



**CONTRA COSTA
CLEAN WATER
PROGRAM**

MANAGEMENT COMMITTEE MEETING AGENDA

Wednesday, February 16, 2022

1:30 PM to 3:30 PM

Join Zoom meeting:

<https://zoom.us/j/95398909729?pwd=blhxUkthU1pjYkFjREhncXJtV2NTQT09>

Meeting ID: 953 9890 9729 Passcode: 632133 Dial: 1 669 900 6833
One tap mobile: +16699006833,,95398909729#,,,,*632133# US (San Jose)

If you require an accommodation to participate in this meeting, please contact Michael Burger at 925-313-2360 or at michael.burger@pw.cccounty.us, or by fax at 925-313-2301. Providing at least 72 hours notice (three business days) prior to the meeting will help to ensure availability.

VOTING MEMBERS (authorized members on file)

| | |
|---|---|
| City of Antioch | Phil Hoffmeister (Chair) |
| City of Brentwood | Meghan Oliveira (Vice-Chair)/ Allen Baquilar |
| City of Clayton | Laura Hoffmeister/ Reina Schwartz |
| City of Concord | Bruce Davis/ Kevin Marstall |
| Contra Costa County | Michele Mancuso/ Tim Jensen/ Allison Knapp |
| CCC Flood Control & Water Conservation District | Tim Jensen/ Michele Mancuso/ Allison Knapp |
| Town of Danville | Bob Russell/ Steve Jones/ Mark Rusch |
| City of El Cerrito | Stephen Prée/ Will Provost/ Yvetteh Ortiz/ Ana Bernardes |
| City of Hercules | Mike Roberts/Jeff Brown/Jose Pacheco/Nai Saelee/F. Kennedy |
| City of Lafayette | Matt Luttrupp/ Tim Clark |
| City of Martinez | Khalil Yowakim |
| Town of Moraga | Frank Kennedy/ Shawn Knapp |
| City of Oakley | Billilee Saengcalern/ Frank Kennedy/ Andrew Kennedy |
| City of Orinda | Scott Christie/ Kevin McCourt |
| City of Pinole | Misha Kaur |
| City of Pittsburg | Jolan Longway/ Richard Abono |
| City of Pleasant Hill | Ananthan Kanagasundaram/ Frank Kennedy |
| City of Richmond | Joe Leach/ Mary Phelps |
| City of San Pablo | Amanda Booth/ Karineh Samkian/ Sarah Kolarik/ Jill Mercurio |
| City of San Ramon | Kerry Parker/ Robin Bartlett/ Maria Fierner |
| City of Walnut Creek | Lucile Paquette/ Neil Mock/ Steve Waymire |

PROGRAM STAFF AND CONSULTANTS

| | |
|---|--|
| Courtney Riddle, Program Manager | Andrea Bullock, Administrative Analyst |
| Karin Graves, Sr. Watershed Planning Specialist | Alina Constantinescu, Consultant |
| Dan Cloak, Consultant | Mitch Avalon, Consultant |
| Liz Yin, Consultant | Michael Burger, Clerk |
| Lisa Austin, Consultant | Lisa Welsh, Consultant |

NEXT MANAGEMENT COMMITTEE MEETING

Wednesday, March 16, 2022, 1:30 PM

**Contra Costa Clean Water Program
MANAGEMENT COMMITTEE MEETING AGENDA
Wednesday, February 16, 2022**

AGENDA

Open the Meeting/Introductions/Announcements/Changes to the Agenda: **1:30**

Public Comments: Any member of the general public may address the Management Committee on a subject within their jurisdiction and not listed on the agenda. Remarks should not exceed three (3) minutes.

Special Presentation: **1:35**

Caltrans Outreach Partnership with Contra Costa County (Michelle Alexander)

Regional Water Quality Control Board Staff Comments/Reports: **1:55**

Consent Calendar: **2:00**

All matters listed under the CONSENT CALENDAR are considered to be routine and can be acted on by one motion. There will be no separate discussion of these items unless requested by a member of the Management Committee or a member of the public prior to the time the Management Committee votes on the motion to adopt.

A. APPROVE Management Committee meeting summary (Chair)

1) January 19, 2021 Management Committee Meeting Summary

B. ACCEPT the following subcommittee meeting summaries into the Management Committee record: (Chair)

1) Administrative Committee

- January 4, 2022

2) PIP Committee

- January 4, 2022

3) Monitoring Committee

- December 13, 2021

4) Municipal Operations Committee

- November 9, 2021

5) Development Committee

- December 8, 2021

Presentations: **2:05**

A. Second Draft Budget for FY 22/23 (M. Avalon/A. Bullock)

i. See staff report for background information

B. Approaches to Preparing Testimony for the MRP 3.0 Adoption Hearing (M. Avalon)

i. See staff report for background information

- C. Draft Findings of Proposed UCMR/IMR submittals (L. Austin)
 - i. See staff report for background information

Actions:

2:50

- A. APPROVE listing the Contra Costa Clean Water Program as Task Lead for Task 19-3, establishing a pilot alternative compliance program, a subtask of Action 19: Managing Stormwater with LID/GSI, one of the actions included in the draft update of the Estuary Blueprint. (The Program will be assisted by SFEP, US EPA, and SFBWQCB, which are listed as Collaborating Partners in the Estuary Blueprint update. Being listed as Task Lead is a commitment without consequences as the Estuary Blueprint is not a regulatory document, but rather an aspirational one. Task Leads are agreeing to try to advance the task they are charged with.)

Reports:

2:55

- A. Status of Monsanto Settlement Agreement (M. Avalon)
- B. Status of the MRP 3.0 (M. Avalon)
- C. CASQA Quarterly meeting on January 20, 2022 (S. Mathews)

Updates:

3:10

- A. Personnel Update (K. Graves)
- B. BAMSC Steering Committee meeting (K. Graves)
- C. Status of RFQ process for new contracts (K. Graves)
- D. Status of AGOL Assessment project (L. Yin/K. Graves)

Information:

3:20

Old/New Business:

3:25

Adjournment: Approximately 3:30 p.m.

Attachments

Consent Items

1. *Management Committee Meeting Summary January 19, 2022*
2. *Administrative Committee Meeting Summary January 4, 2022*
3. *PIP Committee Meeting Summary January 4, 2022*
4. *Monitoring Committee Meeting Summary December 13, 2021*
5. *Municipal Operations Committee Meeting Summary November 9, 2021*
6. *Development Committee Meeting Summary December 8, 2021*

Presentation Items

7. *Staff Report on Second Draft Budget FY 22/23*
8. *Second Draft Budget spreadsheet*
9. *Staff Report on Preparing MRP 3.0 Testimony*
10. *Staff Report on the Draft Urban Creeks Monitoring Report*
11. *Draft Urban Creeks Monitoring Report – Umbrella version*

UPCOMING CCCWP MEETINGSAll meetings **will not** be held at 255 Glacier Drive, Martinez, CA 94553, but will be held virtually

| | |
|---|--|
| March 1, 2022 1st Tuesday | Administrative and PIP Committee Meeting 9:30 a.m. – 12:00 noon |
| March 14, 2022 2nd Monday | Monitoring Committee Meeting, 10am – 12 noon |
| March 15, 2022 3rd Tuesday | Municipal Operations Committee Meeting, 10am-12 noon |
| February 23, 2022 4th Wednesday | Development Committee Meeting, 1:30 p.m.-3:30 p.m. |
| March 16, 2022 3rd Wednesday | Management Committee Meeting, 1:30 p.m.-3:30 p.m. |

BAMSC (BASMAA) SUBCOMMITTEE/ MRP 3.0 MEETINGS

Times for the BAMSC (BASMAA) Subcommittee meetings are subject to change.

| | |
|---------------------------------|---|
| TBD | Regional Water Board adoption hearing on MRP 3.0 Final Order |
| 1st Thursday | Development Committee, 1:30 – 4:00 p.m. (even months) |
| 1st Wednesday | Monitoring/POCs Committee, 9:30 a.m. – 3:00 p.m. (odd months) |
| 4th Wednesday | Public Information/Participation Committee, 1:30 – 4:00 p.m. (1 st month each quarter) |
| 4th Tuesday | Trash Subcommittee, 9:30 a.m.-12 noon (even month) |



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MANAGEMENT COMMITTEE MEETING MINUTES

01-19-2022

Attendance:

| MUNICIPALITY | ATTENDED | ABSENT |
|--|--------------------------|---------------|
| City of Antioch | Phil Hoffmeister (Chair) | |
| City of Brentwood | Meghan Oliveira | |
| City of Clayton | Laura Hoffmeister | |
| City of Concord | Bruce Davis | |
| Town of Danville | Bob Russell | |
| City of El Cerrito | Stephen Prée | |
| City of Hercules | Nai Saelee | |
| City of Lafayette | Matt Luttrupp | |
| City of Martinez | Khalil Yowakim | |
| Town of Moraga | Frank Kennedy | |
| City of Oakley | Frank Kennedy | |
| City of Orinda | Scott Christie | |
| City of Pinole | Misha Kaur | |
| City of Pittsburg | Jolan Longway | |
| City of Pleasant Hill | Frank Kennedy | |
| City of Richmond | | Joe Leach |
| City of San Pablo | Amanda Booth | |
| City of San Ramon | Kerry Parker | |
| City of Walnut Creek | Lucile Paquette | |
| Contra Costa County | Michele Mancuso | |
| CCC Flood Control and Water Conservation District | Tim Jensen | |

Program Staff: Karin Graves, Andrea Bullock, Michael Burger

Program Consultants: Mitch Avalon, Sandy Matthews, Liz Yin, Dan Cloak, Lisa Welsh, Alina Constantinescu

Members of the Public/Others/Guests: Nancy Gardiner, Yvana Hrovat, Michelle Cordis (Flood Control)

Introductions/Announcements/Changes to Agenda: Due to the Covid-19 pandemic, the meeting was conducted by video-conference call.

Public Comments: No members of the public called in.

Regional Water Quality Control Board Staff Comments/Reports: Regional Board staff did not call in.



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1. **Roll call was taken and the meeting was convened by the Chair at 1:30 p.m.**
2. **Announcements:** Karin Graves announced that the AGOL workgroup had their first meeting and is working on creating two surveys: one for all permittees that focuses on identifying goals and higher needs fixes for AGOL, the second to get input on technical issues from high frequency users. Surveys will be sent out in February 2022. Mitch Avalon gave a brief explanation of the American Rescue Plan Act topic scheduled in the Information section of the agenda later in the meeting, and noted that the item would be moved earlier in the meeting.
3. **Consent Calendar:** Stephen Prée (El Cerrito) motioned to approve the Consent Calendar items with no changes, Bob Russell (Danville) seconded. The Chair called for a vote. The Chair abstained and there were no objections. The motion passed and the Consent Calendar items were approved.
4. **Presentations:**
 - a. **First Draft Budget for FY 22/23 (M. Avalon/A. Bullock):** The first draft of the budget for Fiscal Year 22/23 had been created. It was noted that many budget items could still change and that costs were missing for some items. Highlighted items (yellow) were unknown or still needed committee review at the time the agenda was created. Mitch Avalon noted the changes to the budget format: line items were now arranged by provision with general items placed at the beginning of the budget. These changes reflect a better alignment between master budget and committee budgets, making adjustments easier to track.

The Program would retain Watershed Resources Consulting as staff augmentation for six months to cover the vacant Program Manager position. On-call staff augmentation would provide flexibility in the first year of MRP 3.0 to absorb unforeseen increases in work load. The budget assumed a full staffing total cost of ~\$1.34M, while the current staffing model totaled ~\$1.38M. The cost for full staffing was constant (salaried employees) while the costs of the current staffing model varied based on work load (consultant hourly rates).

The current reserve fund is ~\$3M and the first draft budget would draw down the reserve fund by about \$560k. At this rate, the reserve fund was anticipated to last through MRP 3.0, but the budget included funding a strategy to fund the reserve for MRP 4.0. This work would be done during the first year of the new permit and a financing plan would be implemented in year two of MRP 3.0.

The final report for the grant project for alternative compliance is due in July. The proposal was that the Program would act as administrator. Staff recommended to



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budget for this administrator setup and pilot projects now. The Committee was reminded that approving the budget does not authorize expenditure: the Management Committee must approve the Program's function as Administrator prior to budget expenditure.

The selection for which model would be used for the Hydromodification Management must be decided on in Fiscal Year 22/23.

Monitoring costs for MRP 2.0 were about \$575k/year. Monitoring costs for MRP 3.0 are estimated at \$985k/year, about \$400,000 more.

New provisions for MRP 3.0 were noted: firefighting foam (\$15,000), mapping homeless encampments (\$10,000 per Municipal Operations Committee), homeless BMP report (\$50,000), homeless implementation report (\$50,000), cost reporting framework (\$10,000, plus \$15,000 in FY 21/22), and asset management (\$30,000). There were opportunities to reduce the homeless BMP and implementation report costs by addressing these items regionally. There is no requirement for an asset management framework, but Staff recommended the creation of this item to provide common nomenclature and information identification countywide.

Bruce Davis (Concord) asked if additional mapping for asset management was required. Mitch Avalon noted that mapping wouldn't be required for asset reporting, but it could be included in the AGOL project. The Chair informed the committee that there were currently no references to mapping in C.21 in the Administrative Draft language. Dan Cloak informed the committee that the language was present in C.3. Lucile Paquette (Walnut Creek) shared that C.5 also contained language that suggested mapping of assets may be required. The Committee discussed ways that mapping costs could be reduced.

Mitch Avalon displayed the budget and noted the line items in general and emphasized the line items that contain the key budget assumptions and policy direction items. Alternative Compliance Administrator setup was left blank as the costs were still being determined. The Marsh Creek SSID response line item was left blank as a response to the January 3, 2022 Regional Board letter was in process. Trash Reduction and Impracticability Report and Trash Load Reduction Plan were reviewed by MOC and their costs were deemed appropriate. Guidance for MRP 3.0 Building Demolition Requirements was left blank as costs were still being estimated. C.17 (Homeless Mapping, BMP report, and implementation plan) were reviewed by MOC and the costs were deemed appropriate.

Michele Mancuso (Contra Costa County) asked if the Old Industrial Areas PCBs Load Reduction Project was being considered at a regional level or if there were other ways to satisfy this requirement. Mitch Avalon noted that the Monitoring Committee would



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be considering a number of options. Lucile Paquette (Walnut Creek) asked if the \$200k was just for project development or if it took into account the project costs as well. Mitch Avalon confirmed that this was for the project development costs only. Lucile Paquette (Walnut Creek) asked how much of the advance work would affect this cost. Mitch Avalon suggested that part of the cost for the plan was included in the advance work (FY 21/22) and the line item on the budget was for work during Fiscal Year 22/23. Lucile Paquette (Walnut Creek) suggested that the budget needed more clarity regarding the PCBs load reduction project costs. Mitch Avalon explained the cost breakdown by line item for C.12. It was suggested that a column for advance work could be added to increase transparency. Stephen Prée (El Cerrito) suggested that an “in progress” note could be added to the line items to assist in clarity. The cost for advance work to be done in Fiscal Year 21/22 was discussed.

The total proposed budget was \$4,061,074, resulting in a SUA Funding gap overage of \$561,064. The next draft will have a better estimate on the drawdown of reserves.

- b. Confirmation of Management Committee approvals on December 15, 2021 (M. Avalon):** Mitch Avalon noted that at the last Committee meeting, staff had brought before the committee a series of items that the Program was seeking direction on. Each of the budget policy directions were discussed in brief. The budget threshold would remain at \$3.5M, a budget line item for regional cooperation would be retained, an estimated budget for the entire MRP 3.0 permit was being developed along with a financing strategy, and budget line items for a compliance checklist and Alternative Compliance Administration were approved. Hydromodification Management was referred to the Development Committee. A budget for potential MRP 3.0 appeal costs was added. The PCBs Load Reduction Project was referred to the Monitoring Committee. A budget for an AGOL Assessment project was added. A plan for budgeting to track opportunities for and apply to grants was discussed and approved. The budget contingency would remain at 2%. Unspent funds would continue to roll over into the reserve fund. Staff was authorized to begin only advance work that must start in January.

Mitch Avalon outlined the budget assumptions: staffing levels were estimated for full staff with some on-call consultation, there would be a 3% increase in salary and consultant costs, the budget was based off the Tentative Order, the AGOL budget was based on only minor improvements to AGOL, and line items were approved for alternative compliance, homelessness, cost reporting, asset management, and firefighting discharges. The Committee confirmed staff’s recordation of the decisions made at the prior meeting.

