.	No updates recommended at this time.	--	
C.6.e. Inspections	Reporting.	WB staff recommend reporting the total number of sites requiring inspections and total number of sites inspected to help address issue of double reporting sites that fall under two categories.	Double reporting issue could also be avoided by defining reporting of sites by: 1) total number of active sites disturbing 1 acre or more of soil; 2) total number of active hillside sites disturbing less than one acre of soil requiring inspection; and 3) total number of active sites disturbing less than one acre of soil, not identified as a hillside site (#2) and identified as High Priority sites in C.6.e.ii.(2)(c) requiring inspections	L	
C.6.f. Staff Training	Provide training or access to training for staff conducting construction stormwater inspections.	WB staff want Permittees to report the number of inspectors conducting stormwater inspections, identify their departments, and state whether they received training.	Add to reporting requirements to report total number of inspectors conducting stormwater inspections. Add to reporting requirements to report number of inspectors attending each training by department.	L	

MRP Reissuance - Summary of SMCWPPP Permittee Priority Issues and Updates

MRP Provision	Current MRP Requirement	Summary of Issues and Rationale for Changes in Reissued Permit	Recommended Update(s)	Priority	Associated Attachments to Permit Application
C.7 Public Outreach	Overall Requirements	Permittees should be able to tailor public outreach requirements to their specific needs (e.g., supporting a funding initiative).	Provide Permittees with additional flexibility to tailor public outreach requirements to their specific needs.	H	
C.7.a Storm Drain Inlet Marking	Mark and maintain at least 80% of municipally-maintained storm drain inlets with appropriate stormwater pollution prevention message. Inspect and maintain at least once per 5-year permit term. Require inlet marking and maintenance for newly approved, privately-maintained streets, and verify marking prior to accepting the project.	Requirements do not belong in C.7	Move requirement to mark and maintain municipally-maintained inlets to Provision C.5.c Move requirement to require and verify (and report) storm drain inlet marking of newly constructed private streets to Provision C.3.	L	
C.7.b. Advertising Campaigns	Permittees shall continue to participate in or contribute to outreach campaigns, with the goal of significantly increasing overall awareness of stormwater runoff pollution prevention messages and behavior changes in target audiences. Report results following pre-campaign and post-campaign surveys.	Campaigns/activities and their evaluations are ongoing. Pre-campaign and post-campaign surveys are not required.	Allow flexibility in the type of outreach campaign and in the types and timing of effectiveness measures, e.g., surveys, annual website visits, interaction on social media	M	
C.7.c. Stormwater Pollution Prevention Education	Permittees shall individually or collectively create and maintain a point of contact to provide the public with information on watershed characteristics and stormwater pollution prevention alternatives.	No issues identified.	No updates recommended at this time.	--	
C.7.d. Public Outreach and Citizen Involvement Events	Permittee shall annually participate and/or host a mix of public outreach and citizen involvement events	Due to the shelter-in-place guidelines, many outreach events were canceled. Some outreach events were replaced with online presentations/webinars.	Include language that allows virtual events/webinars/presentations in case public health guidelines do not allow large gatherings.	L	
C.7.f. Watershed Stewardship Collaborative Efforts	Permittees shall individually or collectively encourage and support watershed stewardship collaborative efforts or community groups and other organizations that benefit the health of the watershed. Report on level of involvement and provide an assessment of effectiveness in each Annual Report.	Some Permittees have expressed concern that the current language restricts the types of organizations that they can partner with.	No updates recommended at this time.	--	
C.7.h. School-Age Children Outreach	Permittees shall individually or collectively implement outreach activities designed to increase awareness or stormwater and/or watershed message(s) in school-age children (K through 12).	Due to the shelter-in-place guidelines, many school/classroom presentations were canceled. Permittees provided online presentations and activities to school teacher and students.	Include language that allows virtual/online activities in case public health guidelines do not allow in-person school/classroom visits.	L	

MRP Reissuance - Summary of SMCWPPP Permittee Priority Issues and Updates

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C.7.i. Outreach to Municipal Officials	Permittees shall conduct outreach to municipal officials such as through the use of the Nonpoint Education for Municipal Officials program (NEMO) to significantly increase overall awareness of stormwater and/or watershed message(s) among regional municipal officials at least once per permit cycle.	No issues identified.	No updates recommended at this time.	--	

