

STAFF:

HABTE KIFLE

HK@RB2.SWRCB.CA.GOV

TEL. (510) 622-2371

SAN MATEO COUNTYWIDE MUNICIPAL STORMWATER COMPLIANCE STATUS

San Mateo Countywide Stormwater Pollution Prevention Program (the Program) consists of twenty cities and the County. The Program submitted the annual report for the fiscal year 2002/2003 in September 2003. Board staff completed review of the annual report in January and sent a letter to the Program on January 22, 2004, that commented on the Program's compliance with its permit as described in its annual report and identified some areas for improvement. The Program has implemented performance standards for almost all of the Program's major components and has continued to be an active participant in several region-wide collaborative pollution control efforts.

Although staff reviewed and commented on the entire annual report, we emphasized two program components, those for Commercial/Industrial and Illicit Discharge Controls (CII) and New Development and Construction Controls (NDC).

CII: The Program effectively implemented permit requirements for the CII component, and all municipalities are in full compliance. During the reporting period, the Program's business inspections increased by about 65 percent, a significant increase over last year. Municipalities were able to participate in a Program-conducted workshop and subcommittee meetings, to inspect commercial/industrial facilities, and to eliminate illicit discharges.

The reporting and follow up actions of identified violations and illicit discharges were very informative and provided measurable results. For example, the Program performed inspections and provided education outreach to 2004 businesses during the reporting period. About 200 minor violations were noted that needed follow up actions during these inspections and were subsequently corrected. In addition, the Program identified 271 illicit discharge incidents, identified the sources of 235 illicit discharges and eliminated all identified unauthorized discharges. Follow up actions, such as verbal warning notices, informal violations, formal violations, and legal actions, were used to eliminate the illicit discharges. About 74 percent of the enforcement actions consisted simply of a verbal warning notices. About 22 percent were informal violations, while 3 percent were formal violations. Only one incident ended up in legal action.

The identified illicit materials discharged mostly consisted of seven categories as described in the table below:

Illicit Material	Percentage (%)	Illicit Material	Percentage (%)
Construction Materials	25	Food Waste	6
Wash waters	23	Paint Materials	6
Automotive Fluids	15	Sewage Waste	6
		Yard Waste	6

The above seven categories constitute about 87% of the illicit discharge incidents, and the remaining 13% apply to other miscellaneous discharges. The Program also conducted illicit discharge field surveys of outfalls, inlets, manholes, and channels at commercial, industrial and residential establishments to improve water quality.

All municipalities reported violation status and follow up actions to evaluate the effectiveness of the performance standards for the CII component. However, there were two cities that did not participate in the Program’s workshop. Some cities also reported the status of the identified violations as pending or ongoing even though the problems were actually corrected after re-inspection. Board staff directed the Program not to report such cases as pending if the problem was fixed during re-inspection to avoid misleading information.

NDC: During the reporting period, all municipalities inspected their active construction sites to ensure implementation of erosion and sediment control measures prior to the rainy season. Most cities have incorporated policies into their General Plans to help enhance water quality and protect environmentally sensitive areas, such as creek sides and riparian habitat areas. Overall there were about 86 active construction projects reported in the County; 62 of which have disturbed one acre or more. 39 (63%) of the 62 major projects have installed or planned some type of post-construction permanent stormwater treatment measures.

The Program is enforcing implementation of the performance standards for NDC. However, there are three cities (Foster City, Half Moon Bay, and South San Francisco) that did not report on the presence of active construction sites, and Pacifica and Redwood City did not report either the presence or absence of post-construction treatment measures at their active construction sites. Very few cities did not fully implement performance standards, such as neglecting to map or list parcels containing sensitive areas and failing to participate in annual trainings.

Last year, the Board amended this program component to include specific compliance criteria. Effective February 15, 2005, development projects that create one acre or more of impervious surface will be required to incorporate post-construction permanent treatment measures to reduce pollutants from stormwater runoff.

Conclusion: Generally, the Program is in compliance with its permit requirements, but some municipalities still have deficiencies in certain categories. The annual report identified areas that need improvements in each of the core program components. In our January 22 annual review letter, we requested that continually poor performing municipalities either meet performance standards or demonstrate why those standards are not applicable.

The Program submitted its application for permit reissuance and a revised Stormwater Management Plan on January 23, 2004. The Program is expected to respond to new challenges and expectations as its permit reissuance period is approaching at the end of 2004 or early 2005.