

**CALIFORNIA REGIONAL WATER QUALITY CONTROL BOARD  
SAN FRANCISCO BAY REGION**

**ORDER NO. R2-2004-0060  
NPDES PERMIT NO. CAS0029921**

AMENDMENT REVISING ORDER NO. 99-059, AS AMENDED, FOR:

CITY/COUNTY ASSOCIATION OF GOVERNMENTS (C/CAG) OF SAN MATEO COUNTY, SAN MATEO COUNTY, TOWN OF ATHERTON, CITY OF BELMONT, CITY OF BRISBANE, CITY OF BURLINGAME, TOWN OF COLMA, CITY OF DALY CITY, CITY OF EAST PALO ALTO, CITY OF FOSTER CITY, CITY OF HALF MOON BAY, TOWN OF HILLSBOROUGH, CITY OF MENLO PARK, CITY OF MILLBRAE, CITY OF PACIFICA, TOWN OF PORTOLA VALLEY, CITY OF REDWOOD CITY, CITY OF SAN BRUNO, CITY OF SAN CARLOS, CITY OF SAN MATEO, CITY OF SOUTH SAN FRANCISCO, AND THE TOWN OF WOODSIDE, which have joined together to form the SAN MATEO COUNTYWIDE STORMWATER POLLUTION PREVENTION PROGRAM.

The California Regional Water Quality Control Board, San Francisco Bay Region (hereinafter referred to as the Regional Water Board or Board), finds that:

**FINDINGS**

1. Incorporation of Fact Sheet: The Fact Sheet for the San Mateo Countywide Stormwater Pollution Prevention Program NPDES Permit Amendment includes cited references and additional explanatory information in support of the requirements of this Amendment. This information, including any supplements thereto, and any future response to comments on the Tentative Order, is hereby incorporated by reference.
2. Existing Orders:
  - The Regional Water Board adopted Order No. 99-059 (the Permit) on July 21, 1999, reissuing waste discharge requirements under the National Pollutant Discharge Elimination System (NPDES) for C/CAG, San Mateo County and the twenty cities and towns in the County, as named above (hereinafter referred to collectively as the Dischargers and individually as the Discharger).
  - On February 19, 2003, the Regional Water Board adopted Order No. R2-2003-0023, adding Provision C.3 (New and Redevelopment Component) to the Permit.
3. In August 1999, the San Francisco BayKeeper and Just Economics for Environmental Health filed petitions for review of Order No. 99-059 by the State Water Resources Control Board (the State Board). After careful consideration, the State Board dismissed the petitions on April 4, 2001.

4. In 2001, San Francisco BayKeeper filed a lawsuit in San Francisco County Superior Court challenging the Regional Water Board's adoption of the Permit. On November 14, 2003, the Court upheld the permit on most counts; however, it issued a Writ of Mandate requiring the Board to amend the Permit in compliance with the Court's Statement of Decision, which held:
  - (a) The Permit fails to include a monitoring program and must therefore specify required monitoring including type, interval, and frequency sufficient to yield data which are representative of the monitored activity;
  - (b) Because the Stormwater Management Plan (Plan) is incorporated and is deemed an integral part of the Permit, modifications to the Plan are modifications to the Permit and have to go through a public notice and comment process; and
  - (c) The Regional Water Board, not the Executive Officer, must approve substantive modifications to the Plan.

This Order is therefore necessary to amend the Permit and to comply with the Court's Writ of Mandate.

5. In accordance with the Permit provisions, there have been some administrative revisions to the Plan that were not subjected to a public process and Board action contrary to the Court's Statement of Decision. Therefore, this Order formally rescinds and vacates those unauthorized Plan revisions, which are described in the separate order referenced below. The Board will act to formally adopt these revisions and any pending requests for Plan revisions by a separate order to be considered at the same hearing date this amendment is considered for adoption.
6. The Dischargers' monitoring program plans, which include programmatic monitoring and watershed assessment and monitoring, are outlined in Attachment A (Monitoring Program Plan) of this amendment. This amendment will add the Monitoring Requirements to the Permit, as required by the Court. As part of the Permit reissuance process, the Monitoring Requirements will be re-evaluated and revised as necessary to provide data representative of the stormwater discharge.
7. This action to modify an NPDES permit is exempt from the provisions of the California Environmental Quality Act (Division 13 of the Public Resources Code, Chapter 3, Section 21100, et.seq.) in accordance with Section 13389 of the California Water Code.
8. The Dischargers and interested agencies and persons have been notified of the Water Board's intent to modify waste discharge requirements for the existing discharge and have been provided opportunities for public meetings and to submit their written views and recommendations.

9. The numbering of the provisions of Order No. 99-059 was shifted from C.3 – C.17 to C.4 – C.18 when Provision C.3 was added by Order No. R2-2003-0023 in 2003. This amendment employs the revised numbering.

