



**CONTRA COSTA  
CLEAN WATER  
PROGRAM**

CONTRA COSTA CLEAN WATER PROGRAM  
New Development & Construction Controls Committee  
July 9, 2009 Meeting Minutes

Attendance:

**MUNICIPALITY**

City of Antioch  
City of Clayton  
City of Concord  
Town of Danville  
City of El Cerrito  
City of Hercules  
City of Lafayette  
City of Martinez  
Town of Moraga  
City of Oakley  
City of Orinda  
City of Pinole  
Contra Costa County

**ATTENDED**

Libbey Bell (**Vice Chairperson**)  
  
Saied Aminian  
Glenn Moniz  
Christine Sinnette  
Khalil Yowakim  
John Sherbert  
Frank Kennedy  
Cathleen Terentieff  
Nancy Voisey  
Dan Jordan

**ABSENT**

Phil Hoffmeister  
Laura Hoffmeister  
  
Chris McCann

**Non-Voting Members**

City of Brentwood  
City of Pittsburg  
City of Pleasant Hill  
City of Richmond  
City of San Pablo  
City of San Ramon  
City of Walnut Creek

Jolan Longway

Chris Low

Jeff Cowling

Rod Wui  
Lynne Scarpa  
Karineh Samkian

Carlton Thompson

**Program Staff:**

Tom Dalziel  
Michelle McCauley  
Dan Cloak (Consultant)

**Guest:**

Kim Schwab, Central Valley Regional  
Water Quality Control Board

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- I. Introductions, Announcements, and Changes to Agenda: After noting a quorum was present, Tom Dalziel convened the meeting. He noted the absence of both Rinta Perkins (Chairperson) and David Schwartz (Vice-Chairperson).

II. Action Calendar:

- A. Nominate and Elect a Chair and Vice-Chair for Fiscal Year 2009/2010 – Dalziel requested nominations for Chair and Vice-Chair. John Sherbert nominated David Swartz for FY 2009/10 Chairperson / Frank Kennedy seconded the nomination. Tom Dalziel reported he had talked to David recently, and David indicated he was willing to serve as chair. Passed Unanimously.

Dalziel then asked for volunteers for the position of Vice-Chair for FY 2009/10. Following discussion clarifying the responsibilities of the position, Libby Bell volunteered herself, and Sherbert seconded her self-nomination. Passed unanimously. Dalziel immediately passed the role of chairing the current meeting to Bell.

III. Consent Calendar:

- A. Approve the June 11, 2009 NDCCC Draft Summary Minutes – Bell noted an error in the meeting agenda. The item should have referred to the June 11, 2009 teleconference meeting minutes and not the November 26, 2008 minutes. Bell asked for a motion to approve the minutes with the stated correction. Christine Sinnette so moved and Sherbert seconded. Passed unanimously.

IV. Presentations:

- A. Review of NDCCC's Fiscal Year Goals – Dalziel began his presentation by noting the NDCCC's role in advising the Program's Management Committee. He proceeded to outline proposed FY 2009/2010 goals in two areas: Construction Activities and C.3 (i.e., New Development/Redevelopment Controls).

For Construction Activities, Dalziel noted the need for the NDCCC to identify and develop group Program activities; develop outreach and training for the Municipal Regional Permit's (MRP) new requirements for construction inspection; and, to possibly review local legal authorities to implement the new construction inspection requirements. The Program will also prepare a template for Enforcement Response Plans, as required by the MRP. Other construction-related activities included review of the reissued statewide General Stormwater Permit for Construction Activities (Construction General Permit, or CGP), and collaboration with other Bay Area countywide programs through the Bay Area Stormwater Management Association's (BASMAA's) New Development Committee.

For C.3 Implementation, Dalziel noted the following Program activities: On-call assistance to municipalities with C.3 implementation, HMP model calibration and validation, completion of the updated IMP sizing calculator, preparing a work plan to implement the MRP, policy development for ongoing C.3 implementation

activities, outreach and training, assistance with implementation of operation

and maintenance verification for stormwater treatment facilities, and facilitating the integration of C.3 Implementation Work Group activities into the NDCCC.