MRP Reissuance - Summary of SMCWPPP Permittee Priority Issues and Updates

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C.8. Monitoring	Overall Requirements	Goal is to conduct monitoring that supports evaluation of management actions and/or development of new/improved actions. Overall costs should decrease or remain the same. WB staff feedback on C.8 Workgroup matrix and discussions are incorporated throughout.	See below.	H	
C.8.a.ii-iii Compliance Options	Permittees may choose to meet monitoring requirements through a Regional Collaboration, Area-wide Stormwater Program, and may use Third-party Monitoring.	No issues identified.	No updates recommended at this time.	--	
C.8.b Monitoring Protocols and Data Quality	Data must be SWAMP comparable	No issues identified.	No updates recommended at this time.	--	
C.8.c San Francisco Estuary Receiving Water Monitoring	Permittees shall contribute financially to the RMP.	No issues identified.	No updates recommended at this time.	--	
C.8.d Creek Status Monitoring	Management questions	No issues identified. Management questions remain valid but will be supplemented by targeted site selection (see C.8.d.i(6)).	No updates recommended at this time.	--	
C.8.d.i.(1) Bioassessment	Field and Laboratory Methods	Method references have been superseded.	Replace references in footnotes 22, 23, and 24 with Ode et al. 2016. Otherwise, no change.	L	
C.8.d.i.(2) Bioassessment	SWAMP training, Scientific Collection Permit, and SWAMP inter-calibration	College of Bioassessment courses have become less frequent due to staff retirement.	Include language to allow relaxation of training requirement, in the event that classes are no longer offered by the College of Bioassessment. Otherwise, no change.	L	
C.8.d.i.(3) Bioassessment	BMI and algae taxonomy	No issues identified.	No updates recommended at this time.	--	
C.8.d.i.(4) Bioassessment	Water quality and nutrient method	Some parameters are optional in the SWAMP method and have not been useful in analyzing prior data collected in the region.	Remove silica from list of parameters.	L	
C.8.d.i.(5) Bioassessment	Prevent spread of invasive species	No issues identified.	No updates recommended at this time.	--	

MRP Reissuance - Summary of SMCWPPP Permittee Priority Issues and Updates

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C.8.d.i.(6) Bioassessment	Sample Design/Location	The probabilistic monitoring design has run its course and we now have a robust set of "baseline" data. Shifting to targeted site selection will allow Permittees to address new information needs while still contributing to evaluation of creek condition.	Permittees shall select sample locations on a targeted basis, based on: - Current and planned management actions (including GSI) - Areas of quality habitat – opportunity to document resources that should be protected - “Areas of unique importance” (i.e., where there is stakeholder interest) - Known water quality or habitat concerns (e.g., illicit discharges, complaints, 13267 letters, 303d listings, poor CSCI scores) - Data/information gaps - Opportunities for public education - Watershed assessment	H	
C.8.d.i.(7) Bioassessment	Frequency, Timframe and Number of Sites	Targeted site selection will result in a greater level-of-effort for planning field work, analyzing data, and writing reports. Other changes to Creek Status Monitoring recommended by WB staff and incorporated below will also result in a greater level-of-effort. The minimum number of annual samples is reduced to offset those increases.	San Mateo County Permittees shall collect at least 8 samples per year.	M	
C.8.d.i.(8) Bioassessment	Followup	No issues identified.	No updates recommended at this time.	--	
C.8.d.ii(1) - (4) Chlorine	Measure free and total chlorine residual in grab samples - 20 sites per year	Field measurements of chlorine are not reliable and have resulted in wasted efforts trying to track down sources. Also, potential chlorine discharges are already addressed by MRP Provisions C.5 (IDDE) & C.15 (Exempted and Conditionally Exempted Discharges) and NPDES General Permit for Drinking Water Systems (Order WQ 2014-0194-DWQ).	Eliminate this parameter.	L	
C.8.d.iii Temperature	Continuous monitoring of temperature (Apr - Sep) at 8 sites per year	No issues identified.	No updates recommended at this time.	--	
C.8.d.iv Continuous DO, Temp, pH	Continuous monitoring of DO, temp, pH at 3 sites per year for two 2-week periods	WB staff recommend increasing the duration of continuous water quality monitoring to get more data. The increased level-of-effort associated with this (additional field visits to calibrate instruments, loss of equipment sharing options, data analysis) would be partially offset by fewer bioassessment samples.	Increase duration to two 3-week periods per year.	L	

MRP Reissuance - Summary of SMCWPPP Permittee Priority Issues and Updates

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C.8.d.v Pathogen Indicators	Analyze 5 grab samples per year for E. coli and Enterococci	Bacteria monitoring is being conducted in conjunction with TMDLs. Bacteria densities in streams are highly variable and this monitoring has not been helpful in assessing overall creek health.	Possibly modify to integrate with provision C.8.e modifications.	L	
C.8.e. Stressor/Source Identification (SSID) Projects	Conduct 8 regional SSID projects following the defined step-wise process that ends with EO concurrence of project completion. At least one regional project must address toxicity.	SSID projects provide useful data to Permittees. We recommend several modifications to the permit language to expand the scope of potential projects so that they can address new management questions about stormwater program effectiveness and/or explore data gaps. We also want more certainty about what is expected for project completion by specifying a minimum level-of-effort.	Change title from "SSID" Projects to "Monitoring Projects" to reflect expanded scope.	H	
C.8.e.i SSID	Maintain list of results exceeding trigger thresholds and WQOs. Include POC monitoring results as appropriate.	No issues identified.	No updates recommended at this time.	--	
C.8.e.ii SSID	Select projects from list developed in C.8.e.i	While most projects would be selected from the C.8.e.i list, pursuit of projects addressing other data or other information needs would fit within the spirit of this provision.	Add option to select projects from historical data, data collected by other agencies, 303(d) listings, and TMDLs.	M	
C.8.e.ii SSID	If conducted through a regional collaborative, collectively initiate 8 new projects	Fair allocation of 8 projects among the five Countywide programs is challenging. The typical population-based distribution of level-of-effort cannot be applied to 8 projects.	Reduce collective total to 7 (2 each SC/AC, 1 each SM/CC/Solano).	M	
C.8.e.ii SSID	At least one project must address toxicity.	Toxicity is nearly always the result of urban pesticides which are addressed by MRP Provision C.9.	Eliminate the requirement to conduct one project addressing toxicity.	M	
C.8.e.iii (1) SSID	Step 1 (Work plan development) of stepwise process to conduct and complete SSID projects	Sections (f) - (i) briefly describe how specific projects should be designed. This list should be expanded to encompass MS4 Monitoring ideas presented by WB staff in their "C.8 thoughts 043020" document (i.e., GI/LID monitoring, PCBs in building demolition, trash capture effectiveness, channel restoration monitoring, nutrient studies, temperature studies). Each study option should specify a minimum level-of-effort (monitoring type, number of samples). This specificity will give Permittees confidence that, even if the study does not result in conclusive answers, they will still be granted project completion concurrence by the EO (a requirement of C.8.e.iii.(3)).	In addition to the study ideas already listed, add monitoring study options to (f) - (i) consistent with ideas presented by WB staff in "C.8 thoughts 043020.doc". Provide minimum level-of-effort (monitoring type, number of samples) required for each monitoring study option.	H	