**IT IS HEREBY ORDERED that the Dischargers, in order to meet the provisions contained in Division 7 of the California Water Code and regulations adopted hereunder and the provisions of the Clean Water Act as amended and regulations and guidelines adopted hereunder, shall comply with the following revisions:**

Any and all administrative changes to the Plan that have been made under the terms of the Permit that were not made subject to a public process or Board action, but should have been, are hereby rescinded and vacated and the following Permit provisions are modified as follows and shown in redline/strike-out format:

Finding 19 of Order No. 99-059: The Regional Board will notify interested agencies and persons of the availability of reports, plans, and schedules, including Annual Reports, Work Plans, Performance Standards, and the Plan, and will provide them with an opportunity for a public hearing and/or opportunity to submit written views and recommendations. The Regional Board will consider all comments and may modify the reports, plans, or schedules or may modify this order in accordance with the NPDES permit regulations. ~~All submittals required by this Order conditioned with acceptance by the Executive Officer will be subject to these notifications, comment, and public hearing procedures.~~

C.2 In accordance with Provision C.1 and Finding 12, the dischargers shall submit a report to the Regional Board on exceedances of WQS for copper, nickel, mercury, PCBs, dioxin-like compounds, DDT, dieldrin, chlordane, diazinon, and sediment. A draft scope of work acceptable to the Executive officer and outline for the report(s) shall be submitted by September 1, 1999. An interim draft report shall be submitted by March 1, 2000, and a final report shall be submitted by September 1, 2000. The reports shall include (but are not necessarily be limited to):

- a) Identification of potential sources for pollutants listed above that are found in stormwater discharges;
- b) Evaluation of effectiveness of BMPs that are currently being implemented and additional BMPs that will be implemented to prevent or reduce the above listed pollutants that may be causing or contributing to the exceedance of WQSs;
- c) Characterization of representative drainage areas and stormwater discharges, including land-use characteristics, pollutant concentrations, forms, and loadings;
- d) A pollution prevention and control measures plan for pollutants listed above ~~that is acceptable to the Executive Officer~~, which assigns responsibilities and establishes time schedules to implement pollutant reduction and control measures beginning no later than July 1, 2001. Upon approval by the ~~Executive Officer~~

Regional Board, the revised control measures plan shall be incorporated into the Stormwater Management Plan, in accordance with C.14.

C.6 (formerly C.5). Annual Reports: The dischargers shall submit an Annual Report, by September 1 of each year, documenting the status of the Program's and the Dischargers' activities during the previous fiscal year, including the results of a qualitative field level assessment of activities implemented by the Dischargers, and the performance of tasks contained in the Plan. The Annual Report shall include a compilation of deliverables and milestones completed as described in the Plan. In each Annual Report, the Dischargers may propose pertinent updates, improvements, or revisions to the Plan, which ~~the Regional Board shall act shall be complied with under this Order unless disapproved by the Executive Officer or acted upon in~~ accordance with Provision C14. As part of the Annual Report preparation process, each of the Dischargers shall conduct an overall evaluation of the effectiveness of its applicable activities described in the Plan. Direct and indirect measures of effectiveness may include, but are not limited to, conformance with established Performance Standards, quantitative monitoring to assess the effectiveness of BMPs, measurements of estimates of pollutant load reductions, detailed accounting of Program accomplishments, funds expended, and staff hours utilized. Methods to improve effectiveness in the implementation of tasks and activities, including development modification of existing Performance Standards and/or development of new performance standards shall be identified where appropriate.

C.8 (formerly C.7). ~~The Executive Officer may approve the Program's Annual Report format; however, as set forth in Provision C.6, the Regional Board shall act on Annual Reports that propose to modify the Plan as Plan modifications in accordance with Provision C14. The Program's work plans shall be deemed to be final and incorporated into the Plan and enforceable under this Order as of July 1 of each year unless determined to be unacceptable by the Executive Officer.~~ The Dischargers shall address any comments or conditions of acceptability received from the Executive Officer on the Program's work plans prior to the submission of their Annual Report on September 1 of each year, or at an earlier date if so specified by the Executive Officer, ~~at which time the work plans shall be deemed to be incorporated into the Plan and this Order unless disapproved of by the Executive Officer.~~

C.9 (formerly C.8). The Dischargers shall comply with the Monitoring Requirements provided in Attachment A of this Order, which is incorporated herein by this reference. Reports on the progress and results of the Monitoring Requirements shall be submitted yearly with the Annual Reports. Monitoring Program: The Dischargers shall submit, by March 1 of each year, an annual Monitoring Program Plan acceptable to the Executive Officer that supports the development and implementation and demonstrates the effectiveness of their Plan. The Monitoring Program Plan shall be designed to achieve the following objectives:

- ~~Characterization of representative drainage areas and stormwater discharges, including land use characteristics, pollutant concentrations, and mass loadings;~~

- ~~□ Assessment of existing or potential adverse impacts on beneficial uses caused by pollutants of concern in stormwater discharges, including an evaluation of representative receiving waters;~~
- ~~□ Identification of potential sources of pollutants of concern found in stormwater discharges; and~~
- ~~□ Evaluation of effectiveness of representative stormwater pollution prevention or control measures.~~

The Monitoring Program Plan shall include the following:

- ~~a. Provisions for conducting and reporting the results of special studies conducted by the STOPPP or Dischargers which are designed to determine effectiveness of best management practice or control measures, define a Performance Standard or assess the adverse impact of a pollutant or pollutants on beneficial uses.~~
- ~~b. Provisions for conducting watershed monitoring activities including: identification of major sources of pollutants of concern; evaluation of the effectiveness of control measures and best management practices; and use of physical, chemical, and biological parameters and indicators as appropriate.~~
- ~~c. Identification and justification of representative sampling locations, frequencies and methods, suite of pollutants to be analyzed, analytical methods, and quality assurance procedures. Alternative monitoring methods in place of these (special projects, financial participation in regional, state, or national special projects or research, literature review, visual observations, use of indicator parameters, recognition and reliance on special studies conducted by other programs, etc.) may be proposed with justification. Alternative monitoring methods may include participation in Bay Area Stormwater Management Agencies Association's Monitoring Programs or Projects.~~

C.13 (formerly C.12). a. Non-Stormwater Discharges (Exempted Discharges): In carrying out Discharge Prohibition A.1 of this Order, the following non-stormwater discharges are not prohibited unless they are identified by the Discharger or the Regional Board Executive Officer as sources of pollutants to receiving waters:

- flows from riparian habitats or wetlands;
- diverted stream flows;
- springs; and
- rising groundwater.