Dalziel presented the FY 2009/10 budget to fund these group Program activities.

Kennedy asked if the MRP would affect the 2009/10 fiscal year goals or budget. Dalziel said he expected the MRP would be adopted during FY 2009/10, but implementation of new activities required in the proposed MRP would begin in the following fiscal year at the earliest.

- B. April 2009 Draft Construction General Permit – Dalziel reviewed the provisions of the proposed permit. The key features noted were as follows:
- A risk-based approach, which requires each application for coverage under the permit to evaluate the relative risk of impacts to beneficial uses from erosion and sedimentation caused by the project.
  - Performance measures, including Numeric Effluent Levels (NELs) and Numeric Action Levels (NALs)
  - Requirements for Rainfall Event Action Plans
  - Training and qualifications required for preparation and implementation of the Storm Water Pollution Prevention Plans (SWPPPs)

Kennedy noted under the CGP, municipalities may bear additional regulatory responsibilities for reviewing SWPPPs, although all funds collected from permittees go to the State.

Dalziel proposed additional, more detailed discussion at a future meeting. The discussion would include analysis of risk levels are most likely to apply to Contra Costa construction projects; and what would be required of municipal staffs inspecting those projects which would include review of results from the analysis of runoff samples.

- V. Reports and Discussion: Kim Schwab of the Central Valley Regional Water Quality Control Board (Water Board) joined the meeting by teleconference.
- A. Municipal Regional Permit – Dalziel asked Dan Cloak to report. As background, Cloak said the permittees, working together through BASMAA in 2006-2007, convinced San Francisco Bay Water Board staff to keep C.3 requirements “as is” in the first MRP Tentative Order (TO). Concerns then expressed by BASMAA included the need to eliminate requirements to track impervious area in all projects approved by municipalities; to clarify the start date for new C.3 requirements; and, to extend the phase-in time for lower thresholds for C.3 applicability. From BASMAA’s point of view, Provision C.3 in the February 2009

revised TO was substantially improved.

The February 2009 revised TO included new requirements to use Low Impact Development (LID) as the preferred method of stormwater treatment. These requirements were basically compatible with the design procedure in the *Stormwater C.3 Guidebook*. At the May 13, 2009 RWQCB's Public Hearing, Program staff sought to convince Water Board members that current implementation of LID in the Bay Area was exemplary and additional requirements requested by the Natural Resources Defense Council (and to a lesser extent by USEPA) were unnecessary and counterproductive.

Program staff was encouraged by May 13, 2009 comments from San Francisco Bay Water Board members who said any changes should not "undermine" existing LID efforts and their staff should work with permittees to demonstrate current LID policies and practices were as effective as those approved in permits issued elsewhere in California.

Program staff and other BASMAA representatives were shocked by a "concept" presented by Water Board staff at a June 24<sup>th</sup> meeting that required retention of all runoff up to a specified volume on-site; allowed "bioretreatment" (bioretention with underdrains) only where retention of all runoff could be shown to be infeasible; and, required projects that could not implement LID to implement conventional treatment onsite or implement LID on 150% of the same square footage offsite or else an "in-lieu" fee would be required.

Cloak explained BASMAA agencies were somewhat divided regarding their responses to the Water Board's staff concept. Program staff had few objections to the LID requirements except for the need to allow the use of non-LID treatment at certain types of facilities: small "lot-line-to-lot-line" projects in pedestrian-oriented areas, areas retrofitted under the "50% rule," and roadway widening projects. The main concern was that economically marginal downtown redevelopment projects not be burdened by the requirement of an in-lieu fee. Dalziel indicated other programs, (i.e. Santa Clara) were more concerned about obtaining broader exemptions from implementing LID.