MRP Reissuance - Summary of SMCWPPP Permittee Priority Issues and Updates

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C.8.e.iii (2) SSID	Step 2 (implementation of Work plan) of stepwise process to conduct and complete SSID projects	No issues identified.	No updates recommended at this time.	--	
C.8.e.iii (3) SSID	Step 3 (Follow-up actions) of stepwise process to conduct and complete SSID projects	The requirement for EO concurrence of project completion puts pressure on WB staff to recommend project approval, even if the study was inconclusive or if monitoring results do not show improved water quality. In addition, new types of projects proposed here (see C.8.e.iii (1)) may not fit into the current language for project completion. Instead, more frequent communications with WB staff throughout project development and implementation is preferred.	Eliminate requirement for EO concurrence of project completion.	H	
C.8.e.i v SSID	As long as Permittees have complied with the procedures set forth above, they do not have to repeat the same procedure for continuing or recurring exceedances.	No issues identified.	No updates recommended at this time.	--	
C.8.f Pollutants of Concern (POC) Monitoring	Priority POC management information needs: Source Identification, Contributions to Bay Impairment, Management Action Effectiveness, Loads and Status, Trends	The information needs are tied to RMP management questions; however, they may not apply to all POCs. Additional changes to C.8.f may be warranted depending on the outcome of C.11/12 Workgroup discussions.	No updates recommended at this time.	--	
C.8.f.i POC Monitoring	Sampling Methods	No issues identified.	No updates recommended at this time.	--	
C.8.f.ii POC Monitoring	Parameters and Monitoring Frequency - (Table 8.2 - 1st Column) Pollutant of Concern	Emerging Contaminants - the list of required CECs is outdated and should be synced with the RMP list. Nutrients - These are already monitored under C.8.d (Creek Status) and are being addressed by Statewide Policy Efforts.	Emerging Contaminants - Eliminate list of specific parameters and refer to RMC CEC Workgroup. Nutrients - Eliminate this parameter. If it must stay in MRP, add "conduct of cause to be conducted" language similar to emerging contaminants to allow for coordination with RMP nutrient program.	M	

MRP Reissuance - Summary of SMCWPPP Permittee Priority Issues and Updates

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C.8.f.ii POC Monitoring	Parameters and Monitoring Frequency - (Table 8.2 - 2nd Column) Total & Yearly Minimums	<p>As a result of the yearly minimum, there is little incentive to conduct a large study that would result in the total number of required samples being collected early in the Permit term.</p> <p>Mercury - Mercury should no longer be tied to PCBs. It is a relatively expensive parameter and due to its ubiquitous presence and atmospheric source, the high total and yearly monitoring minimums are unnecessary to learn more about this parameter.</p>	<p>Add language that allows yearly minimums to cease after the total number of required samples is obtained.</p> <p>Mercury - Reduce the total and yearly minimums to 20 (2).</p>	L	
C.8.f.ii POC Monitoring	Parameters and Monitoring Frequency - (Table 8.2 - 3rd Column) Minimum Number of Samples for each Monitoring Type	<p>Over the past 5 years we have addressed the information needs and some are no longer relevant, as listed, for the POCs. This column could simply list relevant monitoring types/information needs but eliminate the minimum number of samples required for each. Furthermore, as the RMP's STLS evolves, MRP monitoring efforts could adapt accordingly.</p> <p>There appears to be a typo in the footnote for this column: "The minimum # of samples is required by year four of the Permit." It should be "year five".</p>	Change column heading to simply state recommended Monitoring Types rather than requiring a specific number of samples.	M	
C.8.g Pesticides and Toxicity Monitoring	Conduct dry weather and wet weather pesticides and toxicity monitoring.	No issues identified. This type of monitoring will eventually be addressed at the Statewide level.	No updates recommended at this time.	--	
C.8.h Reporting	Overall Requirements	See below.	See below.	M	
C.8.f.i Reporting	WQ Standard Exceedance	No issues identified.	No updates recommended at this time.	--	
C.8.f.ii Reporting	Electronic Reporting	Submittal of data using SWAMP formats/templates requires additional work for eventual upload to CEDEN. And CEDEN now has standard reporting templates which did not exist when the MRP was first issued..	Change format requirement to CEDEN.	L	
C.8.f.iii Reporting	Urban Creeks Monitoring Report	No issues identified.	No updates recommended at this time.	--	

