



# ADMINISTRATIVE REPORT

**TO:** PUBLIC WORKS COMMISSION

**FROM:** SARAH SCHEIDT, REGULATORY COMPLIANCE MANAGER

**PREPARED BY:** DEPARTMENT OF PUBLIC WORKS

**MEETING DATE:** FEBRUARY 10, 2016

**SUBJECT:** MUNICIPAL REGIONAL PERMIT UPDATE

---

## RECOMMENDATION

Receive an update regarding the new Municipal Regional Stormwater Permit, issued by the San Francisco Bay Regional Water Quality Control Board.

## BACKGROUND

The City of San Mateo is subject to the new Municipal Regional Permit (MRP), which was revised and reissued on January 1, 2016. The MRP effects 76 permittees in four counties surrounding the San Francisco Bay, and regulates discharge of stormwater runoff from municipal separate storm sewer systems (MS4s). The goals of the permit are to consistently regulate permittees with specificity and requirements that will achieve desired water quality improvements throughout the Bay. Several enhanced actions are required to control 303(d) listed pollutants, pollutants of concern, and achieve Waste Load Allocations adopted under Total Maximum Daily Loads.

This Permit specifies the following: 1) requirements to effectively prohibit non-stormwater discharges into the storm drain system, 2) effluent limitations that require controls to reduce the discharge of pollutants to the "maximum extent practicable", and 3) water quality-based effluent limitations (WQBELs), for the control of pesticides, trash, mercury, PCBs, and bacteria, in addition to technology-based effluent limitations. The Permit includes requirements for the following components:

- Discharge Prohibitions and Receiving Water Limitations
- Municipal Operations
- New Development and Redevelopment
- Industrial and Commercial Site Controls
- Illicit Discharge and Elimination
- Construction Site Controls
- Public Information and Outreach
- Water Quality Monitoring
- Pesticides Toxicity Controls
- Trash Reduction
- Mercury Controls
- PCBs Controls
- Copper Controls
- Pacifica and San Mateo County Beach and San Pedro Creek Bacteria Controls for Beach and San Pedro Creek
- Exempt and Conditionally Exempt Discharges
- San Mateo County Discharges to ASBS

The provisions and limitations specify what the City must do during the term of the Permit to manage discharges of the specific pollutants that may cause or contribute to violations of water quality standards. The requirements of C.9 through C.12 (Pesticides, Trash, Mercury, PCBs) are ambitious and rigorous because they will require the City to fully commit to and implement challenging but achievable tasks to ultimately meet water quality objectives, including objective interim numeric effluent limitations.

Provision C.3 of the Permit calls for adoption and implementation of low impact development. The mercury and PCBs provisions (C.11 and C.12) explicitly recognize and call for use of green infrastructure to meet pollutant load reduction requirements. The trash provision allows use of low impact development green infrastructure as full trash capture systems, if appropriately designed, operated, and maintained. The Order also includes monitoring requirements (Provision C.8) to assess water body and watershed conditions and effectiveness of control actions towards attainment of water quality standards and to inform selection and implementation of new control actions or adaptive improvements of control actions. Each of the pollutant-specific provisions also contains concrete milestones, deadlines and reporting requirements that provide rigor and accountability.

## **BUDGET IMPACT**

A Stormwater Management Program is used to achieve objectives of this Permit, which is funded through the General Fund. A total of 1.0 FTE are currently budgeted within the Regulatory Compliance Division to directly carry out these duties: (0.25) Regulatory Compliance Manager; (0.5) Environmental Compliance Inspector, and (0.2) Administrative Assistance (currently split between two staff working within the ET/Admin group), and (0.05)

Deputy Director of Public Works. The MRP does require nearly every department throughout the City to devote resources towards implementation of actions to comply with permit provisions. In addition to the Environmental Services Division, the Public Works Engineering Division has significant responsibility for implementation of Provision C.3 (New and Redevelopment and Green Infrastructure), and C.10 Trash Capture Device capital improvement planning. The Public Works Maintenance Division will also require significant resources to comply with O&M requirements for trash capture and storm drain systems.

The current level of staffing is not sustainable in the long term. The lack of staffing resources prohibits efficient development and implementation of critical program functions, and ultimately may cost the City more in the long run. A detailed analysis of MRP provides an estimate of the number of hours necessary to implement the various task and provisions to ensure compliance. Ongoing annual tasks will require approximately 1500 hours of program coordination, in addition to other one time tasks throughout the permit duration totaling between 50 and 250 additional hours per year. These estimates assume that certain tasks are primarily developed/implemented by San Mateo Countywide Stormwater Pollution Prevention Program (SMCWPPP) (75% task ownership by SMCWPPP).

To perform the work of the Stormwater Management Program at a level needed to ensure compliance, enhance water quality, and improve quality of life in San Mateo, additional staff is needed to coordinate the above functions. Public Works is requesting a new position as part of the 16/18 Budget, Stormwater Program Coordinator, who will report to the Regulatory Compliance Manager. This would be a full-time, merit, non-exempt position.

Additionally, significant capital costs are expected to be incurred for the design and installation of full trash capture devices, green infrastructure improvements, and enhanced street sweeping. Public Works is anticipating 3.2 million dollars will be needed, minimally, over the next five years for trash capture alone. A Trash Capture Master Plan is included in this estimate, which will provide for a more detailed analysis of costs of compliance.

## **ENVIRONMENTAL DETERMINATION**

The action to adopt an NPDES Permit is exempt from the provisions of the California Environmental Quality Act (Pub.Resources Code, § 21000 et seq.) ("CEQA") pursuant to Water Code section 13389, since the adoption or modification of a NPDES permit for an existing source is statutorily exempt.

## **NOTICE PROVIDED:**

NA

**ATTACHMENTS**

None

**STAFF CONTACT** Sarah Scheidt, Regulatory Compliance Manager  
sscheidt@cityofsanmateo.org  
650-522-7385

**cc:** external only