Cloak explained the current status where a BASMAA response "not vetted by Permittees" was delivered to Water Board staff on July 8<sup>th</sup>. Additionally, providing offsite alternative compliance on a 1:1 basis and specifying where non-LID treatment may be used, the response included proposed language for "grandfathering" projects when the MRP is adopted. The proposed "grandfathering" language, drafted by Santa Clara representatives, deletes previous references to "deemed complete;" and, instead states the new requirements shall not apply for projects that have received "final discretionary approval" before the required implementation date.

Sinnette said it would likely be necessary to develop a precise definition of “final discretionary approval.” Kennedy noted there are many projects that have approvals but are on the shelf because of poor economic conditions, and the status of these projects with regard to the new requirements would need to be clarified. Kennedy also noted that AB 333 will extend the life of tentative map approvals by two years.

Kim Schwab suggested the City of Sacramento's stormwater NPDES Permit be reviewed as an example of how to address grandfathering.

- B. Stormwater C.3 Guidebook Updates and (Integrated Management Practices) IMP Sizing Calculator – Cloak reported the MRP included Hydrograph Modification Management Plan (HMP) provisions specific to each countywide stormwater program. This was because each HMP was developed, submitted, revised, and approved in separate processes, and, there was common agreement these provisions should not be changed even as common requirements for a region-wide permit were developed.

Parallel with, but separate from BASMAA's comments on the MRP, Program staff held discussions with Water Board staff regarding HMP provisions in the MRP specific to Contra Costa County. Contra Costa's HMP was submitted in 2005 and approved in 2006. During that time, Program staff convinced Water Board staff that lower-flow thresholds for LID Integrated Management Practices (IMPs) such as bioretention areas were not appropriate, as the effectiveness of those facilities in retaining and infiltrating runoff could not be precisely modeled. The Order approving Contra Costa's HMP required studies of the hydrologic performance of IMPs in the field.

The revised MRP TO includes changes to Contra Costa's HMP requirements. It imposes a lower-flow threshold of 0.1Q2 on all IMPs except the flow-through planter and the swale. However, in the *C.3 Guidebook* 4<sup>th</sup> Edition, the swale was eliminated in favor of a “generic” bioretention facility. Sizing factors for the generic bioretention facility were developed using 0.2Q2 as a lower-flow threshold. The 0.2Q2 lower-flow threshold resulted in facilities with reasonable sizes, seemed appropriate based on available monitoring data, and will show that modeling assumptions used were overly conservative.

Program staff met with Water Board staff to discuss needed changes in the Revised MRP TO on May 26, 2009. On June 3, 2009, Tom Mumley requested information regarding the development of the IMPs; and, this information was provided in a June 22, 2009 letter. At Water Board staff's request, the Program will delay the release of two new IMP designs and the IMP Sizing

Calculator and has postponed planned training of municipal staff and land development professionals in the implementation of LID.

- C. C.3 Projects – Issues and Solutions – Dalziel reviewed the purpose of this recurring agenda item, which is to provide opportunity for municipal staff to bring example C.3 projects and general questions about C.3 for group discussion and problem-solving.

Kennedy noted some land development professionals were still having difficulty preparing an adequate Stormwater Control Plan and felt additional training opportunities were needed.

Bell described a project where Concord required incorporation of C.3 measures and Water Board staff reviewed and added additional runoff measures in connection with a Clean Water Act Section 401 certification. One question arose whether roadway widening on the opposite side of the street from a private development should be considered part of the same “project” for the purposes of C.3. The late changes added some pervious pavement and eliminated an outfall.

- VI. Old/New Business: The group discussed meeting times. It was noted NDCCC meetings would begin at 9:00 a.m. and could run until noon or adjourn earlier.

- VII. Meeting Adjourned: Bell adjourned the meeting at 11:30 am.