MRP Reissuance - Summary of SMCWPPP Permittee Priority Issues and Updates

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C.8.f.iv Reporting	Pollutant of Concern Monitoring Reports (due October 15)	Development of these reports has not been helpful in tracking POC monitoring requirements or in planning POC monitoring for the forthcoming year. Furthermore, the timing of this report diverts staff energy away from the MRP Annual Reports.	Eliminate this requirement.	M	
C.8.f.v Reporting	Integrated Monitoring Report	No issues identified.	No updates recommended at this time.	--	
C.8.f.vi Reporting	Standard Report Content	No issues identified.	No updates recommended at this time.	--	

MRP Reissuance - Summary of SMCWPPP Permittee Priority Issues and Updates

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C.9.a IPM Policy	Implement IPM policy or ordinance.	No issues identified.	No updates recommended at this time.	--	
C.9.a.iii (1) IPM Policy Reporting	Report trends in quantities and types of pesticide active ingredients used	Permittees currently report the quantities of pesticides of concern. WB staff has indicated that they may expand this requirement to include reporting quantities of all pesticides used.	Do not recommend expanding the requirement to include the reporting of all pesticides of concern	M	
C.9.a.iii (2) IPM Policy Reporting	Report two IPM techniques /strategies	No issues identified.	No updates recommended at this time.	--	
C.9.a.iii (3) IPM Policy Reporting	Submit IPM policies/ordinances and IPM SOPs upon request	No issues identified.	No updates recommended at this time.	--	
C.9.b Train Municipal Employees	Permittees shall ensure municipal employees are trained in IPM.	No issues identified.	No updates recommended at this time.	--	
C.9.c. Require Contractors to Implement IPM	Require contractors to implement IPM	No issues identified.	No updates recommended at this time.	--	
C.9.d. Interface with County Agricultural Commissioners	Interface with Co. Ag. Commissioners	No issues identified.	No updates recommended at this time.	--	
C.9.e.ii.(1) Point of Purchase Outreach	Conduct outreach to consumers at point of purchase	No issues identified.	No updates recommended at this time.	--	
C.9.e.ii.(2) Pest Control Contracting Outreach	Conduct outreach to residents who use or contract for structural pest control and landscape professionals	No issues identified.	No updates recommended at this time.	--	
C.9.e.ii.(2) Outreach to Pest Control Professionals	Conduct outreach to pest control operators, urging them to promote IPM services to customers and to become IPM-certified.	No issues identified.	No updates recommended at this time.	--	
C.9.f. Track and Participate in Relevant Regulatory Processes	Participate in regulatory processes	No issues identified.	No updates recommended at this time.	--	
C.9.g. Evaluate Implementation of Pesticide Source Control Actions	Evaluate implementation of source control action related to pesticides	No issues identified.	No updates recommended at this time.	--	

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C.10.a.i Reduction Schedule	100% trash reduction by July 2022	Definition of 100% reduction is not well established and may be inconsistent with Statewide Trash Amendments.	Consider a change in terminology of performance criteria from "100% reduction from MS4s" to language consistent with the Statewide Trash Amendments (i.e., full capture or equivalent). Full capture system equivalency (FSCE) should be defined in the permit as ≤ 5 gallons/acre per year or as "low trash generation" as defined by OVTAs.	M	
		Attainment of the 100% trash load reduction from MS4s performance criteria (i.e., full capture or equivalent) will likely be unattainable for most Permittees by July 1, 2022 given the diminishing returns that are already being realized, the COVID 19 pandemic that has significantly reduced the ability of Permittees to implement trash controls, and the looming economic downturn that will significantly impact Permittees' budgets to fund trash control projects and other non-critical projects/programs. Additionally, the overall performance criteria will not be attainable (regardless of the compliance date) if source control credits and offsets allowed in MRP 2.0 are disallowed in future iterations of the MRP.	A more practical trash reduction goal is warranted during MRP 3.0. State Water Board allows up to 2030 for other Permittees around the State to achieve full capture or equivalent. Extend the timeframe attainment of the performance criteria.	H	
C.10.a.ii Trash Generation Area Management	Demonstrate attainment of goals by management of mapped trash generation areas to a level of low trash generation.	Current method to attain low trash generation is constrained to full capture or On-land Visual Trash Assessment (OVTA) score of "A" all places, at all times, which is inconsistent with State Water Board Trash Amendments.	Methods that can be used to demonstrate low trash generation needs to be more explicit in the permit and consistent with State Water Board terminology on Full Capture or Full Capture System Equivalency. Definitions of under what circumstances OVTA results and the implementation of actions with established performance standards (e.g., curb inlet screens) with or without OVTAs achieve full capture system equivalency should be explicitly included in the reissued permit.	H	