- c. Authorization for Advance Work (M. Avalon):** Mitch Avalon noted that the advance work had been discussed at the December meeting. The risk and risk mitigation were discussed. There was only a partial approval of the advance work items so an approval



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of all advance work items would be required. The Water Board's adoption hearing schedule had been moved back about a month. Mitch Avalon reminded the Committee of the advance work schedule, risk, and costs. In order to meet deadlines in the Tentative Order, work on these items would need to begin before July 1. Staff recommendation was to begin all advance work, as the risk for beginning work on all items was largely mitigated and was otherwise less severe than the risk of being non-compliant if no advance work was done.

5. Actions:

- a. **AUTHORIZE staff to proceed with all advance work needed to meet anticipated compliance deadlines and as approved in the FY 21/22 Midyear Adjusted Budget:** Bruce Davis (Concord) motioned to authorize staff to proceed with all advance work, Frank Kennedy (Oakley) seconded. The Chair called for a vote. There were no objections or abstentions. The motion passed unanimously and staff was authorized to proceed with all advance work needed to meet anticipated compliance deadlines.

6. Reports:

- a. **Status of Monsanto Settlement Agreement (M. Avalon):** There was no new information on the Monsanto Settlement Agreement.
- b. **Status of the MRP 3.0 (M. Avalon):** Mitch Avalon reminded the Committee that the Regional Board had moved their Final Order hearing from March to April.
- c. **Report on Construction General Permit (S. Matthews):** Sandy Matthews noted that this presentation was scheduled for a previous meeting, but had been delayed due to work load associated with the MRP 3.0 Tentative Order. The Construction General Plan (CGP) was issued in 2009 and applies to large construction projects that disturb >1 acre of soil. On November 30, 2020 a preliminary staff-prepared draft started the reissuance process. On May 27, 2021 a released Public draft started the formal reissuance process. In August, 2021 comments were submitted to the Water Board, and a formal response to comments was worked on during the Fall of 2021. A projected adoption date for the new permit is April 19, 2022. CASQA and many other organizations opposed the permit.

Sandy Matthews noted the significant changes as of the Public Draft and suggested that the major objection was to the numeric effluent targets for TMDLs. There are no TMDL requirements proposed for Contra Costa County.

Definitions of routine maintenance for roads were changed; clarifications for road maintenance that would not be exempt in the CGP if a project exposes underlying soil or if a project exposes pervious subgrade. Maintenance exclusion is not specific to paved roads. While it was noted that most Permittees don't maintain dirt roads, it was



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suggested that Contra Costa County and the Flood Control District may have some dirt roads that they maintain. Michele Mancuso (Contra Costa County) asked if gravel was considered impervious. Sandy Matthews suggested that this was more in regards to C.3 post-construction standards.

Projects within an MS4 with post construction requirements follow the MS4 requirements. Proposed language that needed to be clarified or modified added that the CGP requirements were deferred to MS4 requirements if applicable requirements were equivalent or more stringent than the CGP.

NOTs will be automatically approved 30 calendar days after submittal unless NOT is denied, returned or accepted for review.

Stabilization solutions that involve a combination of vegetation and mulch or erosion control blankets will now require RUSLE2 modeling or Regional Water Board approval.

When the permit is adopted, ongoing projects will need to be recertified and documents will need to be resubmitted or the project permit will be terminated. Current projects with waivers may continue to operate under waiver until the expiration date on the waiver.

The definition of qualified rain event (QRE) was changed to define rain events as .5" or more rainfall with subsequent days of .25" or more rainfall.

The Chair asked if the Water Board had any workshops planned. Sandy Matthews noted that there may be staff level workshops before the permit adoption date, but there were none on the books. Stephen Prée (El Cerrito) asked if APWA was apprised of this. Sandy Matthews suggested they were one of the signers of the opposition letter.

7. Updates:

- a. **Personnel Update (K. Graves):** Karin Graves noted that the recruitment for the Watershed Management Planning Specialist positions was opened on January 5 and would be open until January 26. Online interviews were expected to be done by late February or early March after which department interviews would be conducted.
- b. **BAMSC Steering Committee meeting (K. Graves):** There were no updates to the BAMSC Steering Committee. The next meeting is scheduled for January 27.
- c. **Status of RFQ process for new contracts (K. Graves):** Staff is in the process of reviewing all the proposals. Five service areas were identified in the RFQ. A meeting to select vendors is planned for the end of the month.



8. Information:

- a. **CASQA Quarterly meeting January 20, 2022 (federal infrastructure funding) (A. Bullock):** An email had been sent with the login information for the CASQA meeting tomorrow.
- b. **Submit documentation of PCBs amounts in applicable building demolition projects (L. Welsh).** The committee was reminded that documentation of PCBs in demolition projects was due.
- c. **Flood Control will soon be requesting resolutions establishing SUA assessments (A. Bullock):** Andrea Bullock noted that an email would be coming from the Flood Control District's analyst (Michael Taylor). The letter would be finalized this week and the due date was around April 1, 2022.
- d. **American Rescue Plan Act funds and how to use them (L. Hoffmeister):** Laura Hoffmeister (Clayton) noted that funds could be used for stormwater maintenance and infrastructure. Cities had already received some of this funding and the rest would come next year. The Chair asked if this was because the rules had been finalized recently. Laura Hoffmeister (Clayton) confirmed this was the case and noted that the thresholds had been relaxed slightly and now allowed for more broad use of the funds. Michele Mancuso (Contra Costa County) noted that this would be discussed at the CASQA meeting tomorrow. Lucile Paquette (Walnut Creek) noted that APWA was having a lunch meeting on January 27 where this would possibly be discussed. Scott Christie (Orinda) asked if this was in regards to the unrestricted portion of the funding. Laura Hoffmeister (Clayton) noted that there were still restrictions, but the terminology had been expanded to cover more projects. The Chair proposed that an item for this topic be added to the Administrative Committee meeting agenda for February.

9. Old/New Business: There was no old or new business.

10. Adjournment: The Chair adjourned the meeting at 3:32 p.m.



ADMINISTRATIVE COMMITTEE SUMMARY

Meeting Minutes

Tuesday, January 4, 2021

10:30 – 12:00

| VOTING MEMBERS | ATTENDED | ABSENT |
|---|--------------------------|---------------|
| City of Antioch | Phil Hoffmeister (Chair) | |
| City of Brentwood | Meghan Oliveira | |
| Town of Danville | | Bob Russell |
| Contra Costa County | Michele Mancuso | |
| CCC Flood Control and Water Conservation District | Tim Jensen | |
| City of Hercules | | Jeff Brown |
| City of Pleasant Hill | Frank Kennedy | |
| NON-VOTING MEMBERS | | |
| City of Walnut Creek | Lucile Paquette | |

Program Staff: Karin Graves, Andrea Bullock, Michael Burger

Consultants: Mitch Avalon

Guests: Allison Knapp (Contra Costa County), Amanda Booth (San Pablo), Laura Hoffmeister (Clayton)

- 1. Convene meeting and roll call (Chair):** The Chair convened the meeting at 10:30 a.m.
- 2. Announcements or Changes to the Agenda (Committee):** There were no changes to the agenda. Karin Graves noted that advertisements for the Watershed Planner positions was underway and requested two volunteers to review the applications.
- 3. Approval of December 7, 2022 Meeting Minutes (Chair):** Lucile Paquette (Walnut Creek) requested one clarification and proposed one change. Frank Kennedy (Pleasant Hill) motioned to approve, Michele Mancuso (Contra Costa County) seconded. There were no objections or abstentions. The motion passed unanimously and the Meeting Minutes were approved with changes noted.
- 4. First Draft Budget for FY 22/23 (M. Avalon/A. Bullock):** Mitch Avalon began by describing the staff report. The first draft budget was presented. Part of the framework for the budget was the format, which has been altered over the past several years to make tracking items easier. Line items were now being presented by provision, rather than by function. New provisions were assigned to specific committees for oversight. The budget for these provisions would be assigned to the subcommittee.

Laura Hoffmeister (Clayton) asked how the budget would reflect provisions with multiple committees' oversight. Mitch Avalon noted that sub-provisions were noted below each provision number, rather than the committee.

Mitch Avalon described the key budget items which include staff augmentation (for vacant staff positions and on-call work), the financing plan to investigate and create a strategy for financing the anticipated shortfall for increased costs under MRP 3.0, the administration of an alternative compliance program (to be approved by the Management Committee), Hydromodification Management model (whether to retain the current model or adopt the BAHM), and estimated monitoring costs.

Mitch Avalon described the roles and responsibilities of the Program for new MRP 3.0 requirements. A decision in regards to the Program's role would need to be made by the Management Committee. The firefighting discharge provision would involve attending and coordinating planning meetings with the Regional Water Board and fire fighter associations. Homeless discharge mapping, BMP reporting, and implementation measures and reporting may require the Program to provide guidance and support to County Health and Social Services Departments. A cost reporting framework would be required by the end of 2022 and it appeared that it may be more efficient for this to be handled by the Program rather than on a jurisdictional level. Asset Management doesn't require a framework, but Staff believes that a framework may be beneficial. However, actual reporting and management would still need to be done at the jurisdictional level.

It was indicated that guidance and recommendation from the Committee was requested.

Mitch Avalon displayed the budget and described the line items in detail. He noted that the Staff augmentation to cover the Program Manager position was dependent on the vacancy and if the position was filled, that line item would be removed. The BASMAA fees were removed and BAMSC fees were moved to regional projects. Costs for consultant Project Management were still forthcoming, as costs could not be estimated based on prior years due to new permit requirements.

Laura Hoffmeister (Clayton) asked if the consultant costs for Dan Cloak were moved to C.3, would there be a line item in the Project Management items. Mitch Avalon suggested that the line item would be included in the Development Committee budget. A note to describe where it had been moved to was discussed and it was suggested that this could be added. Lucile Paquette (Walnut Creek) suggested that notes should be made in other places as well to make it clear where funds were being assigned. The committee discussed how technical services were assigned to committee budgets. Karin Graves clarified that Dan Cloak would no longer be doing staff augmentation work and the budget for Development Committee projects would include his technical support work. The Committee discussed adding information to the staff report. Lucile Paquette (Walnut Creek) noted that the workshop budget seemed higher than expected. Karin Graves noted that this was a conscious decision to cover potential in-person workshop costs and consultant costs (which would have been included in other line items in previous years). Lucile Paquette (Walnut Creek) asked if the staff augmentation to cover the Program Manager should be estimated for 12 months rather



than the 6 months currently considered. Mitch Avalon noted that there could be a budget adjustment at the end of the year, but also suggested that the 6 month estimate was based on his planned retirement at the end of 2022. Lucile Paquette (Walnut Creek) asked if staff training and conferences was for CASQA conferences and similar training. Mitch Avalon confirmed this. It was further noted that training for specific provisions were listed as line items under those provisions. The Committee discussed concerns that work may be budgeted under several line items.

Mitch noted that the net projected budget was ~\$3.6M, almost \$200,000 over the \$3.5M budget cap, and there were still items that had not been funded yet.

Michele Mancuso (Contra Costa County) asked if the East County RAA costs would be finalized in Fiscal Year 21/22 or would the costs be move forward to 22/23. The Committee discussed the timeline of the RAA. Amanda Booth (San Pablo) asked about the budget reserve. It was noted that when this budget was presented to the Management Committee, there would be an overview of the reserve.

- 5. Confirmation of Management Committee approvals on December 15, 2021 (M. Avalon):** The Management Committee approved a number of policy issues and questions at the December meeting. Mitch Avalon presented, in brief, the budget policy directions and assumptions. The directions and assumptions were presented for approval.

Lucile asked if cost reporting was a regional project and, if so, could it be included with the BAMSC costs. Mitch Avalon noted that each jurisdiction needed to create their own cost report. Karin Graves noted that the line item for cost reporting was included in the PIP budget. Laura Hoffmeister (Clayton) asked what cost reporting requirements the Regional Water Board were looking for. Mitch Avalon noted that the requirements were listed in the MRP. The Committee discussed the timeline for cost and asset reporting, noting that reporting would not be required until Fiscal Year 23/24.

- 6. Authorization for Advance Work (M. Avalon):** The topic of advance work had been discussed at the Management Committee meeting in December. The questions discussed were in regards to what was considered advance work and what the risks of completing this work were. The concern was any advance work done before the MRP was adopted could be wasted if the provisions change. The Advance Work Schedule/Risk spreadsheet was discussed. It was indicated that there were ways to mitigate the risk of advance work. The Management Committee had approved the work that needed to be started in January.

Staff is now looking for authorization to proceed with all advance work. The total budget for all advance work items is \$175,000. Amanda Booth (San Pablo) noted that, based on work done in San Pablo, the \$50,000 for mapping storm drain outfall catchments was underestimated. The committee discussed the work effort for this project and Mitch Avalon noted that the \$5,000 project for scoping out outfall mapping would better determine the actual costs of the mapping project. This topic would be presented to the Management Committee in January.



- 7. Approve January 19, 2022 Management Committee Agenda (Committee):** Mitch Avalon briefly described the agenda for the Management Committee meeting, noting the Presentation, Action, and Information items. Lucile Paquette (Walnut Creek) asked that the presenter for Information item B compare the difference between the MRP 2.0 and MRP 3.0. Michele Mancuso (Contra Costa County) motioned to approve the agenda as presented, Frank Kennedy (Pleasant Hill) seconded. The Chair called for a vote. There were no objections or abstentions. The motion passed unanimously and the Agenda was approved.
- 8. Old/New Business:** There was no Old or New Business.
- 9. Adjournment:** The Chair adjourned the meeting at 12:00 p.m.



**PUBLIC INFORMATION/PARTICIPATION COMMITTEE
 MEETING MINUTES**

Tuesday January 4, 2022 9:30 am – 10:30 am

Zoom Meeting

| Voting Members | Attended | Absent |
|--|------------------------|------------|
| City of Antioch | Julie Haas-Wajdowicz | |
| CCC Flood Control and Water Conservation District | Melinda Harris (Chair) | |
| City of Orinda | Kevin McCourt | |
| City of San Ramon | Kerry Parker | |
| Administrative committee Members acting as PIP Members | Attended | Absent |
| City of Brentwood | Meghan Oliveira | |
| Town of Danville | Nicola Shihab | |
| Contra Costa County | Michele Mancuso | |
| City of Hercules | | Jeff Brown |
| City of Pleasant Hill | Frank Kennedy | |

Program Staff: Andrea Bullock, Michael Burger, Karin Graves

Consultants: Mitch Avalon, Hilary Pierce, Emily Rogers, Anna Minard, Finnesha Eastman

Guests: Amanda Booth (San Pablo)

- 1. Introductions, Announcements, and Changes to Agenda (Chair):** There were no changes to the agenda. Nicola Shihab (Town of Danville) was introduced. Meghan Oliveira announced her name change (formerly Laporta).
- 2. Consent Items Approval (Chair):** The Chair called for a vote. Julie Haas-Wajdowicz (Antioch) commented on a change of language regarding one of the social media posts. Kerry Parker (San Ramon) motioned to approve, Julie Haas-Wajdowicz (Antioch) seconded. There were no objections or abstentions. The motion passed unanimously and the consent items were approved with comments.
- 3. Caltrans Paid Media Partnership Update (Sagent):** Emily Rogers noted that Sagent was continuing to meet with Caltrans to create a partnership for the media campaign. Further discussion regarding the historic usage of campaign items will be conducted at future meetings. There is no program paid media campaign this fiscal year, so there is no hard deadline for the completion of this project.
- 4. Video Series Filming Update (Sagent):** Work has begun on the Fish Risk video. The team will be returning to filming locations over the next couple months as weather improves and more active fishers return. Work on the scripts for the next videos will be conducted over the next couple



months. The Illegal Dumping video is being updated with more accurate statistics gathered by the Program.

- 5. FY 22-23 Budget (K. Graves):** Karin Graves shared the Fiscal Year 22/23 Budget/Workplan. Over the last several years, modifications have been made to the budget formatting to make tracking line items easier. Changes had also been made for this year; Karin Graves noted that the changes were minor. Project work and Technical work would no longer be separated into separate line items. Rather, line items would be listed in numerical order of the permit provisions covered by each committee. A policy decision of a 3% increase to consultant contracts was discussed. New provisions for MRP 3.0 were assigned to existing committees: PIP now had oversight on C.15 (Firefighting Discharges) and C.20 (Cost Reporting). C.7 requirements largely stayed the same, which resulted in a similar budget to the previous Fiscal Year. Andrea Bullock noted that the C.7.c line item was increasing.