**NEXT NEW DEVELOPMENT & CONSTRUCTION CONTROLS COMMITTEE MEETING:**

Thursday, August 13, 2009  
9:00 a.m. to Noon  
Conference Room “G”  
Contra Costa County Public Works Department  
255 Glacier Drive  
Martinez, CA 94553



CONTRA COSTA  
**CLEAN WATER**  
PROGRAM

CONTRA COSTA CLEAN WATER PROGRAM  
Management Committee Special Meeting  
July 15, 2009 Minutes

Attendance:

**MUNICIPALITY**

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

**ATTENDED**

Phil Hoffmeister  
Jeff Cowling  
Laura Hoffmeister  
Jeff Roubal  
Chris McCann  
Garth Schultz  
Jose Pacheco  
Donna Feehan  
Alex Stroup  
Jill Mercurio  
Frank Kennedy  
Paul Lang  
Nancy Voisey  
Jolan Longway  
Rod Wui  
Lynne Scarpa  
Karineh Samkian  
Steven Spedowfski  
Rinta Perkins  
Rich Lierly  
Greg Connaughton

**ABSENT**

**OTHERS/GUESTS:**

- I. **Introductions:** Phil Hoffmeister began the meeting at 1:30 with self-introductions. At the request of the Program Manager (Donald Freitas), Hoffmeister asked to add a Personnel Item to the agenda for discussion with Management Committee members only (i.e., closed session).

Rinta Perkins moved/Steven Spedowfski seconded/To add a Closed-session item for Personnel to the agenda. Passed unanimously.

## II. Presentations:

- A. Trash Ads – Following Freitas’ introduction, Tracy Keough of O’Rorke Communications, Inc. – the PEIO consultant, explained the television advertisements were a result of input taken from four (4) focus groups held in January 2009 regarding “trash” messages. Responses were largely regionalized. This led O’Rorke and the PEIO Committee to believe the best approach to educate the public would be a series of four 15-second vignettes which could be mixed and matched to certain geographical areas to reach the right target audience. The voice-overs varied to allow a broader appeal. The ads also allow for Spanish voice-overs in the future.

Keough ran the series of ad combinations and responded to questions.

Following requests from co-permittees, Program staff agreed to supply DVD copies of the ads for municipalities to air on their public access cable channels. Staff also will post the ads to the Program’s website.

- B. State’s April 23, 2009 Draft Construction General Permit – Tom Dalziel presented the State Water Resource Control Board’s proposed “Risk-Based Permitting Approach” contained in the April 23, 2009 Draft Construction General Permit (Draft Permit). As proposed, construction site owners would be required to use a Risk Determination Worksheet to evaluate the project’s overall combined risk level. Dalziel reviewed the two components within the worksheet for determining a project’s overall risk level or potential threat to water quality – 1) sediment transport risk; and, 2) receiving water risk. For evaluating the project’s sediment transport risk, three factors are considered – rainfall, soil erodibility, and slope length and gradient). The receiving water risk determination looks at the condition and characteristics of the project’s receiving water (i.e., is the receiving water body impaired by sediment and does it support cold water fish migration/spawning). The sediment transport and receiving water risk factors are then combined in a matrix. The result is the project is either Low Risk (Level 1); Medium Risk (Level 2); or, High Risk (Level 3). Dalziel summarized the standards and requirements (e.g., site management measures, effluent standards, monitoring and reporting, etc...) applicable to projects within Risk Levels 1, 2 and 3. The requirements for Risk Levels 1, 2 and 3 are provided in Attachments C, D, and E, respectively, in the Draft Permit. In general, the requirements increase with the risk.

Dalziel stated most projects in Contra Costa County (County) would likely fall into risk level 1, or 2. Two primary factors influence this determination.

First, clay soils are the dominate soil type in the County and have a low susceptibility to erosion. Second, no waterbodies in the County are impaired for sediment. Furthermore, few waterbodies in the County are designated for cold water fish migration and spawning.

Dalziel emphasized his presentation was a summary of the requirements and committee members should read the Draft Permit. Dalziel stated he sent the presentation to committee members via email.

- C. Personnel – A closed-session meeting was held on personnel. The open meeting was resumed at 2:55. Phil Hoffmeister indicated no reportable action was taken.

