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## **STATUS REPORT ON THE CONTRA COSTA COUNTY CLEAN WATER PROGRAM**

The Contra Costa Clean Water Program (Program) consists of sixteen cities and the County. The permittees represent a wide geographic and demographic range, from heavily industrial municipalities in the coastal lowlands to "bedroom" suburban communities in the hilly inland areas. This Staff Summary contains updates from our last Information Item (presented to the Board in September 2003), as well as the highlights from staff's review of the Program's 2002-03 Annual Report.

### **Update Since September 2003 Information Item**

As we reported to you last year, the Program received a Proposition 13 grant to create a **citizen monitoring library and resource center**. The contract has been executed, and the Program is currently interviewing for a citizen monitoring coordinator. Since September, the Program has made great progress in the revisions to their **Illicit Discharge Control Plan** by creating a model Illicit Discharge Response Flow Chart—a field manual for staff, which explains proper response and follow up for every type of spill, at each step of response and follow-up. All permittees are in the process of customizing the Flow Chart to their specifications. Program-wide training for response staff will be conducted in April.

The content and quality in the permittees' Annual Reports has remained consistently high. Most permittees have shown improvements since last year in the areas of self-evaluation and specific goal setting. However, despite staff's warning in the past two Annual Report review letters, El Cerrito and Hercules are significantly under-reporting their activities (or, possibly their compliance activities are insufficient). Staff is currently preparing recommendations for an appropriate course of action to address these deficiencies.

### **2002-03 Annual Report Review**

In this year's Annual Report review, staff focused on the New and Redevelopment (NDCC), Industrial/Commercial Inspection (INSP) and Illicit Discharge Control (IDCA) components of Program activity. Overall, staff found the Program to be generally in compliance.

### **NDCC—Construction Inspections**

In general, permittees are conducting adequate construction inspection programs. Notably, for a total of nine active construction sites, the San Ramon reported 1,300 rainy season inspections, and 1,150 dry weather inspections. However, based on Richmond's

annual report and a recent joint inspection, staff is concerned that Richmond's construction site inspection program may be inadequate. Staff is currently investigating the matter.

### **Post-Construction Stormwater Treatment and Source Reduction**

Many permittees reported activities in preparation for implementation of the new C.3 Post-construction stormwater requirements adopted in early 2003. These activities ranged from staff trainings, briefing of elected officials and upper-level management, revisions to brochures for developers, and revisions to city ordinances.

The current requirements that permittees place on developments in their jurisdictions for post-construction treatment vary from none to several. Among the most commonly reported requirements were trash enclosures, source control measures, and limited instances of landscape-based treatment features. It was notable that, as the majority of permittees are largely "built-out", many of the active construction sites fell well below the one-acre threshold for C.3 requirements.

### **IDCA /INSP**

#### **Illicit Discharge Control Activities (IDCA)**

The Program-wide IDCA program is being systematically improved for greater consistency in spill response protocol and enforcement procedures. For 2002-03, there was a wide range of reported activities under the IDCA program. Many permittees cleaned up and investigated illegal dumping in creeks, and in some instances, were able to identify the culprit and take enforcement action. Several permittees conducted dry weather screening of catchment basins. (Dry weather screening is the process of inspecting storm drains on a day during the non-rainy season, for the presence of dry weather flows. If a dry weather flow is found, the inspector then attempts to trace it back to a source and identify whether the discharge is a pollutant. If a responsible party is identified, educational and/or enforcement actions are then taken.) Others mentioned enlistment of staff from various departments to be "on the look out" for stormwater violations. Notably, Martinez conducted 72 illicit discharge inspections, 20 field screenings, resulting in the elimination of 46 illicit connection/illegal discharges, and undertook 60 enforcement actions. However, Clayton appears to not conduct an Illicit Discharge Control Program. Staff is currently investigating the matter.

#### **Industrial/Commercial Inspections (INSP)**

The contract with Contra Costa Central Sanitary District (CCCSD) inspectors for business/industrial inspections is a consistently excellent aspect of Program compliance. For the permittees in their service area, they provide uniform, consistent inspection coverage, with a clear enforcement strategy. The CCCSD Inspectors have authority to issue warning notices and notices of violation. Serious violations are referred back to the permittee.

This year, the contract has expanded to West County (services being provided by East Bay MUD) and East County (services being provided by Delta Diablo Sanitation District). This notably will bring Pittsburg into compliance, which for the past few years

has not had an INSP program. San Pablo, who conducts its own inspections, also has an excellent program.

### **Conclusion**

Overall, in the past few years, the Program has made significant strides in the areas of Reporting, Illicit Discharge Control, and Monitoring. The expansion of the INSP contract to West and East County permittees should be of significant overall benefit. Staff looks forward to working with the permittees in the upcoming permit reissuance process, to continue to improve the municipal stormwater program. Staff's specific goals for reissuance include: incorporation of the findings from the recent court ruling on the BayKeeper lawsuit; more definition of permittees' enforcement strategies and policies in their inspection programs; and more effective and efficient self-evaluation and compliance demonstration.