Consultant support for PIP was divided into several items in the budget. The Program is in the process of RFQ to bring on consultants to new contracts. For ease of viewing the budget, consultant names on the spreadsheet remain the same as the previous year. Karin Graves described each budget line item in detail, noting the changes from the previous Fiscal Year. Project Management and Support increased by \$1,000, Outreach Campaigns (C.7.a, c, d, and e) increased by \$2,300 with an additional \$500 increase to school-age children outreach, C.15.b.iii is a new provision (firefighting discharges) adding \$15,000, and C.20 is a new provision (Cost Reporting) adding \$10,000. Andrea Bullock noted that Citizen involvement (C.7.c) will increase to \$16,500 not \$17,000. The total Fiscal Year 22/23 budget is \$144,800. This is an increase of \$28,000 over the previous FY.

Amanda Booth (San Pablo) asked if the \$10,000 listed for C.20 was just for PIP or would that be split up into different areas of the budget. Karin Graves noted that the provision items were to assigned to a specific committee, so the cost for all Cost Reporting would be assigned to PIP and covered by this line item. Kerry Parker (San Ramon) noted that she was concerned that the budget for C.15 may be an underestimate. Karin Graves agreed, citing that the cost was unknown since it was a new provision, but this was a place to start.

Karin Graves asked the committee for a recommendation to send the budget line items to Administrative Committee.

Julie Haas-Wajdowicz (Antioch) motioned to approve, Frank Kennedy (Pleasant Hill) seconded. The Chair approved the recommendation to send the budget line items to the Administrative Committee.

- 6. Adjournment:** The Chair adjourned the meeting at 10:00 a.m.

**Monitoring Committee
Meeting Minutes
December 13, 2021**

| VOTING MEMBERS | | |
|--------------------------------------|--|------------------|
| MUNICIPALITY | ATTENDED | ABSENT |
| City of Pittsburg | Joe Camaddo (Chair) | |
| CCC Flood Control District | Beth Baldwin (Vice-Chair) / Michelle Giolli | |
| City of Antioch | | Phil Hoffmeister |
| City of Pinole | Misha Kaur | |
| City of Richmond | Terri Mason | |
| City of Walnut Creek | Lucile Paquette | |
| Program Staff and Consultants | | |
| Augmented Staff | Lisa Welsh / Lisa Austin | |
| Program Staff | Karin Graves | |
| Program Consultant | Mitch Avalon | |

- **Introductory Remarks and Announcements.** Beth B. opened the meeting with a quorum. Joe C. attended the meeting while out in the field.

A requested addition to the agenda included a discussion of two action items from the November 2021 Monitoring Committee meeting: (1) the draft 2022 schedule for completing trash monitoring requirements and (2) the load reductions (g/yr) that can be achieved from source property referrals already submitted to the RWB.

Update on MRP 3.0 Timeline: RWB Staff are working on responding to comments on the Tentative Order. Their response to comments needs to be completed 30 days before the adoption hearing. RWB Staff are targeting the March board meeting. If that timeline isn't met, RWB Staff will release the response to comments in mid-March and hold the hearing in April.

- **November 2021 Meeting Summary.** City of Pinole (M. Kaur) moved to approve the November meeting summary and the City of Walnut Creek seconded (L. Paquette). There were no objections.
- **FY22/23 Monitoring Committee Draft Budget.** Lisa W. and Lisa A. reviewed the FY22/23 draft monitoring budget. The Committee discussed the following topics:
 - Policy-related items should be identified and pulled out for discussion at Management Committee on Wednesday, December 15. If the release of MRP 3.0 is pushed back to April, approval of FY22/23 budgets might be pushed back as well.
 - The CECs monitoring cost should be moved to C.8.f under POCs monitoring.

- LID and Trashing Monitoring – Estimated costs assume that CCCWP would be developing the monitoring plan on their own. Regional collaboration would provide some cost savings and would be discussed at MPC and BAMSC.
- Permit application for outfall monitoring – need to start this process sooner rather than later. The current understanding is that this could take several months and up to 1-2 years to get permit approval for receiving water sampling. Beth B. can reach out to County staff to learn more about the permitting process and timeline. This can also be discussed at the January meeting with RWB Staff.
- Advanced Work – Conducting Advanced Work is an exercise in risk assessment. Mitch will check in with the CCCWP attorney on the legality of requiring Advanced Work. The final decision on approving proposed Advanced Work will be decided at the Management Committee meeting in January.
 - C.8 Advanced Work - There is a low risk to completing work that we know we would need in the future (e.g., catchment delineations in low trash generation rate areas). Advanced work associated with multiple requirements also reduces the risk (e.g., outfall mapping associated with C.5 and C.8). We want to avoid doing early work that might not be necessary for the future.
 - C.12 Advanced Work – The timeline to complete the C.12.c Old Industrial Area Control Measure Plan by September 30, 2022, is unreasonable, and the hope is that the deadline gets pushed back. Meeting this requirement will take commitment from the Permittees, which should be discussed at the January 2022 Monitoring Committee meeting. It has important cost implications. This item is a higher risk, and we might not want to start until the Final MRP 3.0 is released in the spring. Geosyntec can do an annotated outline of the Plan if there is room in the current budget.
 - East County Advanced Work – This includes the TMDL Control Measure Plan and the Annual Mercury Monitoring Plan. Region 5 is revising the TMDL, and they want to include East County. Moving forward with these tasks is lower risk as the work will have to be completed soon.
 - Advanced Work Approval Process – Budget for high priority, low-risk items could be approved first, and then have conditional approval on the remaining items once the Final Order is released.
- WQIF Grant Application – there must be regional collaboration on this effort. There is a separate line item in the Program’s budget for grant applications. This effort would not come out of the Monitoring budget.

- C.8.g. and C.1 – Kirker Creek Toxicity Studies – A special study has already been completed and there is not a continuous problem. It is understood that the Program complies with C.1 for toxicity. So, no budget is needed for conducting a study.
- C.12 Reporting Requirement – There is an annual requirement to document progress on the program for controlling PCBs. This annual report replaces the ‘POCs Load Reduction Report,’ which was completed annually under MRP 2.0. The budget includes setting up the template for the new report and completing it annually.
- Other Items:
 - The Permittees’ Annual Report form is being discussed separately at BAMSC.
 - Marsh Creek dissolved oxygen monitoring costs are shared between the Program and the County.
 - The remaining PCBs load for Source Property referrals is approximately 600 grams/year, which would go a long way to achieving the goal of 1.6 kg/yr for the MRP 3.0 permit term. This will be discussed at the meeting with RWB in January. For CCCWP, there are 200 g PCBs/yr ‘available’ through the source property referrals and it could be an effective use of \$\$ to complete these. Additional work is needed to sort out action items on each of the properties. These action items would be included in the C.12.c Control Measure Implementation Plan, but we are hoping this deadline is pushed back.
- **FY22/23 Advanced Budget.** This item was discussed while reviewing the FY22/23 draft budget (see summary above). Monitoring Committee supported the Advanced Budget request with conditional approvals on B.6.1 (Special Project to scope mapping storm drain outfall catchments) and F.4 (POCs Load Reduction Accounting/Reporting). These items would be completed as Advanced Work if the Final Order required them without change.
- **Next Steps / Action Items**
 - Lisa W. to move CECs monitoring item to C.8.f under POCs monitoring.
 - Beth B. to reach out to County staff to learn more about the permitting process and timeline.
 - Mitch A. to check with the CCCWP attorney on the legality of requiring Advanced Work.
 - C.12.c Control Measure Plan and permittee participation to be discussed at the January (or early 2022) Monitoring Committee meeting.
 - Geosyntec to complete an annotated outline for the C.12.c Control Measure Plan, if budget is approved/available.
- **Adjournment.** The meeting was adjourned at 12:00 pm when the Zoom call ended.

Next Scheduled Monitoring Committee Meeting: Monday, January 10, 2021, 10:00 AM- 12:00 noon, Zoom meeting.

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Municipal Operations Committee (MOC)
Meeting Minutes
November 16, 2021

| MUNICIPALITY | ATTENDED [via Web/Phone] |
|--------------------------------------|---|
| VOTING | |
| City of Antioch | <i>Phil Hoffmeister, Jeff Cook</i> |
| City of Brentwood | <i>Melissa Barcelona</i> |
| City of Concord | <i>Jesse Crawford</i> |
| Contra Costa County | <i>Michelle Giolli (Vice Chair), Beth Baldwin</i> |
| Town of Danville | <i>Bob Russell</i> |
| City of El Cerrito | <i>Stephen Prée</i> |
| City of Martinez | |
| City of Pittsburg | <i>Joseph Camaddo (Chair), Jolan Longway</i> |
| City of Richmond | <i>Terri Mason</i> |
| City of San Pablo | <i>Karineh Samkian</i> |
| City of Walnut Creek | <i>Lucile Paquette</i> |
| NON-VOTING | |
| PROGRAM STAFF and CONSULTANTS | |
| Staff Augmentation | <i>Elizabeth Yin</i> |
| Program Staff | <i>Mitch Avalon</i> |
| GUESTS | |
| | |
| | |

1. **Introductions/Announcements:** Joe Camaddo (City of Pittsburg) welcomed the group to the Zoom call and asked for announcements. No announcements were made.
2. **Approval of Minutes:** Phil Hoffmeister (Antioch) made a motion to approve the October 19, 2021 Meeting Summary. Pittsburg seconded the motion. The Committee voted to approve the October 19, 2021 Meeting Summary
3. **Discuss Meeting Schedule – December 2021.** Elizabeth Yin (Program Staff, consultant) led a discussion of the December 2021 meeting schedule, with concerns over the holiday period and availability of committee members. Several members expressed willingness to move the meeting forward by one week, to be decided at the discretion of Program Staff and agenda needs. The meeting was ultimately cancelled.
4. **Program Update:**
 - Trash Updates
 - i. CALTRANS partnership opportunities
 1. A discussion was held regarding partnership opportunities with CALTRANS, including an overview of a presentation that CALTRANS shared with the BAMSC Steering Committee. Several members discussed whether or not

these opportunities have been successful or if other members have engaged with CALTRANS. San Pablo shared that they had been selected for a partnership opportunity regarding a trash capture device, and El Cerrito and Richmond also shared their successful partnership with CALTRANS. A few members expressed that they have desire to enter into partnership agreements with CALTRANS but they have not been successful in getting in touch with CALTRANS representatives.

2. Members expressed interest in having CALTRANS deliver their presentation in order to develop a conversation with CALTRANS representatives over partnership opportunities.
 3. Program staff would distribute the presentation as well as reach out to arrange for CALTRANS to present at the next Management Committee meeting.
- ii. ArcGIS Collector / Field Maps retirement
 1. Elizabeth shared with the group that ESRI would be phasing out the Collector app associated with AGOL system. Field Maps will replace the Collector application, with functionality estimated as being almost exactly the same. Upcoming trainings may be able to identify the differences and ensure that members have updated their field devices.
 - iii. AGOL Workgroup
 1. Elizabeth requested volunteers to participate in the AGOL Workgroup. Elizabeth will be working with Beth Baldwin (Contra Costa County) to establish a workgroup that will evaluate and develop a report on AGOL needs and potential updates.

5. Discussion of FY22/23 Budget

- Mitch Avalon (Program Staff consultant) led the discussion of an overview of the upcoming determination of the Program's FY 22-23 budget. The process includes proposing new assumptions for the FY22-23 program year at the December Management Committee meeting. The assumptions include potential advanced work required by the anticipated MRP 3.0 Final Order that may require some work before July 2022.
- The proposed schedule for developing the FY 22/23 budget includes a 1st draft by January, a 2nd draft in February, with a Final Draft budget approval at the March Management Committee meeting.
- Additional discussion items included:
 - i. OWOW budget discussion – OWOW program oversight will be moving to CASQA. Participation in OWOW can be paid for by individual groups, or by the Program. Decisions will be made at Management Committee.
 - ii. Trash Monitoring may be moved to the Monitoring Committee given the increase in receiving water monitoring proposed by MRP 3.0.
 - iii. Extra inspections may be required by MRP 3.0, and a discussion may need to be held to understand the pass through costs to Central San.
- Mitch will send out the draft budget in advance of the December Management Committee meeting.

6. Old/New Business:

- No additional topics were discussed.

7. **Adjournment:** Chair Joe Camaddo adjourned at 11:30 AM.

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Meeting Summary

Development Committee

December 8, 2021

1:30 – 3:30

Voting Members:

Municipality

City of Antioch

City of Brentwood

City of Clayton

City of Concord

Contra Costa County

Town of Danville

City of Lafayette

Town of Moraga

City of Pittsburg

City of Pleasant Hill

City of San Ramon

City of Walnut Creek

Attending

Aman Grewal

John Steere

Bob Russell

Matt Luttrupp

Frank Kennedy

Joe Camaddo **(Chair)**

Frank Kennedy

Rod Wui

Joel Camacho

Absent

Phil Hoffmeister

Laura Hoffmeister

Mitra Abkenari

Program Staff/Consultants

Karin Graves

Acting Program Manager

Mitch Avalon

Consultant

Dan Cloak

Consultant

Alina Constantinescu

Consultant

Introductions, Announcements, and Changes to Agenda

The regular 4th Wednesday monthly meetings for November and December were cancelled because of holidays and one meeting held on December 8th instead. The meeting was held via Zoom. There were no announcements and no changes to the agenda.

Approve Previous Meeting Summaries

On a motion by Matt Luttrupp, seconded by Frank Kennedy, the summary of the October 27, 2021 meeting was accepted.

Municipal Regional Permit 3.0

The Program comment letter on the Tentative Order (submitted November 15, 2021) was included in the meeting packet. The letter includes extensive comments on the C.3 Provision, among many others. Regional Water Board staff has stated that they would be aiming for an Adoption Hearing at the March 9, 2022 Board meeting; this means that the final MRP would be released a minimum of 30 days prior, on February 9, 2022.

Hydromodification in Municipal Regional Permit 3.0

This item is a continuation of the hydromodification (HM) discussion from the October 27, 2021, meeting regarding Contra Costa Permittees' options for allowing land development projects subject to HM to be built in compliance with the MRP. \ Options include using the Bay Area Hydrologic Model (BAHM) exclusively, or using BAHM in conjunction with the CCCWP *Guidebook*. BAHM is being used in Santa Clara, Alameda, and San Mateo Counties and the MRP states that "HM controls designed using BAHM and site-specific input data shall be considered to meet the HM standard." Use of BAHM in Contra Costa County would entail modifications to the software. A The vendor Clear Creek Solutions created a BAHM version for Contra Costa, but it's unclear if it includes the most up-to-date rainfall information.

The Santa Clara Valley Urban Runoff Pollution Prevention Program (SCVURPPP) is planning to initiate an update to BAHM in 2022; if CCCWP is considering using BAHM, it would be a good opportunity for us to work with Clear Creek Solutions at the same time... Karin will approach SCVURPPP to get more information and understand the project scope. No decision would be made on this until after the final MRP 3.0 is released; Karin will continue the discussion with the C.3 Committee at that time.

Stormwater C.3 Guidebook, 8th Edition

Dan Cloak shared on screen a working list of objectives and tasks for *Guidebook* revisions (August 20, 2021). The list had been previously presented to the Committee. Dan recalled that at the September 22 meeting the Committee began a discussion about the requirements for subdivision maps. At that meeting, Frank Kennedy, Mitra Abkenari, and Joel Camacho agreed to be part of an ad-hoc work group to discuss these issues. Although there was some initial correspondence, the work group did not meet because of the press of work related to preparing for the Water Board workshops on MRP 3.0 and preparing the comment letter on MRP 3.0.

Given that the agenda now allowed time for discussion, Dan proposed that the Committee discuss the issues in this meeting.

Dan shared on screen a "Request for Input on Stormwater C.3 Guidebook, 8th Ed. –2021-12-08" (attached to this summary). The Committee reviewed and discussed each of the items on the list. Discussion included the following:

Requirements for Subdivision Maps—In response to Dan's question, Matt Luttrupp said that Lafayette saw a mix of configurations proposed, with some new subdivisions having runoff

from each parcel drain to the street and others having parcels drain to bioretention facilities on each lot. Frank said that he liked the current language recommending that stormwater treatment facilities not be located on individual lots; it is good intent, even if not always implemented.

Regarding easements, Joel noted that Walnut Creek would not allow runoff from one lot (or from a private street) to be made to flow into another lot without an easement. Frank said that maps he's reviewed generally have an easement, but a drainage easement not an open space easement as called for in the *Guidebook*. Frank and Rod noted that open space easements are more difficult to change later as CEQA may apply.

Dan described a scenario where an applicant asks to subdivide a property and build on individual lots over time. CCCWP's *Policy for C.3 Compliance for Subdivisions*, which is summarized in Chapter 1, is meant to ensure that this process does not allow piecemealing, i.e., construction on individual lots without C.3 (as the square footage of impervious surface may be below the threshold) when the subdivision as a whole eventually exceeds the threshold. There was general agreement that Conditions of Approval attached to the subdivision are sufficient to ensure C.3 compliance on the individual lots, but this does require diligence on the part of staff to ensure the conditions are reviewed when the application for a building permit comes in. In addition, the party subdividing the lots should be advised that they are required to disclose this Condition of Approval to any buyer.