If any of the above categories of discharges, or sources of such discharges, are identified as sources of pollutants to receiving waters, then such categories or sources shall be addressed as conditionally exempted discharges in accordance with Provision ~~C.12.b~~ C.13.b.

b. Conditionally Exempted Discharges: The following non-stormwater discharges are not prohibited if they are either identified by the Discharger or the Regional Board

~~Executive Officer~~ as not being sources of pollutants to receiving waters or if appropriate control measures to eliminate adverse impacts of such sources are developed and implemented under the Stormwater Management Plan in accordance with Provision C.13.c.C.12.e.:

- uncontaminated pumped groundwater;
- dechlorinated swimming pool waters;
- foundation drains;
- water from crawl space pumps;
- footing drains;
- air conditioning condensate;
- irrigation water;
- landscape irrigation;
- lawn or garden watering;
- planned and unplanned discharges from potable water sources;
- water line and hydrant flushing;
- individual residential car washing; and
- discharges or flows from emergency fire fighting activities.

c. The Discharger shall identify and describe the categories of discharges listed in C.13.b.C.12.b that they wish to exempt from Prohibition A.1 in periodic submissions to the Regional Board~~Executive Officer~~. For each such category, the Discharger shall identify and describe as necessary and appropriate to the category either documentation that the discharges are not sources of pollutants to receiving waters or circumstances in which they are not found to be sources of pollutants to receiving waters. Otherwise, the Discharger shall describe control measures to eliminate adverse impacts of such sources, procedures and Performance Standards for their implementation, procedures for notifying the Board of these discharges, and procedures for monitoring and record management. The Regional Board shall act on ~~Such submissions and incorporate any approved exempted categories and control and implementation measures shall be deemed to be incorporated into the Plan unless disapproved by the Executive Officer or acted on in accordance with Provision~~ C.14C.13 and the NPDES permit regulations.

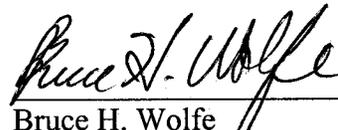
d. Permit Authorization for Exempted Discharges

- i. Discharges of non-stormwater from sources owned or operated by the Discharger are authorized and permitted by this Order, if they are in accordance with the conditions of this provision and the Plan.
- ii. The Board may require dischargers of non-stormwater other than the Discharger to apply for and obtain coverage under an NPDES permit and comply with the control measures developed by the Discharger pursuant to Provision C.13C.12. Non-stormwater discharges that are in compliance with such control measures may be accepted by the Discharger and are not subject to Prohibition A.1.

- iii. The Discharger may propose, as part of their annual updates to the Plan under Provision C.6 of this Order, additional categories of non-stormwater discharges to be included in the exemption to Discharge Prohibition A.1. Such proposals are subject to approval only by modification of this permit.

C.14 (formerly C.13). It is anticipated that the Plan may need to be modified, revised, or amended from time to time to respond to new information, changed conditions and to incorporate more effectively approaches to pollutant control. Requests for changes may be initiated by the Executive Officer or by the Dischargers. Any such changes to the Plan, which is an integral and enforceable part of this Order as set forth in finding No. 7 of Order No. 99-059, will be made in accordance with applicable State and federal regulations for permit modifications. ~~Minor changes may be made with the Executive Officer's approval and will be brought to the Regional Board as information items and the Dischargers and interested parties will be notified accordingly. If proposed changes involve major revision of the Program, the Executive Officer shall bring such changes before the Regional Board as permit amendments and notify the Dischargers and interested parties accordingly.~~

I, Bruce H. Wolfe, Executive Officer, do hereby certify that the foregoing is a full, true, and correct copy of an order adopted by the California Regional Water Quality Control Board, San Francisco Bay Region, on July 21, 2004.

  
Bruce H. Wolfe  
Executive Officer

Attachment A:        Monitoring Program Plan

# **ATTACHMENT A**

## **Monitoring Program Plan**



San Mateo Countywide  
Stormwater Pollution  
Prevention Program

San Mateo Countywide Stormwater Pollution Prevention Program  
Monitoring Program Plan for Fiscal Year 2004/05

March 1, 2004

This FY 2004/05 Monitoring Program Plan for the San Mateo Countywide Stormwater Pollution Prevention Program (STOPPP) was developed in accordance with Provision C.8. of STOPPP's NPDES permit and STOPPP's *Generalized Five-Year Monitoring Program Plan, Fiscal Years 2002/03 through 2006/07, June 28, 2002*. The Watershed Assessment and Monitoring (WAM) component of STOPPP supports the implementation of other program components. The activities under this component help STOPPP's municipalities select stormwater pollution prevention and control BMPs by evaluating the effectiveness of existing and proposed BMPs. The current emphasis is to assess representative watersheds in San Mateo County and address pollutants of concern thought to impair water quality. The primary goals of STOPPP's WAM activities are to:

- Assess water quality conditions in representative watersheds in San Mateo County, evaluate stormwater impacts and help solve creek drainage basin-specific water quality impairment problems.
- Assess whether specific stormwater pollutants potentially have adverse impacts on water quality in San Mateo County creeks and/or San Francisco Bay, and, as appropriate, develop plans to address these pollutants of concern.
- Evaluate the effectiveness of existing stormwater pollution prevention and control Best Management Practices (BMPs) and recommend improvements and appropriate applications.

