

BAY AREA MUNICIPAL STORMWATER COLLABORATIVE

Steering Committee

Meeting Summary

April 28, 2022

1. Introductions / Announcements / Changes to Agenda

Introductions: Reid Bogert (C/CAG) welcomed everyone to the meeting. No additional introductions made.

Announcements: Reid announced there the CASQA Annual Conference is scheduled for October 24-26 in Palm Springs and will be in-person. He also noted the call for abstracts for the conference has been released and submissions are due May 9 by noon. CASQA's call for Annual Awards nominations is anticipated to follow in early May.

Changes to the agenda: None.

2. Approval of March 24, 2022 Meeting Summary

Reid asked for comments regarding the meeting summary from the March 24, 2022 meeting. Hearing none, he asked for the Committee to accept the summary as written and all agreed.

3. Legislative Updates

- a. Potential BAMSC support letter on AB 1690 (Rivas et al) - In February, the Committee supported sending a letter of support for this bill that bans single use tobacco products (e.g., cigarette filters). A draft letter was shared; however, as noted at the April meeting, the bill was modified to no longer ban cigarette filters. Chris Sommers (EOA/SCVURPPP) provided additional information on the status of the bill which was subsequently further amended to only address e-cigarettes. The Committee agreed it was not of significant benefit to provide a support letter based on these additional revisions.
- b. Reid announced other stormwater relevant legislation updates including AB 2106 (Rivas – WQ permits) and SB 852 (Dodd – Resilience Districts), AB 1817 (Ting – PFAS in textiles) and stated he would continue to report on updates regarding tracking or taking positions on legislation via CASQA and/or local agencies.

4. Discuss Potential Grants for Trash Monitoring and Climate Assessment for Asset Management

Luisa Valiela (US EPA Region 9) provided updates regarding the timing and process for the upcoming Water Quality Improvement Funds for the San Francisco Bay Area (\$25M planned for the next round of implementation funds), as well as a parallel Region 9 allocation of funds from the Bipartisan Infrastructure Bill (\$5M/year for five years). EPA staff plan to release parallel Requests for Applications in late May with submittals due in

July. Award announcements are anticipated in September with grants in place by October. Committee members discussed potential application submittals from the BAMSC membership for MRP 3.0 related work in the near term, specifically as applicable to in-stream trash monitoring requirements. Further discussion will be held regarding potential applicants/project managers/funding approaches, including potentially partnering with SFEI or the SFEP to be the grantee on a monitoring project.

5. RMP Emerging Contaminants Workgroup Update

Reid provided a brief summary of the main stormwater related topics and proposed special studies discussed at the April 13 and 14 Emerging Contaminants Workgroup of the Regional Monitoring Program. Reid noted the State Board is developing its own tiered risk-based framework for Contaminants of Emerging Concern (CEC's) using SFEI data and referring to elements of the RMP's own framework, focusing more, however, on developing a quantitative framework vs. a more qualitative process for evaluating risk and priorities for monitoring CECs as compared to the RMP's model. It was also noted that there is a significant interest in CECs and stormwater generally, among stakeholders of the ECWG (including representatives from the relevant regulatory agencies), as well as a focus on CECs in the California State Legislature, and Bay Area municipalities will likely continue to see a focus on monitoring for and addressing CECs in stormwater. Reid summarized the prioritization of proposed special studies for 2022/23, including developing a stormwater CECs monitoring approach (year 2 of 2), monitoring CECs (pilot focus on PFAS) in stormwater; evaluating ethoxylated surfactants in ambient bay water, margin sediment and wastewater; PFAS and nontargeted analysis of marine mammal tissue; mining nontargeted analysis data; and year 1 of 2 for a tire and roadway contaminants in wet season Bay water study. It was also noted that the RMP has additional funding this year through SEP funds and is also hoping to leverage EPA's WQIF grant program to advance special studies.

6. Subcommittee Reports

- Development Subcommittee – next meeting scheduled for May 3
- Monitoring / POCs Subcommittee – next meeting scheduled for May 4 (main meeting was tentative cancelled)
- Phase II Subcommittee (Howard Bunce, MCSTOPPP): E.12 workshop was held in May and was well attended with 90 attendees
- Public Information/Participation Subcommittee – next meeting scheduled for May 4 – still seeking a chair
- Trash Subcommittee (Chris Sommers/EOA/SCVURPPP, for Beth Baldwin): Chris Sommers summarized main discussion at the April Trash Subcommittee, which focused on discussions about opportunities and obstacles for adopting local ordinances to require private parcels to install full trash capture devices with additional discussion with Water Board staff regarding the Errata #1 with respect to the stated restrictions on timing to demonstrate compliance with 100% trash load reductions according to the timelines stated in the Statewide Trash

Amendments and that of the implementation of MRP 2.0 which was the first implementing permit of the Trash Amendments.

7. Collaboration with Caltrans

Caltrans staff announced several staff changes, including Hardeep Takhar being assigned out of class from his current role on partnerships at State Headquarters to work on California Broadband (replaced by William Penn) and Jae Lee approaching the end of his temporary assignment as the interim District 4 NPDES coordinator (replaced by Brian Rowley). Hardeep and Jae summarized the status of current SHOPP 2022 FCO funding and requests for CTC allocation extensions on multiple projects, as well as planned projects for evaluating PID documentation in partnership with municipalities for the SHOPP 2024 cycle.