III. **Consent Calendar:**

- A. June 11, 2009 New Development & Construction Controls (NDCC) Committee Teleconference Meeting
- B. June 17, 2009 Management Committee Meeting Minutes
- C. June 23, 2009 Watershed Assessment & Monitoring (WAM) Committee Meeting Minutes
- D. June 24, 2009 Public Education & Industrial Outreach (PEIO) Committee Meeting Minutes

Karineh Samkian moved/Steven Spedowfski second/To Approve the Consent Items as submitted. Passed unanimously.

IV. **Actions:**

- A. APPROVE Fiscal Year 2009/10 Goals for Stormwater Pollution Control Manager – Freitas asked for approval of the Goals as submitted during the annual employee evaluation.

Karineh Samkian moved/Steven Spedowfski seconded/To Approve the Fiscal Year 2009/10 Goals for the Stormwater Pollution Control Manager as submitted. Passed unanimously.

V. **Staff Reports:**

- A. Municipal Regional Permit (MRP) Update – Dalziel reported Water Board staff was rushing to resolve remaining issues by early August, when many Water Board staff members leave for vacation. This rush has resulted in a

very busy and dynamic process with multiple meetings among BASMAA members and between BASMAA members and Water Board staff. Dalziel provided a summary of some of the proposed changes being discussed with Water Board staff related to Provisions C.2 (Municipal Operations), C.6 (Construction Site Control), and C.15 (Exempted and Conditionally Exempted Discharges). Dalziel and Jamison Crosby then briefly reported on the following:

**C.3 (New Development & Redevelopment)** – Dalziel reported that despite Water Board staff's expressed desire to avoid substantive changes to the MRP, in order to avoid re-noticing the MRP and further delay its adoption, Water Board staff is proposing substantive changes to the LID and Alternative Compliance requirements. Water Board staff is also reviewing these changes with USEPA and the National Resources Defense Council (NRDC). Most of these changes appear to be in response to public comments made by NRDC. Dalziel summarized these changes would undermine BASMAA's current programs, which are far ahead of the rest of the State. BASMAA continues to review these provisions with Water Board staff.

**C.8 (Water Quality Monitoring)** – Jamison Crosby reported there were some positive changes being proposed by Water Board staff related to water quality monitoring. Most of these changes are consistent with public comments made by BASMAA. Preliminary estimates indicated the changes could result in reduced compliance costs (e.g., from approximately \$6.2 to \$5.2 million). BASMAA continues discussion with Water Board staff related to pollutants of concern retrofit projects outlined in Provision C.11 and C.12. These requirements remain untenable.

**C.10 (Trash Reduction)** – Dalziel reported discussions related to trash have been very contentious. There is general agreement on the concept of setting a goal for the reduction of trash; however, critical issues remain on where these reductions will be measured (e.g., in the creek or in municipal discharges). Other critical issues to be resolved involve the means and methods to reduce trash loads and for measuring reductions (e.g., prescriptive vs. flexible). Meetings between BASMAA members and between BASMAA and Water Board staff are ongoing.

- B. Status of Proposition 218 Election – Freitas distributed copies of general proposals submitted by four (4) firms to perform a Proposition 218 Election. The firms provided estimates of at least one year to 22 months; and, \$1 to \$1.5 million to bring the measure to ballot. This does not include mailings for any educational pieces regarding the measure. The

cost to mail the ballots was estimated at approximately \$450,000.

Freitas asked co-permittees to review the proposals and share them as necessary with their superior(s) to determine whether they want to move ahead with the measure. Freitas indicated he would ask for direction from co-permittees at the August 19<sup>th</sup> Management Committee meeting. Freitas reminded co-permittees the ballot measure would be an "assessment" election, which means a majority is required to pass (50% plus 1).

If co-permittees direct staff to proceed with the election, staff will perform a Request for Qualifications, followed by a Request for Proposal. The winning proposal would be brought before the Public Managers' Association for their input and direction.

- C. Annual Report Update – Michelle McCauley reminded co-permittees this was the first year the Annual Report forms were posted on the website and sought to determine if any co-permittees had trouble accessing them.