STOPPP's approach emphasizes undertaking focused studies to achieve specific objectives rather than conducting routine monitoring of pollutant concentrations in stormwater runoff. STOPPP will implement scientifically sound and cost-effective studies designed to meet the above goals within a reasonable time period, consistent with available budgets. STOPPP will also continue to participate in regional programs that are cost-effective and help STOPPP meet the above goals.

STOPPP's FY 2004/05 monitoring program plan is divided into the following major areas:

- Watershed Assessment
- Specific Pollutants of Concern
- Regional Collaborative Efforts
- Coordination and Regulatory Compliance
- Data Management

The following sections describe these areas.



## WATERSHED ASSESSMENT

### Background

Regional Board staff developed a Regional Monitoring and Assessment Strategy (RMAS) for watershed assessment in the Bay area. The purpose of the RMAS is to improve the technical basis of the Regional Board's policies and regulatory actions. The specific regulatory focus of the RMAS is to help the Regional Board complete biennial water quality assessments under the Clean Water Act's 305(b) and 303(d) requirements. The RMAS endorses a multi-faceted monitoring approach, including incorporation of bioassessment data and physical measurements into Regional Board decision making, as supported by the 1997 USEPA 305(b) guidelines. As originally conceived, the RMAS is intended to be carried out in a phased approach, beginning with "pilot-scale implementation in selected watersheds," and establishing a rotating basin approach that will eventually result in "comprehensive assessment of surface and ground waters in the San Francisco Bay Region."

The Regional Board is implementing the RMAS by assessing selected pilot watersheds in the Bay Area. This assessment of "Board-lead" watersheds is partly funded by the state Surface Waters Ambient Monitoring Program (SWAMP). The Regional Board is also relying on local agencies to help implement the RMAS in "Partner-lead" pilot watersheds. STOPPP has and continues to participate in the RMAS by assessing urban runoff-related characteristics of representative watersheds in San Mateo County. Assessments typically focus on using environmental indicators (e.g., benthic macroinvertebrate assemblages) to help characterize the functional attributes of creeks and potential for stormwater impacts. Data on physical, biological and chemical parameters are collected as appropriate. STOPPP may also perform special studies such as the evaluation of specific BMPs.

The overall goal is to characterize impacts to typical urban watersheds in San Mateo County. This data will support informed selection of stormwater management measures, recognizing that individual watersheds may have unique problems that require approaches tailored to local conditions. STOPPP will continue to develop and evaluate cost-effective methods to address water quality problems in specific watersheds. This will necessitate collaborating with other agencies and organizations (e.g., local watershed stakeholder groups) in a watershed's jurisdiction to leverage limited resources.

### Work Planned During FY 2004/05

During FY 2004/05, STOPPP will perform watershed assessment fieldwork in the Cordilleras Creek watershed, compile existing information on an additional watershed, and continue trash assessment/control activities.

#### Cordilleras Creek Watershed

Table 1 summarizes the field activities that STOPPP will perform in the Cordilleras Creek watershed during FY 2004/05. These activities include chemical analysis and bioassay of grab water samples, field instrument measurements (i.e., pH, temperature, conductivity, dissolved oxygen and velocity), rapid bioassessment, and physical habitat assessment. STOPPP will conduct the rapid bioassessment and physical habitat assessment using protocols outlined in



**San Mateo Countywide  
Stormwater Pollution  
Prevention Program**

the California Stream Bioassessment Procedure.

**Table 1. FY 2004/05 Field Monitoring Activities in the Cordilleras Creek Watershed**

Type	Activity	Number of Sample Sites	Parameters	Frequency/Interval
Watershed characterization, assessment of receiving waters and impacts to beneficial uses.	Bioassessment and physical habitat assessment.	6	Macroinvertebrate assemblages and physical habitat characteristics.	One episode (spring).
	Creek water quality testing.	3	Temperature, pH, conductivity, dissolved oxygen, velocity, organophosphate pesticides, metals, <sup>1</sup> hardness, SCC, and aquatic toxicity. <sup>2</sup>	Three episodes (summer, wet season and spring).

1 – The following metals will be analyzed for (total and dissolved): Al, Cr, Mn, Ni, Cu, Zn, Ag, Cd, Pb, As, Se, and Hg (total only).

2 – Aquatic toxicity will be assessed using a three-species bioassay. The three species are: *Ceriodaphnia dubia* (water flea), *Pimephales promelas* (fathead minnow) and *Selenastrum capricornutum* (green alga).

Additional San Mateo County Watershed

STOPPP will characterize an additional San Mateo County watershed based on available existing data (e.g., water quality, land use, geomorphology, physical habitat, imperviousness and channel modification). Based on the existing data, a monitoring program will be designed for future implementation.

