

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

**PROSECUTION TEAM STAFF SUMMARY
REPORT: Imtiaz-Ali Kalyan
MEETING DATE: December 10, 2025**

ITEM: 7A

**County of Alameda, Municipal Regional NPDES Stormwater Permit, Order No. R2-2022-0018, as amended (NPDES Permit No. CAS612008), Permittee, Alameda County –
Adoption of Cease and Desist Order**

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CHRONOLOGY: May 11, 2022 – Permit reissued
September 30, 2025 – Fiscal Year 2024-25 Permit Annual Report received

DISCUSSION

This Staff Summary Report has been prepared by the Water Board Prosecution Team.

The Water Board adopted the Municipal Regional NPDES Stormwater Permit, Order No. R2-2022-0018 on May 11, 2022, and amended the permit with Order No. R2-2023-0019 on October 11, 2023, issuing waste discharge requirements as NPDES Permit No. CAS612008 (Permit). The Permit contains prohibitions, limitations, and provisions regulating the stormwater and non-stormwater discharges from the permittees' municipal separate storm sewer systems (MS4). Permit Provision C.10.a.i required permittees to achieve a 100 percent trash load reduction, from a 2009 baseline, by June 30, 2025.

In its Annual Report for Fiscal Year 2024-2025 (Annual Report), the County of Alameda (Permittee) reported a cumulative trash load reduction of 80 percent via full trash capture and equivalent measures. The Permittee did not achieve the 100 percent trash load reduction requirement and is therefore in violation of the Permit. In compliance with Permit Provision C.10.g.viii, the Permittee submitted an updated Trash Load Reduction Plan describing how it will return to compliance with the Permit's trash control requirements.

The Tentative Cease and Desist Order (Order) (Appendix A) would establish requirements and next steps to bring the Permittee into compliance with the 100 percent trash load reduction requirement by December 31, 2027. Consistent with their submitted Trash Load Reduction Plan, and consistent with Permit requirements, the Permittee intends to control the remaining 20 percent of trash generation area via the installation of full trash capture devices.

The Permittee intends to control 20 percent of the remaining area to a low level via a combination of large and small full trash capture devices. The percent trash load reduction contributed by the planned full trash capture devices exceeds 20 percent because some of the area that will be treated by these devices is currently part of the on-land visual trash assessments (OVTAs) controlled area. During the summer of 2025, the Permittee began the installation of 240 small inlet-based devices and is working towards completing the installation of the remaining 54 devices by spring of 2026. Collectively, these small inlet-based devices are anticipated to contribute an additional 8.5 percent to the Permittee's

cumulative trash generation area treated to a low trash generation level. The Permittee is also working on a cooperative project with Caltrans to install 5 large full trash capture devices, by summer 2027, that will result in a 9 percent trash reduction benefit. The Permittee is also working to install 7 large full capture devices by December 31, 2027, that are anticipated to provide a 7 percent trash reduction benefit.

While working toward completing the trash control projects described above, the Permittee will implement creek and shoreline cleanup measures and/or control directly discharged trash sufficient to offset the remaining uncontrolled trash generation area.

The Prosecution Team shared a draft Order with the Permittee and incorporated comments prior to circulating the Order for public comment. The Prosecution Team then circulated the Order for a comment period ending November 6, 2025. One comment letter was received. In response to comments from Baykeeper and clarification provided by the County of Alameda outside the formal comment period, the Prosecution Team revised the Order to include additional planned control measures, resulting in the Revised Tentative Cease and Desist Order (Revised Order). The Revised Order shows the proposed revisions resulting from these comments in underline and ~~strikeout~~ format for proposed additions and deletions, respectively.

APPENDIX

A: Revised Tentative Cease and Desist Order

B: Prosecution Team Response to Written Comments

Appendix A

Revised Tentative Cease and Desist Order

Appendix B

Prosecution Team Response to Written Comments