8. Collaboration with Regional Water Board

Keith Lichten (Regional Water Board) reported on the following items:

- MRP Adoption Hearing logistics for May 11
- Provision C.3 road maintenance and reconstruction - Discussed requirements and clarification of intent with respect to a table detailing trigger thresholds/criteria for the different categories of regulated projects as understood by representatives from the BAMS Collaborative (the table was developed by consultants representing the Contra Costa Clean Water Program); additional discussion of timing of new requirements for Category C Special Projects and projects “in the pipeline” generally, as well as determinations of “what’s included in new regulations” at the July 1, 2022 and July 1, 2023 effective dates as currently drafted in the Revised Tentative Order. Water Board staff suggested new requirements at the 5,000 sqft threshold would be applicable immediately (July 1, 2022), but that the language in the permit is intended to clarify “what’s in and what’s out” regarding public and private projects that are planned and either conditionally approved or have funding commitments by the specified effective dates.
- Utility trenching requirements – Water Board staff stated the intent to keep trenching in the C.3 requirements, but would like to explore modified thresholds to avoid over burdening municipalities and other entities that would now be impacted by the MRP with respect to utility trenching. Water Board staff proposed a minimum trench width (not a proportion of lane width as proposed by BAMS Collaborative members) and a one-acre threshold.
- C.10 Errata #1 – Discussed basis for the conclusions specified in Errata #1 regarding implementation timelines for achieving 100% trash load reduction for MRP permittees according to the Statewide Trash Amendments as applicable to Track 2 implementation and the implementation date of MRP 2.0.
- MRP 2.0 FY2021-22 Annual Report Forms – discussed requested minor edits from Water Board staff on tables in C.9 and C.10.

- MRP 2.0 FY 2021-22 Annual Reports during MRP 3.0 implementation – Discussed assumed intent that Annual Reports in September 2022 will not address MRP 3.0 requirements, with the exception of ongoing monitoring requirements associated with MRP 3.0 that occur in the first few months of FY 2022-23. WB staff will circle back with Chris and Jill on any additional questions/clarification on plans for reporting in fall and any issues regarding the approved Annual Report forms.
- UCMR MRP 2.0 2023 Reporting – Discussed assumptions and understanding regarding streamlined (yet complete and sufficient) reporting for POCs and Urban Creeks Monitoring Reports in March 2023 wrapping up MRP 2.0 reporting. Permittee understanding is that with a new permit in place with new/ongoing monitoring requirements in place starting July 1, 2022, reporting for MRP 2.0 related work in spring of 2023 should include basic data submittals but not the typical interpretive reporting since the implementing permit will have lapsed by the reporting date.
- Water Board staff confirmed plans to meeting on May 9 from 3-4 p.m. to discuss last minute hearing logistics.

9. Adjourn - Next meeting is scheduled for May 26, 2022.

List of Attendees 2022 – March 24, 2022 Meeting

Name	Affiliation	1/27/2022	2/24/2022	3/24/2022	4/28/2022								
Permittees													
Lisa Austin	Geosyntec	X	X	X	X								
Mitch Avalon	CCCWP				X								
Beth Baldwin	Contra Costa Co.												
Jill Bicknell	EOA/SCVURPPP	X	X	X									
Reid Bogert	SMCWPPP	X	X	X	X								
Pam Boyle-Rodriguez	Palo Alto				X								
Howard Bunce	MCSTOPPP	X	X	X	X								
Rob Carson	MCSTOPPP	X	X	X	X								
Angela Clapp	Port of Oakland												
Emily Corwin	FSSD	X	X	X	X								
Derek Crutchfield	Vallejo	X	X										
Kevin Cullen	FSSD												
Karin Graves	CCCWP	X		X	X								
Sharon Gosselin	ACCWP		X	X	X								
Jennifer Harrington	VFCSD	X	X										
Oriana Hart	City of Sonoma	X	X	X									
Colleen Hunt	Sonoma Water	X	X										
Jennifer Kaiser	VFCSD												
Kristin Kerr	EOA/SCVURPPP		X	X	X								
Jon Konnan	EOA/SMCWPPP		X	X	X								
Rupeet Malhotra	Stantec												
Sandy Mathews	LWA/NCSPPP	X	X	X	X								

Paul Randall	EOA/SCVURPP			X								
Lisa Sabin	EOA/SCVURPPP	X	X	X	X							
Jim Scanlin	ACCWP/City of Newark (staring January 2022)	X	X	X	X							
Peter Schultze-Allen	EOA/SMCWPPP	X	X	X	X							
Suzi Senna	SGA/SMCWPPP											
Jeff Skinner	NCSPPP	X	X	X	X							
Chris Sommers	EOA/SCVURPPP	X	X	X	X							
Lisa Welsh	Geosyntec/CCCW P			X								
Erica Warren	City of Sonoma		X	X	X							
Rajani Nair	City of San Jose			X								
Liz Yin	CCCWP			X								
Regional Water Board												
Zach Rokeach	Water Board				X							
Imtiaz-Ali Kalyan	Water Board											
Derek Beauduy	Water Board				X							
Joseph Monical	Water Board				X							
Keith Lichten	Water Board	X	X	X	X							
Joseph Martinez	Water Board			X								
Caltrans												
Cornelis Hakim	Caltrans			X								
Wilfung Martono	Caltrans											
Anand Maganti	Caltrans			X								
Bhaskar Joshi	Caltrans			X								
Hardeep Takhar	Caltrans	X	X		X							
Ken Johansson	Caltrans											
Jae Lee	Caltrans	X	X	X	X							

William Penn	Caltrans				X							
Brian Rowley	Caltrans		X	X	X							
Mark Keiser	Caltrans		X									
EPA												
Kristen Isom	EPA Region 9			X								
Luisa Valiela	EPA Region 9											
Guests												
Andre Wenn				X								
Gary Grimm	ACCWP legal counsel				X							