Trash Control

STOPPP will continue developing and implementing strategies to assess and manage trash in urban water bodies in San Mateo County. The scope of this work will be developed based on the results of STOPPP's FY 2003/04 trash control program and the results of related programs by other Bay Area stormwater management agencies.

**SPECIFIC POLLUTANTS OF CONCERN**

**Background**

The recent emphasis on addressing certain pollutants thought to impair Bay Area surface waters has led the Regional Board to require new assistance from Bay Area municipal stormwater programs. The following pollutants of concern are listed in STOPPP's NPDES permit: PCBs, mercury, diazinon, DDTs, chlordane, dieldrin, sediment, dioxins, copper and nickel. An overview of STOPPP's activities related to specific pollutants of concern is presented in STOPPP's revised *Pollutant Prevention and Control Measures Plan*.



## San Mateo Countywide Stormwater Pollution Prevention Program

### Work Planned During FY 2004/05

During FY 2004/05, STOPPP will develop a plan with new pollutant-specific monitoring and control programs. The new programs will build on STOPPP's past accomplishments in controlling pollutants of concern and existing pollutant-specific control activities. STOPPP will also continue to participate in various collaborative efforts to address pollutants of concern (please see the next section on regional collaborative efforts).

### REGIONAL COLLABORATIVE EFFORTS

Participation in regional efforts to monitor water quality and solve water quality impairment problems remains an important aspect of STOPPP's WAM component. During FY 2004/05 STOPPP will continue to:

- Coordinate its monitoring activities with other Bay Area Stormwater Management Agency Association (BASMAA) member agencies through participation in BASMAA's Monitoring Committee and selected work groups (e.g., PCBs). STOPPP will also continue to provide funding to BASMAA, which helps fund efforts such as the Brake Pad Partnership.
- Provide funding to the Clean Estuary Partnership (CEP), a joint effort of the Regional Board, the Bay Area Clean Water Agencies, and BASMAA. The three parties are collaborating to guide and assist the development of TMDLs and other strategies to address water quality impairments by pollutants of concern in the San Francisco Estuary. STOPPP also participates in meetings of the CEP's Technical Committee, which oversees the CEP's research, monitoring, and other technical endeavors. STOPPP will also continue to help fund a staff to represent BASMAA in the CEP PCBs work group.
- Provide funding to the San Francisco Estuary Institute (SFEI) for expenditures on the San Francisco Estuary Regional Monitoring Program (RMP). The RMP monitors contaminant concentrations in water, sediments, and fish and shellfish tissue in San Francisco Bay and Delta, together known as the San Francisco Estuary. Ultimately, the goal of the RMP is to provide information on how contaminant concentrations in the estuary are responding to pollution prevention and reduction measures and thus if the financial resources devoted to these efforts are improving water quality. STOPPP will also continue to continue to help fund a staff to represent BASMAA in the RMP Sources, Pathways and Loadings Work Group.
- STOPPP will continue to provide funding to the Bay Area Macroinvertebrate Bioassessment Information Network. This regional effort is helping coordinate Bay Area benthic macroinvertebrate bioassessment efforts and develop standards for interpreting and applying the results in the context of watershed assessment and management.

### COORDINATION AND REGULATORY COMPLIANCE

As in the past, STOPPP's Watershed and Monitoring Subcommittee will meet regularly to oversee STOPPP's watershed assessment and monitoring activities. STOPPP will also submit



## San Mateo Countywide Stormwater Pollution Prevention Program

the following reports and plans to the Regional Board, as required by STOPPP's NPDES permit:

- Annual report, including the WAM component section.
- Mid-fiscal year report, including WAM component work plans and budgets.
- Annual Monitoring Program Plan.

STOPPP's current watershed assessment and monitoring strategy is outlined in STOPPP's *Generalized Five-year Monitoring Program Plan*, which covers the period from FY 2002/03 to FY 2006/07. During FY 2004/05, STOPPP will prepare a new multi-year monitoring program plan that revises and extends this plan. Implementation of the new multi-year plan is anticipated to begin in FY 2005/06, superceding the last two years of the existing five-year plan.

### DATA MANAGEMENT

STOPPP will continue to document the results of all monitoring activities, including watershed assessments and studies related to specific pollutants, in project reports submitted to the Regional Board. STOPPP has also developed a desktop Geographic Information System (GIS) to store and compile monitoring data and related information. This data management tool has many uses, including spatial visualization and analysis of data, and is especially well suited to watershed management. Current data layers for San Mateo County in STOPPP's GIS include:

- USGS base maps with features such as topography.
- Municipal boundaries.
- Land use.
- Aerial orthophotographs of selected areas.
- Creeks and other waterbodies.
- Streets, roads and highways.
- Drainage boundaries, creek channel modifications and imperviousness of selected watersheds.
- Sediment sampling locations for the Joint Stormwater Agency Project sediment survey.
- Geologic, riparian habitat value and stream classification data for the San Pedro Creek watershed.

STOPPP will continue to expand and refine the GIS during FY 2004-05 and future years.