McCauley announced she received only one municipal draft submittal for the Annual Report. Dalziel reminded co-permittees the deadline to ensure staff would be able to review and comment on draft submittals was July 17, 2009.

McCauley stated she expected to provide Household Hazardous Waste (HHW) data by the end of July and had already provided a summary to all co-permittees of the PEIO promotional items the municipalities received earlier from the Program.

- D. Legislative Report – Elisa Wilfong stated only Senate Constitutional Amendment 18 (SCA18) and Senate Bill 310 (SB310) are still being considered. All other relevant bills were placed on "hold" until the budget crisis was resolved.

SCA 18 (The exemption for stormwater fees subject to Proposition 218) is on its third reading. SB310 is in its first reading. Wilfong indicated she would continue to provide updates as new information became available.

## VI. **Regional Board Staff Comments/Reports:**

San Francisco Bay RWQCB – Matt Graul commented he liked the Trash Ads and expressed doubt the Draft MRP would be considered for adoption this September.

Central Valley RWQCB – Kim Schwab did not attend the meeting.

VII. **Information Items:** None.

VIII. **Old/New Business:** Donna Feehan (City of Lafayette) referred to the Urban Creeks Council item listed in the June 23, 2009 WAM minutes and asked Crosby for clarification regarding the prioritizing of watersheds for outreach.

Crosby responded that with limited funds and in consideration of the most efficient way to spend the money, co-permittees wanted to work with the Urban Creeks Council to formulate a strategy to most efficiently allocate the funding.

Rich Lierly distributed a Natural Hazard Mitigation Questionnaire and asked co-permittees to complete if data obtained from this would help determine the preparedness level with the County if a natural disaster occurred.

A question was raised about the status of the Stormwater Inspection Agreement. Freitas responded it was not moving forward because of a current stalemate between County Counsel on our side, and Counsel for the Central Contra Costa Sanitary District (Central San) on the other. The current contract contains a Hold Harmless Agreement with the Flood Control District on behalf of the Program. However, Central San also wants a Hold Harmless Agreement from *each* participating municipality. Freitas expressed his belief it was unlikely the issue would soon be resolved.

IX. **Adjournment:**

Hoffmeister adjourned the meeting at 4:10 pm.

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CONTRA COSTA  
CLEAN WATER  
PROGRAM

CONTRA COSTA CLEAN WATER PROGRAM  
Commercial/Industrial Ad-Hoc Advisory Workgroup  
July 23, 2009 Minutes

**Attendance:**

**MUNICIPALITY**

City of Richmond  
City of San Pablo  
County Watershed Program

**ATTENDED**

Lynne Scarpa  
Karineh Samkian  
Charmaine Bernard

**Program Staff**

Elisa Wilfong

- I. Introductions: Wilfong started the meeting with introductions and then proceeded to the agenda. Since few were present for the meeting, Wilfong briefly discussed information items and quickly moved to the items requiring no action.
- II. Announcements: No announcements were made.
- III. MRP Update: The attendees wanted to forgo the update on the MRP since they heard the latest overview at last week's Management Committee meeting.
- IV. Trash Outreach Brochure (Distribution Update) and Next Outreach Project Planning: Wilfong reported all the co-permittees received their trash brochures and have started their trash campaigns by sending out the brochures. No effective feedback is available yet since the campaigns have just started. Wilfong reminded the Workgroup to note their trash abatement efforts in their annual report.

The Workgroup discussed what the next outreach piece should be. They decided to create a small postcard depicting Best Management Practices (BMPs) for painters. Many co-permittees complained painting contractors washed paint illegally down storm drains and were not conducting proper BMPs at residential sites. A painter's outreach piece would be appropriate to provide to painting contractors so they can educate their employees to properly implement stormwater BMPs. Wilfong was directed to create a mock up of a painter postcard to show the group for the October meeting.