What to Show on Construction Plans—Participants agreed that construction drawings continue to show incomplete information, outdated designs, and design errors. A supplement showing good and bad designs, including both photos and design details, would be helpful.

Procedure and Timing for Submitting Operation and Maintenance Plans—Participants said that O&M Plans are generally not submitted until after the building permit application and are sometimes delayed until later in construction. Submittal of an Operation and Maintenance Agreement generally comes later and is sometimes right up against the time for the building permit final and certificate of occupancy to be issued. Joel said that Walnut Creek requires an O&M Plan to be submitted before the site development permit is issued.

Frequently Asked Questions—Dan invited the participants to add to the list.

Update on FY 2021-2022 Committee Budget and Projects and Preliminary Discussion on FY 2022-2023 Budget

Mitch Avalon presented a preliminary proposed Committee budget for FY2022-23. There is an understanding that drafting a budget for next year, which would be Year 1 of MRP 3.0, before the final permit is released is a difficult task. There were no questions/ comments from Permittees at this time. Management Committee will discuss the budget proposal for the Development Committee, along with other Committees, at their upcoming meeting on December 15, 2021. A revised proposal will be discussed at the next Development Committee meeting.

Open Discussion of C.3 and C.6 Implementation Issues

No items were brought up.

Next Meeting Date

Wednesday, January 26th, 2022 (1:30p-3:30p)

Action Items

None noted.

Adjournment

The meeting was adjourned at 3:05 PM.

NEXT DEVELOPMENT COMMITTEE MEETING:

Wednesday, January 26th, 2022

1:30 PM – 3:30 PM

Via videoconference



Date: February 16, 2022

To: Management Committee
From: Mitch Avalon, Program Consultant
Subject: Second Draft Budget for FY 22/23

Recommendation:

Review and consider the Second Draft Budget for FY 22/23 and provide any comments and direction to staff.

Background:

At the January 19, 2022 Management Committee meeting, staff described the first draft budget; the new and key budget items, format changes to the budget document that improved tracking and alignment with committee work plans, and budget items that still needed to be determined. The following are the changes from the first draft budget discussed at that meeting compared to the attached second draft budget. The Administrative Committee, at their meeting on February 1, 2022, had comments on the second draft budget which are also included in the noted changes below.

Advance Work. The advance work items, approved on December 15, 2021 with the FY 21/22 Midyear Adjusted Budget, are shown in a separate column so the total cost for the appropriate budget items can be determined.

Conditional Approval. The Administrative Committee was concerned about the large "SUA Funding Gap", the amount of the budget over \$3.5 million. To provide the Management Committee with more control over the expenditure of funds in FY 22/23, the Committee suggested identifying budget items that should require additional discussion prior to authorizing the work. Staff recommends about a dozen items be conditionally approved, identified in a separate column entitled "FY 22/23 Conditional Budget Items". These items, which total about \$680,000, would have to be discussed prior to initiation of work on the item, giving the Committee an opportunity to revise the budget or scope of work if necessary. While this strategy provides more budgetary control to the Committee, it does increase staff workload to bring items back for discussion and reconsideration.

General Consultant Services/Projects. The budget item for Alternative Compliance Administrator Set Up has been estimated to be \$55,000. This was

derived from an estimate of the hours needed for the various tasks required to complete the set up as part of the grant funded Alternative Compliance System project. This is the cost not covered by grant funds.

Regional Projects/Regional Cooperation. The annual cost for materials needed for the Our Water Our World (OWOW) program was paid through BASMAA. This year, CASQA assumed sponsorship of the OWOW program and the materials cost is now paid through them, however for clarity the cost has been moved to section C.9 of the budget. The BAMSC (fka BASMAA) budget was reduced accordingly. (See section C.9 below)

Provision C.3. The Hydromodification Management budget items have been recast and separated. The Development Committee recommends increasing the budget for the modeling effort to \$100,000, which includes perfecting the current hydrology model, transitioning to the Bay Area Hydrology Model (BAHM), or some combination. Costs could be less depending on the option chosen. Developing an Options Report outlining the three options for \$10,000 was separated out, along with a \$25,000 cost to participate in a Bay Area wide update of the BAHM. These changes make it easier to see the major process steps in deciding which hydrology model to use and the cost to do so.

Provision C.8. The estimated cost to prepare the Trash Monitoring Plan is \$50,000, plus \$55,000 to complete the storm drain outfall mapping information needed to develop the Plan. This brings the total cost of the Plan to \$105,000. An advance work budget of \$75,000 was approved with the Midyear Adjusted Budget, so the balance of \$30,000 would be needed for the FY 22/23 budget. The \$50,000 earmark in the first draft budget has been changed to \$30,000. Staff has heard that the schedule for the Trash Monitoring Plan will be pushed back one year, which would mean no need to perform trash monitoring in FY 22/23. There is some risk in doing so, but if the Committee assumes the schedule change will be in the Final Order then trash monitoring could be eliminated from the budget, saving \$195,000.

Provision C.8. The budget item for the “Marsh Creek SSID Response” to address comments raised in a January 3, 2022 letter from the Regional Water Board has been moved to section C.19 and combined with the Marsh Creek Dissolved Oxygen Monitoring. The budget for this item has been reduced from \$35,000 to \$30,000.

Provision C.9. For the Our Water Our World program, CASQA creates and updates outreach materials, provides the creative and graphic services for new and or updated outreach materials, and arranges for printing the outreach materials. The cost for this service, \$5,080 for FY 22/23, was formerly paid through BASMAA but is now paid directly to CASQA. Likewise, the \$5,943 budget to track and influence pesticide registration processes, EPA activities in registering

pesticides, pesticide legislation and other pesticide regulatory activities (C.9.f) was formerly paid through BASMAA but is now paid directly to CASQA.

Provision C.12. There were comments at the last meeting to reorder the budget items for the overall PCBs control measure plan in old industrial areas required in C.12.c.iii.(1), the first PCBs load reduction project pursuant to the control measure plan, and the annual report on controlling PCBs. So, the first three items in this section of the budget are now the following:

- Old Industrial Area PCBs Control Measure Plan
- Old Industrial Area PCBs Treatment Project
- Annual Progress Report on Controlling PCBs

Reserve Fund. The draw down on the reserve fund in the first draft budget was about \$560,000. The drawdown has increased in the second draft budget to about \$740,000. Will this draw down on the reserve fund continue in succeeding budgets? Some of the budget items for FY 22/23 are one-time costs which will not carry forward to succeeding fiscal years, such as the alternative compliance administrator set up, MRP 3.0 compliance checklist, trash monitoring plan, cost reporting framework, and other similar items. But those "savings" in future years could easily be offset by new projects or increased costs for ongoing projects. The big unknown in future fiscal years will be implementing PCB load reduction projects to comply with C.12.c. When the five-year budget for MRP 3.0 is completed, then we will have a better understanding of the annual drawdown on the reserve fund.

Budget Trimming. With a budget of this size, there may be an urge to trim it back to something equivalent to MRP 2.0. Where it makes sense to trim the budget, it certainly should be reduced. However, trimming the budget to simply meet a reduced overall cost objective may be a disservice. Staff have prepared a realistic and reasonable budget for the work necessary in FY 22/23 to meet the requirements of MRP 3.0. It is important to have reasonable and realistic costs as we move forward to build support for future funding. An artificially low budget would undermine that effort.

Fiscal Impact:

Staff will prepare the final draft budget in accordance with the direction provided.

Attachments:

Second Draft Budget for FY 22/23

**Contra Costa Clean Water Program (CCCWP)
SECOND DRAFT Fiscal Year 2022/23 Group Program Budget**

| Budget Row | WO# | Description/Expenditure | ADOPTED Adj FY 2021/22 Dec 15, 2021 ¹ | FY 21/22 Advance Work ² | Projected FY 22/23 | FY 22-23 Conditional Budget Items ³ | FY 2022/23 Notes |
|------------|------|--|--|--|-----------------------|---|---|
| 1 | | Administrative/Personnel (See Admin Worksheet) | | | \$1,575,009 | | |
| 2 | 7608 | Staff Salaries and Benefits + County Overhead | | | \$1,345,809 | | 3% increase |
| 3 | 7609 | Staff Augmentation (Watershed Resources Consulting for 6 months) | | | \$109,200 | \$109,200 | Assumes PM position vacancy |
| 4 | 7609 | On-Call Staff Augmentation (as needed) (LWA, GC, H&A) | | | \$100,000 | \$100,000 | |
| 5 | 7608 | Staff Training and Conferences | | | \$10,000 | | |
| 6 | 7612 | Non-Program County Staff Labor | | | \$10,000 | | |
| 7 | | General Supplies & Equipment | | | \$7,788 | | |
| 8 | 7605 | Misc. Office Equipment/Supplies not covered by County Overhead | | | \$6,600 | | |
| 9 | 7605 | Groupsite Annual Fee | | | \$1,188 | | |
| 10 | | Association/Memberships/License Fees | | | \$33,554 | | |
| 11 | 7611 | ESRI (AGOL Annual License Fee) | | | \$10,000 | | |
| 12 | 7611 | California Stormwater Quality Association (CASQA) | | | \$23,554 | | 3% annual increase |
| 13 | | Legal Services | | | \$95,000 | | |
| 14 | 7606 | County Counsel and Contract Administration | | | \$10,000 | | |
| 15 | 7610 | MRP 3.0 Appeal (Richards, Watson & Gershon) | | | \$35,000 | \$35,000 | |
| 16 | 7610 | On-Call Legal Services (Richards, Watson & Gershon) | | | \$30,000 | | |
| 17 | 7613 | Alternative Compliance Legal Review (Richards, Watson & Gershon/County Counsel) | | | \$20,000 | | |
| 18 | | Regional Projects/Regional Cooperation | | | \$235,000 | | |
| 19 | 7618 | BAMSC | | | \$35,000 | | |
| 20 | 7618 | SFEI - RMP | | | \$180,000 | | 3% increase |
| 21 | 7618 | SFEI - CECs | | | \$20,000 | | |
| 22 | | General Consultant Services/Projects (See Consultant Services/Projects Worksheet) | | | \$282,000 | | |
| 23 | 7616 | 5-Year MRP 3.0 Budget | | | \$10,000 | | |
| 24 | 7609 | Financing Plan Strategy for MRP 4.0 | | | \$20,000 | | |
| 25 | 7616 | MRP 3.0 Compliance Checklist | | | \$10,000 | | |
| 26 | 7616 | Grant Tracking & Application | | | \$40,000 | | |
| 27 | 7616 | Alternative Compliance Administrator Set Up | | | \$55,000 | \$55,000 | |
| 28 | 7616 | Project Management, Technical Review, Regulatory Compliance, etc. (LWA/Geosyntec) | | | \$97,000 | | |
| 29 | 7616 | Project Management, Technical Review, Regulatory Compliance, etc. (Wood) | | | \$0 | | will be removed with final budget draft |
| 30 | 7645 | Project Management, Technical Review, Regulatory Compliance, etc. (Dan Cloak) | | | \$0 | | (moved to C.3) |
| 31 | 7665 | GIS/AGOL Maintenance, Minor Upgrades (Psomas) | | | \$50,000 | \$50,000 | Conditional approval of minor upgrades only |
| 32 | 7654 | Municipal Operations (C.2) - Training/Workshop (See MOC Worksheet) | | | \$3,100 | | |
| 33 | | New Development/Redevelopment (C.3) (See Development Committee Worksheet) | | | \$436,000 | | |
| 34 | 7641 | Hydromodification Management Modeling, CCCHM and/or BAHM (Dubin) | | | \$100,000 | \$100,000 | |
| 35 | 7641 | Hydrograph Management Compliance Options Report | | | \$10,000 | | |

**Contra Costa Clean Water Program (CCCWP)
SECOND DRAFT Fiscal Year 2022/23 Group Program Budget**

| Budget Row | WO# | Description/Expenditure | ADOPTED Adj FY 2021/22 Dec 15, 2021 ¹ | FY 21/22 Advance Work ² | Projected FY 22/23 | FY 22-23 Conditional Budget Items ³ | FY 2022/23 Notes |
|------------|------|--|--|--|-----------------------|---|--------------------------------------|
| 36 | 7641 | Hydromodification Management Maps (Psomas) | | | \$15,000 | | |
| 37 | 7641 | Hydromodification Management Calculator (TBD) | | | \$41,000 | \$41,000 | |
| 38 | 7641 | Green Infrastructure Design Guidelines (TBD) | | | \$40,000 | \$40,000 | |
| 39 | 7641 | Peak Flow Control Calculator | | | \$52,000 | \$52,000 | |
| 40 | 7645 | Update Stormwater C.3 Guidebook | | | \$36,000 | \$36,000 | |
| 41 | 7641 | BAHM Update | | | \$25,000 | | new item |
| 42 | 7645 | Alternative Compliance Program Implementation (2 Pilot Projects) | | | \$50,000 | \$50,000 | |
| 43 | 7645 | Frequently Asked Questions | | | \$5,000 | | |
| 44 | 7645 | Annual C.3 Training/Workshop | | | \$12,000 | \$12,000 | |
| 45 | 7645 | General Technical Services Support (Dan Cloak) | | | \$50,000 | | 3% increase |
| 46 | 7664 | Industrial/Commercial Controls (C.4) - Training/Workshop (See MOC Worksheet) | | | \$3,100 | | |
| 47 | 7662 | Illicit Discharge/Detection and Elimination (C.5) (See MOC Worksheet) | | | \$0 | | |
| 48 | 7628 | Construction Controls (C.6) (See Development Committee worksheet -LWA) | | | \$0 | | |
| 49 | | Public Information/Participation (C.7) (See PIP Committee Worksheet) | | | \$159,300 | | |
| 50 | 7617 | School-Aged Children Outreach | | | \$9,000 | | |
| 51 | 7617 | Watershed Stewardship Green Business Program | | | \$6,000 | | |
| 52 | 7617 | Public Outreach through Bringing Back the Natives Garden Tour (Kathy Kramer-Sponsor) | | | \$16,500 | | |
| 53 | 7617 | Used Oil/Student Outreach /Youth Programs (Matt Bolender) | | | \$2,000 | | |
| 54 | 7617 | Outreach Campaign, Public Education, Citizen Involvement (ProProse dba Sagent) | | | \$70,800 | | |
| 55 | 7617 | Public Outreach through Website Maintenance and Hosting (WebSight Design) | | | \$15,000 | | |
| 56 | 7617 | General Youth/Public Outreach; Media Management (ProProse dba Sagent) | | | \$35,000 | | 3% increase |
| 57 | 7617 | Outreach Contingency | | | \$5,000 | | |
| 58 | | Water Quality Monitoring (C.8) (See Monitoring Committee Worksheet) | | | \$525,000 | | |
| 59 | 7618 | LID Monitoring Plan | | | \$60,000 | | |
| 60 | 7618 | Trash Monitoring Plan | | \$75,000 | \$30,000 | | \$55,000 for outfall mapping |
| 61 | 7618 | Trash Monitoring | | | \$195,000 | | should this be removed? |
| 62 | 7618 | Pollutants of Concern Monitoring | | | \$50,000 | | Does not include source properties |
| 63 | 7618 | Pesticides and Toxicity Monitoring | | | \$70,000 | | |
| 64 | 7618 | Marsh Creek SSID Response | | | \$0 | | moved to C.19 |
| 65 | 7618 | Comprehensive Bio-assessment Final Report WY 2012 – 2021 | | | \$15,000 | | |
| 66 | 7618 | Urban Creeks Monitoring Report (POC, Pesticides and Toxicity, Trash, LID) | | | \$95,000 | | |
| 67 | 7618 | All Monitoring Contingency | | | \$10,000 | | Contingency for all monitoring items |
| 68 | | Pesticide Toxicity Control (C.9) (See MOC Worksheet) | | | \$81,023 | | |
| 69 | 7636 | Our Water Our World Local Outreach and Training (Plant Harmony) | | | \$69,500 | | |
| 70 | 7636 | Our Water Our World Outreach Materials (Paid to CASQA) | | | \$5,080 | | formerly paid through BASMAA |