## San Mateo Countywide Stormwater Pollution Prevention Program (STOPPP) Programmatic Monitoring

Type of Monitored Activity	Parameters	Frequency	Documentation Methods	Reporting Interval
<i>Street sweeping</i>	Curb miles swept and volume or weight of material removed.	Whenever streets are swept	STOPPP's monthly municipal maintenance record keeping forms	Submitted as part of Annual Report
<i>Street sweeping</i>	Removal rate of swept material (volume or weight of material removed per mile swept).	Calculated annually	Table in Annual Report	Submitted as part of Annual Report
<i>Removal of material from storm drain system</i>	Number of storm drain inlets inspected, number of inlets cleaned, length of conveyances <sup>1</sup> inspected and/or cleaned, and volume and/or weight of material removed.	Whenever these activities are conducted	STOPPP's monthly municipal maintenance record keeping forms	Submitted as part of Annual Report
<i>Leaf and litter control</i>	Amount of material removed and for litter this also includes the amount disposed from litter collection receptacles located in public areas, such as in parks and along streets in commercial areas.	Whenever these activities are conducted	STOPPP's monthly municipal maintenance record keeping forms	Submitted as part of Annual Report
<i>Municipal pesticide use</i>	Description of activities to implement the <i>Pesticide Usage and Integrated Pest Management</i> performance standards. This will include whether any organophosphate pesticides were used, and if so, why, and what best management practices were used to minimize the amount used.	Annually	STOPPP's deliverable forms	Submitted as part of Annual Report
<i>Training municipal staff on use of integrated pest management (IPM)</i>	Number of municipal staff who have attended IPM training offered by STOPPP.	Annually	STOPPP's deliverable forms	Submitted as part of Annual Report
<i>Control of stormwater pollutants from commercial and industrial businesses</i>	Number of businesses inspected, number of stormwater violations <sup>2</sup> , enforcement actions, follow-up actions, violation corrected, and date of violation correction.	Whenever a business is inspected	STOPPP's Stormwater Inspections & Violations Summary forms	Submitted as part of Annual Report
<i>Activities to find illicit discharges</i>	Field activities conducted including number of established location visited and number of calls received from public, other agencies, and municipality's maintenance crews about illicit discharges found.	Whenever field activity is undertaken or notification	STOPPP's Illicit Discharge Inspection Quarterly Summary Report Forms	Submitted as part of Annual Report

<sup>1</sup> Conveyances include v-ditches, storm drain lines, channels, creeks, and culverts.

<sup>2</sup> Violations are defined as either the discharge of pollutants due to pollutant exposure to rainfall runoff or the discharge of non-stormwater materials that are disallowed by STOPPP's NPDES permit.

Type of Monitored Activity	Parameters	Frequency	Documentation Methods	Reporting Interval
		received		
<b>Control of illicit discharges</b>	For each illicit discharge found, information on the source of illicit discharge, type of illicit discharge, and follow up activities undertaken to stop the illicit discharge, including enforcement actions taken and informational material distributed	Whenever an illicit discharge is found	STOPPP's Illicit Discharge Source Identification Forms	Submitted as part of Annual Report
<b>Activities to educate residents about stormwater</b>	Description of community outreach events held or participated in to educate residents about stormwater pollution problems and solutions including the proper management and disposal of used oil and toxic materials.	Whenever an event is held or participated in.	STOPPP's deliverable forms	Submitted as part of Annual Report
<b>Status of maintaining storm drain stencils and/or signs</b>	Information confirming that storm drain inlet stencils/signs are being maintained as they wear out.	Annually	STOPPP's deliverable forms	Submitted as part of Annual Report
<b>Training municipal staff on construction site inspections</b>	Information on the number of municipal staff that have completed this training each year and the number that have certificates of completion from this training within the past three years (certificates are good for three years).	Annually	STOPPP's deliverable forms	Submitted as part of Annual Report
<b>Control of erosion from construction sites in preparation for wet season</b>	Information on names of active construction sites inspected to evaluate the adequacy of erosion and sedimentation controls in preparation for wet season, dates of inspection, and corrective actions, if any, that were needed.	Prior to wet season starting in summer/fall 2004	STOPPP's List of Active Construction Sites forms	Submitted as part of Annual Report
<b>Incorporation of stormwater quality controls into requirements for new development projects</b>	Information on all new development and significant redevelopment projects equal to or greater than five acres and on three other representative projects from each municipality regarding location, type of project, acreage, status, site design and stormwater treatment measures and construction controls.	Annually	STOPPP's deliverable forms	Submitted as part of Annual Report
<b>Amounts of impervious surface being constructed</b>	For each project where 10,000 square feet or more of impervious surface will have been created, added, and/or replaced, information on the name of the project, type of projects, site size, and amount of newly constructed impervious surface.	Annually	STOPPP's deliverable forms	Submitted as part of Annual Report

**Watershed Assessment and Monitoring  
Environmental Monitoring and Assessment - FYs 2003/04 and 2004/05**

Type	Activity	Location	Number of Sample Sites	Parameters	Frequency/Interval
<b>FY 2003/04</b>					
Watershed characterization, assessment of receiving waters and impacts to beneficial uses.	Bioassessment and physical habitat assessment.	San Mateo Creek watershed.	6	Macroinvertebrate assemblages, physical habitat characteristics.	One episode (spring 2004).
	Creek water quality testing.		3	Temperature, pH, conductivity, dissolved oxygen, velocity, organophosphate pesticides, aquatic toxicity.	One episode (wet season 2003/04). <sup>1</sup>
	Creek water quality testing.	San Pedro Creek watershed.	3	Temperature, pH, conductivity, flow, organophosphate pesticides, aquatic toxicity.	Two episodes (summer 2003 and wet season 2003/04). <sup>2</sup>
	Embedded sediment testing and land use research.	Colma Creek, Colma.	3	PCBs congeners, mercury, total organic carbon, percent moisture and particle size.	One episode (fall 2003).
<b>FY 2004/05</b>					
Watershed characterization, assessment of receiving waters and impacts to beneficial uses.	Bioassessment and physical habitat assessment.	Cordilleras Creek watershed.	6	Macroinvertebrate assemblages, physical habitat characteristics.	One episode (spring 2005).
	Creek water quality testing.		3	Temperature, pH, conductivity, dissolved oxygen, velocity, organophosphate pesticides, metals <sup>3</sup> , hardness, suspended sediment concentration, aquatic toxicity.	Three episodes (summer, wet season and spring).