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	Permittees shall have an opportunity to correct and/or revise, based on improved information, the 2009 trash levels and trash generation areas in their February 2014 maps by submitting the correction and/or revision no later than the 2016 Annual Report deadline.	Baseline maps may need to be updated as new information becomes available. Not doing so would require the use of resources to conduct ongoing assessments in areas that have achieved low trash generation since 2009.	Provide continued opportunities to revise/improve baseline maps based on new information during the next permit term. Land areas with private drainages were mapped during MRP 2.0 and assessments of baseline conditions of these properties may be needed.	M	
	Permittees shall ensure that lands that they do not own or operate, but that are plumbed directly to their storm drain systems in Very High, High, and Moderate trash generation areas are equipped with full trash capture systems or are managed with trash discharge control actions equivalent to or better than full trash capture systems.	Trash generated from private land areas connected to Co-permittee MS4s are difficult to control and may require additional time beyond the schedule included in C.10.a.i.	A practical approach to addressing trash from these private land areas needs to be included in the next permit. This approach could differ from the methods used to demonstrate reductions in the public right of way.	H	
		A portion of Caltrans right of ways are currently included on Co-permittee baseline maps and should be removed as jurisdictional areas that are the responsibility of Co-permittees.	Explicit language should be included in the permit to state that Permittees are not responsible for trash generated on Caltrans ROW, nor any other land areas where discharges are covered under separate NPDES permits or Waste Discharge Requirements.		
C.10.a.iii. Mandatory Minimum Full Trash Capture	Minimum full capture system acreage treatment requirements.	All Co-permittees have achieved the goals set out in this subprovision and therefore it is outdated and unnecessary.	Remove mandatory minimum full trash capture requirements in next permit.	M	
C.10.b.i. Full Trash Capture Systems - Maintenance and Operation	Requirements for maintenance and operation of full capture systems.	Requirements for maintaining large/high flow capacity systems need to be updated. Current requirements are written to only apply to small/inlet-based systems.	Adjust maintenance requirements for large capture systems and defer to manufacturer recommendations	M	
C.10.b.ii Other Trash Management Actions	Conduct OVTAs of each trash generation area within which it is implementing other trash management actions or combination of actions other than full trash capture, to determine or verify the effectiveness of the action or combination of actions.	Existing ambiguity in MRP 2.0 on visual assessment frequency should be addressed. Frequency of assessments at specific sites may be different based on the variability of scores at a site/TMA.	To ensure consistency among SMCWPPP permittees, develop specific visual assessment frequencies that should be achieved. Frequencies should be based on documented variability in OVTA scores at specific sites/TMAs. Once a site/TMA has achieved low trash generation/full capture system equivalency and variability has decreased to acceptable level, frequencies should be reduced accordingly.	H	

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	If attempting to develop a trash reduction performance standard, put forth substantive and credible evidence that certain management actions or sets of management actions when performed to a specified performance standard yield a certain trash reduction outcome reliably.	No issues with this provision as worded, however, an additional provision needs to be included that describes the performance standard for curb inlet screens with street sweeping, and allows Co-permittees implementing the performance standard to attain a stipulated trash reduction percentage for the area where the actions are being implemented.	Based on the outcomes of performance standard studies conducted on autoretractable screens with street sweeping, a separate provision needs to be added to the permit to allow for application of the performance standard established and the commensurate stipulated trash reductions.	H	
iii. Percentage Discharge Reduction	Document reductions based on the formula included in the permit.	No issues.	No changes recommended.	L	
iv. Source Controls	Permittee jurisdiction-wide actions to reduce trash at the source, particularly persistent trash items, may be valued toward trash load reduction compliance by up to ten percent load reduction total for all such actions.	Water Board staff may be proposing to phase out source control credits.	No changes recommended. Source controls provide valuable water quality benefits at levels that may not be seen using OVTAs, which are relatively coarse indicators. Existing source control credits should be retained and possibly expanded. Additional actions are underway by Permittees and capping the reductions at 10% disincentivizes new source controls.	H	
v. Receiving Water Monitoring	Conduct Pilot Receiving Water Monitoring for trash, to answer the questions included in the permit.	Monitoring conducted during MRP 2.0 is complete and has answered the questions outlined in the permit.	Receiving water trash monitoring requirements should be removed from Provision C.10 and discussed in the context of all water quality monitoring data needs. Monitoring requirements should not be expanded to include Bay and "still" water monitoring. Focus should remain on creeks and channels given that these are the water bodies that are most directly impacted by trash from watersheds and stormwater runoff.	M	

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C.10.c. Trash Hot Spot Selection and Cleanup	Conduct trash hot spot cleanups twice per year and conduct assessments at the number of sites outlined in Attachment E to the permit.	Requirements are not providing significant trash reduction benefits and should be removed from the MRP.	As agreed in the MRP 3.0 Work Group that includes Water Board staff, requirements should be removed or incorporated into offset accounting for creek/shoreline cleanups. This would incentivize additional cleanups, which have a direct water quality benefit.	M	
C.10.d. Trash Load Reduction Plans	Each Permittee shall maintain, and provide for inspection and review upon request, a Trash Load Reduction Plan, including an implementation schedule to meet the C.10.a Trash Load Reduction requirements. A summary of any new revisions to the Plan shall be included in the Annual Report.	No issues identified.	No changes recommended.	L	
C.10.e. Optional Trash Load Reduction Offset Opportunities - Additional Creek and Shoreline Cleanups	A Permittee may offset part of its provision C.10.a trash load percent reduction requirement by conducting additional cleanup of creek and shoreline areas beyond trash hot spot cleanups required by C.10.c	Water Board staff is proposing to phase out these offsets.	Existing offsets for creek and shoreline clean ups should be continued (and possibly expanded) into the next permit term. Offset factor (10:1) should not be increased in the next permit term.	H	
C.10.e. Optional Trash Load Reduction Offset Opportunities - Direct Discharge	A Permittee may offset an additional part of its provision C.10.a trash load percent reduction requirement by implementing a comprehensive plan approved by the Executive Officer for control of direct discharges of trash to receiving waters from non-storm drain system sources.	Water Board staff is proposing to phase out these offsets.	Existing offsets for direct discharge trash control programs should be continued (and possibly expanded) into the next permit term. Offset factor (10:1) should not be increased in the next permit term.	H	
C.10.f - Reporting	Report annually as described in the permit.	No issues identified.	No changes recommended.	L	