Contra Costa Clean Water Program (CCCWP)
SECOND DRAFT Fiscal Year 2022/23 Group Program Budget

| Budget Row | WO# | Description/Expenditure | ADOPTED Adj FY 2021/22 Dec 15, 2021 ¹ | FY 21/22 Advance Work ² | Projected FY 22/23 | FY 22-23 Conditional Budget Items ³ | FY 2022/23 Notes |
|------------|------|--|--|--|-----------------------|---|--|
| 71 | 7636 | Pesticide Regulatory Coordination Program (Paid to CASQA) | | | \$5,943 | | formerly paid through BASMAA |
| 72 | 7636 | Outreach to Pest Control Professionals | | | \$500 | | |
| 73 | | Trash Load Reduction (C.10) (See MOC Worksheet) | | | \$60,000 | | |
| 74 | 7620 | Trash Load Reduction Plan | | | \$10,000 | | |
| 75 | 7620 | Trash Reduction and Impracticability Report | | | \$50,000 | | |
| 76 | 7618 | Mercury Controls (C.11) (requirements addressed under C.12) | | | \$0 | | |
| 77 | 7618 | PCBs Controls (C.12) (See Monitoring Committee Worksheet) | | | \$410,000 | | |
| 78 | 7618 | Old Industrial Area PCBs Control Measure Plan | | \$30,000 | \$10,000 | | |
| 79 | 7618 | Old Industrial Area PCBs Treatment Project (first project to implement the Plan) | | | \$200,000 | | project development phase |
| 80 | 7618 | Annual Progress Report on Controlling PCBs | | \$10,000 | \$20,000 | | includes building demo, \$10,000 for new report format |
| 81 | 7618 | Source Property Investigation | | | \$150,000 | | |
| 82 | 7618 | PCBs in Electrical Utilities | | | \$10,000 | | |
| 83 | 7618 | Guidance for MRP 3.0 Building Demolition Requirements | | | \$20,000 | | |
| 84 | | Exempted and Conditionally Exempted Discharges (C.15) (See PIP Committee Worksheet) | | | \$15,000 | | |
| 85 | 7617 | Firefighting Discharges | | | \$15,000 | | |
| 86 | | Unsheltered Homeless Discharges (C.17) (See MOC Worksheet) | | | \$120,000 | | |
| 87 | 7616 | Homeless Mapping | | | \$20,000 | | |
| 88 | 7616 | BMP Report | | | \$50,000 | | |
| 89 | 7616 | Implementation Plan | | | \$50,000 | | |
| 90 | | East Contra Costa County Projects (C.19) (See Monitoring Committee Worksheet) | | | \$70,000 | | |
| 91 | 7618 | Methylmercury Monitoring for Delta TMDL | | | \$20,000 | | |
| 92 | 7618 | Marsh Creek Dissolved Oxygen Monitoring | | | \$30,000 | | Includes SSID response to Jan 3, 2022 RB letter |
| 93 | 7618 | Annual Mercury Monitoring Plan | | \$15,000 | \$10,000 | | |
| 94 | 7618 | Pyrethroid Control Program Baseline Monitoring Report | | | \$5,000 | | |
| 95 | 7618 | East County TMDL Control Measure Plan | | \$30,000 | \$5,000 | | |
| 96 | | Cost Reporting (C.20) (see PIP Committee Worksheet) | | | \$10,000 | | |
| 97 | 7617 | Cost Reporting Framework | | \$15,000 | \$10,000 | | |
| 98 | | Asset Management (C.21) (see Development Committee Worksheet) | | | \$30,000 | | |
| 99 | 7645 | Asset Management Framework | | | \$30,000 | | |
| 100 | | ADVANCE WORK SUBTOTAL | | \$175,000 | | | |
| 101 | | CONDITIONAL BUDGET ITEMS SUBTOTAL | | | | \$680,200 | |
| 102 | | GROUP PROGRAM BUDGET SUBTOTAL | \$4,137,667 | | \$4,150,874 | | |
| 103 | 7698 | 2% CONTINGENCY | \$82,753 | | \$83,017 | | |
| 104 | | TOTAL GROUP ACTIVITIES BUDGET | \$4,220,421 | | \$4,233,891 | | |
| 105 | | CONTINGENCY EXPENSE | \$0 | | \$0 | | |

**Contra Costa Clean Water Program (CCCWP)
SECOND DRAFT Fiscal Year 2022/23 Group Program Budget**

| Budget Row | WO# | Description/Expenditure | ADOPTED Adj FY 2021/22 Dec 15, 2021 ¹ | FY 21/22 Advance Work ² | Projected FY 22/23 | FY 22-23 Conditional Budget Items ³ | FY 2022/23 Notes |
|------------|-----|--|--|------------------------------------|--------------------|--|------------------|
| 106 | | SALARY CREDIT (PM)(12 Months) | (\$107,782) | | \$0 | | |
| 107 | | SALARY SAVINGS (Other) | \$0 | | \$0 | | |
| 108 | | SALARY SAVINGS (WMPS)(12 months) | (\$406,802) | | \$0 | | |
| 109 | | SUBTOTAL | (\$514,584) | | \$0 | | |
| 110 | | NET SUBTOTAL GROUP PROGRAM BUDGET | \$3,705,837 | | \$4,233,891 | | |
| 111 | | SUA FUNDING CAP | \$3,500,000 | | \$3,500,000 | | |
| 112 | | NET TOTAL GROUP PROGRAM BUDGET | \$3,705,837 | | \$4,233,891 | | |
| 113 | | SUA FUNDING GAP | (\$205,837) | | (\$733,891) | | |

NOTES

- ¹ Budget totals are shown for the Midyear Adjusted Budget for FY 21/22, but line item budget numbers are not shown as there are significant changes and rearrangement of budget line items in the new FY 22/23 budget.
- ² Advance work is the work that must be completed prior to July 1, 2022 to meet the permit schedule in the MRP 3.0 Tentative Order.
- ³ Conditionally approved budget items will require prior discussion to confirm task amount and when to begin work.
- ⁴ Yellow highlighted budget items indicate items that are conditionally approved, the amounts have changed or are new items from the first draft budget. Green highlighted budget item indicates an item that could be removed if the Trash Monitoring Plan schedule is delayed one year.



CONTRA COSTA
CLEAN WATER
PROGRAM

Date: February 16, 2022

To: Management Committee

From: Mitch Avalon, Program Consultant

Subject: Strategy Options for Testimony at the MRP 3.0 Adoption Hearing

Recommendation:

Consider the strategies described below for providing testimony at the Regional Water Board adoption hearing for MRP 3.0, and provide staff with comments and direction.

Background:

The MRP 3.0 Tentative Order (draft permit) was released on September 10, 2021 and the Regional Water Board held a two day workshop on the draft permit on October 12 and 13. Program staff worked with the Management Committee, Select Committee, City-County Engineers, and the PMA Subcommittee to plan and organize written comments for and oral testimony at the workshops. This planning effort proved to be very effective and the Regional Water Board members were very responsive to the testimony and seemed supportive of some of the points that were made. Since the workshops, Regional Water Board staff have been working to respond to the written comments received and testimony provided in order to write up the language in the final permit (Final Order). The MRP 3.0 Final Order will be considered by the Regional Water Board members and adopted at a hearing likely in mid-April. The Regional Water Board staff has indicated the Final Order will be released 30 days prior to the hearing date, making the document likely available to permittees in mid-March. No further written comments will be accepted; only testimony will be allowed at the hearing. There was some thought that perhaps we could submit comments if the changes to the Tentative Order were substantial, however BAMSC has decided it best not to submit written comments.

As we prepare to coordinate with other countywide programs on testimony for the upcoming hearing, there are several different approaches, described below, we could recommend. It would be beneficial for the CCCWP to agree on an approach now so we are prepared to work with our Bay Area countywide peers to create well-organized and impactful testimony. It is important to note that our approach

may need to be modified depending on what requirements are included in the Final Order. We also need to review the elements of a successful appeal and make sure anything that has not been made part of the record is included in the upcoming hearing testimony.

Commented [KG1]: Let's talk to our attorney and include the elements needed for an appeal in this memo

1. Key Topics

Description. Assume the Regional Water Board members need to understand the complexities of a topic to understand our requested changes, then this approach focuses on key topics and provides them with an in-depth discussion. A key topic might be, for example, examining why the permit attempts to cram long-term monitoring, like trash monitoring, into a five year permit, or how we can assist the Regional Water Board to process referral properties.

Process. Identify the key topics, outline each topic in detail, describe desired outcomes, explain why permit requirements won't meet expectations, recommend changes that would provide more effective outcomes and why.

Pros/Cons. May be limited to two or three items (-), will not cover all our comments (-), will have the best chance of change if change is based on understanding (+)

2. Top Three

Description. Assume we will only be successful getting a few changes at the hearing, then pick the top three and focus solely on them.

Process. Describe the top three issues, the problem with proposed permit language, the requested changes, and how the changes would meet permit objectives and be more effective.

Pros/Cons. Easy for Board to understand requested changes (+), will not cover all our issues (-)

3. Minor Changes

Description. Assume we would be successful if only a few minor changes were requested, for example changing a deadline or a quantity requirement.

Process. State the list of changes requested, explain each change and why it is needed, and describe the consequences if the change is not made.

Pros/Cons. Easy for the Board to understand requested changes (+), will not cover all our issues (-), does not address the more problematic and complex issues (-)

4. More Time

Description. Assume that due to a series of factors (Covid, staff changes, inconsistent direction, etc.) the permit is disjointed, has internal conflicts, and will be impossible to implement in an effective manner, then more time is needed for permittees and staff to work collaboratively on an implementable permit.

Process. Describe the internal conflicts and other implementation problems as examples of why the permit should not be considered complete. Everyone who testifies reinforces this concept and requests additional time.

Pros/Cons. Regional Water Board staff has a poor track record of working collaboratively with permittees (-), the Regional Water Board will likely not want to delay the July 1, 2022 start date so work will be crammed into one month (-), Risk of alienating Board members and staff (-)

5. Board vs. Staff

Description. Assume the direction noted by Regional Water Board members at the workshop is not followed, then describe each direction by the Board and the changes made by staff and recommend further changes that would amend the permit language to meet Board expectations and direction.

Process. Review the workshop testimony and notes to identify all of the policy direction provided by the Board, review the Final Order to determine if staff made the policy changes directed by the Board, identify areas where staff changes did not meet the direction of the Board and develop recommended changes to meet Board expectations.

Pros/Cons. Risk of alienating Board members and staff (-), Board members may not appreciate permittees interpreting policy direction from Board comments (-), policy direction would be derived from comments made by individual Board members and may not represent the full Board (-), the most direct way to make our point if the policy direction is accurate (+)

6. Three Parts

Description. The permit is separated into three categories; 1) portions of the permit where we understand what we have to do, 2) portions of the permit where we do not understand what we have to do, 3) portions of the permit with an unrealistic schedule.

Process. We would prepare a list of requirements that have an unrealistic schedule for submittals, and a list of provisions and sub provisions where we do not understand what we are expected to do due to unclear requirements or requirements that conflict with other requirements. Everything else we may not necessarily agree with, but we understand what we are expected to do. Then we would describe any requested changes, which would be independent of the three-part analysis.

Pros/Cons. We are not offering any suggested resolution to the problems (-), clearly points to the major problems with the permit (+)

7. Combination

Description. The best approach may be a combination of parts of the options noted above, but should be careful not to overload the Regional Water Board members with too many requested changes.

Direction: Staff are seeking direction on the following:

- Comments on the testimony options described above.
- Concur with the Administrative Committee to direct the Select Committee to work with staff on preparing testimony.

Fiscal Impact:

There is no budget impact to decide upon a recommended strategy for the MRP 3.0 Final Order adoption hearing.

Attachments:

None

G:\NPDES\Mgmt Committee\FY 21-22\Agendas\2022-02-16\MC Mtg 02-16-2022_Staff Report Testimony.docx



Date: February 16, 2022

To: Management Committee

From: Lisa Welsh (Geosyntec), Augmented Staff for Monitoring Committee

Subject: Overview of key findings of the Urban Creeks Monitoring Report: Water Year 2020 – 2021 (October 1, 2020 – September 30, 2021).

Recommendation:

Accept overview of key findings from the draft Urban Creeks Monitoring Report (UMCR) and provide staff with any comments.

Background:

The Contra Costa Clean Water Program (CCCWP) gathers and reports monitoring data to help Permittees comply with the Municipal Regional Stormwater NPDES Permit (MRP). The data provides valuable information that can help make water quality management and prioritization decisions. MRP Provision C.8.h requires reporting of monitoring data collected each Water Year (WY, the period October 1 - September 30), including the following elements:

- C.8.g.ii – Electronic reporting
- C.8.g.iii – Urban Creeks Monitoring Report

Schedule:

The UCMR must be submitted to the Regional Water Board (RWB) by March 31, 2022. The Management Committee can provide comments on the UCMR (umbrella report and attachments) until Wednesday, February 23, 2022. The final UCMR will be presented for approval to the Management Committee on March 16, 2022.

Summary of UCMR Findings:

The locations of samples collected in WY 2020-21 for the regional and local/targeted UCMR reports, as well as pollutant of concern samples, are shown in Figure 1 below.

Regional/Probabilistic Creek Status Monitoring Findings

- Based on benthic and algal community indices, all or nearly all of the 10 sites monitored were characterized as impacted/altered. This is largely similar to prior years.
- Unlike prior years, physical habitat does not appear to be a principal stressor, with only two sites categorized as Likely Altered habitat.
- The influence of physical habitat as a potential stressor on biological community health may be complicated by the widespread occurrence of the New Zealand mudsnail. The presence of this invasive species correlated well with the physical habitat indicator scores in the CCCWP WY 2021 data.
- None of the results generated from the 10 sites monitored during WY 2021 exceeded the applicable water quality standards for ammonia, chloride, and nitrate+nitrite (for sites with MUN beneficial use only).
- The water samples collected from Walnut Creek (site 207R03403) on June 23, 2021, were determined to be toxic to *Ceriodaphnia dubia* (chronic/reproduction test) and *Hyalella azteca* (acute/survival test), according to the TST test protocol required by the MRP. Sediment samples collected at the same location and date were determined not to be toxic to either of the test species.
- Several of the common urban pyrethroid pesticides were detected at the WY 2021 sediment monitoring site (Walnut Creek, site 207R03403). As is typical of urban streams, bifenthrin was detected at the highest concentration.

Other Findings

- In recent years, there have been occasional observed un-ionized ammonia threshold exceedances and analytical anomalies involving ammonia and TKN. CCCWP analyzed the WY2021 ammonia samples using both the previously standard distillation method and the newer low-level method. Some laboratory testing of bioassessment water quality samples using the low-level method had resulted in ammonia concentrations greater than corresponding Total Kjeldahl Nitrogen (TKN) concentrations, which is technically impossible, as TKN is defined analytically as the sum of ammonia and organic nitrogen.

With one minor exception, the low-level method results are in fact lower than the results produced by the older method for the WY 2021 samples. Furthermore, when the low-level method results were compared with their corresponding TKN concentrations, two samples produced ammonia results just slightly higher than their TKN results. For the results obtained using the older method, four samples

exhibited ammonia concentrations that were substantially higher than the corresponding TKN results. For these reasons, the low-level method results (converted to un-ionized ammonia) were reported. CCCWP is working with the Water Board and other Bay Area Phase 1 programs to recommend the appropriate ammonia analytical method.

Local/Targeted Creek Status Monitoring Findings

- In WY 2021, four of the county's watersheds were the focus of targeted general water quality or water temperature monitoring, and five locations were selected for pathogen indicator sampling.
- Exceedances of the 17° C weekly average temperature (WAT) threshold occurred for eight out of eight index periods in WY 2021. No WY 2021 temperature monitoring location within steelhead streams (COLD beneficial use) recorded more than 20% instantaneous results above 24° C; therefore, there were no exceedances of this criterion. In Marsh Creek, which maintains a WARM beneficial use, the 24° C water temperature criterion was exceeded during both the June and September deployment periods at each monitoring location. As Marsh Creek is a non-steelhead stream, this does not constitute an exceedance under MRP criterion.
- Continuous water quality monitoring in Marsh Creek showed occasionally low dissolved oxygen (DO), but never reaching lethally low levels that would cause a fish kill. No fish kills were observed or reported in Marsh Creek during WY 2021. During the June monitoring period, the 20% threshold for non-steelhead streams was not exceeded for dissolved oxygen measurements in Marsh Creek at either monitoring station. During the September deployment at Marsh Creek, dissolved oxygen measurements were not recorded below the MRP trigger threshold at the upstream monitoring station (544MSHM1), while 38% of instantaneous dissolved oxygen results were recorded below 5.0 mg/L at the downstream monitoring station (544MSHM0), exceeding MRP criterion at this station.
- The continuous monitoring is funded by the Contra Costa Flood Control and Water Conservation District (Flood Control District) to monitor the benefits of voluntary flow augmentation to Marsh Creek provided by the City of Brentwood Wastewater Treatment Plant. This is the third of three years for this combined action of flow augmentation and monitoring led by Permittees voluntarily in response to the findings of CCCWP's Marsh Creek Stressor Source Identification Study conducted during MRP 2.0.
- During the June monitoring period at Marsh Creek station 544MSHM0, 25% of results failed to meet pH criterion, exceeding the MRP threshold of 20% of

instantaneous results. During both the June and September monitoring periods, specific conductance measurements at Marsh Creek stations 544MSHM1 and 544MSHM0 did not exceed the 20% threshold for specific conductance results above 2,000 µS/cm and no spikes in the data were observed.