1 - During FY 2002/03, STOPPP funded two episodes (spring and summer) of testing water samples from San Mateo Creek for organophosphate pesticides and aquatic toxicity.  
 2 - During FY 2002/03, STOPPP performed one episode (spring) of testing water samples from San Pedro Creek for organophosphate pesticides and aquatic toxicity.  
 3 - The following metals will be analyzed for (total and dissolved): Al, Cr, Mn, Ni, Cu, Zn, Ag, Cd, Pb, As, Se, Hg (total only).

**San Mateo Countywide Stormwater Pollution Prevention Program (STOPPP)  
Watershed Assessment and Monitoring  
Regional Environmental Monitoring and Assessment  
FYs 2003/04 and 2004/05**

Type	Activity	Location	Number of Sample Sites	Parameters	Frequency/Interval
Pollutants of concern and assessment of receiving waters and impacts to beneficial uses.	Provide funding and program representation to Regional Monitoring Program (RMP).	San Francisco Estuary.	Please refer to RMP work plans.	Numerous water, sediment, and biota parameters.	Please refer to RMP work plans. For more information see: <a href="http://www.sfei.org/rmp">www.sfei.org/rmp</a>
Watershed characterization, pollutants of concern, and assessment of receiving waters and impacts to beneficial uses.	Provide fee-based funding to Surface Water Ambient Monitoring Program (SWAMP)/Regional Monitoring and Assessment Strategy (RMAS).	San Francisco Bay Area.	Please refer to SWAMP work plans.	Macroinvertebrate assemblages, physical habitat characteristics, general water quality, trash, water and sediment pollutants, pathogens, nutrients and toxicity.	Please refer to SWAMP work plans. For more information see: <a href="http://www.swrcb.ca.gov/rwqcb2">www.swrcb.ca.gov/rwqcb2</a>
Pollutants of concern and evaluation of BMP effectiveness.	Provide funding and/or program representation to Clean Estuary Partnership (CEP).	San Francisco Bay Area.	Please refer to CEP work plans.	Pollutants of concern.	Please refer to CEP work plans. For more information see: <a href="http://www.cleaneastuary.org">www.cleaneastuary.org</a>

**San Mateo Countywide Stormwater Pollution Prevention Program (STOPPP)  
Watershed Assessment and Monitoring  
Support of Existing Watershed Assessment and Monitoring Activities, Evaluation of Existing Data and Planning  
FYs 2003/04 and 2004/05**

Type of Activity	Associated Location
FY 2003/04	San Francisco Bay Area.
Provide in-kind staff support to Bay Area Macroinvertebrate Bioassessment Information (BAMBI) network.	San Francisco Bay Area.
Compilation and evaluation of existing data.	Cordilleras Creek watershed.
Survey of municipal staff knowledge of trash management practices and problem areas.	Countywide.
Compilation and evaluation of existing data on sediment management practices and evaluation.	Countywide.
Collaboration with other BASMAA programs to compile and evaluate information on dioxins and urban runoff, including an evaluation of potential control measures.	NA
FY 2004/05	San Francisco Bay Area.
Provide in-kind staff support to Bay Area Macroinvertebrate Bioassessment Information (BAMBI) network.	San Francisco Bay Area.
Perform activities related to trash control and/or monitoring.	To be determined.
Compilation and evaluation of existing data.	Bayside watershed to be determined.
Prepare a new multi-year monitoring plan.	Countywide.
Prepare a new monitoring and management plan for pollutants of concern.	Countywide.

Fact Sheet

**SAN MATEO COUNTYWIDE  
STORMWATER POLLUTION PREVENTION PROGRAM  
ORDER NO. R2-2004-0060  
AMENDMENT OF NPDES PERMIT NO. CAS0029921**

CALIFORNIA REGIONAL WATER QUALITY CONTROL BOARD  
SAN FRANCISCO BAY REGION  
1515 CLAY STREET, 14TH FLOOR  
OAKLAND, CA 94612

