

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

STAFF SUMMARY REPORT
MEETING DATE: April 20, 2005
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ITEM: 9

SUBJECT: 2003-2004 Annual Review of Municipal Stormwater Programs with Focus on Monitoring - Alameda, Santa Clara, San Mateo and Contra Costa Counties

DISCUSSION: The Board has been regulating urban stormwater runoff in our largely urbanized counties (Santa Clara, San Mateo, Contra Costa, and Alameda) via Phase I municipal permits for over 15 years. In 2002, we instituted yearly information items to keep you updated on the status of these programs. In this, our fourth yearly report, we update you on the findings of our review of the programs' 2003-2004 annual reports, with a focus on the monitoring program element for all programs and other various elements for individual programs. This review will help in replacing the Phase I countywide stormwater permits with a region-wide permit in this calendar year.

2003-2004 Annual Report Review

This year we focused our review on the monitoring and watershed assessment component of the six overall program components. The six program components are Monitoring and Watershed Assessment, Industrial and Commercial Inspections, Illicit Discharge Abatement, New Development, Redevelopment and Construction Management, Municipal Maintenance Activities, and Public Information and Participation. The programs have received detailed comments from staff in recent months, and we now report a summary of those findings to you with a focus this year on the Monitoring and Watershed Assessment Program Component.

Appendix A includes summaries of the staff comments and review of each program's 2003-2004 annual report. Following is a synopsis of that staff review:

The Santa Clara Valley Urban Runoff Pollution Prevention Program, overall, is in compliance with its permit. The Program's monitoring efforts meet permit requirements and represent an improvement over earlier years. In particular, the Program's adoption of Surface Water Ambient Monitoring Program (SWAMP)

methods helps create consistency and allows for comparisons among data collected by various parties. One area needing improvement is the reporting of the Program's monitoring efforts. The Annual Report lacks data evaluation and a summary of information the Program has learned from the monitoring conducted. We have asked the Program to submit a detailed outline for the monitoring section of the FY 2004-05 Annual Report to ensure that it will contain the needed evaluation and associated actions. Likewise, improvement in reporting is also needed for the New Development program component. The Annual Report contained inconsistencies in reporting content and detail. To remedy these inconsistencies, Board staff has provided the Program with a template for the reporting tables that each co-permittee will be required to include in the FY 2004-05 Annual Report.

The San Mateo Countywide Stormwater Pollution Prevention Program is generally in compliance with its permit requirements. As explained in the attached compliance status report, the Program conducted specific bioassessment and water quality monitoring in four watersheds consistent with the Permit requirements as amended in July 2004. The adequacy of each municipality's overall stormwater program varies between program components, especially in the components of municipal government maintenance and illicit discharge control activities. Overall, municipalities are doing well with public information and participation. Work required under the new and redevelopment provision is generally progressing with much more work anticipated in the coming year(s). Board staff issued Notices of Violation to three municipalities for not submitting proposed Standards for Site Design, pursuant to the current permit, and has issued one for not responding to an illicit discharge. In addition, Board staff will send separate follow up letters to municipalities with minor deficiencies to come into full compliance in the next reporting period. The Program has continued to actively participate in several region-wide collaborative pollution control efforts.

The Contra Costa Clean Water Program is generally in compliance with its permit requirements. The Program continues to implement the Monitoring and Assessment Plan, a tiered monitoring approach that includes an initial characterization of watersheds and sub-watersheds through the implementation of screening level monitoring of benthic macroinvertebrates (aquatic insects live in the bottom parts of the creeks), and more detailed investigative monitoring of chemical parameters in selected sites. Unique to this Program's monitoring effort is the organized training and utilization of citizen volunteers to collect quality data. The goal is for citizens to continue to collect quality data in a watershed, after the Program has rotated its focus to a new watershed. This is a very sustainable way of having long-term monitoring data for watershed protection. In spite of the above-mentioned activities, the Program's annual report lacks data evaluation and a summary of what the Program has learned from its monitoring efforts, and therefore, staff is unable to determine the Program's monitoring compliance at this time. Staff has followed up in writing with the goal to ensure that monitoring will demonstrate program effectiveness and effectuate management decisions and

actions. Annual Report was also reviewed for how permittees reported on the effectiveness of their program activities. We took this focus in order to provide a starting-point for discussion of how to update our Phase I stormwater permit requirements to best demonstrate program effectiveness.

The Alameda Countywide Clean Water Program annual report review focused on monitoring and industrial inspections. Overall, the Program's efforts are in compliance with the monitoring provision of its permit, and the Program has been a leader in regional monitoring efforts. However, reporting needs improvement. Presently, the Program prepares summary monitoring reports on a project-by-project basis, so the Annual Report lacks a summary of what the Program has learned from its monitoring efforts, and what management actions will be taken as a result of the monitoring information. To correct this, we asked the Program to submit a detailed outline for the annual monitoring report that fully addresses these concerns, so that the FY 04-05 Annual Report will contain the needed data, evaluation, and associated actions.

Alameda co-permittees conducted over 2,900 industrial stormwater inspections in FY 2003-04, more than any year since the Program's inception. Co-permittees were effective in obtaining compliance with stormwater requirements and, notably, Newark conducted enforcement activities with the Alameda County District Attorney's office to bring facilities into compliance. For a small subset of co-permittees, improvement is needed in staff training, restaurant inspections, and meeting inspection goals.

Overall, the programs are in compliance, and are showing notable improvements. While some areas remain lacking, staff is actively working with permittees to address deficiencies. Enforcement is being considered for a small number of municipalities.

Recent and Upcoming Issues

Region-Wide Municipal Permit Reissuance: Staff is currently working with Bay Area Stormwater Management Agencies Association (BASMAA) and BayKeeper on the draft of a region-wide, consistent municipal stormwater permit. This one permit drafting effort, which is expected to culminate in a Tentative Order for Board consideration later this year, will supersede the county-by-county permit reissuances. We are at the beginning of this long and complex effort, and will keep the Board informed at intervals in our progress.

RECOMMEN- This is an information item not requiring action by the Board.
DATION:

FILE Nos.: 1538.01, 1538.07, 1538.08, and 1538.09 (CEB, JBO, JAK, HK, SKM)

APPENDIX A: Annual Report Board staff review summaries for the following Programs:

- Alameda Countywide Clean Water Program
- Contra Costa Clean Water Program
- San Mateo Countywide Stormwater Pollution Prevention Program
- Santa Clara Valley Urban Runoff Pollution Prevention Program