- Pathogen indicators (*E. coli* and *Enterococcus* bacteria) exceeded water quality objectives for water contact recreation. MRP 3.0 does not require pathogen indicator monitoring.

Pollutant of Concern Findings

- CCCWP continued searching watersheds for potential PCBs source properties, and 2021 investigations focused on old industrial areas in the Santa Fe Channel Watershed in Richmond. Eight composite samples of street dirt and/or storm drain inlet sediment in the public right of way were collected in September 2021.
- The concentration of PCBs was elevated above the 1 mg/kg threshold for potential source property identification in one sample, collected from curb and gutter sediment along a fence line on Ohio Ave near 8th Street. CCCWP will conduct additional investigations at this location in WY 2022.
- The concentration of PCBs was moderate (between 0.2 to 1.0 mg/kg) for one location, collected from gutter sediment on S. 7th Street, near Hoffman Blvd and across from Sims Metals. CCCWP will also consider further investigations at this location in WY 2022.

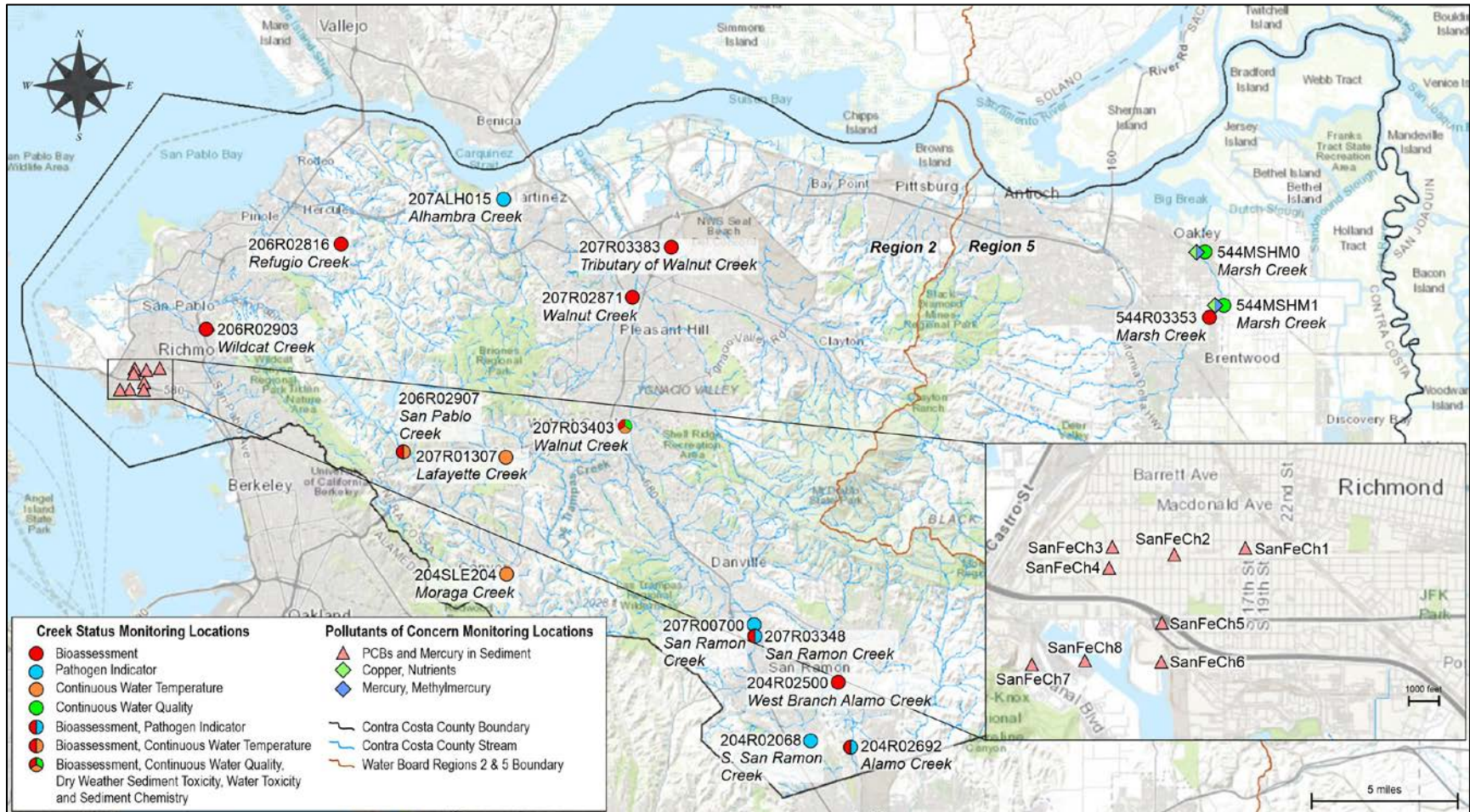
Fiscal Impact:

None.

Attachments:

1. Draft WY 2020 – 2021 Urban Creeks Monitoring Report
 - a. Agenda Packet: Umbrella Report Only
 - b. GroupSite (optional): Entire Final Report with Appendices, available at: <https://cccleanwater.groupsites.com/folders/289074>

Figure 1: Creek Status, Pollutants of Concern, Pesticides and Toxicity, and Stressor/Source Identification Monitoring Stations – WY 2020-2021





CONTRA COSTA
CLEAN WATER
PROGRAM

Urban Creeks Monitoring Report:

Water Year 2021

(October 2020 – September 2021)



***Submitted to the San Francisco Bay and
Central Valley Regional Water Quality Control Boards
in Compliance with NPDES Permit
Provision C.8.h.iii***

NPDES Permit Nos. CAS612008 and CAS083313

DRAFT 2

February 14, 2022

***A Program of Contra Costa County, its Incorporated Cities and Towns,
and the Contra Costa Flood Control & Water Conservation District***

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Contra Costa Clean Water Program

Urban Creeks Monitoring Report: Water Year 2021

(October 2020 – September 2021)

DRAFT 2

February 14, 2022

Prepared for

Contra Costa Clean Water Program
255 Glacier Drive
Martinez, California 94553

Contra Costa Clean Water Program Participants

- Cities of Antioch, Brentwood, Clayton, Concord, Danville (Town), El Cerrito, Hercules, Lafayette, Martinez, Moraga (Town), Oakley, Orinda, Pinole, Pittsburg, Pleasant Hill, Richmond, San Pablo, San Ramon, and Walnut Creek
- Unincorporated Contra Costa County
- Contra Costa County Flood Control & Water Conservation District

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- Appendix 1: Regional/Probabilistic Creek Status Monitoring Report: Water Year 2021
- Appendix 2: Local/Targeted Creek Status Monitoring Report: Water Year 2021
- Appendix 3: Pollutants of Concern Monitoring Report: Water Year 2021

Attachments

- Attachment A. Electronic Data Submittal Transmittal Letter dated March 31, 2022, with attached file list
- Attachment B. BASMAA Regional Monitoring Coalition: Status of Regional Stressor/Source Identification (SSID) Projects, Updated March 2022

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List of Acronyms and Abbreviations

| | |
|-------------|--|
| ACCWP | Alameda Countywide Clean Water Program |
| BASMAA | Bay Area Stormwater Management Agencies Association |
| CCCWP | Contra Costa Clean Water Program |
| CEDEN | California Environmental Data Exchange Network |
| CSCI | California Stream Condition Index |
| CVRWQCB | Central Valley Regional Water Quality Control Board |
| FSURMP | Fairfield-Suisun Urban Runoff Management Program |
| GIS | geographic information system |
| IMS | Information Management System |
| MRP | Municipal Regional NPDES Stormwater Permit |
| NPDES | National Pollutant Discharge Elimination System |
| POC | pollutants of concern |
| P/S Studies | Pilot and Special Studies |
| QAPP | quality assurance project plan |
| Region 2 | San Francisco Bay Regional Water Quality Control Board |
| Region 5 | Central Valley Regional Water Quality Control Board |
| RMC | Regional Monitoring Coalition |
| RMP | Regional Monitoring Program for Water Quality in San Francisco Bay |
| RWQCB | Regional Water Quality Control Board |
| S&T Program | Status & Trends Monitoring Program |
| SCVURPPP | Santa Clara Valley Urban Runoff Pollution Prevention Program |
| SFBRWQCB | San Francisco Bay Regional Water Quality Control Board |
| SMCWPPP | San Mateo Countywide Water Pollution Prevention Program |
| SOP | standard operating procedure(s) |
| SPoT | Stream Pollution Trends |
| STLS | Small Tributaries Loading Strategy |
| SWAMP | California Surface Water Ambient Monitoring Program |
| UCMR | urban creeks monitoring report |
| USGS | United States Geological Survey |

Table i. Summary of Water Year 2021 Creek Status and Pesticides/Toxicity Monitoring Stations

| Site ID | Creek Name | Land Use | Latitude | Longitude | City/Town | Bioassessment PHab Chlorine Nutrients | Water Toxicity and Sediment Toxicity and Chemistry ¹ | Continuous Water Temperature | Continuous Water Quality | Pathogen Indicator Bacteria |
|-----------|------------------------------|-----------------|----------|------------|--------------|--|--|------------------------------------|-----------------------------|-----------------------------------|
| 204R02068 | South San Ramon Creek | Region 2, Urban | 37.74719 | -121.94256 | San Ramon | | | | | X |
| 204R02500 | West Branch Alamo Creek | Region 2, Urban | 37.77612 | -121.92486 | San Ramon | X | | | | |
| 204R02692 | Alamo Creek | Region 2, Urban | 37.74400 | -121.91723 | San Ramon | X | | | | X |
| 204SLE204 | Moraga Creek | Region 2, Urban | 37.83252 | -122.13431 | Moraga | | | X | | |
| 206R02816 | Refugio Creek | Region 2, Urban | 37.99454 | -122.23909 | Hercules | X | | | | |
| 206R02903 | Wildcat Creek | Region 2, Urban | 37.95198 | -122.32170 | Richmond | X | | | | |
| 206R02907 | San Pablo Creek ² | Region 2, Urban | 37.89078 | -122.19927 | Orinda | X | | X | | |
| 207R00700 | San Ramon Creek | Region 2, Urban | 37.80510 | -121.97827 | Danville | | | | | X |
| 207R01307 | Lafayette Creek | Region 2, Urban | 37.88794 | -122.13472 | Lafayette | | | X | | |
| 207R02871 | Walnut Creek | Region 2, Urban | 37.96849 | -122.05477 | Concord | X | | | | |
| 207R03348 | San Ramon Creek | Region 2, Urban | 37.79917 | -121.97747 | Danville | X | | | | X |
| 207R03383 | Tributary of Walnut Creek | Region 2, Urban | 37.99285 | -122.03022 | Concord | X | | | | |
| 207R03403 | Walnut Creek | Region 2, Urban | 37.90342 | -122.05906 | Walnut Creek | X | X | X | | |
| 207ALH015 | Alhambra Creek | Region 2, Urban | 38.01674 | -122.13587 | Martinez | | | | | X |
| 544R03353 | Marsh Creek ³ | Region 5, Urban | 37.95772 | -121.69055 | Brentwood | X | | | | |
| 544MSHM0 | Marsh Creek ⁴ | Region 5, Urban | 37.99046 | -121.69599 | Oakley | | | | X | |
| 544MSHM1 | Marsh Creek ⁴ | Region 5, Urban | 37.96389 | -121.68374 | Brentwood | | | | X | |

- 1 Dry weather sample
- 2 Upstream of San Pablo Reservoir
- 3 Site upstream of Brentwood wastewater treatment plant discharge
- 4 Monitoring station downstream of Brentwood wastewater treatment plant discharge

Preface

In 2010, several members of the Bay Area Stormwater Management Agencies Association (BASMAA) joined together to form the Regional Monitoring Coalition (RMC) to coordinate and oversee water quality monitoring required by the Municipal Regional Stormwater Permit (MRP). The RMC includes the following stormwater program participants:

- Alameda Countywide Clean Water Program
- Contra Costa Clean Water Program
- San Mateo Countywide Water Pollution Prevention Program
- Santa Clara Valley Urban Runoff Pollution Prevention Program
- Fairfield-Suisun Urban Runoff Management Program
- City of Vallejo and Vallejo Sanitation and Flood Control District

In accordance with the BASMAA RMC multi-year work plan (Work Plan) (BASMAA, 2011) and the creek status and long-term trends monitoring plan (BASMAA, 2012), monitoring data were collected in accordance with the BASMAA RMC quality assurance project plan (QAPP) (BASMAA, 2020) and the BASMAA RMC standard operating procedures (SOPs) (BASMAA, 2016). Where applicable, monitoring data were derived using methods comparable with methods specified by the California Surface Water Ambient Monitoring Program (SWAMP) QAPP. Data presented in this report were also submitted in electronic SWAMP-comparable formats to Moss Landing Marine Laboratory for transmittal to the Regional Water Quality Control Board on behalf of the Contra Costa Clean Water Program (CCCWP) permittees and pursuant to the MRP Provision C.8.h.ii requirements for electronic data reporting.

This Urban Creeks Monitoring Report complies with MRP Provision C.8.h.iii for reporting of all data in water year 2021 (Oct. 1, 2020-Sept. 30, 2021). Data were collected pursuant to Provision C.8 of the MRP. Data presented in this report were produced under the direction of the RMC and CCCWP using regional/probabilistic and local/targeted monitoring designs as described herein.

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1 Introduction

This Urban Creeks Monitoring Report (UCMR) was prepared by the Contra Costa Clean Water Program (CCCWP) on behalf of its 21 member agencies (19 cities/towns, County of Contra Costa, and Contra Costa County Flood Control and Water Conservation District). CCCWP gathers and reports monitoring data to help its program members comply with the Municipal Regional Stormwater National Pollutant Discharge Elimination System (NPDES) Permit (MRP). This UCMR and its appendices present monitoring data through statistical and graphical analysis and summarizes results to understand creek health in Contra Costa County.

As Contra Costa County lies within both the Region 2 and Region 5 jurisdictions of the State Water Resources Control Board (Figure 1), the countywide stormwater program is subject to permit requirements of each jurisdiction. Municipal stormwater discharges in Contra Costa County are regulated by the requirements of the MRP in Region 2 (Order R2-2015-0049)¹ and the East Contra Costa County MRP (Central Valley Permit) in Region 5 (Order R5-2010-0102)². Prior to the reissuance of MRP Order R2-2015-0049, the requirements of the two permits were effectively identical. With the reissued MRP in 2015, some differences between the permits led to an agreement between the Central Valley and San Francisco Bay Regional Water Quality Control Boards, where sites in the Central Valley Region (Region 5) will continue to be sampled as part of the creek status monitoring provision required by both permits, with monitoring and reporting requirements prevailing under the jurisdiction of the Region 2 MRP (Order R2-2019-0004)³.

This report, including all appendices and attachments, fulfills the requirements of MRP Provision C.8.h.iii for interpreting and reporting monitoring data collected during water year 2021 (Oct. 1, 2020-Sept. 30, 2021). All monitoring data presented in this report were submitted electronically to the Water Boards by CCCWP (Attachment A). Data collected from receiving waters may be obtained via the California Environmental Data Exchange Network (CEDEN) website. Information on how this data may be obtained is available at http://www.ceden.org/find_data_page.shtml. This site contains information related to data retrieval from the CEDEN Query Tool, the California State Open Data Portal, and the Tableau Public Visualization Tool.

This report is organized by the sub-provisions of MRP Provision C.8, as follows:

1. Compliance Options (MRP Provision C.8.a), Monitoring Protocols and Data Quality (MRP Provision C.8.b)
2. San Francisco Estuary Receiving Water Monitoring (MRP Provision C.8.c)
3. Creek Status Monitoring (MRP Provision C.8.d) and Pesticides and Toxicity Monitoring (MRP Provision C.8.g) (Appendices 1 and 2)
4. Pollutants of Concern Monitoring (MRP Provision C.8.f) (Appendix 3)

¹ The SFBRWQCB issued the five-year municipal regional permit for urban stormwater (MRP, Order R2-2015-0049) to 76 cities, counties, and flood control districts (i.e., the Permittees) in the Bay Area on Nov. 19, 2015 (SFBRWQCB, 2015). The BASMAA programs supporting MRP regional projects include all MRP permittees, as well as the cities of Antioch, Brentwood, and Oakley, which are not named as permittees under the MRP but have voluntarily elected to participate in MRP-related regional activities.