**I. Permit History**

- A. City/County Association of Governments (C/CAG) of San Mateo County, San Mateo County, Town of Atherton, City of Belmont, City of Brisbane, City of Burlingame, Town of Colma, City of Daly City, City of East of Palo Alto, City of Foster City, City of Half Moon Bay, Town of Hillsborough, City of Menlo Park, City of Millbrae, City of Pacifica, Town of Portola Valley, City of Redwood City, City of San Bruno, City of San Carlos, City of San Mateo, City of South San Francisco, and the Town of Woodside (hereinafter Dischargers), have joined together to form the San Mateo Countywide Stormwater Pollution Prevention Program (hereinafter Program). On July 21, 1999, the California Regional Water Quality Control Board for the San Francisco Bay Region (hereinafter referred to as the Regional Board) re-issued waste discharge requirements (NPDES Permit No. CAS0029921, Order No. 99-059, hereinafter Permit) under the National Pollutant Discharge Elimination System (NPDES) to the Program to discharge stormwater runoff from storm drains and watercourses within the Dischargers' jurisdictions by complying with the Permit and implementing the Permit's associated Stormwater Management Plan (hereinafter Plan).
- B. On February 19, 2003, the Regional Board adopted Order No. R2-2003-0023, amending Provision C.3 (New and Redevelopment Component) of the Permit.
- C. Order Nos. 99-059 and R2-2003-0023 recognize the Program's Plan as the Dischargers' comprehensive control program and requires implementation of the Plan. The Plan describes a framework for management of stormwater discharges. Pursuant to Provisions in Order No. 99-059, the 1999 Plan has been administratively modified since then and describes the Program's goals and objectives and contains Performance Standards, which represent the baseline level of effort required of each of the Dischargers. The Plan contains Performance Standards for five different stormwater management components, including watershed assessment and monitoring.
- D. In August 1999, the San Francisco BayKeeper and Just Economics for Environmental Health filed petitions for review of Order No. 99-059 by the State

Water Resources Control Board (the State Board). After careful consideration, the State Board dismissed the petitions on April 4, 2001.

**II. Discharge Description and Location:**

The Dischargers have jurisdiction over and/or maintenance responsibility for storm drains and watercourses that they own and/or operate in San Mateo County. The discharge consists of stormwater generated in all hydrologic sub-basins which drain into watercourses which in turn flow into Lower and South San Francisco Bay from the east side of the county or to the Pacific Ocean on the west side. The quality of the discharge varies considerably and is affected by hydrologic, geologic, land use, season, and sequence and duration of hydrologic events.

**III. Rationale for Amendment of NPDES Permit No. CAS0029921**

A. In 2001, San Francisco BayKeeper filed a lawsuit in San Francisco County Superior Court challenging the Regional Board's adoption of the Permit. On November 14, 2003, the Court upheld the permit on most counts; however, it issued a Writ of Mandate requiring the Board to amend the Permit in compliance with the Court's Statement of Decision, which held:

1. The Permit fails to include a monitoring program and must therefore specify required monitoring including type, interval, and frequency sufficient to yield data which are representative of the monitored activity;
2. Because the Stormwater Management Plan (Plan) is incorporated and is deemed an integral part of the Permit, modifications to the Plan are modifications to the Permit and have to go through a public notice and comment process; and
3. The Regional Board, not the Executive Officer, must approve substantive modifications to the Plan.

This Order is therefore necessary to amend the Permit and to comply with the Court's Writ of Mandate.

B. In response to the November 14, 2003, Court Decision, this Order therefore amends existing Order No. 99-059, as amended in 2003, NPDES Permit No. CAS0029921 (the Permit) to:

1. Specify the monitoring requirements, including type, interval, and frequency sufficient to yield data which are representative of the monitored activity;
2. Add language that requires all modifications to the Permit, including the Plan, undergo a public notice and comment process in accordance with applicable law; and

3. Remove language that delegates authority to the Executive Officer to approve substantive modifications to the Plan, and specify instead that the Regional Board approve all such modifications.

Additionally, the Order rescinds and vacates any and all past administrative changes to the Plan that have been made under the terms of the Permit that were not subject to a public process or Board action, as the Court held that changes to the Plan must be subject to public notice and comment and that the Executive Officer may not approve amendments to the Permit, which would include the Plan.

- C. Pursuant to 40 CFR sections 124.5.c.2 and 122.62 only those conditions to be modified by this amendment shall be reopened with this amendment. All other aspects of the existing permit shall remain in effect and are not subject to modification by this amendment.

#### IV. Written Comments

The formal written comment period for this Tentative Order to amend an existing Permit was closed **at 5 PM on June 18, 2004**. The initial Tentative Order was public noticed in February 2004, and Baykeeper commented upon it. The Dischargers also submitted minor editorial comments on the Tentative Order. The Tentative Order and response was considered by the Board at its July 21, 2004, meeting.

Contact for this Order:

Regional Water Quality Control Board  
1515 Clay Street, 14th Floor  
Oakland, California 94612  
Attn.: Habte Kifle

Or

FAX: (510) 622-2460  
E-mail: [hk@rb2.swrcb.ca.gov](mailto:hk@rb2.swrcb.ca.gov)

#### V. Public Hearing

The Board adopted Order No. R2-2004-0060 at its July 21, 2004, meeting. The meeting was held at:

**July 21, 2004  
9:00 A.M.**

**Elihu M. Harris Building  
First Floor Auditorium  
1515 Clay Street  
Oakland, CA 94612**

**VI. Additional Opportunities to Comment on NPDES Permit No. CAS0029921**

The purpose of this permit amendment is to comply with a court order. At this time, it is not the Regional Board's intention to open discussion on the adequacy of the current permit requirements. However, this permit is up for reissuance in 2004. There will be opportunities in the following months (dates and times to be announced) for the public to comment on the substance of the permit, in preparation for the permit reissuance. For more information, and to be placed on a notification list for this process, please contact Habte Kifle at (510) 622-2371, e-mail: [hk@rb2.swrcb.ca.gov](mailto:hk@rb2.swrcb.ca.gov).