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C. 11 and 12	Overall Requirements	These provisions are expected to continue pollutant control programs that began during previous permit terms and introduce a couple of new programs. The Bay mercury and PCBs TMDLs are an appropriate water quality priority. However, the associated controls must be appropriately phased, targeted, and prioritized, and specific pollutant load reductions should not be mandated given the uncertainties in their achievability. In addition, meeting the PCBs TMDL allocation in the 20-year time frame appears cost-prohibitive. Prioritization of areas to address and integration with other funding sources related to transportation, urban greening, climate change, etc. is essential.	The permit should require a programmatic approach to pollutant controls rather than including any mandates for pollutant load reductions. Update the PCBs TMDL to better reflect 1) questionable feasibility of meeting allocations and 2) uncertainties in allocations related to a number of factors (e.g., food web and pollutant fate modeling, fish consumption rate and target species, dose response). TMDL updates should make uncertainties explicit while reducing them to the extent possible.	H	
C.11/12.a. Implement Control Measures to Achieve Mercury/PCBs Load Reductions	Implement mercury/PCBs source and treatment control measures and pollution prevention strategies to achieve specified mercury/PCBs loads reductions throughout the area covered by the permit.	There is significant uncertainty in Permittees' ability to meet any mandated mercury and PCB load reductions. There is also significant uncertainty in the existing loading rates of these pollutants to storm drains and the Bay and how it relates to the key impairment metric (pollutant levels in fish tissue). If Permittees were unable to demonstrate achievement of numerical load reductions, they would be subject to potential enforcement action by the Regional Water Board and/or citizen suits from third parties as allowed under the Clean Water Act. As such, any mandate for reductions in pollutant loads would result in significant concern about the lack of a clear path to compliance. The permit should employ a programmatic approach by specifying pollutant control programs and stipulating the associated estimated load reduction benefits for the MRP 3.0 permit term. Implementation of the programs and the estimated load reductions actually achieved would be evaluated towards the end of the permit term and the programs would be adjusted as needed for the subsequent permit term (MRP 4.0).	Continue implementing pollutant control programs that began during previous permit terms and initiate a couple of new programs. Identify a list of accountable, trackable program elements that tie directly to stipulated load reductions. Track and report on implementation of PCBs/mercury source and treatment controls. Report implementation levels annually. Programs to include: (1) Conduct investigations of potential PCBs-contaminated areas within their jurisdictional boundaries with primary focus on old industrial land areas; (2) Identify potential high-priority catchments without control measures where enhanced O&M may be appropriate, assess need for implementing additional enhanced O&M measures, and implement enhanced O&M measures where appropriate; (3) Develop and implement a program to manage PCBs in oil-filled electrical equipment (OFEE) for both municipally owned and non-municipally owned electrical utilities in the MRP area (e.g., improved spill response and reporting); and (4) Track development of a Caltrans specification to manage potential PCBs-containing material in bridges as part of replacement, conduct a bridge inventory, identify ownership and bridges due for replacement and schedule of bridge replacement, maintain a list of applicable infrastructure that is scheduled for replacement, implement or cause to be implemented the Caltrans specifications during applicable replacement activities that are under the direction of the Permittee.	H	

