

**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: 7D

City of Daly City, Municipal Regional Stormwater Permit Permittee, Daly City, San Mateo 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 City of Daly City (Permittee) reported a cumulative trash load reduction of 93 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 November 30, 2027. Consistent with their submitted Trash Load Reduction Plan, and consistent with Permit requirements, the Permittee intends to control the remaining 7 percent of trash generation area via small inlet-based full capture trash devices and cooperative projects with Caltrans and neighboring municipalities.

The Permittee is working to install 12 small inlet-based full trash capture devices by December 2025 that will contribute an additional 1 percent (8 acres) to the Permittee's cumulative trash generation area treated to a low trash generation level.

The Permittee is also working on two collaborative trash control projects to treat the remaining 6 percent of trash generation area: the Vista Grande Project and the Colma Creek Project. The percent trash load reduction contributed by these projects exceeds 6 percent because some of the area that will be treated by these projects is already being treated by small inlet-based full

trash capture devices. The Vista Grande Project is a joint project with Caltrans that is anticipated to control about 13 percent (103 acres) of the Permittee's total area to a low trash generation rate. The Colma Creek Trash Capture Project – a multi-jurisdictional project that will assist the cities of Daly City, South San Francisco, the Town of Colma, and San Mateo County – is expected to add an additional 21 percent of already controlled and uncontrolled trash generation area treated towards the 100 percent trash load reduction requirement. The Colma Creek Project was originally scheduled for completion in 2026, but site complications required moving the initial location further south to a new location at the confluence of the old and new Colma Creek channels, resulting in a delayed completion date of November 2027.

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. Two comment letters were received. In response to comments from the City of Daly City, the Prosecution Team revised the Order to include additional flexibility for interim trash reduction offset actions, 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: Tentative Cease and Desist Order

B: Prosecution Team Response to Written Comments

Appendix A

Tentative Cease and Desist Order

Appendix B

Prosecution Team Response to Written Comments