- V. Fall Workshop Planning: Wilfong facilitated a discussion of a future workshop. A debate occurred over the proper timing for a workshop (whether a late winter or spring workshop would be more appropriate pending the MRP adoption). The Workgroup recommended postponing a formal workshop until later this winter or spring of 2010, which will be determined at the October quarterly meeting. Postponement of the workshop would also allow the Program's inspection contracts to be finalized (early this fall) and allow the POTW staff to attend the workshop. Possible future topics included specific trainings on pollutants of concern topics. Wilfong will finalize a plan for the next com/ind workshop during the October quarterly Workgroup meeting.
  
- VI. Annual Report Writing: Wilfong briefly asked Workgroup members to comment on any questions or concerns they had regarding the 2008/09 annual report proces. No concerns were offered so Wilfong concluded the discussion.
  
- VII. Adjournment: Wilfong adjourned the meeting at 11:30 p.m.

EW:kh

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CONTRA COSTA CLEAN WATER PROGRAM  
Watershed Assessment & Monitoring Committee  
July 28, 2009 Meeting Minutes

Attendance:

**MUNICIPALITY**

City of Antioch  
City of Concord  
Contra Costa County - **Vice Chairperson**  
City of Richmond - **Chairperson**  
City of Walnut Creek

**ATTENDED**

Phil Hoffmeister  
Jeff Roubal  
Nancy Stein  
Lynne Scarpa  
Rinta Perkins

**ABSENT**

**Non-Voting Members**

City of San Pablo  
City of Pittsburg  
City of Lafayette

Karineh Samkian  
Jolan Longway  
Donna Feehan

**Program Staff:**

Jamison Crosby  
Michelle McCauley

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- I. Introductory Remarks and Announcements: Jamison Crosby announced Karineh Samkian would be teleconferenced into the meeting. At 9:35 a.m. Crosby began the meeting with self-introductions and then she proceeded to the agenda.
  - II. Elect WAM Officers for FY 2009/10 – Crosby informed co-permittees Lynne Scarpa had previously indicated her potential willingness to serve as WAM Chairperson for FY 2009/10. Jeff Roubal nominated Lynne Scarpa for Chairperson. Phil Hoffmeister seconded the nomination and Scarpa was elected FY 2009/10 Chairperson by a unanimous vote of members present.  
  
Jeff Roubal nominated Nancy Stein for Vice-chairperson/Rinta Perkins seconded the nomination. Passed unanimously.
  - III. Watershed Prioritization for Grants From the Urban Creeks Council (UCC) – Crosby stated she spoke with Mike Vukman of UCC to get an update on actions related to the grant since UCC's presentation at the June WAM meeting. WAM members had asked UCC staff to peruse their records to turn up a list of potential applicants for the grant money. Due to staff training and activity levels, UCC did not have time to do this or to take other steps to advance the outreach process. Crosby stated she

could provide UCC with a list of creekside landowners throughout Contra Costa County (County) at any point they deemed it useful. A discussion ensued resulting in the following questions:

- How is outreach to be conducted?
- Why isn't the grant listed on the UCC website?
- How are matching funds secured/guaranteed from the property owner?
- What is the time frame for the grant?

It was again suggested outreach should first be directed at homeowners that have previously used UCC services. Another option discussed was performing outreach to property owners along priority creeks for monitoring identified in the MRP.

Co-permittees agreed this was a smarter approach. Crosby will contact James Chayka to encourage them to post information on the grant to their website and also to press them to expeditiously pursue outreach to homeowners previously in contact with UCC.