MRP Reissuance - Summary of SMCWPPP Permittee Priority Issues and Updates

MRP Provision	Current MRP Requirement	Summary of Issues and Rationale for Changes in Reissued Permit	Recommended Update(s)	Priority	Associated Attachments to Permit Application
C.11/12.b. Assess Mercury/PCBs Load Reductions from Stormwater	Develop and implement an assessment methodology and data collection program to quantify in a technically sound manner mercury/PCBs loads reduced through implementation of pollution prevention, source control, and treatment control measures, including mercury/PCBs source control, stormwater treatment, green infrastructure, and other measures. Use the assessment methodology to demonstrate progress toward achieving the load reductions required in this permit term and the program area wasteload allocations.	Use the methods developed during MRP 2.0 to assess pollutant load reductions associated with the control programs.	Summarize estimated load reductions of implemented control measures once per permit term with the fourth year Annual Report, including programs shown above under C.11/12.a. and Full Trash Capture devices and their catchment areas.		
C.11/12.c. Plan and Implement Green Infrastructure to Reduce PCBs Loads	Implement green infrastructure projects during the term of the permit to achieve the mercury/PCBs load reductions performance criteria. Green infrastructure projects on both public and private land can serve to achieve this load reduction requirement. Additionally, prepare a reasonable assurance analysis to demonstrate quantitatively that specified mercury/PCBs load reductions will be achieved by 2040 through implementation of green infrastructure throughout the permit-area.	Green infrastructure requirements should be specified in Provision C.3. Green infrastructure implementation should not be a pollutant control program under C.11/12, but Permittees should continue to account for pollutant loads reduced.	Implement green infrastructure metrics established in C.3., track GI Implementation (annually), and report associated load reductions through green infrastructure implementation (Year 4).	H	
C.11/12.d. Prepare Implementation Plan and Schedule to Achieve TMDL Allocations	Prepare a plan and schedule for mercury/PCBs control measure implementation and reasonable assurance analysis demonstrating that sufficient control measures will be implemented to attain the mercury/PCBs TMDL wasteload allocations by 2028/2030.	Prepare a similar plan and schedule towards the end of the MRP 2.0 permit term, accounting for the latest data from program implementation/monitoring and any updates to the TMDLs.	The plan should be submitted with the ROWD for MRP 4.0.	M	
C.12.e. Evaluate PCBs in Presence in Caulks/Sealants used in Storm Drain or Roadway Infrastructure in Public Rights-of-Way	Collect samples of caulk and other sealants used in storm drains and between concrete curbs and street pavement and investigate whether PCBs are present in such material and in what concentrations. PCBs are most likely present in material applied during the 1970s, so the focus of the investigations should be on structures installed during this era.	This study was completed and this requirement is no longer needed in the permit.	Remove this requirement from the permit.	H	
C.12.f. Manage PCB-Containing Materials and Wastes during building demolition activities so that PCBs do not enter municipal storm drains.	Develop and implement or cause to be developed and implemented an effective protocol for managing materials with PCBs concentrations of 50 ppm or greater in applicable structures at the time such structures undergo demolition so that PCBs do not enter MS4s. PCBs from these structures can enter storm drains during and/or after demolition through vehicle trackout, airborne releases, soil erosion, or stormwater runoff. Applicable structures include, at a minimum, commercial, public, institutional and industrial structures constructed or remodeled between the years 1950 and 1980. Single-family residential and wood frame structures are exempt. A Permittee is exempt from this requirement if it provides evidence acceptable to the Executive Officer that the only structures that existed pre-1980 within its jurisdiction were single-family residential and/or wood-frame structures.	Permittees should continue to implement the program to manage PCBs during demolition that was initiated July 1, 2019.	Permittees should continue to enter applicable structures demolished into a tracking system, report numbers of applicable buildings permitted (annually), submit a list of the applicable structures that applied for a demolition permit that had material(s) with PCBs at 50 ppm or greater with the address and demolition date (annually), evaluate data collected to identify any refinements to load reduction equation parameters and/or implementation program, and submit status report with request for additional load reduction credit (if justified) (Year 3).	H	

MRP Reissuance - Summary of SMCWPPP Permittee Priority Issues and Updates

MRP Provision	Current MRP Requirement	Summary of Issues and Rationale for Changes in Reissued Permit	Recommended Update(s)	Priority	Associated Attachments to Permit Application
C.12.g. Fate and Transport Study of PCBs: Urban Runoff Impact on San Francisco Bay Margins	Conduct or cause to be conducted studies concerning the fate, transport, and biological uptake of PCBs discharged from urban runoff to San Francisco Bay margin areas. The specific information needs include understanding the in-Bay transport of PCBs discharged in urban runoff, the sediment and food web PCBs concentrations in margin areas receiving urban runoff, the influence of urban runoff on the patterns of food web PCBs accumulation, especially in Bay margins, and the identification of drainages where urban runoff PCBs are particularly important in food web accumulation.	No issues identified.	No updates recommended at this time.	M	
C.11.e./C.12.h. Implement a Risk Reduction Program	Conduct an ongoing risk reduction program to address public health impacts of mercury/PCBs in San Francisco Bay / Delta fish with the potential to reach 3,000 individuals annually who are likely consumers of San Francisco Bay-caught fish. The fish risk reduction program shall take actions to reduce actual and potential health risks in those people and communities most likely to consume San Francisco Bay-caught fish, such as subsistence fishers and their families.	No issues identified.	No updates recommended at this time.	M	

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C.13.a Manage waste generated from cleaning and treating of copper architectural features	Require, when issuing building permits, use of appropriate BMPs for managing waste during and post-construction. Educate installers and operators on appropriate BMPs for managing copper-containing wastes. Enforce against noncompliance.	No issues identified.	No updates recommended at this time.	--	
C.13.b Manage discharges from pools, spas, and fountains that contain copper-based chemicals	Either 1) require installation of a sanitary sewer discharge connection; or 2) require diversion of discharge for use in landscaping or irrigation.	No issues identified.	No updates recommended at this time.	--	
C.13.c.Industrial Sources	Ensure industrial facilities do not discharge elevated levels of copper to storm drains by ensuring, through industrial facility inspections, that proper BMPs are in place.	No issues identified.	No updates recommended at this time.	--	

