

STATE OF CALIFORNIA
REGIONAL WATER QUALITY CONTROL BOARD
SAN FRANCISCO BAY REGION

STAFF SUMMARY REPORT: Zachary Rokeach
MEETING DATE: October 11, 2023

ITEM: 6

Municipal Regional Stormwater NPDES Permit – Municipalities and Flood Management Agencies in Alameda County, Contra Costa County, San Mateo County, Santa Clara County, and Solano County – Status Update on Permit Implementation

DISCUSSION

This item will provide a general update on implementation of the Municipal Regional Stormwater NPDES Permit (Permit) requirements since the Permit's July 1, 2022, effective date. It will include implementation of new monitoring requirements for trash discharges and effectiveness of low impact development water quality treatment controls, effort permittees have put into cost reporting and discharges associated with unsheltered homelessness, and the Contra Costa County Permittees' alternative compliance program. We will not cover trash reduction progress since the Permittees recently submitted their reports on achieving the requirement for a 90 percent trash load reduction by June 30, 2023. We will update the Board in early 2024 on trash control implementation.

At the Permit adoption hearing in May 2022, commenters expressed concerns about the Permit's monitoring requirements, in particular, the cost associated with the requirements, staffing challenges, and concern regarding the number of storm events available for sampling. As a result, the Board directed staff to report back to the Board in 2023 on the monitoring requirements. However, because the new monitoring requirements do not begin until the start of the 2024 water year (October 1, 2023), the information provided regarding these concerns – other than, for example, costs associated with development of the monitoring plans and purchase of equipment – will be mostly prospective.

Monitoring

This item will include a presentation by Permittees on the significant coordination and planning they completed to enable the start of monitoring: convene technical advisory groups for both the trash and low impact development monitoring programs, identify monitoring sites, develop monitoring plans, order and set up monitoring equipment, and begin implementation. We participated on the technical advisory groups and we have conditionally accepted both the trash and low impact development monitoring plans submitted by the Permittees. Monitoring cost information will be submitted as part of cost reporting starting in late 2025, with the Permittees' 2024-25 Annual Reports. We are continuing to coordinate with Permittees and the countywide stormwater programs as monitoring gets under way with the season's first rains.

Other information item topics

This item will also cover the significant collaborative effort from Permittees on two recently submitted reports:

- A cost reporting framework (Provision C.20, Cost Reporting); and
- A report on best practices to address discharges related to unsheltered homelessness (Provision C.17, Discharges Associated with Unsheltered Homeless Populations).

In addition, this item will cover Contra Costa County Permittees' and the City of San Pablo's ongoing efforts to establish an alternative compliance program that, as allowed by the Permit, will provide opportunity for project proponents to pay into the program to do equivalent off-site alternative compliance when they are challenged to implement stormwater treatment controls on-site in their new or redevelopment projects.