- IV. MRP – BASMAA Regional Monitoring Coalition (BRMC) – Crosby, Chris Sommers, Arlene Feng of Alameda County Stormwater, and Jon Konnan of EOA, Inc. have been meeting informally as representatives of stormwater programs for the last year and a half regarding monitoring requirements in the MRP and how to approach them from a regional basis. Now that the MRP is imminent, the group formally named itself the BASMAA Regional Monitoring Coalition (BRMC). Crosby stated the MRP allows 1 ½ years to set up regional monitoring if that option is chosen. There is a lot of work to be done in both the technical and administrative arenas. Donald Freitas directed Crosby to focus first on the technical work which must be done. Crosby expects the BRMC will continue to meet monthly for the foreseeable future. The next meeting is August 5, 2009 at 9:30 am at EOA, Inc. offices in Oakland. Co-permittees again expressed their desire to participate directly in the meetings to ensure the municipal perspective is represented. Co-permittees decided to designate Lynne Scarpa and Phil Hoffmeister to serve as interim representatives to the BRMC in addition to Crosby. This designation will need to be approved by Management Committee. Once the MRP is finalized, WAM can re-visit its designations to the BRMC and adjust as they see fit with Management approval. Co-permittees asked Crosby to make BRMC a standing item on the agenda or to discuss as part of Program Updates.

Regarding the issue of whether to make WAM an ad-hoc committee in deference to the BRMC, the committee decided to shelve this idea until the MRP is adopted.

Crosby distributed two tables for review that were provided at the last meeting of the BRMC. One assigned MRP C.12 tasks to either the regional programs or municipalities. Co-permittees suggested another category of stormwater programs (countywide) should be added.

The other spreadsheet provided a breakdown of required monitoring parameters into sampling and analysis and then determined if it was best approached regionally or by county.

V. Program Updates –

- Crosby summarized the Brake Pad Partnership study results which determined up to 50% of copper in urban watersheds come from brake pads. SB 346 would have required significant reductions over time in the amount of copper in brake pads but is currently on hold due to the state budget crisis. It is expected to be brought back for reconsideration by the State Legislature in the 2010 session.
- Crosby distributed a summary of a pyrethroid pesticides study by Donald Weston that found pyrethroids in nearly all urban runoff samples collected at nearly 4 times the concentration that would paralyze the test organism, *Hyallolella*.

A meeting between the Pyrethroids Working Group, a group of pesticide registrants, and representatives of CASQA (including Crosby) occurred on July 22, 2009 which was very productive. CASQA explained the extensive monitoring costs cities would bear as a result of pyrethroid ubiquity in California waterbodies. CASQA went on to explain the need for the pyrethroids re-evaluation to proceed more quickly, with a more thorough review of existing literature and guided by a comprehensive conceptual model. One major point of agreement was that the current process of PWG doing study designs and CASQA spending huge time and effort reviewing and developing formal comment letters and then PWG revising and sending back is too time-consuming and not productive. More direct lines of communication need to be opened between CASQA and PWG if the PWG is to produce scientifically valid studies in reasonable time frames.

- Crosby stated the FY 09/10 budget allocated \$65,000 for Department of Conservation and Development for the Volunteer Creek Monitoring Program. The money was for BMI sampling in the spring of 2010, analysis of samples from spring 2009, and Trash assessments. However, the portion of the funding attributed to trash assessments will not be appropriated from the budget until the MRP is finalized since we anticipate the final trash provisions to be quite different than the current version and trash assessments may not be required in such large numbers as anticipated.
- Crosby informed co-permittees of an online training module developed by the University of California Integrated Pest Management Program (UC-IPM) to train retail employees how to provide IPM advice to customers at retail stores. It appears to be a really great training tool but the challenge is making retailers aware of it. Crosby asked co-permittees if they were willing to conduct outreach to their respective retail purveyors of pesticides to

encourage them to utilize the training and they indicated they were. Crosby will send the link via email.

VI. Summary of Action Items and Agenda Items for Next Meeting:

Crosby to:

- Contract James Chayka at UCC to provide direction for grant outreach
- Send co-permittees link to UC IPM training module
- Provide a Staff Item to the Management Committee Agenda regarding the designees to the BRMC

VII. Adjournment: Scarpa adjourned the meeting at 11:15 a.m.

**Next Watershed Assessment & Monitoring Committee Meeting:**

Tuesday, September 22, 2009

9:30 am

Conference Room "B"

255 Glacier Drive

Martinez, CA 94553