² The CVRWQCB issued the East Contra Costa County municipal NPDES permit (Central Valley Permit, Order R5-2010-0102) on Sept. 23, 2010 (CVRWQCB, 2010). This permit is now superseded by Order R2-2019-0004, incorporating the eastern portion of Contra Costa County within the requirements of the MRP (Order R2-2015-0049).

³ The SFBRWQCB, per agreement with the CVRWQCB, adopted Order R2-2019-004 on Feb. 13, 2019.

Figure 1. BASMAA Regional Monitoring Coalition Area, County Boundaries and Major Creeks

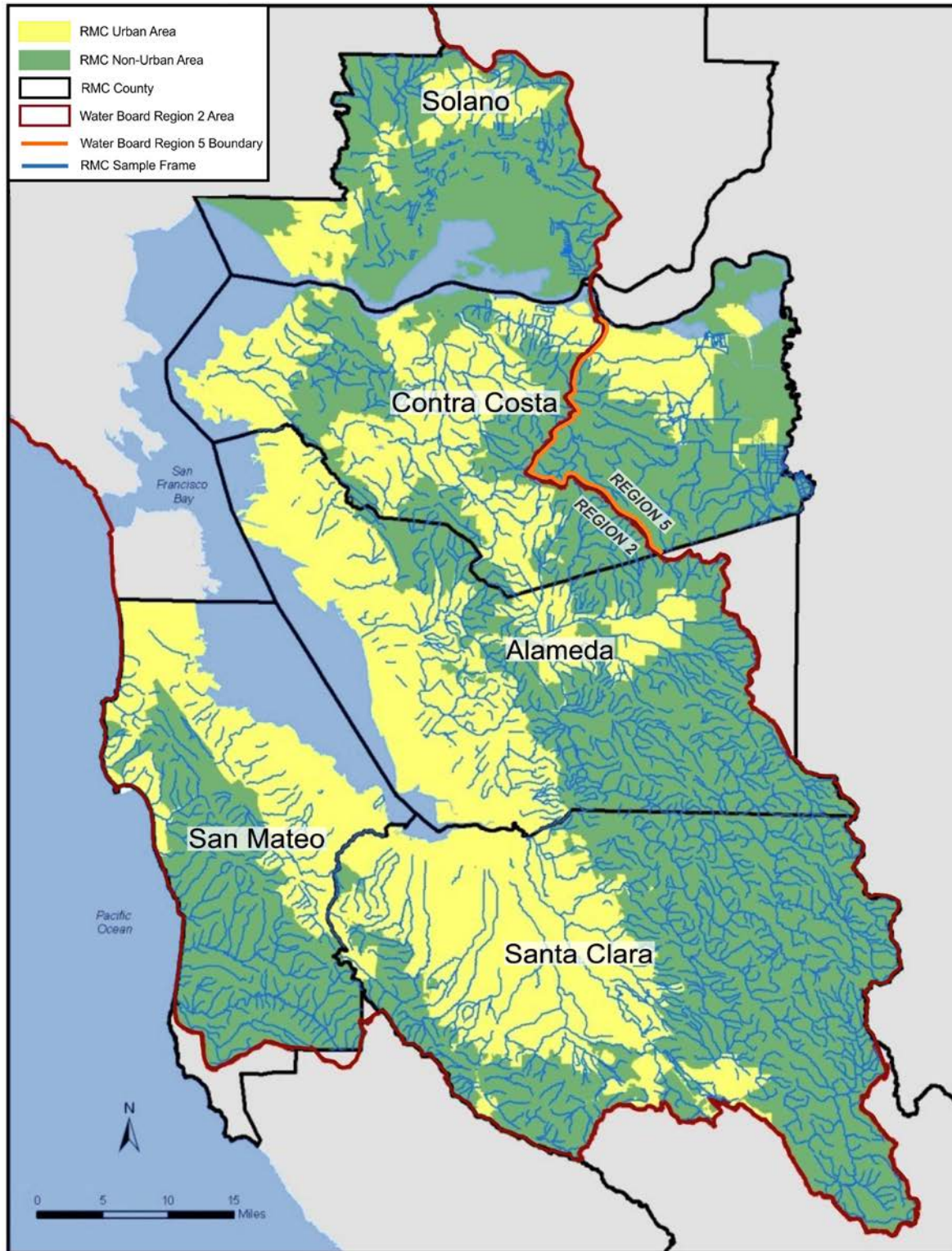


Figure 2 maps the locations of CCCWP monitoring stations associated with Provision C.8 compliance in water year 2021, including creek status, pesticides and toxicity, and pollutants of concern (POC) monitoring studies.

Monitoring discussed herein was performed in accordance with the requirements of the MRP. Key technical findings, detailed methods and results associated with these reports are summarized and provided in the respective appendices, as referenced within the applicable sections of the main body of this report.

1.1 Regional Monitoring Coalition (RMC) Overview

In 2010, CCCWP joined with several other members of the Bay Area Stormwater Management Agencies Association (BASMAA) to participate in a regional collaborative effort to coordinate water quality monitoring required by the MRP. BASMAA is a 501(c)(3) nonprofit organization comprised of the municipal stormwater programs in the San Francisco Bay Area. The resulting regional monitoring collaborative is called the BASMAA Regional Monitoring Coalition (RMC). Details of the respective RMC stormwater program participants and their co-permittees are presented in Table 1.

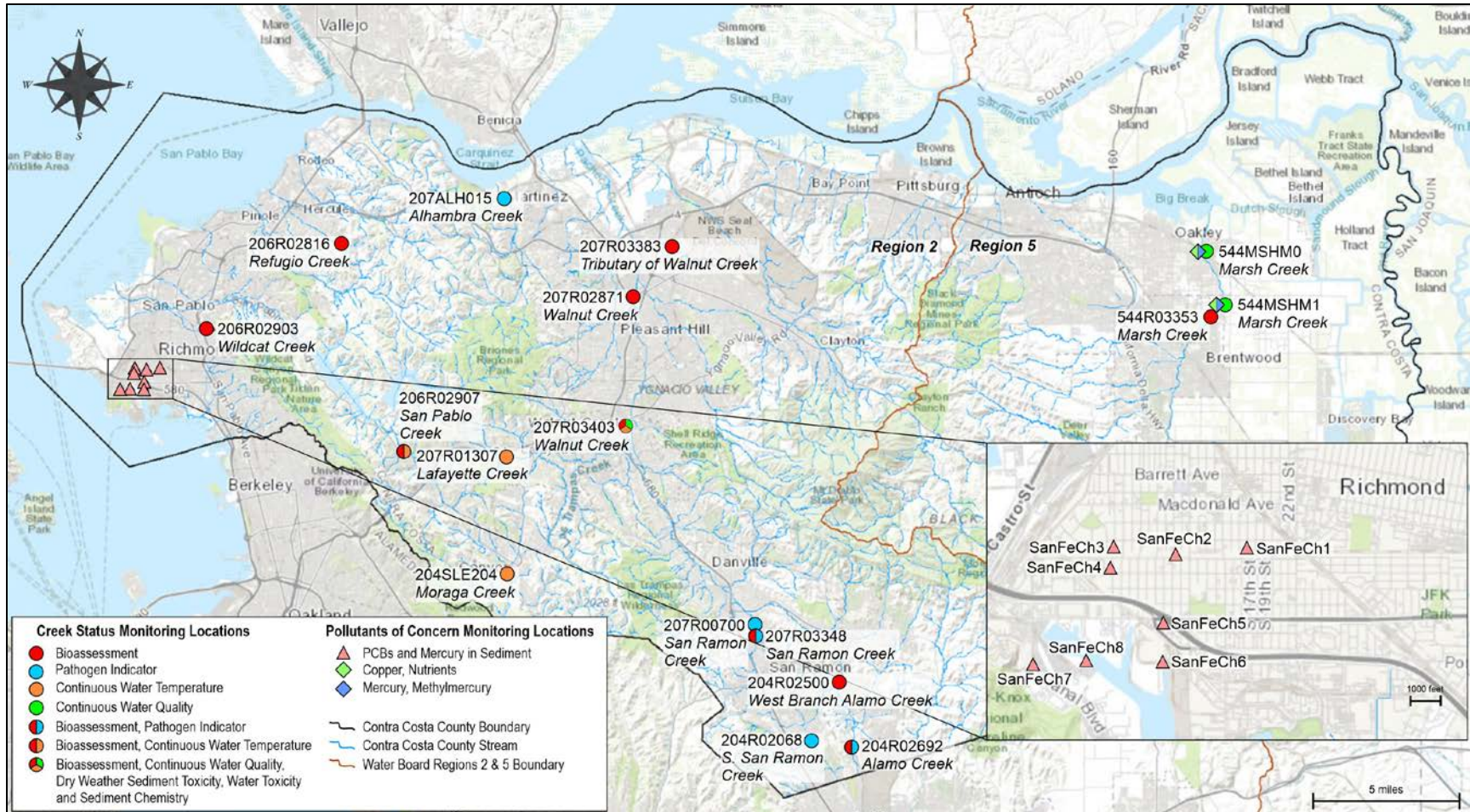
Table 1. Regional Monitoring Coalition Participants

| Stormwater Programs | RMC Participants |
|---|---|
| Santa Clara Valley Urban Runoff Pollution Prevention Program (SCVURPPP) | Cities of Campbell, Cupertino, Los Altos, Milpitas, Monte Sereno, Mountain View, Palo Alto, San Jose, Santa Clara, Saratoga, Sunnyvale, Los Altos Hills, and Los Gatos; Santa Clara Valley Water District; and Santa Clara County |
| Alameda Countywide Clean Water Program (ACCWP) | Cities of Alameda, Albany, Berkeley, Dublin, Emeryville, Fremont, Hayward, Livermore, Newark, Oakland, Piedmont, Pleasanton, San Leandro, and Union City; Alameda County; Alameda County Flood Control and Water Conservation District; and Zone 7 Water Agency |
| Contra Costa Clean Water Program (CCCWP) | Cities/Towns of Antioch, Brentwood, Clayton, Concord, El Cerrito, Hercules, Lafayette, Martinez, Oakley, Orinda, Pinole, Pittsburg, Pleasant Hill, Richmond, San Pablo, San Ramon, Walnut Creek, Danville, and Moraga; Contra Costa County; and Contra Costa County Flood Control and Water Conservation District |
| San Mateo Countywide Water Pollution Prevention Program (SMCWPPP) | Cities and towns of Belmont, Brisbane, Burlingame, Daly City, East Palo Alto, Foster City, Half Moon Bay, Menlo Park, Millbrae, Pacifica, Redwood City, San Bruno, San Carlos, San Mateo, South San Francisco, Atherton, Colma, Hillsborough, Portola Valley, and Woodside; San Mateo County Flood Control District; and San Mateo County |
| Fairfield-Suisun Urban Runoff Management Program (FSURMP) | Cities of Fairfield and Suisun City |
| Vallejo Permittees | City of Vallejo and Vallejo Sanitation and Flood Control District |

In June 2010, the permittees notified the Water Board in writing of their agreement to participate in the RMC to collaboratively address creek status and related monitoring requirements in MRP Provision C.8. The RMC's goals are to:

- Assist permittees in complying with the requirements of MRP Provision C.8 (Water Quality Monitoring)
- Develop and implement regionally consistent creek monitoring approaches and designs in the Bay Area through the improved coordination among RMC participants and other agencies, such as the Regional Water Quality Control Board (RWQCB), that share common goals

Figure 2. Creek Status and Pollutants of Concern Monitoring Stations in Water Year 2021



- Stabilize the costs of creek monitoring by reducing duplication of effort (e.g., development of quality assurance project plans)

In February 2011, the RMC developed a multi-year work plan (RMC Work Plan; BASMAA, 2011) to provide a framework for implementing regional monitoring and assessment activities required under MRP Provision C.8. The RMC Work Plan summarized RMC-related projects planned for implementation between fiscal years 2009-2010 and 2014-2015. Projects were collectively developed by RMC representatives to the BASMAA Monitoring and Pollutants of Concern Committee and were conceptually agreed to by the BASMAA Board of Directors.

Based on the requirements described in Provision C.8 of the original MRP (SFBRWQCB, 2009), a total of 27 regional projects were identified in the RMC Work Plan. Regionally implemented activities to provide standardization and coordination for the RMC Work Plan were conducted under the auspices of BASMAA. Scopes, budgets, and contracting implementation mechanisms for BASMAA regional projects follow BASMAA's Operational Policies and Procedures, approved by the BASMAA Board of Directors. MRP permittees, through their stormwater program representatives on the Board of Directors and its subcommittees, collaboratively authorize and participate in BASMAA regional projects or tasks. Regional project costs are shared by either all BASMAA members or among those Phase I municipal stormwater programs that are subject to the MRP. CCCWP and other RMC participants coordinate their monitoring activities through meetings and communications of the RMC work groups and the BASMAA Monitoring and Pollutants of Concern Committee.

1.2 Compliance Options (C.8.a)

Provision C.8.a (Compliance Options) of the MRP allows the Permittees to comply with all monitoring requirements by contributing to their countywide stormwater program, through regional collaboration or by using data collected by a third party. The primary means for regional collaboration on creek status monitoring is the RMC, which coordinates member programs on monitoring needs, including:

- Shared standard operating procedures
- Shared quality assurance project plans (QAPPs)
- Site selection and number of sites per program
- Timing of sampling events
- Data quality assurance and quality control procedures
- Database management

The main benefit of the RMC to the CCCWP Permittees is assurance that the final results meet Water Board expectations for data content and quality. The MRP defines the type, amount, and frequency of monitoring; however, many details of execution require operator judgements (e.g., how to screen bioassessment sites or what are acceptable data quality objectives). Discussion at the RMC provides a single point of communication and common documentation to align the details across programs and allow the Water Board to comment on approach. The RMC is likely cost-neutral, in that the staff time and consultant support necessary to collaborate is offset by the cost efficiencies achieved by sharing methods and documents.

CCCWP works with third-party water quality monitoring partners to benefit local, regional, and statewide monitoring efforts. Provision C.8.a.iii allows permittees to work with third-party organizations such as the San Francisco Bay Regional Water Quality Control Board (SFBRWQCB), Central Valley Regional Water Quality Control Board (CVRWQCB), State Water Resources Control Board, or California Department of

Pesticide Regulation to fulfill monitoring requirements if data meets water quality objectives described in Provision C.8.b. Monitoring locations in Contra Costa County are sampled in a manner to be comparable to the protocols of the state's Surface Water Ambient Monitoring Program (SWAMP) and assessed for pesticide pollution and toxicity through the Stream Pollution Trends (SPoT) Program (Phillips et al., 2016). SPoT monitors status and trends in sediment toxicity and sediment contaminant concentrations in selected large rivers throughout California and relates contaminant concentrations and toxicity test results to watershed land uses.

CCCWP staff and other designated representatives participate with the Small Tributaries Loading Strategy (STLS) program (SFEI, 2013) of the Regional Monitoring Program for Water Quality in San Francisco Bay (RMP) to conduct pollutants of concern monitoring at Contra Costa sites, as further described in Section 4.

In addition, CCCWP supports efforts by local creek groups to monitor San Pablo, Wildcat, Walnut, and Marsh Creek Watersheds.

1.3 Monitoring Protocols and Data Quality (C.8.b)

Provision C.8.b of the MRP requires water quality data collected by the Permittees to comply with and be of a quality consistent with the State of California's SWAMP standards, set forth in the SWAMP QAPP and standard operating procedures (SOPs). RMC protocols and procedures were developed to assist permittees with meeting SWAMP data quality standards and to develop data management systems which allow for easy access to water quality monitoring data by Permittees.

1.3.1 Standard Operating and Data Quality Assurance Procedures

For creek status monitoring, the RMC adapted existing SOPs and the QAPP developed by SWAMP to document the field procedures necessary to produce SWAMP-comparable, high-quality data among RMC participants⁴. The RMC creek status monitoring program SOP and QAPPs were updated to accommodate MRP 2.0 requirements in March 2016 (Version 3) (BASMAA, 2016) and January 2020 (Version 4) (BASMAA, 2020), respectively.

For POC monitoring, a sampling analysis plan (ADH and AMS, 2020a) and QAPP (ADH and AMS, 2020b) were developed in 2016 and finalized in 2020 to guide the monitoring efforts for each POC task.

1.3.2 Information Management System Development/Adaptation

Permittees are required to report annually on water quality data collected in compliance with the MRP. To facilitate data management and transmittal, the RMC participants developed an Information Management System (IMS) to provide SWAMP-compatible storage and import/export of data for all RMC programs, with data formatted in a manner suitable for uploading to CEDEN.