MRP Reissuance - Summary of SMCWPPP Permittee Priority Issues and Updates

MRP Provision	Current MRP Requirement	Summary of Issues and Rationale for Changes in Reissued Permit	Recommended Update(s)	Priority	Associated Attachments to Permit Application
C.15.a. Exempted Non-Stormwater Discharges	In carrying out Discharge Prohibition A.1, certain unpolluted discharges listed in the permit are exempted from the prohibition against non-stormwater discharges.	No issues identified.	No updates recommended at this time.	--	
C.15.b.i. Conditionally Exempted Non-Stormwater Discharges	(1) Pumped Groundwater from Non-Drinking Water Aquifers; (2) Pumped Groundwater, Foundation Drains, and Water from Crawl Space Pumps and Footing Drains;	No issues identified.	No updates recommended at this time.	--	
C.15.b.ii Conditionally Exempted Non-Stormwater Discharges	Air Conditioning Condensate	No issues identified.	No updates recommended at this time.	--	
C.15.b.iii Conditionally Exempted Non-Stormwater Discharges	Emergency Discharges of Potable Water - iii.(2)(a) The Permittees shall implement or require firefighting personnel to implement BMPs for emergency discharges. However, the BMPs should not interfere with immediate emergency response operations or impact public health and safety. BMPs may include, but are not limited to, the plugging of the storm drain collection system for temporary storage, the proper disposal of water according to jurisdictional requirements, and the use of foam where there may be toxic substances on the property the fire is located. (b) During emergency situations, priority of efforts shall be directed toward life, property, and the environment (in descending order). (3) Reporting requirements will be determined by Water Board staff on a case-by-case basis, such as for fire incidents at chemical plants.	Water Board staff wants to clarify approaches regarding discharges of pollutants associated with emergency firefighting activities (e.g., chlorinated water and firefighting foams). Permittees have developed recommended minor language changes to address this concern.	Rename subprovision to Emergency Discharges from Firefighting Activities and include that BMPs shall be implemented for emergency discharges of potable water or foam.	M	
C.15.b.iv Conditionally Exempted Non-Stormwater Discharges	Individual Residential Car Washing	No issues identified.	No updates recommended at this time.	--	
C.15.b.v Conditionally Exempted Non-Stormwater Discharges	Swimming Pool, Hot Tub, Spa, and Fountain Discharges	No issues identified.	No updates recommended at this time.	--	
C.15.b.vi Conditionally Exempted Non-Stormwater Discharges	Irrigation Water Landscape Irrigation, and Lawn or Garden Watering	No issues identified.	No updates recommended at this time.	--	

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MRP Provision	Current MRP Requirement	Summary of Issues and Rationale for Changes in Reissued Permit	Recommended Update(s)	Priority	Associated Attachments to Permit Application
C.17.a Annual Reports	Submit Annual Reports	No issues identified.	No updates recommended at this time.	--	
C.17.b Annual Reports	Develop common annual reporting form	No issues identified.	No updates recommended at this time.	--	
C.17.c Annual Reports	Certify compliance with all requirements	No issues identified.	No updates recommended at this time.	--	
C.18.a Modifications to Order	To address significant changed conditions identified in the technical or Annual Reports	No issues identified.	No updates recommended at this time.	--	
C.18.b Modifications to Order	To incorporate applicable requirements of statewide water quality control plans or amendments to Basin Plans	No issues identified.	No updates recommended at this time.	--	
C.18.c Modifications to Order	To comply with any applicable CWA requirements, guidelines, or regulations	No issues identified.	No updates recommended at this time.	--	
C.18.d Modifications to Order	To approve and incorporate an alternative method or methods of distributing the county load reductions for mercury or PCBs on a Permittee-specific basis, as allowed by Provisions C.11 and C.12.	No issues identified.	Consider whether this is needed in MRP 3.0.	L	
C.19 Standard Provisions	Comply with all standard provisions in Attachment G	No issues identified.	No updates recommended at this time.	--	
C.20 Expiration Date	Submit Report of Waste Discharge	No issues identified.	Update dates.	L	
C.21 Recission of Old Order	Recission date for MRP 2.0	No issues identified.	Update Order No. and dates.	L	
C.22 Effective Date	Effective date of MRP 3.0	No issues identified.	Update dates.	L	

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All	pg 5. "....the Permittees shall comply with the following requirements in this Order."	<p>WB staff has stated that Permittees requested clarification on which Provisions apply to non-population based Permittees.</p> <p>This statement is not needed because non-population based Permittees are named Permittees of the MRP. If clarification is needed a statement could be added to the Fact Sheet under the appropriate Provisions.</p>	No updates recommended at this time.	M	
Potential New Provision - Cost Reporting	No current requirements	WB staff has stated that the reissued permit will have requirements for reporting information on costs expended by Co-permittees on compliance with the permit.	No updates or new requirements are recommended at this time. It is currently unclear how cost information would be used by the Water Board. Cost reporting provides an additional burden on Co-permittees that is not likely warranted given the unclear intended use of the information that would be reported by Co-permittees.	--	
Potential New Provision - Homelessness	No current requirements	WB staff has stated that they plan to include specific requirements regarding the management of homeless encampments to protect stormwater quality.	No updates or new requirements are recommended at this time. Stormwater quality is protected through the implementation of actions described in the permit, including but not limited to illicit discharge detection and elimination, municipal operations, and trash requirements.	--	