BASMAA subsequently supplemented the IMS to accommodate management of POC data collected by the RMC programs. The expanded IMS provides standardized data storage formats which allow RMC participants to share data among themselves and to submit data electronically to the SFBRWQCB and CVRWQCB.

⁴ Further details on SWAMP comparability are available at https://www.waterboards.ca.gov/water_issues/programs/quality_assurance/comparability.html

2 San Francisco Estuary Receiving Water Monitoring (C.8.c)

CCCWP contributes to the RMP, specifically the Status & Trends Monitoring Program (S&T Program) and the Pilot and Special Studies (P/S Studies). These efforts provide useful tools for CCCWP. Brief descriptions of the S&T Program and P/S Studies are provided below.

As described in MRP Provision C.8.c, Permittees are required to conduct or cause to be conducted receiving water monitoring in the Bay. Permittees comply with this provision by making financial contributions through the CCCWP to the San Francisco Bay RMP. Additionally, Permittees actively participate in RMP committees and work groups through Permittee and/or stormwater program representatives.

The Sacramento-San Joaquin River Delta (Delta) RMP serves a similar function in fulfilling receiving water monitoring requirements for dischargers located within the jurisdiction of the CVRWQCB. Some CCCWP Permittees (the cities of Brentwood, Antioch, and Oakley, and portions of unincorporated Contra Costa County and the Contra Costa County Flood Control District) are located within the CVRWQCB's jurisdiction; however, by agreement with the SFRWQCB and the CVRWQCB, those Permittees also meet receiving water monitoring requirements through funding of the San Francisco Bay RMP. This is consistent with the historic approach of managing the entire countywide program as a single, integrated program.

The RMP is a long-term, discharger-funded monitoring program directed by a steering committee and represented by regulatory agencies and the regulated community. In addition to regulators and the regulated community, the RMP Technical Committee includes participation by a local, non-governmental organization that specializes in water quality in the Bay. The goal of the RMP is to assess water quality in San Francisco Bay. The regulated community includes Permittees, publicly owned treatment works, dredgers, and industrial dischargers.

The RMP is intended to answer the following core management questions:

1. Are chemical concentrations in the estuary potentially at levels of concern and are associated impacts likely?
2. What are the concentrations and masses of contaminants in the estuary and its segments?
3. What are the sources, pathways, loadings, and processes leading to contaminant-related impacts in the estuary?
4. Have the concentrations, masses, and associated impacts of contaminants in the estuary increased or decreased?
5. What are the projected concentrations, masses, and associated impacts of contaminants in the estuary?

The RMP budget is generally broken into two major program elements: status and trends monitoring and Pilot/Special Studies. The RMP publishes reports and study results on their website at www.sfei.org/rmp.

2.1 RMP Status and Trends Monitoring Program

The S&T Program is the long-term contaminant monitoring component of the RMP. The S&T Program was initiated as a pilot study in 1989 and was redesigned in 2007 based on a more rigorous statistical

design aimed at enabling the detection of trends. The S&T Program is comprised of the following program elements:

- Long-term water, sediment, and bivalve monitoring
- Episodic toxicity monitoring
- Sport fishing monitoring
- U.S. Geological Survey (USGS) hydrographic and sediment transport studies
- Factors controlling suspended sediment in San Francisco Bay
- USGS monthly water quality data
- Triennial bird egg monitoring (cormorant and tern)

Additional information on the S&T Program and associated monitoring data are available for download via the RMP website at www.sfei.org/content/status-trends-monitoring.

2.2 RMP Pilot and Special Studies

The RMP conducts pilot and special studies on an annual basis through committees, workgroups, and strategy teams. Usually, studies are designed to investigate and develop new monitoring measures related to anthropogenic contamination or contaminant effects on biota in the estuary. Special studies address specific scientific issues that RMP committees and standing workgroups identify as priority for further study. These studies are developed through an open selection process at the workgroup level and are selected for further funding through RMP committees. Results and summaries of the most pertinent pilot and special studies can be found on the RMP web site (<http://www.sfei.org/rmp>).

2.3 Participation in Committees, Workgroups and Strategy Teams

CCCWP and/or other BASMAA representatives participate in the following RMP committees and workgroups:

- Steering Committee
- Technical Review Committee
- Sources, Pathways and Loadings Workgroup
- Emergent Contaminant Workgroup
- Nutrient Technical Workgroup
- Strategy teams (e.g., Small Tributaries, PCBs)

Committee and workgroup representation are provided by CCCWP, other stormwater program staff, and/or individuals designated by RMC participants. Representation includes participation in meetings, review of technical reports and work products, co-authoring or review of articles included in the RMP's annual publication, *Pulse of the Estuary*, and general program direction to RMP staff. Representatives of the RMP also provide timely summaries and updates to and receive input from BASMAA stormwater program representatives (on behalf of the Permittees) during workgroup meetings to ensure the Permittees' interests are represented.

3 Creek Status Monitoring (C.8.d and C.8.g)

Creek status monitoring and pesticides and toxicity monitoring are conducted in compliance with Provision C.8.d and C.8.g of the MRP. Monitoring management questions, strategy, and regional collaboration are presented below, while Section 3.1 describes the approach to regional/probabilistic creek status monitoring, Section 3.2 describes the approach to local/targeted creek status monitoring, and section 3.3 presents the approach to pesticide and toxicity monitoring.

The MRP requires Permittees to conduct creek status and pesticides and toxicity monitoring to assess the chemical, physical, and biological impacts of urban runoff on receiving waters, and answer the following management questions:

1. Are water quality objectives, both numeric and narrative, being met in local receiving waters, including creeks, rivers, and tributaries?
2. Are conditions in local receiving waters supportive of or likely supportive of beneficial uses?

Creek status monitoring parameters, methods, occurrences, duration, and minimum number of sampling sites for each stormwater program are described in Provision C.8.d of the MRP. Coordinated through the RMC, creek status monitoring began in October 2011 and continues annually in non-tidally influenced, flowing water bodies (i.e., creeks, streams, and rivers).

The RMC's strategy for creek status monitoring is described in the Creek Status and Long-Term Trends Monitoring Plan (BASMAA, 2011). The monitoring methods follow the protocols described in the updated BASMAA RMC QAPP (Version 4) (BASMAA, 2020) and SOPs for creek status and pesticides and toxicity monitoring (Version 3) (BASMAA, 2016). The purpose of these documents is to provide RMC participants with a common basis for application of consistent monitoring protocols across jurisdictional boundaries. These protocols form part of the RMC's quality assurance program to help ensure validity of resulting data and comparability with SWAMP protocols.

Creek status monitoring parameters required by MRP Provisions C.8.d and C.8.g are divided into two types: those conducted under a regional/probabilistic design, and those conducted under a local/targeted design (Table 2). The combination of these monitoring designs allows each RMC-participating program to assess the status of beneficial uses in local creeks within its program (jurisdictional) area, while also contributing data to answer management questions at the regional scale (e.g., differences between aquatic life conditions in urban and non-urban creeks).

The RMC monitoring strategy for complying with MRP 2.0 requirements includes continuing a regional ambient/probabilistic monitoring component, and a component based on local/targeted monitoring, as in the previous permit term. The analysis of results from the two creek status monitoring components conducted in water year 2021 is presented in Appendix 1 and Appendix 2, respectively, and a summary of the monitoring stations is shown in Table i.

Creek status monitoring data for each water year are submitted annually by CCCWP to SFBRWQCB and CVRWQCB by March 31 of the following year.

Table 2. Creek Status Monitoring Elements per MRP Provisions C.8.d. and C.8.g., Monitored as Either Regional/Probabilistic or Local/Targeted Parameters

| Biological Response and Stressor Indicators | Monitoring Design | |
|---|--------------------------|------------------|
| | Regional (Probabilistic) | Local (Targeted) |
| Bioassessment, physical habitat assessment, CSCI | X | X ¹ |
| Nutrients (and other water chemistry associated with bioassessment) | X | X ¹ |
| Chlorine | X | X ² |
| Water toxicity (wet and dry weather) | NA | NA |
| Water chemistry (pesticides, wet weather) | NA | NA |
| Sediment toxicity (dry weather) | NA | NA |
| Sediment chemistry (dry weather) | NA | NA |
| Continuous water quality (sondes data: temperature, dissolved oxygen, pH, specific conductance) | | X |
| Continuous water temperature (data loggers) | | X |
| Pathogen indicators (bacteria) | | X |

1 Provision C.8.d.i.(6) allows for up to 20% of sample locations to be selected under a targeted monitoring design. This design change was made under MRP Order R2-2015-0049.

2 Provision C.8.d.ii.(2) provides options for probabilistic or targeted site selection. In water year 2020, chlorine was measured at probabilistic sites.

CSCI California Stream Condition Index

NA Monitoring parameter not specific to either monitoring design

3.1 Regional/Probabilistic Monitoring

The regional/probabilistic creek status monitoring report (Appendix 1) documents the results of monitoring performed by CCCWP during water year 2021 under the regional/probabilistic monitoring design developed by the RMC. During each water year, 10 sites are monitored by CCCWP for bioassessment, physical habitat, and related water chemistry parameters. To date, 100 sites have been sampled since the inception of the program in water year 2012.

RMC probabilistic monitoring sites are drawn from a sample frame consisting of a creek network geographic information system (GIS) data set within the RMC boundary⁵ (BASMAA, 2011), including stream segments from all perennial and non-perennial creeks and rivers running through urban and non-urban areas within the portions of the five RMC participating counties within the SFBRWQCB boundary, and the eastern portion of Contra Costa County which drains to the CVRWQCB region. A map of the BASMAA RMC area, equivalent to the area covered by the regional/probabilistic design “sample frame,” is shown in Figure 1. The sites selected from the regional/probabilistic design master sample draw and monitored in water year 2021 are shown graphically in Figure 2.

The probabilistic design required several years to produce sufficient data to develop a statistically robust characterization of regional creek conditions. BASMAA conducted a regional project to analyze bioassessment monitoring data collected during a five-year period (2012-2016) (BASMAA, 2019). That analysis can be used to help inform recommendations for potential changes to the monitoring program. The project has also developed a fact sheet presenting the report findings in a format accessible to a broad audience.

⁵ Based on discussion during RMC meetings, with SFBRWQCB staff present, the sample frame was extended to include the portion of Eastern Contra Costa County that ultimately drains to San Francisco Bay to address parallel provisions in CCCWP’s Central Valley Permit for Eastern Contra Costa County.

Per MRP 2.0 Provisions C.8.d. and C.8.g., the creek status monitoring results are subject to potential follow-up actions if they meet certain specified threshold triggers. If monitoring results meet the requirements for follow-up actions, the results are compiled on a list for consideration as potential SSID projects, per MRP Provision C.8.e. The results are compared to other regulatory standards, including the Basin Plan (SFBRWQCB, 2019) water quality objectives where available and applicable.

3.2 Local/Targeted Monitoring

The Local/Targeted Creek Status Monitoring Report (Appendix 2) documents the results of targeted monitoring performed by CCCWP during water year 2021. Within Contra Costa County, targeted monitoring is conducted annually at:

- Four continuous water temperature monitoring locations
- Two general water quality monitoring locations
- Five pathogen indicator bacteria monitoring locations

Site locations are identified using a targeted monitoring design based on the directed principle to address the following management questions:

1. What is the range of general water quality measurements at targeted sites of interest?
2. Do general water quality measurements indicate potential impacts to aquatic life?
3. What are the pathogen indicator concentrations at creek sites where recreational water contact may occur?

Targeted monitoring data are evaluated against MRP threshold triggers, to assess the potential need for follow-up. The results of water year 2021 monitoring are summarized in Appendix 2.

3.3 Toxicity, Pesticides and Other Pollutants in Sediment – Dry Weather (C.8.g)

Once per year during the dry season (July 1-Sept. 30), sediment samples are collected and tested for toxicity to several different aquatic species, as required by MRP 2.0. Sampling is conducted at a site selected from the probabilistic design for bioassessment monitoring, or at a site targeted to address management questions.

Concurrent with the sediment toxicity sampling described above, sediment chemistry samples are collected for analysis of a select list of pesticides, polycyclic aromatic hydrocarbons, trace elements, total organic carbon, and grain size. All sediment analytical chemistry (pesticides and other pollutants), grain size analysis and toxicity test results are presented in Appendix 1.

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4 Pollutants of Concern Monitoring (C.8.f)

POC monitoring is intended to assess inputs of POCs to the Bay from local tributaries and urban runoff, assess progress toward achieving waste load allocations and total maximum daily loads, and to help resolve uncertainties associated with loading estimates for these pollutants.

POC monitoring addresses five priority information management needs:

1. Source Identification – identifying which sources or watershed source areas provide the greatest opportunities for reductions of POCs in urban stormwater runoff.
2. Contributions to Bay Impairment – identifying which watershed source areas contribute most to the impairment of San Francisco Bay beneficial uses (due to source intensity and sensitivity of discharge location).
3. Management Action Effectiveness – providing support for planning future management actions or evaluating the effectiveness or impacts of existing management actions.
4. Loads and Status – providing information on POC loads, concentrations, and presence in local tributaries or urban stormwater discharges.
5. Trends – evaluating trends in POC loading to the Bay and POC concentrations in urban stormwater discharges or local tributaries over time.

Monitoring in water year 2021 continued the effort toward addressing these information needs as discussed below. Table 3 presents a summary of water year 2021 POCs monitoring locations.

Table 3. Summary of Water Year 2021 Pollutants of Concern Monitoring Stations

| Station ID | Receiving Water Body | Land Use | Latitude | Longitude | City/Town | Street Dirt Sediment | Methyl Mercury, Copper, and Nutrients |
|------------|----------------------|-----------------|----------|------------|-----------|----------------------|---------------------------------------|
| 544MSHM0 | Marsh Creek | Region 5, Urban | 37.99035 | -121.69591 | Oakley | | X |
| 544MSHM1 | Marsh Creek | Region 5, Urban | 37.96448 | -121.68392 | Brentwood | | X |
| SanFeCh1 | Santa Fe Channel | Region 2, Urban | 37.93154 | -122.35327 | Richmond | X | |
| SanFeCh2 | Santa Fe Channel | Region 2, Urban | 37.93088 | -122.36159 | Richmond | X | |
| SanFeCh3 | Santa Fe Channel | Region 2, Urban | 37.93161 | -122.36878 | Richmond | X | |
| SanFeCh4 | Santa Fe Channel | Region 2, Urban | 37.92969 | -122.36912 | Richmond | X | |
| SanFeCh5 | Santa Fe Channel | Region 2, Urban | 37.92465 | -122.36301 | Richmond | X | |
| SanFeCh6 | Santa Fe Channel | Region 2, Urban | 37.92118 | -122.36304 | Richmond | X | |
| SanFeCh7 | Santa Fe Channel | Region 2, Urban | 37.92089 | -122.37810 | Richmond | X | |
| SanFeCh8 | Santa Fe Channel | Region 2, Urban | 37.92120 | -122.37191 | Richmond | X | |

4.1 Source Identification and Contribution to Bay Impairment

In water year 2021, CCCWP conducted source area assessments to investigate high interest parcels and areas for consideration of property referrals and focused implementation planning for PCBs and mercury load reductions. Street dirt and drop inlet sediments were sampled for POCs at eight locations within the Santa Fe Channel watershed in the City of Richmond, as shown in Figure 2. These sediment monitoring

activities address source identification, contributions to Bay impairment, and management action effectiveness. Additionally, dry weather stream sampling was conducted in targeted locations for copper, nutrients, mercury, and methylmercury (see Figure 2). These water monitoring activities address source identification, contributions to Bay impairment, loads, and trends. A summary report of these data is presented in the Pollutants of Concern Monitoring Report: Water Year 2021 (Appendix 3).

4.2 Loads, Status and Trends

MRP 2.0 places an increased focus on finding watersheds, source areas, and source properties that are potentially more polluted and upstream from sensitive Bay margin areas (high leverage sites). To support this focus, a stormwater reconnaissance monitoring program was developed and implemented beginning in water year 2015 by the RMP through the STLS workgroup. However, in water year 2021, no stormwater sampling activities were located within Contra Costa County.

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Appendix 1

Regional/Probabilistic Creek Status Monitoring Report: Water Year 2021

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Appendix 2

Local/Targeted Creek Status Monitoring Report: Water Year 2021

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Appendix 3

Pollutants of Concern Monitoring Report: Water Year 2021

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Attachment A

***Electronic Data Transmittal Letter dated
March 31, 2022, with attached file list***

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Attachment B

BASMAA Regional Monitoring Coalition: Status of Regional Stressor/Source Identification (SSID) Projects